

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 franchises granted to said company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Upon motion of Councilman Alford, J. E. Haire, 219 Congress Avenue, and Walter Owens, 503½ Lavaca street, were granted a license to operate a taxicab, by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none; Councilmen Bartholomew and Wolf absent, 2.

Mayor Miller moved that Lee Milton Covington, 202 Attoyac street, be granted a taxicab driver's permit in accordance with the recommendations of the Traffic Division of the Police Department; Upon roll call, the following vote was recorded; Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none; Councilmen Bartholomew and Wolf absent, 2.

The City Manager reported that all of the electrical work at the Central Fire Station had been satisfactorily completed according to the plans and specifications, and that payment could now be made to the Curtis Electrical Company on their final estimate in accordance with the resolution of the City Council at their meeting of June 19, 1938.

Upon motion, seconded and carried, the meeting was recessed at 11:45 A. M., subject to call of the Mayor.

Approved: Tom Miller.
Mayor

Attest:

Walter McTeer
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 14, 1938

The City Council of the City of Austin met in regular session at the regular meeting place, in the City Hall, on July 14, 1938, at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following present: Councilmen Alford, Gillis, and Mayor Miller; absent Councilmen Bartholomew and Wolf, 2.

The reading of the Minutes was dispensed with.

Mr. Harry Kelly and several other interested citizens appeared before the Council and requested the Mayor to proclaim the period from July 15 to August 15 "National Salesman's Crusade" in order to stimulate buying among our citizens and in that way to create work for men, not only in Austin but in the manufacturing centers of our country. The Mayor stated that the Council was thoroughly in accord with the movement and would do everything in their power to help in this splendid program.

Mr. John Butler appeared requesting permission from the City to buy sand and gravel from the City out of the 40-acre tract of land on the north side of the river which was acquired by the City from Mr. A. J. Zilker, Sr. when Zilker Park was given

to the City. This matter was referred to the City Attorney for investigation and report to the City Manager.

Mr. Emmett Shelton appeared before the City Council to discuss the purchase of a certain tract of land, said to be owned by the City and located immediately west of the Tom Miller Dam and adjoining a tract of land recently purchased by the City from Mr. Shelton. This matter was referred to the City Manager for investigation and report to the Council.

Councilman Alford moved that the following parties be granted taxicab driver's in accordance with the recommendation of Captain Roy J. Smith, Traffic Division; R. B. Offil, Jr., Route 2, Box 125B, Ural L. Jordan, 3409 Glenview street, and Melvin Edward Walker, 39 Waller street. The motion was seconded and roll call showed the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none; absent Councilmen Bartholomew and Wolf, 2.

The Mayor presented the following resolution and moved its adoption:

WHEREAS, the Public Works Administration requires that all projects under its regulations be done in accordance with approved wage scales as published by the Department of Labor of the State of Texas; and

WHEREAS, in the proposed work on Docket-Texas-1854-DS, said Department of Labor has furnished the City of Austin with said schedule, but which said schedule did not contain certain classes of labor which will be necessary to be used in the proposed work under Docket-Texas-1854-DS; therefore,

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

THAT, the City Manager be and he is hereby authorized and directed to submit such additional schedule to the State Director of the Public Works Administration, and provide all contractors and sub-contractors on said Docket-Texas-1854-DS with notice that such scale of wages must be complied with.

"Docket No-Texas-1854-DS
Municipal Building
Austin, Texas

July 14, 1938

SUPPLEMENTARY WAGE SCALE

	Per Hour	Per Diem
Thermostat Fitter - - - - -	\$1.50	\$12.00

" July 14, 1938

In Re: Docket No. Texas-1854-DS
Municipal Building
Austin, Texas

Mr. Gulton Morgan, City Manager
City Library Building
Austin, Texas

Dear Sir:

The attached wage scale for wages and work classification covers trade operations which are not classified by the State Department of Labor, but this list has been submitted to the State Labor Department, and they advise that same is satisfactory and corresponds with wages paid in their approved list for work of a similar nature.

Yours very truly,

PAGE & SOUTHERLAND

By (Sgd) L. C. Page. "

The motion was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none, absent Councilmen Bartholomew and Wolf, 2.

Councilman Gillis offered the following resolution:

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WHEREAS, Westfield Development Company, a corporation acting by and through its president, Margaret Graham Cruseman, of Travis County, Texas, for and in consideration of the sum of One Dollar, granted to the City of Austin, a municipal corporation of Travis County, Texas, the right to construct and perpetually maintain a sanitary sewer, together with all necessary laterals; in upon and across certain lands in the City of Austin, Travis County, Texas, therein described, said easement recorded in Volume 526, pages 180-1, of the Deed Records of Travis County, Texas, to which records reference is hereby made for all pertinent purposes; and

WHEREAS, the aforesaid easement grants the City the privilege and right to construct sanitary sewers across Lot 2, Block 3, of Westfield A; and

WHEREAS, the easement across said Lot 2, Block 3 will not be needed by the City of Austin, and the present owner of said Lot 2, Block 3, Raymond Dear, has requested the City to release said Lot 2, Block 3 from the easement granted as above cited; therefore,

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

THAT Gupton Morgan, City Manager, is authorized to execute a release as to Lot 2, Block 3 of Westfield A to said Raymond Dear and his heirs and assigns.

The motion was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none, absent Councilmen Bartholomew and Wolf, 2.

Mayor Miller offered the following resolution and moved its adoption:

WHEREAS, the City of Austin desires to extend and cause to be extended and to construct and perpetually maintain an electric pole line, together with all necessary laterals, in, upon and across the hereinafter described property, which is now owned in fee simple by the City of Austin; therefore,

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

THAT the Water, Light & Power Department of the City of Austin, Texas, is authorized and directed to construction and/or cause to be maintained an electric pole line, together with all necessary laterals, in, upon and across the following described property, to-wit:

In the City of Austin, Travis County, Texas, and being in the southeast three (3) feet of Lot 7 of Shoal Creek Boulevard Lots, a subdivision of portions of Outlots 28, 29 and 42, Division "D" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Shoal Creek Boulevard Lots;

with the right to the City of Austin to allow telephone wires to be strung on the electric line poles across the above described property.

The City of Austin reserves the right to it, and to its successors, TO HAVE AND TO HOLD same to it, and to its assigns, together with the right and privilege at any and all times to enter said premises, or any part thereof, for the purpose of constructing and maintaining said electric pole lines and for making connections therewith, and it is understood that the rights and privileges herein retained shall be construed to be covenants running with the land, and any future conveyance, either by the City or by its assigns, shall be subject to the easement herein and hereby authorized.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to have a certified copy of this resolution furnished the County Clerk and recorded in the Deed Records of Travis County, Texas.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none; absent Councilmen Bartholomew and Wolf, 2.

Councilman Gillis offer the following resolution:

"Austin, Texas
July 8th, 1938

City Engineer,
City of Austin
Austin, Texas

Dear Sir:

I respectfully request permission to install 20 foot commercial concrete approach according to City regulations located at 800 Lavaca St.

Sincerely yours,

(Sgd) Robert Morris "

WHEREAS, Paul Williams, acting by and through Robert Morris, Contractor, owner of portions of Lots 5 and 6, Block 100, of the Original City of Austin, Travis County, Texas, which property is situated at the northwest corner of the intersection of West 8th Street and Lavaca Street, has made application to the City Council of the City of Austin for permission to construct a commercial driveway across the north sidewalk area of West 8th Street at the above described location, as shown upon the plan hereto attached, marked 2-C-748, which plan is hereby 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 Paul Williams, acting by and through Robert Morris, Contractor, owner of portions of Lots 5 and 6, Block 100, of the Original City of Austin, Travis County, Texas, which property is situated at the northwest corner of the intersection of West 8th Street and Lavaca Street, is hereby permitted to construct a commercial driveway across the north sidewalk area of West 8th Street, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-C-748, 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, Gillis and Mayor Miller; nays, none; absent, Councilmen Bartholomew and Wolf, 2.

Councilman Alford presented the following resolution:

WHEREAS, Sam Busby is the contractor for the erection of a building located at 2000-02 Guadalupe Street and desires a portion of the street space abutting the south 50 feet of Lot 42, Outlot 22, of the Original City of Austin, Travis County, Texas, during the erection of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said Sam Busby, the boundary of which is described as follows:

Street Working Space

Beginning at the southeast corner of the above described property; thence in an easterly direction and at right angles with the centerline of Guadalupe Street to a point 3 feet west of the west curb; thence in a northerly direction and parallel with the centerline of Guadalupe Street 50 feet to a point; thence in a westerly direction to the northeast corner of the above described property.

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

(1) That the Contractor shall construct a guard rail within the boundary line along the south, east and north lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, obstructions, or barricades, red lights during all periods of darkness and provide lighting system for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the street immediately after the necessity for their existence on said street has ceased, such time to be determined by the City Manager, and in any event all such barricades, materials, equipment and other obstructions shall be removed not later than September 13, 1938.

(10) That the City reserves the right to evoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted, shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5,000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all 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, and Mayor Miller; nays, none; absent, Councilmen Bartholomew and Wolf, 2.

Councilman Alford offered the following resolution for adoption:

WHEREAS, Sam Busby is the contractor for the erection of a building located at 405-07 East 43rd Street and desires a portion of the street space abutting the east 50 feet of Lots 1, 2, 3, and 4, Block B, Stateman Hyde Park Addition, City of Austin, Travis County, Texas, during the erection of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said Sam Busby, the boundary of which is described as follows:

Street Working Space

Beginning at the northwest corner of the above described property; thence in a northerly direction and at right angles with the centerline of East 43rd Street to a point 3 feet south of the south curb; thence in an easterly direction and parallel with the centerline of East 43rd Street 50 feet to a point; thence in a southerly direction to the northeast corner of the above described property.

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

(1) That the Contractor shall construct a guard rail within the boundary line along the north, east and west lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the street immediately after the necessity for their existence on said street has ceased, such time to be determined by the City Manager, and in any event all such barricades, equipment and other obstructions shall be removed not later than September 13, 1938.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted, shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property, disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5,000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all 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 and Mayor Miller; nays, none; absent, Councilmen Bartholomew and Wolf, 2.

Mayor Miller offered the following resolution and moved its adoption:

"Austin, Texas
July 11, 1938

To the Austin City Council

Gentlemen:

I propose to lay a flagstone walk from the front steps of my home, 2601 Jarratt (Lot 5, Block 24, Section 6, Pemberton Heights Addition) to the curb line. I seek permission to cross ten feet of city property from my property line to the curb line. This work will be done by a bonded contractor and according to requirements of the city.

Hoping for a favorable reply on this proposition, I am

Sincerely,

(Sgd) J. P. Yeates."

WHEREAS, the curb and sidewalk specifications of the City of Austin which have been previously adopted by the City Council of the City of Austin require that all curbs and sidewalks be constructed of concrete unless a special permit has been secured from the City Council of the City of Austin to construct curbs, sidewalks and ramps of other materials; and

WHEREAS, J. P. Yeates, owner of Lot 5, Block 24 of Section 6 of Pemberton Heights within the City of Austin, Travis County, Texas, which property is located at the northeast corner of the intersection of Jarratt Avenue and Ethridge Avenue and being locally known as 2601 Jarratt Avenue, has made application to the City Council of the City of Austin for permission to construct a flagstone walk across the east sidewalk area of Jarratt Avenue at the above described location; and

WHEREAS, the City Council of the City of Austin has investigated and approved the construction of said flagstone walk; therefore

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

THAT J. P. Yeates, owner of Lot 5, Block 24, Section 6 of Pemberton Heights, a subdivision within the City of Austin, Travis County, Texas, which property is located at the northeast corner of the intersection of Jarratt Avenue and Ethridge Avenue and being locally known as 2601 Jarratt Avenue, is hereby granted permission to construct a flagstone walk from the property line to the curb line at the above described location and said walk is to be constructed under the supervision and direction 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, and further subject to the following conditions:

That the stone shall be laid in a smooth and workmanlike manner and shall conform to the sidewalk grades and curb grades as given by the Engineering Department of the City of Austin in order that same will not create a hazard to pedestrians.

That the stone shall be placed upon a 4" concrete base and that all work within the City streets shall be done by a bonded sidewalk contractor and in accordance with the instructions and directions of the City Engineer of the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none; absent, Councilmen Bartholomew and Wolf, 2.

