

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 16, 1936

The meeting was called to order at 10:45 A. M., with Mayor Pro tem Oswald G. Wolf presiding. Roll call showed the following members present: Councilmen G. F. Alford, Simon Gillis, and Mayor Pro tem Oswald G. Wolf, 3; absent, Councilman C. M. Bartholomew and Mayor Tom Miller, 2.

The Minutes of the regular meetings of June 11, June 18, June 25, the special meeting of June 29, and the regular meetings of July 2 and July 9 were read, and upon motion of Councilman Gillis were adopted, as read, by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

The following report of the City Engineer was read:

Austin, Texas
July 15, 1936

Mr. Gulton Morgan
City Manager
Austin, Texas

Dear Sir:

I have investigated the request of W. L. Bradfield, acting by and through Edwin C. Kreisle, Architect, owner of Lot 15, Block 1, of Pemberton Heights, a subdivision within the City of Austin, Travis County, Texas, which property abuts the east side of Jarratt Avenue at a location north of West 24th Street, and being locally known as 2415 Jarratt Avenue, for permission to construct a flagstone walk in lieu of the customary concrete walk at the above described location.

I recommend that this permit be granted at the above location, 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.

Respectfully submitted,

(Signed) J. E. Motheral
City Engineer. "

Councilman Gillis then 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, W. L. Bradfield, acting by and through Edwin C. Kreisle, Architect, owner of Lot 15, Block 1, of Pemberton Heights, a subdivision within the City of Austin, Travis County, Texas, which property abuts the east side of Jarratt Avenue at a location north of West 24th Street, and being locally known as 2415 Jarratt Avenue, has requested the City Council of the City of Austin to grant permission to construct a flagstone walk in lieu of the customary concrete walk 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 W. L. Bradfield, acting by and through Edwin C. Kreisle, Architect, owner of Lot 15, Block 1, of Pemberton Heights, a subdivision within the City of Austin, Travis County, Texas, which property abuts the east side of Jarratt Avenue at a location north of West 24th Street, and being locally known as 2415 Jarratt Avenue, is hereby granted permission to construct a flagstone walk in lieu of the customary concrete walk 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 foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

Councilman Alford 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 HARRIS BOULEVARD, beginning at a point 19 feet south of the north line of Northwood Road and 7½ feet west of the east line of Harris Boulevard;

Thence in a northerly direction with a gas main, the centerline of which shall be 7½ feet west of and parallel to the east line of said Harris Boulevard, for a distance of 25 feet.

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

(2) A gas main in CHICON STREET, beginning at a point 76 feet south of the south line of East 12th Street and 20 feet east of the centerline of Chicon Street;

Thence in a southerly direction with a gas main, the centerline of which shall be 20 feet east of and parallel to the centerline of said Chicon Street, for a distance of 119 feet.

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

(3) A gas main in ROSEDALE AVENUE, beginning at a point 24 feet south of the south line of West 41st Street and 15 feet west of the east line of Rosedale Avenue;

Thence in a southerly direction with a gas main, the centerline of which shall be 15 feet west of and parallel to the east line of said Rosedale Avenue, for a distance of 90 feet.

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

(4) A gas main in EVA STREET, beginning at a point 118 feet north of the north line of West Annie Street and 20½ feet west of the east line of said Eva Street;

Thence in a southerly direction with a gas main, the centerline of which shall be 20½ feet west of and parallel to the east line of said Eva Street, for a distance of 55 feet.

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

(5) A gas main in KENWOOD AVENUE, beginning at a point 20 feet west of the east line of said Kenwood Avenue and 55 feet south of the south line of Colorado Court;

Thence in a southerly direction with a gas main, the centerline of which shall be 20 feet west of and parallel to the east line of said Kenwood Avenue, for a distance of 208 feet.

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

(6) A gas main in DANCY STREET, beginning at a point 52 feet south of the south

line of East 30th Street and $7\frac{1}{2}$ feet east of the west line of said Dancy Street;

Thence in a southerly direction with a gas main, the centerline of which shall be $7\frac{1}{2}$ feet east of and parallel to the west line of said Dancy Street, for a distance of 109 feet.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(7) A gas main in EAST THIRTY-THIRD STREET, beginning at a point $13\frac{1}{2}$ feet south of the north line of East 33rd Street and 3 feet west of the west line of Duval Street;

Thence in a westerly direction with a gas main, the centerline of which shall be $13\frac{1}{2}$ feet south of and parallel to the north line of said East 33rd Street, for a distance of 205 feet.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(8) A gas main in WEST TWENTY-NINTH STREET from Splitrock Avenue to Oakhurst Avenue, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north line of said West 29th Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ 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 out 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 Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

The following written opinion of the Assistant City Attorney, relative to the closing of the alleys traversing Block 4, Ideal Place, and Block 59, Christian and Fellman Addition, was received:

" July 8, 1936.

Honorable Guiton Morgan
City Manager
Austin, Texas

Dear Mr. Morgan:

I have prepared the accompanying resolution temporarily closing and vacating the alley in question. The resolution is in accordance with the instructions given me that the resolution should provide that the City reserve the right to reopen said alley when it saw fit, and that the reopening of same should be without cost to the City.

I am of the opinion that this resolution should not be passed unless some urgent need exists for temporarily closing said alley. In my opinion, if the City should at some future date desire to reopen the alley, legal complications might arise.

For example, if some owner of the fee should place a building or a "stucco wall" in or across said alley, the City, while it would have the legal right to

remove same, would perhaps have to resort to the courts to do so, and in such event could reopen said alley only at the termination of the litigation.

Of course I am not attempting to suggest the policy the City should pursue in regard to its streets and alleys, but I am merely pointing out the legal difficulties the City might encounter should it pass the resolution in question.

Very truly yours,

(Signed) A. L. Love
Assistant City Attorney. "

Councilman Gillis moved that the request of the abutting property owners for the closing of the above described alleys be denied. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

Councilman Alford moved that Charley G. Riggs be granted a taxicab driver's permit, in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

Councilman Alford moved that the taxicab driver's permit issued to Robert O. Pudifin, 207 East 1st Street, on September 5, 1935, be revoked, in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

Councilman Alford moved that the taxicab driver's permit issued to W. Robert Saunders on August 7, 1935, be revoked, in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

The City Manager was instructed to look into the bad condition of the street at the intersection of Barton Springs Road and Kinney Avenue and to have the same remedied.

Councilman Alford offered the following resolution:

WHEREAS, Mrs. F. R. Sykes has been compelled to recover from E. T. Houston, Guardian, the west one-half ($\frac{1}{2}$) of Lot 15, all of Lots 16 and 17, and the east one-half ($\frac{1}{2}$) of Lot 18, Block 2, Outlet 2, Division "A", in the City of Austin, for debt, and has discovered that the City taxes for the years 1932, 1933, 1934, and 1935, in the aggregate amount of \$187.72, plus penalties in the aggregate amount of \$9.37, and interest in the aggregate amount of \$20.64 have accrued while said property was under ownership of prior owners; and

WHEREAS, it is deemed equitable and expedient that, under the above facts, the penalties on said taxes should be remitted; therefore,

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

THAT said penalties, amounting in the aggregate to the sum of \$9.37 for the years 1932, 1933, 1934, and 1935, be and the same are hereby remitted, provided that said Mrs. F. R. Sykes pays all of said taxes and accrued interest immediately.

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

Upon motion duly seconded and carried, the meeting was recessed at 11:00 A. M., subject to call of the Mayor.

Approved: Oswald G. Wolf
Mayor Pro tem

Attest:
Wallis McKeel
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 23, 1936

The meeting was called to order at 10:45 A. M., with Mayor Pro tem Wolf presiding. Roll call showed the following members present: Councilmen G. F. Alford, Simon Gillis, and Mayor Pro tem Oswald G. Wolf, 3; absent, Councilman C. M. Bartholomew and Mayor Tom Miller, 2.

The Minutes of the regular meeting of July 16 were read and upon motion of Councilman Gillis were adopted, as read, by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller, absent, 2.

Councilman Alford 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 RAMSEY AVENUE, beginning at a point 115 feet north of the north line of West 42nd Street and 7½ feet west of the east line of Ramsey Avenue;

Thence in a northerly direction with a gas main, the centerline of which shall be 7½ feet west of and parallel to the east line of said Ramsey Avenue, for a distance of 153 feet.

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