

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 17, 1938.

The City Council of the City of Austin, Texas, met in regular session at the regular meeting place at the City Hall in said City on March 17, 1938, at 11:00 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, Simon Gillis, and Mayor Tom Miller, 3; absent, Councilmen C. M. Bartholomew and Oswald G. Wolf, 2.

The reading of the Minutes was dispensed with.

Councilman Alford moved that upon the recommendation of Roy J. Smith, Captain of Police, Traffic Division, the following named persons be granted taxicab driver's permits: Robert G. Burch, 710 Evergreen Street; Johnny Moya, 1614 Rosewood Avenue; Eddie Plumley, 2221 Haskell Street; and Chas. E. Williams, 4524 Avenue A. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Alford introduced 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 51ST STREET from Avenue F easterly 120 feet, the centerline of which gas main shall be 7 feet north of and parallel to the south line of said East 51st Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(2) A gas main in AVENUE F from East 51st Street southerly 125 feet, the centerline of which gas main shall be 14 feet east of and parallel to the west line of said Avenue F.

Said gas main described above shall have a covering of not less than 2½ feet.

(3) A gas main in JULIET STREET westerly 138 feet from a point 175 feet west of the west line of Josephine Street, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said Juliet Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(4) A gas main in SHOALWOOD AVENUE from West 46th Street northerly 387 feet, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Shoalwood Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

(5) A gas main in MELISSA LANE westerly 64 feet from a point 60 feet west of the west line of bonniview street, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said Melissa Lane.

Said gas main described above shall have a covering of not less than 2½ feet.

(6) A gas main in WATHEN AVENUE westerly 32 feet from McCallum Drive, the centerline of which gas main shall be 8½ feet south of and parallel to the north line of said Wathen Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

(7) A gas main in WEST 12TH STREET westerly 32 feet from a point 38 feet west of the west line of West Lynn Street, the centerline of which gas main shall be 21 feet south of and parallel to the north line of said West 12th Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(8) A gas main in WHITTIER STREET from Comal Street southwesterly 16 feet, the centerline of which gas main shall be 13½ feet east of and parallel to the west line of said Whittier Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(9) A gas main in COMAL STREET from Whittier Street southerly 336 feet, the centerline of which gas main shall be 27 feet east of and parallel to the west line of said Comal Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(10) A gas main in EAST 21ST STREET across Comal Street intersection, the centerline of which gas main shall be 15 feet south of and parallel to the north line of said East 21st Street.

Said gas main described above shall have a covering of not less than 2½ 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 not 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 whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling 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 resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Gillis introduced the following resolution:

WHEREAS, J. S. Fischer is the Contractor for the alteration of a building located at 201 East 10th Street and desires a portion of the alley space abutting Lot 12, Block 112, of the Original City of Austin, Travis County, Texas, during the alteration of the building, such space 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 said J. S. Fischer, the boundary of which is described as follows:

Alley Working Space

Beginning at the southwest corner of the above described property; thence in a southerly direction and at right angles to the centerline of the alley 5 feet to a point; thence in an easterly direction and parallel with the centerline of the alley 46 feet to a point; thence in a northerly direction and at right angles with the centerline of the alley 5 feet to the southeast corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said J. S. Fischer, hereinafter termed "Contractor," upon the following express terms

and conditions:

(1) That the Contractor shall construct a guard rail within the boundary line along the alley line of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open the Contractor shall maintain a person at the gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(5) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(6) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(7) That the Contractor shall remove all fences, barricades, loose materials and other obstructions in the alley immediately after the necessity for their existence in said alley has ceased, such time to be determined by the City Manager, and in any event all such alley barricades, materials, equipment and other obstructions shall be removed not later than March 31, 1938.

(8) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9) That the use and enjoyment of the space herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(10) That any public utility or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(11) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand (\$1000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person 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 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.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Gillis introduced the following resolution:

WHEREAS, J. M. Odom is the Contractor for the alteration and repair of a building

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located at 616 Congress Avenue and desires a portion of the street space abutting Lot 5, Block 70, of the Original City of Austin, Travis County, Texas, during the alteration and repair of the building, such space 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 said J. M. Odom, the boundary of which is described as follows:

Street Working Space

Beginning at the curb line and parallel with the north property line 14 feet in an easterly direction and at right angles with the centerline of Congress Avenue; thence in a southerly direction and parallel with the centerline of Congress Avenue 26 feet to a point; thence in a westerly direction and at right angles with the centerline of Congress Avenue to the curb in front of the above described property.

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

(1) That the Contractor shall construct a guard rail within the boundary line along the outer line of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall at all times keep the sidewalk clear of all obstructions and to employ a watchman to inform pedestrians during such times as he will require to transfer materials from his working space to the building.

(3) That no vehicles in loading or unloading materials at the working space shall park on any part of the street outside of the allotted working space.

(4) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(5) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(6) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(7) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the street immediately after the necessity for their existence on said street has ceased, such time to be determined by the City Manager, and in any event all such street barricades, materials, equipment and other obstructions shall be removed not later than March 26, 1938.

(8) That the City reserves the right to revoke at any time any and all the privileges herein granted, or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9) That the use and enjoyment of the space herein granted shall not be exclusive as against public needs, and the City in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(10) That any public utility or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(11) 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 or damages to any person 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 sidewalks, 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.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

The application of Lula E. Shelley, through her Agent and Attorney-in-Fact, George E. Shelley, for a rezoning of Shelley Heights Addition, with the exception of Lots 1, 2, 3, 4, 5, and 6, Block "D", and Lots 1 and 2, Block "A", from Residence "A" District to Residence "B" District, was received and referred to the Board of Adjustment for recommendation.

