

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 31, 1930.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; absent, Councilman Reed, 1.

The Minutes of the last meeting were read and Councilman Pannell moved the adoption of same as read. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

This being the day set for the hearing of owners of abutting property and others interested with reference to street improvements to be constructed in the certain Units or Districts of Improvement, as follows:

NUCES STREET from the North line of Twenty-fourth Street to the South line of Twenty-fifth Street, known and designated as Unit or District No. 29A;

NUCES STREET from the South line of Twenty-fifth Street to the South line of Twenty-eighth Street, known and designated as Unit or District No. 29B;

ALLEY IN BLOCK 59 from the East line of Trinity Street to the West line of Neches Street;

the Mayor thereupon stated that all persons desiring to protest against the levying of assessments against abutting property on the above mentioned streets and within the limits above stated, or who desired to be heard with reference to improvements proposed to be assessed against said property and the owners thereof, the lien and liability thereof, the special benefits to the property and the owners thereof, or any other matters or things authorized by the provisions of Article XXIV of the Charter of the City of Austin to be urged and considered at this hearing, would now be heard from, and thereupon the following property owners were heard:

On Nueces Street from Twenty-fourth to Twenty-fifth Streets:

Mrs. J. R. Hamilton submitted a written protest against the widening of the street to a width of forty-six feet, thereby necessitating the cutting down of the large oak trees in front of her property;

Lydia M. Kirk, Executrix of the Estate of Katherine N. Kirk, stated that this property was held in trust and there were no funds from which any assessment could be paid;

Miss Olga Martley, representing Johanna and C. F. Rumpel, stated that they were financially unable to pay for the paving on a forty-six foot street;

On Nueces Street from Twenty-fifth to Twenty-eighth Streets:

Thos. F. Taylor, representing the Seton Infirmary, stated that they were financially unable to pay for the paving, and protested against the giving of part of their property for the widening of the street without compensation for same;

Dr. C. B. Weller stated that the City should compensate him for the portion of his property to be taken in the widening of the street;

Mrs. A. W. Fly protested against the widening of the street to forty-six feet, but stated that she was willing to pay for the paving at its present width;

Eck Martin protested against the widening of the street and the cutting down of trees.

Written protests from J. W. Calhoun, Mrs. Jodie B. Roberdeau and Mrs. Noyes Darling Smith against the cutting down of the large trees on Nueces Street for the purpose of widening the street were read.

No other property owners or interested parties desiring to be heard, Councilman Pannell moved that the hearing on the above streets be continued. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes,

Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

A committee, composed of Hilliare Nitschke and others, representing the property owners on East Sixteenth Street from Sabine to Navasota Streets, appeared before the Council and stated that they were unwilling to pay for any part of the improvements on said street, except the curbs and gutters. The Council took the matter under advisement.

A resolution of the Park Board, asking that the City Council adopt a method for the naming of the various parks and playgrounds which have been built out of the Parks and Playgrounds Bond issue, was read and the matter was taken under advisement.

A report of H. R. F. Helland, Consulting Engineer, stating that the Southwest Bitulithic Company had completed the paving and other improvements on West Twenty-fourth Street from the west line of Guadalupe Street to the east line of Rio Grande Street, known and designated as Paving Contract No. 55, and West Twenty-fourth Street from the west line of Rio Grande Street to the west line of San Gabriel Street, known and designated as Paving Contract No. 56, was read and ordered filed.

The Mayor then laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF WEST TWENTY-FOURTH STREET IN THE CITY OF AUSTIN, PROVIDING FOR PAYMENT OF ANY BALANCE DUE BY THE CITY FOR ITS PORTION OF THE COSTS OF SAID IMPROVEMENTS AND FOR THE DELIVERY OF CERTIFICATES OF ASSESSMENTS AGAINST ABUTTING PROPERTY AND ITS OWNERS.

WHEREAS, on the 17th day of April, 1930, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit: West Twenty-Fourth Street from the west line of Guadalupe Street to the east line of Rio Grande Street, known and designated as Unit or District No. 55, and West Twenty-fourth Street from the west line of Rio Grande Street to the west line of San Gabriel Street, known and designated as Unit or District No. 56; and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvements above described in accordance with its contract and the plans and specifications made a part thereof and said improvements have been found satisfactory and approved by the Consulting Engineer of the City, and have been found satisfactory and in accordance with the contract by the City Council of said City;

Therefore,

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

I.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of West Twenty-fourth Street hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

II.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said contractor, and that the Mayor and City

Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels of property abutting upon said portion of street and the owners of said property as heretofore provided by the ordinance levying assessments against said property and the owners thereof.

III.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

A report of H. R. F. Helland, Consulting Engineer, showing that the Southwest Bitulithic Company has completed its paving and other improvements on Twenty-ninth Street from the west line of Guadalupe Street to the west line of Rio Grande Street, known and designated as Paving Contract No. 53, was read and ordered filed.

The Mayor then laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF WEST TWENTY-NINTH STREET IN THE CITY OF AUSTIN, PROVIDING FOR PAYMENT OF ANY BALANCE DUE BY THE CITY FOR ITS PORTION OF THE COSTS OF SAID IMPROVEMENTS AND FOR THE DELIVERY OF CERTIFICATES OF ASSESSMENTS AGAINST ABUTTING PROPERTY AND ITS OWNERS.

WHEREAS, on the 17th day of April, 1930, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

WEST TWENTY-NINTH STREET from the west line of Guadalupe Street to the west line of Rio Grande Street, known and designated as Unit or District No. 53;

and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvements above described in accordance with its contract and the plans and specifications made a part thereof, and said improvements have been found satisfactory and approved by the Consulting Engineer of the City, and have been found satisfactory and in accordance with the contract by the City Council of said City;

Therefore,

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

I.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of West Twenty-ninth Street hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

II.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said contractor, and that the Mayor and City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels of property abutting upon said portion of street and the owners of said property as heretofore provided by the ordinance levying assess-

ments against said property and the owners thereof.

III.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

A report of H. R. F. Helland, Consulting Engineer, showing that the Southwest Bitulithic Company has completed the paving and other improvements on Nueces Street from the north line of West Nineteenth Street to the south line of West Twenty-fourth Street, known and designated as Paving Contract No. 27, was read and ordered filed.

The Mayor then laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF NUECES STREET IN THE CITY OF AUSTIN, PROVIDING FOR PAYMENT OF ANY BALANCE DUE BY THE CITY FOR ITS PORTION OF THE COSTS OF SAID IMPROVEMENTS AND FOR THE DELIVERY OF CERTIFICATES OF ASSESSMENTS AGAINST ABUTTING PROPERTY AND ITS OWNERS.

WHEREAS, on the 17th day of April, 1930, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

NUECES STREET from the north line of West Nineteenth Street to the south line of West Twenty-fourth Street, known and designated as Unit or District No. 27;

and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvements above described in accordance with its contract and the plans and specifications made a part thereof and said improvements have been found satisfactory and approved by the Consulting Engineer of the City, and have been found satisfactory and in accordance with the contract by the City Council of said City;

Therefore,

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

I.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of Nueces Street hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

II.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said contractor, and that the Mayor and City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment against the various parcels of property abutting upon said portion of street and the owners of said property as heretofore provided by the ordinance levying assessments against said property and the owners thereof.

III.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

A report of H. R. F. Helland, Consulting Engineer, stating that the work done by Kirkwood Wharton & Lee under their sanitary sewer contract No. 7, covering the Perdenales Street main and connections thereto, has been completed in accordance with the plans and specifications for same, was read, and Councilman Pannell moved that the work be accepted and the final estimate paid. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following:

"Austin, Texas, July 24, 1930.

Mr. Adam R. Johnson,  
City Manager,  
Austin, Texas.

Dear Sir:

We, the members of the Safety Committee of the City of Austin, have investigated the application of Ireland S. Graves, owner of Lot 32, Block 20, in the Louis Horst Addition for a permit to construct a drive-in filling station, or drive-in business establishment on said lot on 19th Street east of the alley which lies between University and Whitis Avenues.

We, the Safety Committee, recommend that said permit be granted 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 installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building plans to be approved by the City Building Inspector.
- (2) That the grades of the alley as set forth on the accompanying plan, Number 2-H-61, shall be strictly adhered to.
- (3) That gasoline storage tanks and pumps and equipment used in connection therewith shall be of an approved type, and shall bear the label of the National Board of Fire Underwriters. All equipment to be installed in compliance with City and State regulations governing such installations. All equipment to be inspected and approved before being placed in service.
- (4) That ceiling of that portion of the building that extends over driveways shall be covered with metal. Supports for portion extended over driveways to be supported by brick or reinforced concrete pillars.
- (5) That gasoline pumps and other equipment used in connection with the operation of a gasoline filling station shall be so located that cars receiving service therefrom will not in any way obstruct the sidewalk, street or alleyway. The pumps shall be at least ten (10) feet inside the property line and all equipment shall be not less than thirty (30) feet from adjoining residence. That the length of all water hose shall be such that any water leaking from same can not reach the City sidewalk area and that the length of all gasoline hose shall be such that a car desiring service can not be served while any portion of said car is on the City sidewalk area.
- (6) That electric lights only shall be used for lighting purposes, and all electric wiring shall be done in compliance with regulations governing the wiring of gasoline filling stations, and shall be approved by the City Electrical Department.
- (7) That "NO SMOKING" signs shall be displayed at all times and no person shall be permitted to smoke or have any open flame on premises where gasoline is sold or stored.
- (8) That there shall be kept in an accessible place at all times, a chemical fire extinguisher for emergency use.
- (9) That the grades of the station shall be such that no waste oils or water or any floor washing 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-48, shall be conducted by a pipe connection from said sand trap to the nearest city storm sewer at the expense of the applicant, whether said nearest storm sewer connection be on other privately owned property of the applicant or whether said storm sewer connection be at the corner of University Avenue and Twentieth Street. 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 Di-

rector.

(10) That all adjacent walks, ramps, gutters and curbs shall be constructed of concrete before the station is used.

(11) That the applicant shall construct all ramps, gutters and curbs and alley paving in accordance with plan number 2-H-61, which plan is hereby made a part of this resolution. The alley paving shall be constructed in accordance with the design and specifications approved by the City Engineer, which specifications will have the following minimum requirements: alley paving shall be not less than 6" thick of concrete composed of one part cement, two parts sand and four parts gravel; that reinforcement shall be placed in said pavement slab wherever required by the City Engineer. Expansion joints shall be provided wherever called for by the City Engineer.

(12) That all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector, and the mechanic employed by the applicant to install the gasoline equipment shall apply to Plumbing Inspector for a special permit and shall give Plumbing Inspector sufficient notice when ready for inspection.

(13) That the applicant or the mechanic employed by the applicant to make the installation shall apply to the Inspector of Weights and Measures for inspection after the installation has been approved by the Plumbing Inspector.

(14) That before using said station the owner shall apply to the City Engineer for final inspection when he considers that he has complied with all of the requirements of the City.

CITY SAFETY COMMITTEE

(Sgd) R. F. Rockwood, Fire  
Marshal;

Orin E. Metcalfe, City En-  
gineer;

Tom Neal, Traffic Police  
Captain;

L. A. Palmer, City Plumb-  
ing Inspector."

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

That permission shall be granted Ireland S. Graves, subject to the foregoing conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating drive-in stations or gasoline filling stations, in the event gasoline pumps are installed, 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 Ireland S. Graves has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following:

"Austin, Texas, July 24, 1930.

Mr. Adam R. Johnson,  
City Manager,  
Austin, Texas.

Dear Sir:

We, the members of the Safety Committee of the City of Austin, have investigated the application of John Nicholas, Jr., to construct and operate a drive-in garage on Neches Street to be located on Original City Lot 4, Block 66, said garage to front on Neches Street and to be adjacent to the alley which lies between 6th and 7th Streets;

We, the Safety Committee, recommend that a permit be granted, subject to the following conditions:

(1) That no gasoline storage equipment shall be installed upon the property and that no gasoline shall be stored within the building.

(2) That all buildings and equipment shall be placed inside of the line as established by the City Council, 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 plans to be approved by the City Building Inspector.

(3) That electric lights only shall be used for lighting purposes, and all electric wiring shall be done in compliance with regulations governing the wiring of gasoline filling stations, and shall be approved by the City Electrical Department.

(4) That "NO SMOKING" signs shall be displayed at all times, and no person shall be permitted to smoke or have any open flame on premises where gasoline is sold or stored.

(5) That there shall be kept in an accessible place at all times a chemical fire extinguisher for emergency use.

(6) That provision shall be made to take care of waste oils and water by having the floor of the garage so constructed that the said waste can be concentrated and put through a grease and sand trap built according to the minimum specifications of the City Engineering Department, as shown on plan 2-H-48, and that a drain shall be constructed at the expense of the owner from said concentration point to the nearest storm sewer. Connections to be made under the supervision of the City Engineering Department.

(7) That a plan showing the proposed location of driveways marked 2-H-94 shall be followed during construction.

(8) That all driveways, sidewalks, curbs and ramps adjacent to the applicant's property shall be constructed of concrete in accordance with plan 2-H-94 at the expense of the applicant.

(9) That all waste oil and water drains, dumps, sand and grease traps and pipe connecting same with city storm sewer shall be inspected and approved by the City Plumbing Inspector and that the applicant shall make special application to the Plumbing Inspector for instructions as to method of installations and for inspection.

CITY SAFETY COMMITTEE

(Sgd) R. F. Rockwood, Fire Marshal;

Orin E. Metcalfe, City Engineer;

Tom Neal, Traffic Police Captain;

L. A. Palmer, City Plumbing Inspector.

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

That permission shall be granted, subject to the foregoing conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating drive-in stations or gasoline filling stations, in the event that pumps are later added, 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 John Nicholas, Jr., has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor 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 4-inch low pressure gas main in Oakland Street, beginning at the dead end of an existing 4 inch low pressure gas main, which dead end is 20 feet west of and approximately 170 feet south of the intersection of the south line of West Sixth Street and the east line of Oakland Street;

Thence in a northerly direction 20 feet west of and parallel to the east line of Oakland Street a distance of approximately 200 feet to the north line of West Sixth Street. Said gas main described above shall have a cover of not less than 2½ feet.

(2) A 4 inch high pressure gas main in Keasby Street, beginning at the end of an existing gas main, which end is on the west line of Caswell Avenue and 15 feet south of the north line of said Keasby Street;

Thence in a westerly direction 15 feet south of and parallel to the north line of said Keasby Street a distance of approximately one block. Said gas main described above shall have a cover of not less than 2 feet;

(3) A 4 inch low pressure gas main in Hillside Drive, beginning at a point on an existing gas main in Academy Drive, which point of beginning is 19 feet north of and 15 feet west of the intersection of the south line of Academy Drive and the east line of Hillside Drive;

Thence in a southerly direction 15 feet west of and parallel to the east line of Hillside Drive a distance of approximately 500 feet to tie in the dead end of an existing gas main, which dead end is approximately 480 feet north of the south line of South Side Drive. Said gas main described above shall have a cover of not less than 2 feet.

(4) A 5'x7' regulator pit at South Congress Avenue and Crockett Street, the center line of which regulator pit shall be 18 feet south of and 10 feet west of the intersection of the north line of Crockett Street and the west line of South Congress Avenue, the 7' length of the pit to be parallel to the north line of said Crockett Street.

(5) A regulator pit at South Congress Avenue and Nellie Street, the center line of which pit shall be 12 feet south of and 10 feet west of the intersection of the North line of Nellie Street and the west line of South Congress Avenue. The longer dimension of said pit shall be parallel to the north line of Nellie Street.

(6) A 5'x7' regulator pit in East Second Street at Brazos Street, the center line of which pit shall be 27 feet north of and 10 feet east of the intersection of the south line of East Second Street and the east line of Brazos Street. The 7' dimension of said pit shall be parallel to the south line of East Second Street.

(7) A 4-inch high pressure gas main in Blanco Street, beginning at a point on an existing 6 inch high pressure gas main in West Thirty-Fourth Street, which point of beginning is 13 feet north of and 17 feet west of the intersection of the east line of Blanco Street and the south line of West Thirty-Fourth Street.

Thence in a southerly direction 17 feet west of and parallel to the east line of Blanco Street, a distance of approximately two blocks to the south line of West Thirty-second 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.

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.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE FIXING AND LEVYING  
MUNICIPAL TAXES FOR THE CITY OF  
AUSTIN, TEXAS, FOR THE YEAR A.D.  
1930.

The above ordinance was read the first time and Councilman Pannell moved that the rule be suspended and the ordinance passed to its second reading. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the second time and Councilman Pannell moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the third time and Councilman Pannell moved that same be finally passed. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following resolution:

WHEREAS, it now appears that the collection of ad valorem taxes will be materially facilitated by the listing of properties held for resale on separate tax receipts; and

WHEREAS, the appropriation originally granted the Tax Division for the purchase of office supplies for the year 1930 did not contemplate such separate listing, and is consequently short of requirements in the amount of approximately Nine Hundred Dollars (\$900.00), therefore,

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

THAT the sum of Nine Hundred Dollars (\$900.00) be and the same is hereby appropriated out of the unincumbered portion of the General Fund for the purpose above specified.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following resolution:

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

That the sum of One Hundred Thirty-five Dollars (\$135.00) be and the same is hereby appropriated out of the General Fund for the purpose of purchasing Sundstrand-10 Bank Adding Machine for Tax Division.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following resolution:

WHEREAS, an emergency exists on account of the failure of the east portion of the incinerator furnace and the amount estimated and set up in the 1930 budget for the repair of the incinerator building is insufficient to cover the cost of the reconstruction of this portion of the incinerator; and

WHEREAS, the City Engineer's estimate for the additional work necessary is \$2328.00; therefore,

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

THAT the sum of \$2328.00 is hereby appropriated out of the unappropriated portion of the General Fund for the purpose of additional repairs to the incinerator plant of the Trash and Garbage Department.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell and Steck, 4; nays, none; Councilman Reed absent.

The application of Thomas Zegub for permission to set back the curb in front of his property at 1300 Congress Avenue in order to make a drive-in entrance, was read and laid over for one week.

The Mayor laid before the Council the following ordinance:

ORDINANCE RATIFYING AND CONFIRMING THE CREATION OF A STREET AS AN EXTENSION EAST FROM SPEEDWAY OF TWENTY-SIXTH STREET AND THE NAMING AND DESIGNATION THEREOF AS PART OF TWENTY-SIXTH STREET, AND RATIFYING AND CONFIRMING AN ORDINANCE PROVIDING FOR THE IMPROVEMENT THEREOF, AND THE CONTRACT LET TO SOUTHWEST BITULITHIC COMPANY FOR THE CONSTRUCTION OF SUCH IMPROVEMENTS.

The above ordinance was read the first time and laid over.

The following bids for the construction of a culvert under South Congress Avenue, being Contract No. 20, were read:

J. Odem -	\$ 6,676.00
J. F. Johnson	7,366.00
W. G. Cullum	7,510.00
Schwarzer & Lorey	7,592.40
Dallas Construction Co.	8,494.40
Dixon B. Penick	8,554.00
Brydson Lumber Co.	8,922.40
Yeamans & Maufrais	9,436.00
J. R. Blackmore	10,480.00

Councilman Pannell moved that the above bid of J. Odem, in the amount of \$6,676.00, be accepted as the lowest and best bid, and that the City Manager be authorized to enter into contract with said J. Odem for said work. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The following bids for the construction of a bridge at Twenty-six and One-half and Duval Streets, being Contract No. 21, were read:

Schwarzer & Lorey	\$ 4,234.70
W. G. Cullum	4,307.15
Dallas Construction Co.	4,314.84
J. Odem	4,723.90
J. F. Johnson	4,825.40
J. R. Blackmore	5,525.34
Yeamans & Maufrais	5,646.42
Brydson Lumber Co.	5,672.90
Dixon B. Penick	5,722.00

Councilman Pannell moved that the above bid of Schwarzer & Lorey, in the amount of \$4,234.70, be accepted as the lowest and best bid, and that the City Manager be authorized to enter into contract with said firm for said work. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFad-

den, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The following bids for the construction of a bridge at Thirty-second Street and Waller Creek, being Contract No. 22, were read:

Schwarzer & Lorey -	\$5,247.78
Brydson Lumber Co.	5,681.75
J. F. Johnson	5,954.50
J. Odem	6,294.25
Yeamans & Maufrais	6,423.25
J. R. Blackmore	6,577.00
Dallas Construction Co.	6,689.90

Councilman Pannell moved that the above bid of Schwarzer & Lorey, in the amount of \$5,247.78, be accepted as the lowest and best bid, and that the City Manager be authorized to enter into contract with said firm for said work. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE PROHIBITING THE DISCHARGE OF WATER AND LIQUID MATTER IN AND UPON THE PUBLIC PLACES OF THE CITY OF AUSTIN, REPEALING CONFLICTING ORDINANCES, PRESCRIBING A PENALTY, AND DECLARING AN EMERGENCY.

The above ordinance was read the first time and Councilman Mueller moved that the rule be suspended and the ordinance placed on its second reading. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE REPEALING SECTION 12, OF AN ORDINANCE ENTITLED "AN ORDINANCE REQUIRING CONNECTION WITH THE SANITARY SEWER OF THE CITY OF AUSTIN, IN CERTAIN CASES, REGULATING THE USE OF THE SANITARY SEWERS AND DRAINS, DECLARING THE CONSTRUCTION AND MAINTENANCE OF CESS-POOLS AND SURFACE CLOSETS A NUISANCE IN CERTAIN CASES, AND PRESCRIBING PENALTIES FOR THE VIOLATIONS OF THE TERMS OF THIS ORDINANCE.

The above ordinance was read the first time and Councilman Mueller moved that the rule be suspended and the ordinance passed to its second reading. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Steck, and same prevailed by the following

vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council a petition signed by the residents of East Twenty-third Street between Red River Street and East Avenue, asking that the portion of East Twenty-third Street east of East Avenue be designated as Manor Road. The petition was read and ordered filed.

The Mayor then laid before the Council the following resolution:

WHEREAS, various parties living on East Twenty-third Street, also commonly known as the Manor Road, have requested the Council that the name of that portion of East Twenty-third Street from East Avenue east to the city limits be changed to Manor Road; and

WHEREAS, the City Manager and the City Engineer have recommended that the request be granted and the City Council has considered said request favorably; therefore,

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

THAT that portion of East Twenty-third Street which lies between East Avenue and the east city limits of the City of Austin shall hereafter be known as Manor Road.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following resolution:

WHEREAS, the City of Austin heretofore purchased from Martha E. Routt lots 22, 23, 24, 25 and 26, Park Hill Subdivision, City of Austin, Texas; and it was agreed at the time of the execution of the deed to the City by said Martha E. Routt that the consideration would be paid immediately after the delivery of said deed, but in the default of same, said Martha E. Routt would be indemnified for any interest on the vendor's lien then existing against said property that should accrue from the date of said deed until the actual payment to her of the said consideration; and

WHEREAS, on account of the delay in the payment of said consideration, there has accrued on said note \$27.54 interest, and for the purpose of reimbursing said Martha E. Routt for said interest, as agreed,

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

That the sum of \$27.54 be and the same is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose above stated, and that a warrant issue therefor, payable to Martha E. Routt.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following resolution:

WHEREAS, heretofore the City Council of the City of Austin determined that it was necessary to have a street extending east from Speedway to the west line of Duval street or Waller Creek Boulevard, as an extension of Twenty-sixth street in lieu of the then existing alley; and

WHEREAS, for the purpose of widening said street, the City procured an ease-