

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 24, 1942

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, September 24, 1942, at 11:10 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; absent, Councilman Alford.

There were present also: Acting City Manager Seaholm, City Engineer Motheral, Acting City Attorney Randle.

The Minutes of the regular meeting of September 18, 1942, were read, and upon motion of Councilman Wolf, were adopted as read by the following vote: "ayes," Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; "nays," none; Councilman Alford absent.

The written application of Horace Shelton, Attorney for property owners on the east and west sides of Chicon Street north from the alley between 12th and 13th Streets, asking for a change in zoning, from residential to commercial, of Lots 9 and 10, Block 1, Outlot 36, Division "B", was received; and the matter was referred to the Board of Adjustment for consideration and recommendation, and a public hearing called for October 15 at 11:00 A. M.

The following report of the Board of Equalization was received and ordered filed:

" Austin, Texas
September 19, 1942

The Honorable Mayor and City Council
City of Austin
Austin, Texas

Gentlemen:

We, the Board of Equalization for the year 1942, herewith submit our report of the work accomplished this year.

The Board of Equalization convened July 27, 1942, and adjourned September 19, 1942. We have checked all of the assessments on the records of the Tax Department, making a few adjustments that we considered warranted. There were submitted to us approximately 3,000 items representing changes in valuations due to new buildings, alterations, changes in personal property, etc. There were 397 protests made to the Board, and inspections were made by us in all instances when requested to do so. Of these appeals an agreement was reached in 163 of them. Of the remainder there will possibly be a few appeals from the action of the Board to the City Council.

We wish to extend our thanks to the Tax Department for its cooperation at all times. We also wish to express our appreciation for the confidence placed in us by your Honorable Body in appointing us to serve in our capacity as the Board of Equalization.

Respectfully submitted,

BOARD OF EQUALIZATION

By (Sgd) John D. Pearson, Chairman

" S. P. Tadlock, Member

" K. R. Meyer, Member "

Councilman Wolf offered the following resolution:

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

THAT the City Manager, or in his absence the Acting City Manager, be and he is hereby authorized and directed to enter into a contract with Mrs. C. H. Christian, for and in behalf of the City of Austin, for the leasing from Mrs. C. H. Christian of approximately six hundred (600) square feet of floor space on the south and east sides of the third floor of a building located on Lot "K", Block 67, of the Original City of Austin, at 605 San Jacinto Street, Austin, Texas, substantially in accordance with the terms and provisions of a copy of the lease agreement which is attached hereto and made a part hereof.

(Lease Agreement)

THE STATE OF TEXAS :

KNOW ALL MEN BY THESE PRESENTS;

COUNTY OF TRAVIS :

This lease made between the City of Austin, a municipal corporation, situated in Travis County, Texas, hereinafter referred to as the City, and Mrs. C. H. Christian, a feme sole, of Travis County, Texas, hereinafter referred to as Lessor; WITNESSETH:

That the Lessor has agreed to let and does hereby let to the City of Austin, and the City has agreed to take and does hereby take from the Lessor, a part of the third floor of a building located on Lot "K", Block 67, of the Original City of Austin, at 605 San Jacinto Street, consisting of approximately six hundred (600) square feet of floor space on the south and east sides of the third floor of said building, said premises to be used as headquarters for the Negro Military Police, or for other lawful purposes by the City of Austin and/or the United States Government, for a term of three (3) years commencing on the 15th day of October, 1942, and ending on the 15th day of October, 1945.

The Lessor hereby covenants and agrees to furnish for the use of occupants of the aforesaid premises water and facilities for heating same and electric light and power, and further agrees that the City may make certain alterations and repairs to the premises as more fully set out below, all improvements and permanent fixtures to become the property of the Lessor upon the termination of this lease. Lessor agrees to carry adequate insurance to protect said premises, and the alterations and repairs made thereto by the City, against loss by fire.

The City of Austin hereby covenants and agrees to pay to the Lessor as rent on said premises the sum of \$37.50 each month, payable in advance on or before the 5th day of each month during the term of this lease, to Payne & Wiley Co., Austin, Texas, agent for Lessor. The City further covenants and agrees to make certain alterations and repairs to the premises leased herein amounting to approximately \$670.00 in accordance with plans and specifications attached hereto and made a part hereof, it being expressly agreed and understood by the parties hereto that the City of Austin shall bear the initial expense of said repairs and that the City shall be entitled to and shall receive a credit of \$25.00 each month to be applied to amortize the cost of said repairs, said credit to be deducted each month from the rental hereinabove provided until the cost of the aforesaid repairs has been completely amortized and the City reimbursed therefor. During the period in which the aforesaid credit is allowed, the balance of rental each month (\$12.50) shall be payable as provided above. If any default be made in the payment of said rent, or any part thereof, the Lessor may re-enter and relet said premises or may declare this lease terminated.

The City of Austin agrees not to assign this lease nor let or sublet the whole or any part of said premises without the written consent of the Lessor; provided, however, that the City shall be and is hereby allowed and permitted to sublet the said premises or any part thereof to the United States Government.

This lease and agreement may be terminated by the City of Austin at any time upon two weeks' notice in writing to the Lessor.

WITNESS THE HAND of the City of Austin by and through its Acting City Manager, Walter E. Seaholm, hereunto duly authorized, attested by its City Clerk, and with the seal hereunto affixed; and witness the hand of Mrs. C. H. Christian, all on this the ___ day of September, 1942.

CITY OF AUSTIN

By _____
Acting City Manager

Attest:

City Clerk

Mrs. C. H. Christian

THE STATE OF TEXAS:

COUNTY OF TRAVIS :

BEFORE ME, the undersigned authority, on this day personally appeared Walter E. Seaholm, Acting City Manager of the City of Austin, Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed of the City of Austin, for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the ___ day of September, 1942.

Notary Public in and for
Travis County, T e x a s.

THE STATE OF TEXAS :

COUNTY OF TRAVIS :

BEFORE ME, the undersigned authority, on this day personally appeared Mrs. C. H. Christian, a feme sole, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the ___ day of September, 1942.

Notary Public in and for
Travis County, T e x a s.

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

Councilman Wolf then offered the following resolution:

(RESOLUTION)

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

THAT the City Manager, or in his absence the Acting City Manager, be and he is hereby authorized and directed to enter into a contract with the United States Government, for and in behalf of the City of Austin, for the leasing to the United States Government of approximately six hundred (600) square feet of floor space on the south and east sides of the third floor of a building located on Lot "K", Block 67, of the Original City of Austin, at 605 San Jacinto Street, Austin, Texas, and being the same floor space leased, or to be leased, by the City from Mrs. C. H. Christian, and which is to be used as headquarters for the Negro Military Police or for other lawful purposes by the United States Government.

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

Councilman Bartholomew offered the following resolution:

(RESOLUTION)

WHEREAS, there is needed in the City of Austin more adequate facilities for maintaining a Health Center in order to serve the public war need; and

WHEREAS, there exists a problem by virtue of the scarcity of critical materials and of labor for providing an adequate building, so that there is a need for remodeling some present structure; and

WHEREAS, the City now owns a building known as the Old Protection Fire Hall located at 1606 Lavaca Street, in the City of Austin, Travis County, Texas, which building is adaptable as such a Health Center with a minimum of critical material and of man-hours of labor, and the City of Austin has been asked to serve as the sponsor for such a Health Center; and

WHEREAS, the remodeling of the building above referred to may be had at the expense of the United States Government; Now, Therefore,

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

THAT the City of Austin shall serve as the sponsor of a Health Center to be located in the Old Protection Fire Hall at 1606 Lavaca Street in the City of Austin, Travis County, Texas, and the City Manager, or in his absence the Acting City Manager, be and he is hereby authorized to make said building available for said purpose with the understanding that any and all expense of remodeling shall be paid by the United States Government, and he is further authorized to enter into such agreements as may be reasonably necessary for the public interest in providing such sponsorship by the City of Austin; provided, however, that the City of Austin in making the said building available as a Health Center does not intend hereby to dedicate same to public use, but intends only to make such building available on a temporary basis, reserving to the City of Austin all other right, title and interest which it may have in the building and the premises whereon same is located for any other lawful purposes.

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

Councilman Gillis offered the following resolution:

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 OLDHAM STREET across Manor Road intersection, the centerline of which gas main shall be 15 feet east of, and parallel to, the west line of said Oldham Street.

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

- (2) A gas main in MANOR ROAD from Oldham Street to Sabine Street, the centerline of which gas main shall be 2 feet south of, and parallel to, the north line of said Manor Road.

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

- (3) A gas main in EAST AVENUE from East 12th Street north 516 feet, the centerline of which gas main shall be 10.5 feet east of, and parallel to, the west line of said East Avenue.

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

- (4) A gas main in EAST AVENUE from East 15th Street north 262 feet, the centerline of which gas main shall be 64 feet east of, and parallel to, the west line of said East Avenue.

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

- (5) A gas main in EAST FIFTEENTH STREET across East Avenue intersection, the centerline of which gas main shall be 2 feet south of, and parallel to, the north line of said East 15th Street.

Said gas main described above shall have a cover 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 Gillis, the foregoing resolution was adopted by the following vote: "ayes," Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; "nays," none; Councilman Alford absent.

Mrs. Joe Rowe and Mrs. D. H. Doom, representing the Board of Regents of the Texas Confederate Museum, submitted a written request for parking space adjacent to the Museum for the Curator's automobile. The matter was referred to the Acting City Manager to have the request granted.

The application of John Edgar White, 104 East 2nd Street, for a taxicab driver's permit, approved by the Acting City Manager, was submitted. Councilman Wolf moved that the permit be granted. The motion prevailed by the following vote: "ayes," Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; "nays," none; Councilman Alford absent.

The application of Herman Owens, 1311 West 6th Street, for a taxicab driver's permit, approved by the Acting City Manager, was submitted. Councilman Wolf moved that the permit be granted. The motion prevailed by the following vote: "ayes," Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; "nays," none; Councilman Alford absent.

Mr. J. F. Springfield, President and General Manager of the Austin Transit Company, came before the Council and presented a request for an extension of two of the Company's bus routes.

Councilman Wolf then offered the following resolution:

(RESOLUTION)

WHEREAS, The Austin Transit Company has presented a written request to the City Council for extension of two of its bus routes for the purpose of serving the Del Valle Air Support Command Base; and

WHEREAS, The City Council has reviewed said request; Now, therefore,

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

THAT the Acting City Manager be, and he is hereby, authorized to grant said request of the Austin Transit Company for extension of its bus routes as follows:

EAST 6TH STREET BUS ROUTE:	from Chicon Street east to Pedernales Street; thence south on Pedernales Street to East 5th Street; thence east on East 5th Street to the City Limits;
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EAST 1ST STREET BUS ROUTE:	from San Saba Street east to the City Limits.
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Upon motion of Councilman Wolf, the foregoing resolution was adopted by the following vote:

"ayes," Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; "nays," none; Councilman Alford absent.

Councilman Wolf offered the following resolution:

(RESOLUTION)

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

THAT the sum of \$75 per month be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying rent for the Austin Defense Recreation Council's Center at the Driskill Hotel; payment of such rent to commence at the discretion of the Acting City Manager.

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

"ayes," Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; "nays," none; Councilman Alford absent.

Councilman Wolf offered the following resolution:

(RESOLUTION)

WHEREAS, The Austin Symphony Orchestra has submitted, in writing, a request for an increase in its appropriation to enable it to provide entertainment for the large number of soldiers stationed at Camp Swift, thereby contributing to the upbuilding of their morale; and

WHEREAS, Said request has been reviewed by the City Council, and the merits of same determined; Now, Therefore,

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

THAT the appropriation for the Austin Symphony Orchestra for the current year be increased from \$720 to \$1200.

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

"ayes," Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; "nays," none; Councilman Alford absent.

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:

Hallie M. Keller CITY CLERK