

Mayor Miller laid before the Council the following resolution:

WHEREAS, F. M. Price owes City Taxes on Lots 17, 18, 19, and 20, in Block 33, of Hyde Park #1 Addition, for the years 1930, 1931, 1932, and 1933; and

WHEREAS, After an investigation of the facts, it is deemed proper that the penalties on said taxes should be removed; therefore,

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

THAT the above penalties are hereby remitted provided that said F. M. Price shall immediately pay all of said taxes.

The above resolution was adopted by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

There being no further business, Councilman Gillis moved to recess, subject to call of the Mayor. The motion was adopted by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

The Council then recessed.

Attest:

Helen McKeen  
City Clerk

APPROVED:

Tom Miller

Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, August 23, 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 last meeting were read and upon motion of Councilman Gillis, seconded by Councilman Alford, were adopted as read by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following resolution:

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

SECTION 1. THAT the certain agreement between the City of Austin, Travis County, Texas, and Hawley, Freese and Nichols, under and subject to the terms of which the City of Austin agrees to employ the professional services of said Hawley, Freese and Nichols as special Engineers in connection with the design and construction of:

- (1) Sewage Disposal Plant, outfall and necessary equipment for its completion, installation and operation.
- (2) 4,000,000 gallon Settling Basin, with necessary additions to the Head House, lime equipment and High Service Pump at the Filtration Plant, with all necessary equipment for its installation and operation.
- (3) Extensions to the Sanitary Sewer System as outlined by the City Engineering Department, and
- (4) Extensions to the Water Distribution System as outlined by the Engineering Department;

said projects being enumerated as Dockets Nos. 2863, 1758 and 3487, 4869, and 4870, res-

pectively, Engineer's Reference Nos. 68, 66 and 64, 595, and 593, respectively, Federal Emergency Administration of Public Works; and to pay said Hawley, Freese and Nichols a fee of 1/2 of 1% of the cost of construction, less the cost of machinery and equipment separately purchased, a copy of which 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 August 23, 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 Agreement on behalf of the 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 copies of said Agreement, as executed on behalf of the said City of Austin, to the State Engineer for the State of Texas, for 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.

The Mayor laid before the Council the application of Luther M. Denson, 2515 East 2nd Street, for license to operate as a taxicab a four-door Chevrolet Sedan, 1933 Model, Factory No. 3828831, State Highway License No. 958-253. Councilman Gillis moved that the application be granted, subject to the maximum of taxicabs allowed not being exceeded. Councilman Wolf seconded the motion and same was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor introduced the following resolution:

WHEREAS, taxes have been levied by the City of Austin against "about 5 acres of Block 5, Southside Addition", for the years 1907 to 1925, both inclusive; and

WHEREAS, it appears that during said years said property, as described, was not within the corporate boundaries of the City of Austin and therefore should not be taxed; therefore,

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

THAT the City Assessor and Collector of taxes be and he is hereby authorized and directed to cancel said taxes for said years against said property, and to note on his records that said property was assessed for said years by error.

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

The application of O. G. Hofheinz, agent for Thad A. Thomson, Jr., et al, for a commercial driveway across the sidewalk in front of Lot 3, Block 67, of the Original City of Austin, was read and discussed.

The Mayor laid before the Council the following resolution:

WHEREAS, Thad. A. Thomson, Jr., owner of Lot 3, Block 67, of the Original City of Austin, Travis County, Texas, which property abuts the north side of East Sixth Street and is situated between San Jacinto and Trinity Streets, and which property is locally known as 308-10 East Sixth Street, has made application through O. G. Hofheinz, agent for the above described property, for permission to construct a 12-foot commercial driveway opposite said property as shown upon the plan hereto attached marked 2-C-541, which plan is made a part hereof; and

WHEREAS, the City Council has favorably considered the granting of said request; therefore

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

THAT Thad A. Thomson, Jr., acting by and through O. G. Hofheinz as his agent, is hereby granted permission to construct a 12-foot commercial driveway opposite lot 3, Block 67, of the Original City of Austin, Travis County, Texas, which property abuts the north side of East Sixth Street and is situated between San Jacinto and Trinity Streets, and is locally known as 308-10 East Sixth Street, subject to the construction of concrete ramps, curbs and driveways as shown upon the plan hereto attached marked 2-0-541, which plan is hereby made a part of this resolution, and further subject to the condition that all concrete curb, ramp and driveway construction done within the City streets shall be done by a bonded sidewalk contractor and in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the supervision and direction of the City Engineer of the City of Austin.

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

The Mayor laid before the Council the following resolution:

WHEREAS, E. M. Scarbrough & Sons is the Contractor for the alteration of awnings on a building located at 512 Congress Avenue and desires a portion of the sidewalk space abutting the north one-half of lot 3 and lots 4, 5 and 6, of Block 55, of the Original City of Austin, Texas, during the alteration of the awnings, 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 E. M. Scarbrough & Sons, the boundary of which is described as follows:

Sidewalk Working Space

Beginning at the northwest corner of the above described lot 6; thence in a northerly direction and at right angles to the centerline of West 6th Street a distance of 6 feet; thence in an easterly direction and parallel with the centerline of West 6th Street a distance of 166 feet; thence in a southerly direction and parallel to the centerline of Congress Avenue a distance of 167 feet; thence in a westerly direction and at right angles to the centerline of Congress Avenue a distance to the west line of Congress Avenue; thence in a northerly direction along the west line of Congress Avenue a distance to the south line of West 6th Street; thence in a westerly direction along the south line of West 6th Street to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said E. M. Scarbrough & Sons, hereinafter termed "Contractor", upon the following terms and conditions.

(1) That the Contractor shall work on one awning at the time and shall construct around the particular awning and within the above described working space a guard rail at least 4 feet high and substantially braced and anchored.

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

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

(4) That the Contractor shall place on the outside corners of any walkway, barricades or other obstructions, red lights during all periods of darkness.

(5) 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 September 22, 1934.

(6) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(7) 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.

(8) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, 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 motion Councilman Alford, seconded by Councilman Gillis, the above resolution was adopted by the following vote; Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps 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 HOLLY STREET, beginning at the dead end of an existing gas main, which point of beginning is 26 feet south of and 132 feet west of the intersection of the north line of Holly Street and the west line of Lynn Street; thence in a westerly direction a distance of 95 feet with the centerline of a gas main, the centerline of which gas main shall be 26 feet south of and parallel to the north line of said Holly Street.

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

(2) A gas main in NAVASOTA STREET, beginning at a bend in a gas main within the intersection of Navasota Street and Cotton Street, which point of beginning is 26 feet north of and 10 feet east of the intersection of the south line of Cotton Street and the centerline of Navasota Street; thence in a southerly direction for a distance of 244 feet with the centerline of a gas main, the centerline of which gas main shall be 10 feet east of and parallel to the centerline of Navasota 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 informa-

tion 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\*all pertinent terms and conditions of the certain franchise granted to said company by the City of Austin.

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

\*the supervision of the City Manager, and under

Space below reserved for resolution  
naming Stacy Park which City Attorney  
has failed to write