

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 23, 1937.

On the 23rd day of December, 1937, the City Council of the City of Austin, Texas, met in the City Hall in said City in regular session. The meeting was called to order at ten o'clock A. M. by Mayor Tom Miller, and on the roll call the following members of the City Council were found to be present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf. Absent, NONE.

The reading of the Minutes was dispensed with.

A petition signed by the wholesale and retail merchants of the City, asking that Section 11 of the Milk Ordinance either be eliminated from said ordinance or the enforcement of same deferred until the enactment of a State law, was presented to the Council by Button Ice Cream Company and other ice cream manufacturers.

After some discussion, it was moved by Mayor Miller that the enforcement of Section 11 of the Milk Ordinance be postponed until March 1st. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

M. L. Braswell, et al, submitted a further protest against the proposed change in zoning of the property at the northwest corner of the intersection of East First Street and Perdenales Street and all of the property between Canadian and Llano Streets, East First Street, and the Industrial District to the north, from "A" Residence District to "C" Commercial District.

After hearing the protests, the Council took no action on the matter.

Congressman Lyndon B. Johnson addressed the Council on the "Housing Authorities Law".

The following resolution was introduced by Mayor Miller, who moved its adoption:

A RESOLUTION FINDING AND DECLARING
THAT THERE EXISTS A NEED FOR THE
HOUSING AUTHORITY OF THE CITY OF
AUSTIN, TEXAS, TO FUNCTION.

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

Section 1. The City Council of the City of Austin, Texas, hereby determines, finds and declares in pursuance of the "Housing Authorities Law" of the State of Texas, that:

1. Insanitary and unsafe inhabited dwelling accommodations exist in the City of Austin, Texas; and
2. There is a shortage of safe and sanitary dwelling accommodations in the City of Austin, Texas, available to families of low income at rentals they can afford; and
3. There is need for the Housing Authority of the City of Austin, Texas, to function.

Section 2. In accordance with the foregoing finding, the Housing Authority of the City of Austin is authorized to transact business and exercise its powers pursuant to the "Housing Authorities Law of the State of Texas.

Section 3. The Mayor of said City be and he hereby is directed to file the necessary certificate relative to the appointment of the commissioners and designation of the first chairman of said Housing Authority in the office of the City Clerk of the City of Austin, Texas.

Section 4. This resolution shall be effective immediately.

The motion to adopt said resolution was seconded by Councilman Gillis, and upon roll call the following voted aye: Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf. Nay: NONE.

Thereupon the Mayor declared said resolution duly adopted and passed.

Councilman Gillis introduced the following resolution:

WHEREAS, The City Tax Assessor and Collector has this day submitted to the City Council the tax roll of the City of Austin for the year 1937, which roll shows an aggregate amount of \$55,479,695.00 valuation of property assessed for taxes for said year, and an aggregate amount of \$1,201,159.09 levied as taxes for said year; and

WHEREAS, Said tax roll appears in all respects in correct form, the valuations contained in said roll having been examined and corrected by the Board of Equalization, which has made its report to the City Council; therefore,

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

THAT said tax roll for said year be and the same is hereby approved.

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

Councilman Gillis introduced the following ordinance:

AN ORDINANCE FIXING AND LEVYING
MUNICIPAL TAXES FOR THE CITY OF
AUSTIN, TEXAS, FOR THE YEAR A. D.
1937.

The ordinance was read the first time and Councilman Gillis moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the second time and Councilman Gillis moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the third time and Councilman Gillis moved that the ordinance be finally passed. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf introduced the following ordinance:

AN ORDINANCE AMENDING IN THE CERTAIN PARTICULARS HEREINAFTER STATED AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY. "

The ordinance was read the first time and Councilman Wolf moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the

The following resolution was introduced by Mayor Miller, who moved its adoption:

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HOUSING AUTHORITY OF THE CITY OF
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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

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2. There is a shortage of safe and sanitary dwelling accommodations in the City of Austin, Texas, available to families of low income at rentals they can afford; and
3. There is need for the Housing Authority of the City of Austin, Texas, to function.

Section 2. In accordance with the foregoing finding, the Housing Authority of the City of Austin is authorized to transact business and exercise its powers pursuant to the "Housing Authorities Law of the State of Texas.

Section 3. The Mayor of said City be and he hereby is directed to file the necessary certificate relative to the appointment of the commissioners and designation of the first chairman of said Housing Authority in the office of the City Clerk of the City of Austin, Texas.

Section 4. This resolution shall be effective immediately.

The motion to adopt said resolution was seconded by Councilman Gillis, and upon roll call the following voted aye: Councilmen Alford, Bartholomew, Gillis, Mayor Miller and Councilman Wolf. Nay: NONE.

Thereupon the Mayor declared said resolution duly adopted and passed.

12-23-37

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Section 3. The Mayor of said City be and he hereby is directed to file the necessary certificate relative to the appointment of the commissioners and designation of the first chairman of said Housing Authority in the office of the City Clerk of the City of Austin, Texas.

Section 4. This resolution shall be effective immediately.

The motion to adopt said resolution was seconded by Councilman Gillis, and upon roll call the following voted aye: Councilmen Alford, Bartholomew, Gillis, Mayor Miller and Councilman Wolf. Nay: NONE.

Thereupon the Mayor declared said resolution duly adopted and passed.

following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the second time and Councilman Wolf moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The ordinance was read the third time and Councilman Wolf moved that the ordinance be finally passed. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Bartholomew introduced the following resolution:

WHEREAS, the general budget of the City of Austin for the year 1938 was presented to the City Council by the City Manager on December 22, 1937, and filed with the City Clerk for public inspection; and

WHEREAS, the law requires that the City Council shall provide for a public hearing on such budget on some date to be fixed by the City Council not later than fifteen (15) days subsequent to such time such budget is filed; and that public notice shall be given that on the date of hearing the budget prepared by the City Manager will be considered by the City Council, and that notice of such hearing shall name the hour, the date and the place where the hearing shall be conducted, and that any taxpayer of the City shall have the right to be present and participate in such hearing; therefore,

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

THAT a public hearing on said general budget of the City of Austin for the year 1938 will be held in the City Auditorium at the Austin Public Library at 8:00 o'clock P. M., on the 4th day of January, 1938, at which hearing any taxpayer of the City of Austin will have the right to be present and participate at such hearing, and that a notice of such hearing be published in one issue of the Austin American not less than ten days before the date set for such hearing.

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

Councilman Wolf 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 AVENUE F northerly 151 feet from a point 84 feet north of the north line of East 48th Street, 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.

(2) A gas main in EAST 19TH STREET westerly 274 feet from a point 92 feet west of the west line of Leona Street, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said East 19th Street.

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

(3) A gas main in CONCORDIA AVENUE from Hollywood Avenue to Werner Avenue, the centerline of which gas main shall be 12½ feet south of and parallel

to the north line of said Concordia Avenue.

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

(4) A gas main in WERNER AVENUE from Concordia Avenue southerly 158 feet, the centerline of which gas main shall be 12½ feet west of and parallel to the west line of said Werner Avenue.

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

(5) A gas main in BONNIE ROAD westerly 195 feet from a point 100 feet west of the west line of Courtland Lane, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said Bonnie Road.

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

(6) A gas main in VISTA LANE from Griswold Lane south 163 feet, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Vista Lane.

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

(7) A gas main in GRISWOLD LANE from Vista Lane to Bremen Street, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said Griswold Lane.

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

(8) A gas main in BREMEN STREET from Griswold Lane to John D. McCall Road, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Bremen Street.

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

(9) A gas main in JOHN D. MCCALL ROAD northerly from a point 199 feet north of the north line of Woodmont Avenue to Bremen Street, the centerline of which gas main shall be 9 feet west of and parallel to the east line of said John D. McCall Road.

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

(10) A gas main in FOREST TRAIL from Griswold Lane to Stamford Lane, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Forest Trail.

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

(11) A gas main in STAMFORD LANE from Forest Trail west one block, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said Stamford Lane.

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

(12) A gas main in STAMFORD LANE from Stamford Lane south 445 feet, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Stamford Lane.

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 mus be used at intervals during the 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, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf introduced the following resolution:

WHEREAS, on August 5, 1937, the City Council of the City of Austin did annex certain territories to the City of Austin; and

WHEREAS, various streets within the territories so annexed have never been officially named; and

WHEREAS, since said streets are now within and a part of the City of Austin, it becomes necessary to designate these streets by name in order to facilitate delivery services and the identification of property abutting said streets; and

WHEREAS, the name Govalle School Road has been used for one of such streets within said annexed territory; and

WHEREAS, the people residing on said Govalle School Road have petitioned said City Council of the City of Austin to change the name of said Govalle School Road to that of Govalle Avenue; and

WHEREAS, said petition has been reviewed and considered by the City Council of the City of Austin; therefore

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

THAT that certain street bounded on the south by Outlots 41, 42, 43, and 44, and bounded on the north by Outlots 45, 46, 47, and 48, all in Division "A" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which street extends from the west line of Outlot 45 to the east line of Outlot 48, and which street has sometimes been known as Govalle School Road, be known and designated hereafter as Govalle Avenue.

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

Upon motion made, seconded, and carried, J. E. Haire of the Congress Taxicab Company was granted an additional taxicab permit, conditioned upon his paying all delinquent taxes now owing by him.

Mrs. May LaPrelle Price appeared before the Council relative to the suit of W. L. Moore vs. J. Talbot LaPrelle now pending in the 53rd District Court of Travis County. An opinion of the City Attorney on the matter was read. After some discussion, the matter was referred to the City Manager, the City Attorney, and Mrs. Price for further consideration.

The following resolution was introduced:

WHEREAS, taxes have been assessed in the name of Mrs. L. B. Fry on certain personal property, to wit: A Ford automobile, for the years 1932, 1933, 1934, 1935, and 1936, inclusive, in the aggregate amount of \$7.73; and

WHEREAS, on said taxes becoming delinquent, penalties and interest thereon have accrued in the sum of \$1.70; and

WHEREAS, it is deemed advisable and equitable by the City Council to remit the payment of the penalty on said taxes in the sum of \$.38 and the interest on said

taxes in the sum of \$1.32, said penalty and interest aggregating \$1.70; therefore,
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the penalty and interest on the aforesaid taxes for the aforesaid years, in the sum of \$1.70, should be and is hereby remitted, and the Tax Assessor and Collector is hereby authorized and directed to charge said penalty and interest off of said tax rolls and to accept the taxes due on said property for said years in full of said assessment.

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

ADJOURNMENT: Meeting adjourned at 1:00 o'clock P. M.

APPROVED:

Tom Miller
Mayor

Attest:

Hallie McKellar
City Clerk

SPECIAL MEETING OF THE CITY COUNCIL:

Austin, Texas, January 4, 1938.

The Council met at 7:30 P. M., Tuesday, January 4, 1938, for the purpose of having a public hearing on the proposed budget of the City of Austin for the year 1938, in accordance with published notice thereof.

Roll call showed the following members present: Councilmen Gillis and Wolf; absent, Councilmen Alford, Bartholomew, and Mayor Miller.

There were also present the City Manager and City Attorney.

No one appearing to be heard, the meeting was adjourned.

Approved:

Russell S. ...
Mayor Pro Tem.

Attest:

Hallie McKellar
City Clerk