

## The Minutes of a Called Meeting of the City Council.

Austin, June 7, 1894.

Hon John M<sup>c</sup>Donald, mayor, presiding.

Roll call.

Present- Aldermen Anderson, Glass, Jackson, Linn, North, Powell, Shelley, Taylor- 8

Absent- Aldermen Asmann, Dawson, Fischer, Hancock, Hume, Lawless, Nitschke, Platt, Raymond, Redd, Roberdeau, Schneider, Townsend, Warmoth- 14.

A call of the council was moved, duly seconded and adopted.

Alderman Anderson moved that the council take a recess of 10 minutes. Carried.

After expiration of recess the roll was again called, resulting as follows:

Present- Aldermen Anderson, Glass, Jackson, Linn, North, Platt, Powell, Raymond, Shelley, Taylor, Townsend, Warmoth- 12

Absent- Aldermen Asmann, Dawson, Fischer, Hancock, Hume, Lawless, Nitschke, Redd, Roberdeau, Schneider- 10.

It was moved that the council take a recess of five minutes. Adopted.

After expiration of recess the roll was again called with the following result: Present- Aldermen Anderson, Glass, Jackson, Lawless, Linn, North, Platt, Powell, Raymond, Roberdeau, Schneider, Shelley, Taylor, Townsend, and Warmoth- 15.

Absent- Aldermen Asmann, Dawson, Fischer, Hancock, Hume, Nitschke and Redd- 7.

The call of the council was then suspended and the following read:

Austin, Tex, June 7, 1894.

To the Honorable Board of Aldermen of the City of Austin, Tex,  
Gentlemen I hereby call a special meeting of the City Council of the City of Austin to assemble at the city hall to-day, Thursday, June 7, 1894 at 5 o'clock p.m. for the purpose of acting on recommendations of the mayor and Board of Public Works relative to the foundation for the powerhouse.

Very Respectfully

John M<sup>c</sup>Donald  
Mayor.

4 P. M. Austin, June 7.

I hereby certify that the following aldermen have been served with the above 'call' by having it read to each of them in person, viz: Anderson, Asmann, Dawson, Glass, Hancock, Jackson, Lawless, Linn, North, Platt, Powell, Raymond, Redd, Roberdeau, Schneider, Shelley, Taylor, Townsend, Warmoth and that Aldermen Fischer, Hume and Nitschke have been served with the same by a true copy having been left at each of their respective places of business, they being out of the city.

James E. Key,  
City Marshal.

The following was read:

Hart & Co. Resolution  
as to

"Whereas, Messrs Hart & Co. quit work under their contract on the 10<sup>th</sup> day of May, and having failed and refused to do any work since said date although notified five days since to resume and prosecute said work in accordance with the contract, therefore be it

Resolved by the Board of Public Works that the City Council be requested to authorize the board to advertise for bids for the construction of the power house foundation."

The above was adopted by the Board of Public Works at a meeting held on June 6, 1894.

W. J. Oliphant

Secretary Board of Public Works.

It was moved that the report be adopted and the motion prevailed

Alderman Dawson entered the council and answered to his name.

The following was presented:

Plans & specifications

Resolved, That the plans and specifications heretofore adopted and as amended be the plans and specifications for rebuilding the powerhouse foundations and that the city council be requested to approve the same.

The above resolution was adopted by the Board of Public Works at a meeting held on June 6, 1894.

W. J. Oliphant.

Secretary Board of Public Works

Mayor's protest.

The mayor offered the following:

Office of Mayor.

Austin, Texas, June 7.

Gentlemen of the City Council:

In presenting to you the action of the Board of Public Works for your consideration I feel it my duty to make objections to the following section of the specifications, introduced by action of the Board. It reads as follows: "In the event that tunneling, for exploration or underpinning masonry is required the contractor shall drive such tunnels to such length and of such dimensions as may be directed by the engineer and the board, and will refill the same with rock masonry. Such excavation will be paid for by the cubic foot and will be considered as a separate and distinct feature of this contract, and will be bid for in a separate item".

The foregoing has been added as an amendment to the specifications furnished by J. P. Fanning and already adopted by your honorable body.

My objections are as follows:

First. The original specifications were prepared by J. P. Fanning after a very careful survey of the situation and are sufficient and complete in every respect and there has been no change of conditions of any character whatever since their adoption to warrant or demand a change.

Second. The tunnels spoken of in the speci-

cations, if put in, would be driven under a mass of solid rock 26 feet thick and on a level with the power house foundation about 11 feet below the water in the river below the dam. To do this would require the keeping of the excavation and tunnel free from water until said tunnels were completed, and when we note that there are no measurements given as to size, shape, length or depth of said tunnels, how could estimates be made of cost and time of completion? There are ~~very~~ few contractors in this country that have experience in driving tunnels, especially under water, so with this clause in the specifications there would be so large a factor of uncertainty about the cost that a prudent contractor if he bid at all must bid high to cover risks.

Feeling confident as I do that the proposed tunnels are not required for safe construction and that they are useless and unnecessary and their construction would cause a large and useless expense and greatly delay the final completion of the work, I must most respectfully but earnestly protest against the adoption of the specifications as amended by the Board of Public Works, and I respectfully recommend that the Board be authorized and directed to advertise for bids on the plans and specifications furnished by J. T. Fanning and previously adopted by your honorable body.

Respectfully,

John Mc. Donald, Mayor.

Alderman Linn introduced the following:

Austin, June 7, 1894.

To the City Council:

In recommending your honorable body to adopt specifications as amended, for the construction of the powerhouse walls, we, the undersigned members of the Board of Public Works, deemed it probable, or at least possible, as suggested by Engineer Kellogg, that more or less tunneling and rebuilding under the natural rock in place might be necessary to make the work absolutely secure. And we considered it proper that the specifications should provide for all work that might be found necessary to perfect security.

To avoid any increased price in bids upon the main work, which caution might suggest to bidders by reason of uncertainty as to the extent of tunneling and extra pumping incident thereto, we thought it best to ask for separate bids, and let two contracts, one upon the main work and the other upon tunneling, rebuilding masonry therein and pumping <sup>incident</sup> thereto. We believe that, in asking for separate bids, contractors will not increase their bids upon the main contract, by reason of any uncertainty as to the extent of work to be done under a separate contract. And it was also deemed advisable to advertise for separate bids for the reason that if an acceptable bid was received on the main work and an unacceptable bid was received on tunneling, the city could accept the former

B. P. W. Communication from 1c

and reject the latter and do it more economically under the engineers by day labor.

Very respectfully submitted

John W. Maddox  
A. P. Woodbridge  
S. K. Morley.

Alderman North then offered the following:

Adopted

"Resolved, That the recommendations of the Board of Public Works this day presented to this body, having in view amended specifications for the erection of the powerhouse foundations, be and the same are hereby adopted, and said board is instructed to carry them out and to adapt the calls for bids thereto, and to take such further action as the Board may deem necessary to secure a safe foundation for the powerhouse."

Alderman Jackson moved as a substitute for the resolution that the specifications prepared by Engineer Fanning and heretofore adopted by the city council be adhered to in constructing the foundations for the powerhouse

The substitute was lost by the following vote:

Yeas- Aldermen Dawson, Glass, Jackson, Lawless, Platt Powell-6.

Nays- Aldermen Anderson, Linn, North, Raymond, Roberdeau, Schneider, Shelby, Taylor, Townsend, Warmoth-10

The resolution offered by Alderman North was then adopted by the following vote: Yeas- Aldermen Anderson, Linn, North, Raymond, Roberdeau, Schneider, Shelby, Taylor, Townsend, Warmoth-10

Nays- Aldermen Dawson, Glass, Jackson, Lawless, Platt, Powell-6

The following was filed:

Jackson & Dawson  
Reasons for voting  
+ c

We, the undersigned, desire to assign the following reasons for opposing the resolution of Alderman North sustaining the amended specifications as recommended by the Board of Public Works:

We believe in accepting the amended specifications, the bids will necessarily be higher, because the bidder can not know how much, when or at what cost the tunneling will be called for, and of course must put the bid high to cover all the uncertainties.

We believe in accepting the original specifications. In the bids will be clear and thus low. And if in the course of the work it becomes necessary to tunnel, bids then can be asked for and because the need is more clearly defined, said bids will be more nearly adequate to the required work

J. A. Jackson  
N. A. Dawson

Alderman Platt, by unanimous consent, presented a petition from Mr W. H. Richardson for permission to place a sample sidewalk on the vacant block opposite the Alliance College yard, and in the event it be found practicable, to bore a well, and place a pump and public watering trough without

cost to the city. It was referred to the street committee.

The Council then adjourned.

Milton Morris,  
City Clerk.