

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.

I wish to acknowledge at this time the very valuable services of Mr. D. K. Woodward, Jr., whom the Council employed to assist in the preparation of this ordinance.

(Sgd) J. Bouldin Rector,
City Attorney".

Councilman Nolen made the statement that he thought the following ordinance on the Texas Power & Light Company Contract should be passed to the incoming Council.

The following ordinance was read, after having been previously read and laid over for one week:

PROVIDING THAT THE TEXAS POWER & LIGHT COMPANY SHALL ACQUIRE THE PROPERTIES, RIGHTS, INTERESTS AND PRIVILEGES GRANTED TO WILLIAM D. JOHNSON AND ASSIGNS, BY AN ORDINANCE DATED THE 7TH DAY OF SEPTEMBER, 1911, AND RECORDED IN BOOK "F", page 375, ET SEQ., OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH PROPERTIES, RIGHTS, INTERESTS AND PRIVILEGES ARE NOW HELD BY THE AUSTIN DAM, INC., PROVIDING THAT SAID COMPANY SHALL REHABILITATE, RECONSTRUCT, REPAIR AND COMPLETE THE AUSTIN DAM AND HYDRO ELECTRIC GENERATING STATION AND SHALL CONNECT SAID HYDRO ELECTRIC GENERATING STATION AND THE STEAM ELECTRIC GENERATING STATION OF THE CITY OF AUSTIN WITH SAID COMPANY'S CENTRAL TRANSMISSION LINE; PROVIDING THAT SAID COMPANY SHALL EXTEND ITS ELECTRIC TRANSMISSION SYSTEM TO THE CITY OF AUSTIN AND SUPPLY TO THE CITY OF AUSTIN THE ELECTRIC POWER AND ENERGY REQUIRED FOR THE OPERATION OF ITS ELECTRIC DISTRIBUTION SYSTEM IN THE MANNER AND UPON THE TERMS AND CONDITIONS THEREIN SET FORTH; PROVIDING FOR THE REPEAL OF CERTAIN PORTIONS OF THE AFORESAID ORDINANCE OF SEPTEMBER 7TH, 1911, AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING THAT THIS ORDINANCE SHALL NOT BECOME EFFECTIVE UNLESS AND UNTIL THE SAME SHALL HAVE BEEN SUBMITTED TO AND APPROVED BY A MAJORITY OF THE QUALIFIED VOTERS OF THE CITY OF AUSTIN; CALLING AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF AUSTIN AND SETTING FORTH THE TIME, PLACE AND MANNER OF HOLDING SAID ELECTION.

The above ordinance was read the second time and Councilman Searight moved that the rule be suspended and the ordinance placed on its third reading and final passage. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen, and Searight, 5; naves, none,

The ordinance was read the third time and Councilman Searight moved that same do now finally pass. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen, and Searight, 5; naves, none.

Councilman Haynes introduced the following resolution:

WHEREAS, by plat duly recorded in plat book 1, page 28 of the Plat Records of Travis County, Texas, "Forster, Ludlow & Company" laid out and divided what is known as Forster, Ludlow & Company's Subdivision of six acres, the South end of Outlot No. 43 in Division "B" in the City of Austin, Travis County, Texas, as shown by the aforesaid plat, and laid out therein one certain alley 20 feet in width as shown by said plat, and

WHEREAS, a certain portion of said alley lying in and between Lots Nos. 10 and 18 of said Subdivision to a length of 58 feet, and whereas this portion of said alley between said Lots Nos. 10 and 18 having been enclosed by fence with said Lots Nos. 10 and 18 since the year 1864, A. D., and having been in peaceful possession of Geo. B. Zimpelman, his heirs and assigns since the year 1876, A. D., and having never been opened, used or recognized by the City of Austin and the public, and said portion of said alley between Lots Nos. 10 and 18 is not necessary or useful to the public,

Therefore,

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

That the City of Austin vacate and abandon said portion of said 20 foot alley between said lots Nos. 10 and 18 in said Forster, Ludlow & Company's Subdivision as shown by said plat, and that the same be perpetually vacated and abandoned, and that the Mayor be and he is hereby authorized to make, execute and deliver to the said Geo. B. Zimpelman, his heirs and assigns, proper quitclaim deed to said property comprising that portion of said 20 foot alley lying in and between said Lots Nos 10 and 18 in Forster, Ludlow & Company's Subdivision of Outlot No. 43 in Division "B" in the City of Austin, Travis County, Texas.

The above resolution was adopted by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen, and Searight, 5; naves, none.

The Mayor laid before the Council the following amended plumbing ordinance:

AN ORDINANCE TO AMEND ARTICLES 608, 609, 610, 612, 613, 616, 617, 618, 620, 621, 623, 624, 625, 626, 632, 639, 640, 641, and 642, CHAPTER 2, TITLE 27, OF THE REVISED ORDINANCES OF THE CITY OF AUSTIN, TEXAS, AND TO REPEAL ARTICLES 605 AND 606, CHAPTER 1 OF SAID TITLE AND ORDINANCES, AND PRESCRIBING A PENALTY.

The above ordinance was read the first time and Councilman Searight moved that the rule be suspended and the ordinance be placed on its second reading. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen, and Searight, 5; naves, none.

The ordinance was read the second time and Councilman Searight moved a further suspension of the rule and the ordinance placed on its third reading and final passage. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen, and Searight, 5; naves, none.

The ordinance was read the third time and Councilman Searight moved that same be finally passed. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen, and Searight, 5; naves, none.

Mayor Yett laid before the Council the following resignation of Jno. D. Cofer, Judge of the Corporation Court:

"Austin, Texas, June 29, 1926.

Mayor W. D. Yett, and members of the
City Council,
Austin, Texas.

Dear Sirs:

As I informed you at the time of my acceptance of the temporary appointment as city judge, I did so as a courtesy to you gentlemen and out of a desire to be of service and assistance to you in this office. Inasmuch as you retire from office on July 1st, 1926, I can no longer be of service to you. I am therefore tendering you herewith my resignation as city judge of the City of Austin, said resignation to take effect July 1st, 1926.

Assuring you gentlemen of my appreciation of the many courtesies which you have shown me, and hoping that I have been of some service to you and the City of Austin for the short time that I have served as city judge, I am,

Yours sincerely,

(Sgd) John D. Cofer. "

Councilman Haynes moved that the above resignation be accepted. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen, and Searight, 5; naves, none.

The Mayor laid before the Council the following resignation of
H. B. Barnhart, Assistant City Attorney:

"Austin, Texas, June 30th, 1926.

TO THE HONORABLE MAYOR AND CITY COUNCIL:

I respectfully submit herewith my resignation as Assistant City Attorney of the City of Austin to take effect from and after this date.

In submitting my resignation, please permit me to state that I fully appreciate the many confidences reposed in me in my long service in the past, and I submit this resignation at this time for the purpose of not embarrassing the incoming administration, and wish to leave the new regime in a position unhampered in any way.

Further, I wish to say that my interests in the past have always been the interests of the City, and I will at all times be at the call of the officials of the city in the future in any way that I can help make a great city.

I have not been an applicant for re-appointment because I am seeking the office of County Attorney of this County, and am now in the midst of my campaign for that office.

Respectfully submitted,

(Sgd) Harry B. Barnhart,

Assistant City Attorney."

Councilman Avery moved that the above resignation be accepted. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen, and Searight, 5; naves, none.

The Council then recessed .

RECESSED MEETING OF THE CITY COUNCIL:

Austin, Texas, July 1, 1926.

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.

The Minutes of the previous meetings were read and Councilman Haynes moved that same be adopted. Motion prevailed by the following vote: Ayes, Mayor Yett, Councilmen Avery, Haynes, Nolen, and Searight, 5; naves, none.

Councilman Avery introduced the following resolution:

WHEREAS, Dr. F. C. Bolton, while employed by the City of Austin as advisor in the negotiations with the T. P. & L. Company for a power contract, made an investigation of the physical assets of the Water, Light & Power System under the direction of the City Council, which services were in addition to the services contemplated in his original employment, and it is deemed that he is entitled to additional compensation therefor,

Therefore,

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

That the said Dr. F. C. Bolton be paid the sum of \$500.00 for such additional services, and that the City Clerk and the Mayor, respectively, be authorized to issue and execute a warrant in his favor for said sum of \$500.00,