

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 26, 1931.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; absent, none.

The Minutes of the last meeting were read and Councilman Mueller moved the adoption of same as read. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Geo. S. Dowell, Attorney for property owners asking for the opening of River Road, appeared before the Council and was advised to submit evidence showing that a public necessity existed for the opening of said road and that he would be notified of the date when such hearing could be had.

The Mayor laid before the Council the following resolution:

WHEREAS, improvements on the east part of Lot 18 (A) Block 4, Outlot 44, Division "B", Plat 43, in Gammel and Taylor Subdivision, are assessed in the name of C. M. Miller for the year 1930, at a valuation of \$1,995.00; and

WHEREAS, it appears upon investigation by the Tax Department, and from the attached recommendation, that said improvements are very old and dilapidated and that the said valuation is too high and should be reduced to \$640.00;

Therefore,

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

That, in view of the above facts, the valuation on said improvements be reduced from \$1,995.00 to \$640.00 for the year 1930, and that the Tax Assessor and Collector be authorized to change his rolls accordingly.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council 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 2-inch gas main in East Monroe Street from South Congress Avenue to Brackenridge Street, the center line of which gas main shall be 17½ feet south of and parallel to the center line of said East Monroe Street. Said gas main described above shall have a cover of not less than 2½ feet.

(2) A 2-inch gas main in East Monroe Street from South Congress Avenue easterly not to exceed a distance of 300 feet east of the center line of Nickerson Street, the center line of which gas main shall be 17½ feet north of and parallel to the center line of said East Monroe 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

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 wherever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of back filling 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 above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

A petition signed by the business firms on West Ninth Street, asking for one hour parking on said street from Congress Avenue to Lavaca Street, was read and referred to the City Attorney to have proper ordinance drawn.

The Mayor laid before the Council the following resolution:

WHEREAS, H. G. Wiley has presented to the City Council a request for permission to construct a rock wall on the curb line on 8th Street and on 9th Street adjacent to his property, said property being legally described as Lot 8, Block 3, Lauve's Addition to the City of Austin; and

WHEREAS, the City Engineer has recommended that said request be granted subject to the rock wall being constructed according to attached plan marked 2-0-297, which provides that the rock wall shall be constructed on a concrete foundation and that a standard concrete gutter shall be constructed adjacent to same; therefore,

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

That permission be granted to H.G. Wiley, owner of Lot 8, Block 3 of Lauve's Addition of the City of Austin, to construct a rock wall near the curb line on 8th Street and on 9th Street adjacent to said property, subject to the following conditions:

(1) That said rock curb be constructed according to attached plan marked 2-0-297, which plan is hereby made a part of this resolution.

(2) That the wall shall be constructed under the supervision of the City Engineer and in accordance with lines and grades furnished by him.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council 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 West Thirty-First Street from Guadalupe Street to King Street Alley, the center line of which telephone pole line shall be 3 feet north of and parallel to the south line of said West Thirty-First Street.

(2) A telephone pole line in West Thirty-First Street from King Street Alley to West Avenue, the center line of which pole line shall be 5 feet north of and parallel to the south line of said West Thirty-First 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.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, Ireland Graves, owner of the property situated north of 27th Street and west of Guadalupe Street, has in accordance with City Council resolution recorded in Minute Book No. Page , been granted permission by the City Council to construct commercial driveways in accordance with a definite plan; and

WHEREAS, Ireland Graves constructed said driveways in accordance with said plan but has since determined upon a change of use of said property which requires a different layout of driveway entrances; and

WHEREAS, Ireland Graves also desires to have a permit to set his curb farther back upon the north side of 27th Street; and

WHEREAS, the City Engineer has recommended that said requests be granted subject to all of said work being constructed in accordance with the attached plan 2-G-158; and

WHEREAS, the City Council has considered and approved the proposed revised commercial driveway layout and curb set back in accordance with said plan 2-G-158;

Therefore,

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

That Ireland Graves be granted permission to construct driveways and curb set back adjacent to his property which is situated at the northwest corner of Guadalupe and 27th Streets, subject to the following conditions:

(1) That all driveways, sidewalks, ramps, gutters and curbs shall be constructed of concrete and that all areas between existing gutters and proposed new curbs shall also be constructed of concrete, all in accordance with plan 2-G-158, which plan accompanies this resolution and is made a part thereof.

(2) That all concrete in ramps and in the widened area between existing gutters and proposed curbs shall be constructed of concrete not less than 6 inches thick and in the proportion of one part cement to two parts sand and four parts coarse aggregate.

That permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that Mr. Ireland Graves has failed and refused and will continue to fail and refuse to perform any such condition, regulation and ordinance.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps and plans showing the proposed construction of an underground conduit 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 underground conduits in the following streets:

(1) An underground conduit in West Ninth Street beginning at a point on an electric manhole, which point of beginning is 4 feet north of and $3\frac{1}{2}$ feet east of the intersection of the center line of West Ninth Street and the west line of Colorado Street alley, or the alley lying between Colorado Street and Congress Avenue;

Thence in a westerly direction 4 feet north of and parallel to the center line of West Ninth Street a distance of approximately $\frac{1}{2}$ block to the east line of Colorado Street.

Be it understood that the conduit connecting the vault in the S. W. Bell Telephone Building to the conduit described above shall be perpendicular to said conduit described above, and that the curve connecting said conduit shall have a radius not greater than 5 feet.

That the work and construction of said underground conduit, including the excavation of the streets and the restoration and maintenance of said streets after said underground conduit has been constructed, shall be under the supervision and direction of the City Manager.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The application of W. F. Hudspeth for permit to erect a gasoline filling station at 1400 Cedar Street read and laid over for one week.

Reports of Southwest Bitulithic Company and H. R. F. Helland, Consulting Engineer, stating that the paving had been completed on West Eleventh Street from the west line of Lavaca Street to the east line of Guadalupe Street, Unit or District No. P-101; San Antonio Street from the north line of West Sixth Street to the south line of West Seventh Street, Unit or District No. P-100; Fifteenth Street from the east line of Red River Street to the east line of Sabine Street, Unit or District No. P-93; and Fifteenth Street from the east line of Sabine Street to the west line of East Avenue, Unit or District No. P-94, in accordance with plans and specifications and recommending the acceptance of same, were read and ordered filed.

The Mayor laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF WEST ELEVENTH STREET AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, PROVIDING FOR A PAYMENT OF ANY BALANCE DUE BY THE CITY FOR ITS PORTION OF THE COST OF SAID IMPROVEMENTS AND FOR THE DELIVERY OF CERTIFICATES OF ASSESSMENTS AGAINST ABUTTING PROPERTY AND ITS OWNERS.

WHEREAS, on the 25th day of November, 1931, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

WEST ELEVENTH STREET from the west line of Lavaca Street to the east line of Guadalupe Street, known and designated as Unit or District No. P-101;

SAN ANTONIO STREET from the north line of Sixth Street to the south line of West Seventh Street, known and designated as Unit or District No. P-100;

FIFTEENTH STREET from the east line of Red River Street to the east line of Sabine Street known and designated as Unit or District No. P-93; and

FIFTEENTH STREET from the east line of Sabine Street to the west line of East Avenue, known and designated as Unit or District No. P-94; and

WHEREAS, said contractor has fully completed the street improvements upon said units or districts of improvements above described in accordance with its contract and the plans and specifications made a part thereof and said improvements have been found satisfactory and approved by the Consulting Engineer of the City, and have been found satisfactory and in accordance with the contract by the City Council of said City,

Therefore,

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

I.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of West Eleventh, San Antonio and East Fifteenth Streets hereinbefore described, be and the same are hereby in all things approved and accepted by the City of Austin.

II.

That any balance of the portion of the cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said Contractor, and that the Mayor and the City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels of property abutting upon said portions of streets and the owners of said property as heretofore provided by the ordinance levying assessments against said property and the owners thereof.

III.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Reports of L. E. Whitham & Company and H. R. F. Melland, Consulting Engineer, stating that the paving had been completed on Perdenales Street from the north line of Fifth Street to the north line of Sixth Street, District No. P-90; Comal Street from the north line of First Street to the south line of Seventh Street, District No. P-66; and Chicon Street from the north line of First Street to the south line of Seventh Street, District No. P-64, in accordance with plans and specifications, and recommending the acceptance of same, were read and ordered filed.

The Mayor laid before the Council the following resolution:

RESOLUTION OF THE CITY OF AUSTIN, TEXAS, ACCEPTING THE IMPROVEMENT OF A PORTION OF PERDENALES STREET AND SUNDRY OTHER STREETS, IN THE CITY OF AUSTIN, AND AUTHORIZING THE PAYMENT OF THE BALANCE DUE BY THE CITY OF AUSTIN AND THE ISSUANCE AND DELIVERY OF CERTIFICATES OF SPECIAL ASSESSMENT AGAINST OWNERS OF ABUTTING PROPERTY.

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

That, Whereas, heretofore the hereinafter described streets were ordered improved, contract for said work of improvement duly entered into, and assessment levied against abutting property and the owners thereof to cover the portion of

the cost payable by the said property owners; and

WHEREAS, pursuant to said contract and other proceedings in connection therewith L. E. Whitham & Company has completed the improvement of the following streets, to-wit:

PERDENALES STREET from the north line of Fifth Street to the north line of Sixth Street, known and designated as Unit or District No. P-90;

COMAL STREET from the north line of First Street to the south line of Seventh Street, known and designated as Unit or District No. P-66;

OHICON STREET from the north line of First Street to the south line of Seventh Street, known and designated as Unit or District No. P-64.

Each unit or district shall be and constitute an entirely and wholly separate and independent unit of improvement the same as if contracted for in separate and distinct contracts. The construction of said improvements in each separate unit or district shall be wholly independent of the construction in any other unit or district. The assessments to be levied in each unit or district shall be made according to the cost of the improvements in that particular unit or district, and in accordance with the benefits accruing to the property by reason of said improvements in that particular unit or district, wholly and entirely independent of the cost and of the benefits accruing by reason of the improvements in any of the other units or districts; and

WHEREAS, said improvement is in strict compliance with the terms of said contract, specifications adopted for said improvement, and other proceedings in connection therewith;

Therefore,

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

That said improvement on said portion of said streets be and the same is hereby accepted as in full compliance with the terms of said contract, specifications and proceedings, and the final estimate due from the City of Austin to L. E. Whitham & Company be and the same is hereby ordered paid.

That the Mayor and City Clerk be and are hereby authorized and instructed to issue, execute and deliver to L. E. Whitham & Company certificates of special assessment against the abutting property and the owners thereof, evidencing the several sums of money assessed against said property and the owners thereof respectively for their pro rata of the cost of said improvement, in accordance with the terms of said contract and proceedings.

That this resolution shall take effect and be in force from and after its passage.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Councilman Pannell moved that the site at the southeast corner of Leland Street and South Congress Avenue, owned by T. C. Steiner, be tentatively approved for a filling station, pending submission of plans for said station by said T. C. Steiner to the Safety Committee and their approval of same. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Councilman Reed moved that the Council recess subject to call of the Mayor. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Council then recessed.

Approved: 

MAYOR.