

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 5, 1936.

The meeting was called to order 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 offered the following resolution:

WHEREAS, on January 16, 1936, a resolution was adopted and approved by the City Council of the City of Austin, Texas, whereby the name of "Windsor Road" from West 12th Street to Enfield Road was changed to "Blanco Street"; and

WHEREAS, this street-name change did not meet with the approval of the owners of property abutting said street; and

WHEREAS, it is the intention of this resolution to rescind the action of the City Council as dated above regarding said street-name change and adopt the name "Windsor Road" from 12th Street to Enfield Road in lieu of "Blanco Street"; therefore

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

THAT the action of the City Council of the City of Austin adopting and approving the change of name of that portion of "Windsor Road" to "Blanco Street" beginning at West 12th Street and extending in a northerly direction a distance of approximately three blocks to Enfield Road, as shown upon the map or plat of Enfield A appearing in Book 3, at page 44, of the Plat Records of Travis County, Texas, be and the same is hereby rescinded and the name of "Windsor Road" for the street as described above be and the same is hereby adopted.

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

Mayor Miller submitted the following application and resolution:

Austin, Texas
February 26, 1936

Hon. Members of the City Council
Austin, Texas

Gentlemen:

I hereby request your permission to have constructed on my property located at the corner of South Congress and West Johanna Street two drive-in aprons, one forty feet and the other twenty-five, according to the enclosed sketch.

(Signed) Mrs. Noyes D. Smith. "

(RESOLUTION)

WHEREAS, Mrs. Noyes D. Smith, owner of Lots 5 and 6, Block 35, of Sweetman's Addition within the City of Austin, Travis County, Texas, which property is situated at the north-west corner of the intersection of South Congress Avenue and West Johanna Street and fronts approximately 99 feet on the west side of South Congress Avenue, has made application to the City Council of the City of Austin for permission to construct two commercial driveways across the west sidewalk area of South Congress Avenue as shown upon the plan hereto attached, marked 2-C-615, which plan is made a part of said request; and

WHEREAS, the City Council of the City of Austin has favorably considered the granting of said request; therefore

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

THAT Mrs. Noyes D. Smith, owner of Lots 5 and 6, Block 35, of Sweetman's Addition within the City of Austin, Travis County, Texas, which property is situated at the north-

west corner of the intersection of South Congress Avenue and West Johanna Street and fronts approximately 99 feet on the west side of South Congress Avenue, is hereby permitted to construct two commercial driveways across the west sidewalk area of South Congress Avenue, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-C-615, which plan is hereby made a part of this resolution, and further subject to the condition that all concrete curb, ramp, and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the direction and supervision 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.

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

Councilman Alford offered 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 telephone pole line in EAST FIFTH STREET from Pace Street east to the City limits, the centerline of which pole line shall be 9 feet north of and parallel to the south line of said East 5th Street.

(2) A telephone pole line in POST OAK STREET from Bouldin Avenue west approximately two blocks, the centerline of which pole line shall be 7½ feet south of and parallel to the north line of said Post Oak 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, and in accordance with the ordinances and regulations of the City of Austin governing such construction.

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

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 LIVE OAK STREET, beginning at a point 3 feet west of the west line of South 1st Street and 13½ feet north of the south line of West Live Oak Street;

Thence in a westerly direction with a gas main, the centerline of which gas main shall be 13½ feet north of and parallel to the south line of said West Live Oak Street.

Said gas main described above shall have a cover 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 foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

It was moved by Mayor Miller that the City Manager be instructed to write a letter of thanks and appreciation to the State Highway Department and Gibb Gilchrist, Highway Engineer, for the splendid work which has been done in paving Barton Springs Road; Fredericksburg Road; East Avenue from 1st to 4th Streets; East 1st Street from Llano Street to the city limits; the topping of West Mary Street from Congress Avenue west to the city limits and East Live Oak Street from South Congress Avenue east to the city limits, which was done to eliminate the dust nuisance during the construction of new highways; the building of and widening of the underpass on the Barton Springs Road and the proposed construction of the underpass on the Enfield Road; the building of the temporary bridge at Montopolis; the widening of South Congress Avenue through the LaPrelle Place and the paving of same; the proposed rebuilding of South Congress Avenue destroyed by the flood of June 15, 1935; and for anything else that may have been done in improving the city's streets. The motion carried by the following vote; Ayes, Councilmen Alford, Gillis, Mayor Miller, 3; nays, none; Councilman Bartholomew and Wolf absent, 2.

The Mayor instructed the City Manager to be present at a meeting to be held Thursday, March 5, at 7:30 P. M., in the East Room at the Austin Hotel, and to present any suggestions and ideas that he, or any of his department heads, might have with reference to a Centennial program that Austin is planning to put on this year.

The following written proposal of O. O. Norwood was received:

"Austin, Texas
March 5, 1936

To the Mayor and City Council
City of Austin
Austin, Texas.

Gentlemen:

You propose to construct and maintain a sewerage disposal lift station in Travis Heights south of the Colorado River and immediately east of the eastern boundary line of Travis Heights Addition, being also east of the eastern portion of land designated on the map of Travis Heights as Travis Park, to which I hold a deed from Citizens Loan and Investment Company, a corporation, dated July 1, 1927. For the purposes of constructing said sewerage disposal lift station, and for the purpose of maintaining it, you desire the right to use that portion of Edgecliff Terrace, as it appears on the map, which is within the confines of my properties, in Block 49 and Block 50, Travis Heights Addition, which portion of said Edgecliff Terrace has been closed to the public by me under authority of the Stacy Realty Company, under written authorization dated September 7, 1928, pursuant to their right under Article 2 of the Deed of Dedication of Travis Heights filed of record with the County Clerk of Travis County, Texas.

In this connection, you will bear in mind that I paved, at my own expense, I put

walks at my own expense, I put curbs and gutters at my own expense, on all that portion of Edgecliff Terrace within the confines of my property, and the same has been a private thoroughfare since September 7, 1928.

I understand you further desire to use a portion of my property east of Edgecliff Terrace and between Edgecliff Terrace and the eastern boundary line of Travis Heights for the purpose of placing materials thereon and using same in the construction of said sewerage disposal lift station.

It is agreeable with me for you to use that portion of Edgecliff Terrace between Blocks 48 and 49 within the confines of my property for the purpose of constructing the sewerage disposal lift station, in hauling materials thereto, in workmen going to and from said place, provided, however, that you are not at any time to block said portion of said street so that either myself or my invitees on my premises may not have full use of this street for the purpose of coming in or going out of my said property; and also to use the property lying east of Edgecliff Terrace and the eastern boundary line of Travis Heights within my property for said purpose of construction.

It is also agreeable with me for you to have the right of ingress and egress to and from said lift station, when completed, on and over said portion of Edgecliff Terrace lying between Blocks 48 and 49 aforesaid, and on and over my property lying east of Edgecliff Terrace and Block 49 to said lift station, at all reasonable and necessary times for your employees and representatives in the maintenance and operation of said lift station.

It being expressly understood and agreed, however, that you are to use no other portion of my property or Edgecliff Terrace within the confines of my property.

And it being further expressly agreed and understood that as a condition to this proposal you are to pass proper resolution or ordinance accepting this proposal and recognize and validate in all respects my right to close that portion of Edgecliff Terrace which is within the confines of my property so that the same shall be no more than a private thoroughfare except for the right given you aforesaid; and also to, by proper ordinance or resolution, in further consideration for my proposal, to recognize and validate my title in and to that portion of Travis Park conveyed to me by Citizens Loan and Investment Company under deed dated October 10, 1922, and under deed dated July 1, 1927, so that the said City of Austin shall not hereafter have or claim or assert any right, title, or interest in said properties, except as above given, the right of ingress and egress as above set out, and strictly limited thereto.

In connection with your right of ingress and egress, you are to have the right to construct and maintain a suitable concrete walkway, comparable to the other concrete walkways on my premises, from the eastern boundary line of Travis Heights immediately adjacent to your sewerage disposal lift station to the eastern line of Edgecliff Terrace within the confines of my property, and lying east of Block 49.

Respectfully submitted,

(Signed) O. O. Norwood "

Councilman Gillis then offered the following resolution:

WHEREAS, O. O. Norwood has submitted his proposal to the City Council, dated March 5, 1936, as follows:

"You propose to construct and maintain a sewerage disposal lift station in Travis Heights south of the Colorado River and immediately east of the eastern boundary line of Travis Heights Addition, being also east of the eastern portion of land designated on the map of Travis Heights as Travis Park, to which I hold a deed from Citizens Loan and Investment Company, a corporation, dated July 1, 1927. For the purposes of constructing said sewerage disposal lift station, and for the purpose of maintaining it, you desire the right to use that portion of Edgecliff Terrace, as it appears on the map, which is within the confines of my properties, in Block 49 and Block 50, Travis Heights Addition, which portion of said Edgecliff Terrace has been closed to the public by me under authority of the Stacy Realty Company, under written authorization dated September 7, 1928, pursuant to their right under Article 2 of the Deed of Dedication of Travis Heights filed of record with the County Clerk of Travis County, Texas.

In this connection, you will bear in mind that I paved, at my own expense, I put walks at my own expense, I put curbs and gutters at my own expense, on all that portion of Edgecliff Terrace within the confines of my property, and the same has been a private thoroughfare since September 7, 1928.

I understand you further desire to use a portion of my property east of Edgecliff Terrace and between Edgecliff Terrace and the eastern boundary line of Travis Heights for the purpose of placing materials thereon and using same in the construction of said sewerage disposal lift station.

It is agreeable with me for you to use that portion of Edgecliff Terrace between Blocks 48 and 49 within the confines of my property for the purpose of constructing the sewerage disposal lift station, in hauling materials thereto, in workmen going to and from said place, provided, however, that you are not at any time to block said portion of said street so that either myself or my invitees on my premises may not have full use of this street for the purpose of coming in or going out of my said property; and also to use the property lying east of Edgecliff Terrace and the eastern boundary line of Travis Heights within my property for said purpose of construction.

It is also agreeable with me for you to have the right of ingress and egress over said portion of Edgecliff Terrace lying between Blocks 48 and 49, aforesaid, and on and over my property lying east of Edgecliff Terrace and Block 49 to said lift station, at all reasonable and necessary times for your employees and representatives in the maintenance and operation of said lift station.

It being expressly understood and agreed, however, that you are to use no other portion of my property or Edgecliff Terrace within the confines of my property.

And it being further expressly agreed and understood that as a condition to this proposal you are to pass proper resolution or ordinance accepting this proposal and recognize and validate in all respects my right to close that portion of Edgecliff Terrace which is within the confines of my property so that the same shall be no more than a private thoroughfare except for the right given you aforesaid; and also to, by proper ordinance or resolution, in further consideration for my proposal, to recognize and validate my title in and to that portion of Travis Park conveyed to me by Citizens Loan and Investment Company under deed dated October 10, 1922, and under deed dated July 1, 1927, so that the said City of Austin shall not hereafter have or claim or assert any right, title or interest in said properties, except as above given, the right of ingress and egress as above set out, and strictly limited thereto.

In connection with your right of ingress and egress, you are to have the right to construct and maintain a suitable concrete walkway, comparable to the other concrete walkways on my premises, from the eastern boundary line of Travis Heights immediately adjacent to your sewerage disposal lift station to the eastern line of Edgecliff Terrace within the confines of my property, and lying east of Block 49. "

Therefore,

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

THAT the above proposal is in all things accepted; and that, in consideration of the right of the City of Austin to use that portion of Edgecliff Terrace between Blocks 48 and 49 in Travis Heights, City of Austin, and the property lying east of Edgecliff Terrace and Block 49, in Travis Heights, during the construction of the sewer lift station of the City of Austin, situated east of the east line of Travis Heights, for the purpose of hauling materials to said construction site and placing materials on said property immediately west of said construction site during construction, and the right to construct and maintain a suitable concrete walkway from the eastern boundary line of Travis Heights immediately adjacent to said sewer lift station to the eastern line of Edgecliff Terrace for use of the City of Austin in the particulars herein stated, and the right of ingress and egress to and from said sewer lift station when completed on and over said portion of Edgecliff Terrace lying between said Blocks 48 and 49 and over the property in Travis Heights lying east of Edgecliff Terrace and Block 49 to said sewer lift station, at all reasonable and necessary times for the employees and representatives of the City in the maintenance and operation of said lift station, the City of Austin recognizes and validates the title to said O. O. Norwood in and to that portion of Travis Park conveyed to O. O. Norwood by Citizens Loan and Investment Company under deed dated October 10, 1922, and under deed dated July 1, 1927, so that the City of Austin shall not hereafter have or claim or assert any right, title or interest in said properties except as herein stated, and the right to close that portion of Edgecliff Terrace which is within the confines of said properties so that the same shall not hereafter be a public thoroughfare except for the rights given in said proposal and accepted and reserved herein.

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

Mayor Miller submitted the following resolution:

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

THAT the sum of \$3,500.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of improving Rosewood Park as follows:

Swimming Pool -	\$2840.00
Lighting -	500.00
Tennis Courts -	160
Total -	<u>\$3500.00</u>

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

Upon motion duly made and seconded, the Council recessed subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Hallie McKellar
City Clerk

* The Council deferred action on the request of Judge Baugh for the removal of the parkway in the center of Enfield Road at its intersection with Castle Hill until a later date.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 12, 1936.

The Council was called to order at 10:00 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 4; absent, Councilman C. F. Alford, 1.

The Minutes of the regular meetings of February 13 and February 20 were read, corrected, and approved by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

Mr. H. L. Kuhlman presented a petition by the adjacent property owners, asking that the Commercial "C" zone on Lydia Street be extended from 7th to 11th Streets. The matter was referred to the Zoning Board of Adjustment for recommendation.

Mr. B. J. Rupert extended an invitation to the City Council to be present at the luncheon to be given at the Driskill Hotel on Thursday, March 26, at twelve o'clock noon, honoring Mr. M. A. Harlen, National Commander of the Disabled War Veterans.

At the request of Mr. P. M. Burroughs, representing a committee from the Austin Trades Council, a meeting of the City Council was called for 8:15 P. M. to discuss certain matters with said committee.

The request of the committee from the Veterans of Foreign Wars Organization for the use of Barton Springs pavilion on Saturday nights, beginning April 4, for dances to be given under the auspices of said organization, was referred to the City Manager and the Superintendent of Recreation to work the matter out.

A petition from the property owners and tenants in the block on Lavaca Street between Fifth and Sixth Streets, asking for hour-parking restrictions in this area was received. Councilman Gillis moved that the City Attorney be instructed to prepare the necessary ordinance for passage at the next regular meeting. The motion carried by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

The Mayor laid before the Council, for its second reading, the following ordinance, which was introduced at the regular meeting of the City Council on February 6, 1936, read