

<u>Name and Address of Applicant</u>	<u>Description of Boat</u>
Arnold, Jim - Route 2, Box 256	Home-made, Flatbottom, New, 4-passenger
Arnold, Jim - Route 2, Box 256	Home-made, Flatbottom, New, 4-passenger
Arnold, Jim - Route 2, Box 256	Home-made, Flatbottom, New, 4-passenger
Arnold, Jim - Route 2, Box 256	Home-made, Flatbottom, New, 4-passenger
Arnold, Jim - Route 2, Box 256	Home-made, Flatbottom, New, 4-passenger
Arnold, Jim - Route 2, Box 256	Home-made, Flatbottom, New, 4-passenger
Arnold, Jim - Route 2, Box 256	Home-made, Flatbottom, New, 4-passenger
Joseph, Edwin - 1511 Canterbury Street	Home-made, Flatbottom, 3-passenger

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

Upon motion, seconded and carried, the meeting was recessed at 11:10 A. M., subject to call of the Mayor.

Approved: Donald S. Wolf
Mayor Pro Tem.

Attest:

Marie M. Keenan
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 25, 1940.

The City Council convened in regular session, at the regular meeting place in the Council Room at the Municipal Building, on Thursday, July 25, 1940, at 11:10 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; absent, none.

The reading of the Minutes was dispensed with.

The following parties again appeared before the City Council in the matter of change in zoning of the property at the intersection of the Lower Georgetown Road and Capitol Court:

Bryan Blalock, Attorney; Eugene Thompson, Applicant; and Wm. E. Simpson, who plead for the change; the Applicant agreeing to restrict the sale of intoxicants on said premises to beers;

Wm. Bohn and Chas. B. McCullough, who protested the change on account of the proximity of their residences.

Councilman Bartholomew moved that consideration of this request be deferred to next Thursday, pending a report of the Board of Adjustment on the matter. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilmen Wolf; nays, none.

The following communication from the Board of Trustees of the Austin Public Schools was received:

"Austin, Texas
July 17, 1940.

Honorable Mayor and City Council
Austin, Texas

Gentlemen:

The School Board at a special meeting yesterday afternoon after full discussion voted unanimously to advise you that it would be necessary to set the school tax rate for next year at sixty-three cents (\$.63) on the \$100 valuation of property.

When the tax rate was increased from 60¢ to 70¢, the Board promised not to ask for more than 5¢ increase on the \$100 this next year. Since then the State per capita has been increased from \$22.00 to \$22.50, which will give us around \$8500.00 additional from the State; and this with the 3¢ additional from local school taxes will, in the judgment of the Board, take care of the increase in salaries and other expenses of the schools.

It certainly is not the attitude of the Board to ask for any more money from the taxpayers of Austin than will economically run the public schools of the City.

Yours very truly,

/s/ E. A. Murchison
President, Board of Trustees. "

Mayor Miller moved that the tax rate for the year 1940 be set at \$2.29 on the \$100 valuation, apportioned as follows: General Fund, 85¢; Schools, 62¢; and Interest and Sinking Fund, 82¢. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following resolution was introduced by Councilman Alford:

WHEREAS, on the 4th day of April, 1940, the City Council passed a resolution, which resolution is recorded in Minute Book No. 18, page 266, authorizing the City Manager to convey on behalf of the City of Austin to H. D. Ainsworth a portion of the northeast corner of Outlot 61, in Division "B", of the City of Austin, Texas, located at the southwest intersection of Rosewood Avenue and Chicon Street, for the sum of \$600.00, said location facing approximately sixteen (16) feet on Rosewood Avenue and approximately forty-six (46) feet along Chicon Street; and

WHEREAS, the said H. D. Ainsworth by letter dated July 12, 1940, addressed to Guiton Morgan, City Manager, has requested that conveyance of such land be made to S. M. Ainsworth of Gonzales County, Texas, instead of to H. D. Ainsworth; and

WHEREAS, the City Council is willing to convey such land to the said S. M. Ainsworth instead of H. D. Ainsworth; now, 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 convey the property hereinabove described to S. M. Ainsworth, of Gonzales County, Texas; and

BE IT FURTHER RESOLVED:

THAT the resolution heretofore adopted by the City Council on April 4, 1940, authorizing conveyance to H. D. Ainsworth, be and the same is hereby in all things repealed and set aside.

