

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, May 9, 1935.

The meeting was called to order at 11:10 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Chas. F. Alford, Simon Gillis, Mayor Miller, and Councilman Oswald G. Wolf, 4; absent, Councilman C. M. Bartholomew, 1.

The Minutes of the regular meeting of April 25, the special meeting of May 1, and the regular meeting of May 2 were read and after correction were approved by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Hon. Clint Small appeared before the Council in the interest of having the fine imposed against J. B. Goodson, a student in the University of Texas, for traffic collision on March 3, 1935, remitted. The matter was taken under advisement.

A letter from Chester F. Lay, Professor of Accounting and Management in the University of Texas, to the Police Department, relative to the misconduct of a taxicab driver, was read. The City Manager was instructed to have an amendment to the Taxicab Ordinance prepared regulating the matter.

Councilman Gillis offered the following resolution:

WHEREAS, Theo. Low, owner of Lots 19 and 20, Block 1, Outlot 1, Division "A", of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property fronts on the east side of East Avenue between East 5th Street and East 6th Street, and being locally known as 511-513 East Avenue, has made application to the City Council of the City of Austin for permission to set the curb back from the established curb line on East Avenue adjacent to the above described property, the new curb of which setback will be 15 feet east of and parallel to the established east curb line of East Avenue, thereby lessening the traffic hazard at this location by creating a greater width of travelway on East Avenue; and

WHEREAS, said Theo. Low has also made application for permission to construct a commercial driveway across the sidewalk area in conjunction with the above described curb setback, which driveway is to begin at the new established curb line of the above described setback; and

WHEREAS, a plan has been prepared showing the proposed layout of the above described curb setback and commercial driveway and said plan has been considered and approved by the City Council of the City of Austin; therefore

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

THAT Theo. Low, owner of Lots 19 and 20, Block 1, Outlot 1, Division "A" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property fronts on the east side of East Avenue between East 5th Street and East 6th Street and is locally known as 511-513 East Avenue, is hereby granted permission to set the curb back from the established curb line on East Avenue adjacent to the above described property and to construct a commercial driveway in conjunction therewith.

Permission to construct the above described curb setback and commercial driveway is granted subject to the same's being constructed in accordance with the plan approved by the City Engineer of the City of Austin, which plan is hereby attached marked 2-C-581 and made a part hereof, and in accordance with the following conditions:

(1) That the construction of the setback area on East Avenue shall be carried out in accordance with the accompanying plan marked 2-C-581 and that all such widened areas, driveways or ramps and curbs shall be constructed of concrete at the expense of the applicant.

(2) That all such concrete shall be not less than 6 inches in thickness and shall be of the following proportions: 1 part cement, 2½ parts of sand, and 4 parts of screened gravel or rock.

(3) That the concrete curbs adjacent to the sidewalk area shall be not less than 6 inches high and that an expansion joint not less than ¾ inch thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked 2-0-581.

(4) That all such expansion joints shall be of the pre-moulded type.

(5) That all concrete work within the street area shall be done by a bonded sidewalk contractor.

(6) That the applicant shall be required to clean the newly created ramp area at least twice per week and shall dispose of the debris at his expense.

(7) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Gillis offered the following resolution:

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 WEST 39½ STREET, beginning on the west property line of Alice Avenue at a point 25 feet north of the intersection of the west property line of Alice Avenue and the south property line of West 39½ Street;

Thence in a westerly direction with the centerline of a gas main, which centerline shall be 25 feet north of and parallel to the south line of West 39½ Street, for a distance of 292 feet.

Said gas main described above shall have a cover of not less than 2½ feet.

(2) A gas main in EAST ELEVENTH STREET, beginning at a point which is 16 feet west of and 22 feet south of the intersection of the north line of Rosewood Avenue and the east line of Navasota Street;

Thence in a southerly direction to a point which is 16 feet west of and 22 feet south of the intersection of the east line of Navasota Street and the north line of East 11th Street;

Thence in an easterly direction with the centerline of a gas main, which centerline shall be 22 feet south of and parallel to the north line of East 11th Street, to a point which is 73 feet east of and 38 feet north of the intersection of the east line of Navasota Street and the south line of East 11th Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(3) A gas main in WEST THIRTY-THIRD STREET, beginning at a point which is 15 feet north of and 104 feet west of the intersection of the south line of West 33rd Street and the west line of Pratt Avenue;

Thence in a westerly direction with the centerline of a gas main, which centerline shall be 15 feet north of and parallel to the south line of West 33rd Street, for a distance of 60 feet.

Said gas main described above shall have a cover of not less than 2½ feet.

(4) A gas main in WESTOVER ROAD, beginning at a point which is 8 feet west of and 20 feet south of the intersection of the east line of Oakhurst Avenue and the north line of Westover Road;

Thence in an easterly direction with the centerline of a gas main, which centerline shall be 20 feet south of and parallel to the north line of Westover Road, to a point which is opposite the point of curvature of the said north line of Westover Road in the east line of Lot 7, Block 2, of Edgemont Addition;

Thence in a northeasterly direction at right angles to a gas main in place in Splitrock Avenue, a distance of approximately 95 feet to said gas main in place.

Said gas main described above shall have a cover of not less than 2½ 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.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Gillis offered 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 underground conduits 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 underground conduits in the following streets:

- (1) An underground telephone conduit in WEST TENTH STREET from the west line of Nueces Street to the east line of Rio Grande Street, the centerline of which conduit shall be 30 feet south of and parallel to the north line of said West 10th Street.
- (2) An underground telephone conduit in WEST TENTH STREET from the west line of Rio Grande Street to the east line of West Avenue, the centerline of which conduit shall be 30 feet south of and parallel to the north line of said West 10th Street.
- (3) An underground telephone conduit in WEST TENTH STREET from the west line of West Avenue to Shoal Creek, the centerline of which conduit shall be 24 feet north of and parallel to the south line of West 10th Street. Where the conduit crosses Shoal Creek it shall be strung from the north side of the bridge across said creek.
- (4) An underground telephone conduit in WEST TENTH STREET from Shoal Creek to Ruiz Street, the centerline of which conduit shall be 16 feet north of and parallel to the centerline of said West 10th Street.
- (5) An underground telephone conduit in RUIZ STREET from West 10th Street to West 12th Street, the centerline of which conduit shall be 7 feet east of and parallel to the west line of Ruiz Street.
- (6) An underground telephone conduit in WEST TWELFTH STREET from Ruiz Street to the east line of West Lynn Street, the centerline of which conduit shall be as follows: 11 feet north of and parallel to the south line of West 12th Street from Ruiz Street to a point 5 feet east of the east line of Blanco Street; thence northerly across West 12th Street to a point which is 13 feet south of the north line of West 12th Street; thence westerly 13 feet south of and parallel to the north line of West 12th Street to the east line of West Lynn Street.

THAT the work and construction of said underground conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground conduits 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.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Gillis offered 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 conduit 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 conduit lines in the following streets:

(1) A conduit line across EAST AVENUE, beginning at a point which is 116 feet north of the intersection of the north line of East 12th Street and the east line of East Avenue.

Thence in a westerly direction across East Avenue to a point which is 1 foot north of the intersection of the south line of East 12th Street Alley and the west line of East Avenue.

Said conduit line is to consist of two 3-inch pipes.

THAT the work and construction of said conduit lines, including the excavation of the streets and the restoration and maintenance of said streets after said conduit 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.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford offered the following resolution:

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

THAT the City Manager be and he is authorized and directed, in behalf of the City of Austin, to sell to Paul O. Simms, for the consideration of Six Hundred Dollars (\$600.00) cash, the following described property:

Lot No. Four (4), in Original Block No. Ten (10), in the City of Austin, Travis County, Texas.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf introduced the following ordinance:

AN ORDINANCE REPEALING AN ORDINANCE ENTITLED "AN ORDINANCE REGULATING TRAFFIC ON A PORTION OF EAST NINTH STREET, IN THE CITY OF AUSTIN, CUMULATIVE OF CERTAIN ORDINANCES HERETOFORE ORDAINED, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, AND PRESCRIBING A PENALTY," PASSED ON APRIL 18, 1935,

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, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The ordinance was read the second time and Councilman Wolf moved that the rule be further suspended and the ordinance passed to its third reading. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

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, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf offered the following ordinance:

AN ORDINANCE AMENDING, IN THE CERTAIN PARTICULARS HEREINAFTER STATED, AN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY. "

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, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The ordinance was read the second time and Councilman Wolf moved that the rule be further 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, none; Councilman Bartholomew absent, 1.

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, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The City Manager submitted the following:

"Austin, Texas  
May 8, 1935

Honorable Mayor and City Council  
Austin, Texas.

Docket No. 1758  
Eng. Ref. No. 64B  
High Service Pump

Gentlemen:

We submit herewith tabulation of bids received and opened at 2:00 P. M., May 8, 1935, on the following materials: assorted lengths of cast iron pipe and special fittings to be used in conjunction with Docket No. 1758, Engineer's Reference No. 64, High Service Pump installation. Five bids were received and tabulated.

It is the recommendation of the Engineering Staff that the low bid of United States Pipe & Foundry Co., Dallas, Texas, of \$2579.56 for the materials as set forth in the plans and specifications, and as set forth in their proposal, be accepted.

Very truly yours,

ENGINEERING STAFF

By (Sgd) Walter E. Seaholm

Albert R. Davis

J. E. Motheral

C. G. Levander

T. C. Green.

Docket No. 1758, Project No. 64B  
Special Cast Iron Fittings and Pipe

#### SUMMARY OF BID TABULATION

Austin, Texas  
May 8, 1935

(1) United States Pipe and Foundry Co. -----	\$2,579.56
(2) National Cast Iron Pipe Co. -----	2,689.01
(3) Trinity Valley Iron and Steel Co., fittings only \$1,448.50	
Crane Company, pipe only -----	2,695.97
(4) American Cast Iron Pipe Co. -----	3,022.90
(5) Crane Company -----	3,068.00 "



Councilman Gillis offered the following resolution:

WHEREAS, in accordance with the requirements of the Federal Emergency Administration of Public Works, and the provisions of the City Charter of the City of Austin, Texas, proposal for bids for the various works under P. W. A. Docket No. 1758, Eng. Ref. No. 64B, was duly advertised to be received by the City Manager and to be opened at 2 o'clock P. M., Wednesday, May 8, 1935, at the City Hall in the City of Austin, Texas; and

WHEREAS, at said time and place said bids were publicly opened and read as specified; and

WHEREAS, thereupon it was found that the United States Pipe & Foundry Company, Dallas, Texas, was the lowest and best bidder for those materials designated under Docket No. 1758, Engineer's Reference No. 64B, to-wit: For the furnishing of assorted lengths of cast iron pipe and special fittings; and that said bid was regular and proper in all particulars; therefore

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

THAT the bid of United States Pipe & Foundry Company, Dallas, Texas, for the furnishing of materials of assorted lengths of cast iron pipe and special fittings for the aggregate sum of Twenty-five Hundred Seventy-nine and 56/100 (\$2579.56) Dollars, based upon unit prices given in said bid, be and the same is hereby accepted, subject to the approval of the Federal Emergency Administration of Public Works; and the City Manager on behalf of the City of Austin is authorized and instructed to enter into contract with said United States Pipe & Foundry Company for such purpose, subject to the approval of the Federal Emergency Administration of Public Works.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The City Manager was instructed to notify all owners of taxicabs who are delinquent in the payment of the taxes on same that unless such taxes are paid within ten days their licenses will be forfeited.

There being no further business, upon motion of Councilman Alford, the Council recessed, subject to call of the Mayor, at 1:00 P. M., by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Approved: Tom Miller  
Mayor.

Attest:

Hallie G. Sullivan  
City Clerk