

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,

or lighting are under one control and which shall include one and two family dwellings, apartment houses and boarding houses, and which shall be the principal building on any lot in an "A" and "B" Residential District.

ACCESSORY BUILDING: Any building customarily incidental to the principal building, including among other things a garage, servants' quarters, stable, chicken house, storage house, tool or work shed and an apiary not over 100 square feet in area.

To amend the definition of an apartment hotel in Section 2 by substituting for the word "three" in the second line, the word "twelve."

To amend Section 4 by adding to paragraph (a) of Subsection 13, the words "and permit the employment of one (1) outside person not a member of the immediate family and residing on the premises."

To amend Section 5 by adding to paragraph one, subsection (b), this sentence, "Of the vehicles to be stored, not more than two shall be commercial vehicles."

To amend Section 5 by adding to paragraph (a) of Subsection 13, the words "and permit the employment of one (1) outside person not a member of the immediate family and residing on the premises."

To amend Section 9, Subsection 2, by changing the word and figure "eight (8)" to read "sixty-four (64)".

To amend Section 10 by inserting between the last two paragraphs the following:

"Nothing herein shall prevent the substantial restoration within a period of twelve months of a building which has been damaged by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind, to an extent that the cost of such restoration does not exceed seventy-five percent (75%) of the assessed valuation for tax purposes of said building immediately prior to such damage or the continuance of any 'Use' existing therein immediately prior thereto."

To amend Section 11 by adding to the fifth paragraph after the word "alley" in the ninth line, the words "and shall abut on said easement at least thirty-five (35) feet"; by striking out after the word "least" in the eleventh line, the words "twelve (12) feet wide if intended to serve one lot and must be at least"; and by changing the word and figure "twenty-four (24)" in the thirteenth line to read "eighteen (18)."

To amend Section 12 by striking out the forty-first to sixty-third words, inclusive, of the first paragraph of subheading "Setback" and substituting therefor the following: "and there shall be a setback line for any wall of not less than twelve (12) feet from any side street line and a setback line for any porch of not less than five (5) feet from any side street line."

To amend Section 13 by inserting the word "Line" after the word "Setback"; and by striking out the fortieth to sixty-second words, inclusive, of the first paragraph under subsection "Setback" and substituting therefor the following: "and there shall be a setback line for any wall of not less than ten (10) feet from any side street line and a setback line for any porch of not less than four (4) feet from any side street line."

To amend Section 14 by striking out the forty-first to sixty-third words, inclusive, of paragraph under the subsection "Setback" and substituting therefor the following: "and there shall be a setback line for any wall of not less than ten (10) feet from any side street line and a setback line for any porch of not less than four (4) feet from any side street line."

To amend Section 15 by striking out the subsection "Rear Yard"; and by changing the word "five" and figure "(5)" in subsection "Side Yard" to read "three (3)."

To amend Section 16 by changing the subsection (h) thereof as follows:

By adding after the word "street" in the fifth line thereof, the words "or private easement as required in Section 11 of this ordinance"; by changing the word "one-half" in the same line to "one-fourth"; and by adding after the word "street" in the sixth line thereof, the words "or private easement."

To amend Section 17, Subdivision 1, by adding the words "or pergola" after the word "Porte Cochere."

To amend Section 12, Subsection "Lot Area per Family" by changing the words and figures "three thousand (3000)" to read "thirty-five hundred (3500) for interior lots," and "four thousand (4000) for corner lots abutting on two streets, one street and an alley or an easement."

To amend Section 13, Subsection "Lot Area per Family" by changing the words and figures "seven hundred fifty (750)" to read "one thousand (1000)."

To amend Section 6 by adding to Subsection 11, after the word, "yard" the following: "exceeding three hundred eighty-four (384) cubic feet in volume, or four (4) feet from any building or property line, or where noise-producing and/or dust-producing apparatus is used in connection therewith."

To amend Section 15, Subsection (g) by adding the words "or a 'C-2' Commercial

Use District" after the word "District" in the third line thereof.

To amend Section 16, Subsection (1) by adding the words "or a 'C-2' Commercial Use District" after the word "District" in the third line thereof.

To amend Section 11 by adding the following paragraph:

"Where two or more buildings are erected on one or more lots and an easement is provided for access to the buildings, as in the case of 'Residence Courts', the building or buildings on the first lot or portion of lot which abuts on a street shall have the said buildings front upon the street and not upon the easement, but all other buildings to the rear of the same shall front upon the easement."

To amend Section 17, entitled "Special Area Regulations and Exceptions" by adding the following paragraph:

"(3) Setbacks for resubdivided lots of Record.

Where any lot or lots, as defined in Section 2 of this ordinance, originally recorded as commonly fronting in the same direction on a street or easement, are resubdivided or any portion of said lots is sold or partitioned off by metes and bounds so that the newly erected lot or lots face or front in a direction making an angle of 90 degrees more or less with the original frontage and abutting on the property line of the adjacent original lot or lots, the garage of the new corner lot thus created shall be attached to or built into the principal structure on the said lot, and the garage and/or accessory building of the new created inner lot or lots shall be set back the maximum distance from the original front property line of the original lots so subdivided."

Where any lots of record abutting on a common property line and originally facing or fronting in directions making an angle of 90 degrees more or less with each other, are resubdivided or any portion thereof sold or partitioned off by metes and bounds, the newly created lot or lots shall be considered to front in the same direction as the other original lots in the block and adjacent thereto, and the setback of the garage and accessory buildings as well as the principal building shall conform to the same regulations as the original adjacent lots.

To amend Section 12 by striking out the entire paragraph under Subsection "Setback" regarding the setback for garages and accessory buildings and substituting therefor the following paragraph:

"A private garage, private stable, poultry shed, storage room or other accessory buildings shall be so located and placed on a lot that no part thereof shall be a lesser distance from the front property line than 75% of the mean depth of the lot measured from the front property line to the rear property line, provided that in no case shall the distance from the front property line be required to be greater than ninety (90) feet, and a setback line for any such accessory building of not less than twenty (20) feet from any other street line, provided that on corner lots abutting on an alley or common property line and fronting in opposite directions on both sides of and parallel to any side street, the setback distance from the side street for any such accessory building shall be not less than twelve (12) feet, provided further that in no case shall the said building be less than three (3) feet from any property line."

To amend Section 13 by striking out the entire paragraph under Subsection "Setback" regarding the setback for garages and accessory buildings, and substituting therefor the following paragraph:

"A private garage, private stable, poultry shed, storage room or other accessory buildings shall be so located and placed on a lot that no part thereof shall be a lesser distance from the front property line than 75% of the mean depth of the lot measured from the front property line to the rear property line, provided that in no case shall the distance from the front property line be required to be greater than ninety (90) feet, and a setback line for any such accessory building of not less than twenty (20) feet from any other street line, provided that on corner lots abutting on an alley or common property line and fronting in opposite directions on both sides of and parallel to any side street, the setback distance from the side street for any such accessory building shall be not less than ten (10) feet, provided further that in no case shall the said building be less than three (3) feet from any property line."

To amend Section 14 by striking out the entire paragraph under Subsection "Setback" regarding the setback for garages and accessory buildings, and substituting therefor the following paragraph:

"A private garage, private stable, poultry shed, storage room, or other accessory building shall be so located and placed on a lot that no part thereof shall be a lesser distance from the front property line than 75% of the mean depth of the lot

measured from the front property line to the rear property line, provided in no case shall the distance from the front property line be required to be greater than ninety (90) feet, and a setback line for any such accessory building of not less than twenty (20) feet from any other street line, provided that on corner lots abutting on an alley or common property line and fronting in opposite directions on both sides of and parallel to any side street, the setback distance from the side street for any such accessory building shall be not less than ten (10) feet, provided further that in no case shall the said building be less than three (3) feet from any property line."

To amend the Use designation of the property consisting of Lots 1 to 22, inclusive, extending from West 24th Street to West 19th Street along Shoal Creek Boulevard, which property is now owned by the City of Austin and is known as Shoal Creek Boulevard Lots Addition, so as to change same from "A" Residence District to "B" Residence District.

To amend the Use designation of the following described property so as to change same from "B" Residence District to "C" Commercial District: Lots 1, 2, 3, 4, and 5, Block "B", Statesman Addition, being the southwest corner of the intersection of East 43rd and Duval Streets; Lots 1 and 2, Block 1, Outlot 14, Ideal Place, Division "C", being the southeast corner of the intersection of East 43rd and Duval Streets; and 100 feet by 125 feet of the P. C. Wolff property in Block 18, Hyde Park No. 1, being the northwest corner of the intersection of East 43rd and Duval Streets, and fronting 100 feet on Duval Street and 125 feet on East 43rd Street.

To amend the Use designation of the following described property so as to change same from "A" Residence District to "C" Commercial District: 125 feet by 125 feet of the Joe Prowse property in Outlot 15, Division "C", being the northeast corner of the intersection of East 43rd and Duval Streets, and fronting 125 feet on Duval Street and 125 feet on East 43rd Street.

To amend the Use designation of the following described property so as to change same from "C" Commercial District to "A" Residence District: Lots 1, 2, 3, 4, Block 1, Sparks & Moore Subdivision, Outlot 15, Division "C", being the southeast corner of the intersection of East 45th and Duval Streets; 130 feet by 250 feet of the Ida and Fred Huber property, being the northwest corner of the intersection of East 45th and Duval Streets, and fronting 250 feet on Duval Street and 130 feet on East 45th Street; and Lots 6, 7, and 8, Albert R. Moore's Subdivision of Block 1, Hyde Park No. 1, being the southwest corner of the intersection of East 45th and Duval Streets.

Mrs. W. Jessen, Miss Johanna Hughes, D. F. Douglas, Mr. and Mrs. W.J. Clarkson, W. H. Badger, Sr., W. H. Badger, Jr., H. W. Zuch, A. B. Craddock, Mabel Clifford, and Harvey Long appeared to protest the proposed change in zoning of the property at the corner of 43rd and Duval Streets from "A" and "B" Residence to "C" Commercial on the grounds that it would destroy the value of said property as residential property and would increase the fire and traffic hazard.

It was moved by Mayor Miller that the petition for a change in the zoning of the property at the corner of 43rd and Duval Streets to "C" Commercial be not granted and that said property remain as now zoned. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

It was then moved by Mayor Miller that, in view of the fact that no change is to be made in the zoning of the property at 43rd and Duval Streets, the property at the corner of 45th and Duval Streets remain as "C" Commercial. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Dr. H. A. Scott, W. E. Metzenthin, Robt. H. Guyler, J. T. Patterson, and F. A. Gerling appeared to protest the proposed change in the zoning of the property on Shoal Creek from 24th to 19th Streets from "A" Residence to "B" Residence Districts, and presented a petition signed by the property owners in the vicinity protesting the proposed change, on the ground that it would deteriorate the value of their property as residential property, and asking that the property in question be withdrawn from the market and kept for park purposes.

It was moved by Councilman Gillis that no change be made in the zoning of the property on Shoal Creek Boulevard from 24th to 19th Streets and that same remain as Residence "A". The motion carried by the following vote: Ayes, Councilmen Alford,

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

There being no further protests against the proposed changes in the Zoning Ordinance, Mayor Miller then 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"; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

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 following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The ordinance was read the second time and Councilman Wolf moved a further suspension of the rule and the placing of the ordinance on its third reading. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

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

A protest by residents and property owners against the nuisance created by the Furniture Repair Shop at the southeast corner of 43rd and Duval Streets was heard and referred to the Board of Adjustment, the Fire Marshal, and the Building Inspector.

Pending further consideration by the Council of request of Miss Nannie Dawson that taxes be remitted against the Mary Dawson Estate as compensation for damages to the property of said estate in the paving of the Fredericksburg Road, the City Attorney was instructed to withhold filing of suit for collection of taxes against said estate.

Councilman Wolf 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: Benjamin Franklin Sites, 1303 Newning Avenue, John Mueller, Sr., 603 Woods Street; Leonard Smith, 1108 West 38th Street; Wesley Hogan, 3902 Morningside Drive; Carl Leonard Lind, 607 Wood Street; and James Edward Snowden, 1502 Canterbury Street. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf offered the following resolution:

WHEREAS, John H. Chiles, owner of Lot 6, Block 45, of the Original City of Austin, Travis County, Texas, which property abuts the west side of Lavaca Street and the north side of West 4th Street and being situated at the northwest corner of the intersection

of said streets, has made application to the City Council of the City of Austin for permission to construct a commercial driveway across the west sidewalk area of Lavaca Street at a location approximately 70 feet north of the north line of West 4th Street, as shown upon the plan hereto attached marked 2-C-641, which plan is hereby 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 John H. Chiles, owner of Lot 6, Block 45, of the Original City of Austin, Travis County, Texas, which property abuts the west side of Lavaca Street and the north side of West 4th Street and being situated at the northwest corner of the intersection of said streets, is hereby permitted to construct a commercial driveway across the west sidewalk area of Lavaca Street at a location approximately 70 feet north of the north line of West 4th Street, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-C-641, 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, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf offered the following resolution:

WHEREAS, H. L. McEntire is the Contractor for the alteration of a building located at 1911 South Congress Avenue and desires a portion of the sidewalk and street space abutting Lot 6, Block 34, of Swisher Addition to the City of Austin, Texas, during the alteration 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 the uses hereinabove enumerated be granted to said H. L. McEntire, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southwest corner of the above described lot; thence in a northerly direction along the west line of said lot for a distance of 35 feet; thence in a westerly direction and at right angles to the centerline of South Congress Avenue to a point 10 feet west of the east curb line of South Congress Avenue; thence in a southerly direction and parallel with the centerline of South Congress Avenue for a distance of 35 feet; thence in a southeasterly direction at an approximate 45° angle to the centerline of South Congress Avenue for a distance to a point 10 feet south of the north curb line of West Johanna Street; thence in an easterly direction and parallel with the centerline of West Johanna Street for a distance of 50 feet; thence in a northerly direction and at right angles to the centerline of West Johanna Street to the south line of the above described lot; thence in a westerly direction along the south line of said lot to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said H. L. McEntire, 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 in South Congress Avenue and West Johanna Streets, such walkway to be protected on each side by guard rails at least 4 feet high and substantially braced and anchored, and such walkway shall have

appropriate entrances at the intersection of South Congress Avenue and West Johanna Street.

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

(3) 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 such storm waters.

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

(5) 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.

(6) 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 November 30, 1936.

(7) 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.

(8) 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.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand (\$1,000) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted 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 foregoing resolution was adopted 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, 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 ALTA VISTA AVENUE, beginning at a point 20 feet west of the east line of said Alta Vista Avenue and 87 feet south of the south line of Woodland Avenue;

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 Alta Vista Avenue, for a distance of 138 feet.

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

(2) A gas main in NATHAN STREET from the south line of West 12th Street southerly a distance of 159 feet, the centerline of which gas main shall be 15 feet west of and parallel to the east line of said Nathan Street.

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

(3) A gas main in ALTA VISTA AVENUE, beginning at a point 63 feet north of the north line of Avondale Road and 20 feet west of the east line of Alta Vista Avenue;

Thence in a northerly direction with a gas main, the centerline of which shall be 20 feet west of and parallel to the east line of said Alta Vista Avenue, for a distance of 50 feet.

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

(4) A gas main in EAST SIDE DRIVE from East Monroe Street southerly a distance of 122 feet, the centerline of which gas main shall be 4 feet east of and parallel to the west line of said East Side Drive.

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

(5) A gas main in WEST THIRTIETH STREET, beginning at a point 7½ feet south of the north line of West 30th Street and 130 feet west of the west line of Harris Boulevard;

Thence in a westerly direction with a gas main, the centerline of which shall be 7½ feet south of and parallel to the north line of said West 30th Street, for a distance of 650 feet.

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

(6) A gas main in DRAKE AVENUE beginning at a point 23 feet west of the east line of Drake Avenue and 20 feet south of the south line of East Annie Street;

Thence in a southerly direction with a gas main, the centerline of which shall be 23 feet west of and parallel to the east line of said Drake Avenue, for a distance of 96 feet.

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

(7) A gas main in SOUTH FIFTH STREET southerly 401 feet from that portion of West Live Oak Street that lies west of South 5th Street, the centerline of which gas main shall be 25 feet west of and parallel to the east line of said South 5th Street.

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

(8) A gas main in BRAZOS STREET from East 14th Street north to a point 25 feet south of the south line of East 15th Street, the centerline of which gas main shall be 19 feet west of and parallel to the east line of said Brazos Street.

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

(9) A gas main in BRAZOS STREET from a point 25 feet south of the south line of East 15th Street north to East 16th Street, the centerline of which gas main shall be 15½ feet west of and parallel to the east line of said Brazos Street.

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

(10) A regulator pit, size 7'x9', in BRAZOS STREET, the center of which regulator pit shall be 15½ feet west of the east line of Brazos Street and 4½ feet south of the south line of East 16th Street.

(11) A gas main in SINCLAIR AVENUE, beginning at a point 9 feet west of the east line of Sinclair Avenue and 44 feet south of the south line of West 43rd Street.

Thence in a southerly direction with a gas main, the centerline of which shall be 9 feet west of and parallel to the east line of said Sinclair Avenue for a distance of 300 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 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 Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf 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 THIRTY-SEVENTH STREET from Red River Street east one block, the centerline of which pole line shall be 8 feet north of and parallel to the south line of said East 37th 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, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Mayor Miller moved that the following resolution of the Exchange Club be spread upon the minutes of this meeting, and that the Clerk be directed to write a letter to the Secretary of said club expressing the thanks of the Council for its support in the matter. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.
(Resolution commending City Council)

"WHEREAS, one Homer Brooks of Houston, Texas, Communist Party candidate for the Governorship of Texas in the coming election, applied to the City Council of Austin for the use of Wooldridge Park Tuesday, October 20, 1936, as a place to hold a political rally in behalf of his candidacy; and

WHEREAS, the said Homer Brooks informed the Mayor of the City of Austin that he advocated a change in the form of our American Government; and

WHEREAS, the Mayor and City Councilmen of the City of Austin refused the said Homer Brooks the use of the said Wooldridge Park for such purposes; and

WHEREAS, the said Mayor and City Councilmen of the City of Austin should be commended for such action; and

WHEREAS, the Exchange Club of Austin is a staunch supporter of our American form of Government and the high ideals promulgated and practiced by it; and

WHEREAS, the Exchange Club of Austin, Texas, has heretofore gone on record as opposed to Communism in the United States;

BE IT THEREFORE RESOLVED that the Exchange Club of Austin, Texas, go on record commending the action taken by our Mayor and City Councilmen; and

BE IT FURTHER RESOLVED that the said Mayor and City Councilmen be and they are hereby assured of our fillest cooperation in the premises; and

BE IT FURTHER RESOLVED that a copy of these resolutions be sent to the City Council of Austin, and a copy filed with the records of the club.

Adopted, by unanimous vote,
October 21, 1936.

C. J. Baldwin, Secretary."

A petition signed by a number of residents in the vicinity, asking that Waller Street be topped, was received and referred to the City Engineer.

Upon motion duly seconded and carried the meeting was recessed at 1:30 P. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor.

Attest:
Halleie McEllan
City Clerk.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 29, 1936.

The meeting was called to order at 10:30 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 Minutes of the regular meetings of October 8, October 15, and October 22, were read and upon motion of Councilman Gillis were adopted as read by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

It was moved by Councilman Gillis, seconded by Councilman Wolf, that in view of the nature of the political rally, the request of Homer Brooks, gubernatorial candidate of the Communist Party for the use of Wooldridge Park Saturday, October 31, at 2:00 P. M., for such purpose be denied, and that the City Manager be instructed to so notify the said Homer Brooks. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.