

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 21, 1939.

The City Council convened in regular session, at the regular meeting place in the Council Chamber of the Municipal Building, on Thursday, December 21, 1939, at 9:00 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, none.

The Minutes of February 23, 1939, to December 14, 1939, inclusive, were read, and, upon motion of Councilman Gillis, were adopted as read by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Mrs. Lillian Reynolds Holder, Attorney for J. H. Duncan, et al., appeared before the Council and presented a petition for the remission of the penalty, amounting to \$5.37, and part, or all, of the interest, amounting to \$62.81, on taxes owing by her clients on Lot 2, Outlot 65, Hart Subdivision, said property having been demanded for use by the Housing Authority. The matter was taken under advisement and referred to the Legal Department.

Mrs. Ted Deison appeared before the Council and requested that she be permitted to transfer her lease on the Barton Springs Riding Stables to Archie W. Gulick. The matter was referred to the City Manager and the Superintendent of Recreation to dispose of administratively.

It was moved by Mayor Miller that a taxicab driver's permit be granted to Lawson Homer Green, 502 East 7th 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.

It was moved by Mayor Miller that a taxicab driver's permit be granted to Jeff Alvin Farmer, 1503 Newning Avenue, 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.

The following ordinance was introduced by Councilman Gillis:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A NOTE BY THE CITY OF AUSTIN IN A SUM NOT TO EXCEED SIXTEEN THOUSAND DOLLARS (\$16,000), BEARING INTEREST AT THE RATE OF 3% PER ANNUM, PAYABLE ANNUALLY, TO SECURE FUNDS FOR THE PURPOSE OF THE IMPROVEMENT, ENLARGEMENT, BETTERMENT, EXTENSION AND REPAIR OF THE WATER WORKS SYSTEM OWNED BY THE CITY OF AUSTIN, AND PARTICULARLY AN EXTENSION OF SUCH SYSTEM TO SERVE THE CITY-COUNTY TUBERCULOSIS SANITARIUM LOCATED ON THE WEBBERVILLE ROAD IN TRAVIS COUNTY; PRESCRIBING THE FORM OF SUCH NOTE AND PROVIDING AN OPTION FOR THE PAYMENT OF SAID NOTE AND THE CANCELLATION OF THE OBLIGATION; AND PROVIDING FOR THE ENCUMBRANCE OF THE REVENUES OF THE WATER SYSTEM TO SECURE PAYMENT OF SAID NOTE, AND PROVIDING THAT THE LIEN OF SAID NOTE SHALL BE JUNIOR AND SUBORDINATE TO OUTSTANDING NOTES OR BONDS PREVIOUSLY AUTHORIZED BY THE CITY OF AUSTIN.

The ordinance was read the first time and Councilman Gillis moved that the rules be suspended and the ordinance be passed to its second reading. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance was read the second time and Councilman Wolf moved that the rules be further suspended and the ordinance be passed to its third reading. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance was read the third time and Councilman Gillis moved that the ordinance be finally passed. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor announced that the ordinance had been finally passed.

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

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

nemed, 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 heroby, permitted to lay and construct its gas mains in and upon the following streets:

1. A gas main in MEREDITH STREET from Pecos Street westerly 218 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north line of said Meredith Street.

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

2. A gas main in ENFIELD ROAD from Dillman Street to Hopi Trail, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north line of said Enfield Road.

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

3. A gas main in ENFIELD ROAD from Dillman Street westerly 347 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north line of said Enfield Road.

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

4. A gas main in WEST NINTH STREET from Norwalk Lane easterly  $1\frac{1}{2}$  blocks, the centerline of which gas main shall be  $13\frac{1}{2}$  feet south of and parallel to the north line of said West Ninth Street.

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

5. A gas main in NORWALK LANE from West Eighth Street to West Ninth Street, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east line of said Norwalk Lane.

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

6. A gas main in WEST EIGHTH STREET from Norwalk Lane westerly 241 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 Eighth Street.

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

7. A gas main in WEST 34TH STREET across Jefferson Street intersection, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said West 34th Street.

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

8. A gas main in WEST 33RD STREET across Jefferson Street intersection, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north line of said West 33rd Street.

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

9. A gas main in WEST 32ND STREET across Jefferson Street intersection, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north line of said West 32nd Street.

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

10. A gas main in JEFFERSON STREET across West 32nd Street intersection, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said Jefferson Street.

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

11. A gas main in JEFFERSON STREET across West 33rd Street intersection, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east line of said Jefferson Street.

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

12. A gas main in JEFFERSON STREET from West 34th Street southerly 90 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east line of said Jefferson Street.

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

13. A gas main in SOUTH FIFTH STREET from a point 66 feet north of Christopher Street northerly 60 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east line of said South Fifth 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 heroby 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.

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

The following ordinance was introduced by Councilman Wolf:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 29, 1937, AND RECORDED IN ORDINANCE BOOK "K", PAGES 239, ET SEQ., OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN, PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND IS RECORDED IN ORDINANCE BOOK "I", PAGES 301-318, BOTH INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDMENT HEREBY ENACTED CHANGING THE USE DESIGNATION FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT OF THAT CERTAIN PROPERTY LOCATED AT 1412 CONGRESS AVENUE, BEING 50x110 FEET OF LOTS 5 and 6, BLOCK 173, OF THE ORIGINAL CITY OF AUSTIN; AND ORDERING A DELINEATION OF THE OFFICIAL USE MAP SO AS TO SHOW THE CHANGE HEREBY ORDERED.

The ordinance was read the first time and Councilman Wolf moved that the rules be suspended and the ordinance be passed to its second reading. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance was read the second time and Councilman Wolf moved that the rules be further suspended and the ordinance be passed to its third reading. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The ordinance was read the third time and Councilman Wolf moved that the ordinance be finally passed. The motion prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The Mayor announced that the ordinance had been finally passed.

The following resolution was introduced by Councilman Wolf:

WHEREAS, Jamie Odom is the Contractor for the demolition of a building located at 420-422 Congress Avenue and desires a portion of the sidewalk and street space abutting Lot 6, Block 43, of the Original City of Austin, Travis County, Texas, during the demolition of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. That space for the uses hereinabove enumerated be granted to said Jamie Odom, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southeast corner of the above described property; thence in an easterly direction and at right angles with the centerline of Congress Avenue to a point 12 feet east of the west curb line of Congress Avenue; thence in a northerly direction and parallel with the centerline of Congress Avenue to a point parallel with the north property line; thence at an angle of approximately 45° to a point 16 feet north of the south curb and parallel with the east property line; thence in a westerly direction and parallel with the centerline of West Fifth Street 90 feet to a point; thence in a southerly direction to the north property line of the above described property.

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

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on the inside with a solid board fence at least eight feet high and on the outside by a guard rail at least 4 feet high, each substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

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

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

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

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

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

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

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

(9) That the Contractor shall remove all fences, barricades, loose materials, and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment, and other obstructions shall be removed not later than February 1, 1940.

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

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

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

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin, and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work, and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

Upon roll call, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew present but not voting.

The written request of Kash-Karry, 1001 Congress Avenue, for parking meters, with one-hour parking limitation, on the north side of East Tenth Street from Congress Avenue east to the alley, was received. The matter was referred to the Police Department for recommendation on this and such other locations as it considers necessary.

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

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 MIDWAY from East 11th Street to Walter Street, the centerline of which pole line shall be 5 feet east of and parallel to the west line of said Midway.
2. A telephone pole line in CAPITOL COURTS from Georgetown Road westerly one block, the centerline of which pole line shall be 6½ feet north of and parallel to the south line of said Capitol Courts.

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.

Upon roll call, the 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 Wolf, who moved its adoption:

WHEREAS, the Board of Trustees of the Austin Independent School District, by resolution, conditionally accepted the following Contracts, under the date of October 30, 1939:

Contract No. 33 - Fox-Schmidt, Electric Work, Fulmore and Baker Schools; and

Contract No. 38 - Fox-Schmidt, Electric Work, High School Group; and

WHEREAS, the Board of Trustees of the Austin Independent School District has recommended to the City Council final unconditional acceptance of the work embodied in Contracts Nos. 33 and 38; 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 Independent School District, above referred to, and also a copy of letter from the Supervising Architect's office, recommending final unconditional acceptance of said contracts; Now, therefore,

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

THAT the work under Contracts Nos. 33 and 38 be and the same is hereby finally and unconditionally 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.