Upon motion of Councilman Alford, 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 by Councilman Wolf:

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

THAT the City Council of the City of Austin hereby approves the filling station site the property situated at the northeast corner of the intersection of East 11th Street and Navasota Street, which property is owned by Herman Schieffer and is designated as Lot 7 of the Herman Schieffer Re-subdivision of Lots 54, 55, and 56 in the subdivision of Outlot 55, Division "B", of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and hereby authorizes the said

Herman Schieffer to construct, maintain, and operate a drive-in gasoline filling station and to construct curbs, ramps, and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all the ordinances relating thereto, and further subject to the same being 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 Herman Schieffer has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations
Attached)

" Austin, Texas
July 24, 1940

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of Herman Schieffer for permission to construct, maintain and operate a drive-in gasoline filling station upon property owned by the said Herman Schieffer, same being situated at the northwest corner of the intersection of East Eleventh Street and Navasota Street within the City of Austin, Travis County, Texas, and being Lot No. 7 of the Herman Schieffer Re-subdivision of Lots 54, 55, and 56 in the subdivision of Outlot 55, Division "B" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas, and we hereby advise that the following conditions exist:

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

Storm sewer drainage facilities exist at the above location.

We recommend that Herman Schieffer be granted permission to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith at the above described location, subject to the following conditions:

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

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

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

(4) That all filling station improvements, pumps, driveways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant, as set forth upon the plan hereto attached, which plan bears the City Engineer's file number 2-C-221.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-C-221 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,

/s/ J. E. Motheral
City Engineer

/s/ J. C. Eckert
Building Inspector. "

Upon motion of Councilman Wolf, the resolution was adopted by the following vote: Ayes,

Councilmen Alford, Bartholomew, Gillie, Mayor Miller, and Councilmen Wolf; none, none.

The following resolution was introduced by Councilman Alford:

WHEREAS, Moore Construction Company is the contractor for the alteration of a building located at 618 Congress Avenue and desires a portion of the sidewalk space abutting part of Lot 5, Block 70, 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 Moore Construction Company, the boundary of which is described as follows:

Sidewalk 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 Congress Avenue to a point 6 feet west of the west curb; thence in a southerly direction and parallel with the centerline of Congress Avenue approximately 23 feet to a point; thence in a westerly direction and at right angles with the centerline of Congress Avenue 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 erect within the above described working space a solid fence built of not less than 1 inch material extending from the sidewalk to the underside of the present awning, substantially braced and anchored and to maintain same in good condition at all times while the work is in progress. The Contractor will be permitted to put a door in the barricade that will either open in or slide parallel to the barricade, and at all times that material is being delivered to the building or taken away, a watchman will be provided to warn pedestrians of approaching danger. The Contractor will also be permitted to use two parking meter spaces in the delivery of materials during the construction work.

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

(3) 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.

(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 immediately after the necessity for their existence on said sidewalk 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 September 1, 1940.

(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 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.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Two Thousand Dollars (\$2,000.00), 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.

Upon motion of Councilman Alford, 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 by Councilman Bartholomew:

WHEREAS, John D. Miller is the Contractor for the alteration of a building located at 108 East Tenth Street and desires a portion of the alley space abutting Lot A, Block 123, 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 John D. Miller, the boundary of which is described as follows:

Alley Working Space

BEGINNING at the northwest corner of the above described property; thence 5 feet in a westerly direction to a point and at right angles with the alley between Congress Avenue and Brazos Street; thence in a southerly direction and parallel with the centerline of said alley approximately 130 feet to a point; thence in an easterly direction and at right angles with the centerline of said alley to the southwest corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said John D. Miller, 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, west, and south 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 alley outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the alley side of the barricades.

