

land eight feet wide through said block for alley purposes, after the City Attorney has reformed same; and that the City Attorney, also, be directed to continue negotiations for the opening of this strip of land for alley purposes. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

There being no further business, Councilman Mueller 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 Mueller, 4; nays, none; Councilman Steck absent, 1.

The Council then recessed.

APPROVED:

*J. H. McFadden*  
Mayor.

Attest:

*W. H. Mueller*  
City Clerk

#### REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 16, 1933.

The Council was called to order by the Mayor. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; absent, Councilman Steck, 1.

The Minutes of the regular meetings of February 2nd and February 9th were read and Councilman Alford moved the adoption of same as read. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

Mrs. N. S. Thompson appeared before the Council and asked that the City settle with her for damages done to her property at 411 West 39th Street in the laying of the storm sewer on Guadalupe Street, stating that her attorney, Judge Geo. S. Dowell, had taken the matter up with the Janes Contracting Company, the contractor on this work, who had paid her the sum of \$25.00, but that said amount did not cover the damages she had sustained. The matter was referred to the City Attorney to confer with Judge Dowell and ascertain the exact nature of the settlement made by the Janes Contracting Company and advise Mrs. Thompson of the facts.

The Mayor laid before the Council 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 FORTY-THIRD STREET from Red River Street east approximately one block, the centerline of which gas main shall be 20 feet south of and parallel to the north line of said East Forty-third Street. Said gas main described above shall have a cover of not less than 2½ feet.

(2) A gas main in SIDON STREET, from East Thirty-second Street to East Thirty-fourth Street, the centerline of which gas main shall be 20 feet west of and parallel to the east line of said Sidon Street. Said gas main described above shall have a cover 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 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 back-filling 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 above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following resolution:

WHEREAS, the Western Union Telegraph Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground conduits in various streets and alleys within 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 the Western Union Telegraph Company be and the same is hereby permitted to lay and construct its underground conduits in and upon the following streets:

Beginning at a point on the north line of Lot No. 4, Block 123, of the Original City of Austin, according to a map or plat of said Original City of Austin on file in the General Land Office of the State of Texas, and from which point of beginning the intersection of the west line of Brazos Street and the south line of the east and west alley traversing said Block 123 (which intersection is the northeast corner of said Lot No. 4) bears S. 71° E 51 feet, to-wit: Thence N. 19° E. 20 feet, crossing said alley to a point on the north line of said alley.

The underground conduit described above shall be constructed by means of using a pipe pusher to push same underneath the existing pavement.

In case it is found impractical to construct this underground conduit by means of the pipe-pusher method, after having made a diligent effort to do so, or in case it is found that any utility or underground structure will be damaged by constructing said conduit by means of the pipe-pusher method, the City Engineering Department must be notified immediately of such findings, and the City Engineer will then issue orders as to construction of said underground conduit and his orders must then be followed closely and conscientiously throughout the remainder of the job.

The Western Union Telegraph 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. When the Western Union Telegraph 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 Western Union Telegraph 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 back-filling of the ditches.

THAT the work and laying of said underground conduits, including the excavation in the streets and the restoration and maintenance of said streets after said underground conduits have been laid, shall be under the supervision and direction of the City Manager.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The City Manager submitted to the Council the following report of Orin E. Metcalfe, City Engineer:

"Austin, Texas, February 15, 1933.

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

Dear Sir:

On account of orders received from agents of the United States Government Reconstruction Finance Corporation Employment Bureau, we have been advised that no person will be paid more than \$1.25 per day of eight hours for any type of work or service rendered. Heretofore we have paid foremen at the rate of 40¢ per hour, teams at the rate of \$4.00 per day and trucks at the rate of \$6.00 per day. I am advised that we can continue to pay \$1.25 per day to the foremen and to the drivers of the teams or trucks.

This means that, if we continue to sponsor projects in excess of 300 men, teams and trucks must be rented at City's expense. Pursuant to consultations with county officials and yourself, I have approached various truck and team men and have determined that teams and trucks can be secured on the basis of paying \$3.00 per day rent for trucks, the owners of said trucks to furnish gas, oil and upkeep expenses. The drivers of said trucks will receive their \$1.25 per day from the Reconstruction Finance Corporation fund. I also found that teams can be secured for \$1.00 per day rental, owners of said teams to furnish plows, harrows or wagons, and the drivers to receive \$1.25 per day from the Reconstruction Finance Corporation fund.

Previous to the receipt of the new order from the Federal Government officials, I had an organization at work which required 70 trucks and 26 teams, and we were employing approximately 650 men. To revise my program, I find that I can continue to employ approximately 600 men, which 600 men shall include teams, trucks and laborers, by the use of 30 teams and 50 trucks. My estimate for a four-week period is as follows:

50 trucks at \$3.00	-----	\$ 150.00
30 teams at \$1.00	-----	30.00
Total per day	-----	\$ 180.00
Average 5-day work per week at \$180.00 per day	-----	900.00
Approximately 9 weeks to April 15, 1933	-----	\$8,000.00

I recommend that emergency relief funds be made available so as to permit the program here suggested.

Respectfully submitted,

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

The Mayor then laid before the Council the following resolution:

WHEREAS, the Reconstruction Finance Corporation has made certain funds available for the employment of laborers on public work, said public work to be directed by cities or counties; and

WHEREAS, the available funds can be used only for the employment of laborers needing relief and not for materials, supervision, truck or team hire; and

WHEREAS, to employ men in large numbers for public work which will be economically and permanently beneficial to the City of Austin, it is necessary to have a certain number of trucks and teams; and

WHEREAS, various projects have been selected for public development, which projects include the following: the Robert Mueller Airport, Zilker Tract Park, graveling of City streets, Shoal Creek Park, sanitary sewer extension, alley cleaning, drainage projects for the sake of public health; and

WHEREAS, other projects may be selected of equal permanent benefit; therefore,

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

THAT the sum of Eight Thousand (\$8000.00) Dollars be and the same is hereby appropriated out of the unappropriated contingent portion of the general fund of the City of Austin for the purpose of paying rent for the use of teams and trucks to be used in connection with relief projects sponsored by the Reconstruction Finance Corporation.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

An excerpt from the Minutes of the Park Board, dated November 15, 1933, requesting that the City Council appropriate the sum of \$2500.00 out of the Parks and Playgrounds Bond Fund to supplement the funds of the Reconstruction Finance Corporation, to be used in the construction of a park road in Shoal Creek Park, and the sum of \$507.62 out of the Parks and Playgrounds Bond Fund for additional planting in East Avenue Boulevard, East 12th Street and East 15th Street parkways and San Jacinto Park, was read.

The Mayor then laid before the Council the following resolution:

WHEREAS, the Park Board of the City of Austin has recommended the immediate construction of a portion of the park road in Shoal Creek Park, said road to be constructed partially with funds to be provided for labor by the Reconstruction Finance Corporation and funds to be partially provided from funds secured from the Parks and Playgrounds Bond Fund; and

WHEREAS, the City Council has considered and approved the Park Board's recommendation; therefore,

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

THAT the sum of Twenty-five Hundred (\$2500.00) Dollars be and the same is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of supplementing funds to be provided by the Reconstruction Finance Corporation and to be used in the construction of a road in Shoal Creek Park.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor then laid before the Council the following resolution:

WHEREAS, the Park Board of the City of Austin has recommended the further development of the following parks by additional planting as hereafter itemized:

East Avenue Boulevard -----	\$ 75.00
East 12th Street Parkway -----	72.62
East 15th Street Parkway -----	60.00
San Jacinto Park -----	300.00
Total -	\$507.62

and

WHEREAS, the Park Board's recommendation has been reviewed and approved by the City Council; therefore,

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

THAT the additional sum of \$507.62 be and the same is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of additional planting in said parks.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor announced that the hearing called for this day, by published notice thereof, on the proposal of the City Council to amend the Zoning Ordinance in the following particulars, to-wit:

To amend the Use designation of Lots 17 and 18, Block 4 of the Hyde Park No. 2 Addition to the City of Austin, said property being located at the northwest corner of the intersection of Avenue "B" with 41st Street, so as to change same from "A" Residence District to "C" Commercial District,

would now be opened, and the following appeared and were heard:

D. D. Smyth, speaking for Mrs. Emma West, Applicant, stated that she desired the change in order to place a building on the property that would bring in some income; that before making application she interviewed the adjoining property owners and found no objection to the proposed change, their consent in writing having been obtained and filed with the application. He also stated that on account of the west side of Guadalupe Street from 38th Street to the city limits being state property, there was no way for business to expand in this area except towards the east, and that, in his opinion, in the next few years both Avenues "A" and "B" would be commercial streets; that Avenue "B" is partially a business street now and the location of the street car line on this street tends to encourage business growth.

Mrs. Emma West, Applicant, stated that she was a widow and needed the income that this property, with the proposed change, would bring her.

Joe Prowse, Agent for H. A. Wroe, property owner, stated that he did not consider that the change would be detrimental to the neighborhood, as it is a semi-business corner already.

W. O. White, property owner, stated that he was in favor of the change.

John Carlson stated that he objected to a store's being located on this corner, as it will ruin their place as well as others; that he considers a grocery store on every corner a nuisance.

Mrs. John Carlson stated that she objected to the change as they were endeavoring to make this strictly a residential street.

R. A. Harris stated that several property owners in this neighborhood bought homes there with the understanding that it was a residential section; that, owing to the nearness of the community center at 43rd and Duval Streets, he does not think a necessity exists for a business at this location; and that he would be glad if the Council would see fit not to allow it.

Mrs. Pearl Oatman stated that she objected to the change as much on Mrs. West's account as her own, as, in her judgment, there was not sufficient business there to make it a paying proposition, and should this business fail other businesses might be located there that would be objectionable.

Mrs. J. A. McWilliams objected to the change, stating that she bought her home there because it was a residential district and wants to keep it so, and that a business at this location will increase the traffic hazard to school children going to the Baker School.

The following report of the Board of Adjustment was then read:

"Austin, Texas, February 16, 1933.

Honorable City Council,  
City of Austin.

Gentlemen:

Attached hereto is a copy of a resolution which was passed by the Board of Adjustment at a meeting held on February 14, 1933, in regard to the changing of the Use designation of property located at the northwest corner of the intersection of Avenue "B" with 41st Street.

Yours respectfully,

(Sgd) H. F. Kuchne,  
Chairman Board of Adjustment. "

#### RESOLUTION.

WHEREAS, the City Council, in accordance with the terms of the Zoning Ordinance, has submitted to the Board of Adjustment, for its consideration and recommendation, an amendment to the Zoning Ordinance providing for the change of the Use designation of Lots 17 and 18, Block 4, of the Hyde Park No. 2 Addition to the City of Austin, said

property being located at the northwest corner of the intersection of Avenue "B" with Forty-first Street, from "A" Residence District to "C" Commercial District; and

WHEREAS, the Board held a public hearing at the City Hall at 7:30 P. M. on February 14, 1933, at which the applicant for the change and a number of surrounding property owners presented arguments for and against the proposed change; and

WHEREAS, the appellant pleads for the change on the grounds that the property now being vacant, the erection of a store thereon would enable her to derive some revenue from this property and that the establishment of a grocery and general merchandise store would be a convenience for the neighborhood and would prevent the necessity of sending children to the business district on Guadalupe Street, which is a principal thoroughfare into the City and where high speed and congested traffic is dangerous for the safety of the children; and

WHEREAS, the appellant further affirms that any structure erected on the lots to be changed would be set back in line with the existing buildings; and

WHEREAS, the protestants appearing before the Board objected to the change on the grounds that Avenue "B" is now a residential street; that there is now a business district extending from the corner of Avenue "B" and 40th Street to Guadalupe Street; that all of Guadalupe Street is now a business district; that the erection of a business on the proposed lots would spoil the character of the street for residential purposes and would tend to depreciate the values of the surrounding residential property; that there is no demand for further business on this street on account of the proximity of the other existing business districts, and that there is no public necessity for the establishment of another business district; and

WHEREAS, the Board carefully considered the proposed amendment in the light of all the arguments presented and from a City Planning point of view and according to the fundamental principles of a comprehensive zoning plan and found objection thereto; therefore,

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF AUSTIN:

THAT the above amendment to the Zoning Ordinance and change in the Use District map be and is hereby disapproved and not recommended to the City Council of the City of Austin for the following reasons:

(1) That this application is for a single piece of property, no adjacent property owners joining in the petition, resulting in a case of spot zoning.

(2) That a number of adjacent and neighboring property owners are opposed to this change.

(3) That in the judgment of the Board there now exist business districts near this neighborhood which are sufficient to serve the needs of the local community; that Avenue "B" is essentially a residential street, which would have its character destroyed by the intrusion of commercial uses; that one of the functions of the Zoning Ordinance is to preserve the residential character of residential districts; that the establishment of a business district would tend to destroy rather than enhance the surrounding property values; that there does not appear to be a sufficient demand at the present time for more commercial areas in this locality as the present business districts are themselves susceptible to further expansion, these areas not being fully occupied at present; and that the appellant may more advantageously develop her property and more in harmony with the existing character of the street by the erection of additional residences or two-family dwellings.

(4) That until such present areas are fully developed and there is a demand for additional commercial facilities, there is no justification for changing the use designation of the appellant's property.

BOARD OF ADJUSTMENT,

By (Sgd) H. F. Kuehne,  
Chairman. "

Mayor McFadden moved that, in view of the findings of the Board of Adjustment, as set forth in the above resolution, the Council deny the change. The motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor announced that the hearing call for this day, by published notice thereof, on the proposal of the City Council to amend the Zoning Ordinance in the following particulars, to-wit:

To amend the Use designation of Lot No. 22, in Outlot 23, Division "D" in the City of Austin, said property being located at the northwest corner of the intersection of San Antonio Street with 19th Street, so as to change same from "B" Residence District to "C" Commercial District,

would now be opened. No one appearing to offer any objections to the proposed change, the following report of the Board of Adjustment on the matter was read:

"Austin, Texas, February 13, 1933.

Honorable City Council.  
City of Austin.

Gentlemen:

Attached hereto is a copy of a resolution which was passed by the Board of Adjustment



at a meeting held on January 27, 1933, in regard to the changing of the Use designation of property located on the north side of 19th Street and the west side of San Antonio Street.

Yours respectfully,

(Sgd) H. F. Kuehne, Chairman,  
Board of Adjustment. "

### RESOLUTION.

WHEREAS, the City Council, in accordance with the terms of the Zoning Ordinance, has submitted to the Board of Adjustment, for its consideration and recommendation, an amendment to the Zoning Ordinance providing for the change of the Use designation of that property located on the north side of 19th Street and the west side of San Antonio Street, known as Lot 22, Outlot 23, Division "D" of the City of Austin, from "B" Residence District to "C" Commercial District; and

WHEREAS, the Board of Adjustment has carefully considered this matter and has found no objections to such change; therefore,

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF AUSTIN:

THAT the above amendment to the Zoning Ordinance and change in the Use District map be and is hereby approved and recommended to the City Council of the City of Austin for the following reasons:

(1) That an examination of the property in this neighborhood adjacent to the lot in question shows that practically all the frontage on 19th Street from Nueces Street to Guadalupe Street is already used for business purposes, including a city fire station.

(2) That this property has therefore become less valuable and suitable for residence purposes than for commercial purposes.

(3) That to permit the property to remain as now classified would cause economic loss to the property owners as well as to the City and permit of no beneficial development thereof; and

BE IT FURTHER RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT the City Council be requested to change all the frontage on both sides of 19th Street extending from the existing business area to the east line of Nueces Street for the following reasons:

(1) That, with the change of the lot referred to in the resolution, practically all the frontage on the north side of 19th Street between Guadalupe and Nueces Streets will be used for business purposes and that the recommended change would change the present non-conforming grocery store into a conforming use.

(2) That the same change should be made on the opposite side of the street so that the street would be uniformly zoned from Guadalupe Street to Nueces Street.

BOARD OF ADJUSTMENT

By (Sgd) H. F. Kuehne,  
Chairman. "

The Mayor then laid before the Council the following ordinance:

AN ORDINANCE AMENDING, IN THE CERTAIN PARTICULARS HEREIN - AFTER STATED, AN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY. "

The above ordinance was read the first time and Councilman Mueller moved that the rule be suspended and the ordinance passed to its second reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The foregoing 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, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

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, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

Mayor McFadden moved that the recommendation of the Board of Adjustment contained in the foregoing resolution that the remaining frontage on 19th Street from San Antonio to Nueces Streets be changed from "B" Residence District to "C" Commercial District be approved and the date of hearing on this proposal be set for Thursday, March 9, 1933, at 11:00 A. M. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

A letter from the Tax Department, relative to the tax protest of T. H. Barrow on the property at No. 1006 Waller Street, known as the South One-half of Lot 6, Block 8, Outlots 2 and 3, Division "B", was read.

The Mayor then laid before the Council the following resolution:

WHEREAS, the improvements on the South  $\frac{1}{2}$  of Lot 6, Block 8, Outlots 2 and 3, Division "B", Plat 31, are charged in the name of Letha Lomax for the years 1925 through 1932; and

WHEREAS, T. H. Barrow, agent for the said Letha Lomax, petitions the City Council of the City of Austin for an adjustment of the valuations on said improvements for said years, and said petition has been referred to the Tax Department for investigation; and

WHEREAS, upon an investigation of the Tax Department, it is found that the valuations for the years 1925 and 1926 as assessed was \$1320.00, and for the years 1927 through 1932 was assessed at \$1545.00; and

WHEREAS, these improvements are between forty-five and fifty years old, in a bad state of repair, and insufficiently depreciated, that there was an error in charging 1546 square feet instead of 1424 square feet for the years 1927 and 1928; and that no credit was given for 160 square feet in a room on the rear that was torn down prior to January 1, 1929, for the years 1929, 1930, 1931, and 1932; and

WHEREAS, in order to correct these discrepancies and to set up an equalized and fair valuation on said improvements for said years it is deemed necessary to revise same; now, therefore,

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

THAT the City Assessor and Collector of Taxes be and he is hereby authorized to change the assessments on the rolls as follows: For the years 1925 and 1926, no change; for the year 1927, \$1265.00 assessed value based on 1424 square feet at \$2.00 per square foot with 33-1/3% depreciation; for the year 1928, \$1140.00 assessed value based on 1424 square feet at \$2.00 per square foot with 40% depreciation; for the year 1929, \$1010.00 assessed value based on 1264 square feet at \$2.00 per square foot with 40% depreciation; for the year 1930, \$920.00 assessed value based on 1264 square feet at \$2.00 per square foot with 45% depreciation; for the year 1931, \$845.00 assessed value



based on 1264 square feet at \$2.00 per square foot with 50% depreciation; and for the year 1932 the same as for the year 1931.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The City Manager submitted to the Council a letter from J. T. Ward, Secretary-Treasurer of the Austin Labor Temple Association, asking that the City remit the balance owing on the water and light account of the J. Geo. Loose Shows, amounting to \$59.94, which has been charged against said Association by reason of its having had a contract with said Shows to exhibit in this City in June of last year and failure on the part of said Association to notify the Water and Light Department at the time it severed connection with said Shows. The Council declined to take any action on the matter.

The application of Thomas Devine Smith, Jr., 903 Guadalupe Street, for license to operate as a taxicab one 1928 Chevrolet Coach, Engine No. 4788829, State Highway License No. K 33-394, was read. Councilman Mueller moved that the application be granted. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The City Manager outlined to the Council a plan for the paving of the areas adjacent to the property of the Capital Ice & Cold Storage Company and the Missouri Pacific Railway Company's tracks on West 3rd Street from Colorado Street to Colorado Street alley, the cost of such paving to be borne by the Capital Ice & Cold Storage Company and the Missouri Pacific Railway Company; and submitted the following report of the City Engineer on the matter:

"Austin, Texas, February 15, 1933.

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

Dear Sir:

Pursuant to your request, I have prepared an estimate for the paving of that portion of Lot 12, Original City Block 5, which was declared a public way, and which lies south of the Capital Ice and Cold Storage Company, which lies between Colorado Street and Colorado Street Alley and which lies north of that 16-foot strip of land which belongs to the Missouri Pacific Railway Company. This strip of land should have been 30 feet wide, but, owing to City Council permit, from 5 to 8 feet of same has been used for platform purposes in connection with the Capital Ice and Cold Storage Company development. In addition to a portion of this area being used for platform purposes, there are two separate types of areas which should be paved. The first is that portion of the area which is occupied and traversed by railroad company track and the balance of the area which is used for vehicles but which is not paved in any way.

Accompanying this report is a map marked 2-H-249. On this map that area marked No. "4" is the area occupied by the railroad company's tracks. Those areas marked "5" and "6" are the balance of the area which should be paved. For the area marked No. "4", I recommend a well-compacted crushed stone at least 12 inches thick with a 2-inch rock asphalt surface on top of same. I suggest this type as it will permit railroad repairs in small units at frequent intervals without affecting the entire area. For the balance of the area shown on the map as areas "5" and "6", I recommend a 5-inch concrete pavement. My estimate for this work is as follows:

Railroad Track Area #4 - 127 square yards at \$3.20	-----	\$406.40
Street Areas # 5 and # 6, 281 square yards at \$1.50	-----	420.50
Total -		<u>\$826.90</u>

Respectfully submitted,

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

Councilman Gillis moved that the Council approve the above plan as outlined by the City Manager and reconsider its former recommendations for paving the entire area between the north line of 3rd Street and the south line of the improvements of the Capital Ice &

Gold Storage Company between Colorado Street and Colorado Street Alley, and that only that portion of the area which has become a part of a public way, according to District Court records, be required to be paved to satisfy the requirements of the certain ordinance passed on October 31, 1929, and recorded in Ordinance Book "H", Pages 90 and 91; and, further, that the City Attorney be instructed to advise the Capital Ice & Cold Storage Company and the Missouri Pacific Railway Company of this action. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

A letter from Dr. Howard Granberry, substantiating his oral request for the purchase of additional equipment for the City Hospital, viz., one large and one portable X-ray machine, a suction machine, and an incubator for Negro babies, was read, and the matter referred to the City Manager for reply.

Mrs. Allie C. Belcher appeared before the Council relative to a controversy that is existing regarding the correct property line of her property at 402 East 15th Street. The matter was referred to the City Engineer, with instructions to go upon the ground with Mrs. Belcher and determine the exact location of the line in question.

W. H. Fuller, D. R. Woodard, and E. H. Givens, a committee from the Negro Citizens Council, submitted to the City Council the following written communication:

"Austin, Texas, February 14, 1933.

To the City Manager and City Council,  
Austin, Texas.

Gentlemen:

During the campaign for the bond issue the Negroes of Austin were promised participation in the benefits of all the bonds. The \$150,000 voted for a library has been spent, and to our way of thinking, a better job could not have been done by any group of men and women anywhere - all credit to our library commission.

We are proud of your magnificent library building, but no provisions have been made for Negroes - notwithstanding the fact that there is not a book available for Negroes in Austin. A special committee, appointed from and by the library commission to make a survey of the library needs for Negroes, recommended that \$20,000.00 be spent for library purposes for Negroes.

We notice by the papers that the city is planning to sell some of its real estate holdings and we suggest that the sale price of the real estate be used to carry out the recommendation of the library commission.

May we further suggest that the City obtain the assistance of the R.F.C. Funds in the development of this project.

Respectfully,

NEGRO CITIZENS' COUNCIL

By (Sgd) W. H. Fuller

D. R. Woodard

E. H. Givens,

Committee "

After a discussion of the matter, the Committee asked that they be given further time in which to take the matter up with their Council again before agreeing to any proposal, and that they would report back to the City Council at its next regular meeting.

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

The Council then recessed.

Attest:  
*Hallie M. Miller* City Clerk

Approved:

*P. H. McFadden*  
MAYOR.