

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, August 8, 1935.

The meeting was called to order at 10:30 A. M., with Mayor Pro tem Oswald G. Wolf presiding. Roll call showed the following members present: Councilmen C. M. Bartholomew, Simon Gillis, and Mayor Pro tem Oswald G. Wolf, 3; absent, Councilman Chas. F. Alford and Mayor Tom Miller, 2.

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

Dr. J. Thos. Ward appeared before the Council and asked that the City furnish sewer connection for his new residence at 1515 Enfield Road by laying a lateral from the sewer main, or by other means. It was moved by Councilman Bartholomew, seconded by Councilman Gillis, that the matter be referred to future consideration. The motion carried by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Alford and Mayor Miller absent, 2.

Wright Stubbs and W. R. Smith, Jr., Attorneys for the Congress Taxicab Company and the Owl Taxicab Company, respectively, requested that each of said companies be given a temporary permit for thirty or sixty days in order to care for the increased patronage. Mayor Pro tem Wolf moved that each of said companies be granted a temporary taxicab permit for a period of sixty days. The motion carried by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Alford and Mayor Miller absent, 2.

A protest from Walter Simms, relative to the tax and vaccination requirements under the pending Dog Ordinance, was heard.

Councilman Gillis offered the following resolution:

WHEREAS, J. R. Blackmore is the contractor for the repair of a building located at 811 Congress Avenue, and desires a portion of the sidewalk, street, and alley spaces abutting the north one-half of Lot 3, Block 97, of the Original City of Austin, Texas, during the repair of the building, such spaces 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. R. Blackmore, the boundary of which is described as follows:

SIDEWALK AND STREET WORKING SPACE.

Beginning at a point in the northwest corner of the above described lot; thence in a westerly direction and at right angles to the centerline of Congress Avenue a distance to a point 10 feet west of the east curb line of Congress Avenue; thence in a southerly direction and parallel with the centerline of Congress Avenue a distance of 23 feet; thence in an easterly direction and at right angles to the centerline of Congress Avenue a distance to the east line of Congress Avenue; thence in a northerly direction along the east line of Congress Avenue to the place of the beginning.

ALLEY WORKING SPACE

Beginning at the northeast corner of the above described lot; thence in an easterly direction and at right angles to the centerline of the alley traversing Block 97 of the Original City of Austin a distance of 8 feet to a point; thence in a southerly direction and parallel with the centerline of said alley a distance of 23 feet; thence in a westerly direction and at right angles to the centerline of said alley a distance to the west line of said alley; thence in a northerly direction along the west line of said alley to the place of beginning.

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

(1) That the Contractor shall maintain an unobstructed walkway along the sidewalk at least 5 feet in width during all periods of construction, and shall maintain guard rails around the balance of the sidewalk and street working spaces and the alley working space, such guard rails 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 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 10, 1935.

(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 (\$5,000.00), 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 Bartholomew, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Alford and Mayor Miller absent, 2.

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 ROSEDALE AVENUE, beginning at a point 7½ feet east of and 215 feet north of the intersection of the west line of Rosedale Avenue and the north line of West 44th Street;

Thence in a northerly direction with the centerline of a gas main, which centerline

shall be  $7\frac{1}{2}$  feet east of and parallel to the west line of Rosedale Avenue for a distance of 100 feet.

Said gas main described above shall have a cover 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.

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

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 SPEEDWAY, beginning at a point 10 feet south of and 31 feet west of the intersection of the centerline of 45th Street and the east line of Speedway;

Thence in a southerly direction with the centerline of a gas main, which centerline shall be 31 feet west of and parallel to the east line of Speedway for a distance of 132 feet. Said gas main shall have a cover of not less than  $2\frac{1}{2}$  feet.

(2) A gas main in KENWOOD AVENUE, beginning at a point 26 feet north of and 17 feet west of the intersection of the south line of Riverside Drive and the east line of Kenwood Avenue;

Thence in a southerly direction with the centerline of a gas main, which centerline shall be 17 feet west of and parallel to the east line of Kenwood Avenue for a distance of 35 feet. Said gas main shall have a cover of not less than  $2\frac{1}{2}$  feet.

(3) A gas main in OLDHAM STREET, beginning at a point 20 feet south of and 25 feet east of the intersection of the north line of East 24th Street and the west line of Oldham Street;

Thence in a northerly direction with the centerline of a gas main, which centerline shall be 25 feet east of and parallel to the west line of Oldham Street for a distance of 102 feet. Said gas main shall have a cover of not less than  $2\frac{1}{2}$  feet.

(4) A gas main in BOULDIN AVENUE, beginning at a point 165 feet north of and  $7\frac{1}{2}$  feet west of the intersection of the north line of Christopher Street and the east line of Bouldin Avenue;

Thence in a northerly direction with the centerline of a gas main, which centerline shall be  $7\frac{1}{2}$  feet west of and parallel to the east line of Bouldin Avenue for a distance of 466 feet. Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(5) A gas regulator pit, size 6 feet by 7 feet, in SPEEDWAY, the center of which

regulator pit shall be 31 feet west of and 112 feet south of the intersection of the east line of Speedway and the south line of 45th Street.

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

Councilman Bartholomew offered the following resolution:

WHEREAS, the curb and sidewalk specifications of the City of Austin which have been previously adopted by the City Council of the City of Austin require that all curbs and sidewalks be constructed of concrete unless a special permit has been secured from the City Council of the City of Austin to construct curb and sidewalk of other materials; and

WHEREAS, J. Thomas Ward, owner of Lot 44 of Enfield "B", a subdivision within the City of Austin, Travis County, Texas, which Lot 44 abuts the south side of Enfield Road at a location between Marshall Lane and West Lynn Street, and is locally known as 1515 Enfield Road, has requested the City Council of the City of Austin to grant permission to construct a flagstone walk from the property line to the curb line on the south side of said Enfield Road at the above described property; and

WHEREAS, the City Council of the City of Austin has investigated and approved the construction of said flagstone walk; therefore

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

THAT J. Thomas Ward, owner of Lot 44, Enfield "B", a subdivision within the City of Austin, Travis County, Texas, which Lot 44 abuts the south side of Enfield Road at a location between Marshall Lane and West Lynn Street, and is locally known as 1515 Enfield Road, is hereby granted permission to construct a flagstone walk from the property line to the curb line at the above described location, and said walk is to be constructed under the supervision and direction 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; and further subject to the following conditions:

That the stone shall be laid in a smooth and workmanlike manner, and shall conform to the sidewalk grades as furnished by the Engineering Department of the City of Austin,

in order that said flagstone walk will not create a hazard to pedestrians.

That the stone shall be placed upon a 4-inch concrete base, and that all work done within the City street area shall be done by a bonded sidewalk contractor.

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

Councilman Gillis offered the following resolution:

WHEREAS, the curb and sidewalk specifications of the City of Austin which have previously been adopted by the City Council of the City of Austin require that all curbs and sidewalks be constructed of concrete unless a special permit has been secured from the City Council of the City of Austin to construct curbs and sidewalks of other materials; and

WHEREAS, Mary Lee Browne, owner of Lot 3 of Von Rosenberg's resubdivision of Block 49 of Christian and Fellman Addition within the City of Austin, Travis County, Texas, which Lot 3 abuts the south side of East 24th Street at a location between Sabine Street and Oldham Street, and is locally known as 705 East 24th Street, has requested the City Council of the City of Austin to grant permission to construct a flagstone walk from the property line to the curb line on the south side of said East 24th Street at the above described property; and

WHEREAS, the City Council of the City of Austin has investigated and approved the construction of said flagstone walk; therefore

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

THAT Mary Lee Browne, owner of Lot 3 of Von Rosenberg's resubdivision of Block 49 of Christian and Fellman Addition within the City of Austin, Travis County, Texas, which Lot 3 abuts the south side of East 24th Street at a location between Sabine Street and Oldham Street, and is locally known as 705 East 24th Street, is hereby granted permission to construct a flagstone walk from the property line to the curb line at the above described location, and said walk is to be constructed under the supervision and direction 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; and further subject to the following conditions:

That the stone shall be laid in a smooth and workmanlike manner, and shall conform to the sidewalk grades as furnished by the Engineering Department of the City of Austin, in order that said flagstone walk will not create a hazard to pedestrians.

That the stone shall be placed upon a 4-inch concrete base, and that all work done within the City street area shall be done by a bonded sidewalk contractor.

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

Councilman Bartholomew offered the following resolution:

WHEREAS, the Brydson Lumber Company, acting by and through R. W. Brydson, owner of Lot 1, Block 6 of Buddington's Subdivision within the City of Austin, Travis County, Texas, which property is located at the northwest corner of the intersection of West 37th Street and Guadalupe Street, has made application to the City Council of the City of Austin for permission to construct one commercial driveway across the north sidewalk area of said West 37th Street west of Guadalupe Street, as shown upon the plan hereto attached, marked 2-C-605; 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 the Brydson Lumber Company, acting by and through R. W. Brydson, owner of Lot 1, Block 6 of Buddington's Subdivision within the City of Austin, Travis County, Texas, which property is located at the northwest corner of West 37th Street and Guadalupe Street, is hereby granted permission to construct one commercial driveway across the north sidewalk area of West 37th Street west of Guadalupe Street, subject to the construction of concrete ramps, curbs, and driveways and expansion joints, as shown upon the plan hereto attached, marked 2-C-605, which plan is hereby made a part of this resolution; and subject further to the said Brydson Lumber Company, acting by and through R. W. Brydson, making application to the City Engineer of the City of Austin for lines and grades for said commercial driveway, and that said commercial driveway, located within the City street area, shall be constructed by a bonded sidewalk contractor in accordance with all rules and regulations of the City of Austin governing such construction, and in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction and supervision of the City Engineer of the City of Austin.

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

Councilman Gillis offered the following resolution:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION WITH THE UNITED STATES OF AMERICA THROUGH THE FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS FOR A GRANT TO AID IN FINANCING THE CONSTRUCTION OF EMERGENCY WATER WORKS IMPROVEMENTS, AND DIRECTING THE CITY MANAGER TO FURNISH SUCH INFORMATION AS THE GOVERNMENT MAY REQUIRE.

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

1. That the City Manager be authorized to execute and file an application on behalf of the City of Austin with the United States of America for a grant to aid in financing the construction of emergency water works improvements.

2. That the City Manager be hereby authorized and directed to furnish such information as the United States of America, through the Federal Emergency Administration of Public Works, may require in connection with the application which is herein authorized to be filed.

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

Councilman Gillis moved that, upon the recommendation of Capt. Tom Neal of the Traffic Division, the following be granted Taxicab Driver's Permits: Vernon Lee O'Farrell, 205 East 31st Street, Chester Martin Young, 1005 West 6th Street, Elmer Charles Patton, Jr. 406 East 11th Street, W. Robert Saunders, 808 West Elizabeth Street, Jack Jackson, 3308 1/2 King Street, Edwin M. Greathouse, 1201 Newton Street; and that Raymond Dzierzanowski be granted a conditional Traxicab Driver's Permit. The motion carried by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Alford and Mayor Miller absent, 2.

Mayor Pro tem Wolf laid before the Council for its second reading the following ordinance:

AN ORDINANCE REGULATING THE KEEPING, LICENSING, RUNNING AT LARGE, IMPOUNDING AND SALE OF DOGS WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

The ordinance was read the second time and laid over.

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 Pro tem Wolf, 3; nays, none; Councilman Alford and Mayor Miller absent, 2.

The Council then recessed at 12:20 P. M.

Attest:

Y. Alice McEllar City Clerk

Approved: Lawrence S. Wolf  
Mayor Pro tem

#### REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, August 15, 1935.

The meeting was called to order at 10:55 A. M., with Mayor Tom Miller presiding.

Roll call showed the following members present: Councilmen C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 4; absent, Councilman Chas. F. Alford, 1.

The reading of the Minutes was dispensed with.

The request of R. H. Smith and Clarence Brown, through their attorney, W. R. Smith, Jr., for temporary taxicab permits was referred to Captain Neal for investigation and report.

The request of H. R. Long that the land comprising the right-of-way of the old Fredericksburg Road revert to the property owners when same is vacated was referred to the City Attorney.

A report of the local Red Cross Chapter on relief given during the flood of June 15 was read and Mayor Miller moved that the City Manager be instructed to write a letter to said organization, acknowledging receipt of the report and commending it for the splendid way in which the work was accomplished. The motion carried by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

A letter of thanks from the Disabled War Veterans Auxiliary for the use of Barton Springs pavilion for a benefit dance given by their organization was read and the City Manager was instructed to acknowledge receipt of same.

Councilman Wolf moved that, upon the recommendation of Captain Tom E. Neal of the Traffic Division, the following persons be granted Taxicab Driver's Permits: Willie Thurman, 4501 Avenue C, Vivian D. Sylvester, 208 West 7th Street, Lonnie Ferris, 1012 West Johanna Street, and Otis Walker, 1006 East 2nd Street. The motion carried by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

Councilman Wolf moved that, upon the recommendation of Captain Tom E. Neal of the Traffic Division, the following persons be granted conditional Taxicab Driver's Permits: Curtis Lee Karl, 1113 East 3rd Street, and John Milton Riffe, 2502 Willow Street. The motion carried by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.