

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, November 20, 1941.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, November 20, 1941, at 10:00 A. M., with Mayor Pro Tem. Wolf presiding. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, and Mayor Pro Tem. Wolf; absent, Mayor Miller.

The Minutes of the regular meeting of November 13, 1941, were read, and upon motion of Councilman Alford, were adopted as read by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

The petition of E. L. Bailes, et al., for a change in zoning of the property at 1201 Alamo Street from "A" Residence District to "C" Commercial District, was received; and the matter was referred to the Board of Adjustment for consideration and report.

It was moved by Councilman Bartholomew that the following application for a private boat license 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>
Edwards, C. L. - 1217 Taylor Street	Custom-built, Outboard, Two Years Old, Johnson, 5-passenger

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

The following resolution was introduced by Councilman Gillis:

WHEREAS, the City of Austin tax assessment roll for the year 1941 is now substantially complete and reflects that the total assessed value of property subject to taxation in the City of Austin for such year is as follows:

<u>Regular City Roll</u>	<u>Land</u>	<u>Improvements</u>	<u>Total Land and Improvements</u>	<u>Personal</u>	<u>Total</u>
	\$20,811,410	\$37,222,735	\$58,034,145	\$13,336,370	\$71,370,515
<u>School Districts Outside City</u>	<u>854,910</u>	<u>9,350</u>	<u>864,260</u>	<u>186,155</u>	<u>1,050,415</u>
	\$21,666,320	\$37,232,085	\$58,898,405	\$13,522,525	\$72,420,930

therefore,

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

THAT said tax assessment roll be, and the same is hereby, adopted and approved, subject to those adjustments which may be found proper upon the hearing of appeals from the decisions of the Board of Equalization to the City Council.

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

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 RICHARD LANE across Hillview Road intersection, the centerline of which gas main shall be 7½ feet south of, and parallel to, the north property line of said Richard Lane.
Said gas main described above shall have a covering of not less than 2½ feet.
- (2) A gas main in GREENLEE DRIVE across Hillview Road intersection, the centerline of which gas main shall be 7½ feet south of, and parallel to, the north property line of said Greenlee Drive.

Said gas main described above shall have a covering of not less than 2½ feet.

- (3) A gas main in HILLVIEW ROAD across Greenlee Drive intersection, the centerline of which gas main shall be 7½ feet west of, and parallel to, the east property line of said Hillview Road.

Said gas main described above shall have a covering of not less than 2½ feet.

- (4) A gas main in DUVAL STREET from a point 153 feet south of East 51st Street southerly 58 feet, the centerline of which gas main shall be 19 feet east of, and parallel to, the west property line of said Duval Street.

Said gas main described above shall have a covering of not less than 2½ feet.

- (5) A gas main in CLERMONT STREET from a point 143 feet west of Waller Street easterly 95 feet, the centerline of which gas main shall be 17 feet south of, and parallel to, the north property line of said Clermont Street.

Said gas main described above shall have a covering of not less than 2½ feet.

- (6) A gas main in GREENLEE DRIVE from St. Anthony Street westerly 358 feet, the centerline of which gas main shall be 7½ feet south of, and parallel to, the north property line of said Greenlee Drive.

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 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, and Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

The following resolution was introduced by Councilman Gillis:

WHEREAS, Frank Barron, Inc., is the Contractor for the erection of a building located at 909-11 Colorado Street, and desires a portion of the sidewalk and street working space abutting Lots 9, 10, 11, and 12, Block 110, of the Original City of Austin, Travis County, Texas, during the erection of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said Frank Barron, Inc., the boundary of which is described as follows:

Sidewalk and Street Working Space

BEGINNING at the northwest corner of the above described property; thence in a westerly direction and at right angles to the centerline of Colorado Street to a point 14 feet west of the east curb line; thence in a southerly direction and parallel with the centerline of Colorado Street approximately 60 feet to a point; thence in an easterly direction and at right angles to the centerline of Colorado Street to the west line of the above described property.

BEGINNING at the southeast corner of the above described property; thence in a southerly direction and at right angles to the centerline of West 9th Street to a point 14 feet south of the north curb line; thence in a westerly direction and parallel with the centerline of West 9th Street approximately 50 feet to a point; thence in a northerly direction and at right angles to the centerline of West 9th Street to the south line 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 construct a 4-foot walkway within the outer boundaries of both of the above described working spaces, such walkway to be protected on each side by a guard rail at least 4 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 is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

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

(7) 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.

(8) 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.

(9) 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 June 1, 1942.

(10) 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.

(11) 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.

(12) 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.

(13) 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, and Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

It was moved by Councilman Alford that the application of Richard Lorenza Lunday, 1913 Holly Street, for a taxicab driver's permit be granted upon a six months' probationary basis, as recommended by the City Manager. The motion prevailed by the following vote: ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

Mayor Pro Tem. Wolf laid before the Council the following resolution:

WHEREAS, the General Budget of the City of Austin, Texas, for the year 1942, has been prepared by the City Manager and will be filed with the City Clerk of the City of Austin on or before November 22, 1941, for public inspection; and

WHEREAS, the law requires that the City Council shall provide for a public hearing on such budget, which hearing shall take place on some date to be fixed by the City Council not less than fifteen days subsequent to the time such budget is filed; and that public notice shall be given that on the date of hearing, the budget prepared by the City Manager will be considered by the City Council; therefore,

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

THAT a public hearing on said General Budget of the City of Austin for the year 1942 will be held in the Municipal Building in the City of Austin, situated at the corner of Eighth and Colorado Streets in the City of Austin, at 10 o'clock A. M., on the 24th day of December, 1941, and that notice of such hearing be published not less than ten days before the date set for such hearing.

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

Mayor Pro Tem. Wolf laid before the Council the following resolution:

WHEREAS, the City of Austin has investigated the proposed Cotton Stamp Plan of the Surplus Commodities Corporation for the distribution of surplus commodities and other cotton goods through the issuance of Cotton Order Stamps; and

WHEREAS, the City Council considers said Plan sound and beneficial; therefore,

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

THAT Guiton Morgan, City Manager, be, and he is hereby, authorized and directed to execute said contract for and on behalf of the City of Austin as of September 8, 1941.

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

Mayor Pro Tem. Wolf laid before the Council the following resolution:

WHEREAS, City of Austin taxes were assessed in the name of Dave Williams for the years 1931, 1932, 1933, 1934, 1935, 1938, 1939, and 1940, on Lot 20, Block 2, Outlet 34-46, Division "O", Walsh Addition to the City of Austin, Travis County, Texas, and personal property, said taxes being for the sum of \$222.69; and for non-payment of same at maturity, penalty in the sum of \$9.90 has been assessed, and interest in the sum of \$64.75 has accrued, making the total amount of taxes, penalty and interest \$297.34; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$9.90; therefore,

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

THAT the aforesaid penalty in the sum of \$9.90 is 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 \$9.90 off his rolls, and to issue to the party entitled to receive the same a receipt in full upon the payment of said taxes, as aforesaid, and said interest.

Upon motion of Councilman Alford, the foregoing resolution was adopted by the following vote:

Councilmen Alford, Bartholomew, Gillis, and Mayor Pro Tem. Wolf; nays, none; Mayor Miller absent.

It was the sense of the meeting that, next Thursday being Thanksgiving Day, the regular meeting of the City Council be held on Wednesday preceding.

Upon motion, seconded and carried, the meeting was recessed at 10:30 A. M., subject to call of the Mayor.

Approved Rowell S. Hall
Mayor Pro Tem.

Attest:

Harriet McCallan
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, November 26, 1941.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Wednesday, November 26, 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 November 20, 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.

Councilman Bartholomew offered the following resolution:

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property situated at the southeast corner of Lamar Boulevard and West 10th Street, which property is owned by W. L. Stark, and is designated as being portions of Lots No. 1 and No. 2, Block 9, Silliman Addition in the Original City of Austin, Travis County, Texas, and hereby authorizes the said W. L. Stark, acting by and through H. F. Kuehne, to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same's being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right