

an iron pipe stake; thence N. 66° 09' E. 122.05 feet to the place of beginning; provided that evidence of good title be shown to said described property in said parties, free from all liens and encumbrances, upon examination by the City Attorney.

BE IT FURTHER RESOLVED:

THAT the sum of Three Thousand (\$3000.00) Dollars be and the same is hereby appropriated out of the Street Improvement Bond Fund, for the purpose of paying said first named parties for said property, and that a warrant in said amount issue therefor and be delivered to said parties after approval of title to said property by the City Attorney, and the delivery by said parties of their general warranty deed to said property.

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

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: 
MAYOR.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 13, 1930.

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 Mayor announced that the regular order of business would be suspended and the Council would proceed to open bids received for storm and sanitary sewer construction work. The following bids were then opened and read:

McKenzie Construction Company
Dozier Construction Company
Dallas Construction Company
Central Contracting Company
The J. B. McGrary Company
Kirkwood, Wharton & Lee
W. G. Cullum & Company
Dellone Construction Company

The above bids were referred to H. R. F. Helland, Consulting Engineer for tabulation and report to the Council.

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.

The Mayor laid before the Council the following ordinance, which had been read the first time as amended at the last regular meeting and laid over:

AN ORDINANCE REGULATING TRAFFIC ON SIXTH STREET OF THE CITY OF AUSTIN, CUMULATIVE OF CERTAIN ORDINANCES HERETOFORE ORDAINED, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, AND PRESCRIBING PENALTIES.

The above ordinance was read the second time and Councilman Steck moved that same be tabled. Motion was seconded by Mayor McFadden, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following communication of Geo. G. Grant, Finance Director:

"Austin, Texas, March 13, 1930.

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

Dear Sir:

We shall require a net addition of \$7,000.00 in our sinking fund securities for the current year.

We have recently received quotations which will enable us to purchase City of Austin bonds at a price to yield $4\frac{1}{2}\%$ per annum.

Since our cash balance in the Sinking Fund, which draws interest at the rate of 3.2% per annum, will be more than sufficient to meet all the demands made upon it during the year, I respectfully suggest the purchase of \$10,000.00 of these, or similar bonds.

Very truly yours,

(Sgd) Geo. G. Grant,
Finance Director. "

Councilman Pannell moved that the City Manager be authorized to carry out the above recommendations of the Finance Director. 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 Mayor laid before the Council the following resolution:

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

That the sum of Five Thousand Dollars (\$5,000.00) be and is hereby appropriated out of the Water and Light Fund, for the purpose of placing same to the job account of the United Engineers & Constructors, Inc., to be used for the payment of labor and materials in connection with construction for the Water, Light and Power Department, under the terms of the contract between the City and said Company.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, 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 the sum of Two Hundred Eighty-three Dollars (\$283.00) be and the same is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of purchasing the following playground equipment, to be installed at Barton Springs:

1	#500 Merry Whirl - - - -	\$175.00
1	#176 Six-swing Outfit -	56.00
1	#181 Baby Swing - - - -	52.00
		<u>\$283.00</u>

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

A communication from Mrs. Forrest T. Morgan, President Albert Sidney Johnston Chapter U.D.C., indorsing the name of Sayers Park for the new park to be opened north of Kirby Hall, was read and ordered filed.

A written protest from Judge James R. Hamilton against the cutting of the large trees in front of his premises in the widening of Nueces Street was read and ordered filed.

The Mayor laid before the Council the following:

"Austin, Texas, March 13, 1930.

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

Dear Sir:

We, the members of the Safety Committee of the City of Austin, have investigated the application of Julian Pecina, owner in fee of Lots 22 and 23 in Outlot 12, Division "O" of the City of Austin, Government Outlots, for a permit to construct and operate a drive-in gasoline filling station on said lots to be located on East Fifth Street between Perdenales Street and Pleasant Valley Road.

