

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 31, 1935.

The meeting was called to order by Mayor Tom Miller, and on roll call the following answered present: Councilmen C. F. Alford, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 4.

The following was absent: Councilman C. M. Bartholomew, 1.

The Minutes of the last regular meeting 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.

The request of Mrs. Roy E. Smith and other property owners on Park Place for the topping of said street was referred to the City Manager to work the matter out with the Engineering Department and the property owners.

The petition of Harry Joseph, by his attorney, Judge June Harris, for permit to erect a gasoline filling station at 2916 Guadalupe Street was referred to the Building Inspector.

Messrs. Roy and Burleson Priest submitted a proposal that the City provide drainage for their property on Barton Springs Road east of Bouldin Avenue occasioned by the alleged non-functioning of the old Bouldin Creek channel. After considerable discussion, the matter was referred to the City Manager and City Attorney to work out, it being the sense of the Council that the City would do the work provided the Priest Estate would contribute Five Hundred Dollars, or one-third of the cost.

In accordance with the request of the merchants on Congress Avenue, submitted by Horace Barnhart, Secretary of the Retail Merchants Association, the matter of the installation of Park-O-Meters was deferred until further report from said merchants.

The petition from the P.T.A., Colored, asking for the closing of streets adjacent to the Olive Street School during recess periods and for stop signs or traffic officers at this location for the protection of the school children was referred to the City Manager to take up with the Police and Engineering Departments and determine what can be done in the matter.

The petition of the Colored Health Club, 1223 Rosewood Avenue, for a colored health inspector was referred to the City Manager.

The petition of certain merchants asking that Mr. Stovall be granted a police commission was referred to the City Manager and Police Department.

Councilman Wolf 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 WEST THIRTY-SEVENTH STREET, beginning at a point $13\frac{1}{2}$ feet south of the north line of West 37th Street and 78 feet east of the east line of Oakmont Boulevard;

Thence in an easterly direction with the centerline of a gas main, which centerline shall be $13\frac{1}{2}$ feet south of and parallel to the north line of West 37th Street, for a distance of 30 feet.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in EAST TWELFTH STREET, beginning at a point 20 feet south of the north line of East 12th Street and 119 feet west of the west line of Curve Street;

Thence in a westerly direction with the centerline of a gas main, which centerline shall be 20 feet south of and parallel to the north line of said East 12th Street, for a distance of 80 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 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 resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Gillis offered the following resolution:

WHEREAS, J. B. Webb is the Contractor for the removal of an awning located at 110 West 5th Street, and desires a portion of the sidewalk and street space abutting the center one-third (1/3) of Lot 12, Block 55 of the Original City of Austin, Texas, during the removal of the awning, 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. Webb, the boundary of which is described as follows:

SIDEWALK AND STREET WORKING SPACE

Beginning at a point in the north line of West 5th Street, 53.3 feet east of the east line of Colorado Street; thence in a southerly direction and at right angles to the center line of West 5th Street a distance of 14 feet; thence in an easterly direction and parallel with the centerline of West 5th Street a distance of 53.3 feet; thence in a northerly direction and at right angles to the centerline of West 5th Street a distance to the north line of West 5th Street; thence in a westerly direction along the north line of West 5th Street to the place of the beginning.

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

(1) That the Contractor shall construct a guard rail in West 5th Street along the boundary line of the above described street and sidewalk working space, and shall maintain at all times during the use of such space an unobstructed walkway at least four (4) feet wide through the working space. The guard rail shall be at least four (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 November 6, 1935.

(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 One Thousand (\$1,000.00) 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, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford offered the following resolution:

WHEREAS, E. B. Snead is the contractor for the construction of a Nurses' Home located at 709 East 14th Street, and desires a portion of the sidewalk and street space abutting Lots 5 and 6, Block 166, 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 E. B. Snead, the boundary of which is described as follows:

SIDEWALK AND STREET WORKING SPACE

Beginning at the northwest corner of the above described Lot 6 of Block 166; thence in a northerly direction and at right angles to the centerline of East 14th Street a distance to a point 8 feet north of the south curb line of East 14th Street; thence in an easterly direction and parallel with the centerline of East 14th Street a distance of 138 feet; thence in a southerly direction and at right angles to the centerline of East 14th Street a distance to the south curb line of East 14th Street; thence in a course following said curb line first in an easterly direction then in a southerly direction in East Avenue a distance to a point 128 feet south of the south line of East 14th Street; thence in a westerly direction and at right angles to the centerline of East Avenue a distance to the west line of East Avenue; thence in a northerly direction along the west line of East Avenue a distance of 128 feet; thence in a westerly direction along the south line of East 14th Street to the place of the beginning.

2. That the above privileges and allotment of space are granted to said E. B. Snead, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a guard rail around the above described working spaces, 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 September 1, 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 Five Thousand (\$5,000.00) 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, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Gillis offered the following resolution:

WHEREAS, A. A. Conlisk is the contractor for the construction of the building located at 411 West 19th Street and desires a portion of the sidewalk space abutting Lot 6, Block 34, Division "E" 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 A. A. Conlisk, the boundary of which is described as follows:

SIDEWALK WORKING SPACE.

Beginning at the northwest corner of the above described lot; thence in a northerly direction and at right angles to the centerline of West 19th Street a distance of 5 feet; thence in an easterly direction and parallel with the centerline of West 19th Street a distance of 20 feet; thence in a southerly direction and at right angles to the centerline of West 19th Street a distance to the south line of West 19th Street; thence in a westerly direction along the south line of West 19th Street to the place of the beginning.

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

(1) That the Contractor shall construct a guard rail around the above described working spaces, 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 stormwaters 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 November 30, 1935.

(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 One Thousand (\$1,000.00) 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, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

After discussion of the offer of the United States of America to aid by way of grant in financing the construction of new schools and school additions and improvements, the following Resolution entitled "A Resolution Accepting the Offer of the United States to the City of Austin to Aid by Way of Grant in Financing the Construction of New Schools and School Additions and Improvements" was proposed by Councilman Wolf and read in full:

A RESOLUTION ACCEPTING THE OFFER OF THE
UNITED STATES TO THE CITY OF AUSTIN TO AID
BY WAY OF GRANT IN FINANCING THE CONSTRUCTION
OF NEW SCHOOLS AND SCHOOL ADDITIONS AND
IMPROVEMENTS.

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

SECTION 1. THAT the offer of the United States of America to the City of Austin to aid by way of grant in financing the construction of new schools and school additions and improvements, as follows:

FEDERAL EMERGENCY ADMINISTRATION
OF PUBLIC WORKS

Washington, D. C.,
October 7, 1935.
State File No. Tex. 1300

City of Austin
Austin, Texas

Subject to the Rules and Regulations (PWA Form No. 179, July 22, 1935, as amended to date) which are made a part hereof, the United States of America hereby offers to aid in financing the construction and equipment of public free school buildings; repairs to existing public free school buildings; construction and equipment of additions to public free school buildings; purchase of sites (herein called the "Project") by making a grant to the City of Austin in the amount of 45 per cent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works, but not to exceed, in any event, the sum of \$286,363.

UNITED STATES OF AMERICA

FEDERAL EMERGENCY ADMINIS-
TRATOR OF PUBLIC WORKS

By Horatio B. Hackett
Assistant Administrator."

be and the same is hereby in all respects accepted.

SECTION 2. THAT said City of Austin agrees to abide by all the rules and regulations relating to such grant, a copy of which rules and regulations were annexed to the Government's offer and made a part thereof.

SECTION 3. THAT the City Manager, Guiton Morgan, be and he is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this meeting in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

The above resolution was seconded by Councilman Gillis and was adopted, with the following voting aye: Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The chair thereupon declared said Resolution carried and the Mayor thereupon signed said resolution in approval thereof.

Councilman Wolf moved that upon the recommendation of Roy J. Smith, Sergeant of Police, Traffic Division, the following named persons be granted Taxicab Drivers' Permits: Doyle C. Carter, 208 West 46th Street; Otis Thomas Abbett, 612 McCoy Street; and Edgar Eugene Holliday, 1808 Manor Road. 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 moved that upon the recommendation of Roy J. Smith, Sergeant of Police, Traffic Division, the Taxicab Drivers' Permit issued to Kenneth Hill on August 19, 1935, be revoked. 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, there appears of record in Plat Book No. 1, at Page 38, of the Plat Records on file with the County Clerk of Travis County, Texas, a map of an addition known as Riverside Addition; and

WHEREAS, upon said map of Riverside Addition there appears an alley traversing Block No. 7 of said Addition, which alley is the first alley north of and parallel to Fourth Street, or Holly Street, and extends from Comal Street to Chalmers Avenue; and

WHEREAS, in Plat Book No. 2, at page 132, of the Plat Records on file with the County Clerk of Travis County, Texas, there appears a map or plat known as Leonard M. Tobin's Resubdivision of portions of the aforesaid Riverside Addition; and upon this map or plat of Leonard M. Tobin's Resubdivision the aforesaid alley traversing Block No. 7 of Riverside Addition is shown to be twenty (20) feet in width; and

WHEREAS, this alley has been under fence by the owners of the various lots abutting said alley for a great many years and said alley has not been open for public use; and

WHEREAS, the owners of a majority of the properties abutting said alley traversing Block No. 7, Riverside Addition, have presented a petition to the City Council of the City of Austin requesting that this alley be opened for public use; and

WHEREAS, said petition has been reviewed by the City Council; therefore

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

THAT that certain alley traversing Block No. 7 of Riverside Addition, as shown upon a map or plat of said Addition appearing in Book No. 1, at Page 38, of the Plat Records on file with the County Clerk of Travis County, Texas, and which alley is shown to be twenty feet in width, according to a map or plat of the Leonard M. Tobin's Resub-division of portions of Riverside Addition, and which alley is the first alley north of and parallel to Fourth Street, or Holly Street, and extending from Comal Street to Chalmers Avenue, is hereby ordered opened for public use for its entire length of one block, from the east line of Comal Street to the west line of Chalmers Avenue.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

There being no further business, upon motion of Councilman Alford the Council recessed subject to call of the Mayor, by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Attest:

Hallie McKeen
City Clerk

Approved: Tom Miller
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, November 7, 1935.

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 last regular meeting 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.

Councilman Gillis offered the following resolution:

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

THAT the sum of \$7,254.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of advance to Nurses' Home Fund, Docket No. 9224, to pay E. B. Snead Estimate No. 1 in the amount of \$7,254.00.

The 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, with attached recommendations of City Engineer and Building Inspector:

"Austin, Texas
November 7, 1935

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of Bernard P. Fucles, owner of a part of Lot No. 1, Block 7, Outlot 56, Division "B" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and facing on the east side of Navasota Street, at a location approximately 164 feet north of the north line of Cotton Street, and being locally known as 1193½ Navasota Street, for permission to construct,