

be so amended as to permit the City of Austin to pay the consideration of \$200,000.00 for the purchase of said premises, in twenty equal annual installments of \$10,000.00 each, with interest from the date of conveyance thereto to the City at the rate of five (5%) percent per annum, the deferred payments to be evidenced by the notes of the City of Austin, payable serially on or before one to twenty years after date, both inclusive; and the City Council hereby commits itself that, in event said propositions are amended as before stated, and for the purpose of making adequate and legal provision for the payment of said consideration as required by the Charter of the City of Austin and the laws of the State of Texas, it will submit said proposition, as so amended, to the qualified voters of the City of Austin for their action thereon at an election to be called for that purpose, for such date as the City Council may hereafter determine.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The City Manager was authorized by the Council to have curb put in around platform of the Butler property at Third and Neches Streets to relieve condition caused by the laying of pavement there.

Councilman Mueller moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Council then recessed.

Approved: 
MAYOR.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 17, 1931.

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

The Minutes of the last meeting were read and Councilman Alford moved the adoption of same as read. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

A committee from the Ben Hur Shrine, composed of Horace Barnhart and others, appeared before the Council and asked that they be given permission to bring the Harley Sadler Tent Theatre here for a period of about six weeks, the proceeds from same to be used to defray the expenses of said Shrine to the San Francisco Convention in 1932. Skinny Pryor, Manager

of the Grand Central Theatre, and Irwin P. Waite, Manager of the Paramount Theatre, were also present and protested the granting of such permit for a longer period than eight or ten days. A communication from G.S. Moore, Building Inspector, with reference to the matter, was also read. After a discussion of the matter, Councilman Alford moved that permit be granted to the said Harley Sadler Tent Theatre to show on the west half of the block between Sixteenth and Seventeenth Streets and Guadalupe and San Antonio Streets for a period of two weeks. Motion was seconded by Mayor McFadden, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, and Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

A. M. Felts, Attorney, appeared before the Council in regard to an accident sustained by Keltner boy in a football game at Barton Springs. The Council took the matter under advisement.

The Mayor announced that the hearing called for this day, by published notice thereof, on the proposal of the City Council to amend the USE designation of all that property fronting south on West Thirty-Eighth Street from the alley immediately west of Alice Avenue to the alley immediately east of Alice Avenue and extending north from the north line of West Thirty-Eighth Street a distance of one hundred and twenty feet, and all that property fronting north on West Thirty-Eighth Street from the alley immediately west of Wabash Avenue to a point distant one hundred and thirty feet east of the east line of Wabash Avenue and extending south from the south line of West Thirty-Eighth Street a distance of one hundred and fifty feet on the east side of Wabash Avenue and a distance of one hundred and fifty-eight feet on the west side of Wabash Avenue so as to change same from "A" Residence District to "C" Commercial District, would now be opened. No one appearing to be heard, the matter was continued until the next regular meeting.

Harry Smith presented a petition to the Council, signed by the property owners on West Tenth Street between Blanco and West Lynn Streets, asking that this street be paved with Bitulithic pavement. The Mayor stated that this street would be included in the paving program if it were possible to do so.

M. H. Crockett again appeared before the Council with reference to the surfacing of South Congress Avenue from Riverside Drive to Barton Springs Road. Councilman Gillis moved that the Council order the gravelling and tarviating of South Congress Avenue from the pavement to the Bridge, as heretofore agreed upon. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

A petition signed by the property owners of Lots 4, 5, 6, 10, 11 and 12, Block 16, and all of Blocks 6 and 7, Outlot 26, Division "C", Christian and Fellman Subdivision, Plat 43, City of Austin, asking that the USE designation of this area be changed from Residence "A" to Commercial "C", was read.

The Mayor then laid before the Council the following resolution:

WHEREAS, the owners of at least 50 per cent of the property located on the west side of East Avenue and fronting on East Avenue and 20th and 20½ Streets, extending from Oldham Street to East Avenue between 20th Street and 19th Street; and extending from the north and south center line of the block lying between Oldham Street and East Avenue and 20½ Street and 20th Street to East Avenue, have petitioned the City Council to amend the Zoning Ordinance so as to change the USE designation of said property from "A" Residence District to

"C" Commercial District; and

WHEREAS, under the terms of the Zoning Ordinance, such matters must be referred to the City Plan Commission for its consideration and action and that a public hearing be held at which opportunity shall be given the public to offer any objections to said amendment; therefore,

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

That said matters be referred to the City Plan Commission for its consideration and report to the City Council; and that a public hearing be held thereon at the City Hall at 11:00 A. M. on Thursday, October 8, 1931, and that notice of such hearing be completed by publication as required by the terms of said Zoning Ordinance.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

A petition signed by the property owners of Lots 14, 15 and 16 of Block "A", Lots 9, 10, and 11 of Block "B", Lots 1, 2 and 3 of Block "D", and Lots 6, 7, and 8 of Block "E", Outlot No. 49, Division "O", Driving Park Addition of the City of Austin, asking that the USE designation of this area be changed from Residence "A" to Commercial "C", was read.

The Mayor then laid before the Council the following resolution:

WHEREAS, the owners of at least 50 per cent of the property located at and adjacent to the intersection of Lynn Street with Garden Street, have petitioned the City Council to amend the Zoning Ordinance so as to change the USE designation of said property from "A" RESIDENCE DISTRICT to "C" COMMERCIAL DISTRICT; and

WHEREAS, under the terms of the Zoning Ordinance, such matters must be referred to the City Plan Commission for its consideration and action and that a public hearing be held at which opportunity shall be given the public to offer any objections to said amendment; therefore,

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

That said matters be referred to the City Plan Commission for its consideration and report to the City Council; and that a public hearing be held thereon at the City Hall at 11:00 A. M. on Thursday, October 8, 1931, and that notice of such hearing be completed by publication as required by the terms of said Zoning Ordinance.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following :

"Austin, Texas, September 14, 1931.

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

Dear Sir:

Mr. M. H. Crockett will pay for the paving on Waller Creek Boulevard for a triangular piece of land which is now owned by the City of Austin, the description of which is herewith attached. This piece of land is situated between the northeast line of Waller Creek Boulevard and the south line of Twenty-Ninth Street, and is out of Lot 6, Block 3, Outlot 10, Division "D". Mr. Crockett owns the property between this small triangular piece and Duval Street. It will cost the City approximately \$350.00 to pave this frontage and if this transfer is made to Mr. Crockett he will bear the expense of the paving. I recommend that this transfer be made.

Yours very truly,

(Sgd) H. R. F. Helland,
Consulting Engineer. "

Councilman Mueller moved that the City Manager be authorized to execute a deed conveying the foregoing described property to M. H. Crockett in accordance with said report. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

Mayor McFadden moved that the work done by Klein Bros. Company under Street Improvement Bond Fund Contract No. 39, being storm sewers on East Sixth Street, at a total cost of \$14,760.87, be accepted, in accordance with the recommendation of the Consulting Engineer, and that the City Manager be directed to pay final estimate on same. Motion was seconded by Councilman Gillis, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

Mayor McFadden moved that the work done by Richard Schmidt under Street Improvement Bond Fund Contract No. 53, being for retaining walls at Seventh and Sabine Streets, at a total cost of \$2001.10, be accepted, in accordance with the recommendation of the Consulting Engineer, and that the City Manager be directed to pay final estimate on same. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

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 Twenty-seven and 33/100 (\$27.33) Dollars be, and the same is hereby appropriated from unincumbered General Fund Revenue for the purpose of paying service connection and exchange service on telephone at the City Market from date of installation to December 31, 1931.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

Mayor McFadden moved that the City Manager be authorized to enter into contract with the United Engineers & Constructors, Inc., for the purchase of two steam generating units for the Power Plant, at a cost of \$291,000.00 plus 5% engineering fees. Motion was seconded by Councilman Gillis, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following resolution:

WHEREAS, the Park Board of the City of Austin has recommended the placing of a curb and gutter adjacent to park property on the east side of Oldham Street; and

WHEREAS, the City Council of the City of Austin has favorably considered the recommendation of the Park Board; therefore,

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

THAT the sum of ONE HUNDRED AND FORTY (\$140.00) DOLLARS is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of constructing a curb and gutter on Oldham Street north of Nineteenth Street adjacent to city park property.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps 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 gas main in COLORADO STREET ALLEY from West Fifth Street to West Sixth Street, the center line of which gas main shall be 4 feet west of and parallel to the east line of said Colorado Street Alley. Said gas main described above shall have a cover of not less than 2½ feet.
- (2) A gas main in WEST-THIRTY-NINTH STREET from Nixon Street east to Morningside Avenue, the center line of which gas main shall be 5 feet north of and parallel to the center line of said West Thirty-Ninth Street. Said gas main described above shall have a cover of not less than 2½ feet.
- (3) A gas main in WEST-THIRTY-NINTH AND ONE HALF STREET from Nixon Street to Nixon Street Alley, the center line of which gas main shall be 22 feet south of and parallel to the north line of said West Thirty-ninth and One-half Street. Said gas main described above shall have a cover of not less than 2½ feet.
- (4) A gas main in WEST-THIRTY-NINTH AND ONE HALF STREET from Nixon Street Alley to Alice Avenue Alley, the center line of which gas main shall be 3 feet north of and parallel to the center line of said West Thirty-ninth and One-half Street. Said gas main described above shall have a cover of not less than 2½ feet.
- (5) A gas main in WEST THIRTY-NINTH AND ONE HALF STREET from Alice Avenue Alley to Morningside Avenue, the center line of which gas main shall be 25 feet north of and parallel to the south line of said West Thirty-ninth and One-half Street. Said gas main described above shall have a cover of not less than 2½ feet.
- (6) A gas main in WEST FORTIETH STREET from Alice Avenue westerly approximately one block, the center line of which gas main shall be 2 feet north of and parallel to the center line of said West Fortieth Street. Said gas main described above shall have a cover of not less than 2½ feet.
- (7) A gas main in EAST ELEVENTH STREET from Salina Street to Lincoln Street, the center line of which gas main shall be eight feet north of and parallel to the center line of said East Eleventh Street. Said gas main described above shall have a cover of not less than 2½ feet.
- (8) A gas main in ROSEWOOD AVENUE from Salina Street to Poquito Street, the center line of which gas main shall be 6 feet north of and parallel to the center line of said Rosewood Avenue. Said gas main described above shall have a cover of not less than 3½ feet.
- (9) A gas main in GUADALUPE STREET ALLEY, or the alley lying east of Guadalupe Street, from West Thirtieth Street northerly approximately one block, the center line of which gas main shall be 5 feet west of and parallel to the east line of said Guadalupe Street Alley. Said gas main described above shall have a cover of not less than 2½ feet.
- (10) A gas main in FRUTH STREET ALLEY, or the alley lying east of Fruth Street, from West Twenty-ninth Street to West Thirtieth Street, the center line of which gas main shall be 5 feet west of and parallel to the east line of said Fruth Street alley. Said gas main described above shall have a cover of not less than 2½ feet.
- (11) A gas main in UNIVERSITY AVENUE from West Twenty-ninth Street to West Thirty-first Street, the center line of which gas main shall be 8 feet east of and parallel to the center line of said University Avenue. Said gas main described above shall have a cover of not less than 2½ feet.
- (12) A gas main in WEST FORTIETH STREET from Alice Avenue to Rosedale Avenue, the center line of which gas main shall be 2 feet north of and parallel to the center line of said West Fortieth Street. Said gas main described above shall have a cover of not less than 2½ feet.
- (13) A gas main in WEST FORTIETH STREET from Alice Avenue to Morningside Avenue, the center line of which gas main shall be 3 feet south of and parallel to the center line of said West Fortieth Street. Said gas main described above shall have a cover of not less than 2½ feet.
- (14) A gas main in EAST THIRTEENTH STREET from Curve Street to East Avenue, the center line of which gas main shall be 17 feet north of and parallel to the center line of said East Thirteenth Street. Said gas main described above shall have a cover of not less than 2½ feet.
- (15) A gas main in NEW YORK AVENUE from Leona Street to Chicon Street, the center line of which gas main shall be 7 feet north of and parallel to the center line of said New York Avenue. Said gas main described above shall have a cover of not less than 2½ feet.
- (16) A gas main in NEW YORK AVENUE from Chicon Street to Chesnut Avenue, the center line of which gas main shall be 10 feet north of and parallel to the center line of said New York Avenue. Said gas main described above shall have a cover of not less than 2½ feet.
- (17) A gas main in ELTON LANE from Enfield Road northerly approximately one block to the city limits, the center line of which gas main shall be 5 feet west of and parallel to the east line of said Elton Lane. Said gas main described above shall have a cover of not less than 2½ 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.

AND THAT wherever pavement is out in the vicinity of a fire plug, water must be used at intervals during the course of back filling of the ditches.

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 franchises granted to said company by the City of Austin.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

City Manager Johnson submitted to the Council a communication from J. F. Springfield, President of the Austin Street Railway Company, asking approval of the following changes in their bus routings: Substitution of twelve minute service on the South Austin and Country Club Lines for present fifteen minute service; partial bus service for the western portion of the city adjacent to Edgemont and west of Rio Grande Street; and bus service for the pupils of the Govalle District attending the Junior and Senior High Schools of this City.

Mayor McFadden moved that the Council approve the above schedule of routing of the Austin Street Railway Company and that said Company be authorized to put same into operation. Motion was seconded by Councilman Alford, and same prevailed by the following vote; Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following resolution:

WHEREAS, the Austin Dam & Suburban Railroad Company was assessed at a taxable value for the year 1927 amounting to \$36,560.00, and for the year 1928 amounting to \$36,550.00; and

WHEREAS, the City Council of the City of Austin subsequently authorized the Tax Department to journal that portion of said values, amounting to \$26,215.00 for each of the years 1927 and 1928, representing easement charges, leaving a taxable value of \$10,345.00 for each of said years; and

WHEREAS, the Austin Dam & Suburban Railroad Company, pending the settlement of a controversy over said taxable values, made a deposit on a valuation of \$7,770.00, which amount was rendered by said Austin Dam & Suburban Railroad Company and claimed by it to be a fair valuation; and

WHEREAS, the city limits of the City of Austin were extended for the year 1929, thereby including an additional \$2,260.00 worth of taxable property belonging to the Austin Dam & Suburban Railroad Company, thus placing the assessment for the year 1929 at \$11,620.00;

Now, therefore,

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

That the taxable valuation for each of the years 1927 and 1928 be established at \$9,340.00, same being on the basis of the agreed valuation for the year 1929, less that

portion of \$2,250.00 which was not in the city limits during the years 1927 and 1928, and the Tax Assessor and Collector is hereby authorized to change his rolls accordingly; and

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

THAT, due to the fact that settlement of the balance due by the Austin Dam & Suburban Railroad Company was overlooked by the company and the City at the time an agreement was reached on the taxable value of the parent company, the International-Great Northern Railroad Company, that the penalty and interest are hereby remitted on the unpaid balance of taxes due the City of Austin by the Austin Dam & Suburban Railroad Company.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

Councilman Gillis moved that the recommendation of the City Manager that, owing to the triangular shape of Lots 1, 2, and 3, Block 5, Alta Vista Addition, owned by Hal P. Bybee, an adjustment be made in the paving assessment against said property, and that the said Hal P. Bybee be assessed for only 158 feet frontage on said street, be approved, and the City Manager be authorized to make such adjustment. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE VACATING THE ALLEY RUNNING IN A NORTH AND SOUTH DIRECTION THROUGH BLOCK 49, OF CHRISTIAN AND FELLMAN ADDITION, AUSTIN, UPON THE CERTAIN CONSIDERATIONS EXPRESSED IN SAID ORDINANCE.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE REGULATING THE OPERATION AND EXHIBITION OF TENT SHOWS, CARNIVALS, THEATRES, DRAMATIC PERFORMANCES, MERRY-GO-ROUNDS, MEDICINE SHOWS, FLYING-JENNIES, SKATING-RINKS, MINSTREL SHOWS, AND MOVING PICTURE SHOWS, CONDUCTED IN A TENT, TEMPORARY STRUCTURE, OR IN THE OPEN AIR, WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, AND PRESCRIBING A PENALTY FOR THE VIOLATION THEREOF.

The above ordinance was read the first time and laid over.

The Mayor laid before the Council the following ordinance: for its second reading:

ORDINANCE CANCELLING CONTRACT WITH SOUTHWEST BITULITHIC COMPANY FOR THE IMPROVEMENT OF TWELFTH STREET FROM THE WEST LINE OF BLANCO STREET TO THE EAST LINE OF WEST LYNN STREET IN THE CITY OF AUSTIN.

The above ordinance was read the second time and Councilman Gillis moved a 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, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The ordinance was read the third time and Councilman Gillis moved that same be finally passed. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

Reports of Southwest Bitulithic Company and H. R. F. Helland, Consulting Engineer, stating that the paving has been completed on East Monroe Street from the east line of Congress Avenue to the east line of Brackenridge Street, Unit No. P-139, and on East Monroe Street from the east line of Brackenridge Street to the east line of East Side Drive, Unit No. P-140, except that portion abutting the property of Geo. P. Searight, on account of same's being a homestead, were read and ordered filed.

The Mayor then laid before the Council the following resolutions:

**RESOLUTION ACCEPTING STREET IMPROVEMENTS
CONSTRUCTED BY SOUTHWEST BITULITHIC COM-
PANY ON A PORTION OF EAST MONROE STREET
IN THE CITY OF AUSTIN, PROVIDING FOR
PAYMENT OF ANY BALANCE DUE BY THE CITY
FOR ITS PORTION OF THE COST OF SAID IM-
PROVEMENTS AND FOR THE DELIVERY OF CER-
TIFICATES OF ASSESSMENT AGAINST ABUTTING
PROPERTY AND ITS OWNERS.**

WHEREAS, on the 23rd day of March, A. D. 1931, 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:

EAST MONROE STREET from the east line of Congress Avenue to the east line of Brackenridge Street, known and designated as Unit or District No. P-139; and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvement 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:

I.

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

II.

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.

III.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

RESOLUTION ACCEPTING STREET IMPROVEMENTS
CONSTRUCTED BY SOUTHWEST BITULITHIC COM-
PANY ON A PORTION OF EAST MONROE STREET
IN THE CITY OF AUSTIN, PROVIDING FOR PAY-
MENT OF ANY BALANCE DUE BY THE CITY FOR
ITS PORTION OF THE COST OF SAID IMPROVE-
MENTS AND FOR THE DELIVERY OF CERTIFICATES
OF ASSESSMENT AGAINST ABUTTING PROPERTY
AND ITS OWNERS.

WHEREAS, on the 23rd day of March, A. D. 1931, 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:

EAST MONROE STREET from the east line of Brackenridge Street to the east line of East Side Drive, known and designated as Unit or District No. P-140; 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:

I.

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

II.

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 heretobefore provided by the ordinance levying assessments against said property and the owners thereof.

III.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following resolution:

RESOLUTION OF THE CITY OF AUSTIN, TEXAS,
APPROVING THE CONTRACT AND BOND WITH
L. E. WHITHAM & COMPANY FOR IMPROVING
PORTIONS OF BELLEVUE PLACE IN THE CITY
OF AUSTIN.

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

That, whereas, a contract in writing between L. E. Whitham & Company and the City of Austin and a construction bond executed by the said L. E. Whitham & Company have been presented to the City Council for examination and approval, covering the following street, to-wit:

PAVING DISTRICT NO. P-183: BELLEVUE PLACE from the east line of Duval Street to the west line of Harris Park Avenue.

WHEREAS, said contract and bond have been examined by the City Council and found to be in proper form, and the securities on said bond good and sufficient; Now, therefore,

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

That said contract and bond be and the same are hereby approved, ratified, adopted and confirmed.

That this resolution shall take effect and be in force from and after its passage.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following ordinance:

ORDINANCE OF THE CITY OF AUSTIN, TEXAS, DETERMINING THE NECESSITY FOR LEVYING AN ASSESSMENT AGAINST THE PROPERTY AND THE OWNERS THEREON ON BELLEVUE PLACE, AND FIXING A TIME FOR A HEARING OF THE OWNERS OR AGENTS OF SAID OWNERS OF SAID PROPERTY, OR FOR ANY PERSONS INTERESTED IN SAID IMPROVEMENTS, AS PROVIDED BY THE CHARTER OF THE CITY OF AUSTIN, AND DIRECTING THE CITY MANAGER TO GIVE NOTICE OF SAID HEARING AND EXAMINING AND APPROVING THE ROLL OR STATEMENT OF THE CONSULTING ENGINEER, AND DECLARING AN EMERGENCY.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The ordinance was read the third time and Councilman Gillis moved that same be finally passed. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The hearing on West Lynn Street from the north line of Sixth Street to the north line of Twelfth Street, Unit or District No. P-161, which was continued from the last regular meeting, was again continued until the next regular meeting.

Councilman Gillis moved that the recommendation of the City Manager that a road be built to the city dump ground located on property leased from H. E. Brodie and wife, at an estimated cost of \$1600.00, be approved, and the City Manager be directed to proceed with said work. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

Councilman Alford moved that the estimate submitted by the City Manager for the building of a bridge across East Bouldin Creek at Elizabeth Street, in the amount of \$960.75, be approved, and the City Manager be directed to proceed with the construction of same. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

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 One Hundred Eighty and No/100 (\$180.00) Dollars be and the same is hereby appropriated from unincumbered General Fund revenue for the purpose of paying

Joe Amstead for his services as labor investigator from August 15, 1931, to September 15, 1931.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Mayor laid before the Council the following resolution:

WHEREAS, Lots 1 to 10 and 23 to 32, both inclusive, in Block 10, Outlots 15, 16 and 17, Division "D" were purchased from the Church Corporation of Protestant Episcopal Church by the State of Texas on July 1, 1931, and said property thereafter became public property;

Therefore,

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

That the current city taxes of 1931 to become due on said property be and the same are hereby pro rated so as to make one-half of said taxes, and the City Assessor and Collector of Taxes is hereby authorized to receive in full payment of taxes for 1931 on said property one-half of the amount assessed.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

Councilman Alford 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, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Council then recessed.

Approved:

W. M. Fadden
MAYOR.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, September 24, 1931.

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

The regular order of business was suspended in order to hear the large number of persons present on paving and other matters.

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 the certain Units or Districts of Improvement as follows: