

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

The Council then recessed.

Attest:

Willie McKeel
City Clerk

Approved:

Oswald G. Wolf
Mayor Pro tem.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 20, 1934.

The meeting was called to order, with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 5; absent, none.

The reading of the Minutes of the last regular meeting was dispensed with.

Hon. A. S. Burleson, representing the Young Women's Christian Association, petitioned the Council to exempt from taxation the property of said organization located at the corner of 10th and Brazos Streets on the grounds that same is used for charitable purposes. It was the sense of the Council that the request be granted and the Tax Assessor and Collector was instructed to change his tax rolls accordingly.

The Mayor declared the hearing open which was called for today on the proposal of the City Council to amend the Zoning Ordinance of the City of Austin in the following particulars, to wit:

To amend the Use and Height and Area designation of Lots 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, of Fred Carleton's Subdivision of the North Part of 1-B, said property being located on the south side of East 11th Street and extending from East Avenue to San Marcos Street, so as to change same from "A" Residence District and First Height and Area District to "O" Commercial District and Second Height and Area District.

There being no objections to the proposed change, Councilman Wolf then introduced the following ordinance:

AN ORDINANCE AMENDING, IN THE CERTAIN PARTICULARS HEREINAFTER 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 foregoing ordinance was read the first time and Councilman Wolf moved a suspension of the rule and the placing of the ordinance on its second reading. The motion carried by

the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the second time and Councilman Wolf moved a further suspension of the rule and the placing of the ordinance on its third reading. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the third time and Councilman Wolf moved that same be finally passed. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The following application of W. T. Caswell was read:

"Austin, Texas,
December 18, 1934.

Hon. Mayor and City Council
Austin, Texas.

Gentlemen:

I hereby make application for permission to construct two 12-foot commercial driveways across the sidewalk area into my property as follows: One driveway will be on the south side of Riverside Drive at a point approximately 100 feet east of the east line of South Congress Avenue, and the other driveway will be located on the east side of South Congress Avenue at a point approximately 140 feet south of the south line of Riverside Drive.

All city rules, regulations and ordinances governing such construction will be complied with in this case.

Yours truly,

(Sgd) W. T. Caswell. "

Councilman Gillis then offered the following resolution:

WHEREAS, W. T. Caswell has made application to the City Council of the City of Austin for permission to construct two 12-foot commercial driveways across the City sidewalk area into his property situated at the southeast intersection of South Congress Avenue and Riverside Drive and being a portion of the Isaac Decker League within the City of Austin, Travis County, Texas, one of which 12-foot commercial driveways will cross the east sidewalk area of South Congress Avenue at a location approximately 140 feet south of the south line of Riverside Drive and the other said 12-foot commercial driveway will cross the south sidewalk area of Riverside Drive at a location approximately 100 feet east of the east line of South Congress Avenue as shown upon the plan hereto attached marked 2-H-408, which plan is made a part of said request; and

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

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

THAT W. T. Caswell is hereby granted permission to construct two 12-foot commercial driveways into his property situated at the southeast intersection of South Congress Avenue and Riverside Drive, which property is a portion of the Isaac Decker League within the City of Austin, Travis County, Texas, one of which 12-foot commercial driveways may cross the east sidewalk area of South Congress Avenue at a location approximately 140 feet south of the south line of Riverside Drive and the other said 12-foot commercial driveway may cross the south sidewalk area of Riverside Drive at a location approximately 100 feet east of the east line of South Congress Avenue, subject to the construction of concrete ramps, curbs, driveways and expansion joints as shown upon the plan marked 2-H-408, which plan is hereby

made a part of this resolution, and further subject to the condition that all concrete curb, ramp and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the direction and supervision of the City Engineer of the City of Austin and in accordance with the lines and grades furnished by the Engineering Department of the City of Austin.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Gillis offered 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 ESSEX AVENUE, beginning at a point 12 feet west of and 266 feet north of the intersection of the east line of Essex Avenue and the north line of West 8th Street produced easterly from a point west on Essex Avenue;

Thence in a northerly direction with the centerline of said gas main, which centerline shall be 12 feet west of and parallel to the east line of said Essex Avenue, for a distance of 55 feet.

Said gas main described above shall have a cover of not less than 2½ feet.

(2) A 4" gas main across a portion of EAST SEVENTH STREET as follows: Beginning at a point 31 feet south of and 35 feet west of the intersection of the north line of East 7th Street and the west line of Sabine Street;

Thence northerly perpendicular to the centerline of East 7th Street a distance of 24 feet to a point that is 7 feet south of the north line of East 7th 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 out 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 foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

A petition signed by the wholesale fruit and produce dealers of the City, asking that the ordinance levying a tax on such wholesale dealers be repealed, was received and taken under advisement.

Councilman Gillis offered the following resolution:

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 various works under P. W. A. Docket No. 4870, Eng. Ref. No. 593, was duly advertised to be received by the City Manager and to be opened at 2 o'clock P. M., Wednesday, December 19, 1934, at the City Hall in the City of Austin, Texas; and

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

WHEREAS, Thereupon it was found that F. C. Youmans, of Houston, Texas, was the lowest and best bidder for that part of the work designated under Docket No. 4870, Eng. Ref. No. 593, to wit, for the furnishing and installing of all materials and labor necessary in the construction of water mains, and that said bid was regular and proper in all particulars; therefore,

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

THAT said bid of F. C. Youmans for the furnishing and installing of all materials and labor necessary in the construction of certain water mains, for the aggregate sum of \$146,259.40, based upon unit prices given in said bid, 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 contract with said F. C. Youmans for such purposes, subject to the approval of the Federal Emergency Administration of Public Works.

The foregoing resolution was read and upon motion of Councilman Gillis, seconded by Councilman Alford, the same was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Gillis offered the following resolution:

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 various works under P. W. A. Docket No. 1758, Eng. Ref. No. 66b (1-2), was duly advertised to be received by the City Manager and to be opened at 10 o'clock A. M. Wednesday, December 19, 1934, at the City Hall in the City of Austin, Texas; and

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

WHEREAS, Thereupon it was found that W. J. Schwarzer, of Austin, Texas, was the lowest and best bidder for that part of the work designated under Docket No. 1758, Eng. Ref. No. 66b (1), to wit, for the general construction of the Head House and second story laboratory addition to the Filter Building, and that said bid was regular and proper in all particulars; and

WHEREAS, Thereupon it was also found that Fox-Schmidt Company, Austin, Texas, was the lowest and best bidder for that part of the work designated under Docket No. 1758, Eng. Ref. No. 66b (2), to wit, for the construction and installation of the mechanical equipment, including plumbing, electrical and heading equipment on and in said works, and that said bid was regular and proper in all particulars; therefore

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

THAT the bid of W. J. Schwarzer for the construction of the Head House and second story laboratory addition to the Filter Building, for the lump sum of \$19,666, 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 contract with said W. J. Schwarzer for such purpose, subject to the

approval of the Federal Emergency Administration of Public Works.

BE IT FURTHER RESOLVED: THAT said bid of Fox-Schmidt Company, under mechanical, for the construction and installation of mechanical equipment in the Head House and Filter Building, including plumbing, electrical and heading equipment, for the lump sum of \$3373.00 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 contract with said Fox-Schmidt Company for such purposes, subject to the approval of the Federal Emergency Administration of Public Works.

The foregoing resolution was read and upon motion of Councilman Gillis, seconded by Councilman Alford, the same was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Mayor Miller moved that the Council rescind its action of January 25, 1934, abolishing the salaries of the Board of Adjustment, as same appears of record in Minute Book No. 14, at Page 321, and that the City Manager be instructed to pay to said Board of Adjustment all salaries due said Board for services rendered in 1934. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf offered the following resolution:

WHEREAS, The City Manager has recommended that, in view of the increase in the cost of living expenses during the year 1934, and the fact that all City employees have heretofore had their salaries cut on two different occasions, those employees drawing salaries less than \$100.00 per month be increased ten per cent (10%) for the month of December, and those employees drawing salaries between \$100.00 and \$150.00 per month be increased five per cent (5%) for the month of December, provided that the minimum salary increase for said month be \$5.00 and the maximum salary increase for said month be fixed at \$7.50, to be paid from the funds hereinafter specified; and

WHEREAS, The City Council concurs in the above recommendation; now, therefore,

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

THAT the City Manager be and he is hereby authorized to provide for the salary increases as above specified for the month of December, 1934, only, and the sum of \$2,781.70 be and the same is hereby appropriated out of the General Fund not otherwise appropriated, and the sum of \$1,274.55 be and the same is hereby appropriated out of the Water and Light Fund not otherwise appropriated for the purpose of paying said salary increases.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Budget of the City of Austin for the year 1935, as prepared and submitted to the City Council by the City Manager, was ordered filed for consideration and action.

The following reports of the engineering staff were submitted and read prior to the adoption of the resolutions awarding the contracts for the work therein described, as recorded on the preceding page:

"Austin, Texas,
December 20, 1934.

Docket No. 4870
Project No. 593
Water Line Extension.

Hon. Mayor and City Council
Austin, Texas.

Gentlemen:

We submit herewith tabulation of bids received and opened at 2:00 P. M., December 19, 1934, on the "Water Line Extension", P.W.A. Docket No. 4870, Project No. 593.

Nineteen (19) bids were received and tabulated, as indicated on attached tabulation.

It is the recommendation of the engineering staff that the bid of F. C. Youmans, Houston, Texas, totaling \$146,259.40, for the lowest best bid for the furnishing and installing of all materials and labor necessary in the construction of certain water mains, as set forth in the plans and specifications of that project, as indicated by the unit prices set forth in their proposal, be accepted.

Very truly yours,

Engineering Staff

By (Sgd) Walter E. Seaholm
 " J. E. Motheral
 " C. G. Levander
 " Albert R. Davis
 " Thomas C. Green. "

"Austin, Texas
 December 20, 1934.

Docket No. 1758
 Eng. Ref. No. 66b (1&2)
 Head House and Second
 Story Laboratory Addition
 to the Filter
 Building.

Hon. Mayor and City Council
 Austin, Texas.

Gentlemen:

We submit herewith the tabulation of bids received and opened at 10:00 A. M., December 19, 1934, on the general construction and mechanical installation on the "Head House and Second Story Laboratory Addition to Filter Building," P. W. A. Docket No. 1758, Project No. 66b (& 2).

Five (5) bids were received and tabulated, as indicated on attached tabulations.

It is the recommendation of the engineering staff that the lump sum bid of W. J. Schwarzer, Austin, Texas, of \$19,666.00, for the "General Construction" of the Head House and Second Story Laboratory Addition to the Filter Building, as set forth in his proposal, be accepted, and that the bid of Fox-Schmidt Company, Austin, Texas, of \$3,373.00, for the mechanical installation in the Head House and Second Story Laboratory Addition to the Filter Building, as set forth in their proposal, be accepted.

Very truly yours,

Engineering Staff

By (Sgd) Walter E. Seaholm
 " J. E. Motheral
 " C. G. Levander
 " Albert R. Davis
 " Thomas C. Green. "

There being no further business, Councilman Gillis moved to recess subject to call of the Mayor. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Council then recessed.

Attest:

Hallie G. McLean
 City Clerk

Approved:

Tom Miller
 Mayor.