

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

That the sum of Two Hundred Seventy-five and 0/100 (\$275.00) Dollars be and the same is hereby appropriated from the General Fund unincumbered revenues for the purpose of installing the aforesaid offal tank and chute at the Municipal Abattoir.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The petition of residents of Enfield asking that the park between Palma Plaza and West Lynn Street be put in proper condition was referred to the Park Board for attention.

No other business coming before the Council, Councilman Steck moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Gillis, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Council then recessed.

APPROVED:

J. H. McFadden
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, June 11, 1931.

The Council was called to order by the Mayor. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; absent, none.

The Minutes of the last meeting were read and Councilman Mueller moved the adoption of same as read. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

A committee representing the owners of the Westenfield Bathing Pool appeared before the Council and asked that the City take over and operate said pool for the summer months. Councilman Alford moved that the City agree to operate said pool for one month and if the revenue from same amounts to as much as Two Hundred and Fifty Dollars (\$250.00), then to continue the operation of same for the other two months. Motion was seconded by Councilman Gillis, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

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:

WEST ELEVENTH STREET from the west property line of Guadalupe Street to the east property line of San Antonio Street, Unit or District No. P-146;

COLORADO STREET from the south property line of Fourteenth Street to the south property line of Nineteenth Street, Unit or District No. P-124;

the Mayor thereupon stated that all persons desiring to protest 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 the 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 persons appeared and were heard:

On Colorado Street, District P-124:

Roger Q. Small, representing the property owners from Eighteenth to Nineteenth Streets, and Miss Bird Jones, objected to the paving of this street on account of its being strictly a residential street and the enhancement in property values would not justify the cost of the paving;

Also the following, by written protest, objected to the paving on the grounds that no public necessity existed for same; that the heat and noise resulting from a paved street would be objectionable, and that owing to the present economic situation the cost of paving would be a financial hardship:

O. A. Dahlich;
 Mary M. Thornton;
 Misses Dill;
 Nicholas J. O. Connell;
 Mrs. H. G. Askew;
 Mrs. W. S. Sutton;
 Mrs. M.F. Lochridge;
 Miss Bird Jones;
 Mrs. Fred Cloud;
 T. J. Small
 by Roger Q. Small

Adolph Schutze stated that he would not object to the paving if all the property owners would sign up for same, but that he did object if there were to be any skips.

Thereupon Harwood Stacy was called as a witness and after being duly sworn testified that he has resided in the City of Austin for several years; that he is well acquainted with the value of the property abutting upon each of the Units or Districts as to which this hearing was being held; that he is acquainted with the type of paving which is proposed to be constructed upon said Units or Districts as to which this hearing was being held; and that in his opinion each parcel of abutting property would be enhanced in value by reason of the construction of the proposed improvements in an amount in excess of the amount proposed to be assessed against the same, as set out on the Engineer's Roll or Statement on file relating to such Units or Districts of Improvement.

No other witnesses being offered or desiring to be heard, and no other interested parties or owners having requested to be heard, the Mayor thereupon laid before the Council the following ordinance:

ORDINANCE CLOSING HEARING AND
 LEVYING ASSESSMENTS FOR PART
 OF THE COST OF IMPROVING PORTIONS
 OF COLORADO STREET AND SUNDRY
 OTHER STREETS IN THE CITY OF
 AUSTIN, TEXAS, FIXING A CHARGE
 AND LIEN AGAINST PROPERTY ABUT-
 TING THEREON AND AGAINST THE
 OWNERS THEREOF; PROVIDING FOR THE
 COLLECTION OF SUCH ASSESSMENTS
 AND THE ISSUANCE OF ASSIGNABLE
 CERTIFICATES IN EVIDENCE THEREOF.

