

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

The Mayor laid before the Council the following:

"Austin, Texas, March 19, 1930.

To the Honorable Mayor and City Council,  
City of Austin, Texas.

Gentlemen:

Your Park Board has unanimously instructed me to ask that you enter condemnation suit against Miss Julia Vance for 14.607 acres of land owned by Miss Vance. This land is situated along Shoal Creek between 17th and 19th Streets as shown by attached map and field notes. Your Park Board would appreciate your instructing the City Attorney to enter this suit as soon as possible.

Respectfully,

(Sgd) W. T. Caswell. "

Councilman Reed moved that the above recommendations of the Park Board be approved and that the City Manager and City Attorney be instructed to proceed with such condemnation suit. 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.

Petitions signed by the pupils and citizens of the Govalle community, protesting against the erection of the abattoir upon the site selected by the City, were read and ordered filed.

A communication from H. S. Bonham, in behalf of Mrs. W. B. Wortham, protesting against the narrowing of the curb and sidewalk and cutting down of trees on San Antonio Street for the purpose of widening said street, was read and ordered filed.

Councilman Reed 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, Reed, and Steck, 5; nays, none.

The Council then recessed.

Approved:   
M a y o r .

**REGULAR MEETING OF THE CITY COUNCIL:**

Austin, Texas, March 27, 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 Mueller moved the adoption of same as read. 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 committee of citizens appeared before the Council and presented petitions signed by the property owners on Nueces Street, protesting against the widening of said street in the paving of same. G. M. Cabaniss, property owner on Nueces Street, also appeared before the Council and indorsed the proposed widening of said street. The matter was taken under advisement.

Mrs. S. J. Smith, President Austin Women's Club, appeared before the Council and requested that their club house, corner Eighth and San Antonio Streets, be exempted from taxation on account of same being used as an educational and cultural center. Councilman Pannell moved that the matter be referred to the City Attorney for his report back to the Council. 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 TRAFFIC ON CERTAIN STREETS AT CERTAIN INTERSECTIONS IN THE CITY OF AUSTIN, PROVIDING FOR STOP-SIGNS AT SUCH POINTS, AND PRESCRIBING A PENALTY FOR THE VIOLATION OF THE ORDINANCE.

The above ordinance was read the first time and Councilman Pannell moved that the rule be suspended and the ordinance passed to its second reading. 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 ordinance was read the second time and Councilman Pannell moved a further suspension of the rule and the placing of the ordinance on its third reading. 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 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.

Letters from Southwest Bitulithic Company, stating that they had completed the paving on West Third Street from Congress Avenue to Nueces Street, and H.R.F. Helland, Consulting Engineer, recommending the acceptance of same, were read.

The Mayor laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF WEST THIRD 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 19th day of April, 1929, 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:

WEST THIRD STREET from the west property line of Congress Avenue to the east property line of Nueces Street, known and designated as District or Unit No. 3; 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 West Third Street hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

2.

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.

3.

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 the following resolution:

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

That by reason of a change in the square foot value from \$4.25 to \$4.00, the improvements on Lot 38, Outlet 7-8, Enfield B, Plat 90-A, in the name of Dr. E. B. Crowder, be reduced from \$5,895.00 to \$5,400.00 for the year 1929, and the Assessor and Collector is hereby authorized to change his rolls accordingly.

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 One Hundred Seventy-four and 20/100 Dollars (\$174.20) be and is hereby appropriated out of the Parks and Playgrounds Bond Fund, for the purpose of purchasing and erecting basketball goals at East Avenue, Hyde Park and South Austin playgrounds:

2 Goals -	\$ 10.00
2 Blackboards -	100.00
Cement: 6 sacks at	
.07 -	4.20
Gravel: 2 yards -	3.00
Labor: 3 days	9.00
90 ft. 3" Pipe at .50	<u>48.00</u>
	\$174.20

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 Three Thousand (\$3000.00) Dollars be and is hereby transferred from the Street Improvement Bond Fund to the Construction Engineers Fund, said amount being pro rata of expense due by Street Improvement Bond Fund for work of Construction Engineers Department.

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 Five Thousand (\$5000.00) 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 & 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, 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 One Thousand (\$1000.00) Dollars be and is hereby transferred from the Sanitary Sewer Bond Fund to the Construction Engineers Fund, said amount being pro rata of expense due by Sanitary Sewer Bond Fund for work of Construction Engineers Department.

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

A petition signed by residents of Enfield Road, asking that this street be paved with Bitulithic pavement in preference to any other material, was read and ordered filed.

A communication from Mrs. W. F. Savage, indorsing the name of Woodrow Wilson for the new park to be opened north of Kirby Hall, was read and ordered filed.

