

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.

The City Manager submitted a statement of the total amount of uncollected delinquent and current taxes due the various funds. The City Attorney was instructed to notify all delinquent taxpayers that suits would be instituted on all taxes delinquent on December 1, in order that the City might have sufficient funds on hand to receive WPA grants for the various projects contemplated.

Upon motion duly made and seconded, the meeting was recessed at 1:30 P. M., subject to call of the Mayor.

Attest:

Walter McKeen
City Clerk

Approved:

Tom Miller
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, November 21, 1935

The meeting was called to order at 10:55 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, 4; absent, Councilman Oswald G. Wolf, 1.

The reading of the Minutes was dispensed with.

Mr. John Keen, Chairman of Law Enforcement Committee of the Advisory Traffic Safety Committee, and members of his committee, presented to the Council for indorsement a plan for a traffic school for first offenders, said plan having been indorsed by the Advisory Traffic Safety Committee and the Judge of the Corporation Court. By general consent, the plan was approved.

The following resolution was submitted by Councilman Gillis and read in full:

WHEREAS, an election was held in the City of Austin, Texas, on the 14th day of November, 1935, at which election there was submitted to the qualified voters of said City, for their action thereon, the certain proposition as follows:

Shall the City Council of the City of Austin be authorized to issue bonds of said City in the sum of Three Hundred and Fifty Thousand Dollars (\$350,000.00), for the purpose of the construction and improvement of Public Free School Buildings in the City of Austin, and the purchase of Grounds and Equipment therefor; said bonds to bear interest at a rate not exceeding five (5%) per centum per annum, interest payable semi-annually, and to mature not exceeding forty years from the date of said bonds, serially or otherwise, as may be determined by ordinance of the City Council, and to annually levy a tax sufficient to pay the interest on said bonds and to create a sinking fund of at least two (2%) per centum of the

principal of said bonds, and sufficient to redeem said bonds at their maturity; and

WHEREAS, the City Council has this day canvassed the returns of said election, as made and reported by the officers of said election of the various voting wards of said City, and has found said returns to show the following results of said election:

East First Ward

For the above proposition	159 votes
Against the above proposition	9 votes
Total votes cast	168

West First Ward

For the above proposition	115 votes
Against the above proposition	4 votes
Total votes cast	119

Second Ward A

For the above proposition	38 votes
Against the above proposition	4 votes
Total votes cast	42

Second Ward B

For the above proposition	68 votes
Against the above proposition	2 votes
Total votes cast	70

Third Ward A

For the above proposition	167 votes
Against the above proposition	7 votes
Total votes cast	174

Third Ward B

For the above proposition	89 votes
Against the above proposition	21 votes
Total votes cast	110

Third Ward C

For the above proposition	103 votes
Against the above proposition	7 votes
Total votes cast	110

Fourth Ward A

For the above proposition	182 votes
Against the above proposition	9 votes
Mutilated	1 vote
Total votes cast	192

Fourth Ward B

For the above proposition	290 votes
Against the above proposition	21 votes
Total votes cast	311

Fourth Ward C

For the above proposition	196 votes
Against the above proposition	20 votes
Mutilated	1 vote
Total votes cast	217

Fifth Ward A

For the above proposition.....	95 votes
Against the above proposition	8 votes
Rejected	3 votes
Total votes cast	106

Fifth Ward B

For the above proposition	69 votes
Against the above proposition	9 votes
Total votes cast	78

Sixth Ward

For the above proposition	131 votes
Against the above proposition	6 votes
Mutilated and rejected	7
Total votes cast	144

Seventh Ward A

For the above proposition	79 votes
Against the above proposition	9 votes
Total votes cast	88

Seventh Ward B

For the above proposition	147 votes
Against the above proposition	12 votes
Total votes cast	159

Grand total votes cast For the proposition	1,928
Grand total votes cast Against the proposition	148
Grand total votes mutilated and rejected	<u>12</u>
Grand total of votes cast	2,088

and

WHEREAS, it has been determined by said canvass of said returns of said election, as tabulated and set out above, that said proposition received at said election more than two-thirds affirmative vote of all the votes cast thereon; now, therefore

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

THAT it is hereby declared the result of said election to be that the City Council of the City of Austin has been and is authorized by the voters at said election, in the majority required by law, to issue bonds of the City of Austin in the total sum of Three Hundred and Fifty Thousand Dollars (\$350,000.00), for the purpose of the construction and improvement of Public Free School Buildings in the City of Austin, and the purchase of Grounds and Equipment therefor, said bonds to bear interest at the rate not exceeding five (5%) per centum per annum with interest payable semi-annually, and to mature not exceeding forty years from the date of said purchase, serially or otherwise, as may be determined by ordinance of the City Council, and to annually levy a tax sufficient to pay the interest on said bonds and to create a sinking fund of at least two (2%) per centum of the principal of said bonds and sufficient to redeem said bonds at their maturity.

