

There being no further business, upon motion of Councilman Alford, the Council recessed, subject to call of the Mayor, by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Approved: Tom Miller.
Mayor

Attest:

Hallie G. Kuehn
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, October 4, 1934

The meeting was called to order 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, 5; absent, none.

The Minutes of the regular meetings of September 13th, 20th, and 27th 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, 5; nays, none.

Councilman Wolf offered the following resolution:

WHEREAS, In accordance with the requirements of the Federal Emergency Administration of Public Works and the provisions of the City Charter of the City of Austin, Texas, proposal for bids for the various works under P. W. A. Docket No. 1758, Eng. Ref. No. 66 (a), was duly advertised to be received by the City Manager and to be opened at 10 o'clock A. M. Wednesday, October 3, 1934, at the City Hall in the City of Austin, Texas; and

WHEREAS, At said time and place said bids were publicly opened and read as specified; and

WHEREAS, Thereupon it was found that E. B. Snead, of Austin, Texas, was the lowest and best bidder for that part of the work designated under Docket No. 1758, Eng. Ref. No. 66(a), to wit, for the construction of the Settling Basin, and that said bid was regular and proper in all particulars; therefore,

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

THAT said bid of E. B. Snead for the construction of the Settling Basin for the aggregate sum of \$51,501.55, based upon unit prices given in said bid, be and the same is hereby accepted, subject to the approval of the Federal Emergency Administration of Public Works; and the City Manager, in behalf of the City of Austin, is authorized and instructed to enter into contract with said E. B. Snead for such purpose, subject to the approval of the Federal Emergency Administration of Public Works.

Upon motion of Councilman Wolf, seconded by Councilman Bartholomew, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf offered the following resolution:

WHEREAS, In accordance with the requirements of the Federal Emergency Administration of Public Works, and the provisions of the City Charter of the City of Austin, Texas, proposal for bids for the various works under P. W. A. Docket No. 1758, Eng. Ref. No. 66 (b) and 66(c), was duly advertised to be received by the City Manager and to be opened at 10 o'clock A. M., Wednesday, October 3, 1934, at the City Hall in the City of Austin, Texas; and

WHEREAS, At said time and place said bids were publicly opened and read as specified; and

WHEREAS, Thereupon it was found that the lowest bid under Eng. Ref. No. 66(b) and under Eng. Ref. 66(c) added to the lowest bid under Eng. Ref. No. 66(a) would make the total of all the Projects under P. W. A. Docket No. 1758 in excess of the estimates for said works, and in excess of the total allotment, including Loan and Grant, as shown in the Loan and Grant Agreement; therefore,

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

THAT all bids for the construction of the Head House and second story laboratory addition to Filter Building, under Eng. Ref. No. 66(b), and alterations to the Power and Light plant building, under Eng. Ref. No. 66(c), be and the same are hereby rejected; and

BE IT FURTHER RESOLVED:

THAT the City Manager be authorized and directed to cause the plans and specifications of said Projects to be revised and to advertise for bids for same, with the approval and under the direction of the State Engineer for Texas, Federal Emergency Administration of Public Works.

Upon motion of Councilman Wolf, seconded by Councilman Bartholomew, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Mayor Miller laid before the Council the following resolution:

**RESOLUTION APPROVING A GRANT
AGREEMENT BETWEEN THE CITY
OF AUSTIN, TRAVIS COUNTY,
TEXAS, AND THE UNITED STATES
OF AMERICA, AND AUTHORIZING
ITS EXECUTION BY THE CITY
OF AUSTIN.**

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

SECTION 1. **THAT** the Grant Agreement between the City of Austin, Travis County, Texas, and the United States of America, under and subject to the terms of which the United States will, by grant, aid said City of Austin in financing a Project consisting of the construction of a market building including certain exterior paving and grading, all pursuant to

the Grantee's application P.W.A. Docket No. 9223, Title II of the National Industrial Recovery Act and the Constitution and Statutes of the State of Texas, said grant to be an amount equal to 30 per centum of the cost of the labor and materials employed upon said Project, but in no event to exceed the sum of \$11,800.00, the cost of the labor and materials employed upon the Project to be determined by the Federal Emergency Administration of Public Works, a copy of which Grant Agreement is filed among the public records of said City of Austin in the office of the City Clerk of said City and endorsed by the file mark of said City Clerk with the date of such filing as of October 4, 1934, and made a part hereof, be and the same is hereby in all respects approved.

SECTION 2. THAT Guiton Morgan, as City Manager of said City of Austin, be and he is hereby authorized and directed to execute such Grant Agreement in triplicate on behalf of said City of Austin, and the said City Manager of said City of Austin be and he is hereby authorized and directed to impress or affix, or cause to be impressed or affixed the official seal of the said City of Austin to each of said three copies of said Grant Agreement, and to cause same to be attested by the City Clerk of said City of Austin.

SECTION 3. THAT the said Guiton Morgan, as City Manager, be and he is hereby authorized and directed to forthwith send three copies of said Grant Agreement, as executed on behalf of the said City of Austin, to the Federal Emergency Administration of Public Works, Washington, D. C., through the office of the State Engineer, P. W. A., for the State of Texas.

SECTION 4. THAT the said Guiton Morgan, as City Manager, be and he is hereby authorized and directed to forthwith send to said Federal Emergency Administration of Public Works, through the State Engineer for the State of Texas, two certified copies of this Resolution and two certified copies of the proceedings of the City Council of the said City of Austin of record in connection with the adoption of this Resolution, and such further documents or proofs in connection with the approval and execution of said Grant Agreement as may be required by said Federal Emergency Administration of Public Works.

The resolution was read and upon motion of Councilman Wolf, seconded by Councilman Gillis, was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

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

AN ORDINANCE AMENDING SECTION 2 OF THE CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING THE OPERATION AND EXHIBITION OF CIRCUSES, DRAMATIC AND THEATRICAL SHOWS, CARNIVALS, MERRY-GO-ROUNDS, MEDICINE SHOWS, WHIPS, VAUDEVILLE SHOWS, FLYING-JENNYS, SKATING RINKS, MINSTREL SHOWS, AND MOVING PICTURE SHOWS, CONDUCTED IN A TENT, TEMPORARY STRUCTURE, OR IN THE OPEN AIR, WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, AND PRESCRIBING A PENALTY FOR THE VIOLATION THEREOF, AS PASSED BY THE CITY COUNCIL ON SEPTEMBER 20, 1934.

The ordinance was read the third time and Councilman Wolf moved that same be finally passed. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Mayor Miller offered the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

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

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in WEST ELEVENTH STREET, beginning at a point 25 feet south of the north line of West 11th Street and on the west line of Rio Grande Street; thence in a westerly direction with the centerline of a gas main, which centerline shall be 25 feet south of and parallel to the north line of West 11th Street for a distance of 105 feet.

Said gas main described above shall have a cover of not less than 2½ 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 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 motion of Councilman Gillis, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Mayor Miller laid before the Council the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

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

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A 2" gas main in STATE STREET, beginning at the dead end of an existing gas main, which dead end is 22 feet north of and 85 feet east of the intersection of the south line of State Street and the east line of Blanco Street; thence in an easterly direction with the centerline of said gas main, which centerline is 22 feet north of and parallel to the south line of said State Street, for a distance of 57 feet.

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

(2) A gas main in EAST THIRTIETH STREET from East Avenue to Robinson Street, the centerline of which gas main shall be 25 feet north of and parallel to the south line of said East 30th Street.

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

(3) A gas main in ROBINSON STREET, beginning at a point 25 feet north of and 18 feet west of the intersection of the south line of East 30th Street and the east line of Robinson Street; thence in a southerly direction with the centerline of a gas main, which centerline shall be 18 feet west of and parallel to the east line of Robinson Street to a point 163 feet south of the south line of East 30th Street.

Said gas main described above shall have a cover of not less than 2½ 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 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 out 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 motion of Councilman Wolf, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf offered the following resolution:

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

THAT the sum of \$2.50 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of refunding the Union Bus Terminal Lunch Room for cigarette dealer's license for the year 1934.

Upon motion of Councilman Wolf, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The application of Patton's for license to operate as a taxicab a Ford V-8 Sedan, 1934 Model, Factory No. 1152830, State Highway License No. A98-488, was read. Councilman Gillis moved that the provision of the Taxicab Ordinance whereby applications must remain on file five days prior to being acted upon be waived and the license be granted, provided all city taxes assessed against said automobile have been paid. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Bartholomew offered the following resolution:

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

THAT Jno. A. Woody, Chief of the Fire Department, be commended for his excellent judgment and foresight in having several firemen and apparatus stationed at the show grounds on September 27th, the day that Ringling Brothers Circus exhibited in this City, as an emergency measure in the event of a fire.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Mayor Miller offered the following resolution:

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

THAT the assessed value for taxes on 1'x180' Reserve, Block 1, Johnson River Addition, City of Austin, in the name of the American Legion, for the years 1925, 1926, be corrected and changed from \$50.00 to \$30.00, respectively, and the City Assessor and Collector of Taxes is instructed to change his records accordingly.