

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, February 4, 1937.

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, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 5; absent, none.

The Minutes of the regular meeting of January 28 were read and upon motion of Councilman Gillis were adopted as read by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Gillis moved that the following named persons be granted taxicab driver's permits, in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division: Charles William Briscoe, 411 West Monroe Street; Jerry Hollis Clark, 1010 San Antonio Street; Dyrel Hathe Dickard, 403 West 15th Street; Willie Lee Gann, 1903 Holly Street; J. Pinkney Heath, 1108 Taylor Street; Benjamin Lindsey, 2228 Riverview; and Henry Marion Townsend, 1704 South 6th Street. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Alford offered the following resolution:

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

THAT the sum of \$500.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of providing the sponsor's contribution to N. Y. A. street marking and traffic sign painting project.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf introduced the following ordinance.

AN ORDINANCE REGULATING TRAFFIC ON CERTAIN STREETS AT CERTAIN INTERSECTIONS IN THE CITY OF AUSTIN, PROVIDING FOR STOP SIGNS OR MARKED STOP LINES AT SUCH POINTS, PRESCRIBING A PENALTY FOR THE VIOLATION OF THE ORDINANCE, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

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

The ordinance was read the second time and Councilman Wolf moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

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

Councilman Alford offered the following resolution:

WHEREAS, J. B. Roberts is the Contractor for the alteration of a building located at 613 Neches Street and desires a portion of the sidewalk and street space abutting Lot 8 and the west 23 feet of Lot 7, Block 65, of the Original City of Austin, Travis County, 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

J. B. Roberts, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the northeast corner of the above described property; thence in a northerly direction and at right angles to the centerline of East 7th Street for a distance of 8 feet to a point; thence in a westerly direction and parallel to the centerline of East 7th Street for a distance of 92 feet to a point; thence in a southwesterly direction to a point in the south line of East 7th Street, and which point is 30 feet west of the east line of Neches Street; thence in a southerly direction and parallel to the centerline of Neches Street for a distance of 50 feet to a point; thence in an easterly direction and at right angles to the centerline of Neches Street for a distance of 30 feet to the west line of the above described property; thence in a northerly direction along the west line of the above described property for a distance of 50 feet to a point; thence in an easterly direction along the north line of the above described property for a distance of 92 feet to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said

J. B. Roberts, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway within the outer boundary line along the west line of the above described working space, such walkway to be protected on each side by guard rails, and shall construct a guard rail within the boundary line along the north line of said working space, all guard rails 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 rails.

(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 April 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 One Thousand (\$1000.00) 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, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Gillis offered the following resolution:

WHEREAS, J. R. Blackmore is the Contractor for the alteration of a store building located at 708 Congress Avenue and desires a portion of the sidewalk space abutting Lot C, Block 83, of the Original 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 hereinsabove enumerated be granted to said J. R. Blackmore, the boundary of which is described as follows:

Sidewalk Working Space

Beginning at the southeast corner of the above described property; thence in an easterly direction and at right angles to the centerline of Congress Avenue for a distance of 6 feet; thence in a northerly direction and parallel to the centerline of Congress Avenue for a distance of 29 feet; thence in a westerly direction and at right angles to the centerline of Congress Avenue for a distance of 6 feet to the east line of the above described property; thence in a southerly direction along the east line of the above described property to the place of the beginning.

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

(1) That the Contractor shall construct a solid board fence within the boundary line along the north, east, and south lines of the above described space, such fence to be at least 8 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 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 March 6, 1937.

(6) 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.

(7) 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.

(8) 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 resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Gillis offered the following resolution:

WHEREAS, H. G. Epperson is the Contractor for the construction of a building located at 716 Red River Street and desires a portion of the sidewalk space abutting the north 25 feet of Lot 5 (B), Block 88, of the Original 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 H. G. Epperson, the boundary of which is described as follows:

Sidewalk Working Space

Beginning at the northeast corner of the above described property; thence in an easterly direction and at right angles to the centerline of Red River Street for a distance of 8 feet; thence in a southerly direction and parallel to the centerline of Red River Street for a distance of 25 feet; thence in a westerly direction and at right angles to the centerline of Red River Street for a distance of 8 feet to the east line of the above described property; thence in a northerly direction along the east line of the above described property to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said H. G. Epperson, 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 north, east, and south 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 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 April 30, 1937.

(6) 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.

(7) 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.

(8) 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 resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Alford offered the following resolution:

WHEREAS, Goodall H. Wooten, owner of Lot 9, Outlot 50, Division "D" of the Government Outlots adjoining the original City of Austin, Travis County, Texas, which property abuts the south side of West 26th Street east of San Antonio Street and being locally known as 407 West 26th Street, has made application to the City Council of the City of Austin for permission to set the curb back from the established curb line on the south side of West 26th Street at the above described location, thereby relieving traffic conditions by creating a greater width of travelway on West 26th Street; and

WHEREAS, a plan has been prepared showing the proposed layout of the above described curb setback and said plan has been considered and approved by the City Council of the City of Austin; therefore

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

THAT permission is hereby granted Goodall H. Wooten, owner of Lot 9, Outlot 50, Division "D" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property abuts the south side of West 26th Street east of San Antonio Street and being locally known as 407 West 26th Street, to set the curb back from the established curb line on the south side of West 26th Street at the above described location.

Permission to construct the above described curb setback is granted subject to the same's being constructed in accordance with the plan approved by the City Engineer of the City of Austin, which plan is hereto attached marked 2-C-676 and made a part hereof, and in accordance with the following conditions:

(1) That the construction of the setback area on West 26th Street shall be carried out in accordance with the accompanying plan marked 2-C-676 and that all such widened areas, driveways or ramps and curbs shall be constructed of concrete at the expense of the applicant.

(2) That all such concrete shall be not less than 6 inches in thickness and shall be of the following proportions: 1 part cement, 2½ parts of sand, and 4 parts of screened gravel or rock.

(3) That the concrete curbs adjacent to the sidewalk area shall be not less than 6 inches high and that an expansion joint not less than ¾ inch thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked 2-C-676.

(4) That all such expansion joints shall be of the pre-moulded type.

(5) That all concrete work within the street area shall be done by a bonded sidewalk contractor.

(6) That the applicant shall be required to clean the newly created ramp area at least twice per week and shall dispose of the debris at his expense.

(7) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

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 MILDRED STREET from Holly Street to Holly Street Alley, the centerline of which gas main shall be 40 feet east of and parallel to the west line of said Mildred Street.

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

(2) A gas main in HOLLY STREET across Mildred Street intersection, the centerline of which gas main shall be 26 feet south of and parallel to the north line of said Holly Street.

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

(3) A gas main in MAUFRAIS STREET from West 12th Street south 75 feet, the centerline of which gas main shall be 15 feet west of and parallel to the east line of said Maufrais Street.

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

(4) A gas main in ROSEWOOD AVENUE across the intersection of Concho Street, the centerline of which gas main shall be 17 feet south of and parallel to the centerline of said Rosewood Avenue.

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

(5) A gas main in ROSEWOOD AVENUE across the intersection of Lawson Lane, the centerline of which gas main shall be 17 feet south of and parallel to the centerline of said Rosewood Avenue.

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

(6) A gas main in ROSEWOOD AVENUE across the intersection of Leona Street, the centerline of which gas main shall be 17 feet south of and parallel to the centerline of said Rosewood Avenue.

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

(7) A gas main in ROSEWOOD AVENUE across the intersection of Salina Street, the centerline of which gas main shall be 17 feet south of and parallel to the centerline of said Rosewood Avenue.

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

(8) A gas main in ROSEWOOD AVENUE across the intersection of Northwestern Avenue, the centerline of which gas main shall be 17 feet south of and parallel to the centerline of said Rosewood Avenue.

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

(9) A gas main in COMAL STREET across Rosewood Avenue, the centerline of which gas main shall be 13½ feet west of and parallel to the east line of said Comal Street.

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

(10) A gas main in LEONA STREET across the north portion of Rosewood Avenue, the centerline of which gas main shall be 10 feet west of and parallel to the east line of said Leona Street.

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

(11) A gas main in SALINA STREET across the north portion of Rosewood Avenue, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Salina Street.

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

(12) A gas main in POQUITO STREET across the north portion of Rosewood Avenue, the centerline of which gas main shall be 6½ feet west of and

parallel to the east line of said Poquito Street.

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

(13) A gas main in Alamo Street across the north portion of Rosewood Avenue, the centerline of which gas main shall be 6½ feet west of and parallel to the east line of said Alamo Street.

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

(14) A gas main in COLETO STREET across the north portion of Rosewood Avenue, the centerline of which gas main shall be 6½ feet west of and parallel to the east line of said Coleto Street.

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

(15) A gas main in CONCHO STREET across the south portion of Rosewood Avenue, the centerline of which gas main shall be 2 feet west of and parallel to the east line of said Concho Street.

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

(16) A gas main in LAWSON LANE across the south portion of Rosewood Avenue, the centerline of which gas main shall be 2 feet west of and parallel to the east line of said Lawson Lane.