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

(6) 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.

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

(8) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the alley immediately after the necessity for their existence on said alley has ceased, such time to be determined by the City Manager, and in any event all such barricades, materials, equipment and other obstructions shall be removed not later than September 15, 1940.

(9) 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.

(10) 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.

(11) 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.

(12) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1,000.00), 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 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.

Upon motion of Councilman Bartholomew, 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, Frank Barron, Inc., is the Contractor for the alteration of a building located at 616 Congress Avenue, and desires a portion of the sidewalk space abutting part of Lot 5, Block 70, 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 Frank Barron, Inc., the boundary of which is described as follows:

Sidewalk 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 Congress Avenue to a point 6 feet west of the west curb; thence in a southerly direction and parallel with the centerline of Congress Avenue approximately 23 feet to a point; thence in a westerly direction and at right angles with the centerline of Congress Avenue to the southeast corner of the above described property.

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

(1) That the Contractor shall erect within the above described working space a solid fence built of not less than 1 inch material extending from the sidewalk to the underside of the present awning, substantially braced and anchored and to maintain same in good condition at all times while the work is in progress. The Contractor will be permitted to put a door in the barricade that will either open in or slide parallel to the barricade, and at all times that material is being delivered to the building or taken away, a watchman will be provided to warn pedestrians of approaching danger. The Contractor will also be permitted to use two parking meter spaces in the delivery of materials during the construction work.

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

(3) 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.

(4) That the Contractor shall place on the outside corners of any alleyway, 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 immediately after the necessity for their existence on said sidewalk 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 September 1, 1940.

(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 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.

(9) THAT the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), 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.

Upon motion of Councilman Gillis, 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 by Councilman Alford:

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 LONDON LANE from a point 414 feet east of Harris Park Avenue easterly 45 feet, the centerline of which gas main shall be 14 feet north of and parallel to the south property line of said London Lane.
Said gas main described above shall have a covering of not less than 2½ feet.
- (2) A gas main in EAST 23½ STREET across Sabine Street intersection, the centerline of which gas main shall be 7½ feet south of and parallel to the north property line of said East 23½ Street.
Said gas main described above shall have a covering of not less than 2½ feet.
- (3) A gas main in EAST 23½ STREET across Oldham Street intersection, the centerline of which gas main shall be 7½ feet south of and parallel to the north property line of said East 23½ Street.
Said gas main described above shall have a covering of not less than 2½ feet.
- (4) A gas main in WINDSOR ROAD from a point 146 feet east of Pecor Street westerly 490 feet, the centerline of which gas main shall be 42½ feet north of and parallel to the south property 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 DORMARION LANE from Indian Trail to Bowman Avenue, the centerline of which gas main shall be 7½ feet west of and parallel to the east property line of said Dormarion Lane.
Said gas main described above shall have a covering of not less than 2½ feet.
- (6) A gas main in INDIAN TRAIL from Dormarion Lane easterly 255 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north property line of said Indian Trail.
Said gas main described above shall have a covering of not less than 2½ feet.
- (7) A gas main in MOBLE DRIVE, from Oakhurst Avenue westerly 117 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north property line of said Moble Drive.
Said gas main described above shall have a covering of not less than 2½ feet.

- (8) A gas main in OAKHURST AVENUE from Mohle Drive northerly 121 feet, the center line of which gas main shall be 7 $\frac{1}{2}$ feet west of and parallel to the east property line of said Oakhurst Avenue.

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

The Texas Public Service Company is hereby put upon notice that the City of Austin does not warrant 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.

Upon motion of Councilman Alford, 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 by Councilman Wolf:

WHEREAS, the H. E. Butt Grocery Company, acting by and through C. H. Page, Architect, owner of Lots 1, 2, and 3, Block 170, of the Original City of Austin, Travis County, Texas, which property is situated at the northeast corner of the intersection of San Jacinto Street and East 14th Street, has made application of the City Council of the City of Austin for permission to set the curb back and build a commercial driveway in conjunction therewith on the east side of San Jacinto Street and on the north side of East 14th Street at the above described location, thereby relieving traffic congestion by creating a greater width of travel way on both East 14th Street and San Jacinto Street; and

WHEREAS, a plan has been prepared showing the arrangement of said curb setbacks and commercial driveways, which plan is hereto attached marked 2-I-107, and made a part hereof; and

WHEREAS, said request 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 the H. E. Butt Grocery Company, acting by and through C. H. Page, Architect, owner of Lots 1, 2, and 3, Block 170, of the Original City of Austin, Travis County, Texas, which property is situated at the northeast corner of the intersection of San Jacinto Street and East 14th Street, is hereby granted permission to set the curb back from the established curb line on the east side of San Jacinto Street and to set the curb back on the north side of East 14th Street and to build commercial driveways in conjunction therewith.

Permission to construct the above described curb setbacks and commercial driveways 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-I-107 and made a part hereof, and in accordance with the following conditions:

- (1) That the construction of the setback areas on San Jacinto Street and on East 14th Street shall be carried out in accordance with the accompanying plan marked 2-I-107, 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 3/8 inch thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked P-I-107.
- (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.

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

Councilman Alford moved that Wiley Ciell McAdoo, 411 West Monroe 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.

Councilman Alford moved that Leroy Alfred Parks, Colored, 2106 East 12th 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.

Councilman Alford moved that Evers Lee Anderson, Colored, 2301 East 13th 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.

Councilman Bartholomew moved that the following applications for licenses to operate private boats on Lake Austin be approved, subject to the approval of same by the Lake Austin Navigation Board:

<u>Name and Address of Applicant</u>	<u>Description of Boat</u>
Cissell, R. Wm. - 5132 Annie Street	Home-made, Outboard, 1940 Model, Evinrude, 6-passenger
Gustafson, W. - 1718 Manor Road	Home-made, Outboard, 1938 Model, Hydronline, 1-passenger
Kluge, Maxie C. - 1509 East First Street	Home-made, Outboard, 1940 Model, "Ace of Hearts", Neptune, 4-passenger

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

Councilman Bartholomew moved that the following application for license to operate a private boat below the Dam be approved, subject to the approval of same by the Lake Austin Navigation Board:

<u>Name and Address of Applicant</u>	<u>Description of Boat</u>
Spenberg, E. T. - 500 East Mary Street	Home-made, Fishing Boat, 1934 Model, "Sallie", 4-passenger

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

A petition by property owners, asking that a street in Woodlawn Addition dedicated by them, be opened, was received; and the matter was referred to the City Plan Commission for consideration and report.

The Mayor called up for its third reading, the following ordinances:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 29, 1937, AND RECORDED IN ORDINANCE BOOK "K", PAGE 219, ET SEQ., OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN ORDINANCE BOOK "I", PAGES 301-318, BOTH INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN; THE AMENDMENT HEREBY ENACTED CHANGING THE HEIGHT AND AREA DISTRICT FROM FIRST HEIGHT AND AREA DISTRICT TO SECOND HEIGHT AND AREA DISTRICT OF THAT CERTAIN PROPERTY KNOWN AS LOTS 15 AND 16, IN BLOCK 45, DIVISION "D", OF THE CITY OF AUSTIN, SAID LOTS FRONTING 200 FEET ON WEST 54TH STREET AND RUNNING BACK NORTHERLY TO A DEPTH OF 100 FEET; AND ORDERING A DELINEATION OF THE OFFICIAL HEIGHT AND AREA MAP, SO AS TO SHOW THE CHANGE HEREBY ORDERED.

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 the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor announced that the ordinance had been finally passed.

The following resolution was introduced by Councilman Wolf:

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 enter into a lease contract or contracts with Harry Hammill, of Travis County, Texas, substantially as follows:

1. A lease on the present airport, together with Lots 6, 7, and 8, of the S. F. Nolen Subdivision recently purchased by the City of Austin, for a period of six (6) years; the lessee to pay \$200.00 per month for the first two years, \$250.00 per month for the second two years, and \$300.00 per month for the remaining two years; and in addition to these monthly rentals, Hammill to pay an additional amount per year for each \$100,000 of expenditures in improving said airport, beginning sixty (60) days after each expenditure of any such amount, such increase in payment by Hammill to be mutually agreed upon by the lessor and lessee, based upon the nature of any such improvement or improvements.
2. A lease for a period of ten years upon 825 feet of land off the west end of a tract of 11.96 acres of land belonging to the City of Austin near the Municipal Airport without rental charge except as follows: Hammill to build or cause to be built on said tract of land, at a location acceptable to the City three (3) hangars, in size not less than 100 feet wide by 120 feet long, to cost approximately \$15,000.00 each, or a total of not less than \$45,000.00, such improvements at the expiration of the term of this lease to become the exclusive property of the City of Austin, without cost to the City.
3. A lease for a period of ten years of a tract of land on the north side of the airport road, being 550 feet off the west end of a 16.49 acre tract of land, for a monthly rental of \$25.00; said tract to be used for the location of barracks, mess halls, class rooms, recreation rooms, and other buildings incident to the operation of an air training school; such buildings to be created by Hammill at his own expense, and to be removed by him upon the termination of this lease, or at the closing of such school; the lease to run for a ten year period unless the school shall close prior to the end of such period, in which event the lease shall terminate sixty (60) days after the closing of the school or one week after the removal of the buildings if the buildings are left for a longer period than 60 days after the closing of the school, such improvements to remain under the control of the lessee during the time the buildings remain on the property.

In each of such lease contracts, it shall be provided that the City shall retain full right and control over all the property, to the extent that, without interference with private business of the lessee, the City shall have the full right to go upon any of the leased premises and make such improvements as may from time to time be necessary or desirable on runways, boundary lights, landing lights,

buildings and equipment; nor shall the terms of any such lease contract preclude the City from building additional runways, installing additional lights, or constructing new buildings, or any other improvements which the City from time to time may elect to undertake. Such lease contracts may not be transferred or assigned by the lessee except upon written consent of the City. The lessee shall agree to purchase and keep in force public liability and property damage insurance, sufficient to protect the City from claims of damages resulting from operations on the leased premises, and failure to provide such insurance and other necessary safeguards, or failure of the lessee to operate the airport in accordance with federal, state and local regulations applicable to airports and their operations, or failure of the lessee to comply with any of the terms of such lease contracts shall be grounds for forfeiture and cancellation of the contracts.

Upon motion of Councilman Wolf, 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 12:50 P. M., subject to call of the Mayor.

Approved: Tom Miller.
Mayor

Attest:

Stella McKeenan
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, August 1, 1940.

The City Council convened in regular session, at the regular meeting place in the Council Room of the Municipal Building on Thursday, August 1, 1940, at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; absent, Councilman Bartholomew.

The Minutes of the regular meeting of July 18, 1940, were read, and upon motion of Councilman Wolf, were adopted as read by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

G. H. Kinney and other property owners appeared before the Council and petitioned for the immediate paving of Kinney Avenue in order to eliminate a dust nuisance. The matter was referred to the City Manager and the City Engineer for an inspection on the ground with the Committee at 5:00 P. M., of this date.

Mr. Eilers appeared before the Council and registered a protest against the proposed erection of a garage at 12th and Guadalupe Streets.