

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, January 3, 1929.

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.

The Minutes of the last meeting were read, and Councilman Mueller moved the adoption of same. 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.

Mayor McFadden laid before the Council the following resolution:

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

THAT the sum of \$25,639.25 be transferred from the Water & Light Fund to the Airport Bond Fund, for the purpose of paying the consideration for the purchase of 146.51 acres of land out of the Thomas Hawkins Survey in Travis County, Texas, from J. Bascom Giles and Effie Dean Giles, husband and wife, said land being purchased for the purpose of an airport; and that said sum be appropriated out of said Airport Bond Fund for the above purpose, and that a warrant issue therefor, payable to J. Bascom Giles and Effie Dean Giles, and be delivered to said parties, upon the delivery by them of their general warranty deed to said property, free from all liens and incumbrances; and whereas, said property being purchased for an Airport site, said amount of money shall be repaid to the Water & Light Fund, upon the collection of any proceeds from the sale of airport bonds, which have heretofore been authorized.

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

Mayor McFadden laid before the Council the following resolution:

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

THAT the sum of \$1,900.00 be transferred from the Water & Light Fund to the Street Improvement Bond Fund, for the purpose of paying the consideration for the purchase of the N. 1/2 of Lot No. 2, in Block No. 6, of Christian and Fellman Addition to the City of Austin, in Travis County, Texas, from O.M. Smith, said land being purchased for the purpose of improving the street adjacent to said premises; and that said sum be appropriated out of said Street Improvement Bond Fund for the above purpose, and that a warrant issue therefor, payable to O. M. Smith, and be delivered to said party, upon the delivery by him of his general warranty deed to said property, free from all liens and incumbrances; and whereas, said property being purchased for the purpose of improving said street, said amount of money shall be repaid to the Water & Light Fund, upon the collection of any proceeds from the sale of Street Improvement Bonds, which have heretofore been authorized.

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

Mayor McFadden laid before the Council the following resolution:

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

THAT the sum of Two Thousand, Five Hundred Dollars (\$2,500.00)

be and the same is hereby transferred from the Water & Light Fund and credited to the Street Improvement Bond Fund; said amount to be repaid the Water & Light Fund out of proceeds from the sale of Street Improvement Bonds to be made at a later date.

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

Mayor McFadden laid before the Council the following resolution:

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

That the sum of One Thousand Dollars (\$1,000.00) be and the same is hereby transferred from the Water & Light Fund and credited to the Sanitary Sewer Bond Fund; said amount to be repaid the Water & Light Fund out of proceeds from the sale of Sanitary Sewer Bonds to be made at a later date.

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

Mayor McFadden laid before the Council the following resolution:

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

THAT the fines in each of the following cases having been paid in cash, the costs, amounting to \$10.80, in each of the following cases, be and the same are hereby remitted:

No.25346-N.A.Barker -	Parking Auto on Paved Street between Midnight & 5:00A.M.
No.25347-Bruce Rogers-	" " " " " " " " " "
No.25348-Will Jackson -	" " " " " " " " " "
No.25349-W.A.Loughery -	" " " " " " " " " "
No.25350-John Gunn -	" " " " " " " " " "
No.25351-L.M.Gary -	" " " " " " " " " "
No.25352-L.B.Shaw -	" " " " " " " " " "
No.25353-A.C.Reed -	" " " " " " " " " "
No.25354-J.B.Natone -	" " " " " " " " " "
No.25355-J.L.Smith -	" " " " " " " " " "
No.25356-Bill Hamilton -	" " " " " " " " " "
No.25357-J.D.Luttrell-	" " " " " " " " " "
No.25361-J.N.Weatherby-	" " " " " " " " " "
No.25375-I.C.Childress -	" " " " " " " " " "
No.25387-W.E.Simms -	" " " " " " " " " "
No.25388-J.G.Gooch -	" " " " " " " " " "
No.25389-Monte Warren -	" " " " " " " " " "
No.25392-M.M.Jester -	" " " " " " " " " "
No.25397-T.C.Moody -	" " " " " " " " " "
No.25407-H.G.Newton -	" " " " " " " " " "
No.25408-Robt. M.Smith -	" " " " " " " " " "
No.25409-R.F.Walker -	" " " " " " " " " "
No.25410-C.E.James -	" " " " " " " " " "
No.25411-W.H.Munger -	" " " " " " " " " "
No.25412-E.H.Gatling -	" " " " " " " " " "
No.25413-K.N.Hapgood -	" " " " " " " " " "
No.25418-R. Summers -	" " " " " " " " " "
No.25419-Andres Guerra-	Parking Auto on Paved Street between Midnight & 5:00 A.M.
No.25420-John Carlston -	One Hour Parking
No.25422-Henry Booth -	Parking Auto on Paved Street between Midnight & 5:00 "
No.25424-K.M.Quevedeos-	" " " " " " " " " "
No.25426-Herbert Gore -	" " " " " " " " " "
No.25427-C.E.Roselle -	" " " " " " " " " "
No.25430-Loman Tipton -	One Hour Parking
No.25453-Royce Pember -	" " " " " " " " " "
No.25454-A.O.Williams -	Double Parking Auto
No.25455-Herbert Ash -	Parking Auto across Sidewalk
No.25456-W. A. Boyles -	" " " " " " " " " "
No.25457-W. F. Young-	Parking Auto on Paved Street between Midnight & 5:00 A.M.
No.25459-A. H. Younger-	Hour Parking
No.25468-M. O. Roos -	Parking Auto in Alley within Prohibited Zone
No.25428-J. G. Mason -	Parking Auto on Paved Street between Midnight & 5:00 A.M.
No.25429-Frank H.Reager,Jr	" " " " " " " " " "
No.25469-F.H.George	Parking Auto across Sidewalk
No.25475-Marshall Walker-	Hour Parking
No.25476-S.S.Clark -	Parking Auto across Sidewalk
No.25483-M.K.Hopkins -	Parking Auto on Paved Street between Midnight & 5:00 A.M.

No.25484	- B.W.Bishop - Parking Auto across Sidewalk;
No.25485	- O. H. Slater - " " " " " "
No.25486	- B. S. Dickinson - One Hour Parking;
No.25490	- Mrs. Harris Gardiner - Parking Auto within Prohibited Zone;
No.25491	- Dorothy Russell - One Hour Parking;
No.25493	- F. W. Richter - " " " " " "
No.25118	- Mrs. Otis Harris -Parking Auto within Prohibited Zone;
No.25119	- T. N. Roach - " " " " " "
No.25520	- Land Dunbar - " " " " " "
No.25521	- J. H. Jones - " " " " " "
No.25522	- L. Strassburger - Parking " " " " " "
No.25526	- George Elliott - Parking Auto on Paved Street between Midnight & 5:00A.M.
No.25527	- C. H. Huddleston - " " " " " " " " " "
No.25535	- C. J. Henry " " " " " " " " " "
No.25536	- D. O'Brien - " " " " " " " " " "
No.25537	- I. O. Childress - " " " " " " " " " "
No.25538	- R. L. Conrod - " " " " " " " " " "
No.25539	- Jon Sanchez - " " " " " " " " " "
No.25540	- Robt. Boykin - " " " " " " " " " "
No.25541	- A. Lassburg - " " " " " " " " " "
No.25543	- O.K. Garage - " " " " " " " " " "
No.25544	- Henry Pannell - " " " " " " " " " "
No.25545	- O. H. Cook - Parking Auto within Prohibited Zone
No.25546	- Bill Dickey - Parking Auto on paved Street between Midnight & 5:00A.M.
No.25548	- Ned Barker - " " " " " " " " " "
No.25549	- Albert Searoy - Parking Auto within Prohibited Zone
No.25550	- T. O. Criswell - Parking Auto on paved Street between Midnight & 5:00A.M.
No.25551	- Richard Dawson - " " " " " " " " " "
No.25553	- Leslie Stewart - " " " " " " " " " "
No.25554	- John Takades - " " " " " " " " " "
No.25555	- Ned Barker - " " " " " " " " " "
No.25556	- R. O. James - " " " " " " " " " "
No.25557	- J. B. Moore - One Hour Parking
No.25558	- E. W. Anderson - " " " " " " " " " "
No.25559	- G. P. Benbow - Parking Auto on paved Street between Midnight & 5:00A.M.
No.25565	- W. D. Von Kennell - One Hour Parking
No.25566	- Walter Doney - Parking Auto on paved Street between Midnight & 5:00A.M.
No.25567	- E. J. Palm - One Hour Parking
No.25569	- W. E. Grier - Parking Auto within Prohibited Zone
No.25570	- Ed C. Plumley - " " " " " " " " " "
No.25571	- John Zealey - Parking Auto on Paved Street between Midnight & 5:00A.M.
No.25578	- P.K. Odiorne - Parking Auto in Alley
No.25579	- R. F. Howard - Hour Parking
No.25580	- T. J. Henderson - " " " " " " " " " "
No.25581	- Robt. Breeding - " " " " " " " " " "
No.25582	- Miss Ruby Terrell - " " " " " " " " " "
No.25583	- J. R. Meyer - " " " " " " " " " "
No.25594	- P. K. Odiorne - " " " " " " " " " "
No.25598	- W. H. Henson - " " " " " " " " " "
No.25599	- Geo.M. Williams - " " " " " " " " " "
No.25602	- Mrs. W.D. Smith - " " " " " " " " " "
No.25603	- D. T. Smith - " " " " " " " " " "
No.25614	- J. M. Gordon - " " " " " " " " " "
No.25615	- E.E. Berryman - " " " " " " " " " "
No.25616	- R.W. Peckham - " " " " " " " " " "
No.25617	- D. D. Mimms - " " " " " " " " " "
No.25618	- Bert Doyle - " " " " " " " " " "
No.25619	- Geo.W. Phillips - " " " " " " " " " "
No.25624	- Ben Connolly - Parking Auto within Prohibited Zone
No.25625	- J. Spencer - Hour Parking
No.25635	- Mike Alamo - " " " " " " " " " "
No.25636	- Mrs. R.P. Darn - " " " " " " " " " "
No.25637	- E. L. Odiorne - " " " " " " " " " "
No.25638	- Wm. F. Goff - " " " " " " " " " "
No.25639	- Alden Davis - " " " " " " " " " "
No.25640	- Howard Stacy - " " " " " " " " " "
No.25641	- Chester Tennon - " " " " " " " " " "
No.25654	- Julian Torrez - " " " " " " " " " "
No.25655	- E. K. Eiffler - " " " " " " " " " "
No.25660	- J. G. Coleman - " " " " " " " " " "
No.25682	- R. F. Richter - " " " " " " " " " "
No.25683	- R. W. Button - " " " " " " " " " "
No.25684	- W. M. Swenson - Parking Auto within Dead Line
No.25685	- J. Novy - Hour Parking
No.25691	- R. Renshaw - Parking Auto within Dead Line
No.25693	- Arthur Nolting - " " " " " " " " " "
No.25694	- Joe Stealey - Parking double in Street
No.25719	- M. K. Manz - Hour Parking
No.25720	- F. G. Von Rosenberg - " " " " " " " " " "
No.25721	- E. M. Greathouse - " " " " " " " " " "
No.25722	- Henry Hays - " " " " " " " " " "
No.25723	- E. G. Moorehead - " " " " " " " " " "
No.25724	- E. E. Bustin - " " " " " " " " " "
No.25725	- Chas. H. Ravy - " " " " " " " " " "
No.25726	- H. W. Hauffe - Parking Auto on Paved Street between Midnight & 5:00A.M.
No.25727	- Jno. W. Woods - " " " " " " " " " "
No.25728	- Tom Henry - " " " " " " " " " "
No.25729	- C. R. Cato - Hour Parking
No.25730	- D. S. Bassist - Parking Auto on Paved Street between Midnight & 5:00A.M.
No.25731	- J. P. Nelson - Hour Parking
No.25733	- Mack Saxon - Parking Auto on Paved Street between Midnight & 5:00A.M.
No.25734	- R. M. Gladstone - " " " " " " " " " "

No. 25735 - Meyer Katz - Parking Auto on paved Street between Midnight & 5:00 AM
 No. 25736 - P. K. Daniel - " " " " " " " " " " " "
 No. 25737 - A. N. McCallum, Jr. - One Hour Parking
 No. 25738 - Frank Garcia - Parking Auto on paved Street between Midnight & 5:00 A.M.
 No. 25739 - E. E. Pevehouse - " " " " " " " " " " " "
 No. 25740 - J. A. Mobley - " " " " " " " " " " " "
 No. 25749 - M. E. Peal - " " " " " " " " " " " "
 No. 25750 - R. Stubbs - One Hour Parking
 No. 25751 - Paul Williams - Parking Auto on paved Street between Midnight & 5:00 A.M.
 No. 25752 - A. L. Purcell - " " " " " " " " " " " "
 No. 25753 - Atello Franzetti - " " " " " " " " " " " "
 No. 25754 - J. R. Padgett - One Hour Parking
 No. 25755 - J. H. Pollard - Parking Auto on paved Street between Midnight & 5:00 A.M.
 No. 25756 - Dan Covert - Parking Auto in Alley in Prohibited Zone;
 No. 25758 - Robert McGaugh - Parking Auto on paved Street between Midnight & 5:00 A.M.
 No. 25759 - B. S. Dickerson - One Hour Parking;
 No. 25760 - T. L. Ragsdale - One Hour Parking;
 No. 25761 - J. D. Dillingham - Parking Auto in Prohibited Zone;
 No. 25762 - R. J. Burch - Parking Auto on paved Street between Midnight & 5:00 A.M.
 No. 25763 - Elnora Hamby - " " " " " " " " " " " "
 No. 25767 - N. B. Forest - " " " " " " " " " " " "
 No. 25769 - E. H. Perry - One Hour Parking
 No. 25773 - A. N. McCallum - One Hour Parking
 No. 25775 - Fred W. Adams - One Hour Parking
 No. 25776 - A. L. Tracy - Parking Auto on paved Street between Midnight & 5:00 A.M.
 No. 25777 - J. E. Simmons - " " " " " " " " " " " "
 No. 25778 - F. R. Shelton - One Hour Parking
 No. 25779 - M. K. Manz - Parking Auto in Alley in Prohibited Zone
 No. 25780 - W. B. Wardlow - One Hour Parking
 No. 25781 - Robert Kneer - Parking Auto on paved Street between Midnight & 5:00 A.M.
 No. 25785 - Howard Lee - " " " " " " " " " " " "
 No. 25788 - Knappner - One Hour Parking
 No. 25789 - N. F. Battello - Parking Auto on paved Street between Midnight & 5:00 A.M.
 No. 25790 - A. B. Taylor - " " " " " " " " " " " "
 No. 25792 - B. F. Thielepape - One Hour Parking
 No. 25793 - Bob Lang - Parking Auto on paved Street between Midnight & 5:00 A.M.
 No. 25807 - John Ferris - One Hour Parking
 No. 25808 - Y. Martinez - Parking Auto on paved Street between Midnight & 5:00 A.M.
 No. 25809 - F. G. Roessner - One Hour Parking
 No. 25810 - P. H. Flynn - Parking Auto on paved Street between Midnight & 5:00 A.M.
 No. 25811 - G. B. Ballister - One Hour Parking
 No. 25813 - Roy Deen - One Hour Parking
 No. 25814 - L. H. Crawford - Parking Auto on paved Street between Midnight & 5:00 A.M.
 No. 25816 - Herbert Ash - One Hour Parking
 No. 25817 - H. M. Lister - " " " " " " " " " " " "
 No. 25821 - A. L. Russell - " " " " " " " " " " " "
 No. 25822 - W. L. Bradfield - " " " " " " " " " " " "
 No. 25823 - R. D. Hale - " " " " " " " " " " " "
 No. 25824 - H. R. Burgstrom - " " " " " " " " " " " "
 No. 25827 - O. Crump - " " " " " " " " " " " "
 No. 25832 - L. A. Moritz - " " " " " " " " " " " "
 No. 25833 - W. S. Hughs - " " " " " " " " " " " "
 No. 25848 - W. N. Patterson - " " " " " " " " " " " "
 No. 25852 - R. J. Hank - " " " " " " " " " " " "

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

Mayor McFadden laid before the Council the following resolution:

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council a tentative map or plan showing the construction of an underground conduit in the City of Austin in the street hereafter named, and said map or plan has been considered by the City Council; therefore,

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

THAT the Southwestern Bell Telephone Company be, and the same is hereby permitted to lay its underground conduit in the following streets:

An underground conduit on East 7th Street beginning at a point 11 feet north of and 5.5 feet east of the intersection of the south line of East 7th Street and the west line of the alley between Brazos Street and Congress Avenue;

Thence easterly along a line 11 feet distant from and parallel to the south line of East 7th Street to the west line of Brazos Street;

That the work and laying of said underground conduit, including the excavation in the streets and the restoration and maintenance of said streets, curbs and walks after said pole lines have been constructed, shall be under the supervision and direction of the City Manager.

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

Mayor McFadden laid before the Council the following resolution:

WHEREAS, L. H. Lacey Company is the contractor for the construction of a building for the Driskill Hotel Company to be situated on the west part of Lots 7 and 8, in Block 69, City of Austin, and desires to occupy a portion of the street and alley abutting said premises during said construction, to be used in the work and for the storage of materials therefor; therefore,

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

1. That space for the uses hereinabove enumerated be granted to said L.H.Lacey Company, the boundaries of which are defined as follows: Beginning on the north property line of Lot 7, Block 69, at a point 80 feet east of the east alley line of the alley located between and parallel to Brazos Street and Congress Avenue; thence in a northerly direction 33 feet to a point; thence in a westerly direction a distance of 95 feet to a point; thence in a southerly direction a distance of 5 feet to a point; thence in a southwesterly direction to meet the west line of the alley at a point 10 feet north of the south line of East 7th Street; thence in a southerly direction along the west alley line a distance of 153 feet; thence in an easterly direction to the east line of the alley; thence in a northerly direction along the east alley line to the south line of East 7th Street; thence in an easterly direction to the point of beginning.

2. That the above privileges and allotments of space are granted to said L. H. Lacey Company, hereinafter termed "contractor" upon the following express conditions:

(1) That Contractor shall erect and maintain continuously in good condition during the use of the space hereby allotted, at and along the east and west boundaries of the working space on the East 7th Street front and at and along the south boundary of alley working space, a substantial solid board fence, at least eight feet in height, of such a permanent nature that it can be removed only by wrecking.

(2) The Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted, at and along the north boundary of the allotted working space, a board walk not less than four feet in clear width, with walls on each side thereof and with a roof not less than 3 feet in height above the walk level. The floor of said walk shall be not less than 6 inches nor more than 12 inches above the street pavement, and shall be constructed of at least 2 inch thick boards supported with a sufficient number of joists to prevent sagging. The inside wall of said walk shall be boarded solid with at least 3/4 inch boards from the floor to the roof; and the outside wall of said walk shall be boarded solid with at least 3/4 inch boards to a height of 4 feet above the walk floor. The roof over said walk shall be constructed with not less than 2 inch thick boards, supported by 2 x 6 rafters not more than 4 feet on centers, these to be supported by 4 x 4 posts, and a covering of roofing paper or similar material shall be placed over the boards comprising the roof.

(3) The Contractor shall maintain in the west fence of the East 7th Street working space an opening, eight feet in width, for the ingress and egress of trucks and materials; and he shall install at and in said opening a door of the sliding type, which shall not swing out toward the street, and shall maintain a guard at this opening at all times when the door is open, or when a 2" x 4" wood bar, three feet above the paving level, is not in place across the opening, for

the purpose of warning pedestrian traffic of moving trucks; and provided, further, that all vehicular traffic entering said opening shall approach same from Congress Avenue, and in emerging from said enclosure such traffic shall proceed only easterly on East 7th Street, or shall proceed through the working space along the alley in a southerly direction.

(4) The Contractor shall maintain in the south fence of the alley space hereby allotted, an opening, eight feet in width, for the ingress and egress of trucks and material; and he shall install at and in said opening a door of the swinging or sliding type, and he shall maintain a guard at this opening at all times when the door is open, for the purpose of keeping pedestrians from entering the construction site; and provided that all vehicular traffic entering said opening shall leave same by backing out or by proceeding through the door in the west fence of the barrier and in emerging from this, turn to the right and proceed east on East 7th Street.

(5) The contractor shall install 4 fifty-watt lights equally distributed along the ceiling of the walkway and shall install the red light on the outside wall at each end of the walkway and on any other portion of the walkway projecting into the street in such a manner as to present a hazard to vehicular traffic. These lights shall be kept burning during all periods of darkness.

(6) The contractor is allowed to place and maintain a work office and dressing room in the east end of the working space allotted on East 7th Street.

(7) No vehicles shall be unloaded by the Contractor while parked either on East 7th Street or in the alley outside of the allotted working space.

(8) The contractor is allowed to construct a temporary curb along the west and north boundaries of said premises and within the allotted working space; but must restore, to the satisfaction of the City Manager, any part of the pavement that may be removed or cut before completing his work.

(9) The contractor, during his occupancy and use of the space hereby allotted, must take care of the storm water on East 7th Street and in the alley, by adequate provision and to the satisfaction of the City Manager.

(10) The City will install, at the contractor's expense, three rubber "KEEP TO THE RIGHT" signs in the street opposite said enclosed space.

(11) The contractor, as a condition precedent to the use of privileges herein granted, shall make sufficient bond in the sum of Fifteen Thousand Dollars (\$15,000.00) to guarantee the reconstruction of a sidewalk, pavement, public utilities, and guard rail adjacent to said premises according to grades, lines, and specifications satisfactory to the City Manager, and to indemnify the City of Austin against all damages to persons, or property, arising by virtue of the privileges hereinabove granted.

(12) The Contractor must remove all fences, barricades, walks, materials, and other obstructions from the street and alley immediately after the necessity for their existence in said street and alley has ceased, such time to be determined by the City Manager, and shall restore said street and alley to as good condition as same existed before the use of space granted to the contractor.

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

Mayor McFadden laid before the Council the following resolution:

WHEREAS, L. H. LACEY COMPANY is the contractor for the construction of a building for Driskill Hotel Company, to be situated on Lots 7 and 8 in Original Block 69, City of Austin, and the plans of said building contemplate the use of the space under the sidewalk on East 7th Street abutting on said property; and in order to effect such user, it will become necessary to excavate in and under the present sidewalk and to construct in lieu thereof another sidewalk adequate for pedestrian traffic; therefore,

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

(1) That L. H. Lacey Company, as the Contractor, and Driskill Hotel Company, as the owner of said building, be granted the privilege to excavate in and under the sidewalk on East 7th Street abutting Lots 7 and 8 in Original Block 69, City of Austin, to the proper depth contemplated in the plans and specifications of said building, and that thereafter said Driskill Hotel Company, as the owner of said building, and its successors and assigns, may occupy and use the space under said sidewalk, subject to the terms and limitations hereinafter set forth.

(2) That the above privileges are granted to said L. H. Lacey Company and to said Driskill Hotel Company upon the following express terms and conditions:

1. That said L. H. Lacey Company shall construct, in lieu of the sidewalk now existing at said place, a sidewalk in accordance with the present sidewalk and curb ordinances, in so far as applicable, and with lines to be furnished by the City Engineer, containing the width from the north property line of Lot 7 in Original Block 69, City of Austin, to the outer face of the curb as follows: the north face of the curb on the south side of East 7th Street opposite said Lot 7 shall be 30 feet south of and parallel to the established center line of East 7th Street.

2. That the sidewalk shall be constructed in accordance with the following specifications; The edge of the sidewalk adjacent to the building shall be supported with girders and columns of sufficient size and reinforcement to carry the dead weight of the sidewalk slab, a live load of 250 pounds per square foot over the sidewalk and any superimposed dead or live loads over said supporting girders and columns to the sidewalk or building foundation. The sidewalk shall be constructed of a reinforced concrete slab of at least 7 inches in thickness and reinforced with 5/8 inch round reinforcing bars, spaced not more than 6 1/2 inches center to center. The outside edge of the sidewalk shall be supported and the earth under the street held back with a reinforced concrete retaining wall, at least 12 inches in thickness and not more than 14 1/2 feet in height, measured from the top of the basement floor to the bottom of the sidewalk slab, and shall be reinforced with at least 3/4 inch round reinforcing bars, spaced not more than 12 inches center to center, and 1/2 inch round spacer bars, not more than 24 inches center to center, with at least two 3/4 inch round reinforcing bars in the base of the retaining wall, running parallel to it.

All dimensions and quantities of reinforced concrete and reinforcing steel in the above described construction are based upon the assumption that the concrete shall test at least 2,000 pounds per square inch in compressive strength

28 days after pouring, and that reinforcing steel shall test a sufficient tensile strength to give an allowable working stress of 18,000 pounds per square inch.

(3) That said L. H. Lacey Company will be required to change the sidewalk and retaining wall lines where, in the opinion of the City Engineer, it becomes necessary to do so, to allow any pipes, conduits, storm water intakes and the like to extend south of the East 7th Street curb line as set forth. Where the retaining wall is offset to pass around any of the above described pipes, conduits and storm-water intakes, a thickness of 12 inches in the wall shall be maintained, which same to be reinforced with 5/8 inch round reinforcing bars, spaced not more than 12 inches, center to center. Where the sidewalk slab passes over any pipes, conduits, storm-water intakes, and the like, the same shall be supported by beams or supporting members of ample size and proper reinforcement to carry the dead and live load anticipated in the sidewalk design to the footings or retaining wall foundations, without placing a strain upon any pipes, conduits, storm-water intakes, and the like.

(4) That the sidewalk herein specified and provided for shall be completed by said L. H. Lacey Company in accordance with said specifications, and to the full satisfaction and approval of the City Manager of the City of Austin, not later than September 1, 1929, and that same shall be opened for public traffic at such time thereafter as may be determined by the City Manager. If at any time before the sidewalks are constructed, the work of erecting the building is abandoned, said Driskill Hotel Company, by the acceptance and employment of the privileges herein granted, nevertheless is obligated to construct the sidewalk to completion within the time above specified and according to the above specifications, and according to his separate written agreement and bond with the City, irrespective of the fact that building activities may have ceased; and in event that building activities have ceased, said Driskill Hotel Company shall, in addition, construct a reinforced concrete guard rail not less than 4 1/2 feet in height along the north property line of said Lot 7 and along the west property line of Lots 7 and 8 in Block 69, the design of said guard rails to be approved by the City Manager.

(5) That the use and enjoyment of the space herein granted shall not be exclusive as against public needs, and the City, in making such grant, reserves the right to enter and occupy any part or all of said space at any time with its public utilities or for other necessary public purposes.

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

The Council authorized City Manager Johnson to advertise the houses located on the property recently acquired by the City for a public market site for sale to the highest bidder, with right to reject any or all bids.

Councilman Pannell 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 Steck, 4; nays, none. Councilman Reed absent.

The Council then recessed.

Approved: *L. M. McFadden*
Mayor.

SPECIAL MEETING OF THE CITY COUNCIL:

Austin, Texas, January 9, 1929.

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

Councilman Pannell moved that, based upon the report submitted by the U.G.I. Contracting Company, the City of Austin, acting by and through its City Manager, enter into a contract with said firm for the installation of a new unit to the City's power plant, such contract to be satisfactory to the City Attorney and City Manager; and that the City Attorney be directed to prepare a resolution covering the matter and submit same to the City Council. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, Councilman Reed, who stated that he voted nay for the reason that such action is contrary to his best judgment, but that since a majority of the City Council have voted in favor of same, he will co-operate in every way toward the success of the project.

Councilman Mueller moved that the Council recess, subject to call of the Mayor. 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.

The Council then recessed.

Approved: *L. M. McFadden*
Mayor.