

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, November 9, 1933.

The Council was called to order by the Mayor. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; absent, Councilman Bartholomew, 1.

The Minutes of the last regular meeting were read and Councilman Alford moved the adoption of same as read. The motion was seconded by Councilman Gillis and carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Mayor Miller submitted a request from a committee represented by Mrs. Rush Baldwin, Sister Vincent and George F. Zimmermann, asking that the City contribute to the maintenance of the Home of the Holy Infancy. Mayor Miller moved that the request be granted and that the sum of Fifty Dollars (\$50.00) per month, beginning December 1st, be appropriated for that purpose. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Messrs. A. S. Cross and Gus A. Friske submitted a petition signed by the business firms on Guadalupe Street across from the University Campus, asking for a repeal of the thirty minute parking limit in this section. Action on the petition was deferred until the next regular meeting in order to afford the University officials an opportunity to be heard in the matter.

The Mayor laid before the Council the following resolution:

WHEREAS, Carl E. Quick is the Contractor for the alteration and repair of the building located at the southeast corner of the intersection of Congress Avenue with Fifth Street, being Lot 6, Block 42, of the Original City of Austin, Texas, and said Carl E. Quick desires a portion of the street, sidewalk and alley space abutting said premises during the period of construction, to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said Carl E. Quick, the boundaries of which are described as follows:

STREET, SIDEWALK AND ALLEY WORKING SPACE.

Beginning at a point on the east curb of Congress Avenue at a point 46 feet south of the projection of the south line of East 5th Street; thence in a westerly direction and at right angles with the centerline of Congress Avenue a distance of 15 feet; thence in a northerly direction and parallel with the centerline of Congress Avenue along a line to the point where such line intersects a line which lies in a southwest and northeast direction making an approximate angle of 45° with the east curb of Congress Avenue and passes through a point 5 feet northwest of the curb where the east curb of Congress Avenue and the south curb of 5th Street meet; thence in a northeasterly direction following said line which passes through a point 5 feet northwest of the above mentioned curb to a point 17 feet 6 inches north of the south curb of East 5th Street; thence in an easterly direction and parallel with the centerline of East 5th Street to the projection of the west line of the alley adjoining Lot 6, Block 42 on the east; thence in a southeasterly direction to a point on the projection of the south line of 5th Street 6 feet east of the west line of the above described alley; thence in a southerly direction and parallel with the west line of said alley to the projected south line of Lot 6, Block 42; thence in a westerly direction and at right angles with the west line of said alley to the west line of said alley; thence in a northerly direction following the west line of said alley to the north line of said Lot 6; thence in a westerly direction following the north line of said Lot 6 to the west line of said Lot 6; thence in a southerly direction following the west line of said Lot 6 a distance of 46 feet; thence in a westerly direction to the point of the beginning.

2. THAT the above privileges and allotment of space are granted to said Carl E. Quick, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted along the west, northwest and north boundaries of said working space on Congress Avenue and East 5th Street a substantial walkway at least

4 feet wide in the clear on the inside and at least 8 feet high, the same to be covered solidly on the street side with boards to a height of 4 feet above the pavement and on the building side to be covered solidly with boards to a height of 8 feet. The top of the walkway shall be covered solidly with boards at least 2 inches thick which shall be supported at intervals sufficiently close to prevent sagging of the roofing boards. The roof of said walkway shall be covered with a roofing material which will prevent leaking of the roof and provide a dry walkway at all times. The Contractor will be permitted to place said walkway without a floor and without wood strips or obstructions of any kind along the pavement within the walkway. If at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such wood floor and substantially support the same to prevent sagging under load. In building the walkway and barricade the Contractor shall follow the plan hereto attached and care shall be taken that the fire plug located at the southeast corner of the intersection of Congress Avenue and 5th Street shall be unobstructed and easily accessible to the Fire Department at all times. For proper use of said fire plug, it will be necessary to maintain a clear space of at least 2 feet around the outer projections of the fire plug. Care shall be taken by the Contractor that the view of the traffic light located at the southeast corner of said intersection shall not be obstructed in any way. Gates opening into the working space through the walkway shall be permitted as shown on the plan about the middle of the 5th Street walkway and at the east end of the 5th Street walkway, and also at the south end of the Congress Avenue walkway. Along the east and south boundaries of the alley working space and along the south boundary of the Congress Avenue working space, the Contractor shall construct a solid board fence at least 5 feet high, in which fence a gate at least 4 feet wide may be placed. The gates through the fences and walkways shall be kept closed at all times when not in use and at all times when any such gate is open the Contractor shall maintain a person at the gate to warn pedestrians of moving trucks and vehicles.

(2) The alley working space shall be used in such a way that the alley will not be blocked for use by City Fire trucks.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That storm waters that may collect around the building site shall be unobstructed by any of the Contractor's construction equipment, materials or debris so that the water may be permitted to flow in a natural course along the streets and alleys.

(5) That if it becomes necessary to raise the traffic signal light at the southeast corner of Congress Avenue and 5th Street the same will be raised by the City at the Contractor's expense.

(6) That the Contractor shall place on the outside corners of his barricade and walkway during all periods of darkness red lights to warn the traffic of the obstruction in the street. The walkway shall be provided with electric lights and shall consist of 50 watt lights placed not more than 20 feet on centers.

(7) That the Contractor shall be allowed to construct a temporary work office and storage shed within the allotted working space provided that no part of such shed or office shall be nearer than 25 feet to the street intersection.

(8) That the Contractor shall remove all fences, barricades, loose materials and other obstructions in the streets and alley immediately after the necessity for their existence in said streets and alley has ceased, such time to be determined by the City Manager and in any event all fences, barricades, materials and other obstructions shall be removed not later than January 15, 1934.

(9) The Contractor shall restore all public and private property injured during the construction work to as good condition as the same existed before the construction work began.

(10) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The Mayor laid before the Council the following resolution:

WHEREAS, The Southwestern Bell Telephone Company has presented to the City Council tentative maps and 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 WEST FOURTH STREET from Nueces Street to San Antonio Street, the centerline of which pole line shall be 38 feet south of and parallel to the centerline of said West Fourth Street.

(2) A telephone pole line in BARTLETT STREET from College Avenue to Lindell Avenue, the centerline of which pole line shall be 20 feet south of and parallel to the centerline of said Bartlett Street.

(3) A telephone pole line in EVA STREET ALLEY from Crockett Street Alley to West Mary Street, the centerline of which pole line shall be one foot east of and parallel to the west line of said Eva Street Alley.

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.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

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 OHICON STREET from Rosewood Avenue to East 12th Street, the centerline of which gas main shall be 20 feet east of and parallel to the centerline of said Ohicon 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 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, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

A communication from W. Gillespie Stacy, Agent, asking for approval of the property situated at the corner of Nineteenth and Guadalupe Streets as a site for a gasoline filling station, was received.

The Mayor then laid before the Council the following 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 gasoline filling station site the property situated at the northeast corner of the intersection of Guadalupe Street with West 19th Street, the same being legally described as the West One-half of Lots 9 and 10, Block "C", Outlot 20, Division "D", of the City of Austin, final approval and issuance of the permit to be given after plans and specifications meeting all requirements have been submitted.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The Mayor laid before the Council the following resolution:

WHEREAS, The capital stock and surplus and profits of the Texas Bank & Trust Company was assessed for the year 1932 at One Thousand, Four Hundred, Sixty-eight and 35/100 (\$1468.35) Dollars; and

WHEREAS, It has since been determined that on January 1, 1932, such capital stock and surplus and profits had no value; therefore,

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

THAT the City Assessor and Collector of Taxes be instructed and empowered to cancel said assessment and to charge off the taxes levied against same.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

There being no further business, Councilman Gillis moved to recess, subject to call of the Mayor. The motion was seconded by Councilman Alford and carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Attest:

Helen McQueen City Clerk

Approved:

Tom Miller

MAYOR