

Councilman Mueller moved that the Council recess, subject to call of the Mayor, 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.

The Council then recessed.

Approved

O. W. McFadden
MAYOR.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 4, 1930.

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

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

The Mayor laid before the Council the following:

"Austin, Texas, December 4, 1930.

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

Dear Sir:

We, the members of the Safety Committee of the City of Austin, have considered the plans presented by Mr. M. H. Corckett for a filling station to be constructed and operated at the southeast corner of 19th and San Jacinto Streets, tentative approval of the site having already been granted by the City Council in accordance with the Minutes of the City Clerk as recorded in Book 12, Page 246.

We, the Safety Committee, recommend that said permit be granted subject to the following conditions:

- (1) That all buildings and equipment shall be placed inside the property line, correct lines to be obtained before construction starts, or equipment installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building plans to be approved by the City Building Inspector, sidewalk grades to be secured from the Engineering Department before commencing any building construction.
- (2) That ceiling of that portion of the building that extends over driveways shall be covered with metal. Supports for portion extended over driveway to be supported by brick or reinforced concrete pillars.
- (3) That gasoline storage tanks and pumps and equipment used in connection therewith shall be of an approved type, and shall bear the label of the National Board of Fire Underwriters. All equipment to be installed in compliance with City and State Regulations governing such installations. All equipment to be inspected and approved before being placed in service.

(4) That gasoline pumps and other equipment used in connection with the operation of a gasoline filling station shall be so located that cars receiving service therefrom will not in any way obstruct the sidewalk, street or alleyway. That the pumps shall be at least ten (10) feet inside the property line and that no buildings, pumps or equipment shall be less than thirty (30) feet from adjoining residence. That the length of all water hose shall be such that any water leaking from same can not reach the City sidewalk area and that the length of all gasoline hose shall be such that a car desiring service can not be served while any portion of said car is on the City sidewalk area.

(5) That electric lights only shall be used for lighting purposes, and all electric wiring shall be done in compliance with regulations governing the wiring of gasoline filling stations, and shall be approved by the City Electrical Department.

(6) That "NO SMOKING" signs shall be displayed at all times and no person shall be permitted to smoke or have any open flame on premises where gasoline is sold or stored.

(7) That there shall be kept in an accessible place at all times, a chemical fire extinguisher for emergency purposes.

(8) That the grades of the station shall be such that no waste oils or water or any floor washing shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-48, and shall be conducted by a pipe connection from said sand trap to the nearest City storm sewer or to Waller Creek at the expense of the applicant. Before commencement of any construction the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any city street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(9) That all adjacent ramps, gutters, curb, alley and street paving shall be constructed of concrete in accordance with plan No. 2-G-152, which plan is hereby made a part of this resolution.

(10) That the cost of the change of any portion of the bridge structure close to said property and the cost of reconstructing and replacing curbs on a new location as suggested and requested by Mr. M. H. Crockett, shall be borne by Mr. M.H.Crockett, and that all work in connection therewith shall be done in accordance with the plans, specifications and directions of the City Engineer.

(11) That all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector, and the mechanic employed by the applicant to install the gasoline equipment shall apply to the Plumbing Inspector for a special permit and shall give Plumbing Inspector sufficient notice when ready for inspection.

(12) That the applicant or the mechanic employed by the applicant to make the installation shall apply to the Inspector of Weights and Measures for inspection after the installation has been approved by the Plumbing Inspector.

(13) That before using said station the owner shall apply to the City Engineer for final inspection when he considers that he has complied with all of the requirements of the City.

CITY SAFETY COMMITTEE,

(Sgd) J. E. Woody, Fire Chief;

R. F. Rockwood, Fire Marshal;

Orin E. Metcalfe, City Engineer;

Tom Neal, Traffic Police Captain;

L. A. Palmer, City Plumbing Inspector. "

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

That permission shall be granted to Mr. M. H. Crockett to construct and operate a gasoline filling station at the southeast corner of 19th and San Jacinto Streets, subject to the foregoing conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating gasoline filling stations, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire

regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that Mr. M. H. Crockett has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

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

The application of H. D. Nunnelee to construct a gasoline filling station at 4201 Guadalupe Street was read and referred to the Safety Committee for approval.

The application of K. C. Miller to construct a gasoline filling station at the northeast corner of LaFayette Avenue and Manor Road was read and Councilman Pannell moved that the site be tentatively approved, pending plans and specifications for same to be approved by the Safety Committee. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE REGULATING THE STORAGE AND HANDLING OF GASOLINE AND OTHER VOLATILE LIQUID; PROHIBITING THE ERECTION, CONSTRUCTION, BUILDING, MAINTENANCE OR OPERATION OF GASOLINE FILLING STATIONS OR EQUIPMENT WITHOUT PERMIT THEREFOR; PROHIBITING THE SALE, DELIVERY OR PURCHASE OF GASOLINE FROM TANKS WAGONS OR OTHER MOVABLE TANKS, EXCEPT AS PROVIDED IN THIS ORDINANCE; PROHIBITING THE USE OF CERTAIN STREETS BY TANK WAGONS OR OTHER PORTABLE TANKS TRANSPORTING GASOLINE OR OTHER VOLATILE LIQUID; REGULATING THE USE OF BUILDINGS USED FOR STORAGE AND HANDLING OF GASOLINE OR OTHER VOLATILE LIQUID, WITH REFERENCE TO OTHER OCCUPANCY; PROHIBITING THE ERECTING OR MAINTENANCE OF FILLING STATIONS WITHIN A DESIGNATED DISTANCE OF ANY SCHOOL OR CHURCH; PROVIDING A PENALTY FOR THE VIOLATION OF ANY PART OF THE ORDINANCE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The above ordinance was read the first time and laid over.

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 One Hundred Four (\$104.00) Dollars be and the same is hereby appropriated out of the reserved portion of the General Fund and placed to the Police Department, Salaries (#40101) Account, to cover expense of employing extra traffic police during the Thanksgiving rush:

26 (Firemen) appointed Police at \$4.00 each -----\$104.00

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

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 Twenty Thousand Dollars (\$20,000.00) be and the same is hereby transferred from the Water and Light Fund to the General Fund, said amount being partial payment of loans made to the Water and Light Fund by the General Fund

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

The Mayor laid before the Council an ordinance calling for one hour parking on East Tenth Street from the alley to Brazos Street, and Councilman Reed moved that before taking action upon same the matter be referred to the Traffic Department for recommendations with regard to extending the parking limit to include additional territory and especially prohibiting any parking on Brazos Street from the alley to Eleventh Street. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, sixteen (16) acres of land out of Outlots 1 and 2, Division "D", City of Austin, Texas, owned by James Cavanaugh, Anna C. Tobin and James Cavanaugh, Jr., is delinquent for taxes for the years 1927, 1928, and 1929; and

WHEREAS, during all of said years said property has been burdened by condemnation proceedings in behalf of the State of Texas, and for said reason has been incapable of sale by said owners; and

WHEREAS, said property has been contracted for sale to an agency for the State of Texas, said contract being dated about July 1st, 1930; therefore,

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

That in consideration of the premises and upon the payment of said taxes, all interest and penalties for said years be and the same are hereby remitted; and

BE IT FURTHER RESOLVED:

That in further consideration of the premises and the payment of said taxes, that only one-half ($\frac{1}{2}$) of the taxes for 1930 be collected against said property.

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

The Mayor laid before the Council the following resolution:

WHEREAS, nine (9) acres of land out of Outlot "O", Division "D", City of Austin, Texas, owned by James Cavanaugh, Anna C. Tobin and James Cavanaugh, Jr., is delinquent for taxes for the year 1927, 1928, and 1929; and

WHEREAS, during all of said years said property has been burdened by condemnation proceedings in behalf of the State of Texas, and for said reason has been incapable of sale by said owners; and

WHEREAS, said property has been contracted for sale to an agency for the State of Texas, said contract being dated about July 1st, 1930; therefore,

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

That in consideration of the premises and upon the payment of said taxes, all interest and penalties for said years be and the same are hereby remitted; and

BE IT FURTHER RESOLVED:

That in further consideration of the premises and the payment of said taxes, that only one-half ($\frac{1}{2}$) of the taxes for 1930 be collected against said property.

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

Reports of Southwest Bitulithic Company, advising that they had completed the paving on East Twenty-second Street from the east line of Red River Street to the west line of East Avenue, District No. 47, and of H. R. F. Helland, Consulting Engi-

near, stating that said paving has been completed in accordance with the plans and specifications and recommending the acceptance of same, were read and ordered filed.

The Mayor laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF TWENTY-SECOND 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:

TWENTY-SECOND STREET from the east property line of Red River Street to the west property line of East Avenue, known and designated as Unit or District No. 47; 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 Twenty-second 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.

III.

That this resolution take effect at once.

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

The Mayor laid before the Council for its second reading the following :

ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING AND PROVIDING FOR THE IMPROVEMENT OF PORTIONS OF EAST AVENUE AND PORTIONS OF SUNDRY OTHER STREETS AND HIGHWAYS IN THE CITY OF AUSTIN, TEXAS, LETTING CONTRACT THEREFOR, APPROVING FORM OF CONTRACT AND BOND, AND PROVIDING FOR THE PAYMENT OF THE COST THEREOF.

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

The Mayor laid before the Council for its second reading the following:

ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING AND PROVIDING FOR THE IMPROVEMENT OF A PORTION OF WEST SIXTH STREET IN THE CITY OF AUSTIN, LETTING CONTRACT THEREFOR, APPROVING FORM OF CONTRACT AND BOND AND PROVIDING FOR THE PAYMENT OF THE COST THEREOF.

The above ordinance was read the second time and Councilman Mueller moved that the rule be suspended and the ordinance passed to its third reading. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, 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 Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The roll or statement of the Consulting Engineer, showing the estimated cost of improving Brazos Street from the north line of East First Street to the south line of East Second Street, District No. P-91, was read and ordered filed.

The Mayor then laid before the Council the following resolution:

RESOLUTION APPROVING AND ADOPTING ESTIMATE OF THE COST OF IMPROVEMENTS ON A PORTION OF BRAZOS STREET IN THE CITY OF AUSTIN, TEXAS, FIXING TIME AND PLACE FOR HEARING TO THE OWNERS OF ABUTTING PROPERTY, AND DIRECTING THE CITY MANAGER TO GIVE NOTICE.

WHEREAS, the City Council of the City of Austin has heretofore ordered that the hereinbelow mentioned portions of highways be improved by raising, grading and filling, and installing concrete curbs and gutters, and by paving with 2-inch Warrenite Bitulithic Wearing Surface on a 6 inch concrete base, with necessary appurtenances, and contract therefor has been made and entered into with Southwest Bitulithic Company; and

WHEREAS, the City Council has caused the City Engineer to prepare and file estimates of the cost of such improvements, and estimate of the amounts per front foot proposed to be assessed against abutting property and the owners thereof, and such estimates have been examined;

Therefore,

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

I.

That such estimates be and they are adopted and approved.

II.

That it is hereby found and determined that the cost of improvements on each such portion of highway, with the amount or amounts per front foot proposed to be assessed for such improvements against the abutting property and owners thereof, on each such portion of street or highway are as follows, to-wit:

BRAZOS STREET from the north property line of East First Street to the south property line of East Second Street, known and designated as Unit or District No. P-91, Estimated cost of improvements is \$4687.93. Estimated amount per front foot to be assessed for curb and gutter is \$0.70. Estimated amount per front foot to be assessed against abutting property and its owners for improvements exclusive of curb and gutter is \$6.151. Total estimated amount per front foot to be assessed against abutting property and its owners is \$6.851.

III.

That a hearing be given and held by and before the City Council of the City of Austin, Texas, to all owning or claiming any property abutting upon any of said portions of streets and highways, as well as all owning or claiming any interest in any such property. Such hearing shall be given and held on the 18th day of December, 1930, at 10:30 o'clock A. M., in the regular Council Meeting Room in the City Hall in the City of Austin, Texas, and the City Manager is hereby directed to give notice of the time and place of such hearing, and of other matters and facts, in accordance with the terms and provisions of Article XXIV of the Charter of the City of Austin, which Article was added by amendment adopted at an election held on November 24th, 1928. Such notice shall be by advertisement inserted at least three times in a newspaper published in the City of Austin, Texas, the first publication to be made at least ten days before the date of said hearing. Said notice shall comply with and be in accordance with the terms and provisions of said Article XXIV.

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

The roll or statement of the Consulting Engineer, showing the estimated cost of improving Fifteenth Street from the east property line of Congress Avenue to the west property line of Red River Street, District No. P-92; Fifteenth Street from the east property line of Red River Street to the east property line of Sabine Street, District No. P-93; Fifteenth Street from the east property line of Sabine Street to the west property line of East Avenue, District No. P-94; San Antonio Street from the north property line of West Sixth Street to the south property line of West Seventh Street, District No. P-100; Eleventh Street from the east property line of Guadalupe Street to the west property line of Lavaca Street, District No. P-101; and Eighteenth Street from the west property line of Congress Avenue to the east property line of Guadalupe Street, District No. P-104, was read and ordered filed.

The Mayor then laid before the Council the following resolution:

RESOLUTION APPROVING AND ADOPTING ESTIMATE OF THE COST OF IMPROVEMENTS AND OF AMOUNTS TO BE ASSESSED FOR IMPROVEMENTS ON A PORTION OF FIFTEENTH STREET AND PORTIONS OF SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, FIXING TIME AND PLACE FOR HEARING TO THE OWNERS OF ABUTTING PROPERTY AND DIRECTING THE CITY MANAGER TO GIVE NOTICE.

WHEREAS, the City Council of the City of Austin has heretofore ordered that the hereinbelow mentioned portions of highways be improved by raising, grading,

and filling, and installing concrete curbs and gutters, and by paving with two inch Warrenite Bitulithic Wearing Surface on a 5 inch concrete base, with necessary appurtenances, and contract therefor has been made and entered into with Southwest Bitulithic Company; and

WHEREAS, the City Council has caused the City Engineer to prepare and file estimates of the cost of such improvements, and estimate of the amounts per front foot proposed to be assessed against abutting property and the owners thereof, and such estimates have been examined;

Therefore,

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

I.

That such estimates be and they are adopted and approved.

II.

That it is hereby found and determined that the cost of improvements on each such portion of highway, with the amount or amounts per front foot proposed to be assessed for such improvements against the abutting property and owners thereof, on each such portion of street or highway are as follows, to-wit:

FIFTEENTH STREET from the east property line of Congress Avenue to the west property line of Red River Street, known and designated as Unit or District No. P-92. Estimated cost of improvements is \$28,491.87. Estimated amount per front foot to be assessed for curb and gutter is \$.70. Estimated amount per front foot to be assessed against abutting property and its owners for improvements, exclusive of curb and gutter, is \$5.189. Total estimated amount per front foot to be assessed against abutting property and its owners is \$5.889.

FIFTEENTH STREET from the east property line of Red River Street to the east property line of Sabine Street, known and designated as Unit or District No. P-93. Estimated cost of improvements is \$4647.65. Estimated amount per front foot to be assessed for curb and gutter is \$.70. Estimated amount per front foot to be assessed against abutting property and its owners for improvements, exclusive of curb and gutter, is \$4.745. Total estimated amount per front foot to be assessed against abutting property and its owners is \$5.445.

FIFTEENTH STREET from the east property line of Sabine Street to the west property line of East Avenue, known and designated as Unit or District No. P-94. Estimated cost of improvements is \$3451.10. Estimated amount per front foot to be assessed for curb and gutter is \$.70. Estimated amount per front foot to be assessed against abutting property and its owners for improvements, exclusive of curb and gutter, is \$4.812. Total estimated amount per front foot to be assessed against abutting property and its owners is \$5.512.

SAN ANTONIO STREET from the north property line of West Sixth Street to the south property line of West Seventh Street, known and designated as Unit or District No. P-100. Estimated cost of improvements is \$2944.17. Estimated amount per front foot to be assessed for curb and gutter is \$.70. Estimated amount per front foot to be assessed against abutting property and its owners for improvements, exclusive of curb and gutter, is \$4.064. Total estimated amount per front foot to be assessed against abutting property and its owners is \$4.764.

ELEVENTH STREET from the east property line of Guadalupe Street to the west property line of Lavaca Street, known and designated as Unit or District No. P-101. Estimated cost of improvements is \$3409.32. Estimated amount per front foot to be assessed for curb and gutter is \$.70. Estimated amount per front foot to be assessed against abutting property and its owners for improvements, exclusive of curb and gutter, is \$4.965. Total estimated amount per front foot to be assessed against abutting property and its owners is \$5.665.

EIGHTEENTH STREET from the west property line of Congress Avenue to the east property line of Guadalupe Street, known and designated as Unit or District No. P-104. Estimated cost of improvements is \$8554.17. Estimated amount per front foot to be assessed for curb and gutter is \$.70. Estimated amount per front foot to be assessed against abutting property and its owners for improvements, exclusive of curb and gutter, is \$3.164. Total estimated amount per front foot to be assessed against abutting property and its owners is \$3.864.

III.

That a hearing be given and held by and before the City Council of the City of Austin, Texas, to all owning or claiming any property abutting upon any of said portions of streets and highways, as well as all owning or claiming any interest in any such property. Such hearing shall be given and held on the 13th day of December, 1930,

at 10:30 o'clock A. M., in the regular Council Meeting Room in the City Hall in the City of Austin, Texas, and the City Manager is hereby directed to give notice of the time and place of such hearing, and of other matters and facts, in accordance with the terms and provisions of Article XXIV of the Charter of the City of Austin, which Article was added by amendment adopted at an election held on November 24th, 1928. Such notice shall be by advertisement inserted at least three times in a newspaper published in the City of Austin, Texas, the first publication to be made at least ten days before the date of said hearing. Said notice shall comply with and be in accordance with the terms and provisions of said Article XXIV.

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

The Mayor laid before the Council the following ordinance:

ORDINANCE OF THE CITY OF AUSTIN, TEXAS, DETERMINING THE NECESSITY FOR LEVYING AN ASSESSMENT AGAINST THE PROPERTY AND THE OWNERS THEREOF ON CHICON STREET AND SUNDRY OTHER STREETS AND ALLEYS, IN THE CITY OF AUSTIN, FOR A PART OF THE COST OF IMPROVING SAID STREETS AND ALLEYS, AND FIXING A TIME FOR A HEARING OF THE OWNERS OR AGENTS OF SAID OWNERS OF SAID PROPERTY, OR OF ANY PERSONS INTERESTED IN SAID IMPROVEMENTS, AS PROVIDED BY THE CHARTER OF THE CITY OF AUSTIN, AND DIRECTING THE CITY MANAGER TO GIVE NOTICE OF SAID HEARING AND EXAMINING AND APPROVING THE ROLL OR STATEMENT OF THE CONSULTING ENGINEER, 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 Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, 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 Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, 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 Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council a tentative map or plan showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said map or plan has 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 low pressure gas main in San Antonio Street Alley from West Twenty-first Street to West Twenty-Second Street, the center line of which gas main shall be 5 feet west of the east line of said San Antonio Street Alley and parallel thereto, said gas main described above shall have a cover of not less than 2 feet.

(2) A 4-inch low pressure gas main in Trinity Street, beginning at a point 26 feet south of and 18 feet west of the intersection of the north line of East Seventh Street and the center line of Trinity Street;

Thence in a southerly direction 18 feet west of and parallel to the center line of said Trinity Street a distance of approximately one block to a point 22 feet north of the south line of East Sixth Street.

(3) A 4-inch low pressure gas main in South Fourth Street from West Mary Street to West Johanna Street, the center line of which gas main shall be 15 feet west of the east line of said South Fourth Street and parallel thereto. Said gas main described above shall have a cover of not less than 2 feet.

(4) A 4-inch low pressure gas main in West Johanna Street from South Second Street to South Fourth Street, the center line of which gas main shall be 15 feet south of the north line of said West Johanna Street and parallel thereto. Said gas main described above shall have a cover of not less than 2 feet.

(5) A 4-inch low pressure gas main in Leonard Street from Beanna Street westerly approximately one block to Waller Creek, the center line of which gas main shall be 10 feet south of the north line of said Leonard Street and parallel thereto. Said gas main described above shall have a cover of not less than 2 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 depths 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 wherever pavement is out in the vicinity of a fire plug, water must be used at intervals during the course of backfilling 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 franchise granted to said company by the City of Austin.

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

Councilman Steck moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Council then recessed.

Approved:

J. M. Fadden
M a y o r .