

The following resolution was introduced:

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

THAT the sum of \$1,405.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of purchasing one 1938 Plymouth De Luxe Sedan, and one 1938 Chevrolet De Luxe Touring Sedan for use of the Police Department.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Upon motion, duly seconded and carried, the meeting was recessed at 11:45 A.M., subject to call of the Mayor.

Approved:

Tom Miller.  
Mayor.

Attest:

Halleie McEllen  
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 9, 1937.

The meeting was called to order at 11:00 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 Bartholomew, 1.

The reading of the Minutes was dispensed with.

At the request of Chas. Wendlandt, a public hearing on the proposal to amend the Use designation of Lots 19 and 20, Block 4, Outlot 72, Division "D", Leander Brown Subdivision, located at the corner of West 29th Street and West Avenue, so as to change same from "A" Residence District to "C" Commercial District was called for January 6, 1938, at 11:00 A. M.

It was moved by Mayor Miller that the City Manager be authorized to reoffer for sale through the Sheriff of Travis County certain vacant or unimproved tracts of land which the City has acquired tax title to; and to instruct the Legal and Tax Departments in the future before offering such property for sale to have charged off

any State and County taxes that may have accrued against same since its acquisition by the City, and to have the published notice of sale contain a description of such property by street and number as well as by lot and block, and the suitability of same for specific purposes. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford offered the following resolution:

WHEREAS, Ben H. Powell, owner of the south 180 feet of Lot 7 of Enfield "D", a subdivision of a portion of the Geo. W. Spear League and being within the City of Austin, Travis County, Texas, which property abuts the east side of Pease Road at a location north of Niles Road, has made application to the City Council of the City of Austin for permission to construct a stone curb adjacent to the above described property; and

WHEREAS, the ordinance which regulates the construction of curbs upon or within streets in the City of Austin requires that anyone desiring to construct any curb other than a concrete curb shall get special permission to do so from the City Council of the City of Austin; and

WHEREAS, the City Council has investigated and approved the construction of a stone curb at the aforesaid location; therefore

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

THAT Ben H. Powell, owner of the south 180 feet of Lot 7 of Enfield "D", a subdivision of a portion of the Geo. W. Spear League within the City of Austin, Travis County, Texas, which property abuts the east side of Pease Road at a location north of Niles Road, is hereby granted permission to construct a stone curb adjacent to the above described property; provided, however, that said stone curb shall be constructed upon a concrete base and shall have an exposure of 8 inches above the gutter and shall be 10 inches wide at the top in accordance with the standard design for rock curbs as adopted by the City of Austin and as detailed upon the plan hereto attached marked 2-C-501, which plan is hereby made a part of this resolution; and further provided that all work shall be done by a bonded curb and sidewalk contractor and that said curb shall be constructed under the supervision of the City Engineer of the City of Austin and in accordance with lines and grades furnished by him.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent.

Councilman Gillis offered 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 WEST 46TH STREET from Sinclair Avenue to Shoalwood Avenue, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said West 46th Street.

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

(2) A gas main in SHOALWOOD AVENUE from West 46th Street south 56 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.

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 depths 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, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf introduced the following resolution:

WHEREAS, Rex Kitchens is the Contractor for the construction of a building located at 111 East 8th Street and desires a portion of the street, sidewalk and alley space abutting Lot C, Block 84, of the Original City of Austin, during the construction 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 uses hereinabove enumerated be granted to said Rex Kitchens, the boundary of which is described as follows:

Street and Sidewalk Working Space

Beginning at the northeast corner of the above described lot; thence in a northerly direction and at right angles to the centerline of East 8th Street to a point 14 feet north of the south curb; thence in a westerly direction and parallel with the centerline of East 8th Street to the east line of alley; thence in a southerly direction and at right angles with the centerline of East 8th Street to the northwest corner of the above described lot; thence in an easterly direction to the point of beginning.

Alley Working Space

Beginning at the northwest corner of the above described property; thence in a westerly direction and at right angles with the centerline of the alley 7 feet to a point; thence in a southerly direction and parallel with the centerline of alley 140 feet to a point; thence in an easterly direction to the west line of property; thence in a northerly direction to the point of beginning.

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

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space on East 8th Street, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway.

(2) That the Contractor shall construct a fence within the outer boundaries of the above described working space in the alley and shall remove this fence at the earliest possible time.

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

(4) That provision 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 storm waters.

(5) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(6) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(7) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than January 8, 1938.

(8) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(9) 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.

(10) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person by reason of the exercise of the privileges granted to 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, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Alford offered the following resolution:

WHEREAS, the curb and sidewalk specifications of the City of Austin which have been previously adopted by the City Council of the City of Austin require that all curbs and sidewalks be constructed of concrete unless a special permit has been secured from the City Council of the City of Austin to construct curbs, sidewalks and ramps of other materials; and

WHEREAS, Sam L. Busby, owner of Lot 6, Block 2, Pemberton Heights, a subdivision within the City of Austin, Travis County, Texas, which property is situated at the

northwest intersection of Stark Place and Wooldridge Drive and being locally known as 1500 Wooldridge Drive, has requested the City Council of the City of Austin to grant permission to construct a flagstone walk on the north side of Wooldridge Drive at the above described location; and

WHEREAS, the City Council of the City of Austin has investigated and approved the construction of said flagstone walk; therefore

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

THAT Sam L. Busby, owner of Lot 6, Block 2, Pemberton Heights, a subdivision within the City of Austin, Travis County, Texas, which property is situated at the northwest intersection of Stark Place and Wooldridge Drive, and being locally known as 1500 Wooldridge Drive, is hereby granted permission to construct a flagstone walk on the north side of Wooldridge Drive at the above described location and said walk is to be constructed under the supervision and direction of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin, and further subject to the following conditions:

That the stone shall be laid in a smooth and workmanlike manner and shall conform to the sidewalk grades and curb grades as given by the Engineering Department of the City of Austin in order that same will not create a hazard to pedestrians.

That the stone shall be placed upon a 4" concrete base and that all work within the city streets shall be done by a bonded sidewalk contractor and in accordance with the instructions and directions of the City Engineer, of the City of Austin.

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

Upon motion, seconded and carried, the City Manager was authorized to sell to Julia Vance a certain strip of land in Shoal Creek Lots Addition heretofore purchased by the City from the said Julia Vance, at cost plus 5% interest from date of purchase, with the stipulation that the said Julia Vance have the fence on said property moved back to the road.

Upon motion, seconded and carried, the meeting was recessed, subject to call of the Mayor.

Approved: Tom Miller  
Mayor

Attest:

Hallie McKeen  
City Clerk