

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, January 12, 1939 .

The City Council convened in regular session at its regular meeting place in the City Hall on Thursday, January 12, 1939, with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Chas. F. Alford, C.M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, none.

The reading of the Minutes was dispensed with.

A committee from the Parent-Teacher Association of the Govalle School presented a request that the City extend its sewer lines to Govalle, and particularly to the new school building now under construction there, declaring that the use of septic tanks in that locality was a nuisance and a menace to the health of the community.

After some discussion, the matter was taken under advisement and the committee was assured that the work would be done just as soon as the money for same could be obtained.

Dr. E. H. Givens, et al., petitioned the City Council for a remission of the delinquent taxes owing on Lot 4, Block 1, Outlot 56, Division "B", for the years 1921 and 1922, being the north one-half of said lot, and on the north one-half of Lot 3, Block 1, Outlot 56, Division "B", for the years 1929 and 1930, on the ground that said property was used for church and recreational purposes. The matter was taken under consideration.

E. L. Rhambo submitted a petition by property owners for a change in the zoning of property located on Chestnut Avenue north of Rosewood Avenue and opposite Rosewood Park from "A" Residence District and First Height and Area District to "C" Commercial District and Second Height and Area District. The matter was referred to the Board of Adjustment for recommendation.

A letter from Dr. J. W. Calhoun, President of the University of Texas, commending the Fire Department for its efficient work in extinguishing a fire at the house owned by him at 2801 Rio Grande Street, was received and filed.

Councilman Gillis introduced the following resolution and moved its adoption. The motion was seconded by Councilman Alford and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor declared the resolution finally passed.

The resolution is as follows:

WHEREAS, The City Council is in receipt of a resolution by the Board of Trustees of the Austin Independent School District establishing the following additional labor classifications and minimum wage scales as follows:

<u>Classification</u>	<u>Wages Per Hour</u>	<u>Wages Per Day</u>	<u>Overtime Rate</u>
Fence Erector	\$1.00	\$8.00	1-1/2
Powder Man	1.00	8.00	1-1/2
Jackhammer or Drill Runner	.65	5.20	1-1/2
Air Compressor Operator	.75	6.00	1-1/2
Open Cut (Demolition)	.50	4.00	1-1/2;

and

WHEREAS, this listing of classifications and wages has been checked and is held to be the prevailing wage; and

WHEREAS, same has been submitted and approved by the office of the State Board of Labor Statistics; therefore,

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

THAT the additional classifications above listed and at the minimum wage scales as listed be approved and be applicable to any work under PWA Docket TEX.-2134-F, Schools, Austin, Texas.

The following report of the Architect, PWA Docket Tex-2070-F, was received:

"Austin, Texas
January 12, 1939.

Hon. Mayor
City Council
Austin, Texas

Gentlemen:

It has been suggested that wage scale be determined on certain additional classification on the Austin-Travis County Sanatorium, Tex.-2070-F, I wish to recommend the addition of the following:

1 - Caulking Building -	\$1.00 per hour -	\$5.00 per day
2 - Glaziers	1.00 " "	8.00 " "
3 - Operators		
Concrete Mixer under 27c	.75 " "	6.00 " "
Operators Concrete Mixer		
27c and over	1.00 " "	8.00 " "
Steam Shovel Oiler and Greaser	.60 " "	4.50 " "

Very truly yours,

(Signed) David C. Baer. "

Councilman Wolf introduced the following resolution and moved its adoption. The motion was seconded by Councilman Alford and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor declared the resolution finally adopted.

The resolution is as follows:

WHEREAS, the Public Works Administration requires that all projects under its regulations be done in accordance with approved wage scales as published by the Department of Labor of the State of Texas; and

WHEREAS, in the proposed work on Docket-Texas-2070-F, said Department of Labor has furnished the City of Austin with said schedule, but which said schedule did not contain certain classes of labor which will be necessary to be used in the proposed work under Docket-Texas-2070-F; 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 submit such additional schedule to the State Director of Public Works Administration, and provide all contractors and sub-contractors on said Docket-Texas-2070-F with notice that such scale of wages must be complied with.

"Docket-Texas-2070-F
Sanatorium
City of Austin-Travis Co.

January 12, 1939.

SUPPLEMENTARY WAGE SCALE

	<u>Per Hour</u>	<u>Per Day</u>
Caulker	\$1.00	\$5.00
Glaziers	1.00	8.00
Operators, Concrete Mixer under 27-c	.75	6.00
" " " " 27-c		
and over	1.00	8.00
Steam Shovel Oiler and Greaser	.60	4.50

Councilman Alford introduced the following resolution:

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its pole 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 pole lines in the following streets:

(1) A telephone pole line in GOVALLE AVENUE at Tillery Street, the center of which pole line shall be 8 feet south of the north line of said Govalle Avenue.

(2) A telephone pole line in EAST 52ND STREET from H&TC Railroad easterly to Harmon Avenue, the centerline of which pole line shall be 8 feet south of and parallel to the north line of said East 52nd Street.

THAT the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole 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, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Alford introduced 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 VISTA LANE southerly 115 feet from a point 127 feet south of the south line of Griswold Lane, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Vista Lane.

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

(2) A gas main in ETHRIDGE AVENUE from McCallum Drive westerly 140 feet, the centerline of which gas main shall be 13½ feet south of and parallel to the north line of said Ethridge Avenue.

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

(3) A gas main in SABINE STREET northerly 70 feet from a point 145 feet north of the north line of East 21st Street, the centerline of which gas main shall be 32 feet east of and parallel to the west line of said Sabine Street.

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

(4) A gas main in EAST 7TH STREET easterly 85 feet from a point 250 feet east of the east line of Chalmers Avenue, the centerline of which gas main shall be 11½ feet north of and parallel to the east line of said East 7th Street.

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

(5) A gas main in AVENUE F southerly 192 feet from a point 124 feet south of the south line of East 51st Street, the centerline of which gas main shall be 14 feet east of and parallel to the west line of said Avenue F.

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

(6) A gas main in STAMFORD LANE southerly 250 feet from a point 445 feet south of the south line of Stamford Way, the centerline of which gas main shall be 17½ feet west of and parallel to the east line of Stamford Lane.

Said gas main described above shall have a covering 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, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Wolf introduced the following resolution:

"Austin, Texas
January 12, 1939.

Mr. Guiton Morgan:
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of the Texas Distributing Company, acting by and through Roy R. Warner, owner, for permission to construct, maintain and operate a drive-in gasoline filling station on the east side of the Georgetown Road, or Highway No. 2, at the northeast corner of the Zennia Street intersection. The property upon which this filling station is to be located is designated as Lots 1, 2 and 3, Block 10, of Murray Place, a subdivision within the City of Austin, Travis County, Texas, according to a map or plat of said Murray Place on file with the County Clerk of Travis County, Texas, and we hereby advise that the following conditions exist:

The property upon which this filling station is to be located is designated as "C" Commercial Use District on the zoning maps of the City of Austin.

The drainage from this filling station should be concentrated into a seep well located upon the property of the applicant.

We recommend that the Texas Distributing Company, acting by and through Roy R. Warner, owner, be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and commercial drive-ways in conjunction therewith, subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord with the ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(3) That the grades of the station shall be such that no waste oils or water

or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146 and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer at the expense of the applicant or shall be concentrated into a seep well located upon the property of the applicant. Before commencement of any construction, the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any City street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(4) That all filling station improvements, pumps, driveways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the City Engineer's file number 2-G-227.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-G-227 and shall be of the pre-moulded type.

(6) That before use of said station, the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted,

(Signed) J. E. Motheral
City Engineer.

" J. C. Eckert
Building Inspector. "

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property situated on the east side of the Georgetown Road, or Highway No. 2, at the northeast corner of the Zennia Street intersection, which property is owned by the Texas Distributing Company, Roy R. Warner, owner, and is designated as Lots 1, 2, and 3, Block 10, of Murray Place, a subdivision within the City of Austin, Travis County, Texas, and hereby authorizes the said Texas Distributing Company, Roy R. Warner, owner, to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, sidewalks and commercial driveways in conjunction therewith, subject to the same's being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and 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 proper police, traffic, and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Texas Distributing Company, acting by and through Roy R. Warner, owner, has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

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

Councilman Wolf introduced the following resolution:

WHEREAS, in Book 1, at page 41, of the Plat Records on file with the County Clerk of Travis County, Texas, there appears a map or plat of a subdivision of land known as Christian-Fellman Addition, which subdivision of land lies entirely within the corporate limits of the City of Austin, Travis County, Texas; and

WHEREAS, the map or plat herein referred to shows an alley sixteen feet in width traversing Blocks 56 and 59 of said Christian-Fellman Addition; and

WHEREAS, the said alleys are not needed for use as a passageway or thoroughfare by the City of Austin; and

WHEREAS, the owners of the majority of the property comprising said Blocks 56 and 59 have petitioned the City Council of the City of Austin to vacate, close, and discontinue said alleys; and

WHEREAS, the said petition has been reviewed by the City Council of the City of Austin and it has been found that the said alleys will not be needed by the City of Austin for use as a passageway or thoroughfare; therefore

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

THAT the aforementioned alleys traversing Blocks 56 and 59 of the said Christian-Fellman Addition, as shown upon the map or plat of said Christian-Fellman Addition on file in Book 1, at page 41, of the Plat Records of Travis County, Texas, be and the same are hereby closed and vacated for all purposes, except that of the construction, maintenance and operation of gas lines, water lines, power and electric lines, sanitary sewer lines, storm sewer lines, telephone or telegraph lines, and any other public utility, main or line, and the right is hereby reserved by the City of Austin to enter said alleys at any and all times for the purpose of constructing, maintaining and operating said utilities.