(School Board Resolution attached)

WHEREAS, the Board of Trustees of the Austin Independent School District did, on October 30, 1939, conditionally accept the work under the following Contracts:

Contract No. 33 - Fox-Schmidt, Electric Work, Baker and Fulmore Schools; and

Contract No. 38 - Fox-Schmidt, Electric Work, High School Group; and

WHEREAS, the Supervising Architect advises by letter dated December 18, 1939, copy of which is attached hereto and made a part hereof, that said conditions have now been removed and that final inspection has been made of the completed Contracts, and recommends final unconditional acceptance of

said Contracts; and

WHEREAS, the Supervising Architect further recommends extension of contract time on Contracts Nos. 33 and 38 to December 18, 1939:

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Austin Independent School District that final unconditional acceptance be made of the work under Contracts Nos. 33 and 38, that contract time on those two Contracts be extended to December 18, 1939, and that liquidated damages be waived, as the Owner has not suffered any damage whatsoever through such failure to complete within the original contract time; and that said Board of Trustees of the Austin Independent School District hereby recommends to the City Council of the City of Austin that the above action be approved.

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I hereby certify that the foregoing resolution was unanimously adopted at the regular meeting of the Board of Trustees of the Austin Independent School District, held on December 18, 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 Architect)

"Austin, Texas  
December 18, 1939

Re: Docket TEX-2134-F  
Schools-Austin, Texas  
Contracts Nos. 33 and 38

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

Dear Mr. Murchison:

Under the date of October 30, 1939, the Board of Trustees of the Austin Independent School District, upon recommendation of the office of the Supervising Architect, conditionally accepted the following Contracts:

Contract No. 33 - Fox-Schmidt, Electric Work, Fulmore and Baker Schools;  
Contract No. 38 - Fox-Schmidt, Electric Work, High School Group.

The condition limiting acceptance of Contract No. 33 on that date was the requirement that the uncompleted portions of the Program Clock System be completed, and that the electric wiring of the old portion of the Baker and Fulmore Schools, as authorized by Change Order, be completed.

The condition limiting acceptance of Contract No. 38 on that date was that the missing portions of the Program Clock System and the Public Address System for the High School Class Room Addition be installed and connected.

We wish to advise that those conditions have now been fulfilled, that final inspection has been made of the complete work under both Contracts Nos. 33 and 38, and that we hereby recommend final unconditional acceptance of the work under Contracts Nos. 33 and 38.

We further recommend extension of contract time to December 18, 1939, and the waiving of liquidated damages. This recommendation is based upon the fact that under Contract No. 33 the Owner did very materially increase the amount of work to be done through PWA Change Orders Nos. 195, 205, and 212; and under Contract No. 38, the Owner did increase the amount of work to be done through PWA Change Order No. 153 and Docket Change Order No. 147 (PWA Number not yet received on Docket Change Order No. 147, as same has only recently been approved by the Resident Engineer Inspector.)

In each instance, all of the work included under the original Contracts, with the exception of the Clocks under Contract No. 33 and the Clocks and Program System under Contract No. 38, was completed in time for the beginning of the fall school term. It is, therefore, apparent that the Board of Trustees was not damaged in any way through the extension of time required.

Respectfully submitted,

GIESECKE & HARRIS  
Supervising Architects

By (Signed) Bertram E. Giesecke. "

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 Wolf, who moved its adoption:

WHEREAS, the Board of Trustees of the Austin Independent School District, by resolution, has recommended to the City Council final acceptance under PWA Docket TEX-2134-F of Contract No. 63, being that of the Bickley School and Church Furniture Company for Group C, Gymnasium Equipment;



Group D, Metal Lockers, Wire Basket Shelving; and Wire Baskets; Group E (Base Proposal No. 2), Library and Science Equipment; Group I, Item 2, Projectors; and Group I, Item 3, Steel Letter Files, as installed in various School Buildings under the above numbered Docket; 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 Independent 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 INDEPENDENT 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.

School Board Resolution attached)

WHEREAS, final inspection of the Furnishings and Equipment embodied under Contract No. 63, PWA Docket TEX-2134-F, being that of the Bickley School and Church Furniture Company for Group C, Gymnasium Equipment; Group D, Metal Lockers, Wire Basket Shelving and Wire Baskets; Group E (Base Proposal No. 2), Library and Science Equipment; Group I, Item 2, Projectors; and Group I, Item 3, Steel Letter Files, as installed in various School Buildings under the above numbered Docket, has been made by representatives of the Public Works Administration, of the Board of Trustees of the Austin Independent School District, and of the office of the Supervising Architect; and

WHEREAS, the office of the Supervising Architect has advised in writing that this Contract has been satisfactorily completed, and has recommended final acceptance of the work under this Contract; and

WHEREAS, a maximum overrun of contract time of delivery of forty-nine (49) days has occurred, through which the Owner has not, in actuality, suffered any damage whatsoever, and therefore, hereby and herewith waives all liquidated damages which would accrue by reason of the said overrun of contract time of delivery.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Austin Independent School District that final acceptance be made and the same is hereby recommended to the City Council of the City of Austin, acting for and in behalf of the Austin Independent School District.

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I hereby certify that the foregoing resolution was unanimously adopted at the regular meeting of the Board of Trustees of the Austin Independent School District, held on December 18, 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)

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

Dear Mr. Murchison:

On or before December 18, 1939, the furnishings and equipment embodied under the above numbered Contract, being that of the Bickley School and Church Furniture Company for Group C, Gymnasium Equipment; Group D, Metal Lockers, Wire Basket Shelving and Wire Baskets; Group E (Base Proposal No. 2), Library and Science Equipment; Group I, Item 2, Projectors; and Group I, Item 3, Steel Letter Files, as installed in various School Buildings under the above numbered Docket, have been inspected by representatives of the Board of Trustees of the Austin Independent School District, of the office of the Resident Engineer Inspector of Public Works Administration, 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.

"Austin, Texas  
December 18, 1939  
Re: Docket TEX-2134-F  
Recommendation of Final  
Acceptance of Contract  
No. 63

The following exception to the above statements is cited, in order to bring to your attention the fact that in the performance of this Contract, the Contractor has a maximum overrun of contract time of delivery in the amount of forty-nine (49) days.

Your resolution of acceptance upon this Contract should cite your pleasure in this regard.

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, and approved by the office of the Supervising Architect and of the Public Works Administration.

Yours very truly,

GIESECKE & HARRIS  
Supervising Architects

By (Signed) A. W. Harris "

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 Wolf, who moved its adoption:

WHEREAS, the Supervising Architect, by letter dated October 2, 1939, advises final and satisfactory completion of Contract No. 69 under PWA Docket TEX-2134-F, Modern Display Service, Contractor, for partial repainting of certain PWA signs; and

WHEREAS, the Board of Trustees of the Austin Independent School District has, by resolution adopted October 9, 1939, recommended final acceptance of said Contract No. 69, both Architect's letter and School Board's resolution being 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 INDEPENDENT SCHOOL DISTRICT;

THAT the work under this Contract be and the same is hereby finally 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.

(School Board's Resolution attached)

WHEREAS, the Supervising Architect, by letter dated October 2, 1939, has advised that the work under Contract No. 69, Modern Display Service, Contractor, for Partial Repainting of certain PWA Signs under Docket TEX-2134-F, has been satisfactorily completed; said letter recommending acceptance of the work under said contract;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Austin Independent School District that final acceptance of said contract be and the same is hereby recommended for final acceptance by the City Council of the City of Austin, acting for and in behalf of the Austin Independent School District.

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I hereby certify that the foregoing resolution was unanimously adopted at the regular meeting of the Board of Trustees of the Austin Independent School District, held 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)

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

"Austin, Texas  
October 2, 1939  
Re: Docket TEX-2134-F  
Schools, Austin, Texas  
Contract No. 69

Dear Sir:

We wish to advise that the work under Contract No. 69, Modern Display Service, partial repainting of certain PWA signs, has been satisfactorily completed and that final inspection of same has been made.

We respectfully recommend that final acceptance of the work under that Contract now be made.

Sincerely yours,

GIESECKE & HARRIS  
Supervising Architects, By Bertram E. Giesecke. "



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

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

WHEREAS, the Board of Trustees of the Austin Independent School District, by resolution, has recommended to the City Council final acceptance under PWA Docket TEX-2134-F of Contract No. 73, being that of the Davidson Sash and Door Company for Group I, Item 11, Millwork Cabinets, as installed in various School Buildings under the above numbered Docket; 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 Independent 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 INDEPENDENT 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.

(School Board's Resolution attached)

WHEREAS, final inspection of the Furnishings and Equipment embodied under Contract No. 73, PWA Docket TEX-2134-F, being that of the Davidson Sash and Door Company for Group I, Item 11, Millwork Cabinets, as installed in various School Buildings under the above numbered Docket, has been made by representatives of the Public Works Administration, of the Board of Trustees of the Austin Independent School District, and of the office of the Supervising Architect; and

WHEREAS, the office of the Supervising Architect has advised in writing that this Contract has been satisfactorily completed, and has recommended final acceptance of the work under this Contract; and

WHEREAS, an overrun of contract time of delivery of forty-three (43) days has occurred, through which the Owner has not, in actuality, suffered any damage whatsoever, and therefore, hereby and herewith waives all liquidated damages which would accrue by reason of the said overrun of contract time of delivery;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Austin Independent School District that final acceptance be made and the same is hereby recommended to the City Council of the City of Austin, acting for and in behalf of the Austin Independent School District.

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I hereby certify that the foregoing resolution was unanimously adopted at the regular meeting of the Board of Trustees of the Austin Independent School District, held on December 18, 1939, at which a quorum was present and voted.

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

(SEAL)

(Recommendations of Supervising Architects)

"Austin, Texas  
December 18, 1939

Re: Docket TEX-2134-F  
Schools, Austin, Texas  
Recommendation of  
Final Acceptance of  
Contract

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

Dear Mr. Murchison:

On or before December 18, 1939, the Furnishings and Equipment embodied under the above numbered Contract, being that of the Davidson Sash and Door Company for Item 11, Group I, Millwork Cabinets, as installed in various School Buildings under the above numbered Docket, have been inspected by representatives of the Board of Trustees of the Austin Independent School District, of the office of the Resident Engineer Inspector of Public Works Administration, 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.

The following exception to the above statements is cited, in order to bring to your attention the fact that in the performance of this Contract, the Contractor has overrun his contract time of delivery in the following amount:

43 days upon Item 11, Group I

Your resolution of acceptance upon this Contract should cite your pleasure in this regard.

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, and approved by the office of the Supervising Architect and of the Public Works Administration.

Yours very truly,

GIESECKE & HARRIS  
Supervising Architects

By (Signed) A. W. Harris. "

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:

WHEREAS, City of Austin taxes were assessed in the name of Charles B. Cook for the years 1932 through 1939, on S. 110 feet of Lots 4, 5, and 6, Block 135; South 1/2 of Lots 4, 5, and 6, Block 126; Lots 11 and 12, Block 6, Boulevard Heights; and personal property, all situated in the City of Austin, Travis County, Texas, said taxes being for the sum of \$6134.10; and for non-payment of same at maturity penalty in the sum of \$236.40 has been assessed, and interest in the sum of \$573.59, making the total amount of taxes, penalty and interest, \$6944.09; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$236.40, and one-half of the interest in the sum of \$286.79; therefore,

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

THAT the aforesaid penalty in the sum of \$236.40, and one-half of the interest in the sum of \$286.79, 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 \$236.40, and one-half of the interest in the sum of \$286.79, 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.

Upon roll call, the resolution was adopted 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 11:00 P. M., subject to call of the Mayor.

Approved:

Tom Miller  
Mayor

Attest:

James McKeen  
City Clerk