The following certificate of the City Manager, Guiton Morgan, relative to the destruction of cancelled bonds, was received and ordered spread on the Minutes of this meeting:

"STATE OF TEXAS :
COUNTY OF TRAVIS :
CITY OF AUSTIN :

This is to certify that I have on this 17th day of March, 1938, as directed by a resolution passed by the City Council of the City of Austin, Texas, and in the presence of the undersigned attesting witnesses, caused the following numbered and otherwise described cancelled bonds to be destroyed by cremation in the City Incinerator, together with sundry cancelled coupons paid by the City of Austin, Texas, on its bonded debt:

Year	Description	Bonds		Interest Coupons	Total
		Numbers	Amount		
1910	School			\$ 1,600.00	\$ 1,600.00
1912	School			3,325.00	3,325.00
1912	Cemetery	49-50	\$ 2,000.00	100.00	2,100.00
1912	Sewer	191-200	10,000.00	2,975.00	12,975.00
1912	Street Improvement	191-200	10,000.00	3,175.00	13,175.00
		151-154	4,000.00		4,000.00
1915	School	161-170	10,000.00	4,775.00	14,775.00
1915	Sanitary Sewer	41-44	4,000.00	450.00	4,450.00
		276-279	4,000.00		4,000.00
1915	Street, Bridge & Sewer	291-305 (781-789)	15,000.00	6,825.00	21,825.00
1916	Refunding	(791-819)	38,000.00	18,358.75	56,358.75
1918	School	27-28	2,000.00	1,150.00	3,150.00
1918	Sewage Disposal	91-95	2,500.00	2,750.00	5,250.00
1921	Hospital	12	1,000.00	1,140.00	2,140.00
1924	Garbage Incinerator	15-16	2,000.00	1,800.00	3,800.00
1924	School	67-73	7,000.00	21,375.00	28,375.00
1924	Water Filtration	73-80	8,000.00	11,125.00	19,125.00
1926	School	28-31	4,000.00	5,842.50	9,842.50
1928	Hospital 1-1	18-19	2,000.00	3,655.00	5,655.00
1928	School 11-1	44-49	6,000.00	11,352.50	17,352.50
1928	Street Improvement 11-1	28-31	4,000.00	6,542.50	10,542.50
1928	Airport 11-1	12-13	2,000.00	2,830.00	4,830.00
1928	Fire Stations 11-1	12-13	2,000.00	2,830.00	4,830.00
1928	Parks & Playgrounds 11-1	12-13	2,000.00	2,827.50	4,827.50
1928	Hospital 11-1	9	1,000.00	1,855.00	2,855.00
1928	Sanitary Sewer 11-1	9	1,000.00	722.50	1,722.50
1929	Street Improvement 5-1	68-78	11,000.00	21,493.75	32,493.75
1929	Sanitary Sewer 5-1	34-38	5,000.00	10,260.00	15,260.00
1929	Parks & Playgrounds 5-1	24-28	5,000.00	8,336.25	13,336.25
1929	Fire Stations 5-1	3	1,000.00	1,045.00	2,045.00
1929	Street Improvement 12-16	62-73	12,000.00	25,317.50	37,317.50
1929	Sanitary Sewer 12-16	19-22	4,000.00	7,362.50	11,362.50
1929	Parks & Playgrounds 12-16	17-19	3,000.00	6,293.75	9,293.75
1929	Abattoir 12-16	8-9	2,000.00	3,230.00	5,230.00
1931	Street Improvement	62-75	14,000.00	30,020.00	44,020.00
1931	Sanitary Sewer	11-12	2,000.00	4,251.25	6,251.25
1931	Parks & Playgrounds	18-21	4,000.00	8,597.50	12,597.50
1932	Public Library	11-13	3,000.00	6,925.00	9,925.00
1932	Fire Stations	5	1,000.00	2,275.00	3,275.00
1935	Public Market	3-4	2,000.00	2,880.00	4,880.00
1936	School	1-13	13,000.00	11,430.00	24,430.00
1936	Parks & Playgrounds	1-3	3,000.00	1,800.00	4,800.00
			<u>\$228,500.00</u>	<u>\$270,898.75</u>	<u>\$499,398.75</u>

Year	Description - (cont'd)	Bonds		Interest	Total
		Numbers	Amount	Coupons	
	Bro't For'd		\$228,500.00	\$270,898.75	\$499,398.75
1935	Water, Electric Light & Sewer System Revenue Bonds	173-215	\$ 43,000.00	\$ 14,720.00	\$ 57,720.00
1936	" " "	1-50	50,000.00	12,120.00	62,120.00
1934	Parks & Playgrounds	11-15	5,000.00	250.00	5,250.00
	Govalle District			150.00	150.00
	Ridgetop District			250.00	250.00
			<u>\$ 98,000.00</u>	<u>\$ 27,490.00</u>	<u>\$125,490.00</u>
			<u>\$326,500.00</u>	<u>\$298,388.75</u>	<u>\$624,888.75</u>

(Signed) Gulton Morgan
City Manager,
City of Austin, Texas.

Witnesses:

(Signed) C. F. Alford

" Simon Gillis

Upon motion, duly seconded and carried, the meeting was recessed at 11:20 A. M., subject to call of the Mayor.

Approved:

Tom Miller
Mayor.

Attest:

Hallie McKeen
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 24, 1938.

The City Council of the City of Austin, Texas, met in regular session at the regular meeting place at the City Hall in said City on March 24, 1938, at 10:55 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 4; absent, Councilman C. M. Bartholomew, 1.

The reading of the Minutes was dispensed with.

Councilman Alford introduced the following resolution:

WHEREAS, the Western Union Telegraph Company has presented to the City Council tentative maps or 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 Western Union Telegraph Company be and the same is hereby permitted to