

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 12, 1939.

The City Council convened in regular session, at the regular meeting place in the Municipal Building, on Thursday, October 12, 1939, at 10:55 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Mayor Tom Miller, and Councilman Oswald G. Wolf. Absent, Councilman Simon Gillis.

The reading of the Minutes was dispensed with.

The following reports of the Board of Adjustment were received:

"Austin, Texas  
October 11, 1939

The Honorable Mayor and City Council  
Austin, Texas

Gentlemen:

The following is a copy of a resolution which was passed by the Board of Adjustment at a meeting held on October 3, 1939:

R E S O L U T I O N .

WHEREAS, the City Council of the City of Austin, pursuant to the terms of Section 30 of the Zoning Ordinance of the City of Austin, has referred to the Zoning Board of Adjustment for its consideration a petition of Mr. W. M. Graham requesting a change in the Use designation of the following property:

A tract of land located at the intersection of West 32nd Street and Jefferson Street, fronting four hundred feet on Jefferson Street and extending one hundred feet deep along West 32nd Street, and located in the new extension of Bryker Woods,

from "A" Residence District and First Height and Area District to "C" Commercial District and First Height and Area District; and

WHEREAS, at a public hearing held on this petition by the Board of Adjustment on October 3, 1939, protests against this change were heard and filed by property owners adjacent and near the property in question; and

WHEREAS, the Board of Adjustment carefully considered all of the arguments for and against this change and took into consideration the relation of this change to the property itself, the entire subdivision, the character of the surrounding neighborhood, and the trend of development in this section of the City, and otherwise with reference to a comprehensive City Zoning Plan and fundamental zoning principles; therefore.

B E I T R E S O L V E D B Y T H E B O A R D O F A D J U S T M E N T :

THAT this change in the Use designation of the above described property is not recommended to the City Council for the same general reasons stated in the adverse recommendation of the Board of Adjustment to the City Council on April 25, 1939, with reference to the proposed similar change in the Wood's Addition, a relatively short distance from the above described property.

Respectfully submitted,

BOARD OF ADJUSTMENT

By: H. F. Kuehne  
Chairman.

"Austin, Texas  
October 11, 1939

The Honorable Mayor and City Council  
Austin, Texas

Gentlemen:

The following is a copy of a resolution which was passed by the Board of Adjustment at a meeting held on October 3, 1939:

R E S O L U T I O N .

WHEREAS, the City Council of the City of Austin, pursuant to the terms of Section 30 of the Zoning Ordinance of the City of Austin, has referred to the Zoning Board of Adjustment for its consideration a petition of Mr. Walter S. Benson requesting a change in the Use designation of the following property:

The north side of West Sixth Street from the east line of the Nalle tract to the west line of the W. H. Richardson tract, a distance of 429 feet, to a depth of 150 feet north of the north line of West Sixth Street

from "B" Residence District and Second Height and Area District to "C" Commercial District and Second Height and Area District; and

WHEREAS, a public hearing was held on October 3, 1939, by the Board of Adjustment, at which hearing protests against this change were filed by property owners adjacent to and near the property in question; and

WHEREAS, an examination of the official Zoning Maps of the City of Austin discloses the fact that both sides of West Sixth Street are now zoned as "C" Commercial District for its entire length from the east line of the Nalle tract to West Avenue, and an examination of the frontage on both sides of West Sixth Street now zoned as "C" Commercial District discloses the further fact that the vast majority of this property is not yet developed for commercial uses, and that the present commercial developments have concentrated on Blanco Street and on West Avenue, and further discloses that this area is still predominantly residential; therefore

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT this change in the Use designation of the above described property is not recommended to the City Council.

Respectfully submitted,

BOARD OF ADJUSTMENT

By: H. F. Kuehne  
Chairman. "

"Austin, Texas  
October 12, 1939

The Honorable Mayor and City Council  
Austin, Texas

Gentlemen:

The following is a copy of a resolution which was passed by the Board of Adjustment at a meeting held on September 21, 1939:

R E S O L U T I O N .

WHEREAS, the City Council of the City of Austin, pursuant to the terms of Section 30 of the Zoning Ordinance of the City of Austin, has referred to the Zoning Board of Adjustment for its consideration a petition of Mr. S. P. Tadlock requesting a change in the Use designation of the following property:

Two tracts of land in La Frelle Place, in the City of Austin, Travis County, Texas, the First Tract consisting of portions of Lots Nos. 19, 21, 23, 25, 27, and 29, in Block 2, of La Frelle Place, and the Second Tract consisting of portions of Lots Nos. 7, 8, 9, 10, and 11, and a portion of a 10-foot walkway lying between Lots 8 and 9, all of which is a portion of Block 1 of La Frelle Place, and said tracts being the same land as that conveyed to S. P. Tadlock by the City of Austin by warranty deed dated March 12, 1939, recorded in Vol. 517, page 292, of the Travis County Deed Records,

from "A" Residence District and First Height and Area District to "C" Commercial District and Second Height and Area District; and

WHEREAS, the Board of Adjustment carefully considered the changing of the Use designation of this property and carefully stated the conditions and developments surrounding the same, and further considered the same in the light of sound zoning principles; and

WHEREAS, the above described property is similarly situated as the property on the opposite side of South Congress Avenue which is a part of La Frelle Place which was changed by the City Council on April 7, 1937, from "A" Residence District to "C" Commercial District; and

WHEREAS, the original deed restrictions applying to this property have been removed by proper legal procedure and do not now apply; and

WHEREAS, an examination of the official Zoning Maps of the City of Austin discloses the fact that the property on the opposite side of South Congress Avenue and south side of Oltorf Street is now zoned as "C" Commercial District; and

WHEREAS, owing to the changed conditions brought about by the extension of South Congress Avenue through La Frelle Place, and to the fact that all of South Congress Avenue is designated as "C" Commercial property to the present City Limits, this property is no longer desirable for residential purposes and is now of like character as the other property fronting along South Congress Avenue; therefore,

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT this change in the Use designation of the above described property is recommended to the City Council.

Respectfully submitted

BOARD OF ADJUSTMENT

By: H. F. Kuehne  
Chairman. "

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

To amend the USE designation of the following described property so as to change same from "A" Residence District to "C" Commercial District: A strip of land one hundred feet in depth, beginning at the north side of the Clayton property abutting the west side of Jefferson Street and extending in a northerly direction along Jefferson Street to a distance of 500 feet, in the new Bryker Woods extension, City of Austin, Texas.

To amend the USE designation of the following described property so as to change same from "B" Residence District to "C" Commercial District: The property on the north side of the 1200 block on West Sixth Street, extending from the east line of the Nalle tract to the west line of the W. H. Richardson tract, a distance of 429 feet, and extending in depth to the westerly extension of the alley running west from Harthan Street, legally described as Outlot 3, Division "Z", City of Austin, Texas.

To amend the USE designation of the following described property so as to change same from "A" Residence District to "C" Commercial District and from First Height and Area to Second Height and Area: Portions of Lots Nos. 19, 21, 23, 25, 27, and 29, Block 2, and all of Block 1 not now zoned as "C" Commercial, La Frelle Place, said property abutting the west side of South Congress Avenue between Oltorf Street and West Live Oak Street, in the City of Austin, Texas.

To zone the recently annexed territory known as "Rabb Inwood Hills" Subdivision so as to place all of said subdivision in Residence "A" District and First Height and Area District, except the following portion, which shall be zoned as "C" Commercial District and Second Height and Area District: Lots 1, 2, and 3, Block 8, and the unplatted portion of the property bounded on the north by a line connecting the northeast corner of Lot No. 1, Block 8, with the northwest corner of the former City Limits; and by a line extending south along the former City Limits to the Fredericksburg Road; and by a line along the Fredericksburg Road to the southwest corner of Lot No. 1, Block 8; and by a line extending from the southwest corner of Lot No. 1, Block 8, to the point of beginning, all in the City of Austin, Texas.

J. C. Smothers, Albert T. Krueger, and other property owners objected to the proposed change on Jefferson Street in Bryker Woods on the ground that they bought property in this addition with the understanding that it was strictly residential and the proposed change would deteriorate the value of same as such.

R. G. Mueller submitted a written protest on the ground that, as there was a designated community center in this locality already, there was no need for another one.

The matter was finally disposed of by an agreement on the part of Albert T. Krueger, property owner, to pave in front of his property at his own expense in return for the withdrawal of the application for a change by W. M. Graham, applicant.

Written protests were received from L. E. Smoot and Mrs. J. W. Stewart, property owners, against the proposed change in the 1200 block on West Sixth Street.

W. S. Benson, applicant, appeared and plead for the change on the ground that this street was destined to be one of the main business arteries of the City, and therefore was undesirable as residential property.

It was moved by Councilman Wolf, seconded by Councilman Bartholomew, that the change in zoning in the 1200 block on West Sixth Street be granted, and that the City Attorney be instructed to prepare the necessary ordinance. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Mayor Miller, and Councilman Wolf; nays, none. Councilman Gillis absent.

Mrs. B. S. Dickinson, Mrs. May La Frelle Price, and other property owners appeared relative to the proposed change in La Frelle Place, fronting west side of South Congress Avenue between Oltorf and West Live Oak Streets, but stated that they had no objection to said change if there were to be no unsightly or objectionable buildings erected thereon.

It was moved by Councilman Wolf that the change be granted, and that the City Attorney be instructed to prepare the necessary ordinance. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Mayor Miller, and Councilman Wolf; nays, none. Councilman Gillis absent.

There being no protest against the proposed zoning of the property in Inwood Hills Subdivision, Councilman Wolf moved that the City Attorney be instructed to prepare the necessary ordinance, in accordance therewith. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Mayor Miller, and Councilman Wolf; nays, none. Councilman Gillis absent.

The following report of the Board of Adjustment was received, and the matter was laid on the table:

" Austin, Texas  
October 12, 1939.

The Honorable Mayor and City Council  
Austin, Texas

Gentlemen:

The following is a copy of a resolution which was passed by the Board of Adjustment at a meeting held on October 3, 1939:

#### R E S O L U T I O N .

WHEREAS, the City Council of the City of Austin, pursuant to the terms of Section 30 of the Zoning Ordinance of the City of Austin, has referred to the Zoning Board of Adjustment for its consideration a petition of Mr. T. N. Neal requesting a change in the Use designation of the

following property:

A portion of Lot No. 19, Outlet No. 6, Division "Z", of the City of Austin, Travis County, Texas, being No. 920½ West 12th Street, in the City of Austin,

from "C" Commercial District and Second Height and Area District to "C-2" Commercial District and Second Height and Area District; and

WHEREAS, a public hearing was held by the Board of Adjustment on October 3, 1939, on this petition, at which hearing protests against this change were heard and filed by property owners adjacent and near the property in question; and

WHEREAS, the Board of Adjustment carefully considered the above petition, and has viewed the premises and otherwise carefully considered this change from all points of view of sound zoning principles; and

WHEREAS, this petition is for the changing of a portion of a lot and improvements thereon; and

WHEREAS, no provision in the law is made whereby such a change is possible; therefore

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT this change in the Use designation of the above described property is not recommended to the City Council.

Respectfully submitted,

BOARD OF ADJUSTMENT

By: H. F. Kushne  
Chairman.

The following report of the Board of Adjustment was received, and the matter was laid on the table:

" Austin, Texas  
October 12, 1939

The Honorable Mayor and City Council  
Austin, Texas

Gentlemen:

The following is a copy of a resolution which was passed by the Board of Adjustment at a meeting held on October 3, 1939:

R E S O L U T I O N .

WHEREAS, the City Council of the City of Austin, pursuant to the terms of Section 30 of the Zoning Ordinance of the City of Austin, has referred to the Zoning Board of Adjustment for its consideration a petition of Mr. J. M. Nacy requesting a change in the Use designation of the following property:

1303 Lavaca Street, Austin, Texas,

from "C" Commercial District and Second Height and Area District to "C-2" Commercial District and Second Height and Area District; and

WHEREAS, a public hearing was held by the Board of Adjustment on October 3, 1939, on this petition, at which hearing protests against this change were heard and filed by property owners adjacent and near the property in question; and

WHEREAS, this petition is for the changing of a single commercial building and premises in order to permit the sale of wine and beer by the lessee of the property and therefor constitutes a spot zone; and

WHEREAS, no public necessity and convenience nor demand in the interest of the general welfare has been shown to justify this change; therefore

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT this change in the Use designation of the above described property is not recommended to the City Council.

Respectfully submitted,

BOARD OF ADJUSTMENT

By H. F. Kushne  
Chairman.

A brief, containing eight typewritten pages, in the matter of the renewal of the franchise of the Austin Street Railway Company, was submitted by Jefferson G. Smith, and the same was received and filed.

The following communication, relative to the renewal of the franchise of the Austin Street Railway Company, was also received and filed:

"Austin, Texas  
October 12, 1939

To the Honorable Mayor and City Commissioners  
Austin, Texas

Pardon the liberty I take in again submitting the following protest:

The matter of extending the franchise of the local street car system is now before the City Council for final adoption at this meeting of the city commissioners. I cannot understand why they should rush the franchise matter when the present franchise does not expire until the year 1941. Why not have a public hearing so that all the many phases pertaining to the extension of the franchise could be thrashed out from all angles? It is a very important matter in which the taxpayers are all vitally interested.

The present Austin Street Railway Company, as I have been informed, wants a 10-cent fare with a 30-year monopoly franchise. Why bind the future generation to such a proposition; nevertheless, to start with 10 cent fare is entirely beyond reason.

The first street car company was started in Austin in the year 1871, and since then their successors have had the exclusive monopoly of the streets.

The following data will show the fare and franchise or rental tax in other towns in Texas:

WACO - Fare is five cents, and the busses each pay a franchise tax of \$25.00 per year. The street car is still under the old franchise.

DALLAS - pays \$3.00 franchise tax for each bus seat per year. Adult fare is 7 cents, five tokens for 30 cents. Student card with 20-rides, 60 cents. Children, 7 to 12 years, three cents. Free universal transfer.

SAN ANTONIO - The bus line pays \$5.00 franchise tax per seat for each bus seat every year. The fare is three tokens for 25 cents.

FORT WORTH - Street cars were abandoned during 1935. Fort Worth is at present working on some plan for rental taxation of the busses. Fare is three tokens for 25 cents.

HOUSTON - The franchise held by the electric company does not give it exclusive use of the streets. There is nothing in the franchise that would prevent the city of Houston from granting similar franchise to another company. The Houston company pays 2 per cent gross receipts tax annually, also makes a flat payment to the city of \$500.00 each January 1, and annually pays \$5,000.00 toward the upkeep of the public service department. The said franchise is valued by the city of Houston at \$792,000.00, and the company pays ad valorem taxes on that amount, also, on all its real and personal property.

NEW ORLEANS - Has a seven cent fare with universal transfer privileges. They pay a franchise tax of \$8.50 annually per seat for each bus operated; besides they pay a franchise tax on  $\frac{1}{4}$  of 1 per cent to 5 per cent on gross revenue less local taxes.

Even if the matter of 10 cents car fare is adopted, but why tie-down the future generation with a 30 year franchise? None of the present Commissioners will be alive at that time.

All of which is respectfully submitted,

(Signed) S. J. von Koenneritz  
305 Scarbrough Building. "

Mr. and Mrs. F. W. King, residents of Hyde Park, were present and voiced their approval of the proposed Renewal Franchise of the Austin Street Railway Company.

The Mayor laid before the Council for its third reading the following ordinance:

AN ORDINANCE RENEWING AND EXTENDING THE FRANCHISE OF THE AUSTIN STREET RAILWAY COMPANY TO OPERATE STREET CARS UPON THE STREETS AND AVENUES OF THE CITY OF AUSTIN, AND REQUIRING THE SUBSTITUTION OF BUSES ON ALL STREETS ON WHICH STREET CARS ARE NOW OPERATED; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

The ordinance was read the third time and Councilman Wolf moved that the ordinance be finally passed. The motion was seconded by Councilman Bartholomew, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Mayor Miller, and Councilman Wolf. Nays, NONE. ABSENT, Councilman Gillis.

The Mayor declared that the ordinance had been finally passed.

Councilman Wolf introduced the following resolution and moved its adoption:

WHEREAS, the City Council has heretofore read and passed at three separate regular meetings that certain ordinance entitled, "An Ordinance renewing and extending the franchise of the Austin Street Railway Company to operate street cars upon the streets and avenues of the City of Austin, and requiring the substitution of busses on all streets on which street cars are now operated; and repealing all ordinances in conflict herewith," which ordinance was finally passed October 12, 1939, being more than 30 days after the first reading thereof; and

WHEREAS, the Charter of the City of Austin in Section 3 of Article XXII provides that such ordinance may not take effect until 60 days after its final passage, and that pending such time the full text of such ordinance shall be published once each week for four consecutive weeks in a daily newspaper published in the City of Austin; now, therefore,

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

THAT the Mayor be and he is hereby authorized, directed and instructed to do all things necessary and convenient to have the full text of said ordinance published once each week for four consecutive weeks in the Austin American-Statesman and in the Austin Daily Tribune, said newspapers being daily newspapers published in the City of Austin, said publication dates to be as follows: the first publication on October 14, 1939, the second publication on October 21, 1939, the third publication on October 28, 1939, and the fourth publication on November 4, 1939; the expense of such publications to be borne by the Austin Street Railway Company, proponent of the franchise, all as provided by the Charter of the City of Austin.

The motion was seconded by Councilman Alford.

The Mayor ordered the roll called on the adoption of the resolution, with the following result: Ayes, Councilmen Alford, Bartholomew, Mayor Miller, and Councilman Wolf. Nays, None. Councilman Gillis absent.

The Mayor declared the resolution duly adopted.

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

The Mayor declared the resolution duly adopted.

The resolution is as follows:

WHEREAS, the City Council is in receipt of a resolution adopted by the Board of Trustees of the Austin Ind. School District on October 9, 1939, recommending award of contract to the McGRAW ROOFING COMPANY, under Contract No. 76, in the amount of \$573.00, for certain Boiler House Stack Ventilators, and award of contract to the TIPS ENGINE WORKS, under Contract No. 77, in the amount of \$384.00, for Boiler House Door Grills, both under Docket TEX-2134-F, a copy of which resolution is attached hereto and made a part hereof; Now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, ACTING FOR AND IN BEHALF OF THE AUSTIN IND. SCHOOL DISTRICT;

THAT award of contract be made under Contract No. 76 and No. 77, as above outlined, subject to the approval of the Public Works Administration Regional Office.

(Resolution of School Board attached)

WHEREAS, informal bids were received at 2:00 P. M., October 4, 1939, as follows:

Bid No. 1 for the installation of Stack Ventilators for certain Boiler Houses; and

Bid No. 2 for installation of Meta Door Louvers for certain Boiler Houses;

all under Docket TEX-2134-F; and

WHEREAS, said bids were taken according to approved FWA procedure and opened in the present of representatives of the School Board and of the Public Works Administration; and

WHEREAS, the McGRAW ROOFING COMPANY was the low bidder under Bid No. 1 with their bid in the amount of \$573.00; and

WHEREAS, the low bidder on Bid No. 2, Little & Goslin, have officially requested permission to withdraw their said low bid in the amount of \$350.00, said request having been made immediately after the bids were tabulated, their reason being that said bid was a "courtesy bid" submitted in the belief that the work could be performed in connection with Bid No. 1 if same were awarded to them, and for the further reason that without Bid No. 1 they, not being metal contractors, would have to completely sublet the work under said Bid No. 2; and

WHEREAS, the Supervising Architect recommends granting the request of Little & Goslin to withdraw their bid;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Austin Ind. School District that award of contract be recommended to the McGRAW ROOFING COMPANY in the amount of \$573.00 for the Ventilator Stacks under Bid No. 1; that Little & Goslin be allowed to withdraw their low bid under Bid No. 2; and that award of contract be awarded to TIPS ENGINE WORKS on their next-to-low bid of \$384.00 under Bid No. 2.

I hereby certify that the foregoing Resolution was unanimously adopted at the regular meeting of the Board of Trustees of the Austin Ind. School District, held on October 9, 1939, at which a quorum was present and voted.

(Signed) Cousins Gregg  
Secretary to the Superintendent of Public Schools,  
Austin, Texas.

(SEAL)

## (Recommendations of Supervising Architects)

"Austin, Texas  
October 5, 1939

Mr. M. A. Murchison, President  
Board of Trustees  
Austin Ind. School District  
Austin, Texas

Dear Mr. Murchison:

Re: Docket TEX-2134-F  
Informal Bids of October 4, 1939

At 2:00 P. M., October 4, 1939, informal bids were received as follows:

Bid No. 1, for the furnishing and installation of Stack Ventilators for all Boiler Houses under the present program in which gas burners are being used.

Bid No. 2, for installation of Metal Grills for the doors of all new Boiler Houses under this program (except that of the Rosewood School, this item having inadvertently been omitted from the specification and from the drawings. A change order covering one extra set of louvers for that Boiler House will have to be made later).

Under Bid No. 1, the McGraw Roofing Company was low, with a bid of \$873.00, and on Bid No. 2, Little & Goslin were low with a bid of \$360.00. Under Bid No. 2, the Tips Engine Works was next to low with a bid of \$384.00.

All bids were regular and all FMA procedure was complied with.

Immediately after the tabulation of said bids, Little & Goslin advised verbally (and shortly thereafter advised by letter, a copy of which is attached hereto, that they would respectfully request permission to withdraw their Bid No. 2, due to the fact that all of the work under this bid properly belonged to the metal workers trade, and that if the same were awarded to them, the contract would have to be completely sublet; and that the carrying out of this contract in their name might bring up some labor complications. They recited as their reason for having submitted a quotation on Bid No. 2 the fact that they had felt they would be low on Bid No. 1 and since item No. 2 was a proportionately small item, would have been justifying in doing the same if awarded Bid No. 1.

We feel that Little & Goslin are correct in stating that some labor complications might develop if the iron work contract were awarded to a roofing contractor, and feel that in the interest of good relations between the Owner and the construction industry, it would be to the advantage of the Board to allow Little & Goslin to withdraw their low Bid No. 2.

We therefore recommend (1) that Little & Goslin's request to be permitted to withdraw their proposal under Bid No. 2 be granted; and (2) that contract be awarded to the McGraw Roofing Company under Bid No. 1, for a contract amount of \$873.00 for the furnishing and installation of the Stack Ventilators; and (3) that contract be awarded to the Tips Engine Works under Bid No. 2, for a contract amount of \$384.00 for the furnishing and installation of the Metal Door Grills.

Yours very truly,

GIESECKE & HARRIS  
Supervising Architects

By: Bertram E. Giesecke "

The following resolution was introduced by Councilman Bartholomew, who moved its adoption:

WHEREAS, the Board of Trustees of the Austin Ind. School District, by Resolution, has recommended to the City Council final acceptance under FMA Docket TEX-2134-F;

Of Contract No. 68, being that of Texas Visual Educational Company, for THREE (3) SETS MOTION PICTURE EQUIPMENT; and

WHEREAS, there is attached to this Resolution and made a part hereof, a copy of the Resolution by the Board of Trustees of the Austin Ind. School District, above referred to, and also a copy of letter from the Supervising Architect's Office, recommending acceptance of said contract; now, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, ACTING FOR AND IN BEHALF OF THE AUSTIN IND. SCHOOL DISTRICT:

THAT the work under this contract be and the same is hereby accepted, subject to concurrence by the Public Works Administration; and the City Manager is hereby authorized and instructed to sign any necessary papers in connection therewith.

(Resolution of School Board attached)

WHEREAS, final inspection of the Furnishings and Equipment embodied under Contract No. 68, FMA Docket TEX-2134-F, being that of Texas Visual Educational Company for Three Sets Motion Picture Equipment, is imminent; and

WHEREAS, it is further understood that this final inspection will be accomplished by representatives of the Public Works Administration, of the Board of Trustees, and of the Supervising Architect, who will in concurrence recommend upon the performance of the said contract; and

WHEREAS, the Supervising Architect will then set forth in his letter of recommendation upon this contract the fact of this final inspection, together with his recommendation of final acceptance of the work involved;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Austin Ind. School District that upon receipt of the letter of recommendation of the Supervising Architect, setting forth the facts of final inspection and toward the final acceptance of this contract, which letter of recommendation is attached hereto and becomes a part hereof, final acceptance be and the same is hereby recommended to the City Council of the City of Austin, acting for and in behalf of the Austin Ind. School District.

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I hereby certify that the foregoing Resolution was unanimously adopted at the Special Meeting of the Board of Trustees of the Austin Ind. School District, held on September 22, 1939, at which a quorum was present and voted.

(Signed) Cousins Gregg  
Secretary to the Superintendent  
of Public Schools, Austin,  
Texas.

(Seal)

(Recommendations of Supervising Architects)

"Austin, Texas  
October 11, 1939

Mr. E. A. Murchison, President  
Austin Ind. School District  
Austin, Texas

Dear Mr. Murchison:

Re: Docket TEX-2134-F - SCHOOLS - AUSTIN, TEXAS  
FURNITURE AND EQUIPMENT  
Recommendation of Final Acceptance  
Contract No. 65

On or before October 11, 1939, the furnishings and equipment embodied under the above-numbered contract, and being that of the Texas Visual Educational Company, for Three (3) Sets Motion Picture Equipment have been inspected by representatives of the Board of Trustees of the Austin Ind. School District, of the office of the Resident Engineer Inspector of P.W.A., and of the office of the Supervising Architect, and have been found to comply with the terms of the Specification and of the Contract existing which is based thereupon.

In consequence of the above statements, we hereby recommend formal final acceptance by the Board of Trustees of the work embodied in said contract, and recommend payment of the contract price in accordance with the statement rendered, as approved by the Office of the Supervising Architect and of PWA.

Yours very truly,

GINSECKE & HARRIS

By A. W. Harris

The motion was seconded by Councilman Alford.

The Mayor ordered the roll called on the adoption of the resolution, with the following result: Ayes, Councilmen Alford, Bartholomew, Mayor Miller, and Councilman Wolf. Nays, None. Absent, Councilman Gillis.

The Mayor declared the resolution duly adopted.

The following resolution was introduced by Councilman Bartholomew, who moved its adoption:

WHEREAS, the Board of Trustees of the Austin Ind. School District, by Resolution, has recommended to the City Council final acceptance under PWA Docket TEX-2134-F:

Of Contract No. 71, being that of Southwestern Specialty Co., Inc., for FOUR ELECTRIC RANGES, HOTEL TYPE; and

WHEREAS, there is attached to this Resolution and made a part hereof, a copy of the Resolution by the Board of Trustees of the Austin Ind. School District, above referred to, and also a copy of letter from the Supervising Architect's Office, recommending acceptance of said contract; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, ACTING FOR AND IN BEHALF OF THE AUSTIN IND. SCHOOL DISTRICT;

THAT the work under this contract be and the same is hereby accepted, subject to concurrence by the Public Works Administration; and the City Manager is hereby authorized and instructed to sign any necessary papers in connection therewith.

(Resolution of School Board attached)

WHEREAS, final inspection of the Furnishings and Equipment embodied under Contract No. 71, PWA Docket TEX-2134-F, being that of Southwestern Specialty Co., Inc., for FOUR ELECTRIC RANGES, HOTEL TYPE, is imminent; and

WHEREAS, it is further understood that this final inspection will be accomplished by representatives of the Public Works Administration, of the Board of Trustees, and of the Supervising Architect's Office, who will in concurrence recommend upon the performance of the said contract; and

WHEREAS, the Supervising Architect will then set forth in his letter of recommendation upon this contract, the fact of this final inspection, together with his recommendation of final acceptance of the

work involved:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE AUSTIN IND. SCHOOL DISTRICT that upon receipt of the letter of recommendation of the Supervising Architect, setting forth the fact of final inspection and toward the final acceptance of this contract, which letter of recommendation is attached hereto and becomes a part hereof, final acceptance be and the same is hereby recommended to the City Council of the City of Austin, acting for and in behalf of the Austin Ind. School District.

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I hereby certify that the foregoing Resolution was unanimously adopted at the Special Meeting of the Board of Trustees of the Austin Ind. School District, held on September 22, 1939, at which a quorum was present and voted.

(Signed) Cousins Gregg  
Secretary to the Superintendent  
of Public Schools, Austin, Texas.

(Seal)

(Recommendations of Supervising Architects)

"Austin, Texas  
October 11, 1939

Mr. E. A. Murchison, President  
Austin Ind. School District  
Austin, Texas

Dear Mr. Murchison:

Re: Docket TEX-2134-F - SCHOOLS - AUSTIN, TEXAS  
FURNITURE AND EQUIPMENT  
Recommendation of Final Acceptance  
Contract No. 71

On or before October 11, 1939, the furnishings and equipment embodied under the above-numbered contract, and being FOUR ELECTRIC RANGES, HOTEL TYPE, by Southwestern Specialty Co., Inc., have been inspected by representatives of the Board of Trustees of the Austin Ind. School District, of the office of the Resident Engineer Inspector of P.W.A., and of the office of the Supervising Architect, and have been found to comply with the terms of the Specification and of the Contract existing which is based thereupon.

In consequence of the above statements, we hereby recommend formal final acceptance by the Board of Trustees of the work embodied in said contract, and recommend payment of the final contract price in accordance with the statement rendered, and as approved by the Office of the Supervising Architect and of PWA.

Yours very truly,

GIESBCKE & HARRIS

By A. W. Harris. "

The motion was seconded by Councilman Alford.

The Mayor ordered the roll called on the adoption of the resolution, with the following result: Ayes, Councilmen Alford, Bartholomew, Mayor Miller, and Councilman Wolf. Nays, None. Absent, Councilman Gillis.

The Mayor declared the resolution duly adopted.

It was moved by Councilman Wolf that a taxicab driver's permit be granted to Jack Ira S. Corbett, 64 Waller Street, in accordance with the recommendation of the City Manager. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Mayor Miller, and Councilman Wolf. Nays, None. Councilman Gillis absent.

It was moved by Councilman Wolf that a taxicab driver's permit be granted to Herman Carl Hees, 1612 Willow Street, in accordance with the recommendation of the City Manager. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Mayor Miller, and Councilman Wolf. Nays, None. Councilman Gillis absent.

It was moved by Councilman Wolf that a taxicab driver's permit be granted to Allen Jefferson Anderson, 2807 Rio Grande Street, in accordance with the recommendation of the City Manager. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Mayor Miller, and Councilman Wolf. Nays, None. Councilman Gillis absent.

It was moved by Councilman Wolf that a taxicab driver's permit be granted to Floyd B. Morse, 1104 East 8th Street, in accordance with the recommendation of the City Manager. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Mayor Miller, and Councilman Wolf. Nays, none. Councilman Gillis absent.

It was moved by Councilman Wolf that a taxicab driver's permit be granted to Chester Arthur Schutz, 604 West 28th Street, in accordance with the recommendation of the City Manager. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Mayor Miller, and Councilman Wolf. Nays, None. Councilman Gillis absent.

The following resolution was introduced by Councilman Alford:

WHEREAS, Spiller-Miller, plumbing and heating contractors, acting by and through E. B. Miller, partner, owner of a tract or parcel of land out of the Isaac Decker League within the City of Austin, Travis County, Texas, which tract or parcel of land abuts the south side of Barton Springs Road at a location east of Bouldin Avenue, and being locally known as 809 Barton Springs Road, has made application to the City Council of the City of Austin for permission to construct a commercial driveway across the south sidewalk area of said Barton Springs Road at the above described location, as shown upon the plan hereto attached marked 2-C-827, 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 Spiller-Miller, plumbing and heating contractors, acting by and through E. B. Miller, partner, owner of a tract or parcel of land out of the Isaac Decker League within the City of Austin, Travis County, Texas, which tract or parcel of land abuts the south side of Barton Springs Road at a location east of Bouldin Avenue, is hereby permitted to construct a commercial driveway across the south sidewalk area of Barton Springs Road, subject to the construction of concrete ramps, curbs, driveways, sidewalks and expansion joints as shown upon the plan marked 2-C-827, which plan is hereby made a part of this resolution, and further subject to the condition that all concrete curb, ramp and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the direction and supervision of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin.

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

Councilman Alford 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 BRUSHY STREET from East 3rd Street Alley to East 4th Street, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east line of said Brushy Street.

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

(2) A gas main in WEST MILTON STREET from a point 64 feet west of Roma Street west 45 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north line of said West Milton Street.

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

(3) A gas main in EAST 47TH STREET from a point 292 feet east of Duval Street easterly 73 feet, the centerline of which gas main shall be 21 feet south of and parallel to the north line of said East 47th Street.

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

(4) A gas main in EAST 43RD STREET from a point 266 feet east of the east line of Bennett Avenue easterly 66 feet, the centerline of which gas main shall be 20 feet south of and parallel to the north line of said East 43rd Street.

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

(5) A gas main in GRISWOLD LANE from Forest Trail easterly 192 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north line of said Griswold Lane.

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

(6) A gas main in EAST 53RD STREET from Bennett Avenue westerly 143 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north line of said East 53rd Street.

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

(7) A gas main in LEONA STREET from East 22nd Street southerly 164 feet, the centerline of which gas main shall be 20 feet west of and parallel to the east line of said Leona Street.

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

(8) A gas main in HARRIS AVENUE from Hampton Road westerly 350 feet, the centerline of which gas main shall be 13 feet south of and parallel to the north line of said Harris Avenue.

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

(9) A gas main in FRENCH PLACE from Manor Road northerly approximately 2 blocks, to a point north 20 feet of the north line of East 30th Street, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east line of said French Place.

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

(10) A gas main in EAST 4TH STREET across Brushy Street intersection, the centerline of

which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the south line of said East 4th Street.

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

(11) A gas main in WEST 4TH STREET from Mueses Street east 112 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet north of and parallel to the south line of said West 4th Street.

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

Councilman Wolf introduced the following resolution:

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its pole lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; therefore

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

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its pole lines in the following streets:

(1) A telephone pole line in LOOKHART DRIVE from Brackenridge Street to Newning Avenue, the centerline of which pole line shall be 9 feet south of and parallel to the north line of said Lockhart Drive

THAT the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after said pole lines have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

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

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Dr. E. H. Givens for the years 1929-1938, inclusive, on Lot 16, Outlot 41, Division "B", in the City of Austin, Travis County, Texas, said taxes being for the sum of \$622.90; and for non-payment of same at maturity penalty in the sum of \$31.14 has been assessed, and interest in the sum of \$168.97, making the total amount of taxes, penalty and interest \$823.01; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$31.14, and one-half of the interest in the sum of \$84.48; therefore

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

THAT the aforesaid penalty in the sum of \$31.14, and one-half of the interest in the sum of \$84.48, 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 \$31.14, and one-half of the interest in the sum of \$84.48, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

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

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Dr. E. H. Givens for the years 1935-1938, inclusive, on Lot 3, Block 4, Outlot 3, Division "A", in the City of Austin, Travis County, Texas, said taxes being for the sum of \$132.00; and for non-payment of same at maturity penalty in the sum of \$6.60 has been assessed, and interest in the sum of \$15.98, making the total amount of taxes, penalty and interest \$154.58; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$6.60 and one-half of the interest in the sum of \$7.99; therefore

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

THAT the aforesaid penalty in the sum of \$6.60, and one-half of the interest in the sum of \$7.99,

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 \$6.60, and one-half of the interest in the sum of \$7.99, off his rolls and issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

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

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Dr. E. H. Givens for the years 1925, 1926, and 1929-1938, inclusive, on personal property in the City of Austin, Travis County, Texas, said taxes being for the sum of \$97.70; and for non-payment of same at maturity penalty in the sum of \$4.88 has been assessed, and interest in the sum of \$41.81, making the total amount of taxes, penalty and interest \$144.39; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$4.88, and one-half of the interest in the sum of \$20.90; therefore

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

THAT the aforesaid penalty in the sum of \$4.88, and one-half of the interest in the sum of \$20.90, 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 \$4.88, and one-half of the interest in the sum of \$20.90, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest, as aforesaid.

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

The following resolution was introduced:

WHEREAS, City of Austin taxes were assessed in the name of Dr. E. H. Givens for the years 1922, 1926, and 1929-1938, inclusive, on Lot 19, Outlot 1, Division "B", Carleton Subdivision, in the City of Austin, Travis County, Texas, said taxes being for the sum of \$389.05; and for non-payment of same at maturity penalty in the sum of \$19.45 has been assessed, and interest in the sum of \$144.24, making the total amount of taxes, penalty and interest \$552.74; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$19.45, and one-half of the interest in the sum of \$72.12; therefore

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

THAT the aforesaid penalty in the sum of \$19.45, and one-half of the interest in the sum of \$72.12, 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 \$19.45, and one-half of the interest in the sum of \$72.12, off his rolls and to issue to the party entitled to receive same a receipt in full upon the payment of said taxes and one-half of the interest.

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

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

Approved:

Tom Miller  
Mayor

Attest:

Marie McKee  
City Clerk