

this tribute to the City of Austin, and hereby wishes said Organization and its publication, "The War Cry," continued success in the great work it is doing for humanity throughout the United States.

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 12:40 P. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor.

Attest:

Marie McKeen
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, June 1, 1939.

The City Council convened in regular session, at the regular meeting place in the Municipal Building, on Thursday, June 1, 1939, at 11:00 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Chas. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, none.

The reading of the Minutes was dispensed with.

The Mayor announced that, in accordance with published notice thereof, the public hearing called for this day on the proposal of the City Council to amend the Zoning Ordinance in the following particulars would now be opened:

To amend the USE designation of Lots 15 and 16, Block 48, of the Robar Addition, located at the corner of West 24th and Leon Streets, in the City of Austin, Texas, so as to change same from "A" Residence District to "B" Residence District.

To amend Section 6 of the Zoning Ordinance so as to change No. 18 to read "animal hospitals," and to omit the words, "Laundries using soot-producing fuels."

To amend Section 6-A of said Zoning Ordinance by adding the following uses:

7. Laundries using non-soot producing fuel;
8. Lumber yard and planing mill;
9. Animal hospitals;
10. Creameries for on-site and off-site consumption of products.

To amend the first paragraph of Section 10 of said Zoning Ordinance by adding after the word "discontinued" the following: "vacated or abandoned for a period of not less than six months."

To amend the Use District Map of the City of Austin by extending the "C-2" Commercial District from the intersection of East Sixth Street and Chicon Street along both sides of Chicon Street to East Seventh Street, and thence along East Seventh Street to the intersection of East Seventh Street with Northwestern Avenue.

The following property owners appeared to protest the proposed change in zoning of the property at the corner of 24th and Leon Streets, described as Lots 15 and 16,

Block 48, of the Robar Addition:

Melissa Gordon, colored, 2305 Leon Street, objected to the change on the ground that a fraternity house there would disturb the quiet of her home.

Dr. Goodall Wooten, Mrs. James R. Hamilton, and C. H. Page objected to the change on the ground that most of the property owners affected wished this area to remain as residential and were entitled to have it remain as such, Dr. Wooten and Mrs. Hamilton declaring that, in deference to the other property owners, they had refused high-priced offers for the purchase of their property for commercial purposes.

The following property owners appeared in behalf of the proposed change:

William H. Bright, Agent for the proponents, Mrs. Geo. M. Cox, Vice-President of the Texas Federation of Womens Clubs, and Messrs. Barrow and Williams, who plead for the change on the grounds that this property is not salable for residential purposes on account of its proximity to a commercial zone and the Club house, and that if a fraternity house were built there property values would be enhanced, the street paved, sewerage installed, and delinquent taxes on the property paid.

A letter from Ernest Hoffman, indorsing the change, was received.

No other property owners or interested persons appearing to be heard, Councilman Wolf moved that the matter be taken under advisement until the next regular meeting, and that the City Council in the meantime look the situation over. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

There being no protests against the other proposed changes in the Zoning Ordinance as called for in the hearing of this date, Councilman Wolf moved that the City Attorney be instructed to prepare the necessary ordinance in accordance therewith. The motion prevailed 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
May 31, 1939

The Hon. Mayor and City Council
Austin, Texas

Gentlemen:

The Board of Adjustment at a meeting held on May 30, 1939, passed the following resolution, which is hereby submitted for your consideration:

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 Bradfield and Brush requesting a change from "A" Residence District to "C" Commercial District and Second Height and Area District for the following property:

The triangular tract of land bounded on the west by East Avenue, on the south by an extension of East 41st Street, and on the northeast by the right-of-way of the Southern Pacific Railroad.

WHEREAS, at a meeting held by the Board of Adjustment on May 30, 1939, the changing of the zoning designation of the above described property was carefully considered in relation to the property itself, the entire subdivision, the character of the surrounding neighborhood, the trend of development in this section of the City, and otherwise with reference to a comprehensive City plan and fundamental zoning principles; therefore

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT this change in the Use designation of the above described property is recommended to the City Council for the following principal reasons:

1. That the location of this property between the railroad and a highway, and its low grade, renders it undesirable for residential purposes, but not for commercial purposes.
2. That with the development of residential subdivisions in this area of the City, there will be need for a local retail shopping center for convenience of the residents of this area, there being no commercial area nearer than approximately three thousand feet, or two-thirds of a mile.
3. That opposite this property across Cameron Road lies the Country Club, which

would not be adversely affected by any commercial development at this point.

Respectfully submitted,

BOARD OF ADJUSTMENT

By H. F. Kuehne
Chairman. "

A public hearing on the proposal to change the zoning of the property described in the foregoing report of the Board of Adjustment, from "A" Residence District to "C" Commercial District, and also to change the zoning, from "A" Residence District to "B" Residence District, of the triangular tract of land belonging to the City of Austin located on the southeast corner of the intersection of West 24th Street and Shoal Creek Boulevard, was called for Thursday, June 22, 1939, at 11:00 A. M.

Councilman Gillis introduced the following resolution:

WHEREAS, heretofore by a deed of easement recorded in Book 601, page 243, of the Deed Records of Travis County, Texas, F. W. McGuire granted to the City of Austin an easement for a public sanitary sewer across that certain 17-acre tract conveyed to the said F. W. McGuire by warranty deed of F. T. Ramsey and wife dated April 30, 1913; and

WHEREAS, it has become apparent that the City of Austin does not now need or desire an easement across said tract except as hereinafter specifically described; 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 in the name of the City of Austin to release and quitclaim to the said F. W. McGuire, his heirs and successors, all the right, title, interest, claim and demand in and to the easement described by the instrument from F. W. McGuire to the City of Austin, recorded in Book 601, page 243, of the Deed Records of Travis County, Texas, to which instrument reference is here made for all pertinent purposes, save and except the following specific easement:

Beginning at a point in the south line of Block 8 of said McGuire Subdivision No. 1 referred to above, from which point of beginning a concrete monument at the southwest corner of said block bears N. 65°55' W. 15.62 feet;

Thence with the centerline of said sanitary sewer crossing the southwest corner of Block 8 N. 90°47' E. 48.07 feet to point of termination in the west line of said Block 8, and from which point of termination said concrete monument at the southwest corner of this block bears S. 28°39' W. 46.99 feet.

The 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, in Book 3, page 26, of the Plat Records of Travis County, Texas, there appears a map or plat of a subdivision of land known as Walsh Place on Lake Austin; and

WHEREAS, upon said map or plat there is shown various streets and alleys; also various lots and blocks, one block being designated as Block C and being traversed by an alley 20 feet in width; and

WHEREAS, the owners of a majority of the property abutting said alley have petitioned the City Council of the City of Austin to vacate and abandon said alley; and

WHEREAS, said petition has been reviewed and considered by the City Council of the City of Austin; therefore

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

THAT that certain alley traversing Block 6 of Walsh Place on Lake Austin as referred to above be permanently closed and vacated, except, however, the City of Austin hereby reserves the right to construct, maintain, operate and control all public utilities in, upon, over and across said alley.

The 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
May 31, 1939

Hon. Mayor and City Council
Austin, Texas

Gentlemen:

The following is a copy of a resolution which was passed by the Board of Adjustment at a meeting held on May 30, 1939:

RESOLUTION.

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. Nathan J. Hirsh, concurred in by Dudley Miller, Manager of the Brown Building, requesting a change in the Use Designation of the following property:

The property occupied by the Brown Building at the corner
of Eighth and Colorado Streets

from "C" Commercial District to "C-2" Commercial District; and

WHEREAS, at a meeting held by the Board of Adjustment on May 30, 1939, the changing of the zoning designation of the above described property was carefully considered in relation to the property itself and the character of the surrounding property, and the trend of development in this area in the City, and otherwise with reference to a comprehensive City plan and fundamental zoning principles; therefore

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT this change in the Use Designation of the above described property is recommended to the City Council for the following principal reasons:

1. That when the "C-2" Commercial District was established by the City Council this property was occupied by residences and was presumably omitted from this zone for that reason.
2. That this property is now occupied by a large office building, which has fundamentally changed its character by virtue of which it has acquired the same character and quality of the other property within the present "C-2" Commercial District which lies across Colorado Street.
3. That the Board deems that owing to the changed conditions affecting this property and the fact that the property opposite the same is now zoned as a "C-2" Commercial District, no valid reason exists why this property should not also be zoned as "C-2" Commercial District.

Respectfully submitted,

BOARD OF ADJUSTMENT

By H. F. Kuehne
Chairman

Councilman Gillis introduced the following resolution:

WHEREAS, Hyde Park Baptist Church is the contractor for the erection of a building located at 3901 Speedway and desires a portion of the sidewalk and street space abutting Lots 15, 16 and 17, Block 35, Hyde Park Addition #1, within the City of Austin, Travis County, Texas, during the erection 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 Hyde Park Baptist Church, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southeast corner of the above described property; thence in a southerly direction and at right angles with the centerline of East 39th Street to a point 10 feet south of the north curb line; thence in a westerly direction and parallel with the centerline of East 39th Street 7 feet to a point; thence in a northerly direction and at right angles with the centerline of East 39th Street to the south line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Hyde Park Baptist Church, 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 east, south, and west 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 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 lights 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 sidewalk, barricades, materials, equipment, and other obstructions shall be removed not later than October 1, 1939.

(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 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 projects, 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 One Thousand Dollars (\$1000.00), 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 granted 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 HASKELL STREET easterly 96 feet from a point 204 feet west of the west 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.

(2) A gas main in RAMSEY AVENUE northerly 150 feet from a point 117 feet north of the north line of West 47th Street, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Ramsey Avenue.

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

(3) A gas main in HETHER STREET easterly 42 feet from a point 321 feet east of the east line of Kinney Avenue, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said Hether Street.

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

(4) A gas main in RIVERSIDE DRIVE from Summit Street westerly 53 feet, the centerline of which gas main shall be 26 feet north of and parallel to the south line of said Riverside Drive.

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

(5) A gas main in SUMMIT STREET from Riverside Drive southerly 80 feet, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Summit 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 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, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Gillis introduced the following resolution:

WHEREAS, Westenfield Development Company is the owner of a portion of Lot 10, Outlot 26, Division "E", of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property is situated at the southeast corner of the intersection of West 19th Street and Rio Grande Street, within the City of Austin, Travis County, Texas; and

WHEREAS, the said Westenfield Development Company, acting by and through E. P. Thomas, owner of the above described property, has made application to the City Council of the City of Austin for permission to set the curb back from the established curb line on the south side of West 19th Street and to build a commercial driveway across the south sidewalk area of said West 19th Street; and

WHEREAS, a plan has been prepared showing the proposed layout of the above described curb setback and commercial driveway, which plan is hereto attached marked 2-H-651 and made a part hereof, and said plan has been considered and approved by the City Council of the City of Austin; therefore

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

THAT Westenfield Development Company, acting by and through E. P. Thomas, owner of a portion of Lot 10, Outlot 26, Division "E", of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property is situated at the southeast corner of the intersection of West 19th Street and Rio Grande Street within the City of Austin, Travis County, Texas, is hereby granted permission to set the curb back from the established curb line on the south side of West 19th Street and to build a commercial driveway across the south sidewalk area of West 19th Street.

Permission to construct the above described curb setback and commercial driveway is granted subject to the same's being constructed in accordance with the plan approved by the City Engineer of the City of Austin, which plan is hereto attached marked 2-H-651 and made a part hereof, and in accordance with the following conditions:

(1) That the construction of the setback area on West 19th Street shall be carried out in accordance with the accompanying plan marked 2-H-651, and that all such widened areas, driveways or ramps and curbs shall be constructed of concrete at the expense of the applicant.

(2) That all such concrete shall be not less than 6 inches in thickness and shall be of the following proportions: 1 part cement, 2 1/2 parts of sand, and 4 parts of screened gravel or rock.

(3) That the concrete curbs adjacent to the sidewalk area shall be not less than 6 inches high and that an expansion joint not less than 3/4 inch thick shall be placed between the curb and the sidewalk as shown upon the plan hereto attached marked 2-H-651.

(4) That all such expansion joints shall be of the pre-moulded type.

(5) That all concrete work within the street area shall be done by a bonded sidewalk contractor.

(6) That the applicant shall be required to clean the newly created ramp

area at least twice per week and shall dispose of the debris at his expense.

(7) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

The 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. The resolution was read in full. Councilman Wolf moved that the resolution be adopted. The motion was seconded by Councilman Alford. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Mayor Miller, and Councilman Wolf; nays, Councilman Gillis.

The resolution is as follows:

**RESOLUTION FOR COOPERATION WITH THE
AUSTIN HOUSING AUTHORITY IN DEMOLITION
OF SUBSTANDARD HOUSES**

WHEREAS, the Housing Authority of the City of Austin (herein called the "Authority") proposes to develop and administer a low-rent housing project (herein called the "Project") within the territorial limits of the City of Austin (herein called the "City") including approximately 155 dwellings; and

WHEREAS, in connection with the development of the Project, the Authority desires to eliminate unsafe or insanitary dwellings situated within the territorial limits of the City substantially equal in number to the number of newly constructed dwellings to be provided by the project; and

WHEREAS, the Authority has requested the City to cooperate with it and assist it in the elimination of such unsafe and insanitary dwellings; and

WHEREAS, there exist in the City unsafe or insanitary dwellings to a greater number than the number of new dwellings to be included in the Project and it is necessary and desirable that the City should eliminate such unsafe or insanitary dwellings to protect the health, safety and morals of the inhabitants of this city; and

WHEREAS, it is necessary that the present low-income occupants of unsafe or insanitary dwellings be provided with new dwellings at rentals they can afford to pay; and

WHEREAS, the City will directly benefit from the construction of new dwellings for families of low income and from the elimination of unsafe or insanitary dwellings within the City; now, therefore,

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

Section 1. That the City hereby determines that, for the purpose of aiding said Authority in its efforts to eliminate unsafe and insanitary dwellings in the City, the City shall cooperate with the Authority by eliminating some of the unsafe or insanitary dwellings within the territorial limits of the City equal to or greater than the number of newly-constructed dwellings to be provided by the project.

Section 2. That the City shall enter into a contract with the Authority substantially in the following form:

**AGREEMENT BETWEEN THE CITY OF AUSTIN
AND THE HOUSING AUTHORITY OF THE CITY
OF AUSTIN**

1. Consideration of the mutual promises of the City of Austin, Texas, (herein called the "City") and the Housing Authority of the City of Austin (herein called the "Authority") hereinafter set forth, the City and Authority agree as follows:

2. The City agrees to eliminate unsafe or insanitary dwellings of a number equal to or greater than the number of new dwellings to be provided in a low-rent housing project (herein called the "Project") to be developed by the Authority, less the number of

unsafe or insanitary dwellings eliminated from the site of the Project by the Authority during the development of the Project.

3. The City agrees to eliminate such unsafe or insanitary dwellings within the territorial limits of the City.

4. The City agrees to eliminate such unsafe or insanitary dwellings in one or the other of the following ways, or partly in one of these ways and partly in another.

(a) By demolishing dwellings which are on land acquired by the City by purchase or otherwise, including demolition of such dwellings on land purchased for any public uses; or

(b) By causing the compulsory demolition, effective closing, repair or improvement of such unsafe and unsanitary dwellings; or

(c) By inducing private owners voluntarily to eliminate such dwellings.

5. In computing the number of unsafe or insanitary dwellings eliminated under the terms of this Agreement, there shall be included all unsafe or insanitary dwellings eliminated under this Agreement from the date hereof; provided, however, that all unsafe or insanitary dwellings eliminated by the City prior to the date of this agreement will be counted as elimination under this Agreement if the Authority is satisfied that such elimination was undertaken in anticipation of the execution of this Agreement.

6. In computing the number of unsafe or insanitary dwellings eliminated under the terms of this Agreement, the remedying of violations of local building codes or ordinances by compulsory action of the City, insofar as it results in the elimination of unsafe or insanitary dwellings, shall be considered as elimination. The voluntary remedying of such violations shall not be considered as elimination.

7. For the purpose of this Agreement a dwelling shall be considered unsafe or insanitary whenever by reason of dilapidation, faulty arrangement or design, lack of ventilation, light or sanitation facilities, or any combination of these factors, it is detrimental to safety, health or morals.

8. The Authority agrees:

(a) To advise the officers in charge of appropriate departments of the City of the existence of any unsafe or insanitary dwellings in the City, which the Authority finds as a result of its surveys or studies;

(b) To make reports to the City, from time to time, regarding such matters; and

(c) To cooperate with the City in securing the elimination of unsafe or insanitary dwellings required hereunder.

(2) The City agrees to cause its officers in charge of appropriate departments to make reports through the City Manager to the Authority from time to time regarding:

(a) The action taken by the City in the elimination or repair of unsafe or insanitary dwellings hereunder;

(b) The dates of such action

(c) The location of such dwellings; and

(d) The condition of such dwellings which made them unsafe or insanitary.

10. The Authority agrees that it will use its best efforts to develop the Project as rapidly as possible and to operate and maintain such Project for families of low income. The Authority agrees to keep the City fully informed as to the status of the Project.

11. The Authority and the City agree that the elimination undertaken and required hereunder shall be considered as a part of the Project.

12. The City agrees to complete the elimination required hereunder within two years from the date of physical completion of the Project.

IN WITNESS WHEREOF, the City of Austin, Texas, and the Housing Authority of the City of Austin have respectively caused this Agreement to be duly executed in triplicate as of the 1st day of June, 1939.

CITY OF AUSTIN

(Seal)
Attest:

By City Manager

HOUSING AUTHORITY OF THE CITY OF
AUSTIN

(Seal)
Attest: Secretary

By Chairman

Section 3. That the Manager and the Clerk of the City of Austin are hereby authorized to execute in triplicate a contract substantially in the form set forth in Section 2 hereof on behalf of the City.

Upon the recommendation of the Rotating Staff of Doctors at Brackenridge Hospital that a manager trained in hospital management be employed to administer the affairs of said institution, the City Manager was authorized to employ George S. Buis at a salary of \$4000 per year, if, after investigation, it is found by the City Manager that the applicant meets all requirements.

T. P. Lock, Jr., appeared before the Council in the matter of injuries received by him recently in a collision with one of the City's fire trucks. The matter was referred to the City Manager to make such adjustment, if any, that he deems proper on the hospital account of the said T. P. Lock, Jr., it being the consensus of opinion that the City was neither morally, nor otherwise, liable for any damages.

Councilman Wolf introduced the following resolution:

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

THAT the City Manager is authorized to purchase from the Blanco National Bank, a body corporate, duly incorporated and doing business under the laws of the United States of America, with its office and place of business in the town of Blanco, Blanco County, Texas, for the consideration of Six Thousand Eight Hundred and Twenty-five and 00/100 Dollars (\$6825.00), two tracts or parcels of land lying and being situated in the County of Travis, in the State of Texas, part of and out of the J. P. Wallace Survey No. 57 and the J. Burleson Survey No. 10 in said county, and particularly described as follows in two tracts, to-wit:

Tract No. 1. 16.49 acres of land, about 7.69 acres being out of the J.P. Wallace Survey No. 57, about 8.8 acres being out of the J. Burleson Survey No. 10 in Travis County, Texas, and being all of that portion of a 30-acre tract of land conveyed by W. T. Caswell to John H. Biggs, Jr., by deed recorded in Travis County Deed Records in Book 272, page 466, which is north of a county road dedicated to Travis County, out of said 30-acre tract of land by John H. Biggs, Jr., as recorded in Book 286, page 44 of the Deed Records of Travis County, Texas, as surveyed by Hamilton C. Motenlfe, County Surveyor of Travis County, Texas:

Beginning at an iron stake at the northeast corner of a 30-acre tract of land out of the Jas. P. Wallace Survey No. 57, and the Jas. Burleson Survey No. 10 in Travis County, Texas, as conveyed by W. T. Caswell to John H. Biggs, according to a deed dated December 15, 1915, recorded in Travis County Deed Records, Book 278, page 466;

Thence with the north line of said 30-acre tract, N. 60°06' W. 515.45 feet to an iron stake on or near the east line of the Jas. P. Wallace Survey No. 57 and the west line of the Jas. Burleson Survey No. 10, for a corner of said 30-acre tract;

Thence S. 29°40' W. 221.3 feet to a corner of said 30-acre tract in the west line of the Jas. Burleson Survey No. 10 and the east line of Jas. P. Wallace Survey No. 57, as fenced;

Thence with an old fence N. 60°28' W. 600 feet to an iron stake, set in concrete, for the northeast corner of Lot No. 15 of "Ridgetop Gardens" according to a map or plat as recorded in Plat Book No. 3, page 50, Travis County Deed Records, said iron stake being also the most westerly northwest corner of said 30-acre tract;

Thence with the west line of the said 30-acre tract and the east line of Lot No. 15, "Ridgetop Gardens," S. 30°00' W. 413.25 feet to an iron stake for the southeast corner of Lot No. 15, and the west line of said 30-acre tract, said iron stake being the northwest corner of a strip of land dedicated for road purposes to Travis County by John H. Biggs, Jr., by a deed recorded in Book 286, page 42, Travis County Deed Records;

Thence with the north line of said road-strip, S. 60°00' E. 800.3 feet to an iron stake on or near the west line of the Jas. Burleson Survey No. 10, and the east line of the James P. Wallace Survey No. 57;

Thence with the north line of said road-strip, S. 41°39' E. 570.25 feet to an iron stake in the east line of the J. H. Biggs 30-acre tract for the northeast corner of said road-strip and from which iron stake the southeast corner of said 30-acre tract bears S. 28°07' W. 288.4 feet;

Thence with the east line of said 30-acre tract, N. 28°07' E. 822.3 feet to the place of beginning, containing 16.49 acres of land;

Tract No. 2. 11.96 acres of land, about 7.83 acres being out of the J.P. Wallace Survey No. 57, about 4.13 acres being out of the J. Burleson Survey No. 10 in Travis County, Texas, and being all of that portion of a 30-acre tract of land conveyed by W. T. Caswell to John H. Biggs, Jr., by deed recorded in Travis County Deed Records in Book 278, page 466, which is south of a county road dedicated to Travis County out of said 30-acre tract of land by John H. Biggs, Jr., as recorded in Book 286, page 42 of the Deed Records of Travis County, Texas, as surveyed by Marlton O. Metcalfe, County Surveyor of Travis County, Texas;

Beginning at a set stone at the south corner of the Jas. P. Wallace Survey No. 57, in Travis County, Texas, said set stone being the beginning corner of a 30-acre tract, according to a deed dated December 15, 1915, from W. T. Caswell to John H. Biggs as recorded in Travis County Deed Records, Book 278, page 466;

Thence with the south line of said 30-acre tract, S. 60°42' E. 548.68 feet to an iron stake for the southeast corner of said 30-acre tract of land;

Thence with the east line of said 30-acre tract N. 28°07' E. 238.4 feet to the southeast corner of a strip of land dedicated for road purposes to Travis County by John H. Biggs, Jr., by a deed recorded in Book 286, page 42, Travis County Deed Records;

Thence with the south line of said road-strip, N. 41°42' W. 571.35 feet to an iron stake on or near the west line of the Jas. Burleson Survey No. 10 and the east line of the James P. Wallace Survey No. 57;

Thence with the south line of said road-strip, N. 60°00' W. 800.3 feet to an iron stake at the northeast corner of Lot No. 35, "Ridgetop Gardens" according to a map or plat as recorded in Plat Book No. 3, page 50, Travis County Deed Records, said corner being also in the west line of the John H. Biggs 30-acre tract;

Thence with the west line of the John H. Biggs 30-acre tract and the east line of Lot No. 35, "Ridgetop Gardens" S. 30°00' W. 424.6 feet to an iron stake for the southwest corner of said 30-acre tract, and the southeast corner of Lot No. 35, "Ridgetop Gardens";

Thence with the south line of said 30-acre tract, S. 60°00' E. 802.74 feet to the place of beginning, containing 11.96 acres of land;

said land to be purchased subject to the approval of the title by the City Attorney,

and the sum of Six Thousand, Eight Hundred and Twenty-five and 00/100 Dollars (\$6825.00)

is hereby appropriated out of the General Fund for the purpose of paying for said tract of land.

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

Mayor Miller introduced the following resolution and moved its adoption. The motion was seconded by Councilman Wolf, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor declared the resolution finally adopted.

The resolution is as follows:

" Before the
CIVIL AERONAUTICS AUTHORITY

In the matter of the Application of
BRANIFF AIRWAYS, INC.
for certificate of public convenience
and necessity

DOCKET NO. 194

MEMORANDUM IN SUPPORT OF APPLICATION

The City of Austin files this memorandum in support of the issuance of a certificate of public convenience and necessity for the transportation by air of mail, passengers and property by Braniff Airways, Inc., between the cities of Minneapolis, St. Paul, and Rochester, Minnesota; Des Moines, Iowa; and Kansas City and St. Louis, Missouri, as specified in its application in the above numbered docket in the particulars hereinafter indicated, and for grounds of such support respectfully shows:

1. The City of Austin is the principal educational center of the southwest, and the capital of the largest State in the Union. It is a thriving and growing City.
2. The City of Austin enjoys good air transport services and facilities at this time. There remains, however, the need for mainline through service to Des Moines, Iowa, in which City is located many insurance companies doing business in Austin and in Texas, as well as other types of business having relations in Austin and in Texas; with Rochester, Minnesota, the location of the Great Mayo Clinic, with which clinic Austin and Texas citizens have many relations; with the insurance, grain, manufacturing and distributing center of Minneapolis and St. Paul, with which cities Austin and Texas has ever increasing and rapidly growing social and commercial relationships; with the State of Minnesota, to which State many Texans go annually for their vacations, and to which State others would go if faster, more direct, more comfortable and convenient air transportation were available.
3. Braniff Airways has long served the City of Austin with modern, convenient, dependable and safe air transportation.
4. Braniff Airways has consistently and regularly improved its services to Austin and to Texas by the purchase of the most modern, comfortable equipment; by increasing the frequency of its services; by rearranging its schedules to better serve the City of Austin; by its policy of maintenance and safety of operations; and by the constant improvement of its standards of service, all to the benefit of Austin and this territory.
5. In accordance with its proven policy of endeavoring to provide for the growing needs for additional air transportation between Austin and Texas and other principal cities of the United States, Braniff Airways, Inc., has filed its application with the Civil Aeronautics Authority for permission to inaugurate air transport service for passengers, mail and property between the cities referred to in its application.

6. Braniff Airways can render a service over the proposed route best designed to serve the needs of the people of Austin and of Texas, and better than any other carrier now an applicant for authority to inaugurate service over the proposed route.

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

Section 1. That the City Council of Austin does hereby endorse the proposed air line to be established by Braniff Airways, Inc., between the cities of Minneapolis, St. Paul, and Rochester, Minnesota; Des Moines, Iowa; and Kansas City and St. Louis, Missouri, and believes that the establishment of such a line by Braniff Airways, Inc., will be of material benefit to the citizens of this City and of the State of Texas.

Section 2. That the Mayor of the City of Austin be, and he is hereby, fully authorized and empowered to render any aid possible to Braniff Airways, Inc., in securing their certificate of convenience and necessity from the Civil Aeronautics Authority for the establishment of the aforesaid air transport services, including the appointment of a representative of this Body to attend any hearings held in connection therewith.

Section 3. That the City Secretary is hereby directed to serve a copy of this Memorandum in Support of Application upon all interested parties to the proceedings herein.

Section 4. That there exists a public emergency requiring that this resolution be passed finally on the date of its introduction, and the Mayor having in writing declared the existence of such emergency and requested such passage, this resolution shall be passed finally on the date of its introduction, this the 1st day of June, A. D. 1939, and shall take effect immediately upon its passage and approval by the Mayor.

The City Manager reported to the City Council that, at the request of the State Health Department and the United States Public Health Service, leave of absence this summer had been granted Dr. Geo. M. Decherd, Assistant Director, M. H. Strickland, Sanitary Inspector, and one of the nurses, of the City-County Health Unit, to attend their respective schools recommended by the State Health Department and the United States Public Health Service, at no cost to the City.

It was moved by Councilman Bartholomew that, in appreciation of the services rendered by Guiton Morgan, City Manager, and his worth to the City of Austin, the salary of said Guiton Morgan be increased to \$5000 per year, effective as of this date, June 1, 1939. The motion carried 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 1:00 P. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Walter Mc Kee
City Clerk