

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 5, 1938.

The City Council convened in regular session at the regular meeting place on September 5, 1938, 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; absent, none.

The reading of the Minutes was dispensed with.

Drs. B. J. Lloyd and B. M. Primer, Director and Assistant Director, respectively, of the Austin-Travis County Health Unit, were present and discussed briefly the proposed work of the new organization.

Upon motion of Councilman Gillis, the following named persons were granted taxicab driver's permits, in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division: Adoniron Sylvoy Gant, Edward Richard Harvey, and John William Ward, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Gillis moved that J. C. Moore be granted a license to operate as a taxicab a 1938 Model Chevrolet Sedan, Engine No. 1904417, State Highway License No. K-07523. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Gillis introduced 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 NEWFIELD LANE southerly 62 feet from a point 67 feet south of the south line of Watchhill Road, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Newfield Lane.

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

(2) A gas main in GASTON AVENUE across McCallum Drive intersection, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said Gaston Avenue.

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

(3) A gas main in MCCALLUM DRIVE across Gaston Avenue intersection, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said McCallum Drive.

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

(4) A gas main in SOUTH FIFTH STREET from West Milton Street to West Monroe Street, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said South Fifth Street.

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

(5) A gas main in WEST MONROE STREET from South Fifth Street westerly 73 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said West Monroe Street.

Said gas main described above shall have a covering 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; nays, none.

Councilman Wolf introduced the following resolution:

WHEREAS, S. R. Wood, acting by and through Frank R. Rundell, Contractor, owner of a portion of Block 6 of Buddington Subdivision in Outlot 77, Division "D" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property is situated at the southeast corner of the intersection of Guadalupe Street and West 35th Street, and being locally known as 3417-3419 Guadalupe Street, has made application to the City Council of the City of Austin for permission to construct a commercial driveway across the east sidewalk area of Guadalupe Street at the above described location, as shown upon the plan hereto attached, marked 2-C-758, 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 S. R. Wood, acting by and through Frank R. Rundell, Contractor, owner of a portion of Block 6 of Buddington Subdivision in Outlot 77, Division "D" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and being situated at the southeast corner of the intersection of Guadalupe Street and West 35th Street, and being locally known as 3417-3419 Guadalupe Street, is hereby permitted to construct a commercial driveway across the east sidewalk area of Guadalupe Street, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-C-758, 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 resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Councilman Wolf introduced the following ordinance:

AN ORDINANCE AMENDING IN THE CERTAIN PARTICULARS HEREINAFTER 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. "

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

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

The ordinance was read the third time, and Councilman Gillis moved that the ordinance be finally passed. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following report of the Architect in charge of Furniture and Equipment for the Municipal Building was received:

"Austin, Texas  
September 6, 1938

Docket-Tex-1854-DS-14  
Furniture & Equipment  
Municipal Building  
Austin, Texas  
Swann-Schulle Furniture  
Company

Mr. Guiton Morgan  
City Manager  
Austin, Texas

Dear Sir:

This is to state that the furniture and equipment covered by the contract of Swann-Schulle Furniture Company, Austin, Texas, has been received, and I wish to recommend acceptance of same as it complies in all respects with the conditions of the contract.

This contract calls for the furnishing of all merchandise included in Items Nos. 23, 28, and 31 of the furniture and equipment specifications. The contract price is \$165.01, and payment in full is hereby recommended.

Yours very truly,

(Sgd) G. S. Moore  
Architect for Municipal Building  
Furniture and Equipment. "

Councilman Wolf then introduced the following resolution:

WHEREAS, G. S. Moore, architect in charge of furniture and equipment for Docket-Texas-1854-DS-Municipal Building, has reported that the furniture and equipment to be furnished by Swann-Schulle Furniture Company, Contract No. 14, including in Items Nos. 23, 28, and 31 of the furniture and equipment specifications of the above docket number, has been received and complies in all respects with the conditions of the contract, with the rules and regulations of the Public Works Administration, and in

all respects is acceptable to the PWA Inspector, and has recommended to the City Manager the final acceptance of the furniture and equipment and the payment in full of the amount of the contract; and

WHEREAS, the City Council has inspected said furniture and equipment and is of the opinion that same should be finally accepted; therefore,

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

THAT said furniture and equipment under the above contract number is hereby accepted, and the City Manager be, and he is hereby, authorized and directed to approve the acceptance of this contract and to issue a warrant in payment thereof, in the amount of \$165.01, and that he be further authorized and directed to release the contractors from any further liability in connection with the furnishing of the furniture and equipment, and to authorize the cancellation of the bond guaranteeing the successful completion of the contract.

