

Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

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:

Hallie McKeel
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 3, 1936.

The meeting was called to order at 11:00 A. M., 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 Minutes of the regular meetings of November 12 and November 19 were read, and upon motion of Councilman Alford, were adopted as read by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Henry Maerki, owner of property at 47th and Duval Streets, which property is included in the territory proposed to be annexed to the City of Austin, appeared before the Council and declared that he was in favor of the proposed annexation.

Councilman Alford moved that Taxicab License No. 57, issued temporarily to P. J. Hill, be extended for thirty days from the date of expiration, December 6, 1936. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Alford moved that Taxicab License No. 58, issued temporarily to Ben R. Parker, be extended for thirty days from the date of expiration, December 6, 1936. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Alford moved that Taxicab License No. 56, issued temporarily to D. F. Samuel, be extended for thirty days from the date of expiration, December 6, 1936. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Alford moved that the following named persons be granted taxicab driver's permits, in accordance with the recommendation of Geo. H. Rogers, Sergeant of Police, Traffic Division: Travis Leldon LaRue, 1000 San Antonio Street; and William W. Scott, 2614 Willow Street. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Gillis offered the following resolution:

WHEREAS, Marvin Braswell is the Contractor for the construction of a building located at 301-05 Chicon Street and desires a portion of the sidewalk space abutting Lot (A), Outlot 7, Division "O", of the City of Austin, Texas, during the construction 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 Marvin Braswell, the boundary of which is described as follows:

Sidewalk Working Space

Beginning at the southwest corner of the above described lot; thence in a westerly direction and at right angles to the centerline of Chicon Street a distance of 12 feet to a point; thence in a northerly direction and parallel to the centerline of Chicon Street for a distance of 100 feet to a point; thence in an easterly direction and at right angles to the centerline of Chicon Street for a distance of 12 feet to a point on the east line of Chicon Street; thence in a southerly direction along the east line of Chicon Street for a distance of 100 feet to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said Marvin Braswell, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a guard rail within the boundary line along the south, west and north lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(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 January 30, 1937.

(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 Five Thousand (\$5000.00) 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, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Alford offered the following resolution:

WHEREAS, the Kimbell-Diamond Milling Company, lessee from the H. & T. C. Railroad Company of a parcel of land in Outlet 7, Division "A" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property abuts the south side of East 6th Street at a location east of Chicon Street and being locally known as 1919 East 6th Street, has made application to the City Council of the City of Austin for permission to construct a commercial driveway across the south sidewalk area of said East 6th Street at the above described location as shown upon the plan hereto attached marked 2-C-662, 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 the Kimbell-Diamond Milling Company, lessee from the H. & T. C. Railroad Company of a parcel of land in Outlet 7, Division "A" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property abuts the south side of East 6th Street at a location east of Chicon Street and being locally known as 1919 East 6th Street, is hereby permitted to construct a commercial driveway across the south sidewalk area of said East 6th Street at the above described location, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-C-662, 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, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Gillis 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, Graham B. Smedley, acting by and through Edwin C. Kreisle, Architect, owner of Lot 13 of Sunset Hill, a subdivision within the City of Austin, Travis County, Texas, which property abuts the east side of Woodlawn Boulevard at a location north of Watchhill Road and being locally known as 2305 Woodlawn Boulevard, has requested the City Council of the City of Austin to grant permission to construct a brick sidewalk from the curb line to the property line at the above described location; and

WHEREAS, the City Council of the City of Austin has investigated and approved the construction of said brick sidewalk; therefore

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

THAT Graham B. Smedley, acting by and through Edwin C. Kreisle, Architect, owner of Lot 13 of Sunset Hill, a subdivision within the City of Austin, Travis County, Texas, which property abuts the east side of Woodlawn Boulevard at a location north of Watchhill Road and being locally known as 2305 Woodlawn Boulevard, is hereby granted permission to construct a brick sidewalk from the curb line to the property line 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 brick 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 brick 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 Miller, 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) One telephone pole in EAST AVENUE at a location north of East 20 $\frac{1}{2}$ Street, the center of which pole shall be 18 feet east of the west line of said East Avenue.

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, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Gillis offered the following resolution:

WHEREAS, the 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 HARTFORD ROAD across Watchhill Road intersection, the centerline of which gas main shall be 25 feet east of and parallel to the west line of said Hartford Road.

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

(2) A gas main in NEWTON STREET from Mary Street south 105 feet, the centerline of which gas main shall be 10 feet west of and parallel to the east line of said Newton Street.

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

(3) A gas main in WEST LIVE OAK STREET ALLEY from South 1st Street west 110 feet, the centerline of which gas main shall be 6 feet north of and parallel to the south line of said alley.

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

(4) A gas main in EAST THIRTIETH STREET from Beanna Street easterly 94 feet, the centerline of which gas main shall be 18 feet north of and parallel to the south line of said East 30th Street.

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

(5) A gas regulator pit in ALTA VISTA AVENUE, size 7'x9', the center of which regulator pit shall be 25 feet north of the north line of Burleson Road and 11½ feet west of the east line of Alta Vista Avenue.

(6) A gas main in WEST FORTY-FIFTH STREET from Bellevue Avenue to Maybelle Avenue, the centerline of which gas main shall be 7 feet north of and parallel to the south line of said West 45th Street.

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

(7) A gas main in MAYBELLE AVENUE from West 45th Street south a distance of 135 feet, the centerline of which gas main shall be 15 feet west of and parallel to the east line of said Maybelle Avenue.

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

(8) A gas main in SAN BERNARD STREET from East 14th Street south 13 feet, the centerline of which gas main shall be 20 feet west of and parallel to the east line of said San Bernard Street.

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

(9) A gas main in BOB HARRISON STREET from San Bernard Street easterly a distance of 12 feet, the centerline of which gas main shall be 5 feet north of and parallel to the centerline of said Bob Harrison 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, and Mayor Miller, 3; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Councilman Gillis offered the following resolution:

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

THAT the sum of \$297.45 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying the paving lien and judgment in favor of L. E. Whitham and Company against Burt Brydson, covering 29.5 feet of paving, and the same amount of curb and gutter, on property located at 26 $\frac{1}{2}$ Street and Waller Creek Boulevard.

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.

Councilman Alford offered the following resolution:

WHEREAS, the City of Austin called for bids on certain improvements and alterations at the City Market; and

WHEREAS, bids were received, opened and tabulated and E. A. King's bid for the sum of \$3,550.00 was found to be the lowest and best bid; now, therefore,

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

THAT the City Manager be, and he is hereby, authorized to enter into and execute a contract for and in the name of the City of Austin between said City of Austin and E. A. King for the construction of certain improvements and alterations at the City Market for the sum of \$3,550.00, payment to be made upon the satisfactory completion of such work.

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.

Councilman Alford offered the following resolution:

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

THAT the sum of \$3,550.00 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of making certain alterations and improvements at the City Market in accordance with the bid submitted by E. A. King.

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.

Upon motion, duly seconded and carried, the meeting was recessed at 11:30 A. M., subject to call of the Mayor.

Approved:

Tom Miller.
Mayor

Attest:

Hallie McTear
City Clerk.