The above ordinance was read the first time and Councilman Muelled moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Alford 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, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Alford moved that same be finally passed. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, the Austin National Bank has been designated as the depository in which all bonds and other securities purchased by the City Treasurer for the account of the City of Austin will be held in safe-keeping; and

WHEREAS, the charges of said bank for vault space and for the services of its employees while acting as such depository will be at the rate of \$15.00 per month, or \$105.00 for the seven months ending December 31, 1931, for which no provision was made in the City's 1931 budget;

Therefore,

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

That the sum of One Hundred Five and 0/100 Dollars (\$105.00) be and the same is hereby appropriated out of unincumbered General Fund revenue for the purpose above stated.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, the unusual demand of the City's 1930 Annual Report necessitated a reprint of four hundred copies, the cost of which was not covered by the budget as originally adopted;

Therefore,

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

That the sum of Three Hundred Thirty-three and 32/100 Dollars (\$333.32) be and the same is hereby appropriated out of the unincumbered General Fund revenue for the purpose of defraying the cost of said reprint and all other costs of the City's 1930 Annual Report not covered by the original appropriation.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, the City Council, after due consideration, has decided that in order to avoid confusion in locating West Avenue between 29th and 30th Streets, the street between 29th and 30th Streets now called "West Avenue" be changed to "Pearl Street"; and that the street between 29th and 30th Streets now called "Pearl Street" be changed to "West Avenue"; now, therefore;

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

That the above mentioned street names be changed accordingly and that the City Engineer be instructed to make these changes on the map of the City of Austin.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 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 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 McLeMores Street from Caswell Avenue to Red River Street the center line of which gas main shall be $8\frac{1}{2}$ feet south of and parallel to the north line of said McLeMores Street.

(2) A gas main in McLeMores Street from Red River Street east approximately $1\frac{1}{2}$ blocks to the city limits, the center line of which gas main shall be 12 feet south of and parallel to the north line of said McLeMores Street.

(3) A gas main in Brazos Street from East Fifteenth Street to East Sixteenth Street, the center line of which gas main shall be 9 feet east of and parallel to the center line of said Brazos Street.

(4) A gas main in Brazos Street from East Sixteenth Street to East Nineteenth Street, the center line of which gas main shall be $15\frac{1}{2}$ feet east of and parallel to the center line of said Brazos Street.

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 WHEREVER pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of back filling 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.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Reports of L. E. Whitham & Company and H. R. F. Helland, Consulting Engineer, stating that the paving has been completed on West Twenty-Eighth Street from the west line of Guadalupe Street to the east line of Rio Grande Street, District P-132, in accordance with the plans and specifications and recommending the acceptance of same, were read and ordered filed.

The Mayor laid before the Council the following resolution:

RESOLUTION OF THE CITY OF AUSTIN, TEXAS, ACCEPTING THE IMPROVEMENT OF WEST TWENTY-EIGHTH STREET, IN THE CITY OF AUSTIN, AND AUTHORIZING THE PAYMENT OF THE BALANCE DUE BY THE CITY OF AUSTIN AND THE ISSUANCE AND DELIVERY OF CERTIFICATES OF SPECIAL ASSESSMENT AGAINST OWNERS OF ABUTTING PROPERTY.

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

That, Whereas, heretofore the hereinafter described street was ordered improved, contract for said work of improvement duly entered into, and assessment levied against abutting property and the owners thereof to cover the portion of the cost payable by the said property owners; and

WHEREAS, pursuant to said contract and other proceedings in connection therewith, L. E. Whitham & Company has completed the improvement of the following street, to-wit;

Paving District No. P-132: WEST TWENTY-EIGHTH STREET from the west line of Guadalupe Street to the east line of Rio Grande Street.

WHEREAS, said improvement is in strict compliance with the terms of said contract, specifications adopted for said improvement, and other proceedings in connection therewith;

Therefore,

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

THAT said improvement on said portion of said street be and the same is hereby accepted as in full compliance with the terms of said contract, specifications and proceedings, and the final estimate due from the City of Austin to L. E. Whitham & Company be and the same is hereby ordered paid.

That the Mayor and City Clerk be and are hereby authorized and instructed to issue, execute and deliver to L. E. Whitham & Company certificates of special assessment against the abutting property and the owners thereof, evidencing the several sums of money assessed against said property and the owners thereof respectively for their pro rata of the cost of said improvement, in accordance with the terms of said contract and proceedings.

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, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following ordinance:

ORDINANCE OF THE CITY OF AUSTIN, TEXAS, DETERMINING THE NECESSITY FOR LEVYING AN ASSESSMENT AGAINST THE PROPERTY AND THE OWNERS THEREOF ON PORTIONS OF EAST THIRTY-SECOND STREET AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, FOR A PART OF THE COST OF IMPROVING SAID STREETS, AND FIXING A TIME FOR A HEARING OF THE OWNERS OR AGENTS OF SAID OWNERS OF SAID PROPERTY, OR OF ANY PERSONS INTERESTED IN SAID IMPROVEMENTS, AS PROVIDED BY THE CHARTER OF THE CITY OF AUSTIN, AND DIRECTING THE CITY MANAGER TO GIVE NOTICE OF SAID HEARING AND EXAMINING AND APPROVING THE ROLL OR STATEMENT OF THE CONSULTING ENGINEER, AND DECLARING AN EMERGENCY.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

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 Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

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 & COMPANY FOR IMPROVING HARRIS PARK AVENUE, AND SUNDRY 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 & Company and the City of Austin and the construction bond furnished by L. E. Whitham & Company for the improvement of the following street and alleys, to-wit:

PAVING DISTRICT #P-167: Harris Park Avenue from the south line of Elmwood Street to the south line of East Thirty-second Street;

PAVING DISTRICT #P-164: Alley in Block 66 between Sixth and Seventh Streets from the east line of Trinity Street to the west line of Neches Street;

PAVING DISTRICT #P-165: Alley in Block 65 between Sixth and Seventh Streets from the east line of Neches Street to the west line of Red River Street; and

PAVING DISTRICT #P-166: Alley in Block 22½ between Guadalupe Street and San Antonio Street from the north line of Twenty-first Street to the south line of Twenty-second Street;

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 that 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, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

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

ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING AND PROVIDING FOR THE IMPROVEMENT OF A PORTION OF SOUTH CONGRESS AVENUE IN THE CITY OF AUSTIN, TEXAS, LETTING CONTRACT THEREFOR, APPROVING FORM OF CONTRACT AND BOND, PROVIDING FOR THE PAYMENT OF THE COST THEREOF, AND MAKING AN APPROPRIATION TO PAY THE CITY OF AUSTIN'S PORTION OF SUCH COST.

The foregoing ordinance was read the second time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE REGULATING TRAFFIC ON EAST NINTH STREET, BETWEEN CONGRESS AVENUE AND THE ALLEY RUNNING NORTH AND SOUTH BETWEEN CONGRESS AVENUE AND BRAZOS STREET IN THE CITY OF AUSTIN, CUMULATIVE OF CERTAIN ORDINANCES HERETOFORE ORDAINED, REPEALING ORDINANCES IN CONFLICT, AND PRESCRIBING PENALTIES.

The above ordinance was read the first time and Councilman Alford moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Alford 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, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Alford moved that same be finally passed. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following:

"Austin, Texas, June 9, 1931.

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

Dear Sir:

We have considered the application of Mr. Ben Walker, who has applied for a permit to construct and operate a filling station on Lot 1 of Block 45 of the Original City of Austin, and known as 403 Guadalupe Street, and hereby advise that the following conditions exist:

He proposes to construct his filling station on property which is shown on the Zoning Map as being located within the "D" Industrial Use District. A storm sewer exists within eighty feet of the property upon which Mr. Walker proposed to construct his filling station, and into which waste water can be concentrated.

Mr. Walker and his Architect have been advised of the provisions of the Building, Zoning and Filling Station Ordinances, and he proposes to construct his filling station in accordance with all of said ordinances.

We recommend that Mr. Walker be granted a permit to construct and operate said filling station 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. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalk and gutter on Guadalupe Street before he starts any construction relating to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the Building Ordinance, Zoning Ordinance, Filling Station Ordinance, and in

accord with the Ordinance prohibiting the disposal of commercial water or oil upon the City's streets.

(3) 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, and shall be conducted by a pipe connection from said sand trap to the nearest city storm sewer at the expense of the applicant. 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 Director.

(4) That pumps shall be located as shown on the plan hereto attached marked 2-C-405.

(5) That the location of all ramps and sidewalk area crossings shall be in accord with plan 2-C-405, which plan is hereby made a part of this resolution.

(6) That all adjacent sidewalks, curbs, ramps and gutters adjacent to that property to be developed as a filling station shall be constructed of concrete as shown on plan 2-C-405.

(7) That before use of said station the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

(Sgd) G. S. Moore,
Building Inspector.

O. E. Metcalfe,
City Engineer. "

The Mayor then laid before the Council the following resolution:

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

THAT the City Council of the City of Austin hereby approves Lot I, Block 45, of the Original City of Austin situated at about 403 Guadalupe Street as a filling station site, and hereby authorizes Mr. Ben Walker to construct and operate a filling station subject to same's being constructed subject to all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans, and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all of the provisions of this resolution, 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 Mr. Ben Walker 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, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 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 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 inch gas main in EAST SIXTH STREET from Red River Street to Neches Street, the center line of which gas main shall be 17½ feet north of and parallel to the center line of said East Sixth 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 wherever 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.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

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

That Lot 4, Block 172, Original City, be exempted from taxation by the City of Austin for the year 1930 for the reason that on the 1st day of January, 1930, and continuously since said time, said lot has been used exclusively for religious purposes; and

BE IT FURTHER RESOLVED:

That the City Tax Assessor and Collector be and he is hereby instructed to strike said lot from the tax rolls of 1930.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Reports of Southwest Bitulithic Company and H. R. F. Helland, Consulting Engineer, stating that the paving has been completed on the street railway area on West Sixth Street from the west line of West Lynn Street to the west line of the International & Great Northern Railway Company's property, in accordance with the plans and specifications, and recommending the acceptance of same, were read and ordered filed.

The Mayor laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF WEST SIXTH STREET IN THE CITY OF AUSTIN, TEXAS, 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 13th day of December, 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:

That portion of WEST SIXTH STREET between the west line of West Lynn Street and the west line of the International-Great Northern Railway Company, situated between and under the rails, tracks, double tracks, turn-outs and switches of the street railway using and occupying said street and on each side thereof, and being 7 feet 1 inch in width; that is to say, 3 feet 6½ inches on each side of center line between rails;

and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvement 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 Sixth 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 heretobefore provided by the ordinances 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, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Reports of Southwest Bitulithic Company and H. R. F. Helland, Consulting Engineer, stating that the paving has been completed on East Avenue from the north line of Fifteenth Street on west side and south line of Fifteenth Street on east side, to the south line of Sixteenth Street, Unit or District No. P-107, except the homesteads of C. A. Ellingson Estate, F. O. Linden, and Katie Nitschke Grubbs, in accordance with the plans and specifications and recommending the acceptance of same, were read and ordered filed.

The Mayor laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS
CONSTRUCTED BY SOUTHWEST BITULITHIC COM-
PANY ON A PORTION OF EAST AVENUE IN THE
CITY OF AUSTIN, TEXAS, 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 ABUT-
TING PROPERTY AND ITS OWNERS.

WHEREAS, on the 18th day of December, 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:

EAST AVENUE from the north line of Fifteenth Street on the west portion of East Avenue and the south line of Fifteenth Street on the east portion of East Avenue, to connect with the paving now existing in the intersection of East Sixteenth Street with East Avenue, known and designated as Unit or District No. P-107; and

WHEREAS, said contractor has fully completed the street improvements upon said

unit or district of improvement 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 East Avenue 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, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Mayor McFadden moved that in accordance with the recommendation of H.R.F. Helland, Consulting Engineer, the work done by J. R. Blackmore under Street Improvement Bond Fund Contract #37, being bridge over Waller Creek at Thirtieth Street, be accepted and that the City Manager be authorized to make final payment on same. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

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.
1931.

The above ordinance was read the first time and Mayor McFadden moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Alford 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, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Alford moved that same be finally passed. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, W. S. Roberts has appealed to the Zoning Board of Adjustment for permission to construct and operate a temporary soft drink stand at 907 Lydia Street; and

WHEREAS, the Board of Adjustment has considered the application of W. S. Roberts to construct and operate such temporary soft drink stand; and

WHEREAS, the Board of Adjustment, upon consideration of the facts concerning said application, adopted at its last session, on June 9, 1931, a motion recommending that the City Council grant said W. S. Roberts a temporary permit for the construction and operation of such soft drink stand for a period of six months;

therefore,

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

That permission be granted, as provided under Item 12 of Section 4 of the Zoning Ordinance, to W. S. Roberts for the construction and operation of a soft drink stand at 907 Lydia Street, such construction to be of a temporary nature and such permit to expire December 15, 1931.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steok, 5; nays, none.

The Mayor laid before the Council the following:

"Austin, Texas, June 10, 1931.

Honorable City Council and
Adam R. Johnson, City Manager,
Austin, Texas.

Gentlemen:

At the instruction of the Board of Adjustment, I am submitting herewith a proposed budget covering the anticipated expenses of the Board of Adjustment for the balance of the year 1931, which it is hoped will meet with your approval. A certain amount of expense has already been incurred by the Board in conducting its work and it will be necessary to proceed as soon as possible with the printing of zoning maps. It is, therefore, hoped that the Council will give the budget needs of the Board early consideration and approval.

Respectfully,

(Sgd) H. F. Kuehne,
Chairman. "

PROPOSED BUDGET FOR THE BOARD OF ADJUSTMENT

SALARIES	
Secretary's Salaries -	\$ 250.00
SUPPLIES	
Stationery, Forms and Office Supplies -	100.00
PRINTING MAPS	150.00
SERVICES	
Telephone and Telegraph, Advertising and Notices -	100.00
CONTINGENT FUND	100.00
CAPITAL EXPENDITURES	
Furniture and Fixtures -	50.00
Total -	\$ 750.00

The Mayor laid before the Council the following resolution:

WHEREAS, the Zoning Board of Adjustment has submitted a budget covering its anticipated expenses for the balance of the year 1931, and

WHEREAS, the Council has reviewed said budget; therefore,

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

That the proposed budget as submitted by the Zoning Board of Adjustment covering its anticipated expenses for the balance of the year 1931 be hereby adopted.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution as a substitute for the certain resolution passed on June 4, 1931, and recorded on Pages 516 and 517 hereof:

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

THAT the City Manager be and he is hereby authorized and directed to purchase, for parks and playgrounds purposes, from W. T. Caswell for the cash consideration of Twenty Thousand (\$20,000.00) Dollars, and upon the conditions hereinafter expressed, the following property:

A strip of land in Outlot No. 6, in Division "E" in the City of Austin, Texas, being south of Park Row Street and north of a thirteen foot alley-way and the east line of said strip being 135 feet long and the north line of said strip being the south line of Park Row Street and being approximately 450 feet long, and the south line of said strip being approximately 350 feet long, said strip of land being the same strip shown as a vacant tract on the plat of Gregg's Addition in said Outlot No. 6, said plat being recorded in the plat records of Travis County, Texas, in Plat Book No. 2, Page 207, and the west line of said strip being the east line of the street and the strip of land herein conveyed is shown on said plat as just south of said Park Row Street and the east line of said tract is a continuation of the east line of Lot No. 1 in said Gregg's Addition. Said tract containing 1.15 acres of land, more or less, and being the same tract of land described in deed from the Texas National Bank of Beaumont, Texas, to W. T. Caswell, dated December 31, 1923, recorded in Book 355, at Pages 571-572 of the Deed Records of Travis County, Texas;

It being understood and agreed by the City of Austin and W. T. Caswell, as evidenced in writing, that said Caswell will repurchase said property for said consideration on July 1, 1933, in event the City should find that said property is not suitable for the purposes for which it is being purchased; and

That said Caswell will pay the City at such time, if he so repurchases, the cost price of all permanent improvements which may be placed on said property within the said time, provided that if the City elects to reconvey said property to said Caswell it will pay him at the rate of \$100.00 (One Hundred Dollars) per month as rent on same during said time.

BE IT FURTHER RESOLVED:

That the sum of Twenty Thousand (\$20,000.00) Dollars be and the same is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of purchasing the property herein and above described, and that a warrant issue therefor, payable to W. T. Caswell, and the same be delivered to him, upon the delivery by him to the City of Austin of his warranty deed to said property, showing good title, and the execution of agreement above mentioned and the execution and delivery by him to the City of a mortgage upon Lots 6, 7 and 8, in Block 29, Hyde Park Addition to the City of Austin, Texas, to secure his agreement and obligation to repurchase said property, in event the City elects to reconvey same to him at said time.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

City Manager Johnson submitted to the Council the following communication, which was read and filed:

"Austin, Texas, June 11, 1931.

To the Members of the City Council,
Austin, Texas.

Gentlemen:

I have made the following appointments of Department heads, and I trust these appointments will be satisfactory to you:

J. Bouldin Rector, City Attorney;
A. L. Love, Assistant City Attorney;
Geo. G. Grant, Director of Finance;
T. B. Marshall, City Tax Assessor and Collector;
Miss Hallie McKellar, City Clerk;
W. H. Bridges, Purchasing Agent;
O. E. Metcalfe, City Engineer;
H. R. F. Helland, Consulting Engineer for Bond Funds;
C. G. Levander, Superintendent of Sanitary Sewer Division;
L. A. Palmer, Assistant Superintendent of Sanitary Sewer Division;
E. O. Chimene, Assistant Health Officer;
Mrs. E. Schulz, Superintendent of City Hospital;
R. D. Thorp, Chief of Police;
J. E. Woody, Fire Chief;
Jas. A. Garrison, Superintendent of Recreation;
H. K. Humes, City Gas Inspector;
G. S. Moore, City Building Inspector;
W. E. Seaholm, Superintendent Water, Light and Power Plant and Electric Division;
A. R. Davis, Superintendent of Water Line Construction Department;
H. L. Newton, Chief Engineer, Water, Light and Power Plant;
T. C. Green, Superintendent Filtration Plant;
E. C. Munro, Office Superintendent Water and Light Department;
Miss Helen Kelleher, Secretary, City Manager.

Yours very truly,

(Sgd) Adam R. Johnson,
City Manager. "

The Mayor laid before the Council the following resolution:

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

That for reasons deemed sufficient to the City Council, the tax assessments for the year 1930 against the Barker Motor Company be corrected as follows:

Inventories -	reduced from \$6,000.00	to	\$1,500.00
Monies -	" " 800.00	"	150.00
Auto Trucks	" " 335.00	"	250.00
Furniture and Fixtures	" " 1,500.00	"	500.00
Other Personal Property	" " 375.00	"	200.00
Improvements on Lot 7, Block 52, Plat 7 -	" " 225.00	"	75.00

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, C. G. Levander has been transferred from the Construction Engineers Department to the Sanitary Sewer Division, an operating branch of the Water, Light and Power Department, and will, after June 15, 1931, be included on the pay roll of the Sanitary Sewer Division;

Therefore,

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

That the sum of Two Thousand , One Hundred, Twenty-five and 0/100 Dollars (\$2,125.00) be and the same is hereby appropriated out of unincumbered Water, Light and Power revenue for the purpose of paying salary and auto allowance of the said C. G. Levander from June 15th to December, 1931, inclusive; and

BE IT FURTHER RESOLVED:

That corresponding items in the budget of the Construction Engineers Department be allowed to revert to the unappropriated cash balance.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford,