

covering the matter. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The City Attorney submitted a report on the matter referred to him at the last regular meeting regarding the effect the erection of a brick veneer structure at 807 Brazos Street would have on the City's fire insurance key rate, stating that the State Fire Insurance Commissioner had advised that a change in the Fire Zone to permit this character of building at this location would probably not affect the City's key rate adversely, but that it would be inadvisable to do so, as the present fire zones were recommended by the National Board of Fire Underwriters and approved by the State Fire Insurance Commission. Mr. G. S. Moore, Building Inspector, was present and advised the Council of certain changes that could be made in the proposed structure which would eliminate the fire hazard and meet the requirements of the Fire Zone Ordinance. The matter was then referred to Mr. Moore to confer with the owner, Mrs. May S. Cox.

There being no further business, Councilman Gillis moved to recess, subject to call of the Mayor. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

The Council then recessed.

Approved: *O. H. McFadden*  
Mayor.

Attest:

*Hellen McKeear*  
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, April 20, 1933.

The Council was called to order by the Mayor. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; absent, none.

The Minutes of the last regular meeting were read and Councilman Gillis moved the adoption of same as read. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Mayor McFadden nominated Chas. H. Page as a member of the Park Board to fill a vacancy existing on said Board. The nomination was confirmed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, the University of Texas has presented to the City Council tentative maps or plans showing the proposed construction of a water main in the streets in the City of Austin hereinafter 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 the University of Texas be and the same is hereby permitted to lay and construct a water main in and upon the following streets:

(1) A water main at the intersection of SPEEDWAY and EAST TWENTY-FIRST STREET, the centerline of which water main shall be constructed as follows: Beginning at a point in the east line of Speedway and from which point of beginning the intersection of said east line of Speedway and the south line of East Twenty-first Street bears N. 5° E. 27 feet to-wit:

Thence N. 85°W. 26 feet with the centerline of an 8" water main to point of angle in same;

Thence N. 35°0' W. with the centerline of said water main to point of termination in the north line of that portion of East Twenty-first Street, which is west of said Speedway, which point of termination is in the south line of what is commonly known as the University of Texas 40-acre campus.

AND THAT the University of Texas 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. When the University of Texas requires definite information upon the ground as to elevations or working points from which to base the location of their assignment, they shall apply to the City Engineering Department not less than three days before such information is required.

AND THAT the University of Texas 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 course of construction or maintenance of the water line named in this resolution.

AND THAT the University of Texas is further put upon notice that the permanent concrete pavement now existing at the intersection of said Twenty-first and Speedway shall be tunneled in the construction of this water main in such a manner as specified by the City Engineer of the City of Austin and in such a way that no damage to this pavement whatever will result after constructing the said water main.

AND THAT the University of Texas is further put upon notice that the City of Austin has a 16" cast iron pipe in Twenty-first Street across Speedway. This pipe was put in for the purpose of future water main construction and the said water main to be constructed by the University of Texas shall be installed in such a manner as not to interfere with the extension of the said 16" cast iron main. When the cuts are made upon the ground or when the tunnel is constructed the grade of said 16" cast iron pipe will be determined and then the University of Texas must construct said 8" main according to the grade specified by the City Engineer of the City of Austin.

AND THAT the University of Texas is further put upon notice that before the construction of this work begins the said University shall obtain from the City Engineering Department an estimate of the damage that will be caused to the streets and public improvements as a result of this water main construction and shall place in escrow with the Finance Director of the City of Austin a check equal in amount to the sum estimated by the said City Engineering Department. Before any pipe is laid all ditches and tunnels must be brought to subgrade in order that the grade of other existing utilities may be studied thereby avoiding any unnecessary inconveniences or expense to the said University and re-arranging or adjusting the said 8" water main in order to fit the grades of the now existing utilities at this street intersection.

AND THAT the University of Texas is further put upon notice that bridges or culverts not less than 15 feet in width at right angles to the line of traffic shall be maintained across said ditches while same are open. A traffic way shall be maintained at all times during the course of construction or maintenance of said 8" water main.

Water must be used at intervals during the course of backfilling of all the ditches resulting from this construction.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The application of W. P. Webb for permit to construct commercial driveways at 1712 San Jacinto Street was read.

The Mayor then laid before the Council the following:

"Austin, Texas, April 20, 1933.

Mr. Adam R. Johnson,  
City Manager,  
Austin, Texas.

Dear Sir:

Attached hereto is the request of W. P. Webb, owner of Lot 6, Outlet 52, Division "E" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, same being locally known as 1712 San Jacinto Street and being situated on the west side of said San Jacinto Street between 17th Street and 18th Street, for permission to construct two commercial driveways and sidewalks across the parking area adjacent to said property according to the plan hereto attached.

The property at this location has been zoned for business use and we recommend that the request be granted subject to the construction of concrete walks, curbs and driveways as shown on the attached plan marked 2-H-313.

Yours truly,

(Sgd) Orin E. Metcalfe,  
City Engineer. "

WHEREAS, W. P. Webb, owner of the property known as Lot 6, Outlet 52, Division "E" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, same being locally known as 1712 San Jacinto Street and being situated on the west side of said San Jacinto Street between 17th and 18th Streets, has made application to the City Council for a permit to construct concrete walks, curbs and driveways across the parking area adjacent to said property; and

WHEREAS, the City Council has favorably considered the granting of said request; therefore,

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

THAT permission is hereby granted W. P. Webb, owner of the property known as Lot 6, Outlet 52, Division "E" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, same being locally known as 1712 San Jacinto Street and being situated on the west side of said San Jacinto Street between 17th and 18th Streets, to construct concrete walks, curbs and driveways adjacent to said property according to the plan hereto attached marked 2-H-313, which plan is hereby made a part of this resolution, and subject further to the construction of said concrete walks, curbs and driveways in accordance with the City of Austin's plans and specifications governing such construction.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, the Metz School Playground and the Zaragosa Swimming Pool will be finished and ready for operation during the coming summer playground season; and

WHEREAS, no appropriation was made either for leadership on Metz School Playground or for two life guards at Zaragosa;

Now, therefore,

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

THAT the sum of \$509.00 be appropriated out of the General Fund and deposited to the Recreation Division to be used as follows:

Playground Leader at Metz Playground, 3½ months, at \$54.00 per month --	\$189.00
Life Guards at Zaragosa Swimming Pool, 4 months, at \$80.00 per month--	<u>320.00</u>
Total -	\$509.00

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE CREATING A SPECIAL FUND TO BE KNOWN AS LIBRARY FUND, STATING ITS PURPOSE AND INCOME, AND PROVIDING FOR DISBURSEMENTS THEREFROM.

The above ordinance was read the first time and Councilman Mueller moved that the rule be suspended and the ordinance placed on its second reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE CLOSING AND VACATING A PORTION OF WEST SIXTEENTH STREET IN THE CITY OF AUSTIN, TEXAS.

The above ordinance was read the first time and Mayor McFadden moved that the rule be suspended and the ordinance placed on its second reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the second time and Mayor McFadden moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Mayor McFadden moved that same be finally passed. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE REGULATING THE OPERATION AND EXHIBITION OF TENT SHOWS, CARNIVALS, THEATRES, DRAMATIC PERFORMANCES, MERRY-GO-ROUNDS, MEDICINE SHOWS, FLYING-JENNIES, SKATING-RINKS, MINSTREL SHOWS AND MOVING-PICTURE SHOWS, CONDUCTED IN A TENT, TEMPORARY STRUCTURE, OR IN THE OPEN AIR, WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, AND PRESCRIBING A PENALTY FOR THE VIOLATION THEREOF.

The above ordinance was read the first time and Councilman Mueller moved that the rule be suspended and the ordinance placed on its second reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis,