

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 6, 1941.

The City Council convened in regular session, at the regular meeting place in the Council Room at the Municipal Building, on Thursday, February 6, 1941, at 10:30 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.

Action on the awarding of bids received for the sale of Ruiz Street houses was deferred, pending a further study of the bids in connection with an inspection of the houses by the City Council.

Mr. and Mrs. Otto Reimann came before the Council and submitted a petition signed by the residents in 1700 block of South Fifth Street, protesting the maintenance of livestock on vacant lot in this area and the use of same for rodeo performances, and asking for the removal of fences in adjacent alleys. The matter was referred to the City Manager for an inspection of the premises with the Sanitary Inspector, and to the Legal Department to determine if such use is illegal, and if so, to have same stopped.

A petition by property owners in Blocks 3 and 6 of Tobin and Johnson Subdivision, asking for the closing of the alley running east and west through said blocks was received; and the matter was referred to the Engineering Department for investigation and recommendation.

Mayor Miller announced that, pursuant to authority vested in him by the Housing Authorities Law, he had reappointed Louise Haynie and Hubert B. Jones as Commissioners of the Housing Authority of the City of Austin for the two-year term ending December 23, 1942, retroactive December 23, 1940.

The following resolution was introduced by Councilman Gillis:

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

THAT the sum of \$1500 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of supplementing the budget of the Tubercular Sanatorium of the City and County.

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:

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

THAT the sum of \$4000 be, and the same is hereby, appropriated out of the General Fund not otherwise appropriated, as the City's part of the cost of installing the Federal Cotton Stamp Plan in the City of Austin, a like amount to be paid by the County of Travis; and

BE IT FURTHER RESOLVED:

THAT the City Manager be, and he is hereby, authorized to enter into the necessary contracts for execution of the aforesaid Plan.

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 Alford:

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

THAT Jas. A. Garrison, Acting City Manager of the City of Austin, be, and he is hereby, authorized to enter into a supplementary contract to the existing Food Stamp Plan contract with the Federal Surplus Commodities Administration.

Mayor Miller moved that the foregoing resolution be adopted, with the proviso that such supplemental contract stipulate that the food rations of the families on relief should not be cut for at least three months from date. The motion was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

In compliance with instructions to him at the last regular meeting for an opinion on the legality of donating city-owned houses to private organizations, and the request of the Girl Scouts Council for the placing of such a house in Pease Park, the City Attorney reported adversely on the matters.

In accordance with a ruling of the City Attorney that same could be done legally, it was agreed that the request of the Austin-Travis County Tubercular Sanatorium for one of the houses acquired by the City in Lamar Boulevard right-of-way extension would be granted, the selection of same to be made by the City Council at a later date.

Petitions of Mt. Calvary Missionary Baptist Church, Colored, Daniel Chapel Church, and Ulit Avenue Baptist Church, protesting erection of a package store near Rosewood Park, were received and ordered filed.

Petition of Felix Tijerina, by Horace Shelton, for change in zoning of Lots 1, 2, 3, Block 3, Glenwood Addition, Subdivision of Outlots 32 and 33, Division "B", said property being located at 2104 East 19th Street, from residential to commercial, was received; and the matter was referred to the Board of Adjustment for consideration and recommendation.

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

AN ORDINANCE REGULATING THE CONSTRUCTION, MAINTENANCE AND OPERATION OF STOCKYARDS IN THE CITY OF AUSTIN OR WITHIN FIVE THOUSAND FEET OF THE CORPORATE BOUNDARIES; DEFINING CERTAIN WORDS AND PHRASES; AND PROVIDING FOR THE LICENSING AND BONDING OF STOCKYARD OWNERS, MARKET AGENCIES AND DEALERS; PROVIDING AN EXCEPTION FOR LIVESTOCK COMMISSION MERCHANTS AND LIVESTOCK AUCTION COMMISSION MERCHANTS OPERATING UNDER STATE LAW; REQUIRING THE PAYMENT OF AN ANNUAL LICENSE FEE; PRESCRIBING CERTAIN SANITARY REGULATIONS FOR STOCKYARDS AND FOR THE INSPECTION OF STOCKYARDS AND OF LIVESTOCK DELIVERED TO OR HELD IN ANY STOCKYARD; PRESCRIBING PENALTIES; PROVIDING A SAVING CLAUSE AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE, BUT PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF OTHER ORDINANCES NOT INCONSISTENT WITH THIS ORDINANCE.

The ordinance was read the first time and Councilman Gillis moved that the ordinance be passed to its second reading. The motion 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 by Councilman Alford:

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

THAT the sum of \$83.79 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of purchasing 420 comforters for the Travis County-City Relief Office, as per their request, the comforters to be purchased from the Surplus Commodities of the WPA.

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:

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

THAT the sum of \$2,500 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of widening Colorado Street between Ninth and Tenth Streets; Ninth Street on the north and south sides between Colorado and Lavaca Streets; and Tenth Street on the south side between Colorado and Lavaca Streets.

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 Wolf:

WHEREAS, there was included under Article XI, in the Specifications for the General Contract for Brackenridge Hospital and Improvements, entered into between the City of Austin and Rex D. Kitchens Construction Company, on or about the 4th day of November, 1940, a provision for finish hardware at an allowance of \$6,000.00; and

WHEREAS, the City of Austin has the right under said General Contract to withdraw said item for finish hardware and deduct same from the consideration to be paid under said contract, in order that the City may if it so desires, contract directly for such finish hardware; and

WHEREAS, the City of Austin has so elected, and the said General Contractor has agreed that the amount provided for such finish hardware shall be so withdrawn and deducted; and

WHEREAS, the Associated Hospital Architects have now taken written bids for such finish hardware, in which bids W. H. Richardson & Co., of Austin, Texas, was the successful bidder at the amount of \$6100; therefore,

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

THAT the Acting City Manager, James A. Garrison, be, and he is hereby, authorized and directed to execute an appropriate formal contract as of the 22nd day of January, 1941, with W.H. Richardson & Co., in the amount of \$6100.00, to be paid out of the Hospital Improvement Bond Fund for finish hardware required and shown on Drawings, Sheets 1-22, inclusive, for the New North Wing, Central and South Wings; and Sheets 1-3, inclusive, for the Negro Building, contained in said General Contract and more fully described in hardware specifications and instructions furnished to bidders by the City of Austin.

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

Councilman Alford moved that the application of Eugene Joe Jordan, 508 Joan of Arc Street, for a Taxicab License be granted, in accordance with the recommendation of the Acting 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 Gillis:

WHEREAS, Frank Barron, Inc., is the Contractor for the alteration of a building located at 716 Congress Avenue, and desires a portion of the sidewalk space abutting Lot F, Block 83, 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 the space for the uses hereinabove enumerated be granted to said Frank Barron, Inc., the boundary of which is described as follows:

Sidewalk Space

BEGINNING at the northeast corner of the above described property; thence in an easterly direction and at right angles to the centerline of Congress Avenue 5 feet to a point; 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 and at least 8 feet in height (or 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 barricades that will either open in a slide parallel to the barricade and at all times

that material is being delivered or taken away from the building, a watchman shall be provided to warn pedestrians of approaching danger. The Contractor will also be permitted to use two (2) parking meter spaces immediately in front of the entrance in the barricade for the delivery or removal of materials during 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 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 March 7, 1941.

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

The following resolution was introduced 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 CATER DRIVE from Virginia Avenue northerly 223 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 Cater Drive.

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

- (2) A gas main in AVENUE G across East 45th Street intersection, the centerline of which gas main shall be $10\frac{1}{2}$ feet east of, and parallel to, the west property line of said Avenue G.

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

- (3) A gas regulator pit in AVENUE G at East 45th Street intersection, the centerline of which regulator pit shall be 10 $\frac{1}{2}$ feet east of, and parallel to, the west property line of said Avenue G.
- (4) A gas regulator pit in EAST 45TH STREET at Avenue G intersection, the centerline of which gas regulator pit shall be 4 $\frac{1}{2}$ feet south of, and parallel to, the north property line of said East 45th Street
- (5) A gas main in DYWER AVENUE from Oxford Avenue west 102 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 Dywer Avenue

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

- (6) A gas main in OXFORD AVENUE from Dywer Avenue southerly 263 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 Oxford 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 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 foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The question as to whether the tax money could legally be spent by the City of Austin for general advertising purposes having been heretofore referred to him for an opinion, the City Attorney submitted an adverse ruling on the matter, there being no authorization for same under the City Charter or the State law.

The written request of Mrs. C. D. Simmons, 200 West 35rd Street, for the paving or topping of West 34th Street between Guadalupe Street and Speedway, was received; and the matter was referred to the Engineering Department for attention.

The following resolution was offered by Councilman Gillis:

WHEREAS, the curb and sidewalk specifications of the City of Austin which have been previously adopted by the City Council of the City of Austin require that all curbs and sidewalks be constructed of concrete unless a special permit has been secured from the City Council of the City of Austin to construct curbs, sidewalks, and ramps of other materials; and

WHEREAS, John T. Mahone, owner of portions of Lots 7, 8, and 9, Block 7, Section 6, Pemberton Heights, a subdivision within the City of Austin, Travis County, Texas, which property abuts the east side of Jarratt Avenue at a location north of Windsor Road, and being locally known as 2519 Jarratt Avenue, has made application to the City Council of the City of Austin for permission to construct a flagstone walk from the curb line to the property line adjacent to the above described property; 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 John T. Mahone, owner of portions of Lots 7, 8, and 9, Block 7, Section 6, Pemberton Heights, a subdivision within the City of Austin, Travis County, Texas, which property abuts the east side of Jarratt Avenue at a location north of Windsor Road, and being locally known as 2519 Jarratt Avenue, is hereby granted permission to construct a flagstone walk from the property line to the curb line at the above described location, and said walk is to be constructed under the supervision and direction of the City Engineer of the City of Austin, and in accordance with lines and grades furnished by the Engineering Department of the City of Austin, and further subject to the following conditions:

That the stone shall be laid in a smooth and workmanlike manner and shall conform to the sidewalk grades and curb grades as given by the Engineering Department of the City of Austin in order that same will not create a hazard to pedestrians;

That the stone shall be placed upon a 4" concrete base and that all work within the City streets shall be done by a bonded sidewalk contractor, and in accordance with the instructions and directions of the City Engineer of the City of Austin

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

A group of property owners, composed of Fred Adams, C. A. McAden, and others, came before the Council and asked that immediate action be taken on their petition for extension of the sanitary sewer lines to the Lower Georgetown Road heretofore submitted.

After considerable discussion, it was tentatively agreed that this work would be done provided the cost of same, estimated at \$14,000, could be provided for by extending payment on the balance, amounting to \$170,000, due on the \$400,000 Issue of Electric Light and Power System Revenue Notes, Series 1939; and the property owners' paying the interest on said \$14,000 for two years, at 1 $\frac{1}{2}$ %.

The Acting City Manager was instructed to notify Mrs. T. B. Paysinger that her bid, in the amount of \$4200, for the property at Ninth Street and Lamar Boulevard, submitted on February 4th, had been rejected, and to return her check accompanying said bid.

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Johnson Billingsly for the years 1931, 1932, 1933, 1936, 1937, 1938, and 1939, on Lot 3, Block G, Outlots 8, 9, 62, Division "B", College Heights, Plat 28, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$33.93; and for non-payment of same at maturity, penalty in the sum of \$1.69 has been assessed, and interest in the sum of \$9.55, making the total amount of taxes, penalty and interest, \$45.17; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$1.69, and one-half of the interest in the sum of \$4.77; therefore,

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

THAT the aforesaid penalty in the sum of \$1.69, and one-half of the interest in the sum of \$4.77, 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 \$1.69 and one-half of the interest in the sum of \$4.77, 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 of the interest, as aforesaid.

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

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of W. E. Allison for the years 1927 through 1939 on about 2 acres fronting East Seventh Street, less 46'x128', Outlot 9, Division "B", and on personal property for the years 1929 through 1939, all situated in the City of Austin, Travis County, Texas, said taxes being for the sum of \$624.82; and for non-payment of same at maturity, penalty in the sum of \$31.24 has been assessed, and interest in the sum of \$244.62 has accrued, making the total amount of taxes, penalty and interest, \$900.68; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$31.24, and 5/6 of the interest in the sum of \$203.85; therefore,

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

THAT the aforesaid penalty in the sum of \$31.24, and 5/6 of the interest in the sum of \$203.85, 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 \$31.24 and 5/6 of the interest in the sum of \$203.85 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and balance of the interest, as aforesaid.

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

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of John D. Miller for the year 1934 on 119 feet by 154 feet, Block 190, Original City of Austin, Travis County, Texas, said taxes being for the sum of \$114.16; and for non-payment of same at maturity, penalty in the sum of \$5.71 has been assessed, and interest in the sum of \$39.97 has accrued, making the total amount of taxes, penalty and interest \$159.84; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$5.71 and part of the interest in the sum of \$38.83; therefore,

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

THAT the aforesaid penalty in the sum of \$5.71, and part of the interest in the sum of \$38.83, 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 \$5.71 and part of the interest in the sum of \$38.83 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and part of the interest, as aforesaid.

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

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Mrs. Loula Custead for the years 1932 through 1939 on 72½ by 150 feet on Congress Avenue, Abstract 8, Survey 20, Plat 124, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$322.22; and for non-payment of same at maturity, penalty in the sum of \$16.12 has been assessed, and interest in the sum of \$82.64, making the total amount of taxes, penalty and interest, \$420.98; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$16.12, and one-half of the interest in the sum of \$41.32; therefore,

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

THAT the aforesaid penalty in the sum of \$16.12, and one-half of the interest in the sum of \$41.32, 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 \$16.12, and one-half of the interest in the sum of \$41.32, 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 of the interest, as aforesaid.

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

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Oscar Newberg for the years 1930 through 1938 on Lots 28 and 29, Outlet 11, Division "A", Morseland Subdivision, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$314.35; and for non-payment of same at maturity, penalty in the sum of \$15.71 has been assessed, and interest in the sum of \$106.77, making the total amount of taxes, penalty and interest \$436.83; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$15.71 and one-half of the interest in the sum of \$53.38; therefore

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

THAT the aforesaid penalty in the sum of \$15.71, and one-half of the interest in the sum of \$53.38, 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 \$15.71 and one-half of the interest in the sum of \$53.38, 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 of the interest, as aforesaid.

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

The following resolution was introduced by Councilman Wolf:

WHEREAS, the City of Austin now owns a Municipal Airport under powers granted the City by Article XXVII of its Charter, consisting of approximately 421 acres of land; and

WHEREAS, improvements at said airport aggregating \$321,000.00 will be made by a grant from the United States under joint supervision of the City of Austin and the United States Civil Aeronautics Administration; and

WHEREAS, it is desirable and necessary to enlarge and expand said Municipal Airport in harmony with said progra, of expansion and improvement; and

WHEREAS, J. M. Patterson, Sr., and Nye Patterson are the owners of property adjoining the present airport and have indicated that they will sell said property hereinafter described to the City of Austin for the consideration recited below; therefore,

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

That the Acting City Manager be, and he is hereby, authorized and directed to purchase from J. M. Patterson, Sr., Nye Patterson, and any and all other interested parties, the following described property:

One hundred (100) acres of land in the Thomas Hawkins and J. C. Harrelson Surveys, being composed of a 50 acre tract known as Block 1 of the partition of the estate of C. C. Browning, which was set apart by such partition to Mary P. Glasscock, and a 50-acre tract known as Block 2 of said partition, which was set apart to Sarah E. Whipple by such partition, said partition being recorded in Volume 28, page 497, of the Deed Records of Travis County, Texas; and being the same 100 acres, more or less, conveyed to J. M. Patterson by deed dated May 27, 1902, and recorded in Volume 174, page 132, Deed Records of Travis County, Texas

The consideration to be paid for said land shall be \$35,000.00 if said tract shall contain 95 to 105 acres; but if said tract shall exceed 105 acres the City of Austin shall pay in addition to the \$35,000.00 the sum of \$350.00 for each acre in excess of 105 acres; and if said tract shall contain less than 95 acres, the sum of \$350.00 for each acre less than 95 shall be deducted from the consideration of \$35,000.00. The Acting City Manager is further authorized and directed to enter into an agreement with the said J. M. Patterson, Sr., and Nye Patterson as to granting to the said Nye Patterson the privilege of remaining on the premises for a limited time and gathering certain fruit and pecan crops, which said agreement shall be reduced to writing and approved by the

City Council.

Upon motion of Councilman Wolf, the foregoing 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 12:45 P. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Hollis M. Keller
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 13, 1941.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, February 13, 1941, at 10:40 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 January 30, 1941, were read; and upon motion of Councilman Alford, the same were adopted as read by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The Boy Scouts "City Council," composed of "Mayor" Cleave Holen, and "Councilmen" Mathis Blackstock, Jack Smith, Edbert Schutze, and Floyd Inks, were present for the purpose of sitting in on the meeting.

Ted Wendlandt, Agent, and Frank Reeder came before the Council and submitted an offer to buy the wedge-shaped tract of land at the intersection of Barton Springs Road and Lamar Boulevard, fronting 24 feet on Barton Springs Road and running to a point 150 feet on Lamar Boulevard, together with the store building located thereon, for a consideration of \$3656; \$1156 of this amount representing the bid of the said Frank Reeder for the store building only.

After considerable discussion, it was moved by Councilman Alford that the bid of the said Frank Reeder, in the amount of \$1156, for the store building only, located on the aforesaid wedge-shaped tract of land, be accepted as the highest and best bid received for same. 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 said Ted Wendlandt, Agent, then submitted an offer to buy the aforesaid wedge-shaped tract of land, located at the intersection of Barton Springs Road and Lamar Boulevard, for a consideration of \$2500; and he was requested to submit his offer in writing, to be binding for one year from date