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

Councilman Wolf absent, 1.

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

Councilman Gillis introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY OF AUSTIN, TEXAS, TO THE AMOUNT OF THREE HUNDRED AND FIFTY THOUSAND (\$350,000.00) DOLLARS, FOR THE PURPOSE OF THE CONSTRUCTION AND IMPROVEMENT OF PUBLIC FREE SCHOOL BUILDINGS IN THE CITY OF AUSTIN, AND THE PURCHASE OF GROUNDS AND EQUIPMENT THEREFOR; AND PROVIDING FOR THE PAYMENT OF SAID BONDS.

The ordinance was read the first time and Councilman Gillis moved that the rule be suspended and the ordinance be placed on its second reading. The motion was seconded by Councilman Alford, and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Miller, 4; nays, none; Councilman Wolf absent, 1.

The ordinance was read the second time and Councilman Gillis moved a further suspension of the rule and the placing of the ordinance on its third reading. The motion was seconded by Councilman Alford, and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Miller, 4; nays, none; Councilman Wolf absent, 1.

The ordinance was read the third time and Councilman Gillis moved that same be finally passed. The motion was seconded by Councilman Alford and was carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Miller, 4; nays, none; Councilman Wolf absent, 1.

Councilman Alford offered the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

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

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in GRANDVIEW STREET, beginning at a point 14 feet west of the east line of Grandview Street and 190 feet south of the south line of West 32nd Street;

Thence in a northerly direction with the centerline of a gas main, which centerline shall be 14 feet west of and parallel to the east line of Grandview Street, for a distance of 252 feet.

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

(2) A gas main in DUVAL STREET from East 45th Street north 497 feet, the centerline of which gas main shall be 11 feet west of and parallel to the centerline of Duval Street.

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

(3) A gas main in BOULDIN AVENUE beginning at a point 7½ feet west of the east line of Bouldin Avenue and 633 feet north of the north line of Christopher Street;

Thence in a northerly direction with the centerline of a gas main, which centerline shall be 7½ feet west of and parallel to the east line of Bouldin Avenue, for a distance of 111 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 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; nays, none; Councilman Wolf absent, 1.

Councilman Gillis offered the following resolution:

WHEREAS, S. J. Larson, owner of property abutting the east side of San Antonio Road, or Post Road, which property is situated approximately 200 feet north of the south city limits of the City of Austin, has made application to the City Council of the City of Austin for permission to construct two 40-foot commercial driveways across the east sidewalk area of San Antonio Road, or Post Road, as shown on the plan hereto attached marked 2-H-480, which plan is 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. J. Larson, owner of property abutting the east side of San Antonio Road, or Post Road, which property is situated approximately 200 feet north of the south city limits of the City of Austin, is hereby permitted to construct two 40-foot commercial driveways across the east sidewalk area of San Antonio Road, or Post Road, subject to the construction of concrete ramps, curbs, driveway, sidewalks and expansion joints as shown upon the plan marked 2-H-480, 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, nays, none; Councilman Wolf absent, 1.

Councilman Bartholomew offered the following resolution:

WHEREAS, the Advisory Safety Council, as part of their campaign to promote public safety on the streets of Austin, have made arrangements with the theaters of Austin for the showing of a special feature safety picture on Monday, December 2, and in connection therewith are holding an Essay Contest on traffic safety, in which contest \$300.00 in cash prizes will be given from part of the proceeds of the revenues of the various theaters for that day; and

WHEREAS, the City Council is in accord with this program; therefore

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

THAT Monday, December 2, 1935, be and is hereby designated as "THEATER SAFETY DAY" in the City of Austin, and urges all citizens of Austin, both adult and children, to attend the theater on this day and to enter essays in this contest, rules for which will

be published and blanks provided by the Advisory Safety Council.

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

Councilman Bartholomew offered the following resolution:

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

THAT the sum of \$250.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying for posters, stickers, stationery, and other expenses incident to the work of the Advisory Traffic Safety Committee of the City of Austin.