The Mayor offer the following Ordinance and moved its adoption:

AN ORDINANCE

AN ORDINANCE AMENDING IN CERTAIN PARTICULARS HEREINAFTER STATED AN ORDINANCE ENTITLED, "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN, PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY," WHICH SAID ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND RECORDED IN BOOK "K" PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, AND DECLARING AN EMERGENCY.

The ordinance was read the first time and upon motion of Councilman Gillis, seconded by Councilman Alford, the rule was suspended and the ordinance was passed to its second reading, by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none; absent, Councilmen Bartholomew and Wolf, 2.

The ordinance was read the second time and upon motion of Councilman Alford, seconded by Councilman Gillis, was laid upon the table until the next Council meeting, by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none; absent, Councilmen Bartholomew and Wolf, 2.

Councilman Gillis offered the following resolution:

"Austin, Texas
July 13, 1938

Honorable Mayor and City Council
Austin, Texas

Gentlemen:

I hereby make application for installation of a brick walk from property line to curb and for a stone curbing across the front of my property at 2105 Pease Road, in accordance with the City's specifications.

Respectfully,

(Sgd) G. M. Cox
By J. Roy White,
Architect."

WHEREAS, G. M. Cox, acting by and through J. R. White, architect, owner of property within the City of Austin, Travis County, Texas, and being a portion of Enfield "D", which property abuts the east side of Pease Road at a location north of Niles Road and being locally known as 2105 Pease Road, has made application to the City Council of the City of Austin for permission to construct a stone curb adjacent to the above described

property; and

WHEREAS, the ordinance which regulates the construction of curbs, upon or within streets in the City of Austin required that anyone desiring to construct any curb other than a concrete curb shall get special permission to do so from the City Council of the City of Austin; and

WHEREAS, the City Council has investigated and approved the construction of a stone curb at the aforesaid location; therefore

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

THAT G. M. Cox, acting by and through J. R. White, architect, owner of property within the City of Austin, Travis County, Texas, and being a portion of Enfield "D", which property abuts the east side of Pease Road at a location north of Niles Road and being locally known as 2105 Pease Road, is hereby granted permission to construct a stone curb adjacent to that portion of his property which faces Pease Road; provided, however, that said stone curb shall be constructed upon a concrete base and shall have an exposure of 8 inches above the gutter and shall be 10 inches wide at the top in accordance with the standard design for rock curbs as adopted by the City of Austin and as detailed upon the plan hereto attached marked 2-G-501, which plan is hereby made a part of this resolution; and further provided that all work shall be done by a bonded curb and sidewalk contractor and that said curb shall be constructed under the supervision of the City Engineer of the City of Austin and in accordance with lines and grades furnished by him.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none; absent, Councilmen Bartholomew and Wolf, 2.

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 West 45th Street across Shoalwood Avenue intersection, the centerline of which gas main shall be 7-1/2 feet south of and parallel to the north line of said West 45th Street.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(2) A gas main in SHOALWOOD AVENUE across West 44th Street intersection, the centerline of which gas main shall be 5 feet west of and parallel to the east line of said Shoalwood Avenue.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(3) A gas main in SHOALWOOD AVENUE across West 45th Street intersection, the centerline of which gas main shall be 7-1/2 feet west of and parallel to the east line of said Shoalwood Avenue.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(4) A gas main in SHOALWOOD AVENUE across West 42nd Street intersection, the centerline of which gas main shall be 7-1/2 feet west of and parallel to the east line of said Shoalwood Avenue.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(5) A gas main in SINCLAIR AVENUE across West 42nd Street intersection, the centerline of which gas main shall be 9 feet west of and parallel to the east line of said Sinclair Avenue.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(6) A gas main in RAMSEY AVENUE across West 42nd Street intersection, the centerline of which gas main 7-1/2 feet west of and parallel to the east line of said Ramsey Avenue.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(7) A gas main in WEST 42ND STREET across Shoalwood Avenue intersection, the centerline of which gas main shall be 8 feet south of and parallel to the north line of said West 42nd Street.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(8) A gas main in ROSEDALE AVENUE from a point 65 feet north of the north line of West 42nd Street northerly approximately one-half block to a point 95 feet south of the southline of West 43rd Street, the centerline of which gas main shall be 15 feet west of and parallel to the east line of said Rosedale Avenue.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(9) A gas main in RAMSEY AVENUE across West 45th Street intersection, the centerline of which gas main shall be 7-1/2 feet west of and parallel to the east line of said Ramsey Avenue.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(10) A gas main in RAMSEY AVENUE across West 46th Street intersection, the centerline of which gas main shall be 7-1/2 feet west of and parallel to the east line of said Ramsey Avenue.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(11) A gas main in ROSEDALE AVENUE across West 46th Street intersection, the centerline of which gas main shall be 7-1/2 feet east of and parallel to the west line of said Rosedale Avenue.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(12) A gas main in FLORES STREET from San Marcos Street easterly 266 feet, the centerline of which gas main shall be 6-1/2 feet south of and parallel to the north line of said Flores Street.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(13) A gas main in SAN MARCOS STREET from Flores Street north 50 feet, the centerline of which gas main shall be 17 feet east of and parallel to the west line of said San Marcos Street.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(14) A gas main in WEST 42nd STREET across Marathon Boulevard intersection, the centerline of which gas main shall be 13 feet south of and parallel to the north line of said West 42nd Street.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(15) A gas main in MARATHON BOULEVARD from West 42nd Street northerly 82 feet, the centerline of which gas main shall be 7-1/2 feet west of and parallel to the east line of said Marathon Boulevard.

Said gas main described above shall have a covering of not less than 2-1/2 feet.

(16) A gas main in MORNINGSIDE AVENUE northerly 142 feet from a point 164 feet north of the north line of West 44th Street, the centerline of which gas main shall be 7-1/2 feet east of and parallel to the west line of said Morningside Avenue.

Said gas main described above shall have a covering of not less than 2-1/2 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 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 maintenances 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 franchises granted to said company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none; absent, Councilmen Bartholomew and Wolf, 2.

The request of V. A. Cuneo for a change of the zoning of Lots 15 and 16, Block 5, Highlands Addition to the City of Austin, from "A" Residence District to "C" Commercial District was read and referred to the Zoning Board of Adjustment for their recommendations.

The Mayor offered the following resolution and moved its adoption:

WHEREAS, J. F. Johnson and Maggie R. Johnson, husband and wife, and Sarah Brooks Martin, a widow, all of Austin, Travis County, Texas, as owners of property adjacent to and abutting upon a street within the City of Austin known as "The Circle" or "Circle Drive" which street runs north from Academy Drive as shown by maps of Fairview Park in Plat Book 1, pages 40 et seq. of the Plat Records of Travis County, Texas, have requested the City Council of the City of Austin to change the alignment of said "Circle Drive" or "The Circle" between Legrande Avenue and said Academy Drive; and

WHEREAS, said alteration in the course of said "Circle Drive" or "The Circle" will constitute an improvement in the routing of traffic along said street in the Fairview Park Addition; and

WHEREAS, all of the property owners whose property is abutting upon "The Circle" or "Circle Drive" have expressed a willingness to have said street rerouted and rededicated in accordance with a map or plat attached hereto and made a part of this resolution; now, therefore,

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

THAT for the purpose of rerouting "The Circle" or "Circle Drive" in Fairview Park Addition to the City of Austin, the City Manager is hereby authorized and directed to make and deliver to Sarah Brooks Martin a deed conveying to the said Sarah Brooks Martin all the right, title and interest which the City of Austin has or may have in and to the following described tract or parcel of land

Field notes of a survey of 8,384 square feet of land, it being a portion of the Isaac Decker Survey in Travis County, and being located north of Academy Drive, east of Congress Avenue, in the City of Austin, and an unknown portion of same being a part of "The Circle" as shown by maps of Fairview Park in Plat Book 1, pages 40, 46, and an unknown portion of same being a part of the Swisher Subdivision, as recorded in Travis County Deed Records in Plat Book No. 1, page No. 2.

Beginning at an iron stake on the north line of Academy Drive S 71° 24' E. 20.3 feet distant from the intersection of the east line of Congress Avenue with the north line of Academy Drive and from which stake a concrete monument which has been set at the intersection of the center line of Academy Drive with a line 10 feet west of and parallel to the established center line of Congress Avenue bears N 71° 24' W 90.3 feet and S. 19° W. 30 feet;

Thence S 71° 24' E 60 feet to an iron stake;

Thence 80.3 feet distant from and parallel to the east line of Congress Avenue N 19° E 170.0 feet to an iron stake;

Thence N 71° 24' W 30.2 feet to an iron stake;

Thence S 32° 31' W 127.3 feet;

Thence S 19° 00' W 46.45 feet to the place of beginning, containing 8,384 square feet of land.

The consideration for execution and delivery of the deed to Sarah Brooks Martin shall be One Dollar (\$1.00) and the transfer to the City of Austin for street purposes of a tract of land containing 8,530 square feet to the City of Austin by Sarah Brooks Martin which said tract is more particularly described as follows:

Field notes of a survey of 8,530 square feet of land, it being a portion of the Isaac Decker Survey in Travis County, Texas, and being located north of Academy Drive, east of Congress Avenue, in the City of Austin, Texas, and an unknown portion of same being possibly a part of "The Circle" as shown by maps of Fairview Park in Plat Book 1, pages 40, 46, and the major portion of same being a portion of Blocks 75 and 76 of Fairview Park.

Beginning at an iron stake on the north line of Academy Drive S 71° 24' E 80.3 feet distant from intersection of the east line of Congress Avenue, with the north line of Academy Drive, and from which stake a concrete monument which has been set at the intersection of the center line of Academy Drive with a line 10 feet west of and parallel to the center line of Congress Avenue bears N 71° 24' West 150.3 feet and S 19° W 30 feet;

Thence with the north line of Academy Drive S 71° 24' E 60 feet to an iron stake;

Thence N 19° E 211.3 feet to an iron stake;

Thence S 47° 11' W 70.64 feet to an iron stake;

Thence S 32° 31' W 113.75 feet;

Thence S 19° W 38.93 feet to the place of beginning, containing 8,530 square feet;

BE IT FURTHER RESOLVED:

THAT the City Manager be and he is hereby authorized and directed to make and deliver in behalf of the City of Austin a deed in favor of Johanna Martin Schoenfeld conveying thereby the following described property:

Field notes of a survey of 858 square feet of land, it being a portion of the Isaac Decker Survey in Travis County, Texas, and being located north of Academy Drive and east of Congress Avenue without being adjacent to either street, within the City of Austin, Texas, and being an unknown portion of "The Circle" as shown by maps of Fairview Park in Plat Book 1, pages 40, 46, and being possibly a portion of the Swisher Subdivision as shown by a map which is recorded in Travis County Deed Records in Plat Book 1, page 2.

Beginning at an iron stake which is S 71° 24' E 80.3 feet and N 19° E 170 feet distant from the intersection of the north line of Academy Drive with the east line of Congress Avenue and from which stake a concrete monument which has been placed at the intersection of the centerline of Academy Drive with a line which is 10 feet west of and parallel to the established center line of Congress Avenue, bears N 71° 24' W 150.3 feet and S 19° W 200 feet;

Thence N 19° E 56.81 feet to a stake;

Thence S 47° 11' W 63.3 feet;

Thence S 32° 31' W 1.27 feet;

Thence S 71° 24' E 30.2 feet to the place of beginning, containing 858 square feet of land.

The consideration for said deed shall be One Dollar (\$1.00).

BE IT FURTHER RESOLVED that in consideration of the dedicating and setting apart perpetually for the use of the public all that tract or parcel of land hereinabove described as the same property to be conveyed by deed to the City of Austin by Sarah Brooks Martin, which dedication is hereby approved and accepted, the certain tracts hereinabove described to be conveyed by the City of Austin to Sarah Brooks Martin and Johanna Martin Schoenfeld, shall be and they are hereby perpetually vacated; and the following described

tract or parcel of land is hereby dedicated, approved and accepted as a part of the former route of "The Circle" or "Circle Drive" and now rededicated as an extension or continuation of the tract hereinabove described as 8,530 square feet of land deeded to the City of Austin by Sarah Brooks Martin, which said rededicated tract is more particularly described as follows:

Field notes of a tract of land, a portion of the Isaac Decker Survey in Travis County, Texas, and being located north of Academy Drive and east of Congress Avenue without being adjacent to either street, within the City of Austin, Texas, and being unknown portions of "The Circle" and Block No. 75 of Fairview Park Addition and an unknown portion of the Swisher Addition, as said additions are recorded in Travis County Deed Records in Plat Book No. 1, pages 2, 40 and 46.

Beginning at an iron stake at or near the west line of Block No. 75 of Fairview Park Addition to the City of Austin, as shown by plats of same recorded in Plat Book No. 1, pages 40 and 46, said beginning point being S 71° 24' E 140.3 feet and N 19° E 211.3 feet distant from the intersection of the north line of Academy Drive with the east line of Congress Avenue and from which beginning stake a concrete monument which has been set at the intersection of Congress Avenue with a line which is 10 feet west of and parallel to the center line of Congress Avenue bears S 19° W 241.3 feet and N 71° 24' W 210.3 feet;

Thence N 47° 11' E 178.63 feet to an iron stake and from which stake the northeast corner of a tract of land owned by J. F. Johnson bears S 79° 11' E 50.0 feet;

Thence crossing the street N 15° 55' W 67.28 feet;

Thence S 47° 11' W 224.13 feet to an iron stake;

Thence S 19° W 56.81 feet to an iron stake;

Thence S 19° W 131.07 feet to an iron stake;

Thence N 32° 31' E 113.75 feet to an iron stake;

Thence N 47° 11' E 70.64 feet to the place of beginning.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none; absent, Councilmen Bartholomew and Wolf, 2.

Councilman Alford offered the following resolution:

WHEREAS, the Austin Independent School District has entered into certain contracts with various firms of Austin architects providing for the services of supervising and consulting architects for the proposed school improvement program;

WHEREAS, the Public Works Administration requires that the City of Austin authorize and approve the execution of these contracts; and

WHEREAS, the signing of these contracts by the City of Austin is pro forma on the part of the City, and said signature by the City is without obligation and merely complies with the Public Works Administration requirements; therefore,

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

THAT the City Manager be, and he is hereby, authorized and directed to approve said contracts by the Austin Independent School District and the architects as designated by said Austin Independent School District, it being understood that said signature of the City Manager in his official capacity representing the City of Austin and is made without any obligations, real or implied.

Roll call showed the adoption of the resolution by the following vote: Councilmen Alford, Gillis, and Mayor Miller; nays, none; absent, Councilmen Bartholomew and Wolf, 2.

Councilman Gillis offered the following resolution:

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

THAT the sum of \$4,500.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of the purchase of land for

an incinerator site, P. W. A. Docket-1852.

Roll called showed the adoption of the resolution by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none; absent, Councilmen Bartholomew and Wolf, 2.

Mayor Miller offered the following resolution for adoption:

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

THAT the sum of \$2,241.40 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of purchasing one 2-door Plymouth sedan and two 4-door Plymouth sedans from the American National Bank, Austin.

Roll call showed the adoption of the resolution by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none; absent, Councilmen Bartholomew and Wolf, 2.

Councilman Alford offered the following resolution:

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

THAT the sum of \$1,250.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying in full damage claim filed by A. T. Wade.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor Miller; nays, none; absent, Councilmen Bartholomew and Wolf, 2.

Upon motion of Councilman Alford, seconded by Councilman Gillis, the meeting recessed at 12:30, subject to call of the Mayor.

ATTEST:

APPROVED:

Tom Miller.
Mayor

Lillian McKeear
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 21, 1938

The City Council met in regular session in the regular meeting place in the City Hall on Thursday, July 21, 1938, at 10:45 A. M. Roll call showed the following members present: Councilmen Alford, Gillis, Bartholomew, Mayor Miller, and Councilman Wolf; absent none.

The reading of the Minutes was dispensed with.

Mr. John Butler appeared again to discuss the purchase of sand and gravel from the City, to be obtained from the Zilker Tract of 40 acres located on the north bank of the Colorado River adjacent to the Butler Brick Yard. The City Manager reported that he did not think it advisable for the City to sell sand and gravel for at least 60 days on account of the shortage of this material within a reasonable hauling distance, and that the City would probably need all of the sand and gravel they could get. The Council requested the City Manager to make a further study of this matter and report at the next Council meeting.