

Regular meeting of the City Council: Austin, Texas, Oct 10th 1912.

The Council was called to Order by the Mayor: Roll called :

Present Mayor Wooldridge, Councilmen Hart, Haynes & Powell 4

Absent Councilman Bartholomew 1

Councilman Hart stated to the Council, that there was in the City pound a certain sorrel mare, that was suffering from cancer of the face and lips, that he had had requested the Veterinary, to examine said animal, which he had done and reported that the animal was worthless, and should be killed and put out of its misery, and taken away from other stock in the said pound.

On motion Councilman Hart was authorized to have said animal killed.

Councilman Bartholomew entered the Council:

The minutes of the last regular and subsequent recessed meetings were read and adopted.

On motion the regular order of business was suspended.

Mr Meyer Minchen appeared before the Council and made a statement in regard to street in front of his premises, but no action was taken on same.

Mr O A Caldwell appeared before the Council in regard to his taxes.

After statement by Mr Caldwell Councilman Haynes moved that the matter of taxes referred to by Mr Caldwell be referred to the City Attorney, but no vote was had on the motion.

#### Reports of City Officers:

The Mayor laid before the Council the report of the Sanitary Inspector for the month of Sept 1912, that of the Engineer for the months of August & Sept, Those of the Health Officer & Assistant for the months of August & Sept, and that of the Board of Equalization, which were read and ordered filed.

The Mayor laid before the Council the following resolution:

Be it resolved by the City Council of the City of Austin, Texas, that \$ 7,300.00, or so much as may be necessary, be appropriated out of the Permanent Improvement fund, City of Austin, to construct Re-inforced concrete bridges, as follows:

Duval street south of 45th street	\$ 1,100.00
Red River street north of 11th street	3,000.00
West 10th street and Shoal Creek	3,200.00
Total	\$ 7,300.00

The resolution was read the first time.

The Mayor laid before the Council the following communication:

Austin, Texas, Oct 9th 1912

Hon A P Wooldridge, Mayor, and Commissioners,

Austin, Texas.

Gentlemen:

I have the honor to respectfully request that permission may be granted the Gentry Bros Dog and Pony Show to occupy East Avenue from 7th to 8th streets, on Wednesday Oct 23rd.

Gentry Bros agrees to leave the street in as good condition as found, being clear of all rubbish.

Very truly,

C W Finney, Rep Gentry Bros.

The request was granted by the following vote:

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Haynes & Powell 5

*Diseased horse in  
pound ordered  
Killed*

*O. A. Caldwell  
Taxes*

*Appropriation*

*Gentry Bros show  
to use East Avenue  
from 7th to 8th*

The Mayor laid before the Council the following resolution :

It appearing to the City Council that inasmuch an obvious error was made in the assessment for the year 1911, of the improvements upon lots 14, 15, 16 & 17, in Block 13, south half of Outlot 1, Division "O", of this City, in that said improvements were assessed at two thousand dollars, but within the knowledge of this Council do not exceed at this time nor did they exceed in value on the 1st of January, 1911, the sum of five hundred dollars; and, Whereas, the Board of Equalization has assessed the same improvements for the year 1912 at the sum of five hundred dollars ;

Now, therefore,

Be it resolved by the City Council of the City of Austin :

That the Assessor and collector of the City of Austin, be and he is hereby authorized and instructed to correct the assessment rolls of the City for the year 1911 in the matter of assessing said improvements upon the lots hereinbefore described at the sum of five hundred dollars, and place a valuation thereon of five hundred dollars instead of two thousand dollars.

Resolved further :

That the Assessor and Collector is hereby authorized to take credit upon his assessment rolls for the year 1911 in accordance with the provisions of this resolution. The resolution was adopted by the following vote :

Yeas Mayor Wooldridge & Councilmen Bartholomew Hart, Haynes & Powell 5

Nays none.

Councilman Powell presented the following report from the City Engineer :

Austin, Texas, Oct 10th 1912.

Hon F W Powell, Supt. Streets and Public Improvements, City of Austin, Texas.

Dear Sir :

This is to certify that I have inspected the paving work done by the Texas Bitum-lithic Co on Colorado street from the south property line 2nd street to the south property line of 4th street, and on 2nd street from the east property line of Colorado street to the east property line of Brazos street, and find the same to have been satisfactorily made in accordance with the specifications .

Yours truly,

G B Fredell, City Engineer.

Councilman Powell offered the following resolution :

A resolution finally accepting pavement and improvement of Colorado and 2nd streets in the City of Austin .

Whereas, The Supt of Streets and Public Improvements has filed his report with the City Council to the effect that the Texas Bitum-lithic Co has completed the work of paving and improving Colorado street from the south property line of 2nd street to the south property line of 4th street, and 2nd street from the east property line of Colorado street to the east property line of Brazos street under contract with the City and that said work has been full done in strict accordance with said contract and specifications adopted by the City; therefore Be it resolved by the City Council of the City of Austin :

That the said work of improvement be finally accepted by the City and that the final estimate due by the City to the said company be paid.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Haynes & Powell 5

Nays none.

Mayor omitted

Report City Engineer  
Paving Colorado  
Streets

Paving Colorado  
2nd St accepted  
Ordered paid for

The Council then recessed until 3 P M this day.

Oct 10th 1912. 3 P M.

The Council was called to Order by the Mayor with all members present.

Councilman Haynes offered the following resolution :

That Whereas, Orlando Caldwell is indebted to the City of Austin for the years 1898 to 1911 inclusive, ( on his Homestead) for taxes ,interest, costs and penalties on Lot 1 and the west 10 feet of lot 2, block 121, in the City of Austin, amounting to a total of \$ 1181.19, and proposes to pay the amount of taxes penalties and cost aggregating \$ 902.57, if the amount of interest aggregating \$ 278.62, be remitted, therefore ,  
Be it resolved :

1st. That upon the payment to the City of Austin ,all of the said taxes, together with the penalties and costs due for the years 1898 to 1911, inclusive amounting to \$ 902.57, that the City Assessor and Collector be and is hereby authorized and directed to accept said sum of \$ 902.57, in full settlement of all taxes ,interest ,costs and penalties due on said property for the years above named .

2nd. That the Assessor and Collector be and is hereby authorized to take credit for the sum of \$ 278.62, the amount of interest accrued against the said property for the years above named.

The resolution was lost by the following vote :

Yeas Councilmen Haynes & Powell 2

Nays Mayor Wooldridge, Councilmen Bartholomew & Hart 3

Councilman Powell offered the following resolution :

Resolution ordering the improvement of a certain part of Lavaca street in the City of Austin, and approving specifications ,proposal, contract and bond therefor.

Whereas it is deemed necessary to improve the following street in the City of Austin ,within the following limits to-wit:

Lavaca street from the north property line of 7th street to the south property line of 11th street;

Whereas, the City Engineer of this city has this day filed with the City Council complete specifications for the performance of the said work by paving said street with the Bitulithic pavement upon a five (5) inch gravel concrete foundation ,with concrete gutters along the curb lines, 18 inches wide, concrete curbs along the curb line and necessary excavation; and,

Whereas, the Texas Bitulithic Company has filed a proposal with the City Council to do said work at and for the following prices, to-wit:

For earth and loose rock excavation ,35 cents per cubic yard;

For excavation of solid rock , \$ 3.00 per cubic yard

For the construction of Bitulithic pavement ,including five (5) inch gravel concrete foundation, as specified and concrete gutters , \$ 2.09 per square yard.

For the construction of concrete curbs, as specified, 40 cents per lineal foot ;and,

Whereas, the City Attorney has prepared a contract for said work between the City and the Texas Bitulithic Company and also a bond for the construction thereof by said Company, with the United States Fidelity & Guarantee

Jayes  
O A Caldwell

Lavaca Street  
Pavement  
Ordered & Contracted  
later

Company as surety, and has submitted the same to the City Council of the City of Austin. Therefore, Be it resolved by the City Council of the City of Austin:

1. That said street be improved by paving the same with Bitulithic Pavement, within the limits above named, with five (5) inch gravel concrete foundation, necessary excavation and concrete gutters and curbs, as specified.
2. That the specifications for said work, prepared by the City Engineer, are hereby adopted and that the proposal of the Texas Bitulithic Company to perform said work at and for the prices above set forth, be accepted and said work let to said Company, and that the contract prepared and submitted by the City Attorney for the performance of said work be and the same is hereby approved, and the Mayor of the City of Austin is directed upon the taking effect hereof, to execute said contract on behalf of the City, and in its name, and the City Clerk to attest the same with the impress of the Corporation seal.

