

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, January 11, 1940.

The City Council convened in regular session, at the regular meeting place in the Council Room at the Municipal Building, on Thursday, January 11, 1940, at 11:00 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; absent, none.

The Minutes of the regular meeting of January 4 were read, and upon motion, were adopted as read by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

A public hearing on the proposal to close Tom Miller Lake to fishing until May, 1941, was set for Thursday night, January 18, in the Council Room at the Municipal Building.

Mr. Harry Pollard, Attorney for Mr. Leslie Crockett, appeared before the Council and protested the granting of a lease to Mr. Jack Reed of a portion of the City's property immediately north of the Dam for display room and boat house purposes on the grounds: that the exact boundary line of the City's property and that of the University of Texas leased by his client is in question, that is it questionable whether the City has the right to lease the property by reason of deed restrictions, that the property is better suited for park purposes than for a commercial enterprise, and that the pier proposed to be built there would be a hazard and might jeopardize the operation of the Dam by the CRA.

Mr. Jack Reed, appearing in behalf of his application for the lease in question, submitted: that by reason of the dredging which he proposes to do, the Lake would be made available to boats at this point, that the City would receive a revenue from the operation of the lease, that a ferry would be installed to carry passengers across to Bee Creek, and that launching and marine facilities would be installed, and also a show room for the sale of marine commodities.

After discussion, the Council referred the matter of the aforesaid lease, together with that of Mr. Wylie Bennett and Mr. Jacques, to the City Manager for consideration, and recommendation at the next regular meeting, if possible.

The matter of a crime survey for the City of Austin, which was requested by the Ministerial Association and others, came before the meeting. Mayor Miller stated that the proposal of Mr. Walter S. Jeffreys, Sr., to make this survey for the sum of \$1000 had been formally withdrawn, and that it was the opinion of a majority of the City Council that such a survey should not be made at this time.

Mr. L. G. Phares was present and submitted a proposal to make the survey for the sum of \$500.

Judge D. J. Pickle and Mr. E. A. Murchison were also present and commended the City Council for not awarding the contract to an out-of-town man.

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

WHEREAS, the City Tax Assessor and Collector has this day submitted to the City Council the tax roll of the City of Austin for the year 1939, which roll shows an aggregate amount of \$64,567,175.00 valuation of property assessed for taxes for said year, and an aggregate amount of \$1,438,886.33 levied as taxes for said year; and

WHEREAS, said tax roll appears in all respects in correct form, the valuations contained in said roll having been examined and corrected by the Board of Equalization, which has made its report to the City Council; therefore

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

THAT said tax roll for said year be, and the same is hereby, approved.

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 FIXING AND LEVYING MUNICIPAL TAXES FOR
THE CITY OF AUSTIN, TEXAS, FOR THE YEAR A. D. 1939**

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 Alford, who moved its adoption:

WHEREAS, J. F. Johnson is the Contractor for the erection of a building located at 2900 Guadalupe Street and desires a portion of the sidewalk space abutting Lot 1, Block 1, L. Brown Addition, a subdivision within the Original City of Austin, Travis County, Texas, during the erection of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

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

Sidewalk Working Space

Beginning at the northeast corner of the above described property; thence in an easterly direction and at right angles with the centerline of Guadalupe Street to a point 4 feet west of the west curb line; thence in a southerly direction and parallel with the centerline of Guadalupe Street 50 feet to a point; thence at an angle of approximately 45° to a point parallel with the east property line and 4 feet north of the north curb line of West 29th Street; thence in a westerly direction and parallel with the centerline of West 29th Street 100 feet to a point; thence in a northerly direction to the south property line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said J. F. Johnson, 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 each side by a guard rail at least four feet high and 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 his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

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

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

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

(6) 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.

(7) 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 all other obstructions shall be removed not later than April 15, 1940.

(8) 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.

(9) 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.

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

(11) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), 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, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

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

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property located on the east side of South First Street adjacent to the south bank of Bouldin Creek, which property is known as a portion of Lot 1, Block 1, of the D. W. Bouldin Addition, a subdivision within the City of Austin, Travis County, Texas, and hereby authorizes the said Walter Johnson to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, sidewalks and commercial driveways in conjunction therewith, subject to the same's being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable, and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Walter Johnson has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Attached Recommendations)

"Austin, Texas
January 11, 1940

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of Walter Johnson for permission to construct

commercial driveways in conjunction therewith upon property located on the east side of South First Street adjacent to the south bank of Bouldin Creek, which property is known as a portion of Lot 1, Block 1, of the D. W. Bouldin Addition within the City of Austin, Travis County, Texas, and we heroby advise that the following conditions exist:

The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

There are no storm water drainage facilities in place adjacent to this property. The natural slope of the ground is from the street toward the creek. The storm water and surface drainage from this filling station will have to be conveyed to the creek or conveyed to a seep well to be constructed on the property of the applicant.

We recommend that Walter Johnson be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks on conjunction therewith, subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the building ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord with the ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(3) That the grades of the station shall be such that no waste oils or water or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap, which shall be constructed in accordance with our standard plan 2-H-146, and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer at the expense of the applicant, or shall be concentrated into a seep well located upon the property of the applicant. Before commencement of any construction, the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any City street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(4) All filling station improvements, pumps, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant, as set forth upon the plan hereto attached, which plan bears the City Engineer's file number 2-C-843.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached, marked 2-C-843, and shall be of the premoulded type.

(6) That before use of said station the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted,

(Signed) J. E. Motheral
City Engineer

"

J. C. Eckert
Building Inspector. "

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 Alford, who moved its adoption:

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

WHEREAS, J. E. Roberts, owner of Lot 78 of Tarrytown Place, a subdivision within the City of Austin, Travis County, Texas, which property abuts the south side of Windsor Road at a location west of Vista Lane, has requested the City Council of the City of Austin to grant permission to construct a flagstone walk from the curb line to the property line at the above described location; and

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

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

THAT J. E. Roberts, owner of Lot 78 of Tarrytown Place, a subdivision within the City of Austin, Travis County, Texas, which property abuts the south side of Windsor Road at a location west of Vista Lane, is hereby granted permission to construct a flagstone walk from the property line to the curb line at the above described location and said walk is to be constructed under the supervision

and direction of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin, and further subject to the following conditions:

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

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

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 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 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 PROWSE LANE from a point 50 feet south of Santa Maria Street northerly 200 feet, the centerline of which gas main shall be 3 feet west of and parallel to the east property line of said Prowse Lane.

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

(2) A gas main in WOODMONT AVENUE from John D. McCall Road easterly 111 feet, the centerline of which gas main shall be 10 feet north of and parallel to the south property line of said Woodmont Avenue.

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

(3) A gas main in WEST 33RD STREET from a point 119 feet west of San Gabriel Street easterly 88 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north property line of said West 33rd Street.

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

(4) A gas main in POLO ROAD from Hartford Road easterly 221 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north property line of said Polo Road.

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

(5) A gas main in LONGVIEW STREET from a point 266 feet north of West 22½ Street northerly 35 feet, the centerline of which gas main shall be 7½ feet east of and parallel to the west property line of said Longview Street.

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

(6) A gas main in WINDSOR ROAD across Robinhood Trail intersection, the centerline of which gas main shall be 7½ feet south of and parallel to the north property line of said Windsor Road.

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

(7) A gas main in ROBINHOOD TRAIL from Windsor Road south 231 feet, the centerline of which gas main shall be 7½ feet west of and parallel to the east property line of said Robinhood Trail.

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

(8) A gas main in HOLLY STREET from a point 165 feet east of San Marcos Street easterly 150 feet, the centerline of which gas main shall be 22 feet north of and parallel to the south property line of said Holly Street.

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

(9) A gas main in WEST 30TH STREET from Beverly Road to Jefferson Street, the centerline of which gas main shall be 7½ feet south of and parallel to the north property line of said West 30th Street.

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

(10) A gas main in WEST 30TH STREET from Jefferson Street to Glenview Avenue, the centerline of which gas main shall be 7½ feet south of and parallel to the north property line of said West 30th Street.

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

(11) A gas main in WEST 32ND STREET from Beverly Road to Jefferson Street, the centerline of which gas main shall be 7½ feet south of and parallel to the north property line of said West 32nd Street.

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

(12) A gas main in WEST 32ND STREET from Jefferson Street to Glenview Avenue, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north property line of West 32nd Street.

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

(13) A gas main in BOWMAN AVENUE across Spring Lane 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 Bowman Avenue.

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

(14) A gas main in BOWMAN AVENUE across Keating Lane 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 Bowman Avenue.

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

(15) A gas main in BOWMAN AVENUE across Dormarion Lane 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 Bowman Avenue.

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

(16) A gas main in BOWMAN AVENUE across Astec Drive 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 Bowman Avenue.

