

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, May 22, 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 reading of the Minutes of the last meetings was deferred.

This being the day set for the hearing of owners of abutting property and others interested with reference to street improvements to be constructed in certain units or districts of improvement as follows:

WEST TWENTY-FOURTH STREET from the west property line of Rio Grande Street to the west property line of San Gabriel Street, known and designated as Unit or District No. 56;

WEST TWENTY-NINTH STREET from the west property line of Guadalupe Street to the west property line of Rio Grande Street, known and designated as Unit or District No. 53;

RIO GRANDE STREET from the north property line of West Fifth Street to the south property line of West Sixth Street, known and designated as Unit or District No. 25;

WEST AVENUE from the north property line of West Fifth Street to the south property line of West Sixth Street, known and designated as Unit or District No. 24;

WEST TWELFTH STREET from the west property line of West Avenue to the west property line of Enfield Road and Parkway, known and designated as Unit or District No. 45;

ENFIELD ROAD and PARKWAY STREET from the north property line of West Twelfth Street to the west property line of West Lynn Street, known and designated as Unit or District No. 46;

WEST TWENTY-FOURTH STREET from the west property line of Guadalupe Street to the east property line of Rio Grande Street, known and designated as Unit or District No. 55;

WEST FIFTH STREET from the west property line of Nueces Street to the west property line of West Avenue, known and designated as Unit or District No. 23;

All as awarded to Southwest Bitulithic Company

the Mayor thereupon stated that all persons desiring to protest against the levying of assessments against abutting property on any of the above mentioned streets and within the limits above stated, or who desired to be heard with reference to the amounts proposed to be assessed against said property and the owners thereof, the lien and liability thereof, the special benefits to the property and the owners thereof, or any other matters or things authorized by the provisions of Article XXIV of the Charter of the City of Austin to be urged and considered at this hearing would now be heard from, and thereupon the following parties appeared and were heard:

On Enfield Road and Parkway Street from West Twelfth to West Lynn Streets:

Judge J. H. Baugh stated that he had declined to sign up for the paving because he did not consider that his property abuts on the street as the map and field notes show a strip of ground fifty feet wide between his property line and the street line.

L. H. Blendermann stated that he was in favor of paving, but was opposed to giving two feet more off his property for a wider street.

On West Fifth Street from Nueces Street to West Avenue:

Mrs. Edward Owers, representing the International Institute, stated that they were in favor of paving but were financially unable to pay for the same.

A. C. Baldwin and Miss Lydia Littman stated that they were in favor of paving, but protested against the widening of the street to such width as would necessitate the cutting down of the shade trees in front of their property.

Thereupon L. A. Robbins and Clyde Hailey were each called as a witness, and each being duly sworn, testified that he had resided in the City of Austin several

years; that he was well acquainted with the values of the property abutting upon each of the Units or Districts as to which these hearings were being held; that he is acquainted with the type of paving which is proposed to be constructed upon said Units or Districts as to which these hearings were being held; and that in his opinion each parcel of abutting property would be enhanced in value by reason of the construction of the proposed improvements in an amount in excess of the amount proposed to be assessed against the same, as set out on the Engineer's Roll on file relating to such Units or Districts of improvement.

No other witnesses being offered or desiring to be heard, and no other interested parties or owners having requested to be heard, the Mayor thereupon laid before the Council the following ordinance:

ORDINANCE CLOSING HEARING AND
LEVYING ASSESSMENTS FOR PART
OF THE COST OF IMPROVING POR-
TIONS OF WEST TWENTY-FOURTH
STREET AND SUNDRY OTHER STREETS
IN THE CITY OF AUSTIN, TEXAS,
FIXING A CHARGE AND LIEN AGAINST
PROPERTY ABUTTING THEREON AND
AGAINST THE OWNERS THEREOF, PRO-
VIDING FOR THE COLLECTION OF
SUCH ASSESSMENTS AND THE ISSUANCE
OF ASSIGNABLE CERTIFICATES IN
EVIDENCE THEREOF.

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 then laid before the Council the following ordinance:

ORDINANCE CLOSING HEARING AND
LEVYING ASSESSMENTS FOR PART
OF THE COST OF IMPROVING POR-
TIONS OF WEST TWENTY-FOURTH
STREET IN THE CITY OF AUSTIN,
TEXAS, FIXING A CHARGE AND
LIEN AGAINST PROPERTY ABUTTING
THEREON AND AGAINST THE OWNERS
THEREOF, PROVIDING FOR THE
COLLECTION OF SUCH ASSESSMENTS
AND THE ISSUANCE OF ASSIGNABLE
CERTIFICATES IN EVIDENCE THEREOF.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on 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.

Councilman Mueller moved that the hearing on West Twelfth Street from the west property line of West Avenue to the west property line of Enfield Road and Parkway, known and designated as Unit or District No. 45, be continued until the next regular meeting, May 29th, 1930. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Councilman Mueller moved that the hearing on Enfield Road and Parkway Street from the north property line of West Twelfth Street to the west property line of West Lynn Street, known and designated as Unit or District No. 46, be continued until the next regular meeting, May 29th, 1930. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Councilman Mueller moved that the hearing on West Fifth Street from the west property line of Nueces Street to the west property line of West Avenue, known and designated as Unit or District No. 23, be continued until the next regular meeting, May 29th, 1930. Motion was seconded by Councilman Steck, 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:

ORDINANCE OF THE CITY OF AUSTIN, TEXAS, DETERMINING THE NECESSITY FOR LEVYING AN ASSESSMENT AGAINST THE PROPERTY AND THE OWNERS THEREOF ON NORTH GUADALUPE STREET IN THE CITY OF AUSTIN, FOR A PART OF THE COST OF IMPROVING SAID STREET, 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 application of R. A. Spears to erect a gaso-
line filling station at 2829 Rio Grande Street; also report of J. E. Woody, Fire Chief,
and R. F. Rockwood, Fire Marshal, recommending that permit be not granted for the
reason that the location is in a residential district and the proposed buildings will
not be the required thirty feet from adjoining residences. A committee of property
owners in the neighborhood appeared to protest against the granting of this permit. Action
on the matter was deferred for one week.

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 Ten Thousand (\$10,000.00) Dollars be and the same is hereby trans-
ferred from the General Fund to the Water and Light Fund, said amount to be repaid the
General Fund when Water and Light money is available.

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 Ten Thousand (\$10,000.00) Dollars be and is hereby appropriated
out of the Water and Light Fund for the purpose of placing same to the Job Account of
the United Engineers and Constructors, Inc., to be used for the payment of labor and
materials in connection with construction for the Water, Light and Power Department,
under the terms of the contract between the City and said Company.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Coun-
cilmen 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 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:

(L) A 4-inch low pressure gas main in Neches Street beginning at a point on an exist-
ing gas main in East Seventh Street, which point of beginning is 17 feet east of and
31 feet south of the intersection of the north line produced of East Seventh Street and
the center line of Neches Street;

Thence in a southerly direction, 17 feet east of and parallel to the center line
of Neches Street, a distance of approximately one block to a point on an existing gas
main in East Sixth Street, which point is 22 feet north of the south line of said East
Sixth Street.

Be it understood that at least three (3) days notice must be given the City Engi-
neering Department before beginning actual construction on the gas main described above
in order that lines and grades may be given, and be it further understood that the
minimum cover for this main will be determined by the grade of the pavement on East
Seventh Street.

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 utili-
ties, 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.

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.

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 an underground conduit 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 an underground conduit in the following streets:

Beginning at a point N. 19° E. 10 feet from the north line of Nellie Street and N. 71° W. 20 feet from the center line of South Congress Avenue;

Thence northwesterly with a curve having a long chord of 50 feet to a point which is N. 19° E. 60 feet from the north line of Nellie Street and N. 71° W. 6 feet from the center line of South Congress Avenue;

Thence N. 19° E. 6 feet distant from and parallel to the center line of South Congress Avenue a distance of 810 feet;

Thence northeasterly with a curve having a long chord of 50 feet to a point which is S. 71° E. 16 feet from the center line of South Congress Avenue and N. 19° E. 856 feet from the north line of Nellie Street.

Be it understood that during the course of construction or maintenance of the conduit described above special care must be exercised for the protection of other utilities and for traffic.

That the work and construction of said underground conduit, including the excavation of the streets and the restoration and maintenance of said streets after said underground conduit has been constructed, shall be under the supervision and direction of the City Manager.

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, the Park Board of the City of Austin has recommended the construction of additional water works system and additional improvements to the community building at Rosewood Park in addition to amounts previously recommended for improvements at Rosewood Park, the estimated cost of which is \$1735.05; 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 \$1735.00 is hereby appropriated out of the Parks and Playgrounds Bond Fund for the construction of additional water works system and additional

improvements to the community building at Rosewood Park.

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, the Park Board of the City of Austin has recommended the taking of pictures of various park and boulevard sites and the pictures of completed improvements in the City of Austin as a part of the park development; 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 \$74.00 is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of having photographs made of various purchases of the City in connection with park development.

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, the Park Board of the City of Austin has recommended the construction of fences around the Hyde Park Playgrounds and a portion of the South Austin Playgrounds; 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 \$500.00 is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of constructing fences around the Hyde Park and South Austin Playgrounds.

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, the Park Board of the City of Austin has recommended that in order to properly install the fence recently purchased to be placed around the Barton Springs Playfield it will be necessary to purchase posts to stretch the wire on, and that the cost of such posts and the installation of same will amount to the sum of \$84.00; 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 \$84.00 be and the same is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purchase of the above mentioned posts and the installation of same.

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 application of J. H. Nelson to construct a gasoline filling station on a lot owned by him fronting 95 feet on Rio Grande Street and 82 feet on West 19th Street, which was read and referred to the Safety Committee for their recommendations.

A petition signed by a large number of the representative citizens of the Mexican population, asking that the City provide them with a suitable playground, was

read and Councilman Mueller moved that the petition be referred to the Park Board for their attention. 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.

A petition of property owners on East Sixteenth Street between Sabine Street and Oakwood Cemetery, asking that this street be not paved, was read and ordered filed.

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

AN ORDINANCE CREATING THE
PUBLIC LIBRARY COMMISSION,
AND DEFINING ITS MEMBERSHIP,
PURPOSES AND FUNCTIONS.

The above ordinance was read the third time and Councilman Pannell 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, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, an emergency exists on account of the failure of the lining of one of the incinerator stacks and the amount estimated and set up in the 1930 budget for the repair of the incinerator building will be insufficient; and

WHEREAS, the City Engineer's estimate is about \$2900.00 instead of the \$2000.00 set up in the budget and an additional \$900.00 will be needed to continue the operation of the incinerator plant; therefore,

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

That the sum of \$900.00 is hereby appropriated out of the unappropriated portion of the general fund for the purpose of additional repairs to the incinerator plant of the Trash and Garbage Department.

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

A report of H. R. F. Helland, Consulting Engineer, on the work to be done in the beautifying of Waller Creek was read and ordered filed.

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 \$3,000.00 be and the same is hereby appropriated out of the Street Improvement Bond Fund for the purpose of paying the compensation and damages to Johanna Nelson, William M. Schmidt, and Amanda S. Martin, owners of the hereinafter described land, in taking by condemnation proceedings 3508 square feet of land, part of Lot 6, Block 13, Original City of Austin, and that warrant issue therefor in said amount to said parties.

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 \$31.45 be appropriated out of the Street Improvement Bond Fund for the purpose of paying court costs in Cause No. 7191, City of Austin vs. Johanna Nelson, et al, in the County Court of Travis County, Texas, same being a condemnation proceedings; and that warrant for said amount, payable to Fred C. Malone, County Clerk, issue therefor.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden,