

Councilman Alford moved that the application of Hiram Woodruff, 2810 Wooldridge Street, for a taxicab driver's permit be granted. 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 Ira O. Smith, 600 Davis Street, for a taxicab driver's permit be granted, conditioned upon a six months' probation approved by the Chief of Police and the City Attorney. 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 11:20 A. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Hellie M. Keller
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 4, 1941.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, September 4, 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 Minutes of the regular meeting of August 28, 1941, 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.

The following resolution was introduced by Councilman Gillis:

WHEREAS, Charles J. Armstrong, Jr., is the Contractor for the repair of an awning located at 300-08 Colorado Street, and desires a portion of the sidewalk and street space abutting Lot 6, Block 28, of the Original City of Austin, Travis County, Texas, during the repair of an awning, 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 Charles J. Armstrong, Jr., the boundary of which is described as follows:

Sidewalk and Street Working Space

BEGINNING at the west curb of Colorado Street opposite the southeast corner of the above described property; thence in an easterly direction and at right angles to the centerline of Colorado Street 5 feet to a point; thence northerly and parallel with the centerline of Colorado Street approximately 128 feet to a point; thence in a westerly direction and at right angles to the centerline of Colorado Street to the west curb line.

2. THAT the above privileges and allotment of space are granted to the said Charles J. Armstrong, Jr., 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, east, and south line of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored. The contractor will be permitted to do his work in sections in order not to block the entire area at one time.

(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 October 15, 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 One Thousand Dollars (\$1000.00), 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, J. R. Blackmore and Son, is the Contractor for the alteration of a building located at 618 Colorado Street, and desires a portion of the sidewalk and street space abutting Lot 7, Block 71, 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 J. R. Blackmore and Son, the

boundary of which is described as follows:

Sidewalk and Street Working Space

BEGINNING at a point on the west curb of Colorado Street approximately 20 feet south of the south line of West 7th Street; thence in an easterly direction and at right angles to the centerline of Colorado Street 10 feet to a point; thence in a southerly direction and parallel with the centerline of Colorado Street approximately 100 feet to a point; thence in a westerly direction 10 feet to the west curb line.

2. THAT the above privileges and allotment of space are granted to the said J. R. Blackmore and Son, 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, east, and south lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored. The contractor will be permitted to do his work in sections in order to not block the entire area at one time.

(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 December 15, 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 Alford, the foregoing resolution was adopted by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Wolf 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>
Adair, T. O. - 4004 Avenue B	Home-made, Outboard, 1939 Model, 4-passenger
Andrews, Dr. M.C. - 315 Scarbrough Building	Chris-Craft, Cabin Cruiser, 1935 Model, "Sequoyah" 8-passenger
Davis, Alden - c/o Walter Tips	Wilson, Inboard, 1937 Model, Chrysler, 8-passenger
DeTurk, Elder - 2001 Schulle Avenue	Dixie, Outboard, 1941 Model, Evinrude, 5-passenger
Dye, J. R. - State Hospital	Home-made, Outboard, 1941 Model, "Edith", Sea King, 3-passenger
Fugua, Charles L. - 1203 Haskell Street	Row Boat, Outboard, 1941 Model, 3-passenger
Glimann, R. H. - 1708 East 22nd Street	Home-made, Outboard, 1 year old, 4-passenger
Kirksey, T. W. - 500 East 24th Street	Shell, Canoe, 5 years old, 2-passenger
Maufrain, C. A. -	Wagemaker, Outboard, 1938 Model, Johnson, 4-passenger
Schroeder, Emil E. - 1210 Bickler Road	Home-made, Outboard, 1941 Model, Neptune, 4-passenger
White, Wm. W. - Rear 405 West 7th Street	Home-made, Fishing Boat, New, Elto, 3-passenger

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

The Mayor introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF AUSTIN, TEXAS, WATER AND ELECTRIC LIGHT AND POWER SYSTEMS REVENUE NOTES, SERIES 1941, \$500,000.00, BEARING INTEREST AT THE RATE OF 1-1/4% PER ANNUM, PAYABLE SEMI-ANNUALLY, TO SECURE FUNDS FOR THE PURPOSE OF THE IMPROVEMENT, ENLARGEMENT, BETTERMENT, EXTENSION, AND REPAIR OF THE WATER AND LIGHT AND POWER WORKS AND SYSTEMS, OR ANY PART OF SAME, OWNED BY THE CITY OF AUSTIN, WITHIN ITS CORPORATE LIMITS; PRESCRIBING THE FORM OF NOTE; PLEDGING THE REVENUES OF THE WATER AND ELECTRIC LIGHT AND POWER SYSTEMS TO THE PAYMENT OF PRINCIPAL AND INTEREST OF THE NOTES AFTER PROVIDING FOR THE EXPENSE OF OPERATING SAID SYSTEMS, AND AFTER MEETING THE REQUIREMENTS OF OUTSTANDING ELECTRIC LIGHT AND SEWER SYSTEM REVENUE BONDS, DATED JULY 1, 1934; PROVIDING THAT SAID NOTES SHALL BE JUNIOR AND SUBORDINATE TO SAID OUTSTANDING REVENUE BONDS; MAKING CERTAIN COVENANTS OF THE CITY IN REFERENCE TO THE NOTES AND THE SPECIAL FUND FROM WHICH SAID PRINCIPAL AND INTEREST ARE TO BE PAID; AND PROVIDING THAT THE HOLDER OR HOLDERS OF SAID NOTES SHALL NEVER HAVE THE RIGHT TO DEMAND PAYMENT OF SAID OBLIGATIONS OUT OF FUNDS RAISED OR TO BE RAISED BY TAXATION.

The ordinance was read the first time and Councilman Gillis moved that the rules be suspended and the ordinance be passed to 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 Gillis 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 Gillis 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 declared the ordinance finally passed.

The written application of Troy Boyken, by his attorney, R. J. Long, for a change in zoning of the 1200, 1300, and 1400 blocks on East 12th Street from "C" Commercial District to "C-1" Commercial District, was received; and the matter was referred to the Board of Adjustment for consideration and recommendation.

Upon motion, seconded and carried, the meeting was recessed at 11:00 A. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Harris M. Keller
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 11, 1941.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, September 11, 1941, at 10:50 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 reading of the Minutes was dispensed with.

Committees from the Chamber of Commerce and the Retail Merchants Association, with Horace Barnhart as spokesman, came before the Council and asked for the enactment of an ordinance that would be held constitutional, regulating the soliciting of funds, subscriptions, etc.; and the matter was referred to the City Attorney with instructions to meet with the committees and draft such an ordinance for passage at the next regular meeting.

A group of property owners, composed of Mr. and Mrs. Henry Maerki, Joe Frowse, et al., came before the Council relative to the paving of Duval Street from 45th to 48th Streets; and said group was advised by the Mayor that the City was not able at this time to spend \$8000 for a storm sewer on said street, but that the City would level the gutters and get the street ready for topping if all of the property owners on said street would put up their pro rata of the cost of paving, the base to be laid this winter and the topping done next spring.

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

To amend the USE designation of the following property so as to change same from "A" Residence District, and First Height and Area District to "B" Residence District and Second Height and Area District:

The two lots fronting 165 feet on West 24th Street and 112 feet on Leon Street, belonging to R. Barrow .

R. Barrow plead for the change in order that he may erect an apartment house on the premises.