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

(17) A gas main in LEONA STREET across the south portion of Rosewood Avenue, the centerline of which gas main shall be 13 feet west of and parallel to the east line of said Leona Street.

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

(18) A gas main in NORTHWESTERN AVENUE across the south portion of Rosewood Avenue, the centerline of which gas main shall be 13½ feet west of and parallel to the east line of said Northwestern Avenue.

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 resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Upon motion made and seconded, a public hearing was called for Thursday, February 28, at 11:00 A. M., on the proposal to change the zoning of Lots 1, 2, 3, and 4, Shoal Creek Boulevard Lots, from "A" Residence District to "B" Residence District, with certain restrictions, and publication of notice of said hearing was directed to be had in accordance with the terms of the Zoning Ordinance.

Upon motion of Councilman Bartholomew, the City Engineer was instructed to make a survey of all the streets of the City where traffic congestion warrants the

widening of said streets by setting the curbs back, and to submit his report to the Council.

The following certificate of the City Manager was received and filed:

"THE STATE OF TEXAS :
 COUNTY OF TRAVIS
 CITY OF AUSTIN :

This is to certify that I have on this 28th day of January, 1937, as directed by a resolution passed by the City Council of the City of Austin, Texas, and in the presence of the undersigned attesting witnesses, caused the following numbered and otherwise described cancelled bonds to be destroyed by cremation in the City Incinerator, together with sundry cancelled coupons paid by the City of Austin, Texas.

Description of Bonds		Principal	Interest
1910	School		\$ 1,450.00
1912	School		3,125.00
1912	Sewer	Nos. 181-190, inclusive	\$ 3,500.00
1912	Street	Nos. 181-190	3,600.00
1912	Cemetery	Nos. 47-48	2,000.00
1915	School	Nos. 155-160	4,800.00
1915	Sewer		500.00
1915	Street, Bridge & Sewer	Nos. 280-290	11,000.00
1916	Refunding	Nos. 742-780	39,000.00
1918	School	Nos. 25-26	2,000.00
1918	Sewage Disposal	Nos. 86-90	2,500.00
1921	Hospital	No. 11	1,000.00
1924	Incinerator	Nos. 13-14	2,000.00
1924	Water Filtration	Nos. 65-72	8,000.00
1924	School	Nos. 60-66	7,000.00
1926	School	Nos. 24-27	4,000.00
1928	Hospital (1-1-28)	Nos. 16-17	2,000.00
1928	School	Nos. 38-43	6,000.00
1928	Street	Nos. 24-27	4,000.00
1928	Parks	Nos. 10-11	2,000.00
1928	Airport	No. 11	1,000.00
1928	Fire Stations	Nos. 10-11	2,000.00
1928	Sewer (11-1-28)	No. 8	1,000.00
1928	Hospital (11-1-28)	No. 8	1,000.00
1929	Street (5-1-29)	Nos. 57-67	11,000.00
1929	Parks (5-1-29)	Nos. 20-23	4,000.00
1929	Fire Stations (5-1-29)	No. 2	1,000.00
1929	Sewer (5-1-29)	Nos. 29-33	5,000.00
1929	Street (12-16-29)	Nos. 50-61	12,000.00
1929	Parks (12-16-29)	Nos. 14-15-16	3,000.00
1929	Abattoir (12-16-29)	Nos. 6-7	2,000.00
1929	Sewer (12-16-29)	Nos. 16-17-18	3,000.00
1931	Street	Nos. 49-61	13,000.00
1931	Parks	Nos. 14-15-16-17	4,000.00
1931	Sewer	Nos. 9-10	2,000.00
1932	Library	Nos. 8-9-10	3,000.00
1932	Fire Stations	No. 4	1,000.00
1934	Parks	Nos. 6-10	5,000.00
1935	Public Market	Nos. 1-2	2,000.00
1936	School		4,125.00
1935	Revenue	Nos. 87-128	
		Nos. 779-782	46,000.00
1936	Revenue		16,468.00
1917	Ridgetop District		6,060.00
1923	Govalle District		250.00
			150.00
		<u>\$240,500.00</u>	<u>\$294,048.00</u>

(Signed) Guiton Morgan
 City Manager
 City of Austin
 Texas

Witnesses:

C. F. Alford, Councilman
 Simon Gillis, Councilman
 Oswald G. Wolf, Councilman

Upon motion duly made and seconded, the meeting was recessed at 11:55 A. M., subject to call of the Mayor .

Approved: Tom Miller
 Mayor

Attest:
Hollis McMillan
 City Clerk