

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 9th, 1930.

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

The Minutes of the last meeting were read and Councilman Mueller moved that the same be adopted. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

A petition signed by the business firms in the east half of the 100 block on East Tenth Street, asking for one hour parking for this area, was read and referred to the City Manager to have the proper ordinance drawn.

A letter from T. B. Marshall, Tax Assessor and Collector, with reference to the delinquent taxes for the years 1923 and 1924 on the property owned by F. M. Marley, being Lot 25, Block 1, Outlots 73-74, Division "D", Aldridge Place, was read. Councilman Mueller moved that the City Manager be directed to make such adjustment as he deems advisable. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

City Manager Johnson presented to the Council bill of United Engineers & Constructors, in the amount of \$176.45, being final charges in connection with the design and construction of three sub-stations for the City. Councilman Mueller moved that said bill be approved and ordered paid. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

A letter from the Police Department, asking that an ordinance be passed prohibiting all automobiles, except police cars, fire apparatus and ambulances, from being equipped with sirens, was read and the matter referred to the City Manager and City Attorney to have the proper ordinance drawn.

The Mayor laid before the Council the following resolution:

WHEREAS, the erection of residences along Dam Boulevard and the erection of numerous camp cottages between said Dam Boulevard and Colorado River, all west of Eddy Street has become so numerous that it is difficult to identify the various premises; and

WHEREAS, said residences and cottages have never been numbered in accordance with the City of Austin's scheme of numbering houses; and

WHEREAS, the City Engineer has prepared a map and made a study of the situation and has assigned a number for all premises abutting Dam Boulevard and to all camp cottages between said Boulevard and Colorado River; therefore,

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

That the residences abutting Dam Boulevard and the camp cottages between said Dam Boulevard and the Colorado River all west of Eddy Street be numbered according to the numbering shown on the plat hereto attached marked 2-I-35, which plat is hereby made a part of this resolution.

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

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 4-inch gas main in East Eighteenth Street from Red River Street to Neches Street, the center line of which gas main shall be 24 feet south of the north line of said East Eighteenth Street and parallel thereto. Said gas main 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; and

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 franchises granted to said Company by the City of Austin.

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

The Mayor laid before the Council the following resolution:

WHEREAS, the Park Board of the City of Austin has recommended the development of Fruth Park, as recorded in the tentative budget prepared by the Park Board for the year 1930 developments, in the sum of \$10,000.00; and

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

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

That the sum of \$10,000.00 is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of developing Fruth Park.

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

The Mayor laid before the Council the following resolution:

WHEREAS, the Park Board of the City of Austin has recommended the development of that triangular area which lies north of Twentieth Street, west of East Avenue, or Cameron Road, and east of Swisher Street, at an estimated cost of \$750.00; and

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

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

That the sum of \$750.00 is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of developing East Avenue immediately north of and adjacent to Twentieth Street.

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

Reports of Southwest Bitulithic Company, stating that they had completed the paving on East Nineteenth Street from Congress Avenue to East Avenue, and of H. R. F. Helland, Consulting Engineer, recommending that said work be accepted, were read.

The Mayor then laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF EAST NINETEENTH STREET IN THE CITY OF AUSTIN, PROVIDING FOR PAYMENT OF ANY BALANCE DUE BY THE CITY FOR ITS PORTION OF THE COSTS OF SAID IMPROVEMENTS AND FOR THE DELIVERY OF CERTIFICATES OF ASSESSMENTS AGAINST ABUTTING PROPERTY AND ITS OWNERS.

WHEREAS, on the 17th day of April, 1930, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

EAST NINETEENTH STREET from the east line of Congress Avenue to the west line of East Avenue, known and designated as Unit or District No. 41; and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvements above described in accordance with its contract and the plans and specifications made a part thereof and said improvements have been found satisfactory and approved by the Consulting Engineer of the City, and have been found satisfactory and in accordance with the contract by the City Council of said City;

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

I.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of East 19th Street hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

II.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said Contractor, and that the Mayor and City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels of property abutting upon said portion of street and the owners of said property as heretofore provided by the ordinance levying assessments against said property and the owners thereof.

That this resolution take effect at once.

The foregoing resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following resolution:  
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the sum of Nine Hundred Eighty-six and 41/100 (\$986.41) Dollars be and the same is hereby transferred from the General Fund to the Fire Stations Bond Fund; said amount to be repaid the General Fund out of money to be received from the sale of Fire Stations Bonds.

The purpose of this loan is for purchase from The Walter Tips Company as follows:

1 Drill School Net, 27 x 27  
2 Samson Ropes, 5/8" of 130' length - - - - - for \$986.41

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

The Mayor laid before the Council the following resolution:

RESOLUTION ACCEPTING THE FINAL REPORT OF THE ZONING COMMISSION OF THE CITY OF AUSTIN, AND PROVIDING FOR PUBLIC HEARING BEFORE THE CITY COUNCIL OF ALL PARTIES IN INTEREST AND ALL CITIZENS HAVING RELATION THERETO, ON THE REGULATIONS, RESTRICTIONS AND BOUNDARIES PROVIDED BY THE ZONING MAPS AND THE ZONING ORDINANCE AS PROPOSED AND RECOMMENDED IN SAID FINAL REPORT OF THE ZONING COMMISSION.

WHEREAS, the Zoning Commission of the City of Austin has heretofore been duly appointed and constituted by the City Council of said City, as required by law, for the purpose of recommending boundaries for various zones or districts of the City of Austin, and appropriate regulations to be enforced therein, with reference to the use of land for trade, industry, residence, or other purposes, and the location, height, number of stories, and size of buildings and other structures, to be situated thereon, and the percentage of lot that may be occupied, and the size of yards, courts and other open spaces; and

WHEREAS, the Zoning Commission, in accordance with its constitution and authority, has proposed to divide the City of Austin into certain districts or zones, and has proposed to provide, regulate and restrict the use of buildings, structures and land for trade, industry, residence or other purposes, in said districts or zones, respectively, and to regulate and restrict the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied and the size of yards, courts and other open spaces in said district or zones, respectively; and a preliminary report of such work has heretofore been made to the City Council, as required by law; and

WHEREAS, thereafter, the Zoning Commission held, as provided by law, public hearings in relation to the boundaries of the said zones into which the City of Austin had been proposed to be divided and the regulations proposed to be enforced therein, all as shown by its said preliminary report; and

WHEREAS, said Zoning Commission has now, after such hearings, submitted to the City Council its final report on said subjects, which report contains a

proposed ordinance and the certain maps in relation thereto; and

WHEREAS, it is required by law that public hearing shall be given by the City Council to all interested parties, before the enactment and effect of any such ordinance and the adoption of the maps in relation thereto; Now, therefore,

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

That the final report of the Zoning Commission of the City of Austin, with its accompanying maps, showing boundaries of zones and recommendations of restrictions and regulations to be incorporated in the Zoning Ordinance, be and the same is hereby accepted and ordered filed; and

BE IT FURTHER RESOLVED:

That the Mayor is hereby directed to give notice of the public hearing, as required by law, to be held in the Council Chamber at the City Hall in the City of Austin on the 30th day of October, at 7:30 P. M., at which hearing all parties in interest and citizens shall be accorded an opportunity to be heard in relation to the boundaries of the various use zones and height and area zones to be established, and the regulations and restrictions to be enforced therein; and which hearing may be continued from time to time thereafter until ample opportunity has been accorded to all such persons to be fully heard in regard thereto.

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

Mayor McFadden moved that the expense account of the City Manager to San Francisco to attend the International City Managers' Convention, in the amount of \$238.49, be approved and ordered paid. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council for its third reading the following ordinance:

AN ORDINANCE REGULATING  
TRAFFIC ON LAVACA STREET,  
BETWEEN ITS INTERSECTION  
WITH SEVENTH STREET AND  
ITS INTERSECTION WITH  
NINTH STREET, IN THE CITY  
OF AUSTIN, CUMULATIVE OF  
CERTAIN ORDINANCES HERE-  
TOFORE ORDAINED, REPEALING  
ORDINANCES IN CONFLICT, AND  
PREScribing PENALTIES.

The above ordinance was read the third time and Mayor McFadden moved that same be finally passed. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The hearing of property owners and other interested parties with reference to the street improvements to be constructed on Twenty-sixth Street from Guadalupe to Duval Streets was continued until the next regular meeting.

City Manager Johnson laid before the Council the bids received for the grading of driveways and channels in Fruth Park and for grading Waller Creek Boulevard from Twenty-sixth Street to Thirtieth Street and Speedway. Councilman Mueller moved that the bid of R. Canion, in the amount of \$2642.50, be accepted as the lowest and best bid and that the City Manager be authorized to enter into a contract with said R. Canion for said work at said price, and, further, that \$1642.50 of this amount be paid out of the Parks & Playgrounds Bond Fund and the remaining \$1000.00 be paid out of the Street Improvement Bond Fund. Motion was seconded by Councilman Pannell and