

for a Youth Center as outlined by him in the memorandum hereinbefore mentioned, and to make available for such a project the said 12 acres of land hereinbefore mentioned; and the City Manager is hereby authorized to include in the General Budget of the City of Austin for the year 1940 the sum of \$5,000 for the improvements to be placed on said land to be used in said project.

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

The Mayor declared the resolution duly adopted.

Upon motion, seconded and carried, the meeting was recessed at 11:55 A. M., subject to call of the Mayor.

Approved:

*Tom Miller*  
Mayor

Attest:

*Halle M. Keller*  
City Clerk

#### REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, November 22, 1939.

The City Council convened in regular session, at the regular meeting place in the Council Chamber in the Municipal Building, on November 22, 1939, at 10:30 A. M., with Mayor Tom Miller presiding, the meeting having been held on Wednesday preceding the official Thanksgiving Day of November 23. Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, none.

The reading of the Minutes was dispensed with.

At the request of the proponent of the change, Mr. North Milligan, the public hearing on the rezoning of the west side of Congress Avenue between 14th and 15th Streets, which was continued from the last regular meeting, was continued again until the next regular meeting.

The public hearing on the rezoning of the property at 920½ West 12th Street, which was continued from the last regular meeting, was reopened. No one appearing for or against the proposed change, the matter was laid on the table; the written protest of Andrew Fleming having been received and filed.

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

WHEREAS, the County of Travis, State of Texas, and the City of Austin, Texas, desire to make available an adequate water supply for the Tuberculosis Sanatorium located on the Webberville Road in Travis County, Texas; and

WHEREAS, the Commissioners Court of Travis County, Texas, has, in its trust, funds belonging to the permanent school fund of the City of Austin and Travis County Independent School Districts which

may be invested; and

WHEREAS, the City of Austin can construct a water line connecting with its water distribution system to supply the Tuberculosis Sanatorium by using money loaned from the permanent school fund mentioned above; now, therefore,

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

THAT the City Manager be and he is hereby authorized and directed on behalf of the City of Austin to enter into a contract and agreement with the Commissioners Court of Travis County, Texas, the terms of which contract are substantially as follows:

Travis County will lend to the City of Austin the sum of \$16,000 for the construction of a water line connecting the water distribution system of the City of Austin with the Tuberculosis Sanatorium on the Webberville Road. The City of Austin will construct the water line with the funds so loaned by Travis County. The City of Austin will pay interest on the amount of money necessary to construct the line in accordance with this contract, the term of which is for twenty (20) years; the contract may be cancelled upon three to six months' notice by either party, and upon termination of the agreement, the City will pay to the County one-half (1/2) of the cost of the line, and the County will reimburse the permanent school fund by one-half of the cost of the line; the Sanatorium will be billed at the legal rural rate for water consumed, and the County and City will each pay one-half the monthly bill; payments by the County will not be in cash, but will be credited to the one-half investment by the County in the water line until such time as the County shall have been paid in full for its investment.

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

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

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, an award was made Will O'Connell, Contractor for the general construction work for the Austin-Travis County Sanatorium under PWA Docket No. TEX-2070-F, Sanatorium, and a contract was duly executed and approved by the Public Works Administration; and

WHEREAS, the work included under this contract is now complete and ready for full and unconditional acceptance; and

WHEREAS, certain moneys have been retained during the period of construction which are due and payable to the contractor; therefore

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

THAT the building be declared complete and that it be accepted in so far as the work of Will O'Connell, Contractor, is concerned.

THAT Guiton Morgan, City Manager of Austin, Texas, be directed and ordered to pay the balance due Will O'Connell under the contract first mentioned, together with change orders which have been issued and approved during the period of construction, the total amount of which payment shall be as shown on the final estimate for payment and as approved by David C. Baer, Architect, and by the PWA.  
(Architect's Recommendation attached)

"Austin, Texas  
November 22, 1939  
DOCKET TEX-2070-F  
SANATORIUM  
AUSTIN, TEXAS

The City of Austin, Texas  
The County of Travis

Gentlemen:

I wish to recommend to the governing bodies of the City of Austin and Travis County that the work

executed under the contract for Will O'Connell on the Austin-Travis County Sanatorium be unconditionally accepted at this time.

I further recommend that any money due under the condition of this contract be paid Will O'Connell upon the filing of the proper estimate.

Very truly yours,

(Signed) David C. Baer  
Architect. "

The motion was seconded by Councilman Bartholomew. The motion, carrying with it the adoption of the resolution, prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor declared the resolution duly adopted.

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

WHEREAS, the City Manager has received bids for removing approximately 11,000 cubic yards of dirt from the basin of Bee Creek, and placing same along the east bank of Bee Creek, at the Municipal Building, November 14, 1939; and

WHEREAS, it was found that the bid of Raymond Canion of 20¢ per cubic yard was the lowest and best bid; now, therefore,

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

THAT the City Manager is hereby authorized to enter into a contract with Raymond Canion for the removal of approximately 11,000 cubic yards of dirt, for the sum of \$2200.00.

The motion was seconded by Councilman Alford. The motion, carrying with it the adoption of the resolution, prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor declared the resolution duly adopted.

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

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

THAT the sum of \$2200.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of removing approximately 11,000 cubic yards of dirt from the mouth of the basin of Bee Creek and placing same along the east bank of the Bee Creek basin.

The motion was seconded by Councilman Gillis. The motion, carrying with it the adoption of the resolution, prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor declared the resolution duly adopted.

A report in writing by Kreisle & Brooks, Architects, on bids received at 10:00 A. M., November 21, 1939, for the construction of a fire station at the corner of East Second and Chicon Streets, and recommending the award of the contracts to the low bidders, was received.

It was moved by Councilman Wolf that the recommendations of the Architects be approved, and that contracts for the construction of a fire station at the corner of East Second and Chicon Streets be awarded to the low bidders, as follows:

|                          |                   |                  |             |
|--------------------------|-------------------|------------------|-------------|
| General Contract -       | Rex D. Kitchens - | in the amount of | \$9,033.00  |
| Plumbing Contract -      | D. W. Lanier -    | " " " "          | 715.00      |
| Electric Contract -      | John L. Martin -  | " " " "          | 731.00      |
| Total of all contracts - |                   |                  | \$10,479.00 |

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

The following resolution was introduced by Councilman Alford:

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 MARTIN AVENUE from a point 102 feet south of the south line of East 51st Street southerly 159 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east line of said Martin Avenue.

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

(2) A gas main in WEST 11TH STREET from Essex Avenue westerly 170 feet, the centerline of which gas main shall be  $6\frac{1}{2}$  feet south of and parallel to the north line of said West 11th 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, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

It was moved by Councilman Wolf that a taxicab driver's permit be granted to Vivien Burnham Falwell, 503 $\frac{1}{2}$  Lavaca Street, in accordance with the recommendation of the City Manager. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

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:

*Hallie M. Keenan*  
City Clerk