

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew present but not voting, Mayor Miller absent, .

A letter from the Texas Fire Insurance Commission, asking that the week of October 7-13 be designated as Fire Prevention Week, was read, and the City Attorney was directed to prepare the necessary resolution for adoption at the next regular meeting.

Mayor Pro tem Wolf introduced the following resolution:

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

THAT the error in assessments for City school taxes for the years 1927 and 1928 on Lots 1 to 32, Block 39, and Lots 4 to 32, Block 44, Highland Addition, be corrected by changing said assessments for said years from \$30.00 per lot to \$10.00 per lot, and the City Assessor and Collector of taxes is hereby instructed to make such change to be effective upon the prompt payment of all school taxes, interest and penalties now due on said properties.

Upon motion of Councilman Gillis, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

There being no further business before the Council, Councilman Alford moved to recess, subject to call of the Mayor. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

The Council then recessed.

Attest:

Galvin McKellar
City Clerk

Approved *Samuel B. Wolf*
Mayor Pro tem.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 20, 1934.

The meeting was called to order, with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 5; absent, none.

Upon motion of Councilman Wolf, the regular order of business was suspended and various committees were heard.

The matter of granting a permit to the Harley Sadler Shows to play in the City for one month came before the Council. After considerable discussion, the moving picture interests and various citizens being represented, Mayor Miller introduced the following ordinance:

AN ORDINANCE REGULATING THE OPERATION AND EXHIBITION OF CIRCUSES, DRAMATIC AND THEATRICAL SHOWS, CARNIVALS, TENT SHOWS, MERRY-GO-ROUNDS, MEDICINE SHOWS, WHIPS, VAUDEVILLE SHOWS, FLYING-JENNYS, SKATING RINKS, MINSTREL SHOWS AND MOVING PICTURE SHOWS, CONDUCTED IN A TENT, TEMPORARY STRUCTURE, OR IN THE OPEN AIR, WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, AND PRESCRIBING A PENALTY FOR THE VIOLATION HEREOF, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

The ordinance was read the first time and Councilman Gillis moved that the rule be suspended and the ordinance passed to its second reading. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, Councilman Bartholomew, 1.

The ordinance was read the second time and Councilman Gillis moved a further suspension of the rule and the placing of the ordinance on its third reading. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, Councilman Bartholomew, 1.

The ordinance was read the third time and Councilman Gillis moved that same be finally passed. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, Councilman Bartholomew, 1.

The matter of the proposed annexation to the City of Austin, for school purposes only, of certain territory out of the St. Elmo Common School District No. 43 described in the petition presented at the last regular meeting, came up for discussion. Both proponents and opponents of the measure were given a hearing, and the following letters from the School Board were read:

"Austin, Texas,
Sept. 11, 1934.

To the Honorable Mayor and City Commissioners
of the City of Austin,

Gentlemen:

The following resolution was unanimously adopted at the regular monthly meeting of the Austin School Board held September 10, 1934:

'BE IT RESOLVED by the Board of Trustees of the Austin Public Schools that we recommend that the corporate limits of the City of Austin be extended for school purposes only so as to embrace the territory out of the St. Elmo School District No. 43 as set out in the petition presented herewith signed by W. M. Powell, Orin E. Metcalfe, J. H. Sutton, et al. '

Yours truly,

(SEAL)

(Sgd) A. N. McCallum,
Superintendent of Schools. "

"Austin, Texas,
Sept. 20, 1934.

Honorable City Council
City of Austin.

Gentlemen:

Pursuant to a suggestion of City Council members, the petitioners of the proposed St. Elmo District have revised their area, as shown by the accompanying map, increasing same by about sixty acres.

The Board of Trustees of the Austin Public Schools has considered this increase and we are highly in favor of the revised area.

Yours very truly,

(SEAL)

(Sgd) E. A. Murchison,
President. "

The following ordinance was then introduced:

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF AUSTIN, TEXAS, FOR SCHOOL PURPOSES ONLY, TO INCLUDE THAT CERTAIN TERRITORY OUT OF ST. ELMO-LONGVIEW SCHOOL DISTRICT NO. 43, HEREINAFTER DESCRIBED IN SECTION 1, AND PROVIDING FOR THE ASSESSMENT AND COLLECTION OF SCHOOL TAXES WITHIN THE TERRITORY SO ADDED.

The ordinance was read the first time and Councilman Wolf moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the second time and Councilman Wolf moved a further suspension of the rule and the placing of the ordinance on its third reading. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the third time and Councilman Wolf moved that same be finally passed. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Mayor Miller introduced the following resolution:

**RESOLUTION APPROVING A GRANT
AGREEMENT BETWEEN THE CITY OF
AUSTIN, TRAVIS COUNTY, TEXAS,
AND THE UNITED STATES OF AMERICA,
AND AUTHORIZING ITS EXECUTION BY
THE CITY OF AUSTIN.**

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

SECTION 1. THAT the Grant Agreement between the City of Austin, Travis County, Texas, and the United States of America, under and subject to the terms of which the United States will, by grant, aid said City of Austin in financing a Project consisting of the construction of a two-story and basement fire proof Nurses' Home at the Brackenridge Hospital, pursuant to the grantee's application PWA Docket No. 9224, Title II, of the National Industrial Recovery Act, and the constitution and statutes of the State of Texas, said grant to be an amount equal to 30 per centum of the cost of the labor and materials employed upon said Project, but in no event to exceed the sum of \$17,000.00, the cost of the labor and materials employed upon the Project to be determined by the Federal Emergency Administration of Public Works, a copy of which Grant Agreement is filed among the public records of said City of Austin in the office of the City Clerk of said City and endorsed by the file mark of said City Clerk with the date of such filing as of September 20, 1934, and made a part hereof, be and the same is hereby in all respects approved.

SECTION 2. THAT Guiton Morgan, as City Manager of said City of Austin, be and he is hereby authorized and directed to execute such Grant Agreement in triplicate on behalf of said City of Austin, and the said City Manager of said City of Austin be and he is hereby authorized and directed to impress or affix, or cause to be impressed or affixed the official seal of the said City of Austin to each of said three copies of said Grant Agreement, and to cause same to be attested by the City Clerk of said City of Austin.

SECTION 3. THAT the said Guiton Morgan, as City Manager, be and he is hereby authorized and directed to forthwith send three copies of said Grant Agreement, as executed on behalf of the said City of Austin, to the Federal Emergency Administration of Public Works, Washington, D. C., through the office of the State Engineer, P.W.A., for the State of Texas.

SECTION 4. THAT the said Guiton Morgan, as City Manager, be and he is hereby authorized and directed to forthwith send to said Federal Emergency Administration of Public Works, through the State Engineer for the State of Texas, two certified copies of this Resolution and two certified copies of the proceedings of the City Council of the said City of Austin of record in connection with the adoption of this Resolution, and such further documents or proofs in connection with the approval and execution of said Grant Agreement as may be

required by said Federal Emergency Administration of Public Works.

The above resolution was read and upon motion of Councilman Wolf was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, Richard Schmidt is the Contractor for the alteration of a building located at 114 East 1st Street and desires a portion of the sidewalk space abutting the east end of Lots 11 and 12, Block 6, of the Original City of Austin, 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 Richard Schmidt, the boundary of which is described as follows:

SIDEWALK WORKING SPACE

Beginning at the southeast corner of the above described property; thence in a northerly direction along the east line of said property a distance of 75 feet; thence in an easterly direction and at right angles to the centerline of Brazos Street a distance of 6 feet; thence in a southerly direction and parallel with the centerline of Brazos Street a distance of 75 feet; thence in a westerly direction to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said Richard Schmidt, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a guard rail around the above described working space, such guard rail to be at least 4 feet high and substantially braced and anchored.

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

(3) That provision 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 waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(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 30, 1934.

(6) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(7) 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.

(8) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, 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 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 Wolf, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, W. J. Schwarzer is the Contractor for the removing of a building located at 119 West 9th Street and desires a portion of the sidewalk, street and alley space abutting Lots 11 and 12, Block 110, of the Original City of Austin, Texas, during the removal 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 W.J.Schwarzer, the boundary of which is described as follows:

SIDEWALK, STREET AND ALLEY WORKING SPACE

Beginning at the southeast corner of the above described property; thence in a northerly direction along the east line of said property a distance of 75 feet; thence in an easterly direction and at right angles to the centerline of the alley traversing Block 110 of the Original City a distance of 6 feet; thence in a southerly direction and parallel with the centerline of said alley a distance to a point 10 feet south of the north curb line of West 9th Street; thence in a westerly direction and parallel with the centerline of West 9th Street a distance of 81 feet; thence in a northerly direction and at right angles to the centerline of West 9th Street a distance to the north line of West 9th Street; thence in an easterly direction along the north line of West 9th Street to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said W.J.Schwarzer, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a guard rail around the alley working space and shall construct a 4-foot walkway along the south boundary line and within the above described working space in West 9th Street, such walkway to be protected on each side by guard rails, all such guard rails to be at least 4 feet high and substantially braced and anchored.

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

(3) That provision 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 waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(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 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 10, 1934.

(7) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(8) 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 safe-

guards if the conditions demand it.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, 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 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 resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, The Southwestern Bell Telephone Company has presented to the City Council tentative maps and plans showing the proposed construction of its pole lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; therefore

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

THAT the Southwestern Bell Telephone Company be, and the same is hereby permitted to construct its pole lines in the following streets:

(1) One telephone pole in PEASE ROAD, same to be located on a line 8 feet east of the west line of said Pease Road.

(2) A telephone pole line in WOOLDRIDGE PLACE from West 26 $\frac{1}{2}$ Street north one block, the centerline of which pole line shall be 46 feet east of and parallel to the west line of said Wooldridge Place.

(3) A telephone pole line in WEST JOHANNA STREET from South 1st Street to South 2nd Street, the centerline of which pole line shall be 11 feet south of and parallel to the north line of said West Johanna Street.

That the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole lines have been constructed, shall be under the supervision and direction of the City Manager, and in accordance with the ordinances and regulations of the City of Austin governing such construction.

Upon motion of Councilman Wolf, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following resolution:

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

THAT the sum of \$2.50 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of refunding to Johnson Service Station the amount of cigarette license paid for the year 1934 under License No. 6257.

Upon motion of Councilman Bartholomew, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE PROVIDING FOR THE ASSESSING OF COSTS IN THE CORPORATION COURT OF THE CITY OF AUSTIN, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

The ordinance was read the first time and Councilman Wolf moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the second time and Councilman Wolf moved a further suspension of the rule and the placing of the ordinance on its third reading. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the third time and Councilman Wolf moved that same be finally passed. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The application of John F. Roberts, 2004 East 1st Street, for license to operate as a taxicab a 4-door Ford Sedan, 1932 Model, Factory No. 1826527, State Highway License No. 950511, was read. Councilman Gillis moved that the application be granted. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Bartholomew introduced the following resolution:

WHEREAS, The control of fire is largely a local problem in every community, and each individual citizen must accept it as a part of his responsibility. Fires do not happen, but there is a cause for every one that occurs, and the purpose of Fire Prevention is to remove the cause and thus prevent the fire; therefore, upon the suggestion of the Texas Fire Insurance Department,

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

THAT the week of October 7th to 13th, 1934, be and the same is hereby designated Fire Prevention Week in the City of Austin, and the Mayor is directed to issue his Proclamation to such effect, and the City Manager is directed to cause the Chief of the Fire Department and the Fire Marshal to arrange meetings and exercises for a study of ways and means of preventing fires, as well as to impress upon the people the seriousness of the wastage that fire causes and the need for utmost care in the protection of lives and property.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

There being no further business, Councilman Wolf moved to recess, subject to call of the Mayor. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Council then recessed.

Attest:

Harrie McKee
City Clerk

Approved: Tom Miller
Mayor.