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

✓ Councilman Wolf introduced the following resolution and moved its adoption. The motion was seconded by Mayor Miller and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor declared the resolution passed.

The resolution is as follows:

WHEREAS, Austin was established as the capital of the Republic of Texas one hundred years ago, to-wit, April 13, 1839, and was admitted to the Union as a state in 1846; and

WHEREAS, This is the one hundredth anniversary of the founding of Austin, and it is thought befitting that we commemorate this event with a centennial stamp; therefore,

BE IT RESOLVED:

THAT the City Council of the City of Austin, Texas, hereby requests the Honorable James A. Farley, Postmaster General of the United States of America, to allow the use of such centennial stamp commemorating this date. /

Councilman Alford moved that the following named persons be granted taxicab driver's permits, in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division: Wallace H. Word, 62 Waller Street, and Vernon Howard Dorsett, 912 West Lynn Street. The motion prevailed 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 to 10:30 A. M., Friday, January 13, 1939.

Approved: Tom Miller

Mayor

Attest:

Wallis McFadden
City Clerk.

RECESSED MEETING OF THE CITY COUNCIL:

Austin, Texas, January 13, 1939.

The City Council convened in a recessed session of its regular meeting, on Friday, January 13, 1939, at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Chas. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, none.

There were present, also, Mr. Max Staroke, Member of the Colorado River Authority and Manager of its Electric Distribution System; Mr. T. H. Davis, an Austin citizen and Member of the Colorado River Authority; Mr. W. E. Seaholm, Superintendent of the City's Electric Department; and Judge A. L. Love, City Attorney.

The proposal of the Colorado River Authority to sell to the City of Austin, at actual cost to said Authority, certain electric lines within a ten-mile radius of the City of Austin, together with the Austin sub-station, when same are purchased by said Authority from the Texas Power & Light Company at an approximate cost of 110% of reconstruction cost new, the estimated gross receipts from such lines being approximately \$89,000 per year, was discussed at length.

Following the discussion, Councilman Gillis introduced a proposed resolution and moved its adoption. The motion was seconded by Councilman Wolf. The motion was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor declared the resolution finally passed.

The resolution is as follows:

WHEREAS, at a recessed meeting of the City Council on January 13, 1939, the Council considered the following letter from G. McDonough, General Manager of the Lower Colorado River Authority, said letter being in words and figures as follows:

"January 3, 1939.

Hon. Guiton Morgan
City Manager
Austin, Texas

Dear Mr. Morgan:

The Board of Directors of Lower Colorado River Authority have under consideration a proposal by the Texas Power & Light Company to sell the Authority certain electric properties of the Company in a sixteen county area including Travis County.

The properties include lines used for the distribution of electric energy in the vicinity of the City of Austin and probably some lines within the City limits, and also include a sub-station known as the Austin sub-station. Under the terms of the contract of February 5, 1937, between the Authority and the City of Austin, particularly Article VII thereof, the Authority has agreed that it will not distribute or sell power or electric energy within the City limits of the City of Austin, or within a zone lying within ten miles of the corporate limits of the City as they exist at the end of the year 1937, with certain exceptions.

If the Authority acquires the properties in question, it will be willing to sell and convey all or any unit of the lines served from the Austin sub-station at the cost of such lines to the Authority. On the basis of the offer now under consideration, it is estimated that this cost would be approximately 110% of reconstruction cost new.

If the City does not purchase all of such lines, then the Authority would have to be assured that the City will waive the above mentioned provisions of its contract insofar as it might affect any of the lines retained by the Authority. Otherwise, the Authority would lose its investment in such lines.

This is to confirm the proposal made to Mayor Tom Miller at a conference with our Board of Directors yesterday, as follows:

The Authority will sell at cost to it any unit of the lines served from the Austin sub-station which the City may desire to purchase; it

being agreed that as to any such lines not purchased by the City, it will waive the provisions of the contract above set out and permit the Authority to distribute or sell power or electric energy from any such lines and to any customers thereon, without exception or limitation.

Will you please submit this proposal to the City Council with the request that they formally accept it, and if accepted, note your approval on the copy of this letter herewith enclosed for such purpose.

Very truly yours,

(Signed) C. McDonough
General Manager

Approved at meeting of
the City Council for
the City of Austin
this ____ day of
January, 1939.

City Manager

"

WHEREAS, it is the judgment of the City Council that the City of Austin should purchase the properties described in paragraph 2 and referred to in said letter, and that the proposition embraced in said letter should be in all things accepted; therefore

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

THAT the proposition embraced in said letter of January 3, 1939, from C. McDonough, General Manager of the Lower Colorado River Authority, be in all things accepted, and the City Manager is authorized to approve same on behalf of the City, and to work out the details of the purchase of land and other property described in said letter in the territory named therein.

Upon motion, seconded and carried, the meeting was recessed, subject to call of the Mayor.

Approved Tom Miller,
Mayor

Attest:

Lillian McLean
City Clerk