

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, and Pannell, 3; nays, none, Councilmen Reed and Steck absent.

The Council then recessed.

Approved: J. M. Fadden
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, June 6, 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 Pannell moved that same be adopted 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.

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 THIRD STREET, from the west line of Congress Avenue to the east line of Nueces Street, known as Unit or District No. 3;

WEST FOURTH STREET, from the west line of Colorado Street to the east line of Nueces Street, known as Unit or District No. 4;

LAVACA STREET, from the north line of West First Street to the south line of West Fifth Street, known as Unit or District No. 7;

all as awarded to the Southwest Bitulithic 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:

Mrs. Virginia Fattore, represented by her daughter, Miss Fattore, protested that in her opinion the amounts of the assessments on West Third and West Fourth Streets against her properties were not proportioned fairly on the basis of the number of railroad tracks in front of each piece; also that she thought it unfair that the property owners should be required to pay for any part of the paving but that the City should bear the cost; and, further, that they were financially unable to pay for same.

Councilman Steck then moved that the hearing be continued until next regular meeting. 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 Two Thousand Dollars (\$2,000.00) 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, 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 One Thousand Dollars (\$1,000.00) 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, 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 Six Thousand Dollars (\$6,000.00) be and the same is hereby transferred from the General Fund to the Fire Stations Bond Fund; said amount to be repaid the General Fund out of money to be received from the sale of Fire Stations Bonds.

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

City Manager Johnson submitted to the Council the following bids for excavating, loading, hauling and dumping fill in the ravine on the east side of South Congress Avenue just north of Nellie Street:

Joe Macken -	\$.35 per cubic yard
A. R. Stimson -	.39 " " "
Janes Contracting Company -	.45 " " "

Councilman Mueller moved that the bid of Joe Macken being the lowest and best bid, same be accepted, and the City Manager be authorized to enter into contract with said Joe Macken for the above work. 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.

Councilman Reed moved that upon the recommendation of W. H. Bridges, Finance Director, the assessment against J. A. Nelson for the year 1927 on machinery and merchandise be reduced from \$610.00 to \$250.00, and the Assessor and Collector be authorized to change his rolls accordingly. 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.

A petition signed by a number of drug companies, asking that the one-hour parking law be amended so as to extend the time to ten o'clock P. M. in front of their places of business, was read and upon advice of the City Attorney that such an

ordinance would be discriminatory and illegal, the petition was ordered filed and no action taken thereon.

Mayor McFadden 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 gas main on Westover Road, beginning at a point 41 feet east of and 20 feet south of the intersection of the west line of Waverly Avenue and the north line of Westover Road;

Thence westerly along a line 20 feet distant from and parallel to the north line of Westover Road to the east line of Forest Avenue, said gas main to have a cover of not less than $1\frac{1}{2}$ feet.

(2) A 3 inch high pressure gas main on Florence Street, beginning at a point 25 feet west of and $15\frac{1}{4}$ feet north of the intersection of the east line of Florence Street and the north line of West 28th Street;

Thence northerly along a line 25 feet distant from and parallel to the east line of Florence Street to the south line of West 29th Street, said gas main to have a cover of not less than $1\frac{1}{2}$ feet. This places the line 10 feet west of the west face of the east curb.

(3) A 4 inch gas main on Kenwood Avenue, beginning at a point 17 feet west of and 150 feet north of the intersection of the east line of Kenwood Avenue and the north line of Bonham Terrace.

Thence northerly 50 feet along a line 17 feet distant from and parallel to the east line of Kenwood Avenue, said gas main to have a cover of not less than $1\frac{1}{2}$ feet.

(4) A 4 inch gas main on Mildred Street, beginning at a point 20 feet west of and 20 feet south of the intersection of the east line of Mildred Street and the north line of East 1st Street;

Thence northerly 247 feet along a line 20 feet distant from and parallel to the east line of Mildred Street, said gas main to have a cover of not less than $1\frac{1}{2}$ feet, and not less than 3 feet in First Street;

(5) A 4 inch gas main on Neches Street, beginning at a point on the north line of East 11th Street, said point being 25 feet west of the east line of Neches Street;

Thence southerly along a line 25 feet distant from and parallel to the east line of Neches Street to a point on the south line of East 11th Street, said gas main to have a cover of not less than $2\frac{1}{2}$ feet;

(6) A 6 inch gas main on Red River Street, beginning at a point 15 feet west of and 26 feet south of the intersection of the east line of Red River Street and the north line of Park Boulevard.

Thence northerly along a line 15 feet distant from and parallel to the east line of Red River Street to the north line of West 45th Street, said gas main to have a cover of not less than 2 feet. T's for future extensions are to be placed 15 feet south of the north lines of Grapevine and Keasby Streets;

(7) A 4 inch gas main on East 44th Street, beginning at a point 15 feet west of and 15 feet south of the intersection of the east line of Red River Street and the north line of East 44th Street;

Thence easterly 580 feet along a line 15 feet distant from and parallel to the north line of East 44th Street, said gas main to have a cover of not less than 2 feet;

(8) A 6 inch gas main on East 45th Street, beginning at a point on the east line of Red River Street, said point being 18 feet south of the north line of East 45th Street;

Thence westerly along a line 18 feet distant from and parallel to the north line of East 45th Street to the west line of the alley that is west of Caswell Avenue, said gas main to have a cover of not less than 2 feet;

(9) A 4 inch gas main on Caswell Avenue, beginning at a point on the south line of East 44th Street, said point being 15 feet west of the east line of Caswell Avenue;

Thence northerly along a line 15 feet distant from and parallel to the east line of Caswell Avenue to the north line of East 47th Street, said gas main to have a cover of not less than 2 feet. T's for future extension are to be placed 15 feet

south of the north lines of Grapevine, Keasby, Poponce, McLeMore and East 47th Streets;

(10) A 4 inch gas main on Rosewood Street, beginning at a point 23 feet west of and 22 feet south of the intersection of the east line of San Bernard Street and the north line of Rosewood Street;

Thence easterly along a line 22 feet distant from and parallel to the north line of Rosewood Street to the east line of Comal Street, said gas main to have a cover of not less than 2 feet.

(11) A 4 inch gas main on Angelina Street, beginning at a point 25 feet west of and 22 feet south of the intersection of the east line of Angelina Street and the north line of Rosewood Street;

Thence northerly along a line 25 feet distant from and parallel to the east line of Angelina Street to the south line of Hackberry Street, said gas main to have a cover of not less than $1\frac{1}{2}$ feet.

(12) A 4 inch gas main on Rector Street, beginning at a point 18 feet west of and 22 feet south of the intersection of the east line of Rector Street and the north line of Rosewood Avenue;

Thence southerly along a line 18 feet distant from and parallel to the east line of Rector Street to the north line of East 11th Street, said gas main to have a cover of not less than $1\frac{1}{2}$ feet;

(13) A 4 inch gas main on East 12th Street, beginning at a point 16 feet south of and 74 feet east of the intersection of the north line of East 12th Street and the east line of Leona Street;

Thence easterly along a line 16 feet south of and parallel to the north line of East 12th Street to a point on the east line of Chicon Street, said gas main to have a cover of not less than $2\frac{1}{2}$ feet;

(14) A 4 inch gas main on Chicon Street, beginning at a point 16 feet south of and 18 feet west of the intersection of the north line of East 12th Street and the east line of Chicon Street;

Thence northerly along a line 18 feet distant from and parallel to the east line of Chicon Street to a point on the south line of East 14th Street, said gas main to have a cover of not less than 2 feet;

(15) A 4 inch gas main on Academy Drive, beginning at a point on the west line of Bickler Road, said point being 16 feet north of the south line of Academy Drive;

Thence westerly along a line 16 feet distant from and parallel to the south line of Academy Drive to a point 20 feet west of the east line of Newning Avenue.

Thence southerly 50 feet, more or less, to a point on the existing 4 inch Newning Avenue Main, said gas main to have a cover of not less than $2\frac{1}{2}$ feet.

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

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 Council agreed that the City Manager should sell the old house located on the property purchased by the City for an airport site, and have same moved off the premises.

The report of H. R. F. Helland, Consulting Engineer, showing the estimated cost of improvements on San Antonio Street, from the north property line of West Second Street to the south property line of West Sixth Street, and South Congress Avenue, from the north property line of Nellie Street to the north property line of Live Oak Street, was read and ordered filed.

The Mayor 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 SAN
ANTONIO STREET AND PORTIONS OF
SUNDRY OTHER STREETS IN THE CITY OF
AUSTIN, TEXAS, FIXING THE 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 thereof has been made and entered into with Southwest Bitulithic Company; and

WHEREAS, the City Council has caused the Consulting 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:

SAN ANTONIO STREET from the north property line of West Second Street to the south property line of West Sixth Street, known and designated as Unit or District No. 9, estimated cost of improvements is \$18,537.19. 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 \$6.578. Total estimated amount per front foot to be assessed against abutting property and its owners is \$7.278.

SOUTH CONGRESS AVENUE from the north property line of Nellie Street to the north property line of Live Oak Street, known and designated as Unit or District No. 14, Estimated cost of improvements is \$96550.59. 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 \$8.399. Total estimated amount per front foot to be assessed against abutting property and its owners is \$9.099.

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 20th day of June, 1929, at ten 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 the 24th day of November, 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 Mayor laid before the Council the following ordinance:

ORDINANCE PROVIDING FOR CHANGING CONTRACT
BETWEEN THE CITY OF AUSTIN, TEXAS, AND
SOUTHWEST BITHELITHIO COMPANY, DATED APRIL 19,
1929, SO FAR AS THE SAME APPLIED TO UNIT OR
DISTRICT NO. 10 DESCRIBED THEREIN, SO AS TO
DIVIDE SAID UNIT OR DISTRICT NO. 10 INTO
TWO UNITS OR DISTRICTS WITH DIFFERENT WIDTHS
OF AREA TO BE IMPROVED.

The ordinance was read the first time and laid over.

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: J. H. McFadden
Mayor.