

consensus of opinion that the Lake should be closed to fishing until May 1, 1941.

The meeting adjourned at 9:00 P. M.

Approved, Tom Miller
Mayor

Attest:
Hallie McKeen
City Clerk.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, January 25, 1940.

The City Council met in regular session, at the regular meeting place in the Council Room at the Municipal Building, on Thursday, January 25, 1940, at 10:50 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; absent, none.

The Minutes of the regular meeting of January 18, 1940, were read, and upon motion of Councilman Bartholomew, seconded by Councilman Alford, were approved, as read, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Bartholomew went on record as approving the action of the City Council on all matters at the regular meeting of Thursday, January 18, the same as if had been present and voting.

Mr. Polk Shelton, Attorney for E. J. Walsh, et al., appeared before the Council relative to his clients' proposal for settlement of overflow easement rights to their property abutting Lake Austin, stating that said clients would be willing to arbitrate the matter with the City. Accordingly, the following were appointed as arbitrators in the matter, said arbitrators to select the third arbitrator: John B. Pearson, representing the Walsh heirs; and Kurt Meyer, representing the City of Austin.

The matter of an easement for overflow rights on the H. C. Bohls, et ux, property abutting the Lake was directed to be disposed of in the aforesaid manner, if satisfactory to the said H. C. Bohls, et ux.

Mr. E. E. Ernest appeared before the Council relative to his request for permission to explore for buried treasure on the 1008-acre tract of land owned by the City abutting Lake Austin. It was moved by Councilman Gillis that the City Attorney be directed to prepare the proper contract granting the said E. E. Ernest permission to do said work, upon the following conditions: that the work does not interfere in any manner with the CCC Camp, that all holes be filled when the work is finished, that the City receive one-half of all treasure found, and that contract extend for period of six months, but automatically terminate if the work interferes with said CCC Camp. The motion prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, Councilman Bartholomew.

Mr. George Kneip appeared before the Council to protest against the waters of Bull Creek being

made a fish sanctuary on account of the location of the Boy Scouts Camp there. He was advised that no such action was contemplated at this time.

The following ordinance was introduced by Councilman Alford:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING THE OPERATION OF TAXICABS AND TAXICAB DRIVERS IN THE CITY OF AUSTIN UNDER THE DIRECTOR OF PUBLIC SAFETY; PRESCRIBING LICENSE FEES FOR TAXICABS AND DRIVERS THEREOF; LICENSING AND REGULATING TAXI-CAB TERMINAL OPERATORS; PRESCRIBING PENALTIES FOR VIOLATION OF THE ORDINANCE; PROVIDING A SAVING CLAUSE; REPEALING CONFLICTING ORDINANCES, EXCEPTING CERTAIN JITNEY ORDINANCES; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL DECEMBER 15, 1938, AND IS RECORDED IN BOOK "K", PAGES 440-452, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY RE-WRITING SECTION 17 OF SAID ORDINANCE WHICH REGULATES THE SOLICITATION OF PASSENGERS AT RAILROAD DEPOTS SO AS TO INCLUDE BUS TERMINALS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith AND DECLARING AN EMERGENCY.

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

The ordinance was then laid over.

A committee of representative Negro citizens, composed of Dr. E. H. Givons, et al., came before the Council and submitted the following requests: that the Negro citizens be given assurance that the Negro schools will receive their share of the increase in revenue for schools if and when the Charter amendment, raising the tax levy for schools from 60¢ to 70¢, is voted; that a Youth Center also be built for the Negroes at Rosewood Park; that better hospital facilities be provided for the Negroes and that Negro nurses be employed to care for Negro patients; that a playground for the smaller children be provided nearer the center of the Negro population; and that the streets in East Austin be improved.

The committee was advised to submit its request for participation in the proposed increased revenue for schools to the School Board for consideration, and that the other requests would be taken under advisement by the Council.

The following resolution was introduced by Councilman Wolf, who moved its adoption:

WHEREAS, the map hereto attached shows the owners of various parcels of land located within the Wilkinson-Sparks Survey contiguous to Bee Creek in the vicinity of the Tom Miller Dam across the Colorado River; and

WHEREAS, the area shown in green is owned by Van M. Kennedy and the area shown in red is owned by the City of Austin; and

WHEREAS, the land owned by the said Van M. Kennedy does not abut Bee Creek at a location suitable for boat landing purposes on the lake that will be created by the water backed up by the aforesaid Tom Miller Dam across the Colorado River; and

WHEREAS, the said Van M. Kennedy has requested the City of Austin to transfer to him the land shown in red on the map hereto attached, and said request has been reviewed and considered by the City Council of the City of Austin; therefore

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

THAT the City of Austin is willing to convey to the said Van M. Kennedy the land shown in red on the map hereto attached, or an area similar in shape and size thereto, in order to afford an adequate boat landing for the property of the said Van M. Kennedy as shown on this map, and that the City Manager is hereby instructed to have the necessary surveys made and field notes prepared and deed prepared and convey the said land to the said Van M. Kennedy.

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

The following resolution was introduced by Councilman Gillis, who moved its adoption:

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

THAT the City Council of the City of Austin hereby approves the erection of a private dock on the property owned by R. G. Mueller, being described as Lot No. 9, Block 4, in Laurel Heights Addition, a subdivision within the City of Austin, Texas, and abutting the shores of Lake Austin, and hereby authorizes the said R. G. Mueller to construct, maintain and operate this private dock, subject to the same's being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said R. G. Mueller has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations
of Building Inspector
attached)

" Austin, Texas
January 24, 1940

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

The undersigned has considered the application of R. G. Mueller, owner of Lot No. 9, Block 4, in Laurel Heights Addition, a subdivision within the City of Austin, Texas, and abutting the shores of Lake Austin, for permission to construct and maintain a private dock projecting out into the Lake.

In view of the fact that docks have been built on the adjoining property and said construction being on the property line, it would be an unnecessary hardship on Mr. Mueller to compel him to comply with the strict letter of the Ordinance regulating construction on the Lake and practically confiscate his property, and for this reason I recommend that R. G. Mueller be granted permission to construct and maintain said dock on the property line and subject to the following conditions:

- (1) That nothing but creosoted piles and galvanized iron bolts be used in the construction of this dock.
- (2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares or merchandise, and no living quarters of any character shall be erected on this dock.
- (3) That said dock be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

Respectfully submitted,

(Signed) J. C. Eckert
Building Inspector. "

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

The following resolution was introduced by Councilman Bartholomew, who moved its adoption:

WHEREAS, Mrs. M. P. Watson, acting by and through her agent, Arthur P. Watson, owner of Lot 1, Block 68, of the Original City of Austin, Travis County, Texas, which property abuts the east side of Brazos Street at a location north of East 6th Street, and being locally known as 603-5 Brazos Street, has made application to the City Council of the City of Austin for permission to construct a commercial driveway across the east sidewalk area of said Brazos Street at the above described location, as shown upon the plan hereto attached, marked 2-A-151, which plan is hereby made a part of said request; and

WHEREAS, the City Council of the City of Austin has favorably considered the granting of said request; therefore

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

THAT Mrs. M. P. Watson, acting by and through her agent, Arthur P. Watson, owner of Lot 1, Block 68, of the Original City of Austin, Travis County, Texas, which property abuts the east side of

Brazos Street at a location north of East Sixth Street, and being locally known as 603-5 Brazos Street, is hereby permitted to construct a commercial driveway across the east sidewalk area of said Brazos Street, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-A-151, which plan is hereby made a part of this resolution, and further subject to the condition that all concrete curb, ramp and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the direction and supervision of the City Engineer of the City of Austin, and in accordance with lines and grades furnished by the Engineering Department of the City of Austin.

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

The following resolution was introduced by Councilman Wolf, who moved its adoption:

WHEREAS, J. M. Odom is the Contractor for the alteration of a building located at 401 Congress Avenue, and desires a portion of the street space abutting Lot 1 and part of Lot 2, Block 42, 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 J. M. Odom as hereinafter described:

Street Working Space

The first three parking motor spaces on the north side of East Fourth Street and adjacent to Congress Avenue

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

(1) That the Contractor shall construct a guard rail within the boundary line along the east, south, and west sides of the above described 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 barricades.

(3) That provisions 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 water.

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

(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 March 1, 1940.

(6) 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.

(7) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant, reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(8) That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

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

Councilman Alford introduced the following resolution, and moved its adoption:

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

THAT the City Council of the City of Austin hereby approves the erection of an addition to a commercial dock on the property owned by the City of Austin and occupied by W. W. Bennett, being a portion of the property lying west of the retaining wall and north of the Tom Miller Dam, being within the City limits of the City of Austin, Travis County, Texas, and hereby authorizes the said W. W. Bennett to construct, maintain and operate this commercial dock, subject to the same's being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said W. W. Bennett has failed and refused, and will continue to fail and refuse to perform any such conditions and regulations and ordinances.

(Recommendations of)
(Building Inspector)
(attached.)

"Austin, Texas
January 24, 1940

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

The undersigned has considered the application of W. W. Bennett, occupying a portion of the property lying west of the retaining wall and north of the Tom Miller Dam and owned by the City of Austin, and lying within the City of Austin, Travis County, Texas, which property is in the bed of Lake Austin, for permission to extend his dock facilities according to plans submitted, for the use of commercial motor boats lying on the Lake.

In view of the fact that the City has already granted permission to W. W. Bennett to construct certain boat docks on the Lake on the City property and the fact that in granting permission to extend such docks and boating facilities, conditions on the Lake would not be materially changed at this point, I recommend that W. W. Bennett be granted permission to make these additions to his original project, subject to the following conditions:

- (1) That nothing but creosoted piles and galvanized iron bolts be used in the construction of these docks.
- (2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares or merchandise, and no living quarters of any character shall be erected on these docks.
- (3) That said docks be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.
- (4) That no superstructure can be built over these docks unless this structure shall have first been approved by Mr. McDonough, Manager of the Lower Colorado River Authority, and special permission has been granted by the City Council of the City of Austin.

Respectfully submitted,

(Signed) J. C. Eckert
Building Inspector. "

Upon roll call, the foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford,

Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following resolution was introduced by Councilman Alford, who moved its adoption:

WHEREAS, Brochsteins, Inc., is the Contractor for the alteration of a building located at 504 Congress Avenue and desires a portion of the sidewalk space abutting a part of Lot 2, Block 55, 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 Brochsteins, Inc., the boundary of which is described as follows:

Sidewalk Working Space

Beginning at the southeast corner of the above described property; thence in an easterly direction and at right angles to the centerline of Congress Avenue 5 feet to a point; thence in a northerly direction and parallel with the centerline of Congress Avenue 22 feet to a point; thence in a westerly direction and at right angles to the centerline of Congress Avenue to the east property line of the above described property.

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

(1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted, a substantially built fence 8 feet high, solidly constructed of 1" plank. He shall also be permitted to construct a gate within this enclosure, said gate to open inwardly, and shall at all times when the gate is in operation post a watchman to warn pedestrians of any danger while moving materials in and out of this enclosure. The Contractor shall be permitted to use one parking meter space for the loading and unloading of materials for the job.

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

(3) That provisions 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 water.

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

(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 March 15, 1940.

(6) 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.

(7) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant, reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(8) That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand (\$1000.00) 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 roll call, the foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following resolution was introduced by Councilman Alford, who moved its adoption:

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 CHELSEA LANE from Woodland Avenue northerly 220 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east property line of said Chelsea Lane.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (2) A gas main in HETHER STREET from a point 377 feet east of Kinney Avenue easterly 98 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north property line of said Hether Street.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ feet.