That the form of Construction bond submitted by the City Attorney for execution by said Co with the United States Fidelity & Guarantee Co as surety thereon, is hereby approved and that the same be accepted by the City upon execution by said principal and surety.

3. That the cost of said improvements shall be paid as follows, to-wit:

(A) If any street railway Company or steam railway company shall occupy the said street, or intersections thereof, with its tracks, said company shall pay to the said contractor the whole cost of making said improvements between and under its rails, and tracks, and twelve (12) inches on the outside thereof.

(b) The City shall pay to the said contractor the whole cost of improving intersections of the said streets with other streets, except so much of said intersections as may be occupied by the tracks of said railway companies, and twelve (12) inches on the outside thereof; and shall also pay to said contractor twenty per cent (20%) of the balance of the total cost of said improvements, except cost of curbs, after deducting such cost payable for intersections by the City, and such part of the cost as is payable by the said railway companies.

(c) The remainder of said cost, after deducting the amounts payable under sections A and B above, shall be paid by the owners of property abutting on said street named to be improved, and shall be assessed against said owners and their abutting property, in accordance with the terms of the City Charter and the ordinances in such cases made and provided, and in accordance with the front foot plan or rule, unless in individual cases said front foot plan or rule should be deemed by the Council unjust or inequitable, in which event such rule of apportionment shall be adopted as shall be just and equitable and provided that no assessment shall be made against said owner or his property in excess of the actual benefits to said property in the enhanced value thereof by means of said improvement, nor until after notice and hearing, as provided by the Charter and ordinances.

4. There is hereby appropriated and set apart out of the Permanent fund of the City of Austin, not heretofore appropriated, the sum of sixty seven hundred seventy eight and 95/100 dollars (\$ 5778.95), or so much thereof as may be necessary to pay the portion of the cost of the said improvement payable by the City, which sum so appropriated and set aside is hereby declared to be a sacred fund, to be designated as "Lavaca Street Nol improvement fund" which shall be kept and applied for the purpose of paying for said improvements only, and shall not be disturbed for any other purpose.

5. That this resolution shall remain on file with the City Clerk for public inspection for one week before its final passage or adoption, and shall then be finally adopted.

Approved, J A Richardson, Assistant City Attorney.

The resolution was read and laid over for one week.

Councilman Powell offered the following resolution :

Resolution ordering the improvement of a certain part of Lavaca Street in the City of Austin, and approving specifications, proposal, contract and bond therefor.

Whereas, it is deemed necessary to improve the following street of the City of Austin, within the following limits, to-wit:

Lavaca street from the south property line of 11th street to the north property line of 19th street; except so much of said street as lies between any railway or steam railway tracks thereon, and twelve (12) inches on the outside of said tracks.

Whereas, the City Engineer of this City has this day filed with the City Council complete specifications for the performance of said work by paving said street with the Bitulithic pavement upon a five (5) inch gravel concrete foundation, with concrete gutters along the curb lines, 18 inches wide, concrete curbs along the curb line and necessary excavation.

Whereas, the Texas Bitulithic Company has filed a proposal with the City Council to do said work at and for the following prices, to-wit:

For earth and loose rock excavation, 35 cents per cubic yard,

For excavation of solid rock, \$ 3.00 per cubic yard,

For construction of the Bitulithic Pavement, including five (5) inch gravel concrete foundation, as specified and concrete gutters, \$ 2.09 per square yard.

For the construction of concrete gutters, as specified, 40 cents per lineal foot; and,

Whereas, the City Attorney has prepared a contract for said work between the City and the Texas Bitulithic Company and also a bond for the construction thereof by said company, with the United States Fidelity & Guarantee Co as surety, and has submitted the same to the City Council of the City of Austin :

Therefore : Be it resolved by the City Council of the City of Austin:

1. That the said street be improved by paving the same with the Bitulithic pavement, within the limits above named, with five (5) inch gravel concrete foundation, necessary excavation and concrete gutters and curbs, as specified.

