

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 16, 1951

10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Drake presiding.

## Roll Call:

Present: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Absent: None

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works; R. D. Thorp, Chief of Police.

Councilman Johnson moved that since copies of the minutes of the last meeting of the City Council have been furnished Council members by the City Clerk the reading of the minutes be dispensed with and that the minutes be adopted as read in the Clerk's report. Upon being seconded by Councilman Long, the motion was adopted by the Council, and the Minutes so approved.

Students in the English Language and Orientation Program, sponsored by the Institute of International Education, the Department of State, and the U.S. Office of Education, were greeted and welcomed. Mayor Drake explained the Council-Manager form of government to them.

MRS. C. M. WOOTTON appeared in behalf of her Mother, MRS. L. W. GOLDEN, 1202 Norwood, asking that the City pay for repairing the floors at this address, ruined by flood waters for which the City could have provided proper drainage. This matter was referred to the City Attorney to ascertain the facts from the Engineering Department.

MR. M. R. SELINGER, representing ten local concerns, presented a claim against the city for overcharging in the electric power rates. Councilman MacCorkle asked how long this had been going on, stating it had been called to his attention just a day before. Mr. Selinger stated he had been employed by local concerns since January, and had been in contact with the power department since last November. In answer to Councilman Long's inquiry, he stated he represented an individual organization of utility engineers, fuel, electric and gas engineers who made power surveys and recommendations as to how to use their motors more efficiently and who saw that their clients got the best rates for their utilities. He found the electric power from a shoe company next door to Krueger's Jewelry Company, hooked on to Kruegers meter for seven years. MR. JIM YEATES, Austin Laundry, stated they had employed Mr. Selinger to check their utilities. Councilman MacCorkle asked if they were asking for a rebate, and Mr. Yeates stated the total overcharge was more than \$20,000 for all the firms. Mr. Selinger stated some rebates had been made in the past but not for any of his clients, and he was not in a position to name those, as it was confidential information. Mr. Selinger outlined the request of the Austin Laundry. Councilman White asked if Mr. Yeates received a report from the City after his voltage and meters were checked. Mr. Yeates stated they did not contact him. He went on to say they requested a demand meter about 4 years ago, and a representative from the Electric Department then stated they were on the cheapest rate then. The Laundry accepted that; but since they put in the demand meter, they have been averaging around \$50.00 a month less. Councilman White asked if they felt they were paying more than they should all this time. Mr. Yeates stated they did, and they had had a similar concern check it, and this firm also told them they should ask for a demand meter. This was the time the representative from the City told them they were on the best rate, "B". MR. SELINGER stated Renfro had been discriminated against. Councilman White asked if they had taken this up with Mr. Seaholm, Mr. Selinger replied they had written to Mr. Hancock, and he said they were sending out an engineer, but they were not going to give him the rate "D" because he did not have 20KV demand. Mr. Selinger stated they were giving it to others; also the City was selling power for resale, and about 200% profit was being made. Mr. Selinger reported that the Capital National Bank bought the power for Rate "D" and sold it to Renfro for Rate "B". Also a movie theatre on Congress Avenue was selling power to the merchants. Councilman White asked if Mr. Selinger had checked any smaller users; and stated that if the larger users were overpaying, it was possible the smaller ones were too. MR. SELINGER replied he had these 10 clients, and did not know about the others. MR. SELINGER submitted copies of his formal claims to the Council, and asked for decision and adjustments.

The City Manager explained the four rates, and explained that Rate "D" could work a penalty on a customer as well as a benefit. He explained the specific case of the Austin Laundry Company, who up until 1939 were on Rate "D". The City found at that time that the manner in which they were using the power they were being penalized; and on the city's findings and on their request, they were changed to rate "B". Frequent checks have been made through the following years and reports made that they would still be better off on Rate "B". He stated the same was true of Walker's Austex. He stated Mr. Selinger made

a test to arrive at what the demand might be. The demand is not indicated by the motor ratings. It is necessary to use measuring instruments to determine "demand", and a momentary test is not necessarily true. About the City's readjusting the meters, the City Manager stated any customer could go to the State Weights and Measures Department, who would check any meter on the system. Councilman MacCorkle asked if the meters were sealed at the manufacturers and sent to the City. Mr. Seaholm replied they were not sealed, but that the City sealed them when they were installed on a customer's premises. Councilman White asked if different meters were ordered for different rates. The City Manager replied that it took a demand meter in addition to the regular kilowatt hour meter. Councilman Long asked if MR. YEATES had been overcharged. The City Manager replied he had not been, and Mr. Seaholm explained the Laundry's operations, its generator service, and the stand-by service, and stated the Laundry had been treated very fairly; and had been given Rate B when it was shown to be to the Laundry's benefit before, and there would be no reason why there would be any unfair treatment now. MR. YEATES stated they had asked for a larger transformer, and another transformer was installed, but MR. SELINGER told them it was not capable of putting out. MR. YEATES stated his particular claim was \$5,500, and he was asking not for cash, but credit. He stated the factory claimed the meters were sealed under certain conditions to be used under certain rates, and they are reset when they get here. Councilman MacCorkle asked if Mr. Selinger had the City's cooperation to make these checks. MR. SELINGER stated they did not need the city's cooperation; that they had three engineers checking them, and this was what they found, and the City could recheck. The matter was turned over to the City Attorney, to check every claim.

COUNCILMAN MacCORKLE inquired about selling current to the Capital National Bank and other agencies who in turn sold to their customers. The City Manager stated the Bank was billed for the power, and if they chose to meter it out to their tenants, that that was standard practice -- nothing illegal -- but they did not go outside of their own building.

MR. TRAVIS LaRUE reported they requested a demand meter, and the men came out to put it in; but due to Mr. LaRue's not being prepared for them to make the installation, they stated they would be back the next day. Then they decided it would not be advisable to put it in, stating that Mr. LaRue had the best rate already. The City Manager stated if rate D would work better than C, they would get it.

MR. HARRY POLLARD, representing the LONG HORN BOAT CLUB, came before the Council asking that the Council NOT accept the recommendation of the Navigation Board, which would limit organized racing on Lake Austin. He submitted a petition from the Club asking the Council to authorize six organized motorboat races yearly during the racing season, of which two races would be "sanctioned" races wherein the competitors use motors without mufflers, and four would be Club races using mufflers on the motors, one "sanctioned" race to be held in the Spring and the other to be held in the Fall, and not more than one race, to be held during any calendar month. He pointed out the rights to the waters in the lake, and that there was no ordinance prohibiting or curtailing boat racing on the lake. (Full "Argument in Support of Petition of Longhorn Boat Club to be Permitted Six Organized Races Yearly" on file in the City Clerk's Office under LAKE AUSTIN) MR. WILLIAM BROWN represented a group opposing boat racing, and stated this group had compromised to a certain number of races. He listed their objections to the racing, in that it was dangerous to the swimmers and boaters; it was noisy; it polluted the water with oil; disturbed the fish, and made fishing impossible; and disturbed the use of the river. MR. GEORGE NALLE, JR., appeared stating this racing ruined the week-ends of those who wanted to enjoy the lake, and the boat racing just caused bedlam. MISS ROBINSON, MR. A.W.PENN, MRS. J.T.BOWMAN, and MR. S. T. FINCH expressed objections to the Longhorn Boat Club races. MR. POLLARD submitted a petition with over 500 signatures requesting the Council to authorize the Longhorn Boat Club to hold six races a year. The Mayor announced that the Council would take the matter under advisement and give an answer as soon as possible.

MR. BEN WAYNE GREIG appeared before the Council for any discussion regarding bus service that the Council might want to hold, and to report the progress of the consolidation of the three companies making up the Austin Transit. He read a letter from MR. GENERAL MANN, Attorney, stating the plan of consolidation was desirable; but at this time there was a tax case pending, and they felt it wise to wait until this case was concluded. At that time, they would go ahead with the plans to consolidate the BUS LEASING CORPORATION, THE ZACHRY REALTY COMPANY, and THE AUSTIN TRANSIT, INC. Councilman Long made inquiry about cutting down on the services, such as on the Enfield Bus, Ridgetop and St. Elmo, without informing the riders before hand. MR. GREIG stated mimeographed copies were furnished each time a schedule was adjusted, and that no service had been cut. He reported that ten busses had been added. He expressed his appreciation to Councilman Long for the time she had spent and the help she had been. Discussion was held on the plans for bus service in the Camp Mabry area, and about extending the run in the Dellwood area two or three blocks. Councilman Long inquired about a case of one driver humiliating a colored person on the bus, later putting her off the bus and having her arrested. MR. GREIG stated this should have been reported to him, as the Company would not tolerate any discourtesy to anyone. He stated he would investigate this personally and report it to the Union, as the Union had always cooperated with him. Councilman Long requested that when Mr. Greig got the companies organized into one company, that he report back to the Council.

The Council received the following recommendations from the Traffic and Safety Board, dated August 10, 1951:

"The following recommendations are made to the Mayor and City Council relative to parking, etc. It is requested that an appropriate ordinance be prepared and enacted to authorize and implement these recommendations.

#### Parallel Parking

Along the east curb of Colorado Street from West 7th Street to West 8th Street.

This recommendation is made to facilitate traffic movement along Colorado Street and improve access to the curb and drive-in banking facilities of the Capital National Bank.

#### Installation of Parking Meters

Along the east curb of Guadalupe Street in the 2100, 2200, and 2300 blocks. Parking meters to provide for a maximum time limit of one-hour at a fee of one nickle.

Installation of these meters has been approved by the Board of Regents, University of Texas, and by the merchants in this area.

#### City-Owned Wrecker

It is recommended that the City of Austin purchase a wrecker for impounding of vehicles parked overtime or in an otherwise illegal manner and such other service that may be performed by such a wrecker.

#### Parking Time Limitation on Congress Avenue

Limiting parking meter time limitation along both curbs of Congress Avenue, from 4th Street to 10th Street, to 30-minutes. This recommendation excepts such limited locations in front of banks, etc., when a shorter time limit may be installed.

(S) Gene P. Ravel  
Secretary

(S) H.K. Snell  
Chairman"

Dr. H. K. Snell was present to discuss these recommendations. After discussion, Councilman MacCorkle moved that the City Attorney prepare an ordinance to cover the installation of Parking Meters along the east curb of Guadalupe Street in the 2100, 2200, and 2300 blocks as recommended by the Traffic Committee. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

No action was taken by the Council on the other recommendations included in the memorandum. With reference to the 30-minute parking meter installation on Congress Avenue, the Council received a petition from approximately 27 merchants asking that this not be accepted.

The City Manager submitted recommendations for annexing certain areas into the City limits. This was submitted for study by the Council. MR. ARTHUR CUNNINGHAM appeared representing the Austin Public Schools. He stated the School Board had studied this proposed annexation plan and had authorized him to endorse the City's plan. He explained generally, the people just outside the proposed new city limits could hold an election to decide if they wanted to come into the limits for school purposes only, or use the County Schools and go by County busses. Either plan was agreeable with the School Board. Earlier in the meeting MR. JIM FRITTS, and MR. C. W. PANNEEL from Pleasant Hill Communities asked that the school district not be split in two--that all of it be taken in the City or none. MR. DAVID CARSON noted that the area he had petitioned to be brought in was not shown on the maps as being considered. It was stated it would be included. The City Manager reported the proposed extension would increase the city about 26 square miles or about 65%, and the population increase would amount to 16.2%. The Council decided to go over the proposal submitted by the City Manager, and be in a position by next week to instruct him what to have included in the ordinance; then the Council would hold public hearings before the final publication of the ordinance would be made. (Copy of the City Manager's Recommendation, dated August 16, 1951, on file in City Clerk's Office under "Boundaries, Extension of")

Mayor Drake brought up the following ordinance for its second reading:

AN ORDINANCE PROHIBITING THE STOPPING, STANDING  
OR PARKING OF A MOTOR VEHICLE ON THE WEST ONE-  
HALF OF BLOCK 98 OF THE ORIGINAL CITY OF AUSTIN;  
PROVIDING EXCEPTIONS; PRESCRIBING A PENALTY; AND  
DECLARING AN EMERGENCY.

The ordinance was read the second time, and Councilman Johnson moved that the rule be suspended, and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, MacCorkle, White, Mayor Drake  
Noes: Councilman Long

The ordinance was read the third time, and Councilman Johnson moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, MacCorkle, White, Mayor Drake  
Noes: Councilman Long

Mayor Drake announced that the ordinance had been finally passed.

Mayor Drake introduced the following ordinance:

AN ORDINANCE GRANTING TO RANDOLPH HAWKINS, DOING BUSINESS AS DE LUXE CAB COMPANY, A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS, AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED.

The ordinance was read the first time and Councilman MacCorkle moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Mayor Drake introduced the following ordinance:

AN ORDINANCE GRANTING TO AMERICAN TAXI COMPANY, LTD., A CORPORATION, A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED.

The ordinance was read the first time and Councilman MacCorkle moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Mayor Drake introduced the following ordinance:

AN ORDINANCE GRANTING TO GEORGE KNOX, DOING BUSINESS AS HARLEM CAB COMPANIE, A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN, AND PRESCRIBING THE TERMS, CONDITIONS OBLIGATIONS AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED.

The ordinance was read the first time and Councilman MacCorkle moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Mayor Drake introduced the following ordinance:

AN ORDINANCE GRANTING TO OWL TAXI SERVICE, INC., A CORPORATION, A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN, AND PRESCRIBING

THE TERMS, CONDITIONS, OBLIGATIONS, AND LIMITATIONS  
UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE  
EXERCISED.

The ordinance was read the first time and Councilman MacCorkle moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Mayor Drake introduced the following ordinance:

AN ORDINANCE GRANTING TO D. F. SAMUEL, DOING BUSINESS AS RED BALL TAXI COMPANY, A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED.

The ordinance was read the first time and Councilman MacCorkle moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Mayor Drake introduced the following ordinance:

AN ORDINANCE GRANTING TO YELLOW CAB COMPANY OF AUSTIN, A CORPORATION, A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS, AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED.

The ordinance was read the first time and Councilman MacCorkle moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Mayor Drake introduced the following ordinance:

AN ORDINANCE GRANTING TO JOHN SHUGART, DOING BUSINESS AS SHUGART TAXI, A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS, AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED.



The ordinance was read the first time and Councilman MacCorkle moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Mayor Drake introduced the following ordinance:

AN ORDINANCE GRANTING TO LAWRENCE REYES AND J. PETE REYES, DOING BUSINESS AS AIRLINE TAXI, A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS, AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED.

The ordinance was read the first time and Councilman MacCorkle moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Mayor Drake introduced the following ordinance:

AN ORDINANCE GRANTING TO ROY VELASQUEZ, DOING BUSINESS AS ROY'S TAXI, A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED.

The ordinance was read the first time and Councilman MacCorkle moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Mayor Drake introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF CERTAIN STREETS OR PORTIONS THEREOF IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE PROCEDURE PROVIDED BY ARTICLE XXIV OF THE CITY CHARTER AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT A PART OF THE COSTS SHALL BE BORNE BY THE CITY AND THAT A PART SHALL BE BORNE BY THE ABUTTING PROPERTIES AND THE OWNERS THEREOF, PROVIDING FOR THE ASSESSMENT OF THE PORTION OF THE COSTS TO BE BORNE BY PROPERTY OWNERS, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.

The ordinance was read the first time, and Councilman Long moved that it be passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON LOT 11, BLOCK 1, OUTLOT 11, DIVISION "O", CHERNOSKY NO. 1, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

The ordinance was read the second time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

The ordinance was read the third time and Councilman Johnson moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Mayor Drake announced that the ordinance had been finally passed.

The Mayor introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT ON PROPERTY LOCALLY KNOWN AS 1413 THROUGH 1611 SHOAL CREEK BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

The ordinance was read the second time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its third reading. The motion

seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

The ordinance was read the third time, and Councilman Johnson moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Mayor Drake announced that the ordinance had been finally passed.

The Mayor introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ALL PROPERTY BOUNDED ON THE NORTH AND WEST BY LAMAR BOULEVARD, ON THE SOUTH BY WEST 24TH STREET, AND ON THE EAST BY LONGVIEW STREET ALLEY AND LEON STREET; AND CHANGING THE USE DESIGNATION FROM "B-1" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON LOTS 1 AND 2 AND NORTH 20 FT. OF 3, O.L. 41, 42, DIVISION "D", LONGVIEW TERRACE, AND LOT 1, 58'x168' LOT 2, 58'x 168', AND NORTH 8' x 168' AND WEST 50' x 48' OF LOT 3, O.L. 41, DIVISION "D", UNPLATTED, ALL IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

The ordinance was read the second time and Councilman Johnson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

The ordinance was read the third time, and Councilman Johnson moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Mayor Drake announced that the ordinance had been finally passed.

Councilman Long moved that EUGENE ALVIS be appointed to act as Judge of the Corporation Court while JUDGE JOE ROBERTS is on vacation. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Councilman Long moved that the following application for change of zoning be set for public hearing at 11:00 A.M., September 13, 1951:

RUBY EICHELBERGER	Lots 7, 8, and 9, Blk. 137, Original City, 307 & 309 E. 12th St.	From "B" Residence To "C" Commercial RECOMMENDED by the Zoning Board of Adjustment
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The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

The application for change of zoning of the property at 1819 West 10th Street, belonging to HANDY WILLIAMSON, from "A" Residence to "C" Commercial, was brought up for final decision. The Zoning Board of Adjustment had not recommended the change. The Mayor asked those in favor of following the recommendation of the Zoning Board and reject the application for change, to vote "aye"; those opposed, vote "no". Roll call showed the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

The Mayor announced that the zoning had not been changed.

The Council brought up a brief discussion on a Public Market Committee composed of seven members to study the Market to see if it is serving its purpose in the Community and to see if it should be expanded or closed. The Mayor asked each member to be thinking of someone to appoint on this committee.

Councilman Long inquired about the temporary transformer at the Magnesium Plant. The City Manager stated it would help relieve the problems in that area, but would not solve them.

Councilman MacCorkle asked about the progress of improving the Administration Building at the Airport. The City Manager reported it was hoped that the appropriation for Austin would be reinstated, and that Austin would be included in the whole plan of the C.A.A. Councilman MacCorkle asked that work be continued in this line.

Councilman Long inquired about building the negro fire station. The City Manager stated the equipment would be received in the early part of next year, and the building would be started right away.

Councilman White asked about the report on raising the labor rates of pay. The City Manager stated he had held a meeting with the Committee and would report on this next week.

MR. PAUL HOLCOMB made a statement regarding the boat races, thinking the decision should be made in the interest of all the people in Austin and not for a few living on the shores of the lake.

The Council received notice from the City Manager that the following application for change of zoning had been referred to the Zoning Board of Adjustment for consideration and recommendation:

J. H. YOUNGQUIST, JACK T. COX, and H. H. FASKE	3401 through 3407 East Avenue	From "A" Residence To "C" Commercial
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Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

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

THAT Southern Union Gas 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 EAST 14th STREET, from a point 112 feet west of Clifford Avenue westerly 320 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said EAST 14th STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(2) A gas main in SINGLETON AVENUE, from a point 283 feet south of New York Avenue southerly 438 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said SINGLETON AVENUE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(3) A gas main in BERGMAN AVENUE, from a point 175 feet east of Lynn Street easterly 186 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said BERGMAN AVENUE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(4) A gas main in HATHAWAY DRIVE from Colfax Avenue southerly 201 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said HATHAWAY DRIVE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(5) A gas main in COLLIER STREET, from a point 84 feet west of Oxford Avenue westerly 20 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said COLLIER STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(6) A gas main in BEN HOWELL STREET, from a point 52 feet east of Wilson Street easterly 100 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said BEN HOWELL STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(7) A gas main in LAWTON AVENUE ALLEY from Bull Creek Road southerly 194 feet, the centerline of which gas main shall be 3 feet west of and parallel to the east property line of said LAWTON AVENUE ALLEY.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(8) A gas main in SOUTH 3rd STREET, from a point 172 feet north of Gumberland Road northerly 90 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said SOUTH 3RD STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(9) A gas main in MILLS AVENUE from West 37th Street northerly 78 feet, the centerline of which gas main shall be 13.5 feet west of and parallel to the east property line of said MILLS AVENUE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(10) A gas main in LINK AVENUE from Nelray Blvd. northerly 210 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said LINK AVENUE.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(11) A gas main in WEST  $55\frac{1}{2}$  STREET, from a point 508 feet west of Chesterfield Avenue westerly 45 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said WEST  $55\frac{1}{2}$  STREET.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

The Southern Union Gas 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 not be required at special points. When the Southern Union Gas 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 Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas 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 whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling 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 motion, seconded by Councilman White, carried by the following votes:  
 Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
 Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin has advertised for bids for eleven network transformers, per City of Austin Specification E 242; and

WHEREAS, on August 13, 1951, bids were received and opened by the City for such transformers, such bids being as follows:

	<u>Unit Price</u>	<u>Total</u>	<u>Cash Discount</u>	<u>Net</u>
Priester Supply Company (Moloney)	\$ 5367.00	\$ 59,037.00	1/2%	\$ 58,741.81
General Electric Corp.	5354.00	58,894.00	None	58,894.00
Westinghouse Electric Corp.	5435.00	59,785.00	None	59,785.00
Allis Chalmers				
Item 1 (City Spec.)	5542.00	60,962.00	None	60,962.00
Item 2 (Mfg. Standard)	4920.00	54,120.00	None	54,120.00

and,

WHEREAS, the bid of Priester Supply Company of Austin, Texas, in the sum of \$58,741.81 was the lowest and best bid, and the acceptance of such bid has been recommended by the City Manager; Now, Therefore,

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

That the bid of Priester Supply Company be and the same is hereby accepted, and W. E. Seaholm, City Manager, is hereby authorized and directed to enter into a contract with the said Priester Supply Company for the delivery of eleven network transformers.

The motion, seconded by Councilman White, carried by the following votes:  
 Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
 Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to enter into, for and on behalf of the City of Austin, one certain written agreement dated July 27, 1951, with the Texas and New Orleans Railroad Company, for the construction, maintenance, ownership, and use of one certain 8 inch water pipe line to cross said railroad company's property and under its Austin-Llano main tract, at right angles, at Engineer's Station 355403, at or near Abercrombie, Travis County, Texas, all as more particularly set out in said agreement on file in the office of the City Clerk and to which reference is here made for all purposes.

The motion, seconded by Councilman Johnson, carried by the following votes:  
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake.  
Noes: None

Councilman MacCorkle made inquiry about MR. NOLVIN WARD'S report regarding setting up a Grievance Committee under the Job Classification Program. The City Manager stated Mr. Ward would come up and make a recommendation; that he had submitted a rough draft, and that Mr. Seaholm, himself had asked Mr. Ward to make a formal report. Councilman MacCorkle stated he would like to see what he proposed before they met.

There being no further business, the Council Adjourned subject to the call of the Mayor.

APPROVED

*W. S. Drake*  
\_\_\_\_\_  
Mayor

ATTEST:

*Elmer Hoosley*  
\_\_\_\_\_  
City Clerk