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

Councilman Bartholomew moved that in accordance with the recommendation of Roy J. Smith, Sergeant of Police, Traffic Division, the following named persons be granted Taxicab Driver's permits: Wilbur Joseph Foster, Route 4, Box 213; Cecil Hogan, 4008 Burnet Road; Owen Leslie Ross, 2105 Garden Street; and Oscar I. Leach, 203 West 7th Street. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, 4; nays, none; Councilman Wolf absent, 1.

Councilman Bartholomew moved that in accordance with the recommendation of Roy J. Smith, Sergeant of Police, Traffic Division, the Taxicab Driver's Permit heretofore issued to Eugene Vasquez be revoked and the taxicab license issued to him be suspended. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, 4; nays, none; Councilman Wolf absent, 1.

Councilman Bartholomew moved that in accordance with the recommendation of Roy J. Smith, Sergeant of Police, Traffic Division, the Taxicab Driver's Permit heretofore issued to Doyle C. Carter be revoked. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, 4; nays, none; Councilman Wolf absent, 1.

The following report and resolution were introduced and read in full:

"Austin, Texas
November 21, 1935

Hon. Mayor and City Council
Austin, Texas

Gentlemen:

We submit herewith tabulation of bids received at the opening at 10:00 A. M., November 20, on the construction of a Sewage Treatment Plant, P. W. A. Docket No. 1758 (2863), Project No. 680. Five (5) bids were received and tabulated, as indicated on the attached tabulation.

It is the recommendation of the Engineering Staff that the combined bid of Brown & Root, Inc., of Austin, Texas, for the construction of a Sewage Treatment Plant, as specified under the "General Mechanical Contract," including the furnishing, assembling, and erecting, complete in place, two (2) floating covers with all necessary appurtenances, and not including the furnishing and constructing, complete in place, a sprinkler system with all the necessary appurtenances for the lump sum of Three Hundred Eighty Thousand Seven Hundred Ninety (\$380,790.00) Dollars be accepted, this being the lowest and best bid.

Yours very truly,

ENGINEERING STAFF

(Sgd) Walter E. Seaholm

J. E. Motheral

C. G. Levander

Thomas C. Green

Albert R. Davis

Gilton Morgan "

WHEREAS, in accordance with the requirements of the Federal Emergency Administration of Public Works, and the provisions of the City Charter of the City of Austin, Texas, proposal for bids for the various works under P.W.A. Docket No. 1758 (2863) Eng. Ref. No. 68c, was duly advertised to be received by the City Manager and to be opened at ten o'clock A. M., Wednesday, November 20, 1935, at the City Hall in the City of Austin, Texas; and

WHEREAS, at said time and place said bids were publicly opened and read as specified; and

WHEREAS, thereupon it was found that the firm of Brown & Root, Inc., of Austin, Texas, was the lowest and best bidder for the work designated under Docket No. 1758 (2863), Eng. Ref. No. 68c, to-wit, respectively, the installing of all materials, equipment, and labor necessary in the construction of a Sewage Treatment Plant, and the furnishing of all materials therefor, and as said bids were regular and proper in all particulars; therefore

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

THAT the bid of Brown & Root, Inc., of Austin, Texas, to do all the work, furnish all the necessary superintendence, labor, machinery, equipment, tools, and necessary materials, as specified under the "General and Mechanical Contract," including the furnishing, assembling, and erecting, complete in place, two (2) floating covers with all necessary appurtenances and not including the furnishing and constructing, complete in place, a sprinkler system, for the aggregate sum of Three Hundred Eighty Thousand Seven Hundred and Ninety (\$380,790.00) Dollars, be and the same is hereby accepted; it being understood that the bid hereinabove accepted shall be subject to the approval of the Federal Emergency Administration of Public Works; and the City Manager in behalf of the City of Austin is hereby authorized and instructed to enter into contract with said firm for such purpose, subject to the approval of the Federal Emergency Administration of Public Works.

Councilman Alford moved that the foregoing report and resolution be adopted. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, 4; nays, none; Councilman Wolf absent, 1.

Mayor Miller offered the following resolution:

Cal M. Browne, Clerk of the Corporation Court, died on November 14, 1935. For over thirty years he had faithfully and efficiently served the City of Austin in such capacity; therefore

BE IT RESOLVED that the City Council desires to thus express its appreciation and high esteem for him, both as an officer and man, and its sorrow and condolence to his family at his death.

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

Upon motion of Councilman Bartholomew, seconded by Councilman Alford, the matter of the appointment of a clerk of the Corporation Court to succeed Cal M. Browne, deceased, was deferred for discussion in an executive meeting.

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

Attest:

Thelma G. Miller City Clerk

Approved: Tom Miller

MAYOR.