

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, May 23, 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 Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The following bids for City Treasurer were opened and read:

Eldred McKinnon - 3.51% interest on daily balances, 6% interest on overdrafts, and a commission of \$1.00 per thousand dollars on payment of bonds, and \$1.25 per thousand dollars on payment of interest coupons;

Morris Hirschfeld - 2 1/4% interest on daily balances, 6% interest on overdrafts, and a commission of \$2.50 per thousand dollars each on payment of bonds and interest coupons;

Theodor Low - 3.80% interest on daily balances, 5% interest on overdrafts, and no commission on payment of bonds and interest coupons;

A. C. Bull - 3.58% interest on daily balances, 6% interest on overdrafts, and a commission of \$1.00 per thousand dollars each on payment of bonds and interest coupons.

Councilman Reed moved that the bid of Theodor Low being the most favorable to the City, the said Theodor Low be elected City Treasurer for the ensuing two years, under the terms and conditions set forth in said bid. 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 above bid of Theodor Low as accepted by the Council is here copied in full:

"Austin, Texas, May 23, 1929.

THE CITY COUNCIL,  
Austin, Texas.

Gentlemen:

In accordance with your proposal for bids for the office of City Treasurer of the City of Austin, Texas, I submit the following bid:

If elected City Treasurer, I agree as follows:

1. To pay interest on average daily balances of all funds of the City of Austin, at the rate of 3.80% per annum, said interest to be paid monthly as it accrues.
2. To advance to the City of Austin such funds as it may require in the way of temporary overdrafts, warrants, etc., at the rate of 5% per annum, said interest to be payable monthly as it accrues.
3. To remit to and pay in the City of New York, to the holders of bonds of the City of Austin, such funds of the City of Austin as are necessary to meet said bonds and their interest coupons as they become due and payable, at the rate NO% per Thousand Dollars on bonds paid, and at the rate of NO % per Thousand Dollars on interest coupons paid.
4. To furnish to the City of Austin good and sufficient bond, with corporate surety, in such amount as the City Council may require and approve, provided, however, that said bond shall be for a sum not less than Seventy-five Thousand (\$75,000.00) Dollars, as provided in Article VII, Section 16, of the City Charter of the City of Austin; or, in lieu of the requirement to furnish bond of a greater amount than Seventy-five Thousand (\$75,000.00) Dollars, and in addition to said bond of Seventy-five Thousand (\$75,000.00) Dollars, as greater security than said bond of Seventy-five Thousand (\$75,000.00) Dollars for funds of the City deposited with me, I shall be allowed, and if I should make such election, must invest for the City of Austin said funds, except such amount as may be required in the conduct of the business of City, in government and municipal securities acceptable to and approved by the City Manager, and in such event, I will securely keep said securities, and will re-sell, upon demand of the City Manager, from time to time, said securities, as funds are required by the City of Austin in the conduct of its business; and I will be responsible and liable for any loss that may occur by reason of any purchase by me of said securities; and I shall receive as consideration for my services in investing such funds and in keeping and re-selling said

securities, all interest and profits on said securities purchased and held for the City of Austin by me.

If I should elect, as City Treasurer, to invest the funds of the City as above provided, it will be understood that for the purpose of computing daily balances and interest thereon, all securities of the City so held by me shall be taken and considered as that much cash, calculated at the purchase price of said securities as paid by me with the funds of the City of Austin.

(Sgd) Theo. Low. "

The Proposal on which the above bid of Theo. Low was made, and which Proposal was published in the Austin Statesman on May 11th, 12th, and 13th, 1929, as required by the City Charter, is here copied in full:

**"PROPOSAL FOR BIDS FOR OFFICE OF CITY TREASURER OF THE CITY OF AUSTIN, TEXAS:**

Sealed bids for the office of City Treasurer of the City of Austin, Texas, for the term of two years, will be received by the City Council, at the City Hall, until 10:30 A. M. on the 23rd day of May, 1929.

The highest rate of interest on average daily balances of all funds and securities of the City of Austin deposited with and held by the City Treasurer, the rate of interest to be charged the City for temporary overdrafts, warrants, etc., the expenses to be charged for the payment of bonds and interest coupons in the City of New York, and the value of the bond tendered shall be the criteria in awarding said office.

The successful bidder, as City Treasurer, will be required to furnish to the City of Austin good and sufficient bond, with corporate surety, in at least the amount of Seventy-five Thousand (\$75,000.00) Dollars in any event, and in such greater amount as the City Council may from time to time require as may become necessary to protect the funds of the City deposited with him; or, in lieu of the requirement to furnish bond of a greater amount than \$75,000.00, and in addition to said bond of \$75,000.00, the City Treasurer, as greater security than said bond of \$75,000.00 for the funds of the City deposited with him, may, and if he should make such election, shall invest for the City of Austin said funds, except such amount as may be required in the conduct of the business of the City, in government and municipal securities acceptable to and approved by the City Manager, and in such event, shall securely keep said securities, and shall re-sell, upon demand of the City Manager, from time to time, said securities, as funds are required by the City of Austin in the conduct of its business; and shall be responsible and liable for any loss that may occur by reason of any purchase of said securities; and said City Treasurer shall receive as consideration for his services in investing such funds and keeping and re-selling said securities, all interest and profits on said securities so held for the City by him; but the City Treasurer shall be obligated to pay the interest as bid by him on all daily balances of the City held by him, whether in money or in such securities.

All bids must be submitted on the form furnished by the City of Austin, which may be obtained upon application.

The City Council reserves the right to reject any or all bids.

ADAM R. JOHNSON, City Manager."

May 11, 1929.

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 certain units or districts of improvement as follows:

WEST 1ST STREET, from the west line of Congress Avenue to the west line of Guadalupe Street, designated as Unit #1;

WEST 2nd STREET, from the west line of Colorado Street to the east line of Nueces Street, designated as Unit #2;

WEST 5TH STREET, from the west line of Guadalupe Street to the east line of Nueces Street, designated as Unit #5;

COLORADO STREET, from the north line of West 1st Street to the south line of West 2nd Street, designated as Unit #6; and

GUADALUPE STREET, from the north line of West 1st Street to the north line of West 5th Street, designated as Unit #8;

all as awarded to Southwest Bitulithic Company; and

EAST 11TH STREET, from the east line of San Jacinto Street to the west line of Red River Street, designated as Unit #11;

EAST 1st STREET, from the east line of Chicon Street to the east line of Llano Street, designated as Unit #12;

EAST 6TH STREET, from the west line of Chicon Street to the east line of Perdenales Street, designated as Unit #13;

DUVAL STREET, from the north line of 29th Street to the north line of 35th Street, designated as Unit #15;

DUVAL STREET, from the north line of 35th Street to the north line of 45th

Street, designated as Unit #16;

34TH STREET, from the east line of Speedway to the west line of Duval Street, designated as Unit #18;

all as awarded to L. E. Whitham Company;

the Mayor thereupon stated that all persons desiring to protest against the levying of assessments against abutting property on any of the above mentioned streets and within the limits above stated, or who desired to be heard with reference to the amount 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 all parties protesting were heard by the Council, as follows:

On EAST FIRST STREET, between Chicon and Llano Streets, asking that City reconsider its action and bear one-third of cost of paving, plus cost of inter-sections:

A. W. Speckels -	August Heine
A. Aliff	W. D. Brooks
D. A. Bush	J. L. Albers
John Youngquist	Mrs. E. B. Tyler
Mrs. Ora Hornsby	A. N. Mewis
E. J. Honig	W. E. Riddle
Walter R. Schulze	Fred Fisher
L. P. Mills	R. C. LaFuerite
Jno. E. Kruse	C. M. Ashmore
W. C. Blundell	Martin E. Johnson
J. D. Carleton	W. C. Hart
J. B. Pierce & Bro.	N. R. Jackson
Herman Becker	J. E. Smith
J. H. Colley	C. C. Balagia
H. L. Poston	Paul Kuehn
J. J. Long	A. D. Beard
Chris Kofahl	A. W. Berg
E. G. Moberg	J. F. Dalton, Jr.
Mrs. Edd White	R. A. Spiller
J. W. Elder	F. J. Estrada

On DUVAL STREET, between 29th Street and 35th Street, because of alleged inequality of distribution of expense:

Guaranty Mortgage & Realty Co.  
Security Trust Company  
Mrs. H. G. Damon;  
Mrs. Eleanor Damon Pace;  
Henry Gordon Damon.

