

Councilman Wolf moved that the bid of D. W. Stephens, in the amount of \$200, for the house at 910 Lamar Boulevard be accepted as the next highest and best bid, the highest bidder having forfeited his bid check. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Upon motion, seconded and carried, the meeting was recessed at 12:30 P. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Walter M. Keller
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 13, 1941.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, March 13, 1941, 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 March 6, 1941, were read, and upon motion of Councilman Gillis, were adopted as read by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The written application of Duncan Bowen for permission to sell beer with food at his drive-in cafe located at 2910 Guadalupe Street was received; and the matter was referred to the Board of Adjustment for consideration.

The following resolution was introduced by Councilman Alford:

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

THAT the Acting City Manager be and he is hereby authorized to execute an easement deed, a copy of which is attached, granting to W. W. Livar, of Dallas County, Texas, certain rights in the 200-foot strip of land described therein.

(Copy of Deed attached)

THE STATE OF TEXAS ;

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS ;

That City of Austin, a municipal corporation situated in Travis County, Texas, for and in

consideration of the sum of \$1.00 and other good and valuable consideration to it paid by W. W. Livar, receipt of which is hereby acknowledged, and for which no lien is retained, have granted and conveyed, and by these presents do grant and convey, unto the said W. W. Livar, of Dallas County, Texas, his heirs and assigns, the free and uninterrupted use, liberty, privilege and easement of passing, and for erecting and maintaining a private boat landing and boathouse for non-commercial use only, all in connection with the use, enjoyment and occupancy of the land now owned by him described in a deed from Rob Roy to J. C. Clawson, recorded in Vol. 238, at page 274, of the Deed Records of Travis County, Texas, in, along and upon a certain tract of land situated in Travis County, Texas, adjoining said premises of W. W. Livar, and described as follows:

BEGINNING at a stake at the SW corner of a 350-acre tract conveyed by Rob Roy to J. C. Clawson by deed recorded in Vol. 238, at page 274, of the Deed Records of Travis County, Texas, as established in the judgment in the case of Hays et al v. Clawson et al., recorded in Book 39, page 593, of the Civil Minutes of the 53rd District Court, Travis County, Texas;

THENCE S. 60°00' E. with the south line of said 350-acre tract 200 feet to corner;

THENCE S. 29°50' W. to the low bank of the Colorado River;

THENCE up said river with its meanders to a point S. 29°50' W. of said beginning corner;

THENCE N. 29°50' E. 77.7 varas to the place of beginning

TO HAVE AND TO HOLD said rights and privileges together with such right of free use and passage for himself, his tenants, his private guests and his stock, unto the said W. W. Livar, his heirs and assigns, as above set out, in common with the possession of the said City of Austin, its successors and assigns, forever.

IN WITNESS WHEREOF, the City of Austin has caused these presents to be executed by its Acting City Manager, herunto duly authorized, attested by its City Clerk, with its seal hereunto affixed, on this the ____ day of _____, 19__.

CITY OF AUSTIN

By _____
Acting City Manager

Attest:

City Clerk

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 following ordinance was introduced by Councilman Wolf:

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", PAGES 239, 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 IS RECORDED IN ORDINANCE BOOK "I", PAGES 301-318, BOTH INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY ENACTED CHANGING THE USE DESIGNATION FROM "C" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT OF ALL THAT LAND LOCATED BETWEEN THE ALLEY WEST OF SPENDWAY AND AVENUE D, AND BORDERING WEST 40TH STREET APPROXIMATELY 150 FEET NORTH, AND SOUTH FROM WEST 40TH STREET APPROXIMATELY 150 FEET; AND CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT OF LOTS 6, 7, 8, and 9, SKYLAND TERRACE ADDITION, SAID PROPERTY FACING SOUTH ON NORTH LOOP BOULEVARD, IN THE CITY OF AUSTIN, TEXAS; AND ORDERING A DELINEATION OF THE OFFICIAL USE MAP AND THE OFFICIAL HEIGHT AND AREA MAP, SO AS TO SHOW THE CHANGES HEREBY ORDERED; AND DECLARING AN EMERGENCY

The ordinance was read the first time and Councilman Wolf moved that the rules be suspended and the ordinance be placed on its second 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 second time and Councilman Wolf moved that the rules be further 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 following resolution was introduced by Councilman Alford:

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

THAT the sum of \$2,500.00 be, and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of supplementing the appropriation of \$2,500 made for the WPA Sewing Room requirements for the year.

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.

Acting City Manager Garrison submitted a tabulation of bids on the Ramsey Park Swimming Pool, which were received and opened on March 11, 1941.

Councilman Wolf then moved that the bid of the National Swimming Pool Company under Section "A" in the amount of \$6,786, the bid of L. L. McCandless under Section "B" in the amount of \$4,200, and the bid of the National Swimming Pool Company under Section "C" in the amount of \$4,790, be accepted as the lowest and best bids, in accordance with the recommendation of the Acting City Manager, and that contracts be awarded accordingly. The motion was seconded by Councilman Gillis, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The 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 JEWELL STREET from a point 104 feet west of Bouldin Avenue westerly 93 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.

- (2) A gas main in WEST 45TH STREET from Bellvue Avenue westerly 125 feet, the centerline of which gas main shall be 7 feet north of, and parallel to, the south property line of said West 45th Street.

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.

Councilman Alford moved that the application of Louis James Oeding, 1805 West Avenue, for a Taxicab Driver's Permit 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.

Councilman Alford moved that the application of Carl Edward Vanlandingham, 2805 Cole 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.

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>
Goff, O. M. - Route 1, Box 614, Austin	Row or Outboard, 1941 Model, 4-passenger
Warren, Alex- 1902 East First Street	Home-made, Outboard, 8 Mos., 6-passenger
Weise, Glen J. 2900 Hampton Road	Scram, Inboard, 1941 Model, "Sea Biscuit", Ford, 5-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 applications for licenses to operate commercial 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>
Phillips, L. B. - 2801 Dam Boulevard	Home-made, Fisherman, 1941 Model, "Cat No. 1", 2-passenger
Phillips, L. B. - 2801 Dam Boulevard	Home-made, Fisherman, 1941 Model, "Bass No. 2", 2-passenger
Phillips, L. B. - 2801 Dam Boulevard	Home-made, 1941 Model, "Gasper No. 3", 2-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 City Attorney was instructed to prepare an ordinance regulating the use of bicycles, for consideration at the next regular meeting.

The following ordinance was introduced by Councilman Wolf:

AN ORDINANCE APPOINTING ELECTION JUDGES AND CLERKS TO SERVE AT THE VARIOUS POLLING PLACES IN THE VARIOUS ELECTIONS TO BE HELD IN THE CITY OF AUSTIN DURING THE TERM OF TWO YEARS

The ordinance was read the first time and Councilman Wolf moved that the rules be suspended and 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 read the second time and Councilman Wolf moved that the rules be further suspended and the ordinance be passed to its third reading. The motion 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 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 Mayor Miller:

WHEREAS, Guiton Morgan, City Manager of the City of Austin, has been on leave of absence from his duties with consent of the City Council unanimously voted by the City Council September 19, 1940, and on such leave of absence has served as a Major in the Specialist Reserve Selective Service Division of the United States Army in Washington, D. C. ; and

WHEREAS, James A. Garrison, Superintendent of Recreation for the City of Austin, was named Acting City Manager in the absence of the said Guiton Morgan, and has served as Acting City Manager during the City Manager's absence; and

WHEREAS, the said Guiton Morgan has been relieved of his duties in Washington, D. C., and will return to the City of Austin on or about March 16, 1941; and

WHEREAS, James A. Garrison has been called into the service of the Federal Security Agency for an indefinite length of time to serve as Principal Regional Defense Representative in the office of the National Administrator with headquarters in Austin, Texas, effective March 16, 1941; therefore,

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

THAT the said James A. Garrison, Acting City Manager and Superintendent of Recreation for the City of Austin, be and he is hereby granted a leave of absence in order that he may serve in the National Defense Program as Principal Regional Defense Representative of the Federal Security Agency, having headquarters in the City of Austin, it being understood that said James A. Garrison is on leave of absence and will be returned to his position as Superintendent of Recreation for the City of Austin at the expiration of such leave of absence.

