

seconded by Mayor McFadden, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none; Councilman Steck absent, 1.

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 Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none, Councilman Steck absent, 1.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Reed, 4; nays, none; Councilman Steck absent, 1.

Councilman Reed moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell and Reed, 4; nays, none; Councilman Steck absent, 1.

The Council then recessed.

APPROVED:

J. M. Fadden
MAYOR.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, November 6, 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 Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

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 Twenty Thousand (\$20,000.00) Dollars be and the same is hereby transferred from the Water and Light Fund to the General Fund; said amount being part payment of loans made to the Water and Light Fund by the General Fund.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

A resolution by the Park Board, asking for approval of the plan for parking East Avenue between Thirteenth and Sixteenth Streets as outlined by the Park Engineer, Jac L. Gubbels, marked File 301, No. 152, was read. Councilman Mueller moved that said plan as presented by the Park Board be approved. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent, 1.

A resolution of the Park Board, asking that the Council appropriate the sum of \$975.00 for the purpose of lighting the East Avenue, West Austin, and South Austin playgrounds was read. Mayor McFadden moved that the request be granted and that the sum of \$975.00 be appropriated out of the Parks and Playgrounds Bond Fund for said purpose. 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.

Councilman Reed entered the Council Chamber.

Mayor McFadden moved that in view of the report of the special committee appointed to look into the safety of the wooden gallery awning at 209-211 Congress Avenue, the Council refuse to rescind its action of September 11th, 1930, ordering the removal of said awning. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Councilman Pannell was excused from the Council Chamber.

A report of the City Engineer on the application of Phillip Bosche to construct an underground vault in the alley at the rear of the Bosche Building on Congress Avenue was read. Mayor McFadden moved that tentative approval of this location be given, pending the adoption of a formal resolution to be prepared by the City Attorney granting such permit. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Reed, and Steck, 4; nays, none; Councilman Pannell absent.

An adverse report of the Safety Committee upon the application of Messrs. Tannenbaum, Cohn, and Winetraube for permit to construct and operate a gasoline filling station at the southwest corner of San Jacinto and Seventh Streets was read. Councilman Mueller moved that before taking action upon same, the applicants be given an opportunity to be heard in the matter and that they be notified to appear before the Council at its next regular meeting, November 13th, at eleven o'clock A. M. for this purpose. Motion was seconded by Mayor McFadden, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Reed, and Steck, 4; nays, none; Councilman Pannell 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 Patterson Avenue, beginning at a point 165 feet south of and 9 feet west of the intersection of the east line of Patterson Avenue and the south line of West Tenth Street ;

Thence in a northerly direction, 9 feet west of and parallel to the east line of said Patterson Avenue a distance of approximately 165 feet to a point 15 feet north of the south line of West Tenth Street. Said gas main described above shall have a cover of not less than 2 feet.

(2) A 4-inch low pressure gas main in West Tenth Street beginning at a point 15 feet north of and 9 feet west of the intersection of the south line of West Tenth Street and the east line of Baylor Street;

Thence in a westerly direction 15 feet north of and parallel to the south line of West Tenth Street, a distance of approximately two blocks to the Missouri Pacific R. R. Right-of-way. Said gas main described above shall have a cover of not less than 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 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; and

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 franchises granted to said company by the City of Austin.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Reed, and Steck, 4; nays, none; Councilman Pannell absent, 1.

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 West Tenth Street, beginning at the dead end of an existing gas main which dead end is 19.25 feet north of and approximately 70 feet east of the intersection of the south line of West Tenth Street and the east line of Baylor Street.

Thence in a westerly direction, 19.25 feet north of and parallel to the south line of said West Tenth Street a distance of approximately 95 feet to a point 19.25 feet north of and 25 feet west of the intersection of the east line of Baylor Street and the south line of that part of West Tenth Street that is east of Baylor Street.

Thence in a southerly direction, 25 feet west of and parallel to the east line of said Baylor Street to a point 17 feet south of and 35 feet east of the intersection of the west line of Baylor Street and the north line of that portion of West Tenth Street that is west of Baylor Street.

Thence in a westerly direction 17 feet south of and parallel to said north line produced of West Tenth Street a distance of approximately 35 feet to the west line of Baylor Street.

Be it understood that right angle bends shall be used in making the offset in the gas main described above, and that said gas main 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; and

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 franchises granted to said Company by the City of Austin.

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

The Mayor laid before the Council the following ordinance:

ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING AND PROVIDING FOR THE IMPROVEMENT OF A PORTION OF BRAZOS STREET AND PORTIONS OF SUNDRY OTHER STREETS AND HIGHWAYS IN THE CITY OF AUSTIN, TEXAS, LETTING CONTRACT THEREFOR, APPROVING CONTRACT AND BOND, AND PROVIDING FOR THE PAYMENT OF THE COST THEREOF.

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

The Mayor laid before the Council for its second reading the following ordinance:

ORDINANCE OF THE CITY OF AUSTIN, TEXAS, DECLARING THE NECESSITY FOR AND ORDERING AND PROVIDING FOR THE IMPROVEMENT OF TWENTY-THIRD STREET AND SUNDRY OTHER STREETS AND ALLEYS, IN THE CITY OF AUSTIN, LETTING CONTRACT THEREFOR, APPROVING CONTRACT AND BOND, AND PROVIDING FOR THE PAYMENT OF THE COST THEREOF, AND DECLARING AN EMERGENCY.

The above ordinance was read the second time and Councilman Reed moved a 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, Reed, and Steck, 4; nays, none; Councilman Pannell absent, 1.

The ordinance was read the third time and Councilman Reed moved that same be finally passed. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Reed, and Steck, 4; nays, none; Councilman Pannell absent, 1.

The Mayor laid before the Council the following resolution:

RESOLUTION OF THE CITY OF AUSTIN, TEXAS,
APPROVING THE CONTRACT AND BOND WITH
L. E. WHITHAM & CO. FOR IMPROVING TWENTY-
THIRD STREET AND SUNDRY OTHER STREETS
AND ALLEYS, IN THE CITY OF AUSTIN, AND
SETTING ASIDE A FUND TO PAY THE PORTION
OF THE COST REQUIRED BY THE TERMS OF
SAID CONTRACT TO BE PAID BY THE CITY
OF AUSTIN.

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

That, whereas, the contract in writing between L. E. Whitham & Co. and the City of Austin and the construction bond furnished by L. E. Whitham & Company for the improvement of the following streets and alleys:

TWENTY-THIRD STREET or MANOR ROAD from the east line of East Avenue to the City Limits, known and designated as Unit or District No. P-63;

CHICON STREET from the north line of First Street to the south line of Seventh Street, known and designated as Unit or District No. P-64;

ALLEY between First and Second Streets in Block 4 from the west line of Colorado Street to the east line of Lavaca Street, known and designated as Unit or District No. P-65;

ALLEY between First and Second Streets in Block 3 from the west line of Lavaca Street to the east line of Guadalupe Street, known and designated as Unit or District No. P-66;

ALLEY between Second and Third Streets in Block 21 from the west line of Lavaca Street to the east line of Guadalupe Street, known and designated as Unit or District No. P-67;

ALLEY between Second and Third Streets in Block 22 from the west line of Guadalupe Street to the east line of San Antonio Street, known and designated as Unit or District No. P-68;

PRIVATE WAY between Second and Third Streets in Block 19 from the west line of Congress Avenue to the east line of Colorado Street, known and designated as Unit or District No. P-69;

ALLEY between Third and Fourth Streets in Block 28 from the west line of Colorado Street to the east line of Lavaca Street, known and designated as Unit or District No. P-70.

Alley between Third and Fourth Streets in Block 27 from the west line of Lavaca Street to the east line of Guadalupe Street, known and designated as Unit or District No. P-71;

ALLEY between Fifth and Sixth Streets in Block 52 from the west line of Guadalupe Street to the east line of San Antonio Street, known and designated as Unit or District No. P-72;

ALLEY between Ninth and Tenth Streets in Block 109 from the west line of Colorado Street to the east line of Lavaca Street, known and designated as Unit or District No. P-73;

ALLEY between Seventh and Eighth Streets in Block 81 from the west line of Lavaca Street to the east line of Guadalupe Street, known and designated as Unit or District No. P-74;

ALLEY between Eleventh and Twelfth Streets in Block 134 from the west line of Lavaca Street to the east line of Guadalupe Street, known and designated as Unit or District No. P-75;

ALLEY between Twelfth and Thirteenth Streets in Block 149 from the west line of Lavaca Street to the east line of Guadalupe Street, known and designated as Unit or District No. P-76;

ALLEY between Thirteenth and Fourteenth Streets in Block 157 from the west line of Lavaca Street to the east line of Guadalupe Street, known and designated as Unit or District No. P-77.

ALLEY between Fourteenth and Fifteenth Streets in Block 175 from the west line of Lavaca Street to the east line of Guadalupe Street, known and designated as Unit or District No. P-78;

WEST HALF of ALLEY between Fifteenth and Sixteenth Streets in Outlot 38, Division "E", from the east line of Guadalupe Street to a point 138' east, known and designated as Unit or District No. P-79;

ALLEY between Eighteenth and Nineteenth Streets in Outlot 35, Division "E", from the west line of Lavaca Street to the east line of Guadalupe Street, known and designated as Unit or District No. P-80;

ALLEY between Eight and Ninth Streets in Block 96 from the east line of Brazos Street to the west line of San Jacinto Street, known and designated as Unit or District No. P-81;

ALLEY between Ninth and Tenth Streets in Block 112 from the east line of Brazos Street to the west line of San Jacinto Street, known and designated as Unit or District No. P-82;

EAST HALF OF ALLEY between Tenth and Eleventh Streets in Block 122 from the west line of San Jacinto Street to a point 125' west, known and designated as Unit or District No. P-83;

ALLEY between Seventh and Eighth Streets in Block 86 from the east line of San Jacinto Street to the west line of Trinity Street, known and designated as Unit or District No. P-84;

THIRTY-EIGHTH STREET from the east line of Guadalupe Street to the west line of Duval Street, known and designated as Unit or District No. P-85;

COMAL STREET from the north line of First Street to the south line of Seventh Street, known and designated as Unit or District P-86;

THIRTY-FOURTH STREET from the west line of Guadalupe Street to the east line of Alamo Boulevard, known and designated as Unit or District No. P-87;

TRINITY STREET from the north line of Sixth Street to the south line of Seventh Street, known and designated as Unit or District No. P-88;

NECHES STREET from the north line of Sixth Street to the south line of Seventh Street, known and designated as Unit or District No. P-89;

PERDENALES STREET from the north line of Fifth Street to the north line of Sixth Street, known and designated as Unit or District No. P-90;

ALLEY BETWEEN UNIVERSITY AVENUE AND WHITIS AVENUE in Block 20, L. Horst Addition, Division "D" from the north line of 19th Street to south line of 20th Street, known and designated as Unit or District No. P-102;

ALLEY BETWEEN UNIVERSITY AVENUE AND WHITIS AVENUE IN BLOCK 21, L. Horst Addition, Division "D" from the north line of 20th Street to the south line of 21st Street, known and designated as Unit or District No. P-103;

in the City of Austin have this day been presented to the City Council for approval, and, whereas, said contract and bond are in proper form and the securities on said bond are good and sufficient; now, therefore,

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

That said contract and bond be and the same are hereby ratified, adopted and approved; and further,

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

That there be and is hereby set aside out of the proceeds of bonds issued and sold for the purpose now on hand available for street improvements a sufficient sum to pay and defray all that portion of the cost of said improvements required by the terms of said contract to be paid by the City of Austin.

That this resolution shall take effect and be in force from and after its passage.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Reed, and Steck, 4; nays, none; Councilman Pannell absent, 1.

Councilman Reed moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Reed, and Steck, 4; nays, none; Councilman Pannell absent, 1.

The Council then recessed.

Approved

J. M. McFadden
Mayor.