

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 30, 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, White, Mayor Drake  
Absent: Councilman MacCorkle

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 Long pointed out a correction in the minutes of the last meeting regarding a statement she made, correcting the recording of this statement to read "there were wreckers available in the City that could handle this particular type of business." Councilman White then moved that the Minutes of the last meeting be approved as corrected. The motion, seconded by Councilman Long, carried by the following vote:

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

Councilman Long moved that the following areas included in the annexation program be set for Public Hearings as follows:

Section 1 - Approximately 6.7 square miles of land composed of two tracts, one out of the T.J. Chambers Grant, The Albert Silsbee Survey, the C.J. Strother Survey, and the Daniel J. Gilbert Survey, all in Travis County; and the second tract out of the T.J. Chambers Grant, the Jas. P. Davis Survey

The George W. Davis Survey,  
The Jas. M. Mitchell Survey, the  
Jas. P. Wallace Survey No. 18,  
and the George W. Spear League,  
all in Travis County, Texas

Tuesday, September 4, 1951,  
at 8:00 P.M.

Section 3 - Approximately 4.6 square miles  
composed of the Jas. P. Wallace  
Survey, the D. Simpson Survey,  
the A.W. Canefield Survey, the  
James Burleson Survey, the A.B.  
Spear Survey, the S.Q. Whatley  
Survey, the Thomas Eldridge Survey,  
the J.A.G. Brooks Survey, the John  
Applegait Survey, the J.C. Tannehill  
Survey, the P. Lask Survey and the W.  
Avery Survey, in Travis County

Tuesday, September 4, 1951,  
at 8:00 P.M.

Section 7 - Approximately 1.9 square miles  
composed of 2 tracts in the Henry  
P. Hill Survey, Travis County

Tuesday, September 4,  
1951, at 8:00 P.M.

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Section 2 - Approximately 1.9 square miles  
out of the James P. Wallace Survey  
and the John Applegait Survey, in  
Travis County.

Wednesday, September 5,  
1951, at 8:00 P.M.

Section 4 - Approximately 5.1 square miles of  
land out of the A.B. Spear Survey,  
the Thomas Eldridge Survey, the J.  
C. Harrelson Survey, The S. Q. Whatley  
Survey, the Henry Harrell Survey  
and the J.C. Tannehill League, in  
Travis County

Wednesday, September 5,  
1951, at 8:00 P.M.

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Section 6 - A tract of land composed of part  
of the Isaac Decker League, the Wm.  
Cannon League, the Theodore Bissell  
Survey, the Jas. Trammel Survey, the  
Chas. H. Riddle Survey and the Hen-  
ry P. Hill League, in Travis County.

Tuesday, September 11th,  
1951, at 8:00 P.M.

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Section 5 - 5.8 square miles, approximately, in  
the Santiago Del Valle Grant and the  
J.C. Tannehill League

Wednesday September 12th,  
1951, at 8:00 P.M.

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

MRS. BOB LONG asked the Council to relieve the truck situation on Red River Street, in that the trucks have been routed down Red River for the past two years, during the construction of the Interregional Highway. She stated the tax payers had built Lamar Boulevard to take care of some of the highway traffic from Dallas to San Antonio. This truck traffic was ruining her health as well as the value of her property. Councilman Long moved that the Council ask the Highway Department to move as fast as possible to reroute the trucks from the now designated route on Red River back down East Avenue. The motion, seconded by Councilman White, carried by the following vote:

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

MISS ETHEL CARLTON, 1404 Red River, appeared before the Council also complaining of the trucks on Red River, and reported they went down the street with their mufflers open. The Mayor told her the City Manager would contact the Highway Department to see what could be worked out.

The name of MRS. GOODALL WOOTEN was submitted by the City Manager with his recommendation and that of the Hospital Board, that she been appointed to fill the vacancy on the Brackenridge Hospital Advisory Board. Councilman Long moved that MRS. GOODALL WOOTEN be appointed on the Hospital Board. The motion, seconded by Councilman Johnson, carried by the following vote:

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

The Council received the following petition from MILLIE HUBBERD, signed by approximately 43 residents:

"We, the undersigned submit our names as a Petition to the Austin City Council for a street light to be erected on Chicon Street at Rosewood Court 7. ( $\frac{1}{2}$  block from Rosewood, going South on Chicon Street) A light is badly needed at these streets for our safety."

Councilman Long 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 NORTH LOOP BOULEVARD, from a point 7 feet east of Jim Hogg Avenue easterly 128 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said NORTH LOOP BOULEVARD.

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

(2) 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  $7\frac{1}{2}$  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.

(3) A gas main in AVENUE H, from a point 340 feet south of East 40th Street southerly 72 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said AVENUE H.

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

(4) A gas main in HILLVIEW ROAD, from a point 119 feet south of Jamesborough Street southerly 174 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said HILLVIEW ROAD.

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

Mayor Drake brought the following ordinance for its second reading:

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

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

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

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

The Mayor then announced that the ordinance had been finally passed.

Mayor Drake introduced the following ordinance:

AN ORDINANCE RESCINDING CERTAIN PROCEEDINGS HERETOFORE HAD ORDERING THE PAVING AND IMPROVEMENT OF HOPI TRAIL, FROM THE NORTH PROPERTY LINE OF BRIDLE PATH TO THE SOUTH PROPERTY LINE OF CLEARVIEW DRIVE, IN THE CITY OF AUSTIN, TEXAS, DESIGNATED AS UNIT NO. 26, ABANDONING THE IMPROVEMENT OF SAID STREET OR UNIT UNDER SUCH PROCEEDINGS HERETOFORE HAD, AUTHORIZING AND DIRECTING THE FILING OF NOTICE OF SUCH ACTION, AND DECLARING AN EMERGENCY.

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

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

The ordinance was read the second time and Councilman Long 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, Long, White, Mayor Drake  
Noes: None  
Absent: Councilman MacCorkle

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

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

The Mayor then announced that the ordinance had been finally passed.

Councilman White 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 and execute in behalf of the City of Austin one certain

written agreement dated August 17, 1951, between said City of Austin and Guy A. Thompson, Trustee, International-Great Northern Railroad Company, Debtor, respecting the construction, operation, ownership, maintenance and using of one certain 660 ft. spur tract, running from the present lines of said railroad in Third Street to a point in West Avenue south of Third Street, in the City of Austin, Travis County, Texas, all as more particularly set out in said agreement to which reference is made the same as if fully set out herein.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the final plat of the subdivision known as "Carol Heights Addition", approved by the City Plan Commission of the City of Austin on August 23, 1951, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with Brentwood Corporation, in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council. (On file under Water Main Extensions - Contract No. 534-C.)

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on August 24, 1951, bids were received by the City of Austin for the construction of a bridge over Shoal Creek at West 1st Street; such bids being as follows:

Southern Contracting Co.	\$ 83,456.66
M. E. Worrell	87,350.80
Starling Construction Co.	89,438.21
John Broad Construction Co.	91,946.80
Luther Turner & Son	94,431.80
C. H. Harrison	96,574.75
Russell Smith	96,638.54
John F. Buckner & Son	102,206.45
Austin Bridge Co.	107,854.76

and,

WHEREAS, the bid of Southern Contracting Company in the sum of \$83,456.66 was the lowest and best bid, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin and by the City Manager; now, therefore,

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

THAT the bid of Southern Contracting Company be and the same is hereby accepted, and W. E. Seaholm, City Manager, is authorized and directed to execute a contract with Southern Contracting Company for the construction of a bridge over Shoal Creek at West 1st Street on the basis of their bid of \$83,456.66.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, White, Mayor Drake

Noes: None

Absent: Councilman MacCorkle

The City's estimate amounted to \$79,965.65.

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

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

Ayes: Councilmen Johnson, Long, White, Mayor Drake

Noes: None

Absent: Councilman MacCorkle



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

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

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

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

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

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

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

AN ORDINANCE GRNATING 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 second time and Councilman Long moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

AN ORDINANCE GRNATING 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 second time and Councilman Long moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager submitted the following memorandum under date of August 29th, 1951:

August 29, 1951

MEMORANDUM

TO: Honorable Mayor and City Council  
 FROM: W. E. Seaholm, City Manager  
 SUBJECT: Southern Union Gas Company request for gas rate increase

"In accordance with your request, we have investigated the request of the Southern Union Gas Company for an increase in the general service rate for gas to domestic and commercial consumers in the City of Austin and its environs.

"The Southern Union Gas Company is the natural gas distributor in Austin, having succeeded through merger on July 21, 1949, to the property formerly owned by Texas Public Service Company. A franchise had been adopted by the City on August 12, 1948, extending the time for the privilege of operating in the City of Austin

for a period of 29 years. The local Southern Union Gas Company is served by the United Gas Pipe Line Company from its transmission system network, connecting to numerous gas fields within the State of Texas and without.

"It is recognized that cost of doing business has increased materially for the past several years. Materials, such as steel pipe, meters, etc., have risen sharply. Supplies and labor have, likewise, increased considerably.

"Significantly, the applicable rate for domestic and commercial gas service has been the same since April 22, 1943. At the time this rate was adopted it was a reduction from the 1935-42 rate.

"Thus, with a fixed revenue rate and rising costs of operation and maintenance and of capital improvements, the rate of return to which the company is entitled is undoubtedly affected.

"The Southern Union Gas Company have very obligingly furnished us with all the information that we have asked for, which has been of real help to us in our studies. Needless to say, we have not had the time to make an absolute and thorough study of all the details involved; however, with the information that has been furnished us by the Company and such reports as have been filed with the State Railroad Commission, we feel that we have sufficient knowledge of the capital structure whereby we can see the effect of the proposed rate increase. A company is entitled to earn, under the law, a six and one-half per cent return on their investment. With the inflated costs that we now have to meet in replacement of equipment, materials, etc., one can readily see that the previous depreciation reserves set aside for such replacement may prove inadequate.

"It is to be noted that the new rate will yield approximately six per cent on the original cost of plant in service. - (See Page 5.)

"On Page 4, a breakdown on the old and new rates is set up on the 1950 consumption. You will note that industrial sales are likewise indicated; however, industrial sales are not controlled rates. It could be that, with a marked increase in industry, revenues from this source could make up the difference in making for a satisfactory return. Our present industrial contract for the City of Austin's electric power plant will expire in 1957. Since this is a rate that concerns every individual who uses electricity, it is urged that this industrial contract be extended by the Southern Union Gas Company for the life of its contract with the United Gas Pipe Line Company. We would, therefore, urge that the City Council, in its consideration of the general service gas rate for domestic and commercial use, also consider the extension of the power plant industrial contract.

"For the general information of the Council, I should state that the Gas Division of the Texas Railroad Commission can be invited to sit in on consideration of gas rates.

W.E. SEAHOLM  
City Manager"

Attached to this memorandum are tabulations, which are on file in the City Clerk's Office under SOUTHERN UNION GAS COMPANY - Rates. The tabulations are "Calculation of General Service Rate Requirements for the City of Austin, Texas", "Revenue on Present Rate Schedule compared with Proposed Rate", "Adjusted Operating Statements", "Operating Revenue and Expenses Adjusted", "Austin District - Original Cost of Gas Plant in Service 12-31-50, Schedule 3-A"; "Austin District - Schedule 3-C"; "Austin District, Schedule 3-D"; and "Austin District, Schedule 3-B".

No action was taken at this meeting, as the Council wanted more time to study this report. MR. WILLIAM LAWLOR, JR., asked that this be considered as soon as possible, as the request had been in since July 12th. Mayor Drake felt that by next week a date for public hearing might be set, but a final decision could not be reached by next Thursday. Councilman Long stated it might be necessary to get a rate expert to come in on it to help out, as she did not feel satisfied that she had enough information to justify a rate increase. The Mayor stated the matter would be brought up for discussion next Thursday.

The Council received a report from the City Manager regarding a statement from MR. I. B. FELPS that there had been some irregularities in the handling of tires. The City Manager stated a thorough investigation had been made, and no irregularities had been found; that there was nothing to bear out Mr. Felps's statement, and he admitted such. Councilman Long thought when Mr. Felps called this to Mr. Fenton White's attention, he should have looked into the matter. Councilman White still felt there was an irregularity or Mr. Felps would not have talked to Mr. Fenton White about it, and stated that Mr. Felps should be commended for this. The Mayor stated no money could have exchanged hands, and he could see no reason or motive. Mrs. Felps spoke in her husband's behalf. Councilman Long inquired about the tickets when the new tires were mounted. The Director of Public Works stated there were no tickets for tires being mounted, as the tires had been purchased previously and put in stock; and when they needed a tire and tube they got it and had it mounted---no need for a ticket. The Finance Director explained the method of bookkeeping used, stating separate tickets were kept for purchases and separate tickets were kept for tire and tube repairs. Councilman Long wanted to postpone action until she could study the two reports. Mayor Drake did not think any action was necessary to be taken by the Council. (Transcript of this discussion and the reports from Mr. I. B. Felps and Mr. Fenton White are on file in the City Clerk's Office)

Pursuant to public notice thereof, public hearing was held on an amendment to the Zoning Ordinance in Section 6 in the following particular:

47. Potato Chips Processing Establishments in a "Community Center." Also Potato Chip Processing Establishments not located in a Community Center which use soot producing fuel or which operate in a manner so as to produce objectionable odors or noise.

No one appeared in opposition. The Mayor then 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 ORDINANCE BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY AMENDING THE FOLLOWING SECTION:

SECTION 6, SO AS TO ADD ONE NEW ITEM, NUMBER 47; AND  
SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES  
ON THREE SEPARATE DAYS.

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

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

The ordinance was read the second time, and Councilman Long 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, Long, White, Mayor Drake  
Noes: None  
Absent: Councilman MacCorkle

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

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

The Mayor announced that the ordinance had been finally passed.

MR. MARCUS L. LOFTIS, Business Manager of the Electrical Union, appeared before the Council protesting the city's doing the electrical distribution system at the Housing Project at Bergstrom Field, as that should come under private contract using the prevailing wage scale and working conditions. He mentioned the builder was responsible for providing the services at the project, and he was governed by the Wherry Act. COLONEL JAMES DUKE explained the Wherry Act in this regard, stating no mention as to the method of providing the facilities was made. The City Manager explained if it is a primary meter, the contractor will provide the Distribution System, but the City is in the retail business and in that case does the wiring up to the meters. It is a matter of selling at retail or wholesale. Councilman Long compared this with builders outside the city limits, where a sum of money is deposited and refunded. The City Manager stated this was not the case in electrical power, as the City is obligated through a contract with the L.C.R.A. to furnish power in a 10-mile area. Councilman Long asked if Giles had a primary meter. Mr. Seaholm stated that Mr. Giles was providing a transformer vault, and a line was being run up to that point, and he was taking care of it from there on. Councilman Long asked if this was the same as was done for the Perry-Jones Buildings. She asked if the City paid for the lines from the transformer vault into the stores themselves. The City Manager stated if it were underground, it was theirs; but if it went overhead, the City did it. The City pays for the primary up to the transformer vault. Councilman Long stated in this particular case, she understood it was different. The City Manager stated it would be modified if it were being done. Councilman Long asked about private contractors doing the construction work and the city connecting the system. The City Manager stated the City would have to pay for it as it furnished the lines.

He fully explained the policy followed in the retail or wholesale plans. Councilman Long inquired if the City would do this work or contract it. The City Manager stated if the manpower was on hand at that time, the City would do it.

Councilman Long reported that she and Councilman White visited more of the fire hallas and city projects. They found them in good shape. The firemen need a few fans. She noted Yeates Street was being surveyed. The City Manager reported on the progress of Yeates Street; also on the filling in of the area around the new reservoir. He stated the land at Wilshire Boulevard and Airport Boulevard was being filled in and would soon be completed.

The City Manager recommended CARL STAUTZ as the architect for drawing the plans for the Wilshire Fire Station at the Airport, and A. W. HARRIS on the station that will be down Airport Boulevard south, and EDWIN C. KREISLE for the expansion on the South Austin Fire Station. Councilmen Long and White suggested if the general plans of the other stations were followed that the Architects be asked to lower the windows eight or ten inches and to design the stations with ceiling fans or airconditioners. Councilman Long inquired about the location of the Negro Fire Station. It was thought perhaps the annexation might influence this location, and the exact site was not determined. Councilman White moved that the three architects recommended be accepted. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, White, Mayor Drake

Noes: None

Absent: Councilman MacCorkle

Councilman Long inquired about the additional property needed for the expansion of the Hospital. The City Manager stated the appraiser was off a few days and would have his report possibly by next week.

Councilman Long moved that the City Manager present the City Council each week with an agenda of unfinished business. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, White, Mayor Drake

Noes: None

Absent: Councilman MacCorkle

The Council received the following petition signed by approximately 52 citizens:

"We, the citizens of Austin, Texas, whose names are hereby signed below, do with to petition AGAINST the "Setting up" of a restaurant at 1500 East Twelfth Street, in the City of Austin, Texas.

"We feel that this type of business will be a menace rather than an asset to our community. For it breeds both adult and juvenile delinquency. Moreover, the clientele and their activity will geo-

pardize the lives of citizens living around the establishment. For their rest will be broken due to the noise and the long business hours and their property will be constantly cluttered with debris and litter. Any over consumption of beer, with or without food, leads men to disrespect themselves and all others around them.

"For these reasons, we hereby petition and ask that there be no restaurant (food with beer) opened at 1500 East Twelfth Street, in the City of Austin."

Councilman Long stated this location was in a C-1 Commercial Zone, and the only way to keep a restaurant from operating there and selling beer, if it were complying with all regulations, would be to rezone it.

Councilman White reported speeding on South 1st and Mary; and also on West Live Oak and Eva Streets. The City Manager stated patrolmen would be stationed out there to check this.

The City Manager announced that he would be out of the city for about two weeks.

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

7-Eleven Corp., Lessee Emma Miller Exline, Owner By Jones, Herring & Jones	3406 Jefferson St.	From "C" Commercial To "C-1" Commercial
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7-Eleven Corp., Lessee & Herman & Herbert Ahrends, Owners (B6) Jones, Herring, and Jones	4215 Duval	From "C" Commercial To "C-1" Commercial
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Ray Smith, Jr., & J. G. Bryant, Lessee W. M. Graham, Owner	5700-5718 Burnet Rd.	From "C" Commercial To "C-2" Commercial
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There being no further business, the Council adjourned subject to the call of the Mayor.

APPROVED: W. S. Drane

Mayor

ATTEST:

Elain Hooley  
City Clerk