- (3) A gas main in WINSTED LANE from a point 246 feet south of Windsor Road southerly 37 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east property line of said Winsted Lane.

Said gas main described above shall have a covering of not less than $2\frac{1}{2}$ 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 roll call, the foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following ordinance was introduced by Councilman Wolf:

AN ORDINANCE CLOSING THE WATERS OF LAKE AUSTIN AND OF THE COLORADO RIVER ABOVE THE AUSTIN DAM, AND WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, FOR FISHING PURPOSES UNTIL MAY 1, 1941; PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A SAVING CLAUSE; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

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

The ordinance was read the second time and Councilman Gillis moved that the rules be further

suspended and the ordinance be passed to its third reading. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

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

The Mayor announced that the ordinance had been finally passed.

The following ordinance was introduced by Councilman Alford:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ESTABLISHING PARKING METER ZONES AND PROVIDING FOR THE REGULATION OF TRAFFIC THEREBY, WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN AUGUST 19, 1937, AND IS RECORDED IN BOOK "K", PAGES 281-286, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY ADDING TO THE LIST OF PARKING METER ZONES IN SECTION 2 OF SAID ORDINANCE A NEW ZONE ON EAST TENTH STREET; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

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

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

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

The Mayor announced that the ordinance had been finally passed.

The following ordinance was introduced by Councilman Gillis:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE AMENDING IN CERTAIN PARTICULARS HEREINAFTER STATED AN ORDINANCE ENTITLED, 'AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN, PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY,' WHICH SAID ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL SEPTEMBER 28, 1939, AND IS RECORDED IN BOOK "K", PAGES 552-554, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY ADDING TO THE LIST OF "BUS STOPS" PROVIDED FOR IN SECTION 11 OF SAID ORDINANCE CERTAIN ADDITIONAL "BUS STOPS" ON THE STREETS DESIGNATED IN SAID ORDINANCE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

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

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

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

The Mayor announced that the ordinance had been finally passed.

The following ordinance was introduced by Councilman Gillis:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN, PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS

PASSED BY THE CITY COUNCIL MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY MAKING CERTAIN CHANGES HERINAFTER STATED IN SECTIONS 12, 22 AND 23 OF SAID ORDINANCE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND DECLARING AN EMERGENCY.

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

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

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

The Mayor announced that the ordinance had been finally passed.

The following resolution was introduced by Councilman Wolf, who moved its adoption:

WHEREAS, the City of Austin desires to secure for public purposes the hereinafter described land; and

WHEREAS, Chas. Wendlandt, Jr., the owner of said land, has agreed to take \$750.00 for same, which said sum the City Council deems to be the reasonable value of said property; therefore

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

THAT the City Manager be, and he is hereby, authorized and directed to purchase for the City of Austin from Chas. Wendlandt, Jr., the following described property, to-wit:

In the City of Austin, Travis County, Texas, and being Lot No. 8, of Maria E. Franklin's Subdivision of Lots Nos. 3 and 4, in Outlet No. 60, in Division "B", according to the map or plat of said Subdivision of record in Book 3, page 6 of the Plat Records of Travis County, Texas, and being the same property conveyed to Chas. Wendlandt, Jr., by warranty deed of Fred Bryant, et al., dated September 27, 1939, recorded in Volume 632, pages 126-129, of the Travis County Deed Records;

CONDITIONED, that the said Chas. Wendlandt, Jr., shall deliver to the City of Austin his general warranty deed conveying said property to the City of Austin free from all liens and encumbrances, and shall deliver to the City a good and sufficient guaranty of title to the above described land by a reputable and solvent title guaranty company; and

BE IT FURTHER RESOLVED:

THAT the sum of \$750.00 be and the same is hereby appropriated out of the General Fund of the City of Austin to pay for said lands above described, and that a warrant issue therefor.

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

Upon motion, seconded and carried, the meeting was recessed at 12:15 P. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Harris McKeen
City Clerk