

A written offer from Walling, Bradfield & Brush for the purchase of a small triangular strip of ground owned by the City, consisting of 136 square feet of land, a portion of Reserve No. 11, Grooms Addition, fronting on San Jacinto Boulevard at 29th Street, for the sum of \$130.00, was read. Councilman Alford moved that the offer be accepted and the City Manager be directed to execute the necessary papers. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Pro tem Wolf, 3; nays, none; Councilman Bartholomew and Mayor Miller absent, 2.

Upon motion duly seconded and carried the meeting was recessed at 11:05 A. M., subject to call of the Mayor.

Approved Lawrence G. Wolf  
Mayor Pro tem

Attest:

Wallie McKeenan  
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 30, 1936.

The meeting was called to order at 11:00 A. M., with Mayor Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 5; absent, none.

The reading of the Minutes was dispensed with.

Councilman Gillis introduced the following resolution, which was read and adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none:

WHEREAS, bids were received, opened and publicly read at 10 A. M., July 23, 1936, on certain general and mechanical construction and repair items, under the provisions of Docket No. Texas-1300R-24-39, by the officials of the Austin Independent School District and the architects and representatives of the Public Works Administration; and

WHEREAS, upon the recommendations of Giesecke and Harris, Architects for the School Board, copies of which are attached herewith, the Austin Independent School District, through its duly constituted officers, have submitted resolutions awarding said contracts to the lowest and best bidders in accordance with the resolutions attached herewith; and

WHEREAS, the City Council, acting for and in behalf of the Austin Independent School District, approves the award of the contracts so indicated, subject to the

Recommendations  
of Board

approval of the State Director of the Public Works Administration; now, therefore,

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

THAT the City Manager be authorized and is hereby directed to sign the resolutions of the School Board approving said resolutions on the part of the City of Austin.

(Resolution of School Board attached)

WHEREAS, bids were received, opened, and publicly read aloud at 10:00 A. M., July 23, on certain General and Mechanical Construction and certain repair items for the Austin Independent School District, Docket Tex-1300R-24-39, after having been properly advertised; and

WHEREAS, in the consideration of the bids submitted certain minor technical formalities were not properly adhered to, as listed here below:

1. The proposal of Fenner and Hill (bidding on painting) was found to be signed only with the names "Fenner & Hill" and not "By" one of the partners. The firm name, however, had been signed in longhand by one of the partners. Mr. T. S. Hill, a partner, being present, was called to the rostrum and allowed to sign under the partnership name.
  2. S. Roy Owens (Painting Contractor) failed to complete his schedules on Experience, Equipment, and Finance, nor was the last page of the schedule notarized. The bidder has been allowed to complete this schedule and to have the notary statement attached.
  3. Bidder's Bond, accompanying bid of Will T. Plumb (bidding on painting) had not been properly signed by the Agent of the Bonding Company. This Agent, being present at the letting, requested (and was allowed) opportunity of signing same after he explained that he had executed a large number of the Bidders' Bonds offered that morning and, in the confusion of the last minute rush, had signed this particular bond on the wrong line.
  4. The proposal of J. O. Buas and Son (bidding on roofing) was made and signed only on the one page of the bid sheet, referring to that portion of the specifications, and was not accompanied by any of the various experience forms, which are a part of the PWA requirements.
  5. Parker Roofing Company submitted a bid on caulking windows, which is an item in the General Contract and on which bids were not invited by other than General Contractors. This part of their bid was not read since the instruction to bidders distinctly said that the bids were to be filed in groups and would only be considered in groups.
- The above facts were publicly announced and the Parker Roofing Company advised that their quotation on this sub-item should be to the Contractors bidding on Group A on this docket.
6. The bid of the Walter Tips Company (bidding on hardware) was made and signed only on the one page of the bid sheet, referring to that portion of the specifications, and was not accompanied by any of the various experience forms, which are a part of the PWA requirements.
  7. The bid of J. R. Blackmore (bidding on General and Mechanical Construction) was accompanied by a notarized statement as to experience, equipment and finance and the statement was signed by the Notary, but was not sealed. The Notary was present and acknowledged his signature but did not have his seal with him.
  8. The item of the greenhouse construction, listed as 24-D, under Group A, was not included in the proposals of any of the General Contractors. The reason for this was that sub-bid on this item could not be obtained and at approximately 9:30 A. M., the Architects called each of the bidders over the telephone and instructed them to eliminate this item from their proposals and to so state in making their proposals. Both of the bidders on General Construction omitted greenhouse construction; and

WHEREAS, the advertisement for bids, as approved by PWA, for this project, contained the following provision:

"The Owner reserves the right to reject any and/or all bids and/or waive any and/or all formalities."

