

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 5, 1929.

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 Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

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 the certain Unit or District of Improvement as follows:

EAST FIRST STREET from the West line of Llano Street to the city limits east of the Pleasant Valley Road, known and designated as Unit or District No. 22;

all as awarded to L. E. Whitham & Company

the Mayor thereupon stated that all persons desiring to protest against the levying of assessments against abutting property on the above mentioned street and within the limits above stated, or who desired to be heard with reference to the amount proposed to be assessed against said property, 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 all parties protesting were heard by the Council as follows:

J. B. Pierce stated that he was unable to pay for the paving now and wanted same postponed for awhile;

G. S. Hamby stated that he did not think the property would be enhanced in value sufficiently to justify the paving and thought same should not be done;

G. M. Bryant stated that he was unable to pay for the paving; that he was paying for his home on the installment plan and it took all of his income to make those payments.

No other interested parties appearing to be heard, Councilman Steck moved that the hearing be continued until the regular meeting of December 19th. 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.

E. L. Meyer and G. C. Seiders presented a petition signed by the business firms on West Sixth Street, protesting against the proposed ordinance requiring parallel parking on this street. The petition was received and ordered filed and the Council assured the Committee that the matter would be taken under advisement.

The Mayor laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, A MUNICIPAL CORPORATION:

THAT said corporation's City Manager be and he is hereby duly authorized and fully empowered to enter into and execute, for and in the name of said corporation, one certain written agreement, dated November 29, 1929, effective

December 1, 1929, between said corporation and International-Great Northern Railroad Company, herein called Carrier, respecting among certain things, a 12" sewer line and a 12" water line crossing under I-GN tracks and right-of-way at IOO Station 9622+59 at Barton Springs Road, Austin, Travis County, Texas.

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-five Thousand Dollars (\$25,000.00) be and the same is hereby transferred from the General Fund to the Water and Light Fund, said amount to be considered as a loan to the Water and Light Fund from 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 the following resolution:

WHEREAS, the Sanitary Sewer Division of the Water, Light and Power Department has performed services, such as lowering mains, rebuilding manholes, changing pipe, line maintenance, et cetera, in connection with street paving and other bond fund projects, none of which was provided for in its budget appropriations for the year 1929; and

WHEREAS, proceeds in excess of Eight Thousand Dollars (\$8,000.00) have been derived from the recollection of such service charges and placed to the credit of the City's Water and Light Fund; and

WHEREAS, the cost of performing these services still stands charged to the operating accounts of the Sanitary Sewer Division, erroneously indicating that the said Division has, for its own purposes, incurred expenditures in excess of the aggregate amount authorized in the annual budget;

Therefore,

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

That the sum of Eight Thousand Dollars (\$8,000.00) be and the same is hereby appropriated from the unincumbered funds of the Water, Light and Power Department for the purpose of cancelling the overdrawn appropriations of the Sanitary Sewer Division.

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:

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 laid over.

A communication from Joe A. Bauer, Agent, offering to sell the City nine and seventeen-one-hundredths acres of land east of the city limits between Fifth and Sixth Streets for an abattoir site, at a consideration of \$8000.00, was read and ordered filed.

A Contract of Sale between the Security Trust Company and the City of Austin whereby said Company agreed to sell the City of Austin certain property in the Ward Addition for a consideration of \$1500.00 was read, but no action taken on

the matter.

The following report from the Consulting Engineer was read:

"Austin, Texas, December 5, 1929.

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

Dear Sir:

This is to advise that the Southwest Bitulithic Company has completed the paving and other improvements on West Second Street from the west line of Colorado Street to the east line of Nueces Street, being Unit #2 of the paving contracts, according to the plans and specifications adopted for these improvements.

I therefore recommend the acceptance of these improvements.

Yours very truly,

H. R. F. Helland,
Consulting Engineer. "

The Mayor then laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET
IMPROVEMENTS CONSTRUCTED BY
SOUTHWEST BITULITHIC COMPANY
ON A PORTION OF WEST 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 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 SECOND STREET from the west property line of Colorado Street to the east property line of Nueces Street; and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvement 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 Second 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:

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) Thirteen (13) poles on Ash Street, beginning at a point 8 feet east of and 8 feet south of the intersection of the west line of Dam Boulevard and the north line of Ash Street produced;

Thence in an easterly direction on Ash Street, 8 feet south of and parallel to the north line of said Ash Street to the west line of Forest Avenue;

(2) Five (5) poles on Poplar Street, beginning at a point 8 feet east of and 8 feet north of the intersection of the south line of Poplar Street and the west line of Forest Avenue;

Thence in a westerly direction, 8 feet north of and parallel to the south line of Poplar Street to the east line of Scenic Drive.

(3) A pole line on Summit Avenue beginning at a point 8 feet east of and 8 feet south of the intersection of the west line of Summit Avenue and the north line of Ash Street;

Thence in a northerly direction 8 feet east of and parallel to the west line of Summit Avenue to the south line of Cherry Street.

(4) A pole line on Scenic Drive, beginning at a point 8 feet east of the intersection of the north line of Poplar Street and the west line of Scenic Drive;

Thence in a southerly direction 8 feet east of and parallel to the west line of Scenic Drive a distance of approximately 810 feet.

(5) A pole line in Dam Boulevard Alley, or the alley lying between Dam Boulevard and Scenic Drive, beginning at a point 2 feet west of the intersection of the south line of Cherry Street and the east line of said Dam Boulevard Alley;

Thence in a southerly direction, 2 feet west of and parallel to the east line of said Dam Boulevard Alley to the north line of Magnolia Street.

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, 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 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 pole line in Pemberton Heights Addition in the Jarrett Avenue easement strip, or the strip of land reserved for public utilities and being situated between Jarrett Avenue and Harris Boulevard, which pole line may begin at a point on the north line of Leigh Street, which point is 2 feet east of the intersection of the center line of said Jarrett Avenue easement strip and the north line of Leigh Street;

Thence in a northerly direction, 2 feet east of and parallel to the center line of said easement strip a distance of approximately 228 feet to the north line of Lot 4, Block 5, of Pemberton Heights; wherefore, be it understood that the City can not assign space across the remainder of this block, as only part of said block has been dedicated to the city.

(2) A pole line on Blanco Road, beginning at a point on the south line of Westover Avenue produced, which point is 8 feet west of the intersection of the south line of Westover Avenue and the east line of Blanco Road;

Thence in a southerly direction, 8 feet west of and parallel to the east line of Blanco Road a distance of one block;

(3) A pole line on Blanco Road, beginning at a point on the south line of Westover Avenue produced, which point is 8 feet west of the intersection of the south line of Westover Avenue and the east line of Blanco Road;

Thence in a northerly direction, 8 feet west of and parallel to the east line of Blanco Road, a distance of approximately 1 1/2 blocks.

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, 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 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 pole line on the Circle Street, beginning at a point on the west line of The Ramble produced, which point is 10 feet southerly from the intersection of the north line of The Circle and the west line of The Ramble produced;

Thence in an easterly direction on the Circle Street with a pole line, the center line of which pole line is to be 10 feet south of and parallel to the north line of The Circle, a distance of approximately two blocks to a point 12 feet westerly from the point of intersection of the north line of The Circle, and the north or northeast line of Riverside Drive.

Wherefore, be it understood that in the event any underground conduits are used on the above assignment, said conduits shall be constructed parallel to curb lines.

(2) A pole line on Riverside Drive, beginning at a point 12 feet southerly from the intersection of the north line of Riverside Drive and the west line of Alta Vista;

Thence in a westerly direction 12 feet south of and parallel to the north line of Riverside Drive a distance of approximately two blocks to the east line of Bickler Road.

(3) An underground conduit on Bowie Street, beginning at a point on the north line of West Fourth Street produced, which point is 10 feet east of the intersection of the center line of Bowie Street and said north line of West Fourth Street produced;

Thence in a northerly direction 10 feet east of and parallel to the center line of Bowie Street to a point 35 feet south of the south line of West Sixth Street, from which point said conduit is to follow a curved path in a northeasterly direction, the long chord of which curved path is to be 55 feet in length;

Wherefore, be it understood that the underground conduit described above shall have a cover of not less than 2 1/2 feet, and be it further understood that at least three days' notice must be given the City Engineer before beginning actual construction in order that lines and grades may be set.

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, 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 1 1/4 inch high pressure gas main on West Mary Street, beginning at a point on an existing 4 inch high pressure gas main in Eva Street, which point of beginning is 5 1/2 feet north of and 22 feet west of the intersection of center line of West Mary Street and the east line of Eva Street produced;

Thence in an easterly direction 5 1/2 feet north of and parallel to the center line of West Mary Street a distance of one block to the west line of South Congress Avenue, said gas main described above to have a cover of not less than 3 feet.

Wherefore, be it understood that at least 3 days' notice must be given the City Engineer before beginning actual construction on the gas main described above in order that lines and grades may be set.

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, 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 on West Thirty-fifth Street, beginning at a point on an existing gas main in Guadalupe Street, which point is 33 feet east of and 15 feet south of the intersection of the north line of West Thirty-fifth Street and the west line of Guadalupe Street;

Thence in a westerly direction 15 feet south of and parallel to the north line of West Thirty-fifth Street a distance of approximately 685 feet to tie in the dead end of an existing 4 inch low pressure gas main, which dead end is 26 feet easterly and 15 feet southerly from the intersection of the east line of King Street and the north line of West Thirty-fifth Street, said gas main described above to have a cover of not less than 2½ feet.

(2) A 4-inch high pressure gas main on Avenue "H", beginning at a point on the produced portion of the north line of East Forty-seventh Street, which point is 25 feet west of the intersection of the north line of said East Forty-seventh Street and the east line of Avenue "H";

Thence in a northerly direction 25 feet west of and parallel to the east line of Avenue "H", a distance of approximately 1950 feet to the south line of East Fifty-first Street, said gas main described above to have a cover of not less than 3 feet;

(3) A 4-inch high pressure gas main on Avenue "G", beginning at a point on an existing 6-inch high pressure gas main, which point is 25 feet west of and 40 feet south of the intersection of the north line of East Forty-fifth Street and the east line of Avenue "G";

Thence in a northerly direction, 25 feet west of and parallel to the east line of Avenue "G", to a point 20 feet south of and 25 feet east of the intersection of the north line of East Forty-sixth Street and the east line of Avenue "G", at which point a "T" connection may be installed.

Thence continuing in a straight line 25 feet west of and parallel to the east line of Avenue "G" to a point 20 feet south of and 25 feet west of the intersection of the north line of East Forty-seventh Street and the east line of Avenue "G", at which point a "T" connection may be installed.

Thence continuing in a straight line 25 feet west of and parallel to the east line of Avenue "G" to a point 20 feet south of and 25 feet west of the intersection of the north line of East Forty-eighth Street and the east line of Avenue "G", at which point a "T" connection may be installed.

Thence continuing in a straight line 25 feet west of and parallel to the east line of Avenue "G" to the south line of East Fiftieth Street, in all a total distance of approximately 2,730 feet on Avenue "G", said gas main described above to have a cover of not less than 3 feet.

(4) A 4-inch high pressure gas main on East Forty-eighth Street beginning at a point 20 feet south of and 25 feet west of the intersection of the north line of East Forty-eighth Street and the east line of Avenue "G";

Thence in an easterly direction 20 feet south of and parallel to the north line of East Forty-eighth Street, a distance of approximately 350 feet to a point 20 feet south of and 25 feet west of the intersection of the north line of East Forty-eighth Street and the east line of Avenue "H", said gas main described above to 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.

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

A communication from S. W. Ruff of the University Airport with reference to compensation for past and future services performed for the City by said Airport was read and the matter referred to the City Manager for investigation and report to the City Council.

Councilman Steck 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: P. H. McFadden
Mayor.

SPECIAL MEETING OF THE CITY COUNCIL:

Austin, Texas, December 5, 1929.

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

Mayor McFadden moved that the following adjustments in tax appeals from the action of the Board of Equalization be made:

That the valuation on the ground of Lots 3 to 8, inclusive, Block 129, Original City, in the name of Geo. S. Nalle, be changed from \$14,440.00 to \$12,280.00 for the year 1929, this being the valuation placed upon said property by the Unit System in 1927;

That the valuation on the improvements on Lot 4, Block 1, Outlot 69, Division "D", Byrne Addition, for the year 1929, be changed from \$5400.00 to \$4835.00; but that the valuation on the improvements on West 64½ feet of Lots 11 and 12, Block 6, for the year 1929 should stand at \$5890.00;

That the valuation on the improvements on the property of L. K. Smoot at 1224 West Sixth Street be reduced \$105.00, thus making the valuation on said improvements the same as for the year 1928;

That no change be made in the valuation placed on the homestead of J. R. Moore, 1206 West Sixth Street for the year 1929..

The above motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, none, Councilman Mueller absent, 1.

The Council then recessed, subject to call of the Mayor.

Approved: P. H. McFadden
Mayor.