

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

The application of E. H. Perry, Jr., and Scott & Gregg Real Estate Company for a change in the zoning of the property on the north side of East Seventh Street extending from the alley east of Congress Avenue to Brazos Street from "C" Commercial District to "C-2" Commercial District was received and referred to the Board of Adjustment for consideration and recommendation and a public hearing on the matter was called for August 24, at 11:00 A. M.

Upon motion, seconded and carried, the meeting was recessed at 12:30 P. M., subject to call of the Mayor.

Approved: Tom Miller.
Mayor

Attest:

Harrie McKeen
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, August 10, 1939.

The City Council convened in regular session, at the regular meeting place in the Municipal Building, on Thursday, August 10, 1939, at 11:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilman C. M. Bartholomew, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, Councilmen Chas. F. Alford and Simon Gillis.

The reading of the Minutes was dispensed with.

The Mayor announced the public hearing open on the proposal to amend the Zoning Ordinance in the following particulars, in accordance with published notice thereof:

To amend the USE designation of the following described property so as to change same from "A" Residence District and First Height and Area District to "B" Residence District and First Height and Area District: Lots 1 and 2, Block "C", Shelley Heights; and all that certain lot, tract, or parcel of land, being a part of the south half of Outlot No. 7, in Division "Z" of the Outlots of the City of Austin, Texas, and more particularly described as follows: beginning at the S.W. corner of Lot 8, of Enfield "A", a subdivision of Outlots 6, 7, and 8 of Division "Z"; thence southerly 130 feet to an iron stake for the S.W. corner of the property herein conveyed; thence easterly parallel with the south line of Lot 8, Enfield "A", 240 feet to an iron stake for the S. E. corner; thence northerly 130 feet to a stake for the N.E. corner; thence westerly 240 feet to the place of beginning; all of said above described property being located on the north side of West 13th Street and extending 390 feet east from Lorrain Street, in the City of Austin, Texas.

To amend the USE designation of the following described property so as to

change from "C" Commercial District and Second Height and Area District to "C-2" Commercial District and Second Height and Area District; Lot No. 24 in Block 9 of Rosedown, a subdivision and addition out of the George W. Spear League in Travis County, Texas, according to the map or plat of said addition recorded in Volume 3, at page 221, of the Travis County Plat Records, said property being located at the southwest corner of the intersection of Marshall Ford Road or Hancock Drive and Burnet Road.

No one appeared to protest the foregoing proposed changes in zoning.

The written request of Jack H. Key, Applicant, by his Attorneys, Hart & Brown and Jack Sparks, for a withdrawal of his petition asking for a change in the zoning of the property at the southwest corner of the intersection of Marshall Ford Dam Road, or Hancock Drive, and Burnet Road, as set forth in the foregoing notice of hearing, was received. The request was granted.

The written request of J. F. Ewing, owner, for permission to sell Lot 508, Section G, Oakwood Annex, to Mrs. Robert Kathleen Cook Siermann, was received, and the City Manager was authorized to grant the request.

Councilman Bartholomew introduced the following resolution:

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, Huron W. Mills, owner of Lot 2, Pemberton Heights, Section 4, which property is situated on the east side of Wooldridge Drive and being locally known as 2603 Wooldridge Drive, has requested the City Council of the City of Austin to grant permission for the construction of a brick sidewalk on a concrete base from the curb line to the property line at the above described location; and

WHEREAS, the City Council of the City of Austin has investigated and approved the construction of said brick sidewalk on concrete base; therefore

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

THAT Huron W. Mills, owner of Lot 2, Pemberton Heights, Section 4, within the City of Austin, Travis County, Texas, which property is situated on the east side of Wooldridge Drive, and being locally known as 2603 Wooldridge Drive, is hereby granted permission to construct a brick sidewalk on a concrete base from the curb line to the property line at the above described location and said sidewalk 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, Councilman Bartholomew, Mayor Miller, and Councilman Wolf; nays, none; Councilmen Alford and Gillis absent.

Councilman Wolf introduced 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 HOLLY STREET from 110 feet east of Lynn Street easterly 110 feet, the centerline of which gas main shall be 26 feet south of and parallel to the north line of said Holly Street.

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

(2) A gas main in EAST AVENUE 58 feet north of Edgewood Avenue northerly 272 feet, the centerline of which gas main shall be 13½ feet west of and parallel to the east line of said East Avenue.

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

(3) A gas main in ETHRIDGE AVENUE from 215 feet west of McCallum Drive westerly to Harris Boulevard, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said Ethridge Avenue.

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

(4) A gas main in SCHULLE AVENUE from 82 feet north of Stevenson Avenue northerly to a point 80 feet north of Gilbert Street, the centerline of which gas main shall be 7½ feet north of and parallel to the east line of Schulle Avenue.

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

(5) A gas main in CONCHO STREET from 25 feet north of East 20th Street north to 21st Street, the centerline of which gas main shall be 7½ feet west of and parallel to the east line of said Concho Street.

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

(6) A gas main in EAST 21ST STREET across Concho Street intersection, the centerline of which gas main shall be 15 feet south of and parallel to the north line of said East 21st Street.

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

(7) A gas main in PROSPECT AVENUE from East 11th Street to Tillotson Street, the centerline of which gas main shall be 6½ feet west of and parallel to the east line of said Prospect Avenue.

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

(8) A gas main in EAST 11TH STREET from Prospect Avenue westerly 67 feet, the centerline of which gas main shall be 22 feet south of and parallel to the north line of said East 11th Street.

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

(9) A gas main in EAST 11TH STREET from Prospect Avenue easterly 30 feet, the centerline of which gas main shall be 10 feet south of and parallel to the north line of said East 11th Street.

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

(10) A gas main in EAST 24TH STREET from Swisher Street to Cole Street, the centerline of which gas main shall be 5 feet south of and parallel to the north line of East 24th Street.

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

(11) A gas main in SWISHER STREET from East 24th Street to Wahrenberger Street, the centerline of which gas main shall be 5 feet west of and parallel to the east line of said Swisher Street.

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

(12) A gas main in DUVAL STREET from 70 feet south of East 54th Street northerly to a point 30 feet north of East 54th Street, the centerline of which gas main shall be 14 feet east of and parallel to the west line of said Duval Street.

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

(13) A gas main in MARATHON BOULEVARD from 234 feet south of West 45th Street

southerly 56 feet, the centerline of which gas main shall be 8½ 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 2½ feet.

(14) A gas main in HOLLYWOOD AVENUE from 386 feet north of Concordia Avenue northerly 85 feet, the centerline of which gas main shall be 12½ feet west of and parallel to the east line of said Hollywood Avenue.

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

(15) A gas main in PRESTON AVENUE from 410 feet east of Harris Boulevard easterly 229 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said Preston Avenue.

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

(16) A gas main in SOUTH THIRD STREET from 250 feet south of West Live Oak Street southerly 55 feet, the centerline of which gas main shall be 13½ feet east of and parallel to the west line of said South Third Street.

Said gas main described above shall have a covering 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 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 resolution was adopted by the following vote: Ayes, Councilman Bartholomew, Mayor Miller, and Councilman Wolf; nays, none; Councilmen Alford and Gillis absent.

Councilman Bartholomew introduced the following resolution and moved its adoption. The motion was seconded by Councilman Wolf, and the same prevailed by the following vote: Ayes, Councilman Bartholomew, Mayor Miller, and Councilman Wolf; nays, none; Councilmen Alford and Gillis absent.

The resolution is as follows:

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 various work under PWA Docket Texas-2134-F was duly advertised to be received by the City Manager and publicly opened at 2 P. M., Thursday, August 3, 1939, at the City Hall in Austin, Texas; and

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

WHEREAS, the Architects representing the Board of Trustees of the Austin

Independent School District have recommended to the Board of Trustees choice of the several low Bidders as determined through their lowest and best bids upon Base Proposals as submitted; and

WHEREAS, the Board of Trustees of the Austin Independent School District have by resolution dated August 9, 1939, recommended the award of said contracts to the City Council, the exact amount of these said contracts to be determined by application of Itemized Unit Prices to the quantities of purchase desired, said resolution being attached hereto; therefore

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

THAT the resolution recommending the contract awards as submitted by the Board of Trustees of the Austin Independent School District be, and the same is hereby, approved subject to the approval of the Federal Emergency Administration of Public Works, and the City Manager, on behalf of the City of Austin, acting for the Austin Independent School District, is hereby authorized and directed to execute all Contract Documents entered into by the Austin Independent School District and the Contractors referred to in said resolution of the Austin Independent School District, subject to the approval of said Contract Documents by the Federal Emergency Administration of Public Works.

(Resolution of School Board)

WHEREAS, Bids were received on August 3, 1939, for the furnishings and equipment of various School Buildings of the Austin Independent School District, as follows:

- No. 61 - STAGE EQUIPMENT
- No. 62 - AUDITORIUM SEATING EQUIPMENT
- No. 63 - GYMNASIUM EQUIPMENT
- No. 64 - METAL LOCKER EQUIPMENT, WIRE BASKET SHELVING AND WIRE BASKETS
- No. 65 - LIBRARY AND SCIENCE EQUIPMENT
- No. 66 - CAFETERIA KITCHEN EQUIPMENT
- No. 67 - CLASS ROOM EQUIPMENT
- No. 68 - MACHINE EQUIPMENT
- No. 69 - MISCELLANEOUS EQUIPMENT, and

WHEREAS, Bids were publicly opened and read aloud in the presence of representatives of the City of Austin, the Board of Trustees, and of the Public Works Administration; and

WHEREAS, All bids were regular, with the exception of a technical non-conformance by the BICKLEY SCHOOL & CHURCH FURNITURE COMPANY, and of a non-compliance in the matter of submission by DILL'S INCORPORATED, and which non-conformance and which technicality of submission are waived by this resolution; and

WHEREAS, The bid of the CENTRAL SCIENTIFIC COMPANY, who qualified their bid to the extent that it did not represent a quotation upon the item specified and desired, was rejected; and

WHEREAS, The Supervising Architects have presented their recommendations of award, which recommendations have been concurred in by the Board of Trustees in all instances, except in the instance of the bid of W. H. RICHARDSON & COMPANY upon GROUP "I", Item 9; therefore,

BE IT RESOLVED that the Board of Trustees recommend to the City Council of the City of Austin, acting for and in behalf of the Austin Independent School District, that the following bidders upon the Groups enumerated --

- Group "A" - OKLAHOMA CITY SCENIC COMPANY
- Group "B" - AMERICAN DESK MFG. COMPANY
- Group "C" - BICKLEY SCHOOL & CHURCH FURNITURE CO.
- Group "D" - BICKLEY SCHOOL & CHURCH FURNITURE CO.
- Group "E" -

Sub-Group "A-A" - BICKLEY SCHOOL & CHURCH FURNITURE CO.
 Sub-Group "B-B" - KING FURNITURE COMPANY
 Group "F" - HUEY & PHILP HARDWARE COMPANY
 Group "G" - SWANN-SCHULLE FURNITURE COMPANY
 Group "H" - MACHINERY SALES & SUPPLY COMPANY
 Group "I"
 Item 1 - TEXAS VISUAL EDUCATION CO.
 Item 2 - BICKLEY SCHOOL & CHURCH FURNITURE CO.
 Item 3 - BICKLEY SCHOOL & CHURCH FURNITURE CO.
 Item 4 - W. C. HIXSON
 Item 5 - KING FURNITURE COMPANY
 Item 6 - KING FURNITURE COMPANY
 Item 7 - J. R. REED MUSIC COMPANY
 Item 8 - SOUTHWESTERN SPECIALTY CO., INC.
 Item 10 - W. H. RICHARDSON & CO.
 Item 11 - DAVIDSON SASH & DOOR CO.
 Item 12 - INTERNATIONAL BUSINESS MACHINES CO.
 Item 13 - AMERICAN TYPE FOUNDERS SALES CORPORATION
 Item 14 - KING FURNITURE COMPANY
 Item 15 - KING FURNITURE COMPANY
 Item 16 - DILL'S INCORPORATED --

be considered the chosen Contractors upon the above work through their submission of the lowest acceptable Base Proposal, as set forth in the Specifications upon which their Proposals were submitted, except as hereinbefore noted; it being understood that the exact Contract Price of the work which they are to perform is to be determined and will be determined through the use of the Unit Prices set forth in their bids as applied against the quantity of the related Item which is to be purchased through the medium of the Contracts to be executed by these successful Bidders.

The above Resolution was unanimously adopted at a Called Meeting of the Board of Trustees of the Austin Independent School District, held August 9, 1939, at which the following members were present:

L. H. Blenderman, Chairman, Building Committee; Mrs. Hal P. Bybee; R. G. Mueller; Mrs. A. P. Robinson; Carl T. Widen; and J. Harris Gardner.

(Seal)

(Signed) Cousins Gregg
Acting Secretary.

(Architects Recommendations)

"Austin, Texas
August 7, 1939

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

Re: Docket TEX. 2134-F
SCHOOLS-AUSTIN, TEXAS
FURNISHINGS & EQUIPMENT

Dear Mr. Murchison:

As stipulated in the Advertisement for Bids announcing that the City of Austin, acting for and in behalf of the Austin Independent School District, would receive, and then publicly open and read aloud, Bids upon the Furnishings & Equipment of various School Buildings of the Austin Independent School District at 2:00 P. M. of August 3, 1939, being the following work:

NO. 61 -- STAGE EQUIPMENT
 NO. 62 -- AUDITORIUM SEATING EQUIPMENT
 NO. 62 -- GYMNASIUM EQUIPMENT
 NO. 64 -- METAL LOCKER EQUIPMENT, WIRE BASKET SHELVING AND WIRE BASKETS
 NO. 65 -- LIBRARY AND SCIENCE EQUIPMENT
 NO. 66 -- CAFETERIA KITCHEN EQUIPMENT
 NO. 67 -- CLASS ROOM EQUIPMENT
 NO. 68 -- MACHINE EQUIPMENT
 NO. 69 -- MISCELLANEOUS EQUIPMENT

the Bids were received and then publicly opened and read aloud in the Auditorium of the City Hall of Austin, Texas, before a large group of those interested. Mr. L.H. Blenderman, Chairman of the Building Committee of your Board, and under the authorization of Mr. Guiton Morgan, City Manager, officiated as the Presiding Officer. In addition, there were present Mr. E. A. Huebner, Resident Engineer Inspector; Mr. C. H. Johnson, Traveling Inspector; and Mr. A. J. Irwin, representing PWA in their respective capacities; and Mr. T. N. Porter, Assistant to the Superintendent of Schools, and Mr. B. E. Giesecke and Mr. A. W. Harris, representing the office of the Supervising Architect. Mr. L.H. Blenderman, as Presiding Officer, publicly opened the Bids tendered, which Bids were then read aloud by Mr. A. W. Harris, representing the Supervising Architect, and the data resulting therefrom was tabulated by representatives of the Public Works Administration, of the Board of Trustees, and of the office of the Supervising Architect. An official and formal Tabulation of the Bid Data received is attached herewith and hereto. The following is a listing of the low bids received, setting forth the Group to which they are

applicable, the name of the low bidder, and the amount of the low bid proffered:

GROUP	NAME OF BIDDER	AMOUNT OF BID
Group "A"	Oklahoma City Scenic Company	\$ 2,530.00
Group "B"	American Desk Mfg. Company	5,323.50
Group "C"	Bickley School & Church Furniture Co.	2,040.06
Group "D"	Bickley School & Church Furniture Co.	7,615.75
Group "E"	Bickley School & Church Furniture Co.	5,363.02-Base Proposal #1
	" " " " " "	5,060.92-Base Proposal #2
	King Furniture Company	7,013.88-Base Proposal #3
Group "F"	Huey & Philp Hardware Company	7,635.45
Group "G"	Swann-Schulle Furniture Company	28,523.70-Base Proposal #1
	" " " " " "	29,567.44-Base Proposal #2
Group "H"	Machinery Sales & Supply Co.	6,877.21
Group "I":		
Base Proposal #1	Texas Visual Education Co.	1,150.65
Base Proposal #2	Bickley School & Church Furniture Co.	715.80
Base Proposal #3	" " " " " "	183.48
Base Proposal #4	Central Scientific Company	110.00
Base Proposal #5	King Furniture Company	544.32
Base Proposal #6	" " " " " "	1,000.55
Base Proposal #7	J. R. Reed Music Company	2,043.00
Base Proposal #8	Southwestern Specialty Co.	1,830.00
Base Proposal #9	W. H. Richardson & Co.	897.25
Base Proposal #10	" " " " " "	1,753.20
Base Proposal #11	Davidson Sash & Door Co.	9,699.50
Base Proposal #12	International Business Machines Co.	1,575.00
Base Proposal #13	American Type Founders Sales Corp.	1,873.76
Base Proposal #14	King Furniture Company	72.93
Base Proposal #15	" " " " " "	556.66

All Bids received were regular and/or uncontested with the following exceptions:

GROUP "A" - STAGE EQUIPMENT: Protest was received from the Houston Scenic Studios of Houston, Texas, with regard to the manner of specification upon materials under this Group. The original of this protest was addressed to the office of FWA in Fort Worth, Texas, with a carbon copy to the Architect, and a carbon copy to the Board of Education. The carbon copy addressed to the Architect was received in the morning's mail of August 3, 1939, and the copy addressed to yourselves finally found lodgment in this office after passing through various hands due to the vagueness of the address thereupon and this copy is attached hereto. In addition, a letter setting forth basis for dismissal of this protest has been forwarded to the Regional Director, and a copy of this letter is also attached hereto.

VARIOUS GROUPS - The Bid of the Bickley School & Church Furniture Company upon Groups "A", "B", "C", "D", "E", "G" and Items 1, 2, 3, 5, 6, 7, 8, 9, and 10, and 15 of Group "I" was submitted upon the Proposal Form prepared for that purpose, and was in every way proper and regular with the exception that it was filed as a set of loose sheets instead of as a part of the bound document as required under the Article describing Proposals under each Group of Equipment. The Bid being in every other way regular and desirable, it is explained to those concerned that several bidders upon Furnishings & Equipment availed themselves of the offer of the Architect to furnish them with a loose set of Specifications, as well as the bound copy in which the bid was to be placed, in order that they might subdivide the Specification and furnish to their interested connections the data necessary to quickly provide sub-bidders to themselves in order that all time possible might be made available to each bidder in the interest of receiving the necessary data to avail to the Owner the best bid possible. The Bickley School & Church Furniture Company was one of the several firms receiving the additional set of Specifications, with which additional set there was furnished a complete loose set of Proposal Forms in case such Proposal Form might furnish indicative data to their sub-bidders. The Bickley School & Church Furniture Company explains that through a misunderstanding, they filed their bid upon the loose sheets so furnished them, instead of in the bound document in which such Proposal was to have been submitted. The Proposal Sheets, as stated before, were identical with those in the bound volume, and it is recommended to the Owner that this technicality of submission be waived.

GROUP "I" - Base Proposal No. 2. The Low Base Bid received upon this Item, representing Two Vacuum-Pressure Pumps, was submitted by the Central Scientific Company of Chicago, Illinois, and in the sum of \$110.00, representing \$55.00 per individual item. This Proposal was qualified by a parenthetical statement,

(Substitute:
Note Change in Specifications);

Reference to the Specification on Page 1-4, 140, of their bid indicates that they have changed as follows:

Pump Plate about 22½ cm. in diameter from 25; - will produce up to 0.10 mm. instead of up to .01 mm. as specified and pressures up to 15 lbs. per square inch instead of up to 50 lbs. per square inch as specified. As the Bidder has seen fit to qualify his Bid, and has offered upon an item which does not comply with the Specification, it is recommended that this be considered a non-compliance, and that the bid not be considered.

It is, therefore, recommended that the Bid of W. C. HIXSON, and in the sum of

\$300, be considered the lowest and best bid received upon this item, and that the award of contract be made to the said W. C. HIXSON.

GROUP "I" - Base Proposal No. 16. A Bid was submitted by Dill's Incorporated of Austin, Texas, upon Item 16, Venetian Blinds, which was not filed upon a proper form, was not accompanied by a bid security, and was the only bid received upon this Item. It is our recommendation that this bid be not considered, as this Bidder was furnished the appropriate facilities for placement of bid in the proper manner by this office.

It is our recommendation that the Low Base Proposals above listed, and with the exception of the irregular bids of Dill's Incorporated and the Central Scientific Company, be considered the lowest and best bids received upon the Groupings of Equipment to which they refer, and that award of contract be made to the said low Bidders upon such basis.

It is brought to your attention that the total of all these Low Base Proposals is the sum of \$96,826.36, whereas, the budgeted amount for Furnishings & Equipment under this Docket is the sum of \$75,000.00. You are reminded that the entire Specification is prepared with the thought of receiving Proposals from which the Low Base Proposal, and hence the appropriate Low Bidder, may be determined, and that in each and every case, the Bidder has set forth a series of itemized prices against the individual units which comprise the Group, and which itemized prices are stated and agreed as being for the purpose of and the use of the Owner in determining additions to and deductions from the quantities specified, and therefore in increasing or decreasing the amount of his expenditure. There are also in minor instances Alternates of deduction submitted. These unit prices and Alternates are recommended to you for use in determining the exact amount of the expenditure which you desire to make in the purchase of the Furnishings & Equipment for your Program.

Awaiting your reaction and statement of desires, which will determine the exact amount of the Contract Price to be set forth in each Bid, together with deletions or additions which may be considered desirable and upon which the Contract Price will be based, we beg to remain,

Very sincerely yours,

GIESECKE & HARRIS
Supervising Architects

By A. W. Harris. "

Councilman Wolf introduced the following resolution and moved its adoption. The motion was seconded by Councilman Bartholomew, and the same prevailed by the following vote: Ayes, Councilman Bartholomew, Mayor Miller, and Councilman Wolf; nays, none; Councilmen Alford and Gillis absent.

The Mayor announced that the resolution had been finally passed.

The resolution is as follows:

WHEREAS, Guiton Morgan, City Manager, in general charge of Public Works Administration Projects, and G. S. Moore, in direct charge of Docket Texas-2072-F, being the project for the construction of Storm Sewers and Bridges, have reported that the contract for the construction of storm sewers has been completed by the Gaylord Construction Company, General Contractor, in accordance with the plans, specifications and change orders, and in compliance with the rules and regulations of the Administration of Public Works and in an acceptable manner to the P. W. A. Inspector, and have recommended to the City Council the acceptance of the contract and the payment of the final estimate due thereon; and

WHEREAS, the City Council has inspected said contract and the works thereunder and is of the opinion that the same should be finally accepted; now, therefore,

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

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

(Supervising Engineer's Report)

" Austin, Texas
August 10, 1939

Docket Texas 2072-F-1
Storm Sewers
Austin, Texas

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

A final inspection by our Inspectors, O. D. Spillar and H. M. Bohn, and PWA Resident Engineer Inspector, J. B. Curnutte, was made on the storm sewers August 15, 1939. The contract for this work is held by the Gaylord Construction Company.

This and previous inspections showed that all of the work covered by the contract has been completed in accordance with the plans, specifications and change orders, and to the satisfaction of the PWA Representatives, and I recommend that the work be accepted in full at this time and that the final estimate be paid thereon.

The only non-compliances on this job took place during the last week of construction and were created by a subcontractor, the Central Texas Supply Company, in allowing three men who were working in approved dual classifications to work in excess of 40 hours for the week. The subcontractor has convinced the Resident Engineer Inspector and myself that the non-compliances were unintentional and they were occasioned by the fact that the men were working in a dual classification and their combined hours were not checked until the payroll was being prepared.

The Resident Engineer Inspector is recommending that no grant be withheld as a result of the non-compliances. The total money involved, based upon the salaries of the three men for the week, is \$63.20. The total amount that would be withheld in the event the grant was affected would be 45% of this figure, or \$28.44. If the PWA follow past procedure in similar instances, there will be no reduction made as a result of these relatively few and minor non-compliances.

Respectfully submitted,

(Signed) G. S. Moore
Supervising
Engineer.

The following resolution was introduced:

WHEREAS, City of Austin taxes have been assessed in the name of H. D. Ainsworth for the years 1933-1937, inclusive, on the N. 1/2 of Lot 6, Block 153, Original City, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$601.16; and for non-payment of same at maturity penalty in the sum of \$30.06 has been assessed, and interest in the sum of \$121.04, making the total amount of taxes, penalty and interest, \$752.26; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$30.06 and one-half of the interest in the sum of \$60.52; therefore

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

THAT the aforesaid penalty in the sum of \$30.06, and one-half of the interest in the sum of \$60.52, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$30.06 and one-half of the interest in the sum of \$60.52 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes, which, less payments on deposit of \$165, leaves a balance due of \$496.68, and the remainder of said interest in the sum of \$60.52.

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

Councilman Bartholomew introduced the following resolution:

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, and of the State Statutes, proposal for bids for the Equipment, Furnishing &

Water System under PWA Docket No. Tex. 2070-F, Sanatorium, was duly advertised and publicly opened at 10 o'clock A. M., August 4, 1939, at the City Hall in Austin, Texas; and

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

WHEREAS, it was found that the base bid of the Gilbert X-Ray Company for furnishing of fluoroscopic and X-Ray Equipment, in the amount of \$900.00; the Alternate Bid #1 of Von Boeckmann-Jones Company for the furnishing of office furniture and equipment, in the amount of \$417.50, from which certain items with a total bid price of \$93.35 were deducted and which results in a contract price of \$324.15; the base bid of A.S. Aloe Co. for furnishing Hospital furniture and equipment with Alternate Treatment Table, in the sum of \$1239.25 from which certain items with a total bid price of \$490.55 will be deducted, leaving the contract price, \$748.70; the base bid of Bickley School and Furniture Company for the furnishing of general furniture, in the amount of \$4219.26 from which certain items shall be omitted and added which shall result in a net deduction of \$2010.07, which results in a contract price of \$2209.19; the acceptance of Alternate #3 as bid by Jack Thorpe for Venetian Blinds, in the sum of \$760.00; the acceptance of the base bid of the Tratex Corporation for kitchen equipment, in the amount of \$2935.00, from which certain items have been omitted, totaling \$798.40, which results in a contract price of \$2136.60; the bid of Reed Music Company for furnishing and installation of refrigeration equipment, in the sum of \$1421.00, from which Alternate Bid #1 shall be deducted in the amount of \$66.00, which leaves a total bid price of \$1355 as the basis for the contract; and the bid of Tratex Corporation for linens, in the amount of \$984.58, from which alternate bids and deductions shall be omitted and added to give a contract price of \$784.08, were the lowest and best bids under those submitted for the several divisions of the work enumerated above, and that said bids were regular and proper in all particulars; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN AND THE COMMISSIONERS COURT FOR THE COUNTY OF TRAVIS:

THAT the said bids with the final amounts as the contract sums as are enumerated above are hereby accepted subject to the approval of the Federal Emergency Administration of Public Works, and Guiton Morgan, City Manager of Austin, Texas, in behalf of the City of Austin and the County of Travis, is authorized and instructed to enter into contracts with the firms and contractors enumerated above and subject to the final approval of the Public Works Administration.

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

The following resolution was introduced:

WHEREAS, City of Austin taxes have been assessed in the name of H. F. Harper for the years 1931 through 1938, on the north 36 feet of Lot 1 and the south 23 feet of Lot 2, and all of Lot 3, Block 3, Outlot S $\frac{1}{2}$ 23, Division C, Christian and Fellman Addition, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$143.21, and for non-payment of same at maturity penalty in the sum of \$7.16 has been assessed, and interest in the sum of \$33.45, making the total amount of taxes, penalty and interest, \$183.82; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit

said penalty in the sum of \$7.16, therefore,

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

THAT the aforesaid penalty in the sum of \$7.16 is hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$7.16 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and said interest.