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

- (1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building plans to be approved by the City Building Inspector.
- (2) That ceiling of that portion of the building that extends over driveways shall be covered with metal. Supports for portion extended over driveway to be supported by brick or reinforced concrete pillars.
- (3) That gasoline storage tanks and pumps and equipment used in connection therewith shall be of an approved type, and shall bear the label of the National Board of Fire Underwriters. All equipment to be installed in compliance with City and State regulations governing such installations. All equipment to be inspected and approved before being placed in service.
- (4) That gasoline pumps and other equipment used in connection with the operation of a gasoline filling station shall be so located that cars receiving service therefrom will not in any way obstruct the sidewalk, street or alleyway. The pumps shall be at least ten (10) feet inside the property line and all equipment shall be not less than thirty (30) feet from adjoining residence. That the length of all water hose shall be such that any water leaking from same cannot reach the city sidewalk area and that the length of all gasoline hose shall be such that a car desiring service cannot be served while any portion of said car is on the city sidewalk area.
- (5) That electric lights only shall be used for lighting purposes, and all electric wiring shall be done in compliance with regulations governing the wiring of gasoline filling stations, and shall be approved by the City Electrical Department.
- (6) That "No Smoking" signs shall be displayed at all times and no person shall be permitted to smoke or have any open flame on premises where gasoline is sold or stored.
- (7) That there shall be kept in an accessible place at all times a chemical fire extinguisher for emergency use.
- (8) That the grades of the station shall be such that no waste oil or water or any floor washing shall ever pass over the city sidewalk area and that all 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 or to a seep well on the property of the owner at the expense of the applicant. The applicant, however, is granted the option of constructing the interior of his station without concrete and without provision for the care of waste oils and waters, provided, however, that the interior of said station shall be so arranged that no waste oils or water would ever pass across the city sidewalk area, and that the applicant further, by accepting this permit, agrees to make connections with the city storm sewer or cease to operate his filling station if complaint is filed by the neighbors or the City Health Officer.
- (9) That the applicant shall remove all residence buildings so that same are not closer than 30 feet to the nearest gasoline pump before operating this station
- (10) That the owner shall construct all of the station and all pumps at the station in accordance with Plan 2-H-66.
- (11) That all adjacent walks, ramps, gutters and curbs shall be constructed of concrete before the station is used, and that all of such concrete sidewalks, ramps, gutters and curbs shall be constructed in accordance with Plan 2-H-66.

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

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

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

CITY SAFETY COMMITTEE

(Sgd) J. E. Woody, Fire Chief;
 R. F. Rockwood, Fire Marshal;
 Orin E. Metcalfe, City Engineer;
 L. A. Palmer, City Plumbing Inspector;
 Tom Neal, Traffic Police Captain."

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

THAT permission shall be granted, subject to the foregoing conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating drive-in stations or gasoline filling stations, in the event gasoline pumps are installed, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that Julian Pecina has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

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

The Mayor laid before the Council the following resolution:

WHEREAS, Lot 71, Fairview Park, Plat 126, is assessed in the name of T.H. Lockhart for the year 1929 at a valuation of \$505.00; and

WHEREAS, it appears from the attached affidavit of said T. H. Lockhart that said lot is of no greater value than Lot 68 in same block, which is assessed at \$310.00;

Therefore,

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

That in view of the above facts, the valuation on said above described lot be reduced from \$505.00 to \$310.00 for the year 1929 and the Tax Assessor and Collector be authorized to change his rolls accordingly,

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

The Mayor laid before the Council the following resolution:

WHEREAS, Frank Barron is the contractor for the construction of a garage building for Earl Simms to be situated on the east 40 feet of Lots 7 and 8, Block 42 of the Original City, City of Austin, desires a portion of the street space 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 Frank Barron, the boundaries of which are described as follows:

WORKING SPACE

Beginning on the south line of East Fifth Street at a point 40 feet west of the west line of Brazos Street; thence in a northerly direction a distance of 25 feet to a point; thence in an easterly direction and parallel to the center line of East Fifth Street a distance of 35 feet; thence in a southeasterly direction and along a line making a 45° angle with the center line of East Fifth Street to a point 26 feet east of the west line of Brazos Street; thence in a southerly direction and parallel to the center line of Brazos Street a distance of 86 feet to a point; thence in a westerly direction to the west line of Brazos Street; thence in a northerly direction along the west line of Brazos Street to its intersection with the south line of East Fifth Street; thence in a westerly direction along the south line of East Fifth Street to the point of beginning.

2. That the above privileges and allotments of space are granted to said Frank Barron, hereinafter termed "Contractor" upon the following express terms and conditions:

- (1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted along and inside of the East Fifth Street and Brazos Street working spaces a substantial walkway at least four (4) feet wide and four (4) feet high to be built according to the sketch marked Exhibit "A" hereto attached and made a part of this resolution.

- (2) That the Contractor shall be allowed to maintain an opening in the barrier around said space either in the east barrier on East Fifth Street or in the south barrier on Brazos Street; provided, that at all times when these portions of the barriers are opened there shall be a horizontal bar of not less than 2"x4" cross section placed across the openings to prevent pedestrians from coming into the building site.

- (3) That the Contractor shall be allowed to construct a temporary work office and store house within the Brazos Street working space.

- (4) That no vehicles shall be loaded or unloaded by the Contractor while parked on Brazos Street or East Fifth Street outside of the allotted working space.

- (5) That storm waters shall be taken care of by the Contractor on both East Fifth and Brazos Streets.

- (6) That any public utilities disturbed during the construction shall be replaced in as good condition as same existed when the work started.

- (7) That the Contractor shall place on the outside corners of his barrier during all periods of darkness, red lanterns or electric lights to warn traffic of the obstruction placed there.

- (8) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any persons or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalk, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

- (9) That the Contractor shall remove all fences, barricades, walks, materials and other obstructions in the streets immediately after the necessity for their existence

in said streets has ceased, such time to be determined by the City Manager. The Contractor shall restore said streets to as good condition as same existed before the use of the space hereby granted the Contractor.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, 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 4 inch low pressure gas main on West Ninth Street beginning at a point on an existing 4 inch gas main, which point of beginning is 13 feet east of and 22 feet south of the intersection of the west line of Baylor Street and the north line of West Ninth Street;

Thence in an easterly direction, 22 feet south of and parallel to the north line of West Ninth Street to a point on an existing gas main in Ruiz Street. Said gas main described above shall have a cover of not less than 2½ feet.

Be it understood that at least three days notice must be given the City Engineer before beginning actual construction on the gas main described above in order that lines and grades may be given.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

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

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

The Mayor laid before the Council report of the Southwest Bitulithic Company to the effect that they had completed the paving of West Fifteenth Street from the west line of Congress Avenue to the east line of West Avenue in accordance with their contract; also, recommendation of H. R. F. Helland, Consulting Engineer, that said paving be accepted.

The Mayor then laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET IMPROVEMENTS CONSTRUCTED BY SOUTHWEST BITULITHIC COMPANY ON A PORTION OF WEST 15TH STREET IN THE CITY OF AUSTIN, PROVIDING FOR PAYMENT OF ANY BALANCE DUE BY THE CITY FOR ITS PORTION OF THE COSTS OF SAID IMPROVEMENTS AND FOR THE DELIVERY OF CERTIFICATES OF ASSESSMENTS AGAINST ABUTTING PROPERTY AND ITS OWNERS.

WHEREAS, on the 19th day of April, 1929, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

WEST FIFTEENTH STREET from the west property line of Congress Avenue to the east property line of West Avenue, known as District or Unit No. 17; and

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

Therefore,

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

1.

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

2.

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.

3.

That this resolution take effect at once.

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

The Mayor laid before the Council report of H. R. F. Helland, Consulting Engineer, advising that the Southwest Bitulithic Company has completed the paving of Guadalupe Street from the north line of Fifth Street to the south line of Sixth Street in accordance with their contract, and recommending the acceptance of same.

The Mayor then laid before the Council the following resolution:

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

WHEREAS, on the 19th day of April, 1929, 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:

GUADALUPE STREET from the north property line of West 5th Street to the south property line of West 6th Street, known as District or Unit No. 22; and

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

Therefore,

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

1.

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

2.

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.

3.

That this resolution take effect at once.

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 butchers and meat market men of the City, protesting against the leasing of the City's abattoir to any out-of-town person or corporation, was read and ordered filed.

City Manager Johnson submitted to the Council his annual report for the year 1929. Councilman Reed moved that the report be received and that the City Manager be authorized to have twelve hundred copies of same printed for distribution, in accordance with his suggestions. Motion was seconded by Mayor McFadden, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the report of the Southwest Bitulithic Company to the effect that they had completed the paving skip on Rio Grande Street abutting the property of Judge Wm. Blakeslee and asked for a formal acceptance of same. The report was received and filed.

Councilman Pannell moved that the Council recess until 3:30 P.M. 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.

AFTERNOON SESSION OF THE CITY COUNCIL:

Austin, Texas, March 23, 1930.

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

H. R. F. Helland, Consulting Engineer, submitted a tabulation of the bids on storm and sanitary sewer construction received at the morning session.

After a consideration of the above bids, Councilman Mueller moved that the following bids for sanitary sewer construction be accepted as the lowest and best bids:

Contract #7 - Kirkwood, Wharton & Lee -	in the amount of	\$39,568.10;
Contract #8 - Dallas Construction Co. -	" " " "	\$15,701.70;
Contract #9 - Kirkwood, Wharton & Lee -	" " " "	\$27,612.25;
Contract #11 - W. G. Cullum Co. -	" " " "	\$4,547.50;

and that the City Manager be authorized to enter into contracts with said firms for said work at the prices stated. 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.

Councilman Mueller moved that the following bids for storm sewer construction be accepted as the lowest and best bids:

Contract #11 - Dallas Construction Co. -	in the amount of	\$11,875.00;
Contract #12 - Dellone Construction Co. -	" " " "	\$32,271.90;
Contract #13 - Dallas Construction Co. -	" " " "	\$13,688.35;
Contract #14 - Dallas Construction Co. -	" " " "	\$9,249.60;

and that the City Manager be authorized to enter into contracts with said firms for said work at the prices stated. 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.

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, and Steck, 4; nays, none; Councilman Reed absent, 1.

The Council then recessed.

Approved: O. H. McFadden
M a y o r .