

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 25, 1932.

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

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

A. H. Osburn appeared before the Council relative to getting some work done on the street in front of his residence in Enfield, known as Palma Plaza. The Mayor assured Mr. Osburn that the matter would be attended to as soon as the weather would permit.

A committee of wholesale produce dealers and brokers, composed of A. W. Townsend, Jr., Jack Finks, and others, appeared before the Council and asked that, in justice to the local dealers, some legislation be enacted to regulate the itinerant produce dealer on the streets of the City. The Mayor stated to the Committee that the Council had had the matter under earnest consideration for some time and would endeavor to pass an ordinance that would take care of the situation.

The Mayor laid before the Council the following resolution:

WHEREAS, on the 9th day of July, 1931, a street in the City of Austin was described and designated as Waller Boulevard by resolution of the City Council of the City of Austin, as recorded in the Minutes of the City Council, in Book No. 12, Page 574; and

WHEREAS, said description was by metes and bounds based upon its center line and was described as having a total width of 120 feet; and

WHEREAS, said width of 120 feet conflicted with the tract of land owned in fee by Burt Brydson as described and recorded in Travis County Deed Records, Book 471, Page 584;

Therefore,

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

THAT the dedication of Waller Boulevard as previously described and adopted by the City Council and as recorded in Travis County Deed Records, Book 471, Page 302, is hereby confirmed save and except the following described tract of land which is owned by Burt Brydson, according to Deed Records in Travis County Deed Records, Book 471, Page 584, said exception containing 51.47 square feet of land, the same being a triangular portion of the northeast corner of Lot 3, Block 2 of the subdivision of Outlot 10, Division "D" of the Government Outlots adjoining the City of Austin, Travis County, Texas, according to a map or plat of said subdivision as recorded in Travis County Deed Records, Plat Book 1, Page 107, and which excepted tract of land is particularly described as follows:

Beginning at the intersection of the west line of Wooldridge Street alley and the south line of East Twenty-sixth and One-half Street alley, the same being the northeast corner of Lot 3, Block 2 in the subdivision of Outlot 10, Division "D" of the Government Outlots adjoining the City of Austin, Travis County, Texas, according to a map or plat of said subdivision as recorded in Travis County Court Records, Plat Book 1, Page 107, and also being the northeast corner of that certain tract or parcel of land which was conveyed to Burt Brydson according to Travis County Deed Records, Volume 471, Page 584, and from which point of beginning a concrete monument at the intersection of the center line of Elmwood Place and the center line of that portion of Duval Street that lies south of East Twenty-ninth Street bears N. 60°27' E. 150.98 feet, to-wit:

Thence S. 9°05' W. 12.90 feet following the east line of said Brydson tract to a point;

Thence N. 23°03' W. 15.02 feet to a point on the north line of said Brydson tract;

Thence S. 82°13' E. 7.98 feet following the north line of said Brydson tract to the point of the beginning, containing 51.47 square feet of land and being a portion of said Brydson tract referred to above.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, there is now due city taxes against the Estate of A. E. Cuneo, on a strip of land three feet by twelve hundred and seventy-eight feet (3'x1278') along the north line of Fairgrounds Addition, a Subdivision of Outlots 23-24, in Division "O", City of Austin, for the years 1910 to 1931, both inclusive, amounting in the aggregate to One Hundred, Thirty-six & 91/100 (\$136.91) Dollars; and

WHEREAS, Jane Cuneo and Ottilia S. Cox, the only heirs of the Estate of A. E. Cuneo, have proposed to deed said property to the City of Austin in consideration of said taxes; and

WHEREAS, it is shown that said Estate is insolvent and that the property is worth no more than the taxes due on same, and for this reason it is deemed expedient to accept said proposition; therefore,

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

THAT in consideration of the conveyance of said property by said parties to the City, the taxes appearing against same be and the same are hereby remitted and cancelled, and the City Assessor and Collector of Taxes will enter such action upon his rolls.

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

The Mayor laid before the Council the following communication:

"Austin, Texas, Feb. 25, 1932.

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

Dear Sir:

We are authorized to make an offer of \$2,000.00 cash for the property owned by the City on West 5th Street, known as the Gas Company Property. Buyer would assume 1932 taxes and would expect abstract showing good title, or title guaranty.

You will recall that this property was bought by the City in 1931 in order to extend Fifth Street west across Shoal Creek. The purchase price was \$1,200.00 and the cost of paving was \$632.78, a total cost to the City of \$1,832.78. This offer will net the City more than the property cost, at the same time providing for the extension of Fifth Street at this point without cost to the City for either ground or paving.

This offer is made in behalf of Mr. R. G. Mueller and is subject to his obtaining a permit from the City to move to this lot the house owned by him located at Sixth and Rio Grande Streets.

Yours very truly,

WALLING, BRADFIELD & BRUSH,

By (Sgd) G. H. Brush. "

Mayor McFadden moved that the City Manager and City Attorney be authorized to make the above deal and convey title. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller present but not voting.

The Mayor laid before the Council the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council;

Therefore,

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

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in EAST AVENUE OR CAMERON ROAD from East Thirty-Second Street north-erly to Edgewood Avenue, the center line of which gas main shall be 10 feet east of and parallel to the center line of said East Avenue or Cameron Road. Said gas main described above shall have a cover of not less than 3 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 wherever 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.

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, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The following communication from the Board of Adjustment was read:

"Austin, Texas, February 23, 1932.

To the Honorable Council  
and City Manager of the  
City of Austin:

Gentlemen:

It has come to the attention of your Board of Adjustment that the Budget for the year 1932 carries a recommendation for compensation for the members of this Board.

The original Budget request carried double the amount as finally recommended. It has been the experience of the Board that the number of hearings will be more frequent than twice per month. The Board also feels that the Chairman is entitled to greater compensation than the other members of the Board for the reason that he must devote two or three times as much time to this service as other members, inasmuch as it devolves upon him to prepare all the records of the hearings of the Board and to prepare all other resolutions and other details incident to the work of the Board, and to assist in the preparation of amendments to the ordinance, which require considerable more time than the hearings themselves.

In view of these facts, the Board respectfully suggests that the sum of Nine Hundred (\$900.00) Dollars be appropriated for the per diem compensation of the Board, the Chairman to receive Ten (\$10.00) Dollars per session, and the other members Five (\$5.00) Dollars, the number of meetings for which compensation is provided to be limited to Thirty (30). This would require Thirty (\$30.00) Dollars per hearing, or Nine Hundred (\$900.00) Dollars for the fiscal year.

The Board further suggests that the item of One Hundred (\$100.00) Dollars provided for expert consultation will in all probability not be used by the Board and can be devoted to the item for compensation, especially should any member of the Board attend the next annual National City Planning Conference, where any expert consultation could be secured without further cost to the City.

The Board addresses this communication to you with considerable diffidence, appreciating the delicacy of its position in making requests in its own interest, but it hopes that the Council also appreciates the sacrifices that the members of the Board must make to serve this important branch of the City Administration.

Respectfully submitted,

ZONING BOARD OF ADJUSTMENT,

H. F. Kuehne, Chairman,  
V. H. Pannell, Vice Chairman,  
L. H. Blendermann  
J. T. Ward,  
W. A. Harper. "

Mayor McFadden moved that the above request of the Board of Adjustment be approved and allowed and the City Manager be directed to appropriate the additional sum of Three Hundred Dollars as compensation for the services of said Board for the year 1932 in the manner suggested by said Board. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following:

"Austin, Texas, February 24, 1932.

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

Dear Sir:

Pursuant to your request, we have investigated the request of Mr. Theo. P. Meyer for a permit to construct commercial driveways on the east side of Guadalupe Street between 28th and 29th Streets. Mr. Meyer proposes to construct a drive-in thirst station. Mr. Meyer has presented a plan of the proposed drive-ways in relation to the property lines, which plan accompanies this report.

The property upon which Mr. Meyer proposes to make his improvements is legally known as Lot 3 of Block 1, Fruth's Subdivision of Outlet 14, Division "D" and located within the "C" Commercial Use District according to the Zoning Use District Map of the City of Austin. He proposes to construct his building and driveways in accordance with the regulations and the ordinances of the City of Austin. Concrete paving, concrete gutter, concrete curb and concrete sidewalk are already in place adjacent to Mr. Meyer's property.

We recommend that a permit be granted subject to the following conditions:

- (1) That the area between the concrete sidewalk and the concrete gutter and the curb returns adjacent to each driveway and adjacent to the alley shall be constructed of concrete at the expense of the applicant.
- (2) That all said curb returns and driveways and ramps shall be constructed according to plan 2-H-204, which plan is made a part of this resolution.
- (3) That in the event grades of the sidewalk have to be changed or adjusted, that the sidewalk, or such portions thereof that may be necessary, shall be constructed of concrete at the expense of the applicant.

(Sgd) Orin E. Metcalfe,  
City Engineer.

G. S. Moore,  
Building Inspector. "

WHEREAS, Theo. P. Meyer has made application to the City Council for a permit to construct commercial driveways on the east side of Guadalupe Street adjacent to Lot 3 of Block 1, Fruth's Subdivision of Outlet 14, Division "D" adjacent to property owned by him and to be used in connection with a drive-in thirst station; and

WHEREAS, the City Council has favorably considered said request; therefore,

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

THAT permission is hereby granted Mr. Theo. P. Meyer to construct commercial driveways across the sidewalk curb and gutter area on the east side of Guadalupe Street, provided that all of said driveways, ramps, curbs and sidewalks are constructed of concrete under the direction of the City Engineer and in accordance with the attached recommendations and in accordance with plan 2-H-204, which recommendations and plan are hereby adopted and made a part of this resolution.

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

The Mayor laid before the Council the following ordinance:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE CREATING AND ESTABLISHING FIRE ZONES IN THE CITY OF AUSTIN, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY" BY CHANGING THE WEST HALF OF BLOCKS 122, 112, 96, AND 85 AND THE SOUTH-EAST QUARTER OF BLOCK 85, OF THE ORIGINAL CITY OF AUSTIN, FROM FIRE ZONE NUMBER TWO (2) TO FIRE ZONE NUMBER ONE (1).

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

No further business coming before the Council, Councilman Alford moved to recess, subject to call of the Mayor. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Council then recessed.

Approved:   
MAYOR.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 3, 1932.

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

The Minutes of the last meeting were read and Councilman Alford moved the adoption of same as read. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.

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

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE CREATING AND ESTABLISHING FIRE ZONES IN THE CITY OF AUSTIN, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY" BY CHANGING THE WEST HALF OF BLOCKS 122, 112, 96, AND 85 AND THE SOUTH-EAST QUARTER OF BLOCK 85, OF THE ORIGINAL CITY OF AUSTIN, FROM FIRE ZONE NUMBER TWO (2) TO FIRE ZONE NUMBER ONE (1).

The above ordinance was read the second time and Councilman Alford moved a suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Steck, 4; nays, none; Councilman Mueller absent, 1.