

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 15, 1936.

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

The reading of the Minutes was dispensed with.

C. F. Steiner submitted a request for a stop sign on Brackenridge Street at its intersection with East Annie Street. The matter was referred to the City Manager and Traffic Division for investigation and recommendation.

Clyde Hailey, Agent, submitted a petition for a change in zoning from Residence "A" to Commercial "C" of the property located at the southwest corner of West 29th Street and Shoal Crest Avenue, being legally described as Lots Nos. 13 and 14, Shoal Crest Addition, Blocks 1 and 2, a subdivision of a portion of Outlot 71, Division "D". The matter was referred to the Zoning Board of Adjustment for recommendation.

Clyde Hailey, Agent for Mrs. Sophia Shipman, submitted an offer to sell to the City of Austin, for a consideration of \$650, the south 60 feet of Lot "J", Block 12-S, Fairview Park Addition. The matter was referred to Councilman Gillis and the City Manager for investigation and recommendation.

Burt Brydson appeared before the Council to request that some adjustment be made in the matter of his claim against the City resulting from the paving of his property at the corner of 26 $\frac{1}{2}$  Street and Waller Boulevard. The matter was referred to the City Manager.

Councilman Alford moved that the following named persons be granted taxicab driver's permits, in accordance with the recommendation of George H. Rogers, Sergeant of Police, Traffic Division: Placido Beltram, 2209 Garden Street; and Werth Horsee Platt, 2910 Guadalupe Street. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

A petition from the merchants on the west side of Lavaca Street from 14th to 17th Streets, asking that 45° angle parking be substituted for parallel parking on said street, was received and referred to the Police Department for such action as it deems expedient.

The following written opinion of the City Attorney was received and filed:

"September 18, 1936.

Honorable Guiton Morgan  
City Manager  
Austin, Texas

Dear Mr. Morgan:

Re: Application of the Business and  
Professional Women's Club for  
exemption from City taxes.

Miss Lydia Littman and Mrs. Anna F. Sandbo, acting as Tax Committee for said Club, have submitted to me, for the purpose of passing upon the question of the exemption of the Business and Professional Women's Club from taxation, a copy of the Constitution and By-laws of said Club, together with a rather full statement of the activities of said organization.

I am very much impressed with the fact that the Club is doing a very useful work in the City, and the members thereof are entitled to much credit, and it therefore deserves every consideration by the City; however, the only question upon which I can pass is whether under the law said Club should be exempt from the payment of City taxes; and while I am in full sympathy with the objects and purposes of the Club, I can not let that fact control in passing upon such question.

Therefore, I submit that the Business and Professional Women's Club is not entitled to be exempt from City taxes.

If Miss Littman desires, through attorney, or otherwise, to present a brief in support of the application of said Club, I think same should be carefully considered, but in my opinion, based upon a rather thorough study of a like matter in regard to other Clubs, I do not believe that the City Council has authority to grant the exemption claimed.

A copy of this letter is being sent to Miss Littman, and if she should so request, I will be glad to furnish her an opinion with citation of authorities in support of the view herein announced.

Very truly yours,

A. L. Love  
City Attorney. "

The City Attorney was directed to notify the Tax Committee of the Business and Professional Women's Club that the matter of a reduction in the assessed valuation placed on their property would be taken up for consideration at the next regular meeting of the City Council if they desired to be present.

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 BURNET ROAD, beginning at a point 15 feet west of the east line of Burnet Road and 170 feet north of the north line of West 44th Street;

Thence in a northerly direction with a gas main, the centerline of which shall be 15 feet west of and parallel to the east line of said Burnet Road, for a distance of 198 feet to Alice Avenue.

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

(2) A gas regulator pit, size 7'x9', in WEST THIRTY-FIRST STREET, the center of which regulator pit shall be 22 feet south of the north line of West 31st Street and 323½ feet west of the west line of San Gabriel Street.

(3) A gas main in SOUTH THIRD STREET, beginning at a point 13½ feet east of the west line of South 3rd Street and 15 feet south of the north line of West Johanna Street;

Thence in a southerly direction with a gas main, the centerline of which shall be 13½ feet east of and parallel to the west line of said South 3rd Street to a point 200 feet south of the south line of West Johanna Street.

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

(4) A gas main in EAST TWELFTH STREET from Olander Street east 15 feet, the centerline of which gas main shall be 20 feet south of and parallel to the north line of said East 12th Street.

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

(5) A gas main in OLANDER STREET, beginning at a point 20 feet south of the north line of East 12th Street and 16 feet east of the west line of Olander Street;

Thence in a northerly direction with a gas main, the centerline of which shall be 16 feet east of and parallel to the west line of said Olander Street, to a point 80 feet north of the north line of East 12th 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.

Councilman Gillis offered the following resolution:

WHEREAS, in Book 2, at page 198, of the Plat Records on file with the County Clerk of Travis County, Texas, there appears a map or plat showing a subdivision of land known as Whitten Addition, which Whitten Addition is within the City of Austin, Travis County, Texas; and

WHEREAS, upon said map or plat there appears a street 45 feet in width known as "Pratt Avenue," which street is bounded on the east by Blocks 2 and 4 and bounded on the west by Blocks 3 and 5, of said Whitten Addition, and which street extends from West 32nd Street to West 34th Street; and

WHEREAS, in Book 1, at page 65, of the Plat Records on file with the County Clerk of Travis County, Texas, there appears a map or plat of a subdivision of land known as Glen-Ridge, which Glen-Ridge is within the City of Austin, Travis County, Texas; and

WHEREAS, upon said map or plat of Glen-Ridge there appears a street 60 feet in width known as "Pratt Avenue," which street is bounded on the east by Blocks 5, 6, and 7, and bounded on the west by Blocks 8, 9, and 10 of said Glen-Ridge, and which Pratt Avenue extends from 34th Street, or State Street, north three blocks to Spring Street, or 38th Street; and

WHEREAS, the owners of the majority of property abutting the two named segments of Pratt Avenue have petitioned the City Council of the City of Austin to adopt the name "Bailey Lane" in lieu of "Pratt Avenue" for the streets above referred to; 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 45 feet in width known as "Pratt Avenue," which street is bounded on the east by Blocks 2 and 4 and bounded on the west by Blocks 3 and 5, of Whitten Addition as shown upon a map or plat of said Whitten Addition appearing in the Plat Records of Travis County, Texas, and extending from West 32nd Street to West 34th Street, and that certain street 60 feet in width known as "Pratt Avenue," which street is bounded on the east by Blocks 5, 6, and 7, and bounded on the west by Blocks 8, 9, and 10 of Glen-Ridge, as shown upon a map or plat of said Glen-Ridge appearing in the Plat Records of Travis County, Texas, and extending from 34th Street, or State Street, north three blocks to Spring Street, or 38th Street, be known and designated hereafter as "Bailey Lane."

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, 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 ALICE AVENUE ALLEY from West 44th Street to West 45th Street, the centerline of which pole line shall be 1 foot west of and parallel to the east line of said Alley..

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 shall be 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 Alford offered the following resolution:

WHEREAS, the taxes on Lots 19 and 20, Outlot 36, Division "D" in the City of Austin, Travis County, Texas, was assessed in the name of and as the property of the Ex-Students' Association of Texas from and including the year 1934 to and including the year 1936; and

WHEREAS, said described property was in fact sold to the University of Texas by contract duly executed in the early part of 1933 , and during the years 1933 to 1936, inclusive, the Regents of the University of Texas have been in possession of said property as the property of the University of Texas and have exercised full control of same and have received the rents and revenues arising therefrom, although no formal deed was made to said property by the Ex-Students' Association; however, the University's ownership and control of said property has been at all times recognized by said Association during all of the aforesaid years; and

WHEREAS, under the circumstances, it is deemed equitable and advisable that the taxes against the personal property assessed to the Ex-Students' Association during the aforesaid time be charged off the rolls; therefore,

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

THAT T. B. Marshall, City Tax Assessor and Collector, is hereby authorized to charge off the tax rolls the assessment upon said real estate for the years 1933, 1934, 1935, and 1936, and is further authorized to charge off of said rolls the assessment against the office furniture and fixtures for the years 1928 through 1936, inclusive, provided that the taxes, penalty and interest in the sum of \$1950.79 assessed on said property against the Ex-Students' Association of Texas for the years 1924 to and including the year 1932 in the sum of \$1950.79 be paid on or before the 31st day of December, 1936.

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, Charles Wendlandt, Jr., has been compelled to recover from O.G. Gilbert

Lots 24, 25, and 26, in Block 4, Outlots 11, 12, Division "C", Oaklawn Subdivision, Plat 80, located in the City of Austin, for debt, and has discovered that City taxes for the years 1926, 1927, 1930, 1931, 1932, 1933, 1934, and 1935, in the aggregate amount of \$370.15, plus penalties of \$18.46 and interest of \$99.06, have accrued while said property was under the ownership of his debtor; and

WHEREAS, it is deemed equitable and expedient that under the above facts the penalties and one-half the accrued interest 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 \$18.46 for the years 1926, 1927, 1930, 1931, 1932, 1933, 1934, and 1935, and one-half of the accrued interest, amounting to \$49.53, be and the same are hereby remitted, provided that said Charles Wendlandt, Jr., immediately pays all of said taxes, together with one-half of the accrued interest.

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 seconded and carried, the meeting was recessed at 1:00 P. M., subject to call of the Mayor.

Approved: Tom Miller  
Mayor.

Attest:

Hallie McKeel  
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 22, 1936.

The meeting was called to order 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.

The public hearing on the proposal of the City Council to amend the Zoning Ordinance in the following particulars was then opened:

To amend Section 2 by adding, in alphabetical order, the following definitions:

PORTE COCHERE: A roofed space open on three sides, one story in height, covered with a flat or hipped roof and ordinarily used as a shelter under which vehicles are driven and/or temporarily parked.

PERGOLA: A space open on three sides and partially covered on top with beams, lattice or similar skeleton structure supported on posts, pillars, or columns.

RESIDENCE: A building occupied as the abiding place of one or more persons in which the use and management of sleeping quarters, all appliances for cooking, ventilating, heating,