

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 29, 1940.

The City Council convened in regular session, at the regular meeting place in the Council Room at the Municipal Building, on Thursday, February 29, 1940, at 11:00 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 February 23, 1940, were read, and upon motion of Councilman Bartholomew were adopted as read by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Mr. E. A. Murchison, President of the Board of Trustees, and Prof. A. N. McCallum, Superintendent, respectively, of the Austin Public Schools, appeared before the Council and asked that an election be called for May 3 on an amendment to the City Charter, increasing the school tax levy from sixty cents to seventy cents.

Mayor Miller stated that it was also the purpose of the City Council at this time to submit to the voters amendments to the City Charter providing for a pension and retirement system for all city employees, and for zoning restrictions on Shoal Creek Boulevard.

It was then moved by Mayor Miller that the City Attorney be instructed to prepare an ordinance calling an election for May 3 on the following proposed amendments to the City Charter: (1) to increase the tax rate limitation for public school purposes from sixty cents to seventy cents on the one hundred dollars of valuation; (2) to provide for a pension and retirement system for all city employees; and (3) to restrict the zoning classification on Shoal Creek Boulevard from 12th to 29th Streets so as to prohibit the commercial use of same. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

It was then moved by Mayor Miller that the City Attorney also be instructed to prepare an ordinance calling an election for Monday, April 15, on the issuance of \$250,000 Hospital Bonds for the enlargement and improvement of Brackenridge Hospital. The motion prevailed 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, in concluding the construction work on the Austin-Travis County Tubercular Sanatorium Project, it has developed that the Architect and the Mechanical Contractors are in disagreement; and

WHEREAS, up to the present time no satisfactory agreement has been possible, and the City Council of the City of Austin and the Commissioners Court of Travis County consider it necessary to adjust existing differences by means of a thorough engineering investigation and report; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN AND THE COMMISSIONERS COURT OF TRAVIS COUNTY, JOINTLY:

THAT the City Manager be and is hereby authorized and directed to have Walter E. Seuholm and Dexter C. Kinney, Electrical Superintendent and Mechanical Engineer, respectively, for the City of Austin, make a thorough study of the design, plans, specifications, and construction in so far as the mechanical and heating work in the Hospital are concerned, and to report same to the City Manager, and their findings shall be binding and conclusive on all parties concerned.

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 matter of an ordinance to prohibit the sale of liquor on boats at Lake Austin and at the parks and other city-owned property was referred to the City Attorney for consideration.

A group of interested citizens, composed of M. H. Crockett, et al., appeared before the Council relative to the proposed ordinance regulating tourist courts, and asked that final passage of the ordinance be deferred to enable them to study the same.

The Mayor then laid before the Council the following ordinance:

AN ORDINANCE DEFINING AND PROVIDING FOR THE REGULATION OF TOURIST COURTS AND/OR CAMPS, AUTOMOBILE TOURIST COURTS AND/OR CAMPS, CAMP COTTAGES, HOUSE CARS, CAMP CARS OR TRAILERS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF THE BUILDING CODE ORDINANCE OF THE CITY OF AUSTIN, AND ALL SANITARY ORDINANCES NOT IN CONFLICT HEREWITH; PRESCRIBING PENALTIES FOR VIOLATION OF THE ORDINANCE; PROVIDING A SAVING CLAUSE, REPEALING CONFLICTING ORDINANCES, AND DECLARING AN EMERGENCY.

The foregoing ordinance was read the first time and laid over.

A petition by property owners on Cherry Street, asking that the name of said street be changed to Cherry Lane, was received, and the matter was laid over until the next regular meeting.

The written application of Samuel E. Gideon, for a change in zoning of lot 110'x171', S. Part of N $\frac{1}{2}$ of 64-D, from Residence "A" to Residence "B", was received, and the matter was referred to the Board of Adjustment for consideration and report.

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

WHEREAS, during National Scout Week, the Scout Junior Council in Austin suggested that the name of Dam Boulevard be changed to hereafter be known as Lake Austin Boulevard; and

WHEREAS, the City Council concurred in this opinion; therefore,

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

THAT the name of Dam Boulevard be and is hereby changed to Lake Austin Boulevard.

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:

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 docks and boat slips on the property owned by S. J. Larson as described in the Travis County Deed Records and located approximately two miles north of Tom Miller Dam and on the west side of Lake Austin, and hereby authorizes the said S. J. Larson to construct, maintain and operate these private docks and boat slips, 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 these docks and boat slips 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 S. J. Larson has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

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

(Recommendations of
(Building Inspector
(attached to and made
(a part of foregoing
(resolution

" Austin, Texas
February 29, 1940

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

The undersigned has reviewed the plans and considered the application of Mr. S. J. Larson, owner of a tract of land as described in the Travis County Deed Records and located approximately two miles north of Tom Miller Dam and on the west side of Lake Austin, for permission to erect docks and boat slips in a channel dredged into his property from Lake Austin.

I recommend that Mr. S. J. Larson be granted permission to construct this dock and boat slips in this channel which is extremely well protected from any traffic on the Lake:

(1) That nothing but creosoted piles and galvanized iron bolts be used in the construction

of this dock and boat slips.

(2) That no business, such as 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 and boat slips.

(3) That said dock and boat slips 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. "

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

WHEREAS, in Book 3, at page 121, of the Plat Records of Travis County, Texas, there appears a map or plat of a subdivision of land known as Monte Vista ; and

WHEREAS, upon said map or plat there appear various streets and alleys; and

WHEREAS, Block C of said Monte Vista is traversed by an alley, 20 feet in width, and the owners of nine of the twelve lots in Block C abutting said alley have petitioned the City Council of the City of Austin to discontinue said alley; and

WHEREAS, said petition 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 said alley, 20 feet in width, traversing Block C of said Monte Vista Addition be closed and vacated, except the City of Austin hereby retains utility easement rights in, upon, and across said alley.

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 ROBIN HOOD TRAIL from a point 115 feet north of Meredith Street southerly 181 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 Robin Hood Trail.

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

(2) A gas main in SOUTH FIFTH STREET from West Mary Street northerly 108 feet, the centerline of which gas main shall be 10 feet west of and parallel to the east property line of said South Fifth Street.

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

(3) A gas main in VISTA LANE from a point 334 feet south of Griswold Lane southerly 60 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 Vista Lane.

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

(4) A gas main in DUVAL STREET from a point 137 feet north of East 51st Street southerly 342 feet, the centerline of which gas main shall be 19 feet east of and parallel to the west property line of said Duval Street.

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

(5) A gas regulator pit in WEST 20TH STREET at Whitis Avenue, the centerline of which shall be 9 feet south of and parallel to the north property line of said West 20th Street.

(6) A gas regulator pit in WHITIS AVENUE at West 20th Street, the centerline of which shall be 9 feet east of and parallel to the west line of said Whitis Avenue.

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.

It was moved by Councilman Alford that a taxicab license be granted to John Golden Farmer, 213 Brazos Street, in accordance with the recommendations of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Mayor Miller announced the resignation of Judge A. L. Love as City Attorney, to become effective March 5; and moved that the Council give a rising vote of thanks to Judge Love for his long services as Assistant City Attorney and as City Attorney since the death of the late Judge J. Bouldin Rector, and that the Council receive the resignation of Judge Love because he has reiterated that he wishes to resign, the Council doing so in deference to his wishes and not their own. The motion carried unanimously.

The City Manager then submitted to the Council for confirmation, the appointment of Trueman O'Quinn as City Attorney, to succeed Judge A. L. Love, resigned.

Councilman Bartholomew moved that the appointment of the said Trueman O'Quinn as City Attorney be approved. The motion prevailed 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:

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

THAT the sum of \$3699.70 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of :

West Side of Lake

Excavating 19,540 cu. yds. earth, at \$.1585 -----\$ 3,097.09

East Side of Lake

Excavating 4351 cu. yds. earth, at \$.1385 ----- 602.61

Total - \$ 3,699.70

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:

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

THAT the sum of \$2828.59 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of purchasing one 12-foot Chris-Craft Utility Boat, 95HP,

thirty-three mile speed, fully equipped; and one 25-foot Chris-Craft Cabin boat, 95HP, twenty-two mile speed, fully equipped; both boats to be delivered in the water at Lake Austin, and to be delivered in approximately ten days.

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 Mayor Miller:

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

THAT the sum of \$500 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying the Austin High School Band for concerts to be played during the summer months.

Upon motion of Mayor Miller, 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:

Gallie McKeen
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 7, 1940.

The City Council convened in regular session, at the regular meeting place in the Council Room at the Municipal Building, on Thursday, March 7, 1940, at 10:55 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 February 29, 1940, were read, and, upon motion of Councilman Wolf, were adopted as read by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Mr. K. H. Crockett appeared before the City Council on behalf of the Parent-Teacher Association and expressed the thanks of said organization for the recent appropriation to the Austin High School Band for concerts, and for the personal checks of Mayor Miller and Councilman Bartholomew for new uniforms for said band.

A large delegation of citizens was present in the interest of the proposed bond issue for Brackenridge Hospital.

Those who spoke in favor of submitting a total issue of \$450,000 were the following:

Dr. W. R. Houston; Wm. Trenckmann, representing the Social Service Committee of the University Church of Christ; Mrs. D. B. Klein, representing an organization of Jewish women; Mrs. Wm. Sheriffs; Dr. C. T. Wharton; Dr. F. C. Gregg; Mrs. Cecil Cabanis; Mrs. Rex Hopper; Father Duffy; C. H. Stautz;