

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 20, 1930.

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.

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

The Mayor laid before the Council the following resolution:

WHEREAS, the Park Commission of the City of Austin has passed a resolution recommending the expenditure of \$9,301.00 to be spent for improvements at the park north of Rosewood Avenue and east of Chestnut Street; and

WHEREAS, said recommendation of the Park Commission has been reviewed by the City Council; therefore,

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

THAT the improvements set forth are hereby approved by the City Council and that the City Manager is hereby instructed to have said improvements executed, to be paid out of the Parks and Playgrounds Bond Fund appropriation when funds for same have become available.

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

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 Eight Hundred and Fifty (\$3850.00) Dollars be and the same is hereby transferred from the Water and Light Fund to the Street Improvement Bond Fund; it being understood that such transfer is a loan from the said Water and Light Fund, and will be returned from the Street Improvement Bond Fund when the proceeds from the recent sale of the Street Improvement Bonds are received in the City Treasury.

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

The Mayor laid before the Council the following resolution:

WHEREAS, the City of Austin has heretofore filed condemnation proceedings against Katherine M. Black, as the owner of certain land situated in the Isaac Decker League in the City of Austin, Travis County, Texas, for the purpose of widening Barton Springs Boulevard, and Commissioners appointed to assess the damages to the said property and owners on account of the condemnation of such land have awarded as damages the sum of Four Hundred (\$400.00) Dollars to said owner; and

WHEREAS, it is necessary for the City to enter said land immediately in pursuance of its said purpose, and the law requires that before taking such step a sum of money in double the amount of the award be deposited in the registry of the Court, and in addition that the City shall make bond in said amount, conditioned on its payment of all costs and damages that may be adjudged against it on account of its entry and occupation of said land in a final judgment in said proceedings;

Therefore,

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

THAT the City Manager be authorized and directed to execute the bond above mentioned; and the sum of Eight Hundred (\$800.00) Dollars be and the same is hereby appropriated out of the Street Improvement Bond Fund for the purposes of said deposit, and that a warrant issue therefor, payable to Fred C. Malone, Clerk of the County Court of Travis County, Texas.

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

The Mayor laid before the Council the following resolution:

WHEREAS, the City of Austin has heretofore filed condemnation proceedings against Riverside Floral Company as the owner of certain land situated in the Isaac Decker League in the City of Austin, Travis County, Texas, for the purpose of widening Barton Springs Boulevard, and the Commissioners appointed to assess the damages to the said property and owners on account of the condemnation of such land have awarded as damages the sum of Fifteen Hundred Twenty-five (\$1525.00) Dollars to said owner; and

WHEREAS, it is necessary for the City to enter said land immediately in pursuance of its said purpose, and the law requires that before taking such step a sum of money in double the amount of the award be deposited in the registry of the Court, and, in addition, that the City shall make bond in said amount, conditioned on its payment of all costs and damages that may be adjudged against it on account of its entry and occupation of said land in a final judgment in said proceedings; therefore,

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

THAT the City Manager be authorized and directed to execute the bond above mentioned, and the sum of Three Thousand Fifty (\$3,050.00) Dollars be and the same is hereby appropriated out of the Street Improvement Bond Fund for the purposes of said deposit, and that a warrant issue therefor, payable to Fred C. Malone, Clerk of the County Court of Travis County, Texas.

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

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 Seven Hundred Thirty-nine Dollars and Fifty Cents (\$739.50) be and the same is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of purchasing and planting shrubs in Eastwood Park; and

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

That the sum of Seven Hundred Thirty-nine Dollars and Fifty Cents (\$739.50) be and the same is hereby transferred from the General Fund to the Parks and Playgrounds Bond Fund; said contract to be considered as a loan and to be paid back upon receipt of bond money.

The foregoing resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, none; Councilman Mueller absent.

The Mayor laid before the Council the following resolution:

WHEREAS, the City Council of the City of Austin passed a resolution on the 13th day of February, 1930, closing an alley east of Lots 4, 5, and 6, in Block 4 of the Mrs. Susan Moore Subdivision, Outlot 10, Division "D" of the City of Austin, Texas, as shown of record in the Travis County Deed Records, Plat Book 1, Page 107; and

WHEREAS, the City Council had been furnished with an erroneous block number; Therefore,

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

That the resolution adopted February 13, 1930, and recorded in City Minutes in Book 11, pages 566-567, be and the same is hereby rescinded; and

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

That the alley running north and south adjacent to and east of Lots 4, 5, and 6 of Block 3 of the Mrs. Susan Moore Subdivision of Outlot 10, Division "D" of the City of Austin, Texas, as shown of record in Travis County Deed Records, in Plat Book 1, page 107, be and the same is hereby permanently vacated and closed.

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

The Mayor laid before the Council the following resolution:

WHEREAS, Dixon B. Penick Engineering Company has completed its contracts for concrete work on the City Hospital Grounds and on the streets adjacent to same, and the City Engineer and the City Manager have recommended its acceptance,

Therefore,

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

That this work be and the same is hereby accepted.

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

The Mayor laid before the Council the following resolution:

WHEREAS, statement of Dixon B. Penick Engineering Company against the City of Austin covering concrete construction at East Avenue and East Twentieth Streets for parks and playgrounds purposes is submitted as follows:

Retaining wall: 230 lin. feet of 8" construction at 60 cents per
lin. ft. - - - - - \$138.00

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

THAT the sum of One Hundred Thirty-eight (\$138.00) Dollars be and the same is hereby transferred from the General Fund to the Parks and Playgrounds Bond Fund, said amount to be considered as a loan and to be repaid out of the Parks and Playgrounds Bond Fund out of money to be received from the sale of Parks and Playgrounds Bonds.

That a warrant in amount of One Hundred Thirty-eight (\$138.00) Dollars issue out of the Parks and Playgrounds Bond Fund payable to Dixon B. Penick Engineering Company as full payment of statement above mentioned.

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

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 Two Thousand Dollars (\$2000.00) 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 Pannell, Reed, and Steck, 4; nays, none; Councilman Mueller absent.

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 Two Thousand (\$2000.00) Dollars be and the same is hereby transferred from the Water and Light Fund to the Sanitary Sewer Bond Fund; said amount to be repaid Water and Light Fund out of money to be received from the sale of Sanitary Sewer Bonds.

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

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 the same is hereby transferred from the Water and Light Fund to the General Fund, said amount to be considered part payment of loan recently made to Water and Light by General Fund.

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

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 T. E. Thrasher and wife, Eliza A. Thrasher, for a cash consideration of One Thousand, Eight Hundred, Fifty Dollars (\$1850.00), and upon showing of good and merchantable title in said owners at the time of conveyance, 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 owners' general warranty deed, the following land, to-wit: All of Lots Nos. 31 and 32 in the Morse and Smith Re-subdivision of Lots Nos. One (1) to Ten (10) and Twelve (12) to Seventeen (17), part of Outlot No. Six (6), Division "A" of the City of Austin, Travis County, Texas, as shown by a plat of record in Plat Book No. 3, page 56 of the Plat Records of Travis County, Texas; and being two of the lots sold and conveyed to T. E. Thrasher by Fred C. Morse and T. B. Paysinger by deed of date the 17th day of October, 1923, of record in Book 353, Pages 380-381 of the Deed Records of Travis County, Texas; and

BE IT FURTHER RESOLVED:

That the sum of One Thousand, Eight Hundred, Fifty Dollars (\$1850.00) be and the same is hereby appropriated out of the Water and Light Fund for the

purpose mentioned above, and that a warrant in said amount issue therefor, payable to T. E. Thrasher and wife, Eliza A. Thrasher, and to be delivered to said parties after approval of title to said land by the City Attorney, and delivery by said parties of their general warranty deed to said land.

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

Councilman Pannell moved that in accordance with the recommendation of the Tax Assessor and Collector, the improvements on Lots 13, 14, 15, and 16, Block 3, Hyde Park #2, Plat 78, assessed in the name of Mrs. J. M. Meredith for the year 1929, be reduced from \$5825.00 to \$5355.00, and the Tax Assessor and Collector be authorized to change his rolls accordingly. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, none; Councilman Mueller absent.

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 Seton Avenue, beginning at a point on an existing 2-inch low pressure gas main in West Twenty-fifth Street, which point of beginning is 18 feet west of and 25 feet south of the intersection of the east line of Seton Avenue and the north line of West Twenty-fifth Street;

Thence in a northerly direction 18 feet west of and parallel to the east line of Seton Avenue to a point on an existing 2-inch low pressure gas main in West Twenty-sixth Street, which point is 25 feet south of the north line of West Twenty-sixth Street. Said gas main described above shall have a cover of not less than _____ feet.

(2) A regulator pit at West Fifth Street and Nueces Street, the size of which pit to be 5 feet by 7 feet, and is to be located as follows:

The 7 foot length shall be parallel to the north line of West Fifth Street and the 5 foot length shall be parallel to the west line of Nueces Street, and the center of said regulator pit shall be 26 feet south of and 15 feet west of the intersection of the north line of West Fifth Street and the west line of Nueces Street.

The Texas Public Service Company is hereby put on 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 Pannell, Reed, and Steck, 4; nays, none; Councilman Mueller absent.

A petition from citizens asking that U turns at Eleventh and Rio Grande Streets be eliminated was read and Mayor McFadden moved that the matter be referred to Tom E. Neal, Police Captain, for a study of the traffic situation on Rio Grande Street at Eleventh, Twelfth, and Thirteen Streets, and submit his recommendations to the Council. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, none; Councilman Mueller absent.

A communication from the Community Welfare Association, Colored, asking that the property of said Association at 1136 Angelina Street, known as the Community Center, be exempted from taxation, was read and the matter referred to the City Manager for investigation and report.

A communication from H.A. Wroe with reference to the 11.24 acres of land he is offering to sell the city for an abattoir site was read and the Mayor moved that the matter be referred to Councilman Pannell for investigation. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, none; Councilman Mueller absent.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE REGULATING TRAFFIC ON SIXTH STREET OF THE CITY OF AUSTIN, CUMULATIVE OF CERTAIN ORDINANCES HERETOFORE ORDAINED, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, AND PRESCRIBING PENALTIES.

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

City Manager Johnson submitted to the Council bids of J. M. Odom and Austin Bridge Company for erection of retaining wall and sidewalk on the south side of the Barton Springs pool. Councilman Reed moved that the bid of the Austin Bridge Company, in the amount of \$6863.20, be accepted as the lowest and best bid, and that the City Manager be authorized to enter into contract with said firm for said work, and that the sum of \$6863.20 be appropriated out of the Parks and Playgrounds Bond Fund in payment of same. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, none; Councilman Mueller absent.

Councilman Reed moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, none, Councilman Mueller absent.

The Council then recessed.

Approved:

J. M. Fadden
MAYOR.