

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 13, 1939.

The City Council convened in regular session, at the regular meeting place in the Municipal Building, on Thursday, July 13, 1939, at 11:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Chas. F. Alford, C. M. Bartholomew, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, Councilman Simon Gillis.

The reading of the Minutes was dispensed with.

The following communication from the State Highway Engineer to the City Manager was received:

"Austin, Texas
July 11, 1939

Alternate Route
U.S. Highway No. 81
Through Austin
Travis County

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Mr. Morgan:

After the completion of our field inspection today of the above routing in company with Mayor Miller, City Engineer Motheral and yourself, we have taken occasion to study carefully the aspects of this problem in conjunction with the map prepared by the City.

It is our conclusion that insofar as the traffic requirements are concerned, the State Highway Department would prefer the location extending from the intersection of the Barton Springs Road and the Fredericksburg Road to the south end of Fannin Street, thence along Fannin Street and Ruiz Street to Twelfth Street, thence on an extension of Ruiz Street north of Twelfth Street to intersect the present Shoal Creek Boulevard east of Pease Park, and thence along Shoal Creek Boulevard to West Twenty-fourth Street.

It is our understanding that it would be the objective of the City of Austin to proceed with securing of right-of-way on the adopted route between the points mentioned in the near future in order that construction work to be done by the State Highway Department and the City of Austin under the previous agreement may not be delayed unduly.

It is our further understanding that when the City of Austin and the State Highway Department may have agreed upon the proper location for this highway, a location map will be furnished to the State Highway Department in order that we may refer same to the U. S. Bureau of Public Roads for their concurrence prior to the actual securing of right-of-way by the City of Austin.

We will await your further action relative to this matter.

Sincerely yours

(Signed) Julian Montgomery
State Highway Engineer. "

Councilman Wolf then introduced the following resolution:

WHEREAS, the City Council has for several years been negotiating with the State Highway Department for the construction of a bridge over the Colorado River, with the necessary street approaches; and

WHEREAS, the congestion of traffic adjacent to the University of Texas is of serious concern to both the State Highway Department and the City of Austin, and the volume of traffic through South and Southwest Austin and West and Northwest Austin must use the Congress Avenue Bridge, which has been inadequate to handle this traffic volume; and

WHEREAS, the flow of traffic to Barton Springs and Zilker Park from all parts of Austin creates a traffic situation which requires additional traffic facilities; and

WHEREAS, on February 2, 1939, the City Council adopted a tentative program providing for the construction of a new bridge over Colorado River and approaches thereto between 5th Street and Barton Springs Road, west of the I&GN Railway Bridge, by the State Highway Department and the construction by the City of a boulevard connecting therewith on the west side of Austin to connect with State Highways Nos. 2 and 29 on the north and northwest, and State Highways Nos. 2 and 20 on the south and southwest, which boulevard will also serve traffic north and south of the Colorado River, in the west half of the City of Austin; and

WHEREAS, the State Highway Commission, by Order dated January 23, 1939, also approved the construction of said bridge and approaches by the State Highway Department and the construction of said boulevard by the City of Austin; and

WHEREAS, several conferences relative to the location of said bridge and boulevard have resulted in a tentative location of same between the Barton Springs-Fredericksburg Road intersection, and the Shoal Creek Boulevard and West 24th Street intersection, which the State Highway Department indicates as preferable; and, inasmuch as the entire bridge and boulevard location must be recommended by the State Highway Department to the United States Bureau of Public Roads and must be approved by said Bureau of Public Roads to permit the expenditure of Federal funds; and

WHEREAS, the location along and adjacent to Shoal Creek Boulevard and streets north of Shoal Creek Boulevard, between 24th Street and 45th Street, must be tentatively included in such general plan in order to secure Federal approval; therefore,

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

THAT the City Manager be, and he is hereby, directed to submit to the State Highway Engineer maps showing the following described locations acceptable to and approved by the City Council of the City of Austin:

1. The location between the Barton Springs-Fredericksburg Road intersection and Shoal Creek Boulevard and West 24th Street intersection:

Beginning at the intersection of the Fredericksburg Road and Barton Springs Road, thence in a general northerly direction in an approximately straight line across the Colorado River to the intersection of West 3rd and Fannin Streets;

Thence north along Fannin Street to the intersection of West 6th Street and Ruiz Street;

Thence north on Ruiz Street to the intersection of West 12th Street and Parkway;

Thence north on Parkway and the prolongation of Parkway to an angular crossing of Shoal Creek to intersect Shoal Creek Boulevard, at a point approximately opposite the northwest corner of House Park Football Field;

Thence following the general location of the present Shoal Creek Boulevard to West 28 $\frac{1}{2}$ Street.

North of West 28 $\frac{1}{2}$ Street two alternate locations are possible, as follows:

ALTERNATE NO. 1.

Beginning at West 28 $\frac{1}{2}$ Street and Shoal Creek Boulevard intersection; thence north along Shoal Creek Avenue to 29th Street;

Thence north along San Gabriel Street to West 38th Street;

Thence north on Morningside Avenue to West 45th Street where said boulevard will connect with State Highway construction through State property, on a location to be adopted by the State Highway Department, to connect with State Highway No. 2, and providing for a connection of the boulevard on Morningside Avenue, and also providing for a connection to State Highway No. 29 along Alice Avenue between the intersection of Alice Avenue and Marathon Boulevard and the intersection of Morningside Avenue and West 38th Street, said connection thence to continue northwest on Alice Avenue to the intersection of State Highway No. 29 and

West 45th Street.

ALTERNATE NO. 2.

Beginning at a point near the intersection of West 28th Street and Shoal Creek Boulevard and proceeding in a general northerly direction following a route approximately one-half block west of Shoal Crest Avenue and San Gabriel Street, crossing West 29th Street and the intersection of San Gabriel Street and again in the vicinity of West 31st Street, with the remainder of this route north of West 31st Street being approximately the same as outlined in Alternate No. 1, and providing for the same connection with Alice Avenue and State Highway No. 29 as provided in Alternate No. 1.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL:

THAT it is the opinion of the Council that the acquisition of right-of-way, the moving of utilities and the necessary construction of bridges and the paving south of 24th Street to connect with the proposed new bridge is the most essential part of the boulevard approaches and same should be acquired and constructed before undertaking the work north of 24th Street, but the City Council agrees and binds the City of Austin to acquire and proceed with the acquisition of right-of-way and the necessary work north of 24th Street on either one of the alternate locations herein approved as rapidly as may be possible after the completion of the work south of 24th Street; the entire program to be in accordance with the Council resolutions and the State Highway Commission Order heretofore executed and previously referred to in this resolution.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL:

THAT the assistance of the State Highway Department in undertaking to aid in the solution of Austin's traffic problems is appreciated, and the City pledges every cooperation toward the early completion of this essential development in and through the City of Austin to alleviate the serious traffic conditions which now exist in the areas referred to in the preamble to this resolution.

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

Mayor Miller introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE LICENSING AND REGULATING OF CERTAIN PERSONS ENGAGED IN THE BUSINESS OF LENDING MONEY WITHOUT SECURITY WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN; DEFINING THE WORD "PERSON" AND PROVIDING FOR THE EXCEPTION OF CERTAIN PERSONS, FIRMS AND CORPORATIONS FROM THE OPERATION OF THIS ORDINANCE; FIXING AN ANNUAL LICENSE FEE OF \$12.00 FOR EACH SUCH BUSINESS; PRESCRIBING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, PROVIDING A SAVING CLAUSE FOR VALID PORTIONS IN THE EVENT ANY PROVISION OF THE ORDINANCE SHALL BE DECLARED INVALID; PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE, AND DECLARING AN EMERGENCY.

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

The ordinance was then laid over until the next regular meeting.

The application of Mrs. Nella T. Evans for a change in the zoning of Lot 51, College Court Addition, located at the corner of San Jacinto Boulevard and Elmwood Place, from "A" Residence District to "C" Commercial District, was received, and the matter was referred to the Board of Adjustment for recommendation.

The application of Delta Tau Delta Building Association for a change in the zoning of Lot 60, College Court Addition, located at the corner of San Jacinto

Boulevard and Park Place, from "B" Residence District to "C" Commercial District, was received, and the matter was referred to the Board of Adjustment for recommendation.

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 East 32 $\frac{1}{2}$ Street from Beanna Street to Hampton Road, the centerline of which gas main shall be 7 $\frac{1}{2}$ feet south of and parallel to the north line of said East 32 $\frac{1}{2}$ Street.

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

(2) A gas main in BEANNA STREET from East 32 $\frac{1}{2}$ Street southerly 102 feet, the centerline of which gas main shall be 7 $\frac{1}{2}$ feet west of and parallel to the east line of said Beanna Street.

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

(3) A gas main in SALINA STREET from East 12th Street to East 19th Street, the centerline of which gas main shall be 7 $\frac{1}{2}$ feet west of and parallel to the east line of said Salina Street.

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

(4) A gas main in EAST 12TH STREET from Salina Street to Chicon Street, the centerline of which gas main shall be 18 feet south of and parallel to the north line of said East 12th Street.

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

(5) A gas main in CHICON STREET from New York Avenue to Salina Street, the centerline of which gas main shall be 19 feet east of and parallel to the centerline of said Chicon Street.

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 said Company by the City of Austin.

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

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

The Mayor announced that the resolution had been finally passed.

The resolution is as follows:

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 construction work under P.W.A. Docket Number Texas 1847-2-F, was duly advertised to be received by the City Manager and publicly opened at ten o'clock A. M., Monday, July 10, 1939, at the City Hall in Austin, Texas; and

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

WHEREAS, thereupon it was found that the bid of J. F. Johnson of Austin, Texas, in the amount of \$150.00 for the furnishing and installation of bronze plates on the Service Station Improvements, being P.W.A. Docket Number Texas 1847-2-F, was the lowest and best bid under said project, 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 said bid of J. F. Johnson of Austin, Texas, in the amount of \$150.00 for the furnishing and installation of bronze plates on the Service Station Improvements, be and the same is hereby accepted, subject to the approval of the Federal Emergency Administration of Public Works; and the City Manager in behalf of the City of Austin is authorized and instructed to enter into a contract with the said J. F. Johnson, subject to the approval of the Federal Emergency Administration of Public Works.

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

The Mayor announced that the resolution had been finally passed.

The resolution is as follows:

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 construction work under P.W.A. Docket Number Texas 2072-F, was duly advertised to be received by the City Manager and publicly opened at ten o'clock A. M., Monday, July 10, 1939, at the City Hall in Austin, Texas; and

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

WHEREAS, thereupon it was found that the bid of J. F. Johnson of Austin, Texas, in the amount of \$260.00, for the furnishing and installation of bronze plates on the 34th Street Bridge at Shoal Creek, the 29th Street Bridge at Shoal Creek, and the 24th Street Bridge at Shoal Creek, being P.W.A. Docket Number Texas 2072-F, was the lowest and best bid under said project, 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 said bid of J. F. Johnson of Austin, Texas, in the amount of \$260.00, for

the furnishing and installation of bronze plates on the 34th Street Bridge at Shoal Creek, the 29th Street Bridge at Shoal Creek, and the 24th Street Bridge at Shoal Creek, be and the same is hereby accepted, subject to the approval of the Federal Emergency Administration of Public Works; and the City Manager in behalf of the City of Austin is authorized and instructed to enter into a contract with the said J. F. Johnson, subject to the approval of the Federal Emergency Administration of Public Works.

The City Manager was delegated to meet with the County Commissioners and formulate a plan for the operation of the Austin-Travis County Tuberculosis Sanatorium by which the supervision of said institution would be placed under the direct supervision of the County and a Board, the City to contribute its pro rata of the cost of maintenance and to receive monthly reports of its operation.

Upon motion, seconded and carried, the meeting was recessed at 12:05 P. M., subject to call of the Mayor.

Approved: Tom Miller.
Mayor

Attest:

Sharon M. Keller
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 20, 1939.

The City Council convened in regular session, at the regular meeting place in the Municipal Building, on Thursday, July 20, 1939, at 10:45 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Chas. F. Alford, C. M. Bartholomew, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, Councilman Simon Gillis.

The reading of the Minutes was dispensed with.

Mr. Brown Robbins appeared before the Council and complained of the excessive building of garage apartments on the rear of lots. The matter was referred to the City Manager, the Building Inspector, and the Assistant City Attorney for a conference with Mr. Robbins to determine how the situation could be remedied.

A. L. McKean, Attorney for Hugh Haynie, came before the Council and submitted a letter, together with pictures, relative to his client's claim for damages to his property by reason of the City's work shop at Deep Eddy. The matter was taken under advisement.