

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 20, 1934.

The meeting was called to order, with Mayor Miller presiding. Roll call showed the following members present: Councilmen Bartholomew, Gillis, Mayor Miller, 3; absent, Councilmen Alford and Wolf, 2.

The Minutes of the last regular meeting were read, and, upon motion of Councilman Gillis, were adopted as read by the following vote: Ayes, Councilmen Bartholomew, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

The proposed ordinance regulating fishing in the Colorado River came up for discussion. Mr. T. P. Dorris appeared to protest the passage of same, on the grounds that it would deprive certain citizens of a livelihood. Upon motion of Councilman Bartholomew, action on the matter was deferred until a meeting when all members of the Council are present.

Mr. R. M. Canon, representing the Texas Transient Bureau, came before the Council and asked that the City contribute to the support of said organization by remitting the taxes on that portion of the building at 8th Street and Congress Avenue, owned by Security Trust Company, which said organization is occupying. The matter was referred to the City Manager for his recommendation, after consulting with Messrs. Porter and Nalle of the Federal Relief Agencies in the premises.

The complaint of J. J. Hildinger and B. M. Baxter, relative to the nuisance created by the playing of a radio at the cold drink stand at 30th and Guadalupe Streets, was referred to the City Attorney and Police Department for attention.

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 W. L. Thompson the amount of cigarette license paid by him for the year 1934, being License No. 6333.

The resolution was adopted by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, 3; nays, none; Councilmen Alford and Wolf absent, 2.

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 Clyde W. Wilson, Owner of Avenue News Stand, amount of cigarette license paid by him for the year 1934, being License No. 6245.

The resolution was adopted by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, 3; nays, none; Councilmen Alford and Wolf absent, 2.

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 F. D. Gathright the amount of cigarette license paid by him for the year 1934, being License No. 6274.

The resolution was adopted by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, 3; nays, none; Councilmen Alford and Wolf absent, 2.

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 \$330.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of salary of W. R. Harty for labor at Zilker Park and Barton Springs, cleaning picnic sites and tables, collecting garbage and general park work.

The resolution was adopted by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, 3; nays, none; Councilmen Alford and Wolf absent, 2.

The Mayor laid before the Council the following resolution:

WHEREAS, Marvin Braswell is the Contractor for the construction of a building located at 1718-22 South Congress Avenue and desires a portion of the sidewalk and street space abutting Lots 5 and 6, Block 27, of the Swisher Addition in the City of Austin, Texas, during the construction 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 Marvin Braswell, the boundary of which is described as follows:

SIDEWALK AND STREET WORKING SPACE

Beginning at the southeast corner of Lot 6, Block 27, Swisher Addition; thence in a westerly direction along the south line of said lot a distance of 70 feet; thence in a southerly direction and at right angles to the centerline of West Annie Street a distance to the north curb line of West Annie Street; thence in an easterly direction along the north curb line of West Annie Street a distance to a point 12 feet east of the west line of South Congress Avenue; thence in a northerly direction and at a 45° angle to the centerline of South Congress Avenue a distance to a point 31 feet east of the west line of South Congress Avenue; thence in a northerly direction and parallel with the centerline of South Congress Avenue a distance to a point 81 feet north of the north line of West Annie Street; thence in a westerly direction and at right angles to the centerline of South Congress Avenue a distance to the west line of South Congress Avenue; thence in a southerly direction along the west line of South Congress Avenue to the place of the beginning.

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

(1) That the Contractor shall construct a guard rail within the above described boundaries 3 feet north of the north curb line of West Annie Street, extending from the west limits of the space to the west curb line of South Congress Avenue, and shall construct another guard rail 4 feet south of the north limits of the working space, extending from the west line of South Congress Avenue to a walkway to be placed within the working space in South Congress Avenue. That the Contractor shall construct, within the above described working space, a walkway with guard rails on each side, extending from the northern limits of the working space in South Congress Avenue along the east boundary line of said working space to the point of intersection of the west curb line of South Congress Avenue and the north curb line of West Annie Street.

(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 September 1, 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 safeguards if the conditions demand it.

(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 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.

The resolution was adopted by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, 3; nays, none; Councilmen Alford and Wolf absent, 2.

The application of D. F. Samuel, 304 Willow Street, for license to operate as a taxicab a Plymouth Sedan, Factory No. PA10308, State Highway License No. 958-144, was read. Mayor Miller moved that the provision of the Taxicab Ordinance requiring that applications remain on file five days prior to being acted upon be waived and the application be granted. The motion carried by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, 3; nays, none; Councilmen Alford and Wolf absent, 2.

There being no further business, Councilman Gillis moved to recess, subject to call of the Mayor. The motion carried by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, 3; nays, none; Councilmen Alford and Wolf absent, 2.

The Council then recessed.

Approved:

Tom Miller.
MAYOR.

Attest:

Marion McKeen
City Clerk