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

Councilman Gillis introduced the following ordinance:

AN ORDINANCE REGULATING THE USE AND OPERATION OF MOTOR BOATS AND OTHER BOATS OPERATED FOR HIRE OR OTHERWISE ON TOM MILLER LAKE ABOVE THE DAM ACROSS THE COLORADO RIVER OWNED BY THE CITY OF AUSTIN; DEFINING CERTAIN TERMS FOR THE PURPOSES OF THIS ORDINANCE, PRESCRIBING PENALTIES FOR THE VIOLATION OF THE TERMS OF THE ORDINANCE, REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH, PROVIDING A SAVING CLAUSE, AND DECLARING AN EMERGENCY.

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

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

The ordinance was read the third time, and Councilman Gillis moved that the ordinance be finally passed. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

A petition by property owners, asking for the rezoning of the property in the area between Arlington and Atlanta Streets on the east and west, and the alley one-half block south of Dam Boulevard and the Colorado River on the north and south, from "D" Industrial District to "A" Residence District and "C" Commercial District, was received, and the matter was referred to the Board of Adjustment for recommendation and a public hearing thereon called for September 29, 1938.

Councilman Gillis introduced the following resolution:

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

THAT the sum of \$2,301.01 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of purchasing 568 metal transfer cases, in accordance with bids tabulated September 2, 1938.

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

Councilman Gillis introduced the following resolution:

WHEREAS, the Public Works Administration requires that all projects under its

regulations be done in accordance with approved wage scales as published by the Department of Labor of the State of Texas; and

WHEREAS, in the proposed work on Docket-Texas-1852-F, said Department of Labor has furnished the City of Austin with said schedule, but which said schedule did not contain certain classes of labor which will be necessary to be used in the proposed work under Docket-Texas-1852-F; therefore,

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

THAT the City Manager be, and he is hereby, authorized and directed to submit such additional schedule to the State Director of Public Works Administration, and provide all contractors and sub-contractors on said Docket-Texas-1852-F with notice that such scale of wages must be complied with.

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

(Attached to foregoing resolution)

"Docket-Texas-1852-F  
Incinerator  
Austin, Texas  
September 8, 1938

SUPPLEMENTARY WAGE SCALE

Watchman ----- \$17.50 per week "

"Austin, Texas  
September 8, 1938

ENG:elf:mq  
Docket-Texas-1852-F  
Incinerator  
Austin, Texas

Mr. Guiton Morgan  
City Manager  
Austin, Texas

Dear Mr. Morgan:

The attached wage scale for wages and work classification covers trade operations which are not classified by the State Department of Labor, but which has been submitted to the State Department of Labor and they advise that same is satisfactory and corresponds with wages paid in their approved list for work of a similar nature.

Yours very truly,

Lloyd W. Taylor  
Engineer-Inspector  
for City of Austin. "

The following resolution was introduced:

WHEREAS, E. B. Snead of Austin, Travis County, Texas, proposes to install and operate a rock crushing and screening plant in the City of Austin for the purpose of producing screened aggregates for bituminous surface treatment of streets and roads and crusher-run materials for base courses for road and street construction; and

WHEREAS, the City of Austin is now using approximately 30,000 cubic yards of gravel for building macadam base course and asphalt surface streets and is using 1800 cubic yards of No. 1 screen aggregate and 1500 cubic yards of No. 2 screen aggregate each year in the construction of double and triple bituminous treatment of streets; and

WHEREAS, it is deemed desirable to enter into a contract and agreement with the said E. B. Snead for materials in the construction of streets and highways in the City of Austin; therefore

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

THAT the City Manager be, and he is hereby authorized and directed to enter into

a contract in writing in behalf of the City of Austin with E. B. Snead for the purchase of materials from the rock crushing and screening plant operated in the City of Austin by the said E. B. Snead, upon such terms and conditions as may be agreed upon by and between the City Manager and the said E. B. Snead.

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

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

Approved: Tom Miller  
Mayor

Attest:

Helen McKeenan  
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 15, 1938.

The City Council convened in regular session, at the regular meeting place, on September 15, 1938, at 10:45 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, and Mayor Tom Miller; absent, Councilman Oswald G. Wolf.

The reading of the Minutes was dispensed with.

The following communication was received:

" Austin, Texas  
Sept. 14, 1938

Hon. Tom Miller, Mayor, and  
Members of the City Council

Gentlemen:

This is to inform you that at the regular monthly meeting of the Austin School Board held on September 12, 1938, the following resolution was unanimously adopted by the Board:

"Be it resolved by the Board of Trustees of the Austin Public Schools that we recommend that the corporate limits of the City of Austin be extended for school purposes only, so as to embrace that portion of the Fiskville Common School District No. 11, Travis County, Texas, as set out in the petition presented herewith, signed by M. E. Jenks, et alia."

Yours truly,

(Sgd) A. N. McCallum  
Superintendent of Schools. "

(Seal)