WHEREAS, the lack of compliance with the technicalities listed above did not, in any instance, give any bidder any undue advantage nor in any way work to the disadvantage of the Owner;

THEREFORE, BE IT RESOLVED that the Board of Trustees of the Austin Independent School District, with the approval of the City of Austin, through its City Manager, hereby waive the above listed formalities and instruct the consideration of each and every bid received and tabulated at said bid opening.

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I hereby certify that the above Resolution was introduced and carried at a meeting



WHEREAS, the recommendations of the Architects, marked Exhibit A, and attached to, and made a part of, this Resolution, have been studied by the Board and are believed to be well founded;

THEREFORE, BE IT RESOLVED that the Board of Trustees of the Austin Independent School District, with the approval of the City of Austin, through its City Manager, hereby recommend awards of contract to the various low bidders as listed in the attached Exhibit A, above referred to.

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I hereby certify that the above Resolution was introduced and unanimously adopted at a meeting of the Board of Trustees of the Austin Independent School District, July 29, 1936, at which the following members were present:

R. G. Mueller, Vice-President, Board of Trustees  
Mrs. Eleanor H. Wells, Secretary  
L. H. Blenderman  
J. Harris Gardner  
Carl Widen

(Signed) Eleanor H. Wells  
Mrs. Eleanor H. Wells, Sec'y .

The following resolution of the School Board was read:

" WHEREAS, the Board of Trustees is in receipt of notice from GIESECKE & HARRIS, Architects, to the effect that the Gilbert Falbo Company has completed its contract, and recommending final acceptance of said contract for the General Construction of the Zavala School, known as PWA Docket Tex-1300R-10A; and

WHEREAS, the Committee of the Board of Trustees, consisting of Mr. E. A. Murchison, Mrs. Eleanor H. Wells, Mr. L. H. Blenderman, and Mr. Rudolph Mueller, who were present and took part in the final inspection of this building, concur in the recommendations of the Architects outlined above;

THEREFORE, BE IT RESOLVED that the Board of Trustees of the Austin Independent School District hereby make final acceptance of the General Construction contract of the Gilbert Falbo Company for the construction of the Zavala School Building and that this Resolution constitute such acceptance and the required PWA 'Certificate of Occupancy'.

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I hereby certify that the above resolution was introduced and carried at a meeting of the Board of Trustees of the Austin Independent School District held on July 29, 1936, at which the following members were present:

R. G. Mueller, Vice-President of the Board of Trustees  
Mrs. Eleanor H. Wells, Secretary  
L. H. Blenderman  
J. Harris Gardner  
Carl Widen

(Signed) Eleanor H. Wells  
Mrs. Eleanor H. Wells, Sec'y. "

Approved:

CITY OF AUSTIN

By Guilton Morgan, City Manager

" July 29, 1936

Docket:Tex-1300R  
Austin Schools  
Contract 10-A

Mr. E. A. Murchison, President  
Board of Trustees  
Austin, Texas

Dear Sir:

Having made a final inspection of the General Construction of the Zavala School

(Gilbert Falbo Co., General Contractors) and having found that the same has been completed in conformity with the plans and specifications upon which contract for same was based (together with such modifications as were included in properly approved change orders), we hereby recommend final acceptance of the contract of the Gilbert Falbo Company.

For the purpose of incorporating the fact in the record, we wish to recite that the following were present at the final tour of inspection:

E. A. Murchison, President, Board of Trustees;  
 Mrs. Eleanor H. Wells, Secretary, Board of Trustees;  
 L. H. Blenderman, Chairman, Building Committee;  
 Rudolph Mueller, Member of Board;  
 T. N. Porter, Assistant to the Superintendent;  
 B. E. Giesecke, representing the Architects;  
 R. J. Harrison, Resident Engineer Inspector, PWA;  
 D. R. Richardson, Asst. Resident Engineer Inspector, PWA; and  
 Representatives of the General Contractors.

In recommending acceptance of this building, we would like to place on record our commendation of the work of Gilbert Falbo Company in carrying out this contract. We found that they made every effort to cooperate with the Architects, the PWA officials, and were at all times interested in securing a first-class, workmanlike finish job.

Respectfully submitted,

GIESECKE & HARRIS, Architects

By (Signed) A. W. Harris  
 A. W. Harris.

Councilman Gillis moved that the foregoing resolution of the Board of Trustees of the Austin Independent School District be approved and the City Manager be directed to sign the same. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

A committee from Smithville, Texas, composed of J. L. Hill and V. S. Rabb, came before the City Council and asked that the City of Austin cooperate with the citizens of Bastrop County in their efforts to secure a Federal grant for the location of a large game preserve in Bastrop County, which would serve all of Central Texas. The Council pledged its hearty cooperation in the matter.

Councilman Wolf offered the following resolution:

WHEREAS, the hereinafter described loan and grant agreement between the City of Austin, Travis County, Texas, and the United States of America, providing for a loan and grant to said City not exceeding the aggregate sum of Nine Hundred Sixty-five Thousand Dollars (\$965,000.00), the terms and conditions of which are fully set out in an amendatory agreement of date September 5, 1935, has been entered into by and between said City and the United States of America; and

WHEREAS, said City of Austin did deliver to the United States of America, therein called the "Government," Ninety-nine Thousand Dollars (\$99,000.00) in said bonds and the same were sold by the Government to private buyers with the exception of four (4) One Thousand Dollar (\$1000.00) bonds which subsequently were purchased by the City of Austin from the San Antonio Federal Reserve Bank, and all other bonds under Docket No. 1758, Austin Water and Sewerage, have been sold by the City privately and, therefore, the loan feature by said amendatory agreement is no longer effective and no necessity exists for same's being carried in any contract by the City with the Government relative to said matter; and

WHEREAS, all of said bond deliveries and sales have been made and executed under the terms of options provided in said amendatory loan and grant agreement; therefore,

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

THAT the loan and grant agreement between the City of Austin, Travis County, Texas, and the United States of America, under and subject to the terms of which the United

States contracts by loan and grant to aid the City of Austin not exceeding the aggregate sum of Nine Hundred Sixty-five Thousand Dollars (\$965,000.00) in financing a project consisting substantially of additions and improvements to existing water works and sewerage systems of said City of Austin, including power plant improvements and incidental work in connection therewith, which said loan and grant agreement is filed among the public records of the City of Austin in the office of the City Clerk of said City and endorsed by the file mark of said City Clerk and made a part hereof, be and the same is hereby in all respects approved save and except that part of said amendatory agreement concerning the loan from the Government to the City of Austin, which part of said agreement is declared of no effect and unnecessary, and said Government is hereby released from any obligation heretofore existing under and by virtue of said loan provision in said amendatory agreement.

Section 2. That Guiton Morgan, as City Manager of said City of Austin, be and he is hereby authorized and directed to execute a grant agreement, in triplicate, embodying in toto the terms, conditions, stipulations and agreements contained in the aforesaid amendatory agreement heretofore executed by and between the City of Austin, Travis County, Texas, and the United States of America, but omitting therefrom any and all loan provisions, said agreement to be executed on behalf of said City of Austin, and the said City Manager of said City of Austin be, and he is hereby authorized and directed to impress or affix, or cause to be impressed or affixed, the official seal of said City of Austin to each of three certified copies of such grant agreement, and to cause same to be attested by the City Clerk of said City of Austin.

Section 3. That said Guiton Morgan, as City Manager, be, and he is hereby authorized and directed to forthwith send three (3) certified copies of said grant agreement, as executed, on behalf of said City of Austin, to the Federal Emergency Administration of Public Works, Washington, D. C., through the office of the Acting State Director, P. W. A., for the State of Texas, at Fort Worth, Texas.

Section 4. That said Guiton Morgan, as City Manager, be, and he is hereby authorized and directed to forthwith send to said Federal Emergency Administration of Public Works, through the Acting State Director for the State of Texas, at Fort Worth, Texas, two (2) certified copies of this resolution, and two (2) certified copies of the proceedings of the City Council of said City of Austin, of record in connection with the adoption of this resolution, and such further documents or proofs in connection with the approval and execution of said grant agreement as may be required by the Federal Emergency Administration of Public Works.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Alford offered the following resolution:

WHEREAS, Guiton Morgan, City Manager, in general charge of Public Works Administration projects, and Charles Page, Architect in direct charge of Docket No. 9224-69-A-B, being the project for the installation of the heating and plumbing for the Nurses' Home, Brackenridge Hospital, Austin, Texas, have reported that said project has been completed by John L. Martin in accordance with the rules and regulations of the Administration of Public Works, and in an acceptable manner to the PWA Inspector, and have recommended to the City Council the final acceptance of the project and the payment of the final estimate due thereon; and

WHEREAS, the City Council has inspected said project and the works thereunder,

and is of the opinion that same should be finally accepted; therefore

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

THAT said project and the works thereunder is hereby accepted as completed, and the City Manager be, and is hereby, authorized and directed to approve the final estimates and to issue warrants in payment thereof, and that he be further authorized and directed to release the Contractor from any further liability in connection with said work, and to authorize the cancellation of the bonds guaranteeing the successful completion of the project.

The foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

(Architect's Report attached)

" July 3, 1936

Re: Docket 9224  
Nurses Home  
Brackenridge  
Hospital  
Austin, Texas

The Hon. City Council  
Austin, Texas

Gentlemen:

I, as architect for the Nurses Home, Brackenridge Hospital, Austin, Texas, which project is known as Public Works Administration project Docket 9224, Engineer's Reference 69, have inspected the part of the building called for under the heating and plumbing contract, which contract was awarded to John L. Martin, Austin, Texas.

I find that Mr. Martin has fully executed all work called for in the plans, specifications, contract documents, and revisions thereof, that the construction called for in the heating and plumbing contract is complete in every respect, and ready for occupancy.

I hereby recommend that final payment be made to the above named contractor, and that the contract be accepted by you in the form of a resolution.

Respectfully yours,

(Signed) C. H. Page  
Architect.

Councilman Gillis 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 MARSHALL LANE ALLEY, beginning at a point on the south line of Enfield A and 9 feet east of the west line of said Marshall Lane Alley;

Thence in a northerly direction with a gas main, the centerline of which shall be 9 feet east of and parallel to the west line of said Marshall Lane Alley, for a distance of 50 feet.

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

(2) A gas main in EVA STREET, beginning at a point 45 feet north of the north line of Mary Street and 19 feet west of the east line of said Eva Street;

Thence in a northerly direction with a gas main, the centerline of which shall be 19 feet west of and parallel to the east line of said Eva Street, for a distance of 107 feet.

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

(3) A gas main in MARATHON BOULEVARD, beginning at a point 53 feet south of the south line of West 45th Street and 8½ feet west of the east line of said Marathon Boulevard;

Thence in a southerly direction with a gas main, the centerline of which shall be  $8\frac{1}{2}$  feet west of and parallel to the east line of said Marathon Boulevard, for a distance of 60 feet.

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

(4) A gas main in NEW YORK AVENUE, beginning at a point  $13\frac{1}{2}$  feet south of the north line of said New York Avenue and 50 feet west of the west line of Poquito Street;

Thence in an easterly direction with a gas main, the centerline of which shall be  $13\frac{1}{2}$  feet south of and parallel to the north line of said New York Avenue, for a distance of  $83\frac{1}{2}$  feet.

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

(5) A gas main in POQUITO STREET, beginning at a point  $13\frac{1}{2}$  feet south of the north line of New York Avenue and  $6\frac{1}{2}$  feet west of the east line of Poquito Street;

Thence in a southerly direction with a gas main, the centerline of which shall be  $6\frac{1}{2}$  feet west of and parallel to the east line of said Poquito Street, to a point 66 feet south of the south line of New York Avenue.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  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 foregoing resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillie, Mayor Miller, and Councilman Wolf, 5; nays, none.

Letters from Gibb Gilchrist, State Highway Engineer, acknowledging, with thanks, the receipt of a resolution of the City Council expressing appreciation for the projects completed in the City of Austin by the State Highway Department; from the Missouri Pacific Lines for the cooperation and assistance given by the officials of the City of Austin during "Railroad Week"; and from the Girl Scout Council for transportation furnished to the Girl Scout Camp, were received and filed.

Upon motion, duly seconded and carried, the meeting was recessed at 1:00 P. M., subject to call of the Mayor.

Approved:

Tom Miller  
Mayor.

Attest:

Hallie McKeen  
City Clerk