

be and is hereby authorized and instructed to make correction in the valuation of the properties of said Citizens Loan & Investment Company as rendered for the year 1922, in conformity with the intentions and agreement by and between the Board of Equalization of the City of Austin, and said corporation as set out in the attached memorandum signed by C. N. Avery and A. W. Townsend, members of said City Board of Equalization for the year 1922.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Haynes and Searight, 3; nays, none, Councilmen Avery and Nolen absent.

The application of C. B. Kilpatrick to erect a gasoline filling station at 1506 East 1st Street, together with the Safety Committee's report upon same, was read and Councilman Haynes moved that same be granted. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Haynes and Searight, 3; nays, none, Councilmen Avery and Nolen absent.

The Council then recessed.

RECESSED MEETING OF THE CITY COUNCIL:

Austin, Texas, June 29, 1926.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor Yett, Councilmen Avery, Haynes, and Nolen, 4; absent, Councilman Searight.

Councilman Haynes introduced the following resolution:

WHEREAS, Geo. S. Dowell, as the Attorney for and representing Willie Donley and R. B. Wright, both service car drivers, or former service car drivers, has presented the respective claims of the above mentioned parties for the refund of all sums of money by the above mentioned parties for license for operating an automobile carrying passengers for hire in the City of Austin, Texas, under a void ordinance, a schedule of said claim and the respective amounts thereof and the time of respective payments with the certificate of the City Assessor and Tax Collector thereon being hereto attached and made a part hereof, showing the aggregate amount due the respective above named parties the sum of Thirty-seven Dollars and Fifty Cents (\$37.50) as principal, and Seven Dollars and Sixty-eight Cents (\$7.68) as interest, aggregating Forty-five Dollars and Eighteen Cents (\$45.18) due to Willie Donley, and the sum of Three Hundred Fifty Dollars (\$350.00) principal, and One Hundred and Twenty-two Dollars and Eighteen Cents (\$122.18) as interest, aggregating Four Hundred and Seventy-two Dollars and Eighteen Cents (\$472.18) due to R. B. Wright; and

WHEREAS, by resolution adopted by the City Council on June 24th, 1926, City of Austin acknowledged the justice of the said claim and authorized the Mayor of the City of Austin to settle the said claims by giving the note or obligation of the City of Austin to said Willie Donley, due December 31, 1926, for the sum of Forty-five Dollars and Eighteen Cents (\$45.18), and note to R. B. Wright, due December 31, 1926, for the sum of Four Hundred Seventy-two Dollars and Eighteen Cents (\$472.18),

Therefore,

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

That the claims for refund of the license tax collected by the City of Austin from the said Willie Donley and R. B. Wright for operating an automobile carrying passengers for hire in the City of Austin under void ordinance passed in 1917, in the aggregate sum of \$45.18 to Willie Donley and \$472.18 to R. B. Wright, be and the same is hereby allowed and deemed a just and binding obligation on the City of Austin; and

**BE IT FURTHER RESOLVED:**

That W. D. Yett, Mayor of the City of Austin, be and he is hereby authorized to make settlement of the above mentioned claims in the aggregate by executing and delivering to said Willie Donley and R. B. Wright the promissory note of the City of Austin, payable December 31, 1926, with interest thereon from date of said note until paid at the rate of six per cent per annum, and said note carrying the usual ten per cent attorney's fee clause, upon the delivery by the said Willie Donley and R. B. Wright, through their Attorney, George S. Dowell, to the said Mayor of a certified statement from the City Tax Assessor and Collector showing the amounts paid by the above mentioned parties and the dates of their respective payments, and also upon the delivery by the said George S. Dowell, Attorney, of the written acceptance signed by him as Attorney for the above mentioned parties of the said promissory note, as settlement in full for their respective claims.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, and Nolen, 4; naves, none, Councilman Searight absent.

The resolution of William Stacy with reference to sewer line through Block 30, Travis Heights Addition, City of Austin, was read and laid on the table.

Mayor Yett introduced the following resolution:

WHEREAS, Geo. S. Dowell, as the attorney for and representing John Williams, former service car driver, has presented the respective claim of the said above mentioned party for the refund of all sums of money by the said John Williams paid to the City of Austin for license for operating an automobile carrying passengers for hire in the City of Austin, Texas, under a void ordinance, a schedule of said claim and the respective amounts thereof and the time of respective payments being shown by original tax license receipt No. 64, plate 27, issued on July 3, 1922, tax, \$6.25; and original tax license No. 57, plate 17, issued July 3, 1923, tax, \$6.25 being hereto attached as well as memoranda statement of City Tax Assessor and Collector showing payment on July 3, 1924, by John Williams of \$6.25 for license No. 60, plate No. 41, aggregate sum of \$18.75 as principal, together with the sum of \$2.61, being 6% interest on the various sums from January 1st of the following year after the respective payments, aggregating the total sum of \$21.36 due to John Williams; and

WHEREAS by resolution adopted by the City Council on June 29th, 1926, the City of Austin acknowledged the justice of the said claim and authorized the Mayor of the City of Austin to settle the said claim by giving the note or obligation of the City of Austin to the said John Williams due December 31, 1926, for the sum of \$21.36, with 6% interest thereon from this date;

Therefore, **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

That the claim for refund of the license tax collected by the City of Austin from the said John Williams for operating an automobile carrying passengers for hire in the City of Austin under said void ordinance passed in 1917 in the

aggregate sum of \$21.36 be and the same is hereby allowed and deemed a just and binding obligation on the City of Austin; and

BE IT FURTHER RESOLVED:

That W. D. Yett, Mayor of the City of Austin be and he is hereby authorized to make settlement of the above mentioned claim in the aggregate by executing and delivering to John Williams the promissory note of the City of Austin, payable December 31, 1926, with interest thereon from date until paid at the rate of six per cent per annum, and said note carrying the usual ten per cent attorneys fee clause, upon the delivery of the said John Williams, through his attorney, Geo. S. Dowell, to the said Mayor of a certified statement from the City Tax Assessor and Collector, together with the original tax receipts showing the payments of the amounts paid by the said John Williams and the dates of the respective payments and also upon the delivery by the said Geo. S. Dowell, Attorney, of the written acceptance by him as attorney for the above mentioned party of said promissory note as settlement in full for said claim.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, and Nolen, 4; absent, Councilman Searight, naves, none.

Councilman Haynes moved that the Council recess until ten o'clock, A. M., June 30th, 1926. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, and Nolen, 4; naves, none, Councilman Searight absent.

The Council then recessed.

RECESSED MEETING OF THE CITY COUNCIL:

Austin, Texas, June 30, 1926. 10.0

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor Yett, Councilmen Avery, Haynes, Nolen, and Searight, 5; absent, none.

City Attorney, J. Bouldin Rector, read the following statement and asked that same be spread upon the Minutes of the City Council:

"The matter of entering into a long time power contract with the Texas Power & Light Company involves a most important question of city policy. The determination of the public necessity for any arrangement of this sort at all must rest with the City Council.

'If the Council has found that the experience of the city in the operation of its own power plant has justified negotiations with the Texas Power & Light Company, then upon the City Council must rest primarily the serious responsibility of realizing all the values there are to be had in any such contract, and of determining finally whether or not the trade expressed in this particular ordinance will bring such benefits to the people of Austin, compared with the benefits now enjoyed by the City's entire operation of the power system, as to warrant the revolutionary character of the proceedings.

'I cannot say that the negotiations have led to this point.

'The rate schedule is complicated, and its operation throughout the long period proposed cannot be determined with any reasonable certainty. However, the City Council has employed an Engineer to protect the city's interests in this highly technical feature, and the rate provisions have been written into the ordinance by the attorneys exactly as passed upon and fully approved by the Engineer.

'The attorneys have endeavored to put into plain language the trade of the Council and the Company, and assuming that these parties now understand each other, the ordinance expresses the trade, and therefore is approved as to form, without any expression as to its merits. It will yet have to stand the test of the scrutiny and analysis of informed persons in the campaign for popular approval.