

REGULAR MEETING OF THE CITY COUNCIL.

Austin, Texas, July 14, 1932.

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

A committee from the Lions Club composed of Mr. Thurlow Weed and Mr. Harris Bruah appeared before the Council asking that name of "Waller Boulevard" be changed to "San Jacinto Boulevard" and that the park which is now called "Fruth Park, or Central Park" be changed to "San Jacinto Park".

Mayor McFadden moved that the Boulevard paralleling Waller Creek from Nineteenth Street to Speedway be designated as San Jacinto Boulevard and that the park now known as "Fruth, or Central Park" be designated as San Jacinto Park. Motion was seconded by Mr. Gillis and same prevailed by the following vote: Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; absent Councilman Steck, 1.

The following members of the Austin School Board appeared before the Council: Professor A. N. McCallum, Messers, Harris Gardner, Rudolph Mueller, Louis Blendermann, and Mrs. Boyd Wells and Mrs. Chas. Gardner. Mr. Harris Gardner told the Council that the School Board was appearing at this time to ascertain when the closing of the purchase of the Zilker Tract and the payment of the \$50,000.00 could be expected.

Mayor McFadden stated that the Council, after due consideration, had decided that the payment of \$50,000.00 would be made in cash out of the Parks and Playgrounds Bond Fund, and that the deal would be closed just as soon as corrected deed was signed by Mr. A. J. Zilker, Sr.

Councilman Mueller moved that the City Attorney and City Manager be authorized to proceed with the closing up of the Zilker Tract purchase at once and that the cash payment of \$50,000.00 be made out of the Parks and Playgrounds Bond Fund. Councilman Gillis seconded this motion and the same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden and Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

Mr. Edwin Kreisle, architect, presented the plans for the remodeling of East Austin Fire Station.

Councilman Alford moved that the plans for the remodeling of East Austin Fire Station be accepted and that the architect be instructed to ask for bids on same. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, and Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following:

"Austin, Texas, July 6, 1932.

City Engineer,
City of Austin.

Dear Sir:

I hereby request permission to construct at my residence, at 305 Northwood Road, a 42" brick walk from my front steps to the curb, using red face brick bedded in sand.

I am not constructing sidewalks as there are none in this neighborhood and probably will never be. There is one walk near here of flagstones and this type is in keep-

ing with the house we have built.

We are using a bonded man for the work and can assure you that it will be done properly.

Thanking you for your consideration, I am

Very truly yours,

(Sgd) Huron W. Mills."

"Austin, Texas, July 13, 1932.

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

Dear Sir:

In reference to the application of Huron W. Mills for a permit to construct a brick cross walk from the curb to the property line adjacent to his property known as Lot 7, Block 4, Edgemont Addition to the City of Austin, I have investigated his request and recommend that a temporary permit be granted for the proposed type of construction.

At any time that neighbors construct concrete walks, this brick walk should be replaced with concrete. I recommend that the permit be granted subject to the following conditions:

- (1) That all work shall be done in accordance with lines and grades as furnished by the City Engineering Department, and that the brick walk shall be constructed by a bonded sidewalk contractor.
- (2) That all work shall be done under the supervision of the City Engineering Department.

Respectfully submitted,

(Sgd) Orin E. Metcalfe,
City Engineer."

The Mayor then laid before the Council the following Resolution:

WHEREAS, Huron W. Mills, owner of Lot 7, Block 4, Edgemont Addition and known as 305 Northwood Road, has requested permission to construct a brick cross walk from the curb line to the property line; and

WHEREAS, the regulations of the City of Austin require any person constructing any other kind of walk in the city street other than a concrete walk shall get a special permit from the City Council; and

WHEREAS, the City Council has favorably considered the request of Huron W. Mills for a permit to construct said cross walk using brick instead of concrete; therefore,

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

THAT Huron W. Mills, his heirs or assigns are hereby granted a permit to construct a brick cross walk and to maintain same until such time as concrete walks are generally constructed in the same block, subject to the recommendations of the City Engineer which are hereto attached and made a part of this resolution; said walk to be constructed by a bonded sidewalk contractor in accordance with the specifications furnished by the City Engineer and according to lines and grades furnished by same.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden and Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following:

WHEREAS, the City Council, in accordance with the terms of the Zoning

Ordinance, has submitted to the Board of Adjustment for its consideration and recommendation amendments to the Zoning Ordinance providing for the change of the USE and HEIGHT AND AREA designations of that property located on the north side of Fortieth Street fronting south between Avenue "B" and the alley immediately east of Guadalupe Street from "A" RESIDENCE DISTRICT to "C" COMMERCIAL DISTRICT, and from FIRST HEIGHT AND AREA DISTRICT to SECOND HEIGHT AND AREA DISTRICT; and

WHEREAS, the Board of Adjustment has carefully considered this matter and has visited the site and has found no objections to such change; therefore,

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF AUSTIN:

THAT the above amendments to the Zoning Ordinance and change in the USE DISTRICT map and HEIGHT AND AREA map be and it is hereby approved and recommended to the City Council of the City of Austin.

BOARD OF ADJUSTMENT

By H. F. Kuehne, Chairman.

The Mayor laid before the Council 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 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 Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, and Councilman Mueller, 4; nays, none; absent Councilman Steck, 1.

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

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden and Councilman Mueller, 4; nays, none; absent Councilman Steck, 1.

Councilman Alford left the Council Chamber.

The Mayor laid before the Council the following:

**** See page 399 for ordinance passed before Councilman Alford left.

"Austin, Texas,
June 17, 1932.

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

Dear Sir:

On yesterday, the Guaranty Mortgage and Realty Company sold to Mrs. Frank Roll, lots Nos. 12 and 13, Block A. of Benson Subdivision in Outlot No. Fifty-one in Division "O" for the sum of \$1,000.00.

To complete this sale, it was necessary to pay as shown by the City Tax Rolls, all taxes then assessed against said property. The improvements on said property have been assessed for the years 1928, 1929, 1930 and 1931 for the sum of \$1,720.00. This assessment was excessive as the improvements together with the two lots were sold for \$1,000.00. The property was assessed to Mrs. O. O. Rabish for the years shown above and the tax receipts are Nos. 10062, 11912, 19155, 16428.

I would thank you to call this over assessment to the attention of the proper parties and after investigation request the City Council to make a refund of taxes for the years 1928, 1929, 1930, 1931, to the Guaranty Mortgage and Realty Company.

Yours very truly,
(Sgd.) Jno. A. Gracy."

"Austin, Texas,
July 1, 1932.

Mr. T. B. Marshall,
Tax Assessor & Collector,
Austin, Texas.

Dear Mr. Marshall:

As per your request, I hand you herewith report on communication addressed to Mr. Adam Johnson, City Manager, and signed by John A. Gracy. The property referred to is improvements on Lots 12 and 13, Block "A", Outlot 51, Division "O", Benson Subdivision, Plat 19, located at 2206 Garden Street, and assessed in the name of Mrs. O. O. Rabish.

I have inspected this property and find it in a very bad state of repair. The shingles are about worn through, the foundation is badly decayed and the interior is in a bad condition. There is no water or lights in the house. In my opinion, the value placed by the unit people, which was Unit \$2.20, Depreciation 33 1/3%, was a little too high even at that time. They placed a 2/3 value on improvements at \$1,720.00. I have revised the cards as shown and placed a 2/3 value on improvements for the year 1928, 1929, 1930 and 1931 at \$1,050.00 and a 2/3 value on improvements for the year 1932 at \$650.00. There should be no change in land values.

Respectfully submitted,
(Sgd.) C. P. Ledbetter."

The Mayor laid before the Council the following resolution:

WHEREAS, the improvements on Lots 12 and 13, Block A., Outlot 51, Division O, Benson Subdivision, Plat 19, located at 2206 Garden Street, and assessed in the name of Mrs. O. O. Rabish, was carried at a valuation of \$1,720.00 for the two-thirds taxable value for the years 1928, 1929, 1930 and 1931; and

WHEREAS, John A. Gracy, agent for this property, has protested to the Tax Department that the valuation on said improvements for the years 1928, 1929, 1930 and 1931 are too high, and that he paid the taxes on same, along with other property for which he is agent before noticing the valuation on the improvements; and

WHEREAS, upon investigation of the Tax Department, it is found that the unit of \$2.20 and the depreciation of 33-1/3% should be changed to \$2.00 for the house and \$1.00 for the shed attached and 50% depreciation for the house and 75% depreciation for the shed, making the taxable two-thirds valuation for the years 1928, 1929, 1930 and 1931, \$1,050.00; now, therefore,

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

THAT the Tax Assessor and Collector be and he is hereby authorized to correct the valuation of the above improvements in accordance with the foregoing, and to refund

to John A. Gracy, agent, the difference in taxes based on the old valuation and on the new valuation.

The above resolution was adopted by the following vote: Ayes, Councilman Gillis, Mayor McFadden and Councilman Mueller, 3; nays, none; absent Councilmen Alford and Steck, 2.

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 its pole lines 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 its pole lines in the following streets:

(1) A telephone pole line in QUARRY LANE from Kent Lane to Meridan Lane, the centerline of which pole line shall be 1 foot north of and parallel to the south line of said Quarry Lane.

(2) A telephone pole line in MERIDAN LANE from Enfield Road to Quarry Lane, the centerline of which pole line shall be 1 foot west of and parallel to the east line of said Meridan Lane.

THAT the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole lines have been constructed, shall be under the supervision and direction of the City Manager.

The above resolution was adopted by the following vote: Ayes, Councilman Gillis, Mayor McFadden and Councilman Mueller, 3; nays, none; absent Councilmen Alford and Steck, 2.

*** The Mayor laid before the Council the following ordinance:

AN ORDINANCE GRANTING TO B. M. SPEARS CERTAIN SPACE ON GUADALUPE STREET BETWEEN TWENTY-FOURTH AND TWENTY-FIFTH STREETS, IN THE CITY OF AUSTIN DURING THE CONSTRUCTION OF A COMMERCIAL BUILDING FOR JIM EL KOURI.

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 Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden and Councilman Mueller, 4; nays, none, absent Councilman Steck, 1.

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

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden and Councilman Mueller, 4; nays, none, absent Councilman Steck, 1.

There being no further business coming before the Council, Councilman Gillis moved to recess, subject to the call of the Mayor. Motion was seconded by Councilman

Mueller and same prevailed by the following vote: Ayes, Councilman Gillis, Mayor McFadden and Councilman Mueller, 3; nays, none; absent, Councilmen Alford and Steck, 2.

The Council then recessed.

APPROVED: J. W. McFadden
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 21, 1932.

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

The Minutes of the Regular Meetings of July 7th and 14th were read and Councilman Alford moved the adoption of same. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

Messrs. Mims, Hare and Gove, owners of 10¢ taxi services, appeared before the Council and stated that they were going to make an effort to comply in every way possible with the provisions of the ordinance regulating the operation of taxicabs as recently amended. The Mayor expressed the thanks of the Council for their cooperation.

A petition signed by a number of property owners and residents on what was formerly Oakview Drive, protesting the changing of the name of this street to Hampton Road, was read, and action on the matter postponed, pending an expression from other residents on the street.

A report by H. R. F. Helland, Consulting Engineer, stating that the Southern Paving Company has completed the paving, resurfacing and other improvements on Congress Avenue from the Colorado River Bridge to the north curb line of Eleventh Street, and on East Sixth Street from the east line of Congress Avenue to the west line of East Avenue, being District P-188, and recommending the acceptance of same, was read.

The Mayor then laid before the Council the following resolution:

**RESOLUTION ACCEPTING STREET IMPROVEMENTS CON-
STRUCTED BY SOUTHERN PAVING COMPANY ON PORTIONS
OF CONGRESS AVENUE AND EAST SIXTH STREET IN THE
CITY OF AUSTIN, TEXAS, AND PROVIDING FOR PAYMENT
OF ANY BALANCE DUE BY THE CITY FOR THE COST OF
SAID STREET IMPROVEMENTS.**

WHEREAS, on the 29th day of October, A. D. 1931, the City of Austin entered into a contract with the Southern Paving Company whereby said company agreed to construct street improvements upon Congress Avenue from the Colorado River Bridge to the north curb line of Eleventh Street and on East Sixth Street from the east line of Congress Avenue to the west line of East Avenue, known and designated as Unit No. P-188; and

WHEREAS, said contractor has fully completed the street improvements upon the unit or district 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