2. That the specifications for said work, prepared by the City Engineer, are hereby adopted and the proposal of the Texas Bitulithic Co to perform said work at and for the prices above set forth, be accepted and said work let to said company, and that the contract prepared and submitted by the City Attorney for the performance of said work be and the same is hereby approved, and the Mayor of the City is directed upon the taking effect hereof, to execute said contract on behalf of the City, and in its name, and the City Clerk to attest the same with the impress of the Corporation seal.

That the form of construction bond submitted by the City Attorney for execution by said company, with the United States Fidelity & Guarantee Co as surety thereon, is hereby approved and that the same be accepted by the City upon execution by said principal and surety.



3. That the cost of said improvements shall be paid as follows, to-wit:

(A) If any street railway company or steam railway Co. shall occupy the said street, or intersection thereof, with its tracks, said company shall pay to the said contractor the whole cost of making said improvements between and under its rails, and tracks, and twelve inches on the outside thereof.

(b) The City shall pay to the said contractor the whole cost of improving intersections of the said streets with other streets, except so much of said intersections as may be occupied by the tracks of said railway companies, and twelve (12) inches on the outside thereof; and shall also pay to said contractor twenty per cent (20%) of the balance of the total cost of said improvements, except cost of curb, after deducting such cost payable for intersections by the City, and such part of the cost as is payable by the said railway companies.

(c) The remainder of said cost, after deducting the amounts payable under sections A and B above, shall be paid by the owner of property abutting on said street named to be improved, and shall be assessed against said owners and their abutting property, in accordance with the terms of the City Charter and the ordinances in such cases made and provided, and in accordance with the front foot plan or rule, unless in individual cases said front foot plan or rule should be deemed by the Council unjust or inequitable, in which event such rule of apportionment shall be adopted as shall be just and equitable and provided that no assessment shall be made against said owner of his property in excess of the actual benefits to said property in the enhanced value thereof by means of said improvement, nor until after notice and hearing, as provided by the City Charter and ordinances.

4. There is hereby appropriated and set apart out of the Permanent Paving fund of the City of Austin not heretofore appropriated, the sum of fifteen thousand five hundred eighty four and 17/100 dollars ( \$ 15,584.17 ) or so much thereof as may be necessary to pay the portion of the cost of the said improvements payable by the City, which sum so appropriated and set aside, is hereby declared to be a sacred fund, to be designated "Lavaca street No 2 Improvement fund" which shall be kept and applied for the purpose of paying for said improvements only, and shall not be disbursed for any other purpose.

5. That this resolution shall remain on file with the City Clerk for public inspection for one week before its final passage or adoption, and shall then be finally adopted.

Approved J A Richardson, Assistant City Attorney.

The resolution was read and laid over for one week.

Councilman Powell offered the following resolution:

Resolution ordering the improvement of a certain part of 19th street in the City of Austin, and approving specifications, proposal, contract and bond therefor.

Whereas, it is deemed necessary to improve the following street of the City of Austin, within the following limits to-wit:

19th street from the east property line of Lavaca street to the east property line of Congress Avenue; and,

Whereas, the City Engineer of this City has this day filed with the City Council complete specifications for the performance of the said work by paving said street with the Bitulithic pavement upon a five (5) inch gravel concrete foundation, with concrete gutters along the curb lines, 18 inches wide, concrete curbs along the curb line and necessary excavation; and,

Whereas, the Texas Bitulithic Company has filed a proposal with the City Council to do said work at and for the following prices, to-wit:

*Ordinary 19th  
Ordinary Contract  
Let*

• Earth and loose rock excavation ,35 cents per cubic yard ;

For Excavation of solid rock , \$ 3.00 per cubic yard,

For the construction of Bitulithic pavement ,including five (5) inch gravel concrete foundation, as specified and concrete gutters , \$ 2.09 per square yard.

For the construction of concrete curbs ,as specifies ,40 cents per lineal foot; and,

Whereas, the City Attorney has prepared a contract for said work between the City and the Texas Bitulithic company and also bond for the construction thereof by said company ,with the United States Fidelity & Guarantee Co as surety ,and has submitted the same to the City Council of the City of Austin:

Therefore, be it resolved by the City Council of the City of Austin :

1. That the said street be improved by paving the same with Bitulithic pavement , within the limits above named ,with five (5) inch gravel concrete foundation ,necessary excavation and concrete gutters and curbs, as specified.

2. That the specifications for said work ,prepared by the City Engineer, are hereby adopted and that the proposal of the Texas Bitulithic Co to perform said work at and for the prices above set forth ,be accepted and said work let to said company ,and that the contract prepared and submitted by the City Attorney for the performance of said work be and the same is hereby approved ,and the Mayor of the City is directed upon the taking effect hereof ,to execute said contract on behalf of the City, and in its name, and the City Clerk to attest the same with the impress of the corporation seal.

That the form of construction bond submitted by the City Attorney for execution by said company ,with the United States Fidelity & Guarantee Co as surety thereon ,is hereby approved and that the same be accepted by the City upon the execution by said principal and surety.

3. That the cost of said improvements shall be paid as follows ,to-wit:

(A). If any street railway company or steam railway company shall occupy the said street ,or intersection thereof ,with its tracks ,said company shall pay to the said contractor the whole cost of making said improvements between and under its rails, and tracks, and twelve (12) inches on the outside thereof.

(b) The City shall pay to the said contractor the whole cost of improving intersections of the said streets with other streets, except so much of said intersections as may be occupied by the tracks of said railway companies ,and twelve ( 12) inches on the outside thereof; and shall also pay to said contractor twenty per cent (20%) of the balance of the total cost of said improvements ,except cost of curbs, after deducting such cost payable for intersections by the City, and such part of the cost as is payable by the said railway companies.

(c). The remainder of said cost, after deducting the amounts payable under sections A and B above, shall be paid by the owners of property abutting on said street named to be improved, and shall be assessed against said

owners and their abutting property, in accordance with the terms of the City Charter and the ordinances in such cases made and provided, and in accordance with the front foot plan or rule, unless in individual cases said front foot plan or rule should be deemed by the Council unjust or inequitable, in which event such rule of apportionment shall be adopted as shall be just and equitable and provided that no assessment shall be made against said owner or his property in excess of the actual benefits to said property in the enhanced value thereof by means of said improvement, nor until after notice and hearing, as provided by the Charter and ordinances.

4. There is hereby appropriated and set apart out of the Permanent Paving fund of the City of Austin, not heretofore appropriated, the sum of forty five hundred and twenty six and 49/100 dollars ( \$ 4526.49 ), or so much thereof as may be necessary to pay the proportion of the cost of said improvement payable by the City, which sum so appropriated and set aside is hereby declared to be a sacred fund, to be designated as " 19th street Improvement fund " which shall be kept and applied for the purpose of paying for said improvements only, and shall not be disbursed for any other purpose.

5. This resolution shall remain on file with the City Clerk for public inspection for one week before its final passage or adoption, and shall then be finally adopted.

Approved, J A Richardson ? Assistant City Attorney.

The resolution was read and laid over for one week.

Councilman Powell offered the following resolution :

Resolution ordering the improvement of a certain part of University Avenue in the City of Austin, and approving specifications, contract and bond therefor.

Whereas, it is deemed necessary to improve the following street in the City of Austin, within the following limits, to-wit:

University Avenue from north property line of 19th street to the north curb line of 21st street; and,

Whereas, the City Engineer of this City has this day filed with the City Council complete specifications for the performance of the said work by paving said street with the Bitulithic pavement upon a five (5) inch gravel concrete foundation, with concrete gutters along the curb lines, 18 inches wide, concrete curbs along the curb line and necessary excavation; and,

Whereas, the Texas Bitulithic Company has filed a proposal with the City Council to do said work at and for the following prices, to-wit:

For earth and loose rock excavation, 35 cents per cubic yard.

For excavation of solid rock, \$ 3.00 per cubic yard.

For the construction of the Bitulithic pavement, including five (5) inch gravel concrete foundation, as specified and concrete gutters, 2.00 per square yard.

For the construction of concrete curbs, as specified, 40 cents per lineal foot; and.,

Whereas, the City Attorney has prepared a contract for said work between the City and the Texas Bitulithic Company and also a bond for the construction thereof by the said company, with the United States Fidelity and Guarantee Co as surety, and has submitted the same to the City Council of the City of Austin :

Therefore, be it resolved by the City Council of the City of Austin :

1. That the said street be improved by paving the same with Bitulithic Pavement, within the limits above named, with five (5) inch gravel concrete foundation, necessary excavation and concrete gutters and curbs, as specified.