On DUVAL STREET, between 35th Street and 45th Street, for reason that could not afford to pay for paving:

R. G. White;  
Ella G. White.

On THIRTY-FOURTH STREET, between Duval Street and Speedway, alleging that proceedings are void and that assessments are not equitably apportioned:

Stanley P. Finch	Gordon Damon
Mrs. Carrie Pryor	Geo. F. Eckhardt
Mrs. D. M. Railey	Mrs. Mary Stanley Finch;
Mrs. O. J. Schubert	Jno. A. Gracy

On WEST SECOND STREET, from the west line of Colorado Street to the east line of Nueces Street, stating that parties named below were financially unable to pay for paving:

Mrs. Josephine Starr	Mrs. Mary K. Schneider
A. L. Hoist	Mrs. Mary Farro
Mrs. S. L. Bankston	W. E. Ward.

Thereupon Harris Brush and L. A. Robbins were each called as a witness and each being duly sworn, testified that he had resided in the City of Austin several years; that he was well acquainted with the values 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 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 hearing was closed; and thereupon Mayor McFadden introduced the following ordinance:

ORDINANCE OF THE CITY OF AUSTIN, TEXAS,  
CLOSING A HEARING GIVEN TO PROPERTY  
OWNERS ON PORTIONS OF EAST ELEVENTH  
STREET, EAST FIRST STREET, EAST SIXTH  
STREET, DUVAL STREET AND THIRTY-FOURTH  
STREET, IN THE CITY OF AUSTIN, AND  
DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Reed moved a suspension of the rule and the placing of the ordinance on its second reading. 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 ordinance was read the second time and Councilman Reed 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, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

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

The Mayor then laid before the Council the following ordinance:

ORDINANCE OF THE CITY OF AUSTIN, TEXAS,  
LEVYING AN ASSESSMENT FOR THE PAYMENT  
OF A PART OF THE COST OF IMPROVING  
PORTIONS OF EAST ELEVENTH STREET, EAST  
FIRST STREET, EAST SIXTH STREET, DUVAL  
STREET, AND THIRTY-FOURTH STREET, IN  
THE CITY OF AUSTIN, AND FIXING A LIEN  
AGAINST PROPERTY ABUTTING ON SAID  
STREETS, AND A PERSONAL CHARGE AGAINST  
THE OWNERS THEREOF, AND PROVIDING FOR  
THE COLLECTION THEREOF, AND DECLARING  
AND EMERGENCY.

The ordinance was read the first time and Councilman Reed moved that the rule be suspended and the ordinance passed to its second reading. 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 ordinance was read the second time and Councilman Reed 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, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

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

Mayor McFadden then laid before the Council the following ordinance:

ORDINANCE CLOSING HEARING AND  
LEVYING ASSESSMENTS FOR PART  
OF THE COST OF IMPROVING POR-  
TIONS OF WEST FIRST STREET  
AND SUNDRY OTHER STREETS IN  
THE CITY OF AUSTIN, TEXAS,  
FIXING A CHARGE AND LIEN  
AGAINST PROPERTY ABUTTING THERE-  
ON AND AGAINST THE OWNERS THERE-  
OF, PROVIDING FOR THE COLLECTION  
OF SUCH ASSESSMENTS AND THE  
ISSUANCE OF ASSIGNABLE CERTIFICATES  
IN EVIDENCE THEREOF.

The ordinance was read the first time and Councilman Mueller moved that the rule be suspended and the ordinance placed on its second reading, 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 ordinance was read the second time and Councilman Mueller moved that the rule be further suspended and the ordinance placed on its third reading. 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 ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The report of H. R. F. Helland, Consulting Engineer, showing the estimated cost of improvements on West Third Street, from the west property line of Congress Avenue to the east property line of Nueces Street; West Fourth Street, from the west property line of Colorado Street to the east property line of Nueces Street; and Lavaca Street, from the north property line of First Street to the south property line of Fifth Street, was read and ordered filed.

The Mayor then laid before the Council the following resolution:

RESOLUTION APPROVING AND ADOPTING ESTIMATE  
OF THE COST OF IMPROVEMENTS AND OF AMOUNTS  
TO BE ASSESSED FOR IMPROVEMENTS ON A PORTION  
OF WEST THIRD STREET AND PORTIONS OF SUNDRY  
OTHER STREETS IN THE CITY OF AUSTIN, TEXAS,  
FIXING TIME AND PLACE FOR HEARING TO THE  
OWNERS OF ABUTTING PROPERTY, AND DIRECTING  
THE CITY MANAGER TO GIVE NOTICE.

WHEREAS, the City Council of the City of Austin has heretofore ordered that the hereinbelow mentioned portions of highways be improved by raising, grading and filling, and installing concrete curbs and gutters, and by paving with 2 inch Warrenite Bitulithic Wearing Surface on a Six inch concrete base, with necessary appurtenances, and contract therefor has been made and entered into with Southwest Bitulithic Company; and

WHEREAS, the City Council has caused the City Engineer to prepare and file estimates of the cost of such improvements, and estimate of the amounts per front foot proposed to be assessed against abutting property and the owners thereof, and such estimates have been examined,

Therefore,

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

I.

That such estimates be and they are adopted and approved.

II.

That it is hereby found and determined that the cost of improvements on each such portion of highway, with the amount or amounts per front foot proposed

to be assessed for such improvements against the abutting property and owners thereof, on each such portion of street or highway are as follows, to-wit:

WEST THIRD STREET from the west property line of Congress Avenue to the east property line of Nueces Street, known and designated as Unit or District No. 3, estimated cost of improvements is \$15910.20. Estimated amount per front foot to be assessed for curb and gutter is \$ .70 (70¢) . Estimated amount per front foot to be assessed against abutting property and its owners for improvements exclusive of curb and gutter is \$3.202. Total estimated amount per front foot to be assessed against abutting property and its owners is \$3.902.

WEST FOURTH STREET from the west property line of Colorado Street to the east property line of Nueces Street, known and designated as Unit or District No. 4, estimated cost of improvements is \$15664.30. Estimated amount per front foot to be assessed for curb and gutter is \$ .70 (70¢). Estimated amount per front foot to be assessed against abutting property and its owners for improvements exclusive of curb and gutter is \$4.288. Total estimated amount per front foot to be assessed against abutting property and its owners is \$4.988.

LAVACA STREET from the north property line of West First Street to the south property line of West Fifth Street, known and designated as Unit or District No. 7, estimated cost of improvements is \$18785.09. Estimated amount per front foot to be assessed for curb and gutter is \$.70 (70¢). Estimated amount per front foot to be assessed against abutting property and its owners for improvements exclusive of curb and gutter is \$6.743. Total estimated amount per front foot to be assessed against abutting property and its owners is \$7.443.

### III.

That a hearing be given and held by and before the City Council of the City of Austin, Texas, to all owning or claiming any property, abutting upon any of said portions of streets and highways, as well as all owning or claiming any interest in any such property. Such hearing shall be given and held on the 6th day of June, 1929, at 10 o'clock A. M., in the regular Commission meeting room in the City Hall in the City of Austin, Texas, and the City Manager is hereby directed to give notice of the time and place of such hearing, and of other matters and facts, in accordance with the terms and provisions of Article XXIV of the Charter of the City of Austin, which Article was added by amendment adopted at an election held on November 24th, 1928. Such notice shall be by advertisement inserted at least three times in a newspaper published in the City of Austin, Texas, the first publication to be made at least ten days before the date of said hearing. Said notice shall comply with and be in accordance with the terms and provisions of said Article XXIV.

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

The following communication from the Park Commission was read and ordered filed:

"Austin, Texas, May 23, 1929.

To the Honorable Mayor and City Council  
of the City of Austin, Texas.

Gentlemen:

In answer to your letter of May 16th in regard to a request from Mr. M. H. Crockett to build a filling station and store building on Duval Street near 29th Street will state that your Park Board has unanimously voted "NO" to said petition.

It is the opinion of your Park Board that no business permits should be granted along the proposed developments of boulevards and parks at the present time.

Respectfully,  
W. T. Caswell, Chairman Park Commission."



Councilman Reed was excused from the Council Chamber.

Mayor McFadden laid before the Council the following resolution:

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 from Paul and Earl Simms, in the name of the City of Austin, for a cash consideration of One Thousand Four Hundred Dollars (\$1,400.00), and upon showing of good and merchantable title in said owners at the time of conveyance, free from all liens and incumbrances, as may be determined by the City Attorney, and upon delivery to the City of the owners general warranty deed, the following described land, to-wit:

Part of Lots Nos. 1 and 2 in Block 12, on Sabine Street, in the City of Austin, Texas.

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 City Manager be and he is hereby authorized and directed to purchase from Joe Macken, in the name of the City of Austin, for a cash consideration of Two Thousand, Five Hundred Dollars (\$2,500.00), and upon showing of good and merchantable title in said owner at the time of conveyance, free from all liens and incumbrances, as may be determined by the City Attorney, and upon delivery to the City of the owner's general warranty deed, the following described land, to-wit:

Lot No. 8 and the west one-third of Lot No. 7, Block 12, fronting on Sabine Street, in the City of Austin, Texas.

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 City Manager be and he is hereby authorized and directed to purchase from Martha E. Routt, in the name of the City of Austin, for a cash consideration of Two Thousand Four Hundred Dollars (\$2,400.00), and upon showing of good and merchantable title in said owner at the time of conveyance, free from all liens and incumbrances, as may be determined by the City Attorney, and upon delivery to the City of the owner's general warranty deed, the following described land, to-wit:

Lots Nos. 22, 23, 24, 25 and 26, Park Hill Subdivision, in the City of Austin, Texas.

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 City Manager be and he is hereby authorized and directed to purchase from Enfield Realty & Home Building Company, in the name of the City of Austin, for a cash consideration of One Thousand, Five Hundred Dollars (\$1500.00), and upon showing of good and merchantable title in said owner at the time of

conveyance, free from all liens and incumbrances as may be determined by the City Attorney, and upon delivery to the City of the owner's general warranty deed, the following described land, to-wit:

Approximately three (3) acres of land along Shoal Creek, known as Lot No. 5 and Lots Nos. 1, 2, and 3, Sub-division of Outlot No. 66, in Division "D", City of Austin, Texas.

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

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 Thirty-seven Thousand Dollars (\$37,000.00) be and the same is hereby transferred from the General Fund to the Street Improvement Bond Fund; said amount to be repaid the General Fund out of money to be received from the sale of Street Improvement Bonds.

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

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 Thousand Dollars (\$2,000.00) be and the same is hereby transferred from the General Fund to the Parks and Playgrounds Bond Fund; said amount to be repaid the General Fund out of money to be received from the sale of Parks and Playgrounds Bonds.

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

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 Ten Thousand Dollars (\$10,000.00) be and the same is hereby appropriated out of the Water & Light Fund for the purpose of placing same to the Job Account of the U. G. I. Contracting Company, to be used for the payment of labor and materials in connection with the construction at the Water and Light Plant, 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, and Steck, 4; nays, none, Councilman Reed absent.

Mayor McFadden laid before the Council the following report of the Safety Committee:

Austin, Texas, May 16, 1929.

Hon. Mayor and City Council,  
Gentlemen:

We, your committee on the application of Jas. R. Hamilton, asking permission to install and operate a drive-in gasoline filling station at 1011 Red River Street, make the following report:

We, the committee, recommend that this permission 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 manner obstruct the sidewalk, street or alleyway. The pumps shall be at least ten feet inside the property line.

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 provision shall be made to take care of waste oils and water by having the proper connections made with a sump and catch basin on the property of applicant by having a storm sewer connection made with Waller Creek. Connections to be made under the supervision of the City Engineering Department.

9. That a plan of the filling station, hereto attached, marked 2-II-20 showing the proposed location of pumps, driveways and methods of draining away waste water and oils shall be filed with and approved by the City Engineer before the commencement of construction.

10. That permission shall be granted subject to the above conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating gasoline filling stations, 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 the said Jas. R. Hamilton has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Sgd) J. E. Woody, Fire Chief;

Orin E. Metcalfe, City  
Engineer.

J. Bouldin Rector, City  
Attorney.

Tom Neal, Traffic Police  
Captain.

CITY SAFETY COMMITTEE. "

Councilman Mueller moved that permit be granted to said Jas. R. Hamilton, subject to the above recommendations of the Safety Committee. 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.

The Mayor laid before the Council the following report of the Safety Committee:

"Austin, Texas, May 16, 1929.

Hon, Mayor and City Council,

Gentlemen:

We, your committee on the application of Joe Ellis, Humble Oil & Refining Company, Agent, asking permission to install one 250 Gallon Storage Tank and one 10 Gallon Gasoline Pump at the Janes Contracting Company's warehouse, for private use only, make the following report:

We, your committee, recommend that this permission 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 feet inside the property line.

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 all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector and that the property owner shall apply for a permit to the City Plumbing Inspector for instructions before proceeding with his work.

9. That permission shall be granted for private use only subject to the above conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating gasoline filling stations, 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 the said Joe Ellis, Humble Oil & Refining Company Agent, has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

10. That this permission shall be terminated with change of lessee.

(Sgd) J. E. Woody, Fire Chief;

R. F. Rockwood, Fire Marshal;

Orin E. Metcalfe, City Engineer

CITY SAFETY COMMITTEE. "

Councilman Mueller moved that permit be granted to Joe Ellis, Agent for the Humble Oil and Refining Company, subject to the above recommendations of the Safety Committee. 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 application of Miss Lynn Smith to build a drive-in filling station at the northeast corner of Guadalupe and 26th Streets; also the following recommendations of the Safety Committee upon same:

"Austin, Texas, May 16, 1929.

Hon, Mayor and City Council,  
Gentlemen:

We, your committee on the application of Miss Lynn Smith asking permission to install and operate a drive-in gasoline filling station at the northeast corner of the intersection of Guadalupe and Twenty-sixth Streets, make the following report:

We, the committee, recommend that this permission 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 manner obstruct the sidewalk, street or alleyway. The pumps shall be at least ten feet inside the property line.

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 provision shall be made to take care of waste oils and water by having a connection made with the storm sewer not less than 8" in diameter, which exists on the east side of Guadalupe Street immediately east of the west end of that portion of Twenty-fifth Street which runs westerly to Guadalupe Street and this connection with the storm sewer to be made at the expense of the applicant, estimated cost of said storm sewer is \$170.00, the actual expense of same shall be cost plus 10% based upon materials and labor.

9. That a plan of the filling station hereto attached marked 2-H-19, indicates the layout of the driveways, the use of the city street and sidewalk, which must be followed during construction.

10. That the drain pipes, catch basins and inlets and slope of the station floor as shown on the plan shall be so constructed that all the waste water, oils shall concentrate into said catch basin and said plan shall be followed in the construction of this station.

11. That all curbs, sidewalks, ramps and gutters adjacent to the curb shall be constructed of concrete at the expense of the applicant.

12. That all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector.

13. That permission shall be granted subject to the above conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating gasoline filling stations, 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 the said Miss Lynn Smith has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Sgd) J. E. Woody, Fire Chief;

Orin E. Metcalfe, City  
Engineer.

J. Bouldin Rector, City  
Attorney.

Tom Neal, Traffic Police  
Captain.

CITY SAFETY COMMITTEE. "

Councilman Mueller moved that permit be granted to said Lynn Smith, subject to the above recommendations of the Safety Committee. 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.

The City Manager was authorized by the City Council to advertise the houses located on property recently purchased by the City for sale to the highest bidder.

Councilman Pannell moved that the Tax Assessor and Collector be instructed to accept the taxes due by J. S. Morton for the year 1923 on the west 48 feet of Lot 8, Block 10, Plat 70, Grooms Addition, amounting to \$75.20, and to remit the interest, amounting to \$23.13, and the penalty, amounting to \$3.76. Councilman Mueller seconded the motion, and same prevailed 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: *J. M. Fadden*

Mayor.