Communications from the Texas and Lions Clubs, asking that collection of the 5% penalty on delinquent city taxes be deferred from April 1st, were read and referred to the City Manager for reply.

A claim of E. R. Huck for damages to his property at 200 East 33rd Street, in the amount of \$256.00, was read and referred to the City Manager, City Engineer and City Attorney for attention.

A claim of N. S. Thompson for damages to his property at 411 West 39th Street in the construction of a storm sewer was read and referred to the City Manager and City Attorney for attention.

The Mayor laid before the Council the application of A. M. Dietrich to construct a gasoline filling station at 2601 East 1st Street, which had been read at the last regular meeting and laid over. Councilman Mueller moved that the site for said station be tentatively approved, conditioned upon the applicant's submitting the plans and specifications for said station to the Safety Committee and their approval of same. 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 tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council, therefore,

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

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

(1) A 4 inch low pressure gas main in Milam Place, beginning at the dead end of an existing gas main which dead end is 20 feet south of the intersection of the north line of Milam Place and the west line of Alta Vista Avenue;

Thence in a westerly direction, 20 feet south of and parallel to the north line of Milam Place to a point 20 feet east of the west line of Alameda Drive. Said gas main described above is to have a cover of not less than 2 feet.

(2) A 4 inch low pressure gas main in Alameda Drive beginning at the dead end of an existing gas main which dead end is 20 feet east of the intersection of the west line of Alameda Drive and the north line of Monroe Street;

Thence in a northerly direction 20 feet east of and parallel to the west line of Alameda Drive to the north line of Avondale. Said gas main described above is to have a cover of not less than 2 feet.

(3) A 4 inch low pressure gas main in Alta Vista Avenue beginning at a point on the south line produced of Rutherford Place, which point of beginning is 20 feet west of the intersection of the east line of Alta Vista Avenue and said south line produced of Rutherford Place;

Thence in a southerly direction, 20 feet west of and parallel to the east line of Alta Vista Avenue, a distance of approximately one block to connect the dead end of an existing gas main, which dead end is approximately 25 feet south of the south line of Avondale Road. 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 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, J. M. Odom is the Contractor for repairs to be made to a building owned by Miss Pauline Robinson located at 610 Congress Avenue, being the north part of Lot 3, Block 70 of the Original City of the City of Austin, and desires a portion of the street space abutting said premises during said construction to be used in the work and for the storage of materials therefor; therefore,

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

1. THAT space for the uses hereinabove enumerated be granted to J. M. Odom, the boundaries of which are described as follows:

Working Space

Beginning at a point on the west curb of Congress Avenue opposite the north line of Lot 3, Block 70; thence in an easterly direction a distance of 8 feet to a point; thence in a southerly direction and parallel to the center line of Congress Avenue a distance of 23 feet to a point; thence in a westerly direction to the west curb of Congress Avenue; thence in a northerly direction along the west curb of Congress Avenue to the point of beginning.

2. That the above privileges and allotment of space are granted to said J. M. Odom, hereinafter termed "Contractor" upon the following express terms and conditions:

(1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted along the north, east, and south boundaries of said working space of that portion of the space in the street east of the sidewalk curb, a substantial guard rail at least 4 feet high to serve as a separation between the contractor's activities and traffic.

(2) That the Contractor, for a period of one-half a day when it becomes necessary to replace the show window glass in the front of the building, shall be allowed to rope off 5 feet of the sidewalk space adjacent to the building to use in the work.

(3) It is understood that the Contractor will maintain the original awning in its present position and will brace and support same to serve as a protection of pedestrians passing along the sidewalk below the building activities on the second floor of the building, and further that the sidewalk shall be open at all times for the use of the public.

(4) That no vehicles in loading or unloading materials at the working space on Congress Avenue shall park in such a manner as to obstruct vehicular traffic.

(5) That the Contractor shall be permitted to park trucks in the alley adjacent to the premises for the purpose of loading and unloading materials, provided that the trucks shall park parallel to the alley line and in such a manner as to not obstruct vehicular traffic through the alley.

(6) That storm waters shall be taken care of by the Contractor on both East Fifth and Brazos Streets.

(7) That any public utility disturbed during the construction work shall be replaced in as good condition as same existed when the work started.

(8) That the Contractor shall place on the outside corners of his barrier during all periods of darkness, red lanterns or electric lights to warn traffic of the obstruction placed there.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any persons or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalk pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

(10) That the Contractor shall remove all fences, barricades, walks, materials and other obstructions in the streets immediately after the necessity for their existence in said streets has ceased, such time to be determined by the City Manager. In any event, the time limit of this permit shall expire on July 1, 1930. The Contractor shall restore said streets to as good condition as same existed before the use of the space hereby granted the Contractor.

The foregoing 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 City Manager be and he is hereby authorized and directed to purchase from Enfield Realty and Home Building Company, for a cash consideration of One Thousand, Five Hundred Dollars (\$1,500.00), and upon showing of good and merchantable title in said owner at the time of conveyance, and free from all liens and incumbrances, as determined by the City Attorney, and after accurate survey thereof, if deemed necessary by the City Manager, and upon delivery to the City of the owner's general warranty deed, the following land, to-wit:

A portion of land out of Lot Number Five (5), Outlot Sixty-five (65), in Division "D" and Lots Number One (1), Two (2) and Three (3), Outlot Sixty-six (66), Division "D", City of Austin, Travis County, Texas, and being described by metes and bounds as follows:

FIRST TRACT: Beginning at the Southwest corner of a street deeded to the City of Austin, on January 1st, 1929, recorded in Book 430, page 460, for the beginning corner of this tract;

Thence Southerly, with the east line of San Gabriel Street, 340 ft. for a corner;

Thence Easterly, 230.69 feet for a corner;

Thence Northerly, parallel with the east line of San Gabriel Street, 340 ft. for a corner;

Thence Westerly, 230.69 ft. to the point of beginning.

SECOND TRACT: Beginning at the northwest corner of a street deeded to the City of Austin on January 1st, 1929, recorded in Book 430, page 460, for the beginning corner of this tract;

Thence Northerly, with the east line of San Gabriel Street, 50 ft. for a corner;

Thence Easterly, 230.69 ft. for a corner;

Thence Southerly, parallel with the east line of San Gabriel Street, 50 ft. for a corner;

Thence Westerly, 230.69 ft. to the point of beginning.

BE IT FURTHER RESOLVED:

THAT the sum of One Thousand, Five Hundred Dollars (\$1,500.00) be and the same is hereby appropriated out of the Parks and Playgrounds Bond Fund, for the purpose mentioned above, and that a warrant in said amount issue therefor, payable to Enfield Realty and Home Building Company, and to be delivered to said party, after approval of title to said land by the City Attorney and delivery by said party of his general warranty deed to said land.

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

Councilman Reed moved that the Council recess until 5:00 P. M. 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  
MAYOR.

## AFTERNOON SESSION:

Austin, Texas, March 27, 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 Mayor announced that the meeting was called for the purpose of adopting a program of street paving.

The Mayor then laid before the Council the following ordinance:

ORDINANCE DECLARING THE NECESSITY FOR, AND ORDERING AND PROVIDING FOR, THE IMPROVEMENT OF A PORTION OF WEST FIFTH STREET AND PORTIONS OF SUNDRY OTHER STREETS AND HIGHWAYS IN THE CITY OF AUSTIN, TEXAS, LETTING CONTRACT THEREFOR, APPROVING CONTRACT AND BOND, PROVIDING FOR THE PAYMENT OF THE COST THEREOF AND MAKING AN APPROPRIATION TO PAY THE CITY OF AUSTIN'S PORTION OF SUCH COST.

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

The Mayor laid before the Council the following resolution:

RESOLUTION OF THE CITY OF AUSTIN, TEXAS, APPROVING THE BID OF L. E. WHITHAM & CO. AND AWARDING THE CONTRACT FOR IMPROVING PORTIONS OF GUADALUPE STREET AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, AND SETTING ASIDE A FUND TO PAY THE PORTION OF THE COST REQUIRED BY THE TERMS OF SAID CONTRACT TO BE PAID BY THE CITY OF AUSTIN.

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

The Mayor laid before the Council the following ordinance:

AN ORDINANCE AUTHORIZING THE INTERNATIONAL-GREAT NORTHERN RAILROAD COMPANY TO CONSTRUCT, OPERATE AND MAINTAIN A SPUR TRACK OVER AND THROUGH THE WEST HALF OF THE ALLEY RUNNING THROUGH CITY BLOCK 22, FOR THE PURPOSE OF SERVING THE WEST PART OF THE SOUTH ONE-HALF OF CITY BLOCK 22, SUBJECT TO CERTAIN CONDITIONS.

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

The Mayor laid before the Council the following ordinance:

AN ORDINANCE AUTHORIZING THE INTERNATIONAL-GREAT NORTHERN RAILROAD COMPANY TO CONSTRUCT, OPERATE AND MAINTAIN A RAILROAD SPUR-TRACK IN WEST THIRD STREET, AT AND NEAR THE INTERSECTION OF FANNIN STREET AND IN CROCKETT STREET, ABOUT SIXTY FEET SOUTH OF WEST THIRD STREET, IN THE CITY OF AUSTIN, SUBJECT TO SAID TERMS AND CONDITIONS.

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

Councilman Reed 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. H. McFadden  
Mayor.