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

Mayor Miller then moved that the said Jas. A. Garrison be paid one month's salary as Superintendent of Recreation. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Wolf moved that the bid of Mrs. Genie L. Read, by T. W. Read, for the house at 610 Lamar Boulevard, in the amount of \$180, be accepted as the highest and best bid, in lieu of the bid of the bid of D. W. Stephens heretofore accepted; the said D. W. Stephens having failed to carry out the terms of his bid. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Acting City Manager submitted the following tabulation of bids received for the 750-gallon Triple Combination Pumping Engine:

Mack Fire Apparatus Company	- - -	\$9,500.00
Seagrave Corporation	- - -	7,900.00

Councilman Wolf moved that the bid of the Seagrave Corporation, in the amount of \$7,900.00, be accepted as the lowest and best bid, and that contract be entered into with the said Seagrave Corporation accordingly. The motion was seconded by Councilman Gillis, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Upon motion seconded and carried, the meeting was recessed at 11:30 A. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Helen M. Keller
City Clerk

RECESSED MEETING OF THE CITY COUNCIL:

Austin, Texas, March 13, 1941.

The City Council met in special session, in the Council Chamber at the Municipal Building, on Thursday, March 13, 1941, at 7:30 P. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Bartholomew, Gillis, and Mayor Miller; absent, Councilmen Alford and Wolf.

There were present, also, Acting City Manager Garrison and Assistant City Attorneys Randle and Williams.

The Mayor stated that the meeting was called for a public discussion on the proposal to acquire the Austin Memorial Park Cemetery; and, more particularly, for a discussion with the owners of lots in said Cemetery regarding the terms of their contracts and other matters.

The meeting was then thrown open to discussion.

A group of lot owners and other interested citizens being present, the following participated in the discussion: Miss Mabel Thomas, representing her mother, Mrs. Albert Thomas; Mrs. Emil Spillman; and Messrs. Carl Knape and White.

Following the discussion, it was the consensus of opinion of the group present that the City should acquire said Cemetery, provided existing restrictions as to size of lots, monuments, etc., were adhered to, and no assessment levied against present lot owners.

In lieu of the purchase of the said Austin Memorial Park Cemetery, the following offers to sell the City land for a new cemetery were submitted:

W. A. Achilles, representing the Thiele Estate, offered approximately 96 acres adjoining said Memorial Park Cemetery, together with all improvements thereon, for a consideration of \$450 per acre.

Tom W. Walling offered 230 acres lying between the Cameron and Fiskville Roads, together with all improvements thereon, for a consideration of \$30,000.

The Mayor stated that by reason of the State law prohibiting cities from buying land for new cemeteries within three miles of the city limits, the foregoing proposals could not be considered.

Tom W. Walling then petitioned the City Council for a mill tax levy to provide perpetual upkeep for all cemeteries within the City.

The meeting was then recessed.

Approved: Tom Miller
Mayor

Attest:

Harris M. Kellan
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 20, 1941

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, March 20, 1941, with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Bartholomew, Mayor Miller, and Councilman Wolf; absent, Councilman Gillis.

The Minutes of the regular and recessed meetings of March 13, 1941, were read, and upon motion of Councilman Alford, were adopted as read by the following vote: Ayes, Councilmen Alford, Bartholomew, Mayor Miller, and Councilman Wolf; nays, none; Councilman Gillis absent.

Mr. Howard Osburn appeared before the Council and requested that the line of Pecos Street between Cherry and Poplar Streets be shifted fifteen feet east in order that a large live oak tree on the west side may be on the property of his client. After some discussion, the matter was referred back to the said Howard Osburn to find out if adjacent property owners on the north and south would be willing to the shifting of said street through their property in order to avoid a jog in the street created thereby.

Mr. Carl Feuerbacher appeared before the Council and registered a complaint against his being required to put up a bond as Master Electrician while working as Journeyman Electrician, stating that he did not object to paying the license fee for Master Electrician, but did object to the expense of a bond. A hearing on a proposed amendment to the Electrician Ordinance in this particular was set for Thursday, March 27th.

The following resolution was introduced by Councilman Bartholomew:

WHEREAS, J. F. Johnson is the Contractor for the repair of a building located at 620-622 Congress Avenue and desires a portion of the sidewalk space abutting Lot 6, Block 70, of the Original City of Austin, Travis County, Texas, during the repair 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: