

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, January 10, 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.

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

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 Ten Thousand Eight Hundred Sixty Dollars and Seventy-five Cents (\$10,860.75) be and the same is hereby transferred from the Water and Light Fund and credited to the following bond funds; this amount to be repaid said Water and Light Fund out of the proceeds from the sale of bonds recently made:

To Street Improvement Bond Fund -----	\$ 2,500.00
To Sanitary Sewer Bond Fund -----	1,000.00
To Parks & Playgrounds Bond Fund -----	6,000.00
To Airport Bond Fund -----	1,360.75
Total -	\$10,860.75

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

A petition signed by the residents and property owners on West 33rd Street, asking for a larger water main on said street, was read, and Councilman Pannell moved that the petition be referred to A. R. Davis, Superintendent of Water Distribution, for attention and report to the Council. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, Austin Gas 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 Austin Gas Company be and the same is hereby permitted to lay and construct gas mains in and under the following streets:

(1) A 4 inch gas main on Red River Street, beginning at a point 40 feet south of and 26 feet west of the intersection of the south line of East 22nd Street and the east line of Red River Street.

Thence northerly on Red River Street along a line 26 feet distant from and parallel to the east line of Red River Street to the north line of East 22nd Street, said gas line to have a cover of not less than 1 1/2 feet.

(2) A 4 inch gas main on East 22nd Street, beginning at a point 30 feet north of and 26 feet west of the intersection of the south line of East 22nd Street and the east line of Red River Street.

Thence westerly on East 22nd Street along a line 30 feet distant from and parallel to the south line of East 22nd Street to the west line of Neches Street, said gas line to have a cover of not less than 1 1/2 feet.

(3) A 4 inch gas main on Neches Street, beginning at a point 30 feet north of and 23 feet west of the intersection of the south line of East 22nd Street and the east line of Neches Street;

Thence southerly along a line 23 feet distant from and parallel to the east line of Neches Street to the north line of East 21st Street, said gas main to have a cover of not less than 1 1/2 feet.

(4) A 4 inch gas main on West 44th Street, beginning at a point 23.5 feet north of and 25 feet east of the intersection of the south line of West 44th Street and the west line of Avenue "D";

Thence westerly on West 44th Street along a line 23.5 feet distant from and parallel to the south line of West 44th Street to the east line of Avenue "C", said gas main to have a cover of not less than 1 1/2 feet;

(5) A 4 inch gas main on East 38 1/2 Street or Terrell Street, beginning at a point 32 feet north of and 18 feet west of the intersection of the south line of East 38 1/2 Street and the east line of Duval Street;

Thence easterly on East 38 1/2 Street along a line 32 feet distant from and parallel to the south line of East 38 1/2 Street to the west line of Barrow Street, said gas main to have a cover of not less than 1 1/2 feet.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

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

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 25 feet west of the west line of Brazos Street and on the south line of East 7th Street;

Thence northerly to a point on the north side of East 7th Street, said point being 30 feet west of 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, Reed, and Steck, 5; nays, none.

A report from the City Engineer and Consulting Engineer with reference to bids received for an excavating machine for the City of Austin was read, and Councilman Reed moved that, in accordance with said report, the City Manager be authorized to purchase from the Browning-Ferris Machinery Company of Dallas one Byers Bearcat half-revolve excavating machine, with skimmer and ditcher scoops, at a cost of \$6,652.50; and that said amount be transferred from the Water & Light Fund to the Street Improvement Bond Fund in payment of same; this amount to be repaid the Water & Light Fund out of proceeds from the sale of bonds recently made. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

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 Nine Thousand (\$9,000.00) Dollars be transferred from the Water & Light Fund to the Street Improvement Bond Fund, for the purpose of paying the consideration for the purchase from Mrs. Auguste Ehlenfeld of Lot Number One (1), and the South one-half (1/2) of Lot Number Two (2), in Block Number Six (6), of Christian and Fellman's Addition to the City of Austin, in Travis County, Texas, 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 said Mrs. Auguste Ehlenfeld, and be delivered to said party, upon delivery by her of her general warranty deed to said property, free from all liens and incumbrances; and whereas, said property being purchased for the purpose of permanently 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, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, on November 28, 1928, the U. G. I. Contracting Company, in accordance with instructions contained in its certain contract, accepted September 15, 1928, submitted its report to the City Council, with reference to the needs for the improvement of the power facilities of the City, which report is on file in the office of the City Clerk and is made a part of this resolution for all pertinent purposes, and which report found that the City's requirements can be adequately taken care of to include the year 1933 by execution of the following development, at an estimated cost including all engineering and construction costs and compensation of \$460,000.00, to wit:

Install a new 7500 kw 80% power factor turbo generator designed for operation ultimately with steam at 400 pounds pressure and 700° total temperature, this unit to be operated for the time being with steam at 175 pounds pressure and 160° superheat supplied from the existing boilers in the new boiler plant.

Equip the present boilers in the new boiler plant with combination gas and oil burners of the forced draft type so that the boiler ratings may be sufficiently increased to carry the expected loads up to 1933. And

WHEREAS, the City Council has determined to undertake said improvements in accordance with the recommendations contained in said Report, and the U. G. I. Contracting Company has submitted its proposal to do said work, which proposal is in words, terms and figures as follows, to wit:

"December 24, 1928.

City of Austin,  
Austin, Texas.

We hereby propose to design and construct for you, the additions, changes and improvements in your Steam Electric Generating Station at Austin, Texas, as described in our report to you dated November 28, 1928, the estimated cost of which, including the cost of making this engineering study and report, is \$418,000.00.

1. SERVICE TO BE RENDERED.

With respect to this work we propose to act as your own Engineering, Construction and Purchasing Departments, being guided in all respects by such instructions as you may from time to time give us.

As Engineers, we will make all necessary engineering studies and determinations, recommend to you the type and character of equipment and of construction

required and prepare plans and specifications for equipment, material and construction work.

As Constructors, we will execute with our own forces the construction and install the machinery and equipment, sub-letting parts of the work when it is to your advantage to do so, and turn the completed work over to you ready for regular use.

As Purchasing Agents, we will purchase the necessary machinery, equipment and materials.

We will furnish at our own expense:

- (a) The service of the Executive officers of the Company who will direct and oversee the work performed under this agreement.
- (b) The service of the Construction Department in our Home Office.
- (c) The service of the Purchasing Department in our Home Office, which will assist in the purchase of the machinery, apparatus and materials.
- (d) The service of the Accounting and Auditing Departments in our Home Office.
- (e) All other expenses of our Home Office, excepting only the salaries of employees, and materials utilized, in the Engineering and Drafting Departments for your work.

## II. COMPENSATION.

You are to pay us for the services specified above a sum equal to 10% per cent of the "cost of the work" as defined in the next section, payments to be made at the end of each month in the same proportionate amount that the actual expenditures made during that month bears to the total estimated cost of the work, until 90% of the total is paid, the balance of 10% being payable on completion of the work. It is agreed that the total fee for the work recommended in our report shall not exceed the sum of \$42,000.00, but if material additions in the scope of the work are ordered by you, there shall be added to the amount of the fee a sum equal to 10% of the cost of the work added.

## III. COST OF THE WORK.

It is understood that "cost of the work" shall include the following items whether commitments or expenditures are made by you direct or by us for your account.

- (a) The cost of all materials, machinery, equipment and labor.
- (b) The cost, less salvage, of tools and construction equipment purchased and the rental of any equipment furnished or hired.
- (c) The cost, at salary rates, of men in the Engineering and Drafting Departments in our Home Office or in the field, in connection with the engineering or designing, the choice and purchase of materials and apparatus, and the inspection of the work, and our report to you dated November 28, 1928.
- (d) The cost of a works office, including the salaries and expenses of a superintendent of construction, an accountant, a purchasing agent, and such assistants as they may require; the cost of all field engineering and inspection; the expense of maintaining the works office.
- (e) The cost of insurance and any expense incurred in connection with any accident or damage to person or property.
- (f) Any travelling expenses or expenses of a similar character and any other expenditures we may make except for items specified in Section I, as furnished at our own expense.

## IV. DISBURSEMENTS.

We will make all payments for material, labor, equipment, services, etc. for your account from funds to be advanced to us by you for the purpose, giving you each month a detailed statement of expenditures during the previous month, supported by proper vouchers.

## V. PURCHASES AND CONTRACTS.

You will have as full control as you care to exercise of the purchase of materials and equipment and of the letting of such sub-contracts as may seem desirable.

All contracts and orders placed by us, payrolls and other obligations, shall be in your name, signed by us as Agents for you.

## VI. INSURANCE.

Unless otherwise directed by you, we will place insurance covering liability to the public and to employees engaged on this work, with limits of \$10,000 for any one person and \$20,000 for any one accident, unless Workmen's Compensation laws make it advisable to secure insurance in some other form or amount. The policies will be in the usual form.

If you so request, we will place insurance covering damage to the work, or any part of it, by fire.

#### VII. PROGRESS REPORTS.

We will render reports to you monthly showing the program of the work in its various parts and any changes that it may seem advisable to make in the estimates of cost or of time required for completion.

#### VIII. AUDIT.

Our correspondence, records, vouchers and books of account, in so far as work done or money expended under this agreement are concerned, will be always open to your inspection.

#### IX. ACCEPTANCE AND APPROVAL.

On acceptance of this proposition by you, and its approval by the President or a Vice-President of this Company it will constitute an agreement between us; therefore,

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 accept said proposal, which shall constitute the contract between the U.G.I. Contracting Company and City of Austin, for the performance of the above mentioned services and work.

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

Councilman Mueller moved that the City Manager be authorized to advertise the houses located on the property recently bought by the City for street purposes at Nineteenth Street and East Avenue for sale to the highest bidder, reserving the right to reject any or all bids. Motion was seconded by Councilman Reed and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

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, Reed, and Steck, 5; nays, none.

The Council then recessed.

Approved:   
Mayor.

#### SPECIAL MEETING OF THE CITY COUNCIL:

Austin, Texas, January 14, 1929,  
7:30 P. M.

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 following protesters were heard with reference to their assessments:

J. Rector Allen, representing E.M. Scarbrough & Sons;  
J. F. Springfield, President Austin Street Railway Co.

Councilman Mueller moved that as there were no other protesters to be heard, the Council go into executive session to consider the protests. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: