

The following ordinance was introduced by Councilman Gillis:

AN ORDINANCE PERPETUALLY CLOSING AND VACATING CERTAIN PORTIONS OF WEST 33RD STREET IN THE CITY OF AUSTIN, TEXAS, LYING EAST OF THE EAST LINE OF CHURCHILL DRIVE AS SHOWN UPON THE MAP OR FLAT OF WESTWOOD RIDGE ADDITION OF RECORD IN BOOK 4, AT PAGE 127, OF THE FLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND RELINQUISHING ANY AND ALL INTEREST, RIGHT, TITLE OR CLAIM OF THE CITY OF AUSTIN IN AND TO SAID PORTIONS OF WEST 33RD STREET.

The ordinance was read the first time and laid over.

Upon motion, seconded and carried, the meeting was recessed at 12:05 P. M., subject to call of the Mayor.

Approved:

Tom Miller  
Mayor

Attest:

Hallie McKeen  
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 19, 1940.

The City Council convened in regular session, at the regular meeting place in the Council Room at the Municipal Building, on Thursday, September 19, 1940, at 10:40 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 Minutes of the regular meeting of September 12, 1940, were read, and upon motion of Councilman Alford, were adopted as read, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Jesse J. Bartlett, Attorney for the Owl and Congress Taxicab Companies, came before the Council and asked that the quota for taxicabs be raised to eighty-five on account of the increase in business since the opening of the University of Texas.

Councilman Wolf moved that the request be granted, and that the quota for taxicabs be raised from seventy-five to eighty-five. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor publicly expressed the thanks and gratitude of the City Council to the representatives of the Insurance Companies present for their efforts in submitting bids on the Pension and Retirement System for City Employees, but stated that the City, however, had concluded to handle the matter itself.

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

AN ORDINANCE PERPETUALLY CLOSING AND VACATING CERTAIN PORTIONS OF WEST 33RD STREET IN THE CITY OF AUSTIN, TEXAS, LYING EAST OF THE EAST LINE OF CHURCHILL DRIVE AS SHOWN UPON THE MAP OR PLAT OF WESTWOOD RIDGE ADDITION OF RECORD IN BOOK 4, AT PAGE 127, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND RELINQUISHING ANY AND ALL INTEREST, RIGHT, TITLE OR CLAIM OF THE CITY OF AUSTIN IN AND TO SAID PORTIONS OF WEST 33RD STREET.

The ordinance was read the second time and Councilman Wolf moved that the rules be suspended and the ordinance be passed to its third reading. 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 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 public hearing on the proposed rezoning of the Waterston property fronting on West Lynn Street between Waterston and West 14th Streets, from "B" Residence District to "C" Commercial District, which was continued from the last regular meeting, was reopened.

W. D. Hart, Attorney, and J. B. Riley, Agent, respectively, for proponent, Robert Waterston, plead for the change on the ground that it was essential to the sale of the property, which must be sold to pay delinquent taxes and satisfy a paving lien; and that it was entitled to the same zoning classification as the property across the street, which is now zoned as "C-Commercial."

P. J. Anthony, property owner, spoke for the change on the grounds that it would be unfair to restrict the property so that the heirs could not sell same; and that the proposed change would not adversely affect his property, which is as close as any to the property in question.

R. L. Slaughter, prospective purchaser of the property, declared that the improvements to be erected thereon would enhance its value; and that a widening of the streets adjacent was contemplated.

Mrs. B. F. Williams, property owner, opposed the change on the grounds that she bought her property at restricted prices; and that a commercialization of the property in question would cheapen the value of her property.

W. E. Seaholm, property owner, opposed the change on the grounds that this section adjoins Enfield, which is restricted by deed; and that there is no necessity for additional commercial zoning in this section.

No other persons requesting to be heard, the hearing was continued to the next regular meeting at 11:00 A. M., the City Council, in the meantime, to make an inspection of the property to determine, among other things, the cost of widening the adjacent streets.

The public hearing on the rezoning of the property at the southeast corner of the intersection of 34th Street and Shoal Creek Boulevard, which was continued from the last regular meeting, was again continued.

Judge Bryan Blalock, Attorney for Eugene Thompson, et ux, came before the Council in the interest of his clients' application for a change in zoning of their property at the intersection of the Lower Georgetown Road and Capitol Court, being Lots Nos. 31, 32, and 33, of W. A. Ladd Addition to the City of Austin, Travis County, Texas, from "C" Commercial District to "C-2" Commercial District.

Councilman Bartholomew then moved that the action of the Board of Adjustment, as contained in their resolution of May 14, 1940, recommending that the aforesaid change in zoning be not granted, be sustained, and the change be denied. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

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

AN ORDINANCE PERPETUALLY CLOSING AND VACATING CERTAIN PORTIONS OF WEST 33RD STREET IN THE CITY OF AUSTIN, TEXAS, LYING EAST OF THE EAST LINE OF CHURCHILL DRIVE AS SHOWN UPON THE MAP OR PLAT OF WESTWOOD RIDGE ADDITION OF RECORD IN BOOK 4, AT PAGE 127, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND RELINQUISHING ANY AND ALL INTEREST, RIGHT, TITLE OR CLAIM OF THE CITY OF AUSTIN IN AND TO SAID PORTIONS OF WEST 33RD STREET.

The ordinance was read the second time and Councilman Wolf moved that the rules be suspended and the ordinance be passed to its third reading. 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 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.

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W. D. Hart, Attorney, and J. B. Riley, Agent, respectively, for proponent, Robert Waterston, plead for the change on the grounds that it was essential to the sale of the property, which must be sold to pay delinquent taxes and satisfy a paving lien; and that it was entitled to the same zoning classification as the property across the street, which is now zoned as "C-Commercial."

P. J. Anthony, property owner, spoke for the change on the grounds that it would be unfair to restrict the property so that the heirs could not sell same; and that the proposed change would not adversely affect his property, which is as close as any to the property in question.

R. L. Slaughter, prospective purchaser of the property, declared that the improvements to be erected thereon would enhance its value; and that a widening of the streets adjacent was contemplated.

Mrs. B. F. Williams, property owner, opposed the change on the grounds that she bought her property at restricted prices; and that a commercialization of the property in question would cheapen the value of her property.

W. E. Seaholm, property owner, opposed the change on the grounds that this section adjoins Enfield, which is restricted by deed; and that there is no necessity for additional commercial zoning in this section.

No other persons requesting to be heard, the hearing was continued to the next regular meeting at 11:00 A. M., the City Council, in the meantime, to make an inspection of the property to determine, among other things, the cost of widening the adjacent streets.

The public hearing on the rezoning of the property at the southeast corner of the intersection of 34th Street and Shoal Creek Boulevard, which was continued from the last regular meeting, was again continued.

Judge Bryan Blalock, Attorney for Eugene Thompson, et ux, came before the Council in the interest of his clients' application for a change in zoning of their property at the intersection of the Lower Georgetown Road and Capitol Court, being Lots Nos. 31, 32, and 33, of H. A. Ladd Addition to the City of Austin, Travis County, Texas, from "C" Commercial District to "C-2" Commercial District.

Councilman Bartholomew then moved that the action of the Board of Adjustment, as contained in their resolution of May 14, 1940, recommending that the aforesaid change in zoning be not granted, be sustained, and the change be denied. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

John Lovelass submitted a request that the City deed him a strip of ground at the corner of West Mary and South First Streets which was abandoned as part of the street when West Mary Street was paved, in order that his proposed filling station may be located nearer the curb. The matter was referred to the City Engineer to grant the request if it is agreeable to W. G. Rissman, who deeded to the City a strip on the other side of the street when West Mary Street was paved.

Councilman Alford moved that the application of Carl E. Van Lundingham, 300 Congress Avenue, for a license to operate a taxicab be granted, 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 the application of Winston Kinser, 701 Baylor Street, for a license to operate a taxicab be granted, 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 the application of Frank Seonci, 210 Elkhart Street, for a license to operate a taxicab be granted, 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.

The following resolution was introduced by Councilman Alford:

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

THAT the sum of \$9600 be and the same is hereby appropriated out of the Water and Light Fund, not otherwise appropriated, for the purpose of the purchase of materials and the installation of twelve traffic signal lights at the following intersections:

San Jacinto Boulevard at 7th, at 9th, and at 15th Streets;  
 Brazos Street at 10th Street;  
 Rio Grande Street at 12th Street and at 24th Street;  
 Lavaca Street at 8th Street and at 12th Street;  
 Guadalupe Street at 12th Street and at 29th Street;  
 Red River Street at 7th Street;  
 Moches Street at 6th Street.

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 sum of \$1920 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying the salaries of six apprentice officers for the Police Department for the period from October 1 to December 31, 1940, at the regular schedule salaries for apprentice officers, with automatic promotions from third class to second class to first class, and to full-officer status and pay upon certificate of proficiency and recommendation of the Police Chief for each change in status.

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.

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 EAST 12TH STREET from a point 146 feet east of Chicon Street westerly 90 feet, the centerline of which gas main shall be 7½ feet south of, and parallel to, the north property line of said East 12th Street.

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

- (2) A gas main in EAST SIDE DRIVE from East Live Oak Street northerly 116 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of, and parallel to, the east property line of said East Side Drive.

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

- (3) A gas main in SINCLAIR AVENUE from West 42nd Street southerly 192 feet, the centerline of which gas main shall be 9 feet west of, and parallel to, the east property line of said Sinclair Avenue.

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

- (4) A gas main in EAST 39TH STREET from Willbert Road easterly 63 feet, the centerline of which gas main shall be 17 feet south of, and parallel to, the north property line of said East 39th Street.

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

- (5) A gas main in WOODLAND AVENUE from Chelsea Lane easterly 42 feet, the centerline of which gas main shall be 22 feet south of, and parallel to, the north property line of said Woodland Avenue.

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

- (6) A gas main in GILBERT STREET from a point 29 feet west of Pecos Street westerly 84 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of, and parallel to, the north property line of said Gilbert Street.

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

- (7) A gas main in SHOALWOOD AVENUE from a point 35 feet south of West 44th Street northerly 150 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of, and parallel to, the east property line of said Shoalwood Avenue.

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

- (8) A gas main in ENFIELD ROAD from a point 10 feet east of Pecos Street easterly 43 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of, and parallel to, the north property line of said Enfield Road.

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

- (9) A gas main in COLLEGE ROW from a point  $1\frac{1}{2}$  feet east of Chicon Street easterly 87 feet, the centerline of which gas main shall be 7 feet south of, and parallel to, the north property line of said College Row.

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

- (10) A gas main in IVA LANE from Kinney Road westerly 72 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of, and parallel to, the north property line of said Iva Lane.

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

- (11) A gas main in MANOR ROAD ALLEY from Dancy Street easterly 192 feet, the centerline of which gas main shall be 7 feet south of, and parallel to, the north property line of said Manor Road Alley.

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

- (12) A gas main in WEST 24TH STREET from Longview Street to Rio Grande Street, the centerline of which gas main shall be  $19\frac{1}{2}$  feet north of, and parallel to, the centerline of said West 24th Street.

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

- (13) A gas main in JEWELL STREET from Bouldin Avenue westerly 124 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of, and parallel to, the north property line of said Jewell Street.

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

- (14) A gas main in BOULDIH AVENUE across Jewell Street intersection, the centerline of which gas main shall be 18 feet east of, and parallel to, the west property line of said Bouldin Avenue.

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

- (15) A gas main in DORMARION LANE, from Indian Trail southerly 155 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  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  $2\frac{1}{2}$  feet.

- (16) A gas main in NEWFIELD LANE from a point 155 feet south of Watchhill Road southerly, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of, and parallel to, the east property line of said Newfield Lane.

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

- (17) a gas main in HARTFORD ROAD from Windsor Road southerly 90 feet, the centerline of which gas main shall be 25 feet east of, and parallel to, the west property line of said Hartford Road.

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 Texas Public Service Company 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.

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 Gillis:

WHEREAS, C. H. Toungate is the contractor for the alteration of a building located at 204-6 East Fifth Street, and desires a portion of the sidewalk and street space abutting Lot 3, Block 57, 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 C. H. Toungate, 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 Fifth Street to a point 14 feet south of the north curb line; thence in a westerly direction and parallel with the centerline of East Fifth Street approximately 46 feet to a point; thence in a northerly direction and at right angles with the centerline of East Fifth Street to the southwest corner of the above described property.

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

- (1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least four feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

- (2) That the Contractor is permitted to construct in his working space a substantial gate, which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

- (3) That no vehicles in loading or unloading material at the working space shall park on any

part of the street outside of the allotted working space.

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

(5) That the Contractor 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 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 November 1, 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 Five Thousand Dollars (\$5000.00), 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 or abuse 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.

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

<u>Name and Address of Applicant</u>	<u>Description of Boat</u>
Brooks, George M. - 4100 Rosedale Street	Dixie, Outboard, 1939 Model, Elto, 7-passenger
Skeen, Jack - 705 West 22 $\frac{1}{2}$ Street	Hacket-Craft, Inboard, 1939 Model, "Inreco," 8-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 commercial boat on Lake Austin be granted, subject to the approval of same by the Lake Austin Navigation Board:

<u>Name and Address of Applicant</u>	<u>Description of Boat</u>
Dillard, Kermit - - 1807 West 36th Street	Garwood, Inboard, Speedboat, 1934 Model, 6-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 commercial boat below the Dam be granted, subject to the approval of same by the Lake Austin Navigation Board:

<u>Name and Address of Applicant</u>	<u>Description of Boat</u>
Pacharzina, Carl - 700 Deep Eddy Avenue	Home-made, Row, 1940 Model, 6-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.

The written application of Nell Taylor Guines for a change in zoning of the property at the northeast corner of the intersection of Guadalupe and 16th Streets, to "C-2" Commercial District, was received; and the matter was referred to the Board of Adjustment for consideration and report.

The following ordinance was introduced by Councilman Gillis:

AN ORDINANCE ESTABLISHING A RETIREMENT AND PENSIONING SYSTEM FOR CERTAIN EMPLOYERS OF THE CITY OF AUSTIN, PURSUANT TO AUTHORITY GRANTED THE CITY COUNCIL UNDER SECTION 52, OF ARTICLE XIV, OF THE CHARTER OF THE CITY OF AUSTIN; CREATING A RETIREMENT BOARD TO ADMINISTER AND OPERATE THE RETIREMENT AND PENSIONING SYSTEM AND DEFINING ITS POWERS, DUTIES AND FUNCTION; PROVIDING A METHOD OF FINANCING THE SYSTEM; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY AND SAVING CLAUSE AND DECLARING AN EMERGENCY.

The ordinance was read the first time and laid over.

Mayor Miller stated to the meeting that City Manager Morgan, who is a Major in the Specialist Reserve Selective Service Division of the United States Army, has been notified to report for duty in Washington, D. C., for an indefinite length of time; and that it will, therefore, be necessary to appoint an acting City Manager, to serve during the absence of City Manager Morgan, it being understood that the said City Manager Morgan is on leave of absence and will be returned to his position as City Manager at the expiration of such leave of absence.

Councilman Wolf then nominated Jas. A. Garrison as Acting City Manager. The nomination was confirmed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Wolf then nominated J. E. Motheral as Executive Aid to the Acting City Manager, to be entrusted with extra work, making his reports to the Acting City Manager and the City Council. The nomination was confirmed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Wolf then moved that the salary of the City Manager be divided equally monthly between the Acting City Manager and the Executive Aid, with the exception of one month's salary, which is to be paid to the City Manager, Guiton Morgan. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The City Council approved the following telegrams sent by Mayor Miller:

"Austin, Texas  
Sept. 18, 1940

THE PRESIDENT  
c/o THE WHITE HOUSE  
WASHINGTON, D. C.

AUSTIN IS VERY GRATEFUL FOR YOUR WISE APPOINTMENT OF HON. JESSIE H. JONES AS  
SECRETARY OF COMMERCE. BEST WISHES.

TOM MILLER  
MAYOR OF AUSTIN  
CITY HALL. "



"AUSTIN, TEXAS  
SEPT. 18, 1940

HON. JESSIE H. JONES  
c/o THE WHITE HOUSE  
WASHINGTON, D. C.

AUSTIN IS VERY HAPPY ON ACCOUNT OF YOUR APPOINTMENT AS SECRETARY OF COMMERCE.  
WE KNOW THAT YOUR HANDLING OF THE OFFICE WILL RESULT IN GREAT BENEFITS TO OUR COUNTRY.  
WE WISH YOU HAPPINESS IN YOUR DUAL OFFICES.

TOM MILLER  
MAYOR OF AUSTIN  
CITY HALL "

The Mayor laid before the Council the following telegram:

"NEW YORK NY  
SEPT. 18, 1940  
10:25 P.M.

THE MAYOR  
AUSTIN TEX

THE PEOPLE OF GREAT BRITAIN FIGHTING IN DEFENSE OF DEMOCRACY AND THE IDEALS AND WAY OF LIVING WHICH WE AMERICANS SHARE WITH THEM ARE SUFFERING THE DARKEST HOURS OF THEIR HISTORY TODAY. THEIR CITIES ARE BEING BOMBED RELENTLESSLY AND WITHOUT MERCY. THE THOUSANDS OF AMERICAN WOMEN WHO FORM THE MEMBERSHIP OF BUNDLES FOR BRITAIN INC ARE DETERMINED TO KEEP OUR COUNTRY OUT OF WAR BUT WANT TO DO EVERYTHING POSSIBLE TO HELP THE BRITISH PEOPLE DEFEND OUR COMMON IDEALS AND WAY OF LIVING. THEREFORE, WE RESPECTFULLY ASK YOUR COOPERATION WITH US, INCLUDING THE MEMBERS OF BUNDLES FOR BRITAIN IN YOUR OWN CITY, IN DESIGNATING SUNDAY, SEPTEMBER TWENTY NINTH AS "GREAT BRITAIN SUNDAY," TO BE OBSERVED AS A DAY OF PRAYER FOR OUR BRITISH FRIENDS IN THIS TRAGIC TIME. RELIGIOUS LEADERS OF MANY FAITHS HAVE JOINED IN AN APPEAL FOR THE DAY OF PRAYER. SEVERAL GOVERNORS AND MAYORS HAVE INDICATED THEIR INTENTION OF COOPERATING WITH US. MAY WE COUNT ON YOU? MANY THANKS.

MRS. WALES LATHAM  
NATIONAL PRESIDENT  
BUNDLES FOR BRITAIN, INC.  
745 FIFTH AVENUE  
NEW YORK CITY "

Councilman Bartholomew moved that the Mayor be authorized to comply with the request contained in the foregoing telegram, and to designate Sunday, September 29, as "Great Britain Sunday," to be observed by our citizens as a day of prayer for the preservation of democracy. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following communication from the Austin Transit Company was received:

"Austin, Texas  
September 17, 1940

Mr. Guiton Morgan  
City Manager  
Austin, Texas

Dear Mr. Morgan:

Recently we have had quite a number of requests for bus service in the north end of the City, and we would respectfully ask for permission to try out the North Loop Bus Line, as per route described and schedule herewith enclosed. This is an entirely new service, and while we have our doubts about the feasibility of it, we are willing to try it out with your permission.

If convenient, we would ask for as early action by the Council as may be consistent with your requirements.

/s/ J. F. Springfield  
General Manager. "

(SCHEDULE ATTACHED)

Announcing the installation of a trial part-time service covering the territory north of the north end of the Main and Rosedale Bus Lines:

North Loop Bus Line

Beginning \_\_\_\_\_, during the early morning and late afternoon rush hours, a shuttle bus will be operated in the northern section of the City over the route shown and under the schedule listed below.

This is strictly a trial service and unless the patronage is sufficient to warrant its operation, this service may be discontinued at any time.

Route

Starting at 45th and Guadalupe Streets, buses on this line will operate west on 45th Street to Alice Avenue, north on Alice Avenue and Burnet Road to North Loop, east on North Loop to the Georgetown Road, south on Georgetown Road to 45th and Guadalupe Streets, thus forming a complete loop connecting the section of the city served with the north end of both the Main and Rosedale Lines.

SCHEDULE

A.M.

First bus leaves 45th and Guadalupe Streets ----- 5:56 A. M.  
 Leave Burnet Road and North Loop ----- 6:02 A. M.  
 Last bus leaves 45th and Guadalupe Streets ----- 7:20 A. M.  
 Leave Burnet Road and North Loop ----- 7:40 A. M.

P.M.

First bus leaves 45th and Guadalupe Streets ----- 4:20 P. M.  
 Leave Burnet Road and North Loop ----- 4:26 P. M.  
 Last bus leaves 45th and Guadalupe Streets ----- 7:08 P. M.  
 Leave Burnet Road and North Loop ----- 7:14 P. M.

12 Minute Headway

<u>A.M.</u> Leave		<u>P.M.</u> Leave	
<u>45th and Guadalupe St.</u>	<u>Burnet Road and N. L.</u>	<u>45th and Guadalupe St.</u>	<u>Burnet Road and N. L.</u>
5:56	6:02	4:20	4:26
6:08	6:14	4:32	4:38
6:20	6:26	4:44	4:50
6:32	6:38	4:56	5:02
6:44	6:50	5:08	5:14
6:56	7:02	5:20	5:26
7:08	7:14	5:32	5:38
7:20	7:40	5:44	5:50
		5:56	6:02
		6:08	6:14
		6:20	6:26
		6:32	6:38
		6:44	6:50
		6:56	7:02
		7:08	7:14

"September 19th

I see no objection to this proposed route.

/s/ Roy J. Smith  
 Traffic Division . "

It was the sense of the Council that the foregoing request of the Austin Transit Company be granted, and the proposed route of the North Loop Bus Line be approved.

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:  
Hallie McAllen  
 City Clerk