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

(17) A gas main in BOWMAN AVENUE across Winsted Lane 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 Bowman Avenue.

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

(18) A gas main in SPRING LANE across Bowman Avenue 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 Spring Lane.

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

(19) A gas main in KEATING LANE across Bowman Avenue intersection, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east line of said Keating Lane.

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

(20) A gas main in DORMARION LANE across Bowman Avenue 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 Dormarion Lane.

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

(21) A gas main in MOUNTAINVIEW ROAD from Gilbert Street south 196 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east property line of said Mountainview Road.

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

(22) A gas main in GRISWOLD LANE from Elton Lane westerly 81 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north property line of said Griswold Lane.

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

(23) A gas main in ELTON LANE from Griswold Lane northerly 520 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east property line of said Elton Lane.

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.

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 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 "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT OF THAT CERTAIN PROPERTY KNOWN AS LOT 1, BLOCK A, OUTLOTS 49-50, DIVISION "O", DRIVING PARK ADDITION, BEING THE SOUTHWEST CORNER OF CANTERBURY AND LYNN STREETS, IN THE 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 following resolution was introduced by Councilman Bartholomew, who moved its adoption:

WHEREAS, the City Council of the City of Austin at its regular meeting on July 13, 1939, did adopt a certain resolution designating the routing of Shoal Creek Boulevard within and through the west portion of the City of Austin; and

WHEREAS, the location of said Boulevard adopted by said resolution followed one or more routes as described in the various alternates contained therein; and

WHEREAS, further study has been devoted to a specific and definite routing of said Boulevard as hereinafter described and a map has been prepared delineating the right-of-way limits of said Boulevard as shown upon the plan hereto attached, and said routing has been reviewed and considered by the City Council of the City of Austin; therefore

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

THAT the route to be followed by the aforesaid Shoal Creek Boulevard within and through the western portion of the City of Austin is hereby adopted as delineated by the parallel red lines upon the map hereto attached in lieu of the routing described in the aforesaid resolution adopted as of July 13, 1939, and is more particularly described as follows:

Beginning at the intersection of Fredericksburg Road at Barton Springs Road;

Thence in a general northerly direction approximately following a straight line across the Colorado River to the intersection of West Third Street at Fannin Street;

Thence north along Fannin Street to the intersection of West Sixth Street and Ruiz Street;

Thence north on Ruiz Street to the intersection of West 12th Street and Parkway;

Thence north following Parkway and the northerly prolongation of Parkway and crossing Shoal Creek to an intersection with the existing Shoal Creek Boulevard at a location approximately opposite the northwest corner of the House Park football field;

Thence following the general location of the present Shoal Creek Boulevard to a point where this Boulevard will intersect the northerly prolongation of Longview Street;

Thence in a general easterly and northeasterly direction generally following the toe of a high bluff and following a location to the south of the present Shoal Creek Boulevard with an intersection with said Shoal Creek Boulevard near the southerly prolongation of San Gabriel Street;

Thence following the general location of the present Shoal Creek Boulevard to a junction point south of West 28th Street.

Thence following a location approximately one-half block west of Shoal Crest Avenue and San Gabriel Street crossing West 29th Street and intersecting San Gabriel Street in the vicinity of West 31st Street;

Thence north along San Gabriel Street and Morningside Avenue to West 45th Street;

Thence following a curving location across a tract of land belonging to the State of Texas east of the Blind Institute grounds to connect with the present State Highway No. 29, or Georgetown Road at a location approximately 500 feet south of Capitol Court, or as delineated by the parallel red lines as shown upon the map or plat hereto attached; and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL:

THAT the connection of Alice Avenue with the above described Shoal Creek Boulevard be and the same is hereby adopted in accordance with the following description:

Beginning at the intersection of Alice Avenue and West 40th Street;

Thence in a general easterly and southeasterly direction for a distance of approximately two blocks to connect with the previously described Shoal Creek Boulevard or Morningside Avenue at the intersection of West 39th Street.

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

Upon motion of Mayor Miller, the City Manager was instructed to consider, in conjunction with the foregoing matter, the opening of the old Robert E. Lee Road to travel, and the feasibility, from an engineering standpoint, of a bridge over Barton Creek contiguous to said road, if and when the money is available.

Upon motion of Councilman Alford, a taxicab driver's permit was granted to Davis Foster Gillian, 1205 East 12th Street, in accordance with the recommendations of the City Manager, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Upon motion of Councilman Alford, a taxicab driver's permit was granted to Chas. Curnal Adams, 503 East Third Street, in accordance with the recommendations of the City Manager, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Upon motion of Councilman Alford, a taxicab driver's permit was granted to Ciestle V. McMahan, 1102 West 34th Street, in accordance with the recommendations of the City Manager, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

The following resolution was introduced by Councilman Bartholomew, 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. 66, being that of the Swann-Schulle Furniture Company for Group "G" of the Specification, as installed in various schools 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. 66,

PWA Docket TEX-2134-F, being that of the Swann-Schulle Furniture Company for Group "G" of the Specification, as installed in various Schools 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 ninety-five (95) 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.

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 January 8, 1940, at which a quorum was present and voted.

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

(SEAL)

(Supervising Architects Recommendations attached)

"Austin, Texas
January 8, 1940

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

Re: Docket TEX-2134-F
SCHOOLS - Austin, Texas
Recommendation of Final
Acceptance of Contract
No. 66

Dear Sir:

On or before January 8, 1940, the furnishings and equipment embodied under the above numbered Contract, being that of the Swann-Schulle Furniture Company for Group "G" of the Specification, as installed in various Schools 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.

We wish to call your attention to the fact that there is an overrun of contract time of delivery of 95 days on this Contract, which overrun of time was not the fault of the Contractor and through which the Owner has not suffered any damage in actuality.

Your Resolution of Acceptance upon this Contract should cite your pleasure in the matter of overrun of contract time of delivery and waiving of liquidated damages which might seem to accrue through such overrun.

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.

Sincerely yours,

GIENECKE & 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 Alford, 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, FWA 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 fifty-three (53) 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.

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 January 8, 1940, at which a quorum was present and voted.

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

(SEAL)

(Supervising Architects Recommendations attached)

"Austin, Texas
January 8, 1940

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

Re: Docket TEX-2134-F
Schools - Austin, Texas
Recommendation of Final
Acceptance of Contract
No. 63

Dear Mr. Murchison:

On or before December 20, 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 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 a maximum overrun of contract time of delivery in the amount of fifty-three (53) 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 Bartholomew, 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. 74, being that of the International Business Machines Corporation for Item 12, Group I of the Specification, Program Clocks, as installed in various Schools 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.

(Resolution of School Board attached)

WHEREAS, final inspection of the Furnishings and Equipment embodied under Contract No. 74, PWA Docket TEX-2134-F, being that of the International Business Machines Corporation for Item 12, Group I of the Specification, Program Clocks, as installed in various Schools 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 one hundred two (102) 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.

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 January 8, 1940, at which a quorum was present and voted.

(SEAL)

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

(Supervising Architects Recommendations attached)

"Austin, Texas
January 8, 1940

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

Re: Docket TEX-2134-F
SCHOOLS - Austin, Texas
Recommendation of Final
Acceptance of Contract
No. 74

Dear Sir:

On or before January 8, 1940, the Furnishings and Equipment embodied under the above numbered Contract, being that of the International Business Machines Corporation for Item 12, Group I of the Specification, Program Clocks, as installed in various Schools 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.

We wish to call your attention to the fact that there is an overrun of contract time of delivery of 102 days on this Contract, which overrun of time was not the fault of the Contractor and through which the Owner has not suffered any damage in actuality.

Your Resolution of Acceptance upon this Contract should cite your pleasure in the matter of overrun of contract time of delivery and waiving of liquidated damages which might seem to accrue through such overrun.

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.

Sincerely yours,

GIESECKE & HARRIS
SUPERVISING ARCHITECTS

By (Sgd) 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.

Upon motion, seconded and carried, the meeting was recessed at 12:40 P. M., subject to call of the Mayor.

Approved Tom Miller
Mayor

Attest:

Louis McKee
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, January 18, 1940.

The City Council convened in regular session, at the regular meeting place in the Council Room, at the Municipal Building, on Thursday, January 18, 1940, at 10:50 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; absent, Councilman Bartholomew.

The Minutes of the special meeting of January 5 and of the regular meeting of January 11 were read, and, upon motion, were adopted as read by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Messrs. E. A. Murchison, L. H. Blendemann, Carl T. Widen, and Mrs. Hal P. Bybee, Members of the Board of Trustees, and Prof. A. N. McCallum, Superintendent, respectively, of the Austin Public Schools, appeared before the Council and submitted the following communication in writing: