

Mayor Miller moved that the City Manager be authorized to employ Kreisle & Brooks as architects for the new fire station at the corner of East Second and Chicon Streets, and to proceed with the drawing of plans and specifications for same. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Upon motion, seconded and carried, the meeting was then recessed.

Approved: Tom Miller
MAYOR

Attest:

Hallie McLean
City Clerk.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 7, 1939.

The City Council convened in regular session, at the regular meeting place in the Municipal Building, on Thursday, September 7, 1939, at 10:40 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.

Mr. Ray E. Lee, newly-installed Postmaster of the City of Austin, was introduced to the meeting and made a brief speech, in which he pledged the whole-hearted cooperation of his Department for the growth and betterment of the City.

The following reports of the Board of Adjustment were received:

"Austin, Texas
September 6, 1939.

The Honorable 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 September 5, 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 Fred Fields requesting a change in the Use designation of the following described property:

Lot 5, Block 18, Grandview Heights, located on the south side of East Tenth Street between Lincoln and Mill Streets

from "B" Residence District to "C" Commercial District; and

WHEREAS, the Zoning Maps of the City of Austin show this property to be located in a "B" Residence District and First Height and Area District and that opposite thereto on the north side of East 10th Street there is an "A" Residence District, and further shows that there is now a "C" Commercial District at the intersection of East 11th Street and Chicon Street and on East Seventh Street from Chicon Street to Northwestern Avenue; and

WHEREAS, an examination of the neighborhood discloses the fact that the surrounding neighborhood

is developed as "A" Residence District containing several non-conforming uses which existed before the Zoning Ordinance was passed, and that the essential character of this area is residential; and

WHEREAS, the Board of Adjustment, at a meeting held on September 5, 1939, carefully considered the changing of the Use designation of this property and has viewed the premises and carefully studied the conditions and developments surrounding the same, and considered this change in the light of sound zoning principles; therefore

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT it is not recommended to the City Council that the above described property be changed from "B" Residential District to "C" Commercial District for the following principal reasons:

1. That the request is for a single lot in a single ownership, located in the center of a residential area and would thus be a definite spot zone.
2. That no evidence has been presented showing any public necessity or convenience requiring the establishment of a commercial spot zone at this location.
3. That the granting of this change would be for the benefit of a single individual without reference to the general welfare of the surrounding neighborhood nor the rights and interests of other property owners adjacent thereto.
4. That such a change would not be in harmony with the general character of this area which is essentially residential, and would not be in conformity with any sound principle of zoning.
5. That the commercial needs of this area are well served by the existing commercial districts within a short distance thereto, and that these areas are not yet fully developed, and a well-balanced economy would not indicate the need of additional commercial zones, which would tend to depress the economic stability of the existing commercial areas.
6. That no sound reason has been advanced for this change.

Respectfully submitted,

BOARD OF ADJUSTMENT

By (Signed) H. F. Kuehne
Chairman.

"Austin, Texas
September 6, 1939

The Honorable 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 September 5, 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 Grant Chapel A.M.E. Church of the City of Austin requesting a change in the Use designation of the following described property:

Lot K, Block 13, Patterson Subdivision, located on the northwest corner of the intersection of New York Avenue and Chicon Street

from "A" Residence District, First Height and Area District, to "C" Commercial District, Second Height and Area District; and

WHEREAS, the Board of Adjustment held a public hearing on this petition on September 5, 1939, at which hearing no protests to this change were registered from adjacent property owners, and at which hearing a large delegation of the membership of the Grant Chapel appeared urging this change; and

WHEREAS, the Zoning Maps of the City of Austin show that this property is now located adjacent to a "C" Commercial District which extends along East 12th Street from Poquito Street to Olander Street and is now classified as "A" Residential District and First Height and Area District; and

WHEREAS, the Board of Adjustment, at a meeting held on September 5, 1939, carefully considered the changing of the Use designation of this property and has viewed the premises and carefully studied the conditions and developments surrounding the same, and considered this change in the light of sound zoning principles; therefore

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT it is hereby recommended to the City Council that the above described property be changed from "A" Residence District and First Height and Area District to "C" Commercial District and Second Height and Area District; and further, that the property on the opposite side of Chicon Street from New York Avenue to the alley between 12th Street and New York Avenue and extending to the center of the block between Chicon Street and Salina Street also be changed from "A" Residence District and First Height and Area District to "C" Commercial District and Second Height and Area District for the following principal reasons:

1. That the above recommended change is an extension of an existing commercial district for a distance of one-half block, and the inclusion of the property on the opposite side of Chicon Street would not mark this change as a spot zone.
2. That no reasons have been advanced why this change should not be made and, on the contrary, the granting of this change would meet a justified demand for an extension of the commercial district at this locality, and would prevent unnecessary hardships to the petitioner, and would not adversely

affect the property values or public welfare.

Respectfully submitted,

BOARD OF ADJUSTMENT

By H. F. Kuehne
Chairman.

In accordance with published notice thereof, the Mayor then announced the public hearing open on the proposal of the City Council to amend the Zoning Ordinance in the following particulars:

To amend the USE designation of the following described property so as to change same from "B" Residence District to "C" Commercial District: the property known as 2009 East Tenth Street, more particularly described as Lot 5, Block 18, Grandview Heights, located on the south side of East Tenth Street between Lincoln and Mill Streets.

To amend the USE designation of the following described property so as to change same from "A" Residence District to "C" Commercial District: Lot K, Block 13, Patterson Subdivision, located at the northwest corner of the intersection of New York Avenue and Chicon Street, said property fronting 75 feet on New York Avenue and 145 feet on Chicon Street.

No one appearing to protest the proposed changes, Councilman Wolf moved that the City Attorney be instructed to prepare the necessary ordinance. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Gillis introduced the following resolution:

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

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

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

A telephone pole line in WINSTED LANE from Windsor Road south one block, the centerline of which pole line shall be $8\frac{1}{2}$ feet east of and parallel to the west property line of said Winsted Lane.

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

The resolution was adopted by the following vote: Ayes, Councilmen Alford, 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 POST OAK STREET from Bouldin Avenue easterly 343 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said Post Oak Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(2) A gas main in GILBERT STREET from Hopi Trail westerly 803 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said Gilbert Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(3) A gas main in HOPI TRAIL from Gilbert Street to Windsor Road, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Hopi Trail.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

(4) A gas main in WINDSOR ROAD from Hopi Trail westerly 79 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said Windsor Road.

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

(5) A gas main in WEST MONROE STREET from South Fifth Street easterly 256 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said West Monroe 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 Wolf introduced the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, A MUNICIPAL CORPORATION OF THE STATE OF TEXAS:

THAT said corporation's City Manager be and he is hereby duly authorized and fully empowered to enter into and execute, for and in the name of said corporation, one certain written agreement, dated and effective September 1, 1939, between said corporation and Guy A. Thompson, Trustee, International-Great Northern Railroad Company, Debtor, herein called Carrier, respecting among certain things:

An 8" sewer line crossing under tracks of I-GN RR. at
Engr. Sta. 9337 + 60.5 ICC, Austin, Travis County, Texas

true copy of said agreement being attached hereto as part hereof.

(AGREEMENT)

PIPE LINE AND CANAL CROSSING LICENSE

This instrument executed in duplicate on this 1st day of September, A. D. 1939, WITNESSETH:

The undersigned Carrier hereby grants, solely on the herein expressed terms and conditions, and the undersigned Licensee, City of Austin, a municipal corporation of the State of Texas, Austin, Texas, hereby accepts, permission to install, keep, and use, free of charge, for conveying sewage (8" sewer line) along or across the right of way or other grounds constituting a part of Carrier's railroad (hereinafter called premises) at or near Austin, Travis County, Texas, a certain pipe line (or canal and/or flume), the same to cross premises at Sta. 9337 + 60.5 ICC, and otherwise to be located as shown by yellow line and of said right of way if limited to any track, by white line, but, if wider, by red lines on the map or plat marked Exhibit "A", and hereto attached and made a part hereof.

1. Licensee shall furnish or do at Licensee's own cost and responsibility any and all things and when and as from time to time required to accomplish whatsoever the Licensee attempts or is bound to do at any time hereunder. Licensee shall adjust Pipe Line (or canal and/or flume) to any physical change as made at any time in any of Carrier's property; at all times keeping upper surface of any pipe line or canal and/or flume at least four feet below bottom of rail thereover. Licensee shall cause any Pipe Line, before being used for anything inflammable, to conform substantially to Exhibit "B" attached hereto as part hereof;

obtaining Exhibit B, if missing, from Carrier. Said things, including the time and manner of doing any work, each shall conform to the requirements of carrier as well as of any State, Federal or Municipal authority. Carrier may acting for Licensee furnish or do, and Licensee shall pay and bear the cost of, anything which, herein required of Licensee, at any time, either shall not be furnished or done within ten days following Carrier's written request therefor or shall be undertaken by Carrier at Licensee's request; and Licensee on request shall, in advance, deposit with Carrier the estimated cost thereof. If deposit be less than actual cost, Licensee shall pay difference; if more, Carrier shall repay difference. Licensee when returning this license (signed) shall pay to Carrier ten dollars for preparing it. Any other payment shall be made within twenty days following receipt of bill. Licensee shall pay cost to Carrier for all labor, including wages of foremen, plus 10% to cover accounting and supervision, and Carrier's cost price of all materials f.o.b. Carrier's rails plus 10% to cover handling and accounting, plus freight at tariff to point of use. Carrier may connect with and discharge sewage into Pipe Line while serving as sewer.

2. Licensee agrees to indemnify and hold harmless the Carrier from all liability, damage and expense, including attorney's fees and costs, which the Carrier may incur or suffer, caused by the installation, maintenance, existence or use of Pipe Line (or canal and/or flume).

3. Term hereof shall begin with the 1st day of September, 1939, and continue thereafter indefinitely as long as Licensee shall perform and covenants hereof and shall reasonably need in its business the permission granted hereby and shall not abandon the said Pipe Line (or canal and/or flume). In the event Licensee shall fail to perform the covenants hereof, or shall not reasonably need in its business the permission granted hereby, or shall abandon the said Pipe Line (or canal and/or flume), the term hereof may be terminated by expiration of thirty days following serving, by Carrier on Licensee of written notice of intention to end term hereof. Term hereof may also be concluded by expiration of thirty days following serving by Licensee on Carrier of written notice of intention to end term hereof. Any notice of Carrier shall be deemed served when posted conspicuously on Pipe Line (or canal and/or flume) or when deposited, postage prepaid, in U. S. Mail addressed as aforesaid, not later than last day of term hereof. Licensee shall remove Pipe Line (or canal and/or flume) and restore premises. Any of Pipe Line (or canal and/or flume) not so removed shall at Carrier's election without notice be deemed abandoned. Covenants herein shall inure to or bind each party's heirs, legal representatives, successors and assigns; provided, no right of Licensee shall be transferred or assigned either voluntarily or involuntarily except by express agreement acceptable to Carrier. Carrier or Licensee may waive any default at any time of the other without affecting or impairing any right arising from any subsequent default.

The International-Great Northern Railroad Company, pursuant to Section 77 of the Bankruptcy Act, approved March 3, 1933, is now in process of reorganization and is being operated by the undersigned Trustee under jurisdiction of the United States District Court, Eastern Division, Eastern District of Missouri, and, upon the date that ownership or control of the railroad and property of said Railroad Company by said Trustee or his successor trustee or trustees, shall cease, this agreement shall ipso facto terminate, unless, pursuant to the decree of said court, said agreement shall be continued in effect by the party succeeding to such ownership or control.

GUY A. THOMPSON, TRUSTEE
INTERNATIONAL-GREAT NORTHERN
RAILROAD COMPANY, DEBTOR

Attest:

By Senior Executive Assistant
"Carrier"

Secretary for the Trustee

CITY OF AUSTIN

Attest:

By City Manager, "Licensee"

City Clerk

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

It was moved by Councilman Wolf that Barney E. Eaton, Jr., 807 West 30th Street, be granted a taxicab driver's permit, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

It was moved by Councilman Wolf that Matthew Gillespie, 1901 Willow Street, be granted a taxicab license, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Mr. L. D. Turner, dairyman, appeared before the Council and complained that he was being denied a permit to do business by the Dairy Inspector until he had complied with certain regulations in the way of a cement cover over his pump. The matter was referred to the City Manager and the Director of Public Health for consideration.

A delegation of citizens was present and the question of a renewal of the Austin Street Railway Company's franchise before its expiration, August 25, 1941, in order for said Company to change over from street car to bus service, came up for discussion.

Mayor Miller stated to the meeting that since his election to office he had been importuned by citizens from all sections of the City asking for removal of the street car tracks; that the Chamber of Commerce had recommended same, after a study of the situation; that the Austin Street Railway Company was now in a position to substitute adequate bus service for the street cars; and that, in the absence of any other proposal, the City Council considered the terms of the proposed renewal franchise the most advantageous that could be secured for the City of Austin, but that during the time intervening before final passage of the ordinance granting a renewal of the franchise should a better proposition be submitted to the City Council, the same would be given consideration.

Mr. J. F. Springfield, President, and Judge Ike D. White, Attorney, respectively, of the Austin Street Railway Company, declared that in their negotiations with the City Council for a renewal of the franchise, the City Council had driven a hard bargain and had reduced the fares to the lowest point possible.

Dr. Goodall Wooten and Mr. Wallace Tobin were among those present who spoke in favor of granting a renewal of the franchise to the Austin Street Railway Company at this time, declaring that said Company should be given some consideration, in view of the fact that it had operated for years without profit.

Mr. Ed Clark suggested that the City Council fix the rate or rates to be charged for fares and at the expiration of the present franchise take sealed bids for a franchise. Mr. Clark also stated that he had appeared before the Council a month and a half, or two months, ago with a general statement of a business proposition for a franchise.

In reply to Mr. Clark's latter statement, Mayor Miller stated that the City Council wanted to know whom they were dealing with and had asked Mr. Clark to furnish the City Council details showing the name or names of the person or persons or corporation which Mr. Clark represented and a concrete proposal from such business or interested persons and that some six weeks, or more, had elapsed and Mr. Clark had not furnished the Council anything definite, had not advised the Council what persons, if any, he was authorized to represent, and that the City Council, after making what they considered the best possible trade for the citizens of Austin, could not indefinitely withhold further action on the franchise because of some vague proposition which Mr. Clark might have or hoped to have. The Mayor further stated that so far as the City Council and the people of Austin were concerned that they were ready to hear any concrete proposal that Mr. Clark might have, but that he had not seen fit to do more than appear at the Council meeting twice with a very vague general statement and that the City Council

will proceed with the ordinance as drawn as being the best possible arrangement, in their opinion, and the only concrete proposal which the Council had for consideration.

Mr. Walter Greig asked what assurance there would be that the Austin Street Railway Company would not ask for a further increase in fares in another year or two and were only agreeing to a 6¢ fare now in order to hold their franchise.

Mayor Miller replied to this question with the statement that it was not his purpose to vote for any further increase in fares during his tenure of office, and that the Austin Street Railway Company accepts the ordinance now with that understanding.

Judge Ike D. White, Attorney, also replied to this question by stating that the Austin Street Railway Company was not figuring on asking for any further raise in fares during the next two years.

Following the discussion, Mayor Miller introduced the following captioned ordinance, which ordinance was read in its entirety:

AN ORDINANCE RENEWING AND EXTENDING THE FRANCHISE OF THE AUSTIN STREET RAILWAY COMPANY TO OPERATE STREET CARS UPON THE STREETS AND AVENUES OF THE CITY OF AUSTIN, AND REQUIRING THE SUBSTITUTION OF BUSES ON ALL STREETS ON WHICH STREET CARS ARE NOW OPERATED; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

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

The ordinance was then laid over for its second reading.

The following resolution was introduced:

WHEREAS, taxes have been assessed in the name of Mrs. Nellie Doom for the years 1924 and 1925, and are on the tax rolls of the Assessor and Collector of the City of Austin on 69x113-1/3 feet of Outlet 49, Division "E", in the City of Austin, Travis County, Texas, said taxes amounting, together with penalty and interest, to the sum of \$208.93; and

WHEREAS, in view of the settlement in a condemnation suit which was made in 1925 between Mrs. Nellie Doom and D. H. Doom and the University of Texas, in which taxes due the City of Austin was involved, the City Council deems it wise and advisable to remit said taxes, penalty and interest; therefore,

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

THAT the aforesaid taxes, penalty and interest, in the sum of \$208.93, for the years above mentioned, on the property hereinbefore described, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge same off his assessment rolls.

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 have been assessed in the name of L. E. Whitham Construction Company for the years 1930-1938, inclusive, on Lot 12, Block 4, Outlet 3, Division "O", in the City of Austin, Travis County, Texas, said taxes being for the sum of \$159.65; and for non-payment of same at maturity penalty in the sum of \$7.98 has been assessed, and interest in the sum of \$42.60, making the total amount of taxes, penalty and interest, \$210.23; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$7.98, and one-half of the interest in the sum of \$21.30; therefore

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

THAT the aforesaid penalty in the sum of \$7.98, and one-half of the interest in the sum of \$21.30, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$7.98 and one-half the interest in the sum of \$21.30 off his rolls

and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half 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 12:30 P. M., subject to call of the Mayor.

Approved Tom Miller
Mayor

Attest:

Walter McKeen
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 14, 1939.

The City Council convened in regular session, at the regular meeting place in the Municipal Building, on Thursday, September 14, 1939, with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; absent, Councilman Bartholomew.

The reading of the Minutes was dispensed with.

Mayor Miller called up for its second reading the following ordinance:

AN ORDINANCE RENEWING AND EXTENDING THE FRANCHISE OF THE AUSTIN STREET RAILWAY COMPANY TO OPERATE STREET CARS UPON THE STREETS AND AVENUES OF THE CITY OF AUSTIN, AND REQUIRING THE SUBSTITUTION OF BUSES ON ALL STREETS ON WHICH STREET CARS ARE NOW OPERATED; AND REPEALING ALL ORDINANCES IN CONFLICT HERewith.

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

The ordinance was then laid over for its third reading.

Mr. Robert Sherman appeared before the Council relative to the closing of an alley in the 3500 block of Enfield Road, Tobin-Johnson Subdivision. The matter was referred to the City Engineer and the City Attorney for investigation and report to the Council at the next regular meeting.

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

The Mayor declared the resolution finally passed.

The resolution is as follows:

WHEREAS, the City of Austin and the Commissioners Court of Travis County have entered into the Grant Agreement with the Public Works Administration for the construction of a Sanatorium, which has been assigned the PWA Docket Texas-2070-F, and for which a grant has been made, totaling \$35,798.00; and