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

The following resolution was introduced:

WHEREAS, City of Austin taxes have been assessed in the name of H. F. Harper for the years 1930 through 1938, inclusive, on Lot No. 10 and the east 6 feet of Lot No. 11, in Outlot 1, Division "B", H. L. Robertson, Plat 31, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$216.27; and for non-payment of same at maturity penalty in the sum of \$10.80 has been assessed, and interest in the sum of \$58.04, making the total amount of taxes, penalty and interest \$285.11; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$10.80, and one-half of the interest in the sum of \$29.02; therefore

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

THAT the aforesaid penalty in the sum of \$10.80, and one-half of the interest in the sum of \$29.02, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$10.80 and one-half the interest in the sum of \$29.02 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes, and the remainder of said interest in the sum of \$29.02.

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

The following resolution was introduced:

WHEREAS, City of Austin taxes have been assessed in the name of A. M. Dahlin Estate for the years 1932 through 1938, inclusive, on Lot 2, Outlot 70, Division "E", Plat 3, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$245.42; and for non-payment of same at maturity penalty in the sum of \$12.28 has been assessed, and interest in the sum of \$49.20, making the total amount of taxes, penalty and interest \$306.90; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$12.28; therefore

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

THAT the aforesaid penalty in the sum of \$12.28 is hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$12.28 off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and said interest.

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

The Mayor laid before the Council for its second reading the following ordinance, which was introduced and read the first time at the last regular meeting and laid over:

AN ORDINANCE AMENDING IN THE CERTAIN PARTICULARS HEREIN-AFTER STATED AN ORDINANCE ENTITLED, "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES; AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS, AND PROVIDING FOR A BOARD OF ADJUSTMENT, AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY. "

The ordinance was read the second time and laid over.

The Mayor laid before the Council for its second reading the following ordinance, which was introduced and read the first time at the last regular meeting and laid over:

AN ORDINANCE AMENDING IN CERTAIN PARTICULARS HEREINAFTER SET OUT THAT CERTAIN ORDINANCE ENTITLED, "AN ORDINANCE TO PROVIDE FOR LICENSING AND REGULATING PERSONS WHO ENGAGE IN BUYING AND/OR SELLING FISH, OYSTERS, SHRIMP, LOBSTERS, CRABS, TURTLES, TERRAPINS AND CLAMS AT WHOLESALE AND RETAIL WITHIN THE CITY OF AUSTIN, DEFINING TERMS, AND FIXING PENALTIES," WHICH SAID ORDINANCE WAS PASSED BY THE CITY COUNCIL OCTOBER 26, 1933, AND IS RECORDED IN BOOK "J", PAGES 564-567, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, AND DECLARING AN EMERGENCY.

The ordinance was read the second time and laid over.

The following resolution was introduced:

WHEREAS, City of Austin taxes have been assessed in the name of J. A. Rosengren for the years 1932, 1933, 1934, 1935, 1936, 1937, and 1938 on Lot 6, Outlot 53, Division "E", Plat 2, and personal property for the year 1932, all situated in the City of Austin, Travis County, Texas, said taxes being for the sum of \$324.10, and for non-payment of same at maturity penalty in the sum of \$16.18 has been assessed, and interest in the sum of \$65.85, making the total amount of taxes, penalty and interest, \$406.13; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$16.18 and one-half the interest in the sum of \$32.92; therefore

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

THAT the aforesaid penalty in the sum of \$16.18 and one-half the interest in the sum of \$32.92 are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty and one-half the interest off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and the remainder of said interest, if paid by September 1, 1939.

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

Upon motion, seconded and carried, the meeting was recessed at 12:10 P. M., subject to call of the Mayor.

Attest:

Walter McMillan City Clerk.

Approved:

Tom Miller
Mayor