Paving University  
the ordered  
Contract



2. That the specifications for said work, prepared by the City Engineer, are hereby adopted and the proposal of the Texas Bitulithic Company to perform said work at and for the prices above set forth, be accepted and said work let to said company, and that the contract prepared and submitted by the City Attorney for the performance of said work be and the same is hereby approved, and the Mayor of the City of Austin is directed upon the taking effect hereof, to execute said contract on behalf of the City, and in its name, and the City Clerk to attest the same with the impress of the Corporation seal.

That the form of construction bond submitted by the City Attorney for execution by said Company, with the United States Fidelity & Guarantee Co as surety thereon, is hereby approved and that the same be accepted by the City upon execution by said principal and surety.

3. That the cost of said improvements shall be paid as follows, to-wit:

(A) If any street railway company or steam railway company shall occupy the said street, or intersection thereof, with its tracks, said company shall pay to the said contractor the whole cost of making said improvements between and under its rails, and tracks, and twelve (12) inches on the outside thereof.

(b) The City shall pay to the said contractor the whole cost of improving intersections of the said street with other streets, except so much of said intersections as may be occupied by the tracks of said railway companies, and twelve (12) inches on the outside thereof; and shall also pay to said contractor twenty per cent (20%) of the balance of the total cost of the said improvements, except cost of curbs, after deducting such cost payable for intersections by the City, and such part of the cost as is payable by the said railway companies.

(c) The remainder of said cost, after deducting the amounts payable under sections A and B above, shall be paid by the owners of property abutting on said street named to be improved, and shall be assessed against said owners and their abutting property, in accordance with the terms of the City Charter and the ordinances in such cases made and provided, and in accordance with the front foot rule or plan or rule, unless in individual cases said front foot plan or rule should be deemed by the Council unjust or inequitable, in which event such rule of apportionment shall be adopted as shall be just and equitable and provided that no assessment shall be made against said owner or his property in excess of the actual benefits to said property in the enhanced value thereof by means of said improvement, nor until after notice and hearing, as provided by the City Charter and ordinances.

4. There is hereby appropriated and set apart out of the Permanent Paving fund of the City of Austin, not heretofore appropriated, the sum of Sixty one hundred eleven and 45/100 dollars (\$ 6,111.45 ), or so much thereof as may be necessary to pay the proportion of the cost of said improvement payable by the City, which sum so appropriated and set aside, is hereby declared to be a sacred fund, to be designated as " University Avenue Improvement fund " which shall be kept and applied for the purpose of paying for said improvements only, and shall not be disbursed for any other purpose.

5. That this resolution shall remain on file with the City Clerk for public inspection for one week before its final passage or adoption, and shall then be finally adopted.

Approved, J A Richardson, Assistant City Attorney.

Read and laid over for one week.

Councilman Powell offered the following resolution:

Resolution ordering the improvement of a certain part of East 6th street in the City of Austin, and approving specifications, proposal, contract and bond therefor.

Whereas, it is deemed necessary to improve the following street in the City of Austin, within the following limits to-wit:

East 6th street from the west curb line East Avenue to the East property line of Waller street, except so much of said street as lies between any railway or steam railway tracks thereon, and twelve (12) inches on the outside of said tracks.

Whereas, the City Engineer of this City has this day filed with the City Council complete specifications for the performance of the said work by paving said street with the Bitulithic pavement upon a five (5) inch gravel concrete foundation, with concrete gutters along the curb lines, 18 inches wide, concrete curbs along the curb line and necessary excavation; and,

Whereas, the Texas Bitulithic Company has filed a proposal with the City Council to do said work at and for the following prices, to-wit:

For earth and loose rock excavation, 35 cents per cubic yard.

For excavation of solid rock, \$ 3.00 per cubic yard.

For the construction of the Bitulithic pavement, including five (5) inch gravel concrete foundation, as specified, and concrete gutters, \$ 2.09 per square yard.

For the construction of concrete curbs, as specified, 40 cents per lineal foot; and,

Whereas, the City Attorney has prepared a contract for said work between the City and the Texas Bitulithic company and also a bond for the construction thereof by the said company, with the United States Fidelity & Guarantee Co as surety, and has submitted the same to the City Council of the City of Austin:

Therefore, be it resolved by the City Council of the City of Austin:

1. That the said street be improved by paving the same with the Bitulithic pavement, within the limits above named, with five (5) inch gravel concrete foundation, necessary excavation and concrete gutters and curbs, as specified.

2. That the specifications for said work, prepared by the City Engineer, are hereby adopted and that the proposal of the Texas Bitulithic company to perform said work and for the prices above set forth, be accepted and said work let to said company, and that the contract prepared and submitted by the City Attorney for the performance of said work be and the same is hereby approved, and the Mayor of the City is directed upon the taking effect hereof, to execute said contract on behalf of the City, and in its name, and the City Clerk to attest the same with the impress of the Corporation seal.

That the form of construction bond submitted by the City Attorney for execution by said company, with the United States Fidelity & Guarantee Co as surety thereon, is hereby approved, and that the same be accepted by the City upon execution by said principal and surety.

3. That the cost of said improvements shall be paid as follows, to-wit:

(a) If any street railway company or steam railway company shall occupy the said street or intersections thereof, with its tracks, said company shall pay to the said contractor the whole cost of making said improvements between and under its rails and tracks,

Paving 6th  
Ordering Contract  
Let

and twelve (12) inches on the outside thereof.

(b) The City shall pay to the said contractor the whole cost of improving intersections of the said street with other streets, except so much of said intersections as may be occupied by the tracks of said railway companies, and twelve (12) inches on the outside thereof; and shall also pay to said contractor twenty per cent (20%) of the balance of the total cost of the said improvements, except cost of curbs, after deducting such cost payable for intersections by the City, and such part of the cost as is payable by the said railway companies.

(c) The remainder of said cost, after deducting the amounts payable under sections A and B above, shall be paid by the owners of property abutting on said street named to be improved, and shall be assessed against said owners and their abutting property, in accordance with the terms of the City Charter and the ordinances in such cases made and provided, and in accordance with the front foot plan or rule, unless in individual cases said front foot plan or rule should be deemed by the Council unjust or inequitable, in which event such rule of apportionment shall be adopted as shall be just and equitable and provided that no assessment shall be made against said owner or his property in excess of the actual benefits to said property in the enhanced value thereof by means of said improvement, or until after notice and hearing, as provided by the Charter and ordinances.

4. There is hereby appropriated and set apart out of the Permanent Paving fund of the City of Austin, not heretofore appropriated, the sum of seventy five hundred, thirty two and 23/100 dollars \$ ( 7532.23 ), or so much thereof as may be necessary to pay the portion of the cost of said improvement payable by the City, which sum so appropriated and set aside, is hereby declared to be a sacred fund, to be designated as " East 5th street Improvement fund " which shall be kept and applied for the purpose of paying for said improvements only, and shall not be disbursed for any other purpose.

5. That this resolution shall remain on file with the City Clerk for public inspection for one week before its final passage or adoption, and shall then be finally adopted.

Approved, J A Richardson, Assistant City Attorney.

Read and laid over for one week.

The Mayor laid before the Council the following petition:

Oct 10th 1912.

Hon City Council Of the City Of Austin:

Gentlemen :

I hereby respectfully petition your honorable body for permission to erect an electric sign in front of No 415, Congress Avenue, . Said sign to be illuminated from both sides and three feet by twelve feet in size and to be suspended over the awning of said building in a V shaped form, out from the building. The reading of the sign to be " KritMeter Car ". This petition was granted, with the understanding that this permit is revocable at the pleasure of the Council, by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Haynes & Powell  
Nays none. The Council then recessed subject to call

Sign 415. Cong Avenue

Saturday Oct 12 th 1912.

The Council was called to Order by the Mayor with all members present:

Councilman Powell offered the following resolution :

Be it resolved by the City Council of the City of Austin ,Texas, , hat Knox T Johnson be paid the balance of \$ 54.66, due him on the paving of 4th street with wood blocks between Brazos and San Jacinto streets, this amount being the difference between \$ 72.75, owing to him by the I & G N R R Co, and an amount of \$ 18.09 ,overcharged the City of Austin on account of the Side-Walk intersection at San Jacinto and 4th streets, the difference having come about by a change in the track of the railroad company so as to increase their area in that block.

This payment of \$ 54.66, to be made to Knox T Johnson ,provided he transfers to the City a claim against the railroad company for \$ 72.75, the City to collect this amount to re-im-burse itself for the \$ 18.09 overcharge and the \$ 54.66 now to be paid to Knox T Johnson.

See letter of explanation from the City Engineer attached. ~~xxxxxx~~hereto.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Haynes & Powell 5

Nays None.

The Council then recessed subject to call.

Wednesday Oct 16th 1912.

The Council was called to order by the Mayor with all members present:

Councilman Haynes offered the following resolution :

Whereas, it appears from the statement of the City Assessor & Collector ,for Orlander Caldwell, that he is due the City Of Austin for taxes ,costs ,penalties and interest On lot 13 west 1/2 of Lot 2, Block 121 a total of \$ 1181.19 for the years 1898 to 1911 inclusive.

And Whereas, one item of court costs, amounting to \$ 15.16, included in said statement, together with the interest on the same \$ 11.07 ,on the taxes for the year 1898, should be deducted from said statement by reason of the fact ,that the sale of the property for that year was made under erroneous proceedings, citation having been made against Mrs Caldwell ,instead of Orlando Caldwell .

Therefore be it resolved by the City Council of the City of Austin :

That the Assessor and Collector be and is hereby authorized to accept from the said Caldwell the sum of \$ 1154.96, in full settlement of the taxes, costs, penalties and interest on the said property for the years named, and to take credit for the sum of \$ 26.23 for said erroneous sale.

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Haynes & Powell 5

Nays none.

Mayor Wooldridge offered the following resolution :

Be it resolved by the City Council of the City of Austin :

That the resolution of this Council ,passed Oct 5th ,1912, Ordering an election of the qualified voters of this City ,to be held upon the 17th day of this month ,for the purpose of determining the direction and locality of an extension to the City Cemetery, be and the same is hereby repealed; and,

Be it further resolved :

That the election ordered to be held under said resolution on the 17th day of this month, be and the same is hereby called off, and ordered and directed not to be held.

*Ans ordered  
paid K. T. Johnson  
paving 4th*

*O Caldwell  
total*

*Order for election  
revoked*

- The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Haynes & Powell 5

Nays none.

The Mayor laid before the Council the following communication :

Austin, Texas, Oct 13th 1912.

TO the HON Mayor and City Council, City of Austin, Texas,

Gentlemen :

As you have had an option on our tract of land in East Austin, known as the Ford and Eilers tract, for over a year and as we gave you notice several weeks ago that definite action on our proposal to sell this tract of land must be taken by the 20th day of this month, and as it now certain that definite action cannot be taken by that date we hereby withdraw our proposition, and respectfully request that you spread this communication upon your minutes, releasing us from your option upon said land.

Respectfully,

H E Ford

A J Eilers

On motion the request was granted, and the Clerk directed to copy the communication in the minutes, by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Haynes & Powell 5

Nays none.

The Mayor laid before the Council the following petition:

Austin, Texas, Oct 14th 1912.

HON Mayor and City Council:

Gentlemen :

I herewith ask for permission to designate the Avenue from 3rd street to 7th street, inclusive for the purpose of advertising the Pure Food Show cor 4th and Congress Avenue, conducted by the Retail Merchants Association,

Respectfully, yours .

G Flury.

On motion the petition was granted by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Haynes & Powell 5

Nays none.

Mayor Wooldridge offered the following resolution :

Be it resolved by the City Council of the City of Austin :

That permit be and is hereby granted to G Flury to erect and maintain mile-boards, upon which mile-boards advertisements may be placed, said mile-boards to be located as follows :

One at about the intersection of James Street and south Congress Avenue;

One at the intersection of the Stone road going east from Congress Avenue;

One at about the intersection of first street and the Fredricksburg road;

and One at about the turn of the Fredricksburg road where it goes south near Wende's store.

All of the above Mile-boards are authorized in South Austin.

Be it further resolved : That said Mile-boards must be placed under the supervision of the Supt of Streets and Public Improvements.

*Forat Eilers  
withdraws proposition  
to sell land for  
Cem*

*G Flury sign*



. Be it further Resolved:

That this permit is to be held ,deemed and accepted as absolutely temporary ,and ay any time revocable in the judgement and at the pleasure of the City Council .

The resolu<sub>1</sub>ion was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Bartholomew, Hart, Haynes & Powell 5

Nays none.

The Council ,hen adjourned.

*J. S. Johnson*  
City Clerk