

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 12, 1953  
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.

Councilman Johnson moved that the Minutes of October 20, 1952, be approved. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

Councilman Johnson moved that the Minutes of January 29, 1953, be approved. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman White moved that the Minutes of February 5, 1953, be approved. The motion, seconded by Councilman Johnson, carried by the following vote:

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

The application of ANNIE I. MAXWELL and MRS. EVELYN MAXWELL HARRIS for a doctors' clinic at 2512-2512 $\frac{1}{2}$  and 2514-2514 $\frac{1}{2}$  Seton Avenue was before the Council for special permit. Two letters of opposition were on file, objecting to the congested street. MRS. L. H. KIRK, 2517 Rio Grande objected on account of the parking. Others stated the parking problem on this street was very bad. MRS. MAXWELL stated they could take care of the parking problem, by moving four garages from the back yard. No action was taken on this application, as the Council wanted to inspect the property personally.

No action was taken on the application of P. J. ANTHONY for doctors' offices and clinics at 2207 Nueces Street, as the Council would like to make a personal inspection of this location also.

Councilman Long asked that copies of the ordinance creating the Planning Commission, and the Ordinance amending Section 31, changes and amendments of the Zoning Ordinance be sent to the Council.

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

D. B. BARROW	4904-5004 East 7th St.	From "A" Residence To "D" Industrial
MRS. MARY FINKELSTEIN	610-612 Canion Street	From "A" Residence To "D" Industrial

Pursuant to published notice thereof, the Council publicly heard the following applications for changes of zoning:

BEN H. POWELL	2505 San Jacinto Blvd.	From "B" Residence To "C" Commercial
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No opposition appeared. Mr. BOB BRIGHT appeared representing the Building Association that owns the house at 2801 San Jacinto, asking postponement until he could send the members of the Association a letter. MR. FORREST PEARSON represented Judge Ben Powell. The Mayor announced that this application had been recommended by the ZONING COMMISSION. The Mayor asked that those that favored upholding the recommendation of the Zoning Commission and granting the requested change and instructing the City Attorney to draw up the necessary ordinance to vote "aye"; those opposed to vote "no"; Roll call showed the following vote:

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

The Mayor announced that the change had been granted and the ordinance would be drawn for next week.

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MRS. HELEN C. PEARSON

2507 San Jacinto Blvd.

From "B" Residence  
To "C" Commercial  
RECOMMENDED by the  
Zoning Commission.

The Mayor asked that those that favored upholding the recommendation of the Zoning Commission, granting the change and instructing the City Attorney to draw the necessary ordinance to vote "aye"; those opposed to vote "no". Roll call showed the following:

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

The Mayor announced that the requested change had been granted and the Ordinance would be drawn next week.

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MRS. MARY KUEHNE

5500 Block Lamar Blvd.

From "A" Residence  
To "C" Commercial  
RECOMMENDED by the  
Zoning Commission

MR. TRENCKMANN represented the applicant. He stated the Zoning Commission agreed that before the property be rezoned that a certain street be reopened. It was for the widening of Houston Street, and he had a deed from the Kuehnes conveying that strip to the City. The Mayor asked that those that favored upholding the recommendation of the Zoning Commission, granting the change and instructing the City Attorney to draw the necessary ordinance to vote "aye"; those opposed to vote "no". Roll call showed the following:

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

The Mayor announced that the change had been granted and the Ordinance would be drawn next week.

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C. E. PEARSON, By  
Trueman E. O'Quinn

Rear 5422-5442 Lamar Blvd.

From "A" Residence  
To "C" Commercial  
RECOMMENDED by the  
Zoning Commission

No opposition appeared. The Mayor asked that those who favored upholding the recommendation of the Zoning Commission, granting the change, and instructing the City Attorney to draw the necessary ordinance to vote "aye"; those opposed to vote no. Roll call showed the following:

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

The Mayor announced that the change had been granted and the ordinance would be drawn by next week.

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LEMUEL SCARBROUGH	6200-6800 Blocks Inter-regional Highway	From "A" Residence To "C" Commercial
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MR. WATT SCHIEFFER appeared stating he had no opposition and would like to see this area changed to Commercial, but the Planning Department had told him on a number of occasions that they were holding up other applications waiting for a Planning Engineer. He stated he made application in January 1952, and that this application under consideration today seemed to be getting some special attention. No action was taken on the application of LEMUEL SCARBROUGH, as there were other zoning applications pending in this same vicinity that should be acted upon.

The Mayor requested the applications on the Interregional Highway that were now pending, and separated them into two groups: those from Airport Boulevard north; and those below Airport Boulevard. The Mayor asked that the Council set a policy. Councilman Long moved that the Planning Commission be asked to study the matter and make recommendation to the Council concerning zoning on the Interregional Highway; the Council proposing that the entire area from 53rd Street north to the City limits be zoned "C" Commercial, not to exceed 500 feet, and with the proper height and area. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Long moved that since applications have been pending on East Avenue for a long period, that the Council request that recommendation be made on these that have been pending as soon as possible as to change in zone, set-back and off street parking requirements. (Applications under consideration are:

J. BOEHY MRS. S. R. La GRONE & MRS. MINNIE ROMER	800-1000 Block, East 30th and 3006-3008 East Avenue	From "B" Residence To "C" Commercial
FREDERICK EBY, JR.	2803 Cole & 2800 East Ave.	From "B" Residence To "C" Commercial
C. B. HAHN	3708 East Avenue	From "A" Residence To "C" Commercial
WATT SCHIEFFER	3908-14 & 4000 E. Avenue and 1013, 1015 & 1016 East 40th Street	From "A" Residence To "C" Commercial

J. H. YOUNGQUIST, ET.AL  
(WATTINGER)

3401-3407 East Avenue

From "A" Residence  
To "C" Commercial

Applications north of Airport Boulevard are:

SAM LANE

1028-1038 East 53rd St.

From "A" Residence  
To "C" Commercial

NORMAN L. LARSON

800 Blk. Atkinson Rd. &  
6900 Blk. Interregional  
Highway

From "A" Residence  
To "C" Commercial

LEMUEL SCARBROUGH

6200-6800 Block Inter-  
regional Highway

From "A" Residence  
To "C" Commercial

WATT SCHIEFFER

5300-5700 Blocks Inter-  
regional Highway

From "A" Residence  
To "C" Commercial

MACE B. THURMAN, JR.  
et al

5600 & 5700 Block Inter-  
regional Highway and  
1001-05 Reinli

From "A" Residence  
To "C" Commercial

KENNETH E. DAVIS

918 Reinli & 5800 Block  
Interregional Highway

From "A" Residence  
To "C" Commercial

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

Councilman Long inquired about the ordinance regarding the amount of building space to a certain amount of parking space on thoroughfares. The City Attorney replied that he had prepared an ordinance at the request of the Council and it had been referred to the Zoning and Planning Commissions. Councilman Long suggested that the zoning be considered along the lines of this ordinance also.

The Director of Public Works gave a report on the condition of a street on the inquiry of Councilman Long, and he stated at this time the construction was not complete.

Councilman Long inquired about the water condition on Goodwin Avenue. The City Manager stated his written report was not ready to submit, as he wanted to get in touch with the individual who had sold the lots; that this subdivision had not been approved by the Planning Commission, and the owner is in violation by selling the land. The City is now in the process of contacting him and getting him to comply in all respects.

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the property situated on the west side of Morningside Avenue as a private gasoline plant, which property is owned by Terminix Company and is designated as Lot 10, Block 8, in Alta Vista Addition in the City of Austin, Travis County, Texas, and hereby authorizes the said Terminix Company to operate a private gasoline plant consisting of a 550-gallon underground tank and pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Terminix Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"February 12, 1953  
Austin, Texas

"Mr. Walter E. Seaholm  
City Manager  
Austin, Texas

Dear Sir:

"I, the undersigned, have considered the application of Terminix Company for permission to operate a private gasoline plant consisting of a 550-gallon underground tank and pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the west side of Morningside Avenue, which property is designated as Lot 10, Block 8, in Alta Vista Addition in the City of Austin, Travis County, Texas, and locally known as 4326 Morningside Avenue.

"This property is located in a "C" Commercial District and I recommend that this permit be granted subject to the following conditions:

"(1). That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the ordinance governing the storage and handling of gasoline.

"(2). That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street or alley.

"(3). That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4). That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,  
(Sgd) J. C. Eckert  
Building Inspector"

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

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

Noes: None

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 117.2 ACRES OF LAND, MORE OR LESS, OUT OF THE JAMES P. WALLACE SURVEY, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN THE PARTICULARS STATED IN THE ORDINANCE.

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

The Mayor announced 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 the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with Collins Construction Company of Texas 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 STREETS - Paving Liens)

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

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

Noes: None

Mayor Drake introduced the following ordinance:

AN ORDINANCE RE-NUMBERING AND RE-ARRANGING  
CERTAIN SECTIONS AND SUBSECTIONS OF THE  
CHARTER OF THE CITY OF AUSTIN; AND DECLARING  
AN EMERGENCY.

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

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

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

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

The Mayor announced the ordinance had been finally passed.

The City Manager submitted the following from the City Tax Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL:

"On December 17, 1952, John C. Aycock filed an appeal to the City Council from the values for the year 1952 placed by the Tax Department and the Board of Equalization on two parcels of property owned by him and described as Lots 5 and 6, Pemberton Heights, Section 11, and Lots 1 through 8, Block 61, Original City. The Tax Department, after further consultation with Mr. Aycock, has again reviewed the appraisals of these properties, for the purpose of making this report to the City Council, with the following results:

"Lots 5 and 6, Pemberton Heights, Section 11, are vacant. The assessed valuations that have been placed upon them by the Tax Department and sustained by the Board of Equalization are, in my opinion, equalized with other and similar property in the neighborhood and well within the ratio of market value at which property in Austin is assessed.

"Lots 1 through 8, Block 61, Original City, which have improvements on them, covers an entire block and faces both East 6th Street and East 5th Street between Red River and Sabine Street. The front foot unit values of the land for a 100-foot depth were set by the Tax Department at \$130 on East 6th Street and \$110 on East 5th Street. The Board of Equalization sustained the value on East 6th Street, but lowered the front foot unit value on East 5th Street to \$100.

"The value of the improvements were assessed by the Tax Department at



\$24,680, which the Board of Equalization sustained. These improvements, which cover almost the entire north half of the block, are more than 75 years old and were designed for use as a lumber yard and planing mill with earth floors for the areas occupied by the mill and where lumber was stored, and with wood joists and wood flooring for the office area and the second floor. It had widely spaced 12-inch masonry partition walls with large arched openings through which wagons and trucks could pass. There was but one inside stairway and one open outside stairway giving access to the second floor. This building was discontinued as a lumber yard about 1927. Since that time minimum quality wood floors and partitions have been installed and the arched openings in the old masonry partition walls closed. The highest and best use of property in this location is for retail stores; but the design of the building, as well as its physical condition, makes the cost of remodeling into desirable store areas prohibitive. The second story, with such limited accessibility and poor condition is not rentable and has not been used for a number of years. The improvements are an underdevelopment of this site and represent an uneconomic utilization of the property.

"It is my recommendation that the City Council authorize me to adjust the assessed valuations of the foregoing properties for the year 1952 as follows:

Description of Property	Present Assessed Value	Recommended Value
Lot 5, Pemberton Heights, Section 11	\$ 3,630	\$3,630
Lot 6, Pemberton Heights, Section 11	\$ 3,470	\$3,470
Lots 1 through 8, Block 61, Original City	\$56,800	\$56,800
Improvements on Lots 1 through 8, Original City	\$24,680	\$14,590

"(Sgd) T. B. Marshall  
City Tax Assessor and Collector"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, John C. Aycock has appealed to the City Council the valuations for 1952 placed upon the property hereinafter described by the City Tax Assessor and Collector and by the Board of Equalization; and,

WHEREAS, the City Tax Assessor and Collector has reviewed the appraisals of such property and has found certain facts and made certain recommendations to the City Council with reference thereto; and,

WHEREAS, the City Council has considered such recommendation, and the information and facts available pertaining to such property, and has concluded that the values hereinafter fixed for the respective properties are fair and just; Now, Therefore,

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

That the assessed values for 1952 heretofore fixed as shown for the respective properties listed, be, and the same are hereby, adjusted and fixed by the City Council as indicated:

<u>Description of Property</u>	<u>Assessed Value Heretofore fixed</u>	<u>Assessed Value as fixed by the City Council</u>
Lot 5, Pemberton Heights Section 11	\$ 3,630.00	\$ 3,630.00
Lot 6, Pemberton Heights Section 11	\$ 3,470.00	\$ 3,470.00
Lots 1 through 8, Block 61, Original City	\$56,800.00	\$56,800.00
Improvements on Lots 1 through 8, Block 61, Original City	\$24,680.00	\$14,590.00

The City Tax Assessor and Collector is hereby authorized and directed to adjust his tax rolls in accordance with this Resolution.

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

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

Noes: None

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 STRASS DRIVE, from a point 386 feet south of West 49th Street south 105 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said STRASS DRIVE.

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

(2) A gas main in WEST 47TH STREET, from Rue Street to Strass Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said WEST 47TH STREET.

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

(3) A gas main in RUE STREET, from a point 294 feet south of West 49th Street south 98 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said RUE STREET.

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

(4) A gas main in GOODWIN AVENUE, from Tillery Street

to Gunter Street, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said GOODWIN AVENUE.

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

(5) A gas main in SANDRA STREET, from Tillery Street to Gunter Street, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said SANDRA STREET.

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

(6) A gas main in BENGSTON STREET, from Tillery Street to Sandra Street, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said BENGSTON STREET.

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

(7) A gas main in DEL CURTO ROAD, from a point 437 feet north of Lightsey Road south to Lightsey Road, the centerline of which gas main shall be 8 feet west of and parallel to the east property line of said DEL CURTO ROAD.

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

(8) A gas main in LIGHTSEY ROAD, from Del Curto Road easterly 113 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said LIGHTSEY ROAD.

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

(9) A gas main in IRMA DRIVE, from Chesterfield Avenue westerly 144 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said IRMA DRIVE.

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

(10) A gas main in DELORES AVENUE, from a point 28 feet west of Mansell Avenue easterly 72 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said DELORES AVENUE.

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

(11) A gas main in MANSELL AVENUE, from Delores Avenue northerly 76 feet, the centerline of which gas main shall

be 6.5 feet west of and parallel to the east property line of said MANSELL AVENUE.

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

(12) A gas main in HARDY DRIVE, from a point 347 feet south of Anderson Lane southerly 94 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said HARDY DRIVE.

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

(13) A gas main in ALAMO STREET, from Pennsylvania Avenue southerly 153 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said ALAMO STREET.

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

(14) A gas main in MILLS AVENUE, from West 37th Street northerly 85 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.

(15) A gas main in KOENIG LANE across Grover Avenue intersection, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said KOENIG LANE.

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

(16) A gas main in WINSTED LANE, from a point 277 feet north of West 10th Street northerly 16 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said WINSTED LANE.

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

(17) A gas main in EAST 13TH STREET, from a point 146 feet east of San Bernard Street westerly 65 feet, the centerline of which gas main shall be 22 feet north of and parallel to the south property line of said EAST 13TH 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 vote:  
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS;

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 W. H. Bullard 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 File No. 673-C )

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 CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON WEST 6TH STREET AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS

INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; OVERRULING AND DENYING ALL PROTESTS AND OBJECTIONS OFFERED; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN SAID LIMITS DEFINED; FIXING A CHARGE AND LIEN AGAINST SAID PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

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, MacCorkle, White, Mayor Drake  
Noes: None

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, MacCorkle, White, Mayor Drake  
Noes: None

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, MacCorkle, White, Mayor Drake  
Noes: None

The Mayor announced the ordinance had been finally passed.

The Council received the following:

"February 12, 1953

"To The City Council  
City of Austin, Texas

"Re: Completion and Acceptance of Work of  
Improving West 7th Street from Lavaca  
Street to Colorado Street, being Unit 6  
of Current Improvement Program.

"The work of improving West 7th Street, from the east curb line of Lavaca Street to the west curb line of Colorado Street, known as Unit 6 in the current street improvement program, has been performed and completed by John R. Andrews

in full compliance with the Contract, and the Plans and Specifications therein contained, dated January 24, 1952, between the City of Austin and John R. Andrews.

"I have inspected, approved and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the Contract, Plans and Specifications referred to above.

"Respectfully submitted,  
(Sgd) C. G. Levander  
Director of Public Works  
City of Austin, Texas"

Mayor Drake then introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING WEST 7TH STREET, UNIT 6, IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY JOHN ANDREWS, AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

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

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

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

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

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

The Mayor announced the ordinance had been finally passed.

The Council received the following:

"February 12, 1953

"To The City Council  
City of Austin, Texas

"Re: Completion and Acceptance of Work of  
Improving West 6th Street (North Side)  
from Wood Street to West Avenue, being

## Unit 2 of Current Improvement Program.

"The work of improving West 6th Street (North Side) from the East Curb Line of Wood Street to the West Curb Line of West Avenue, known as Unit 2 in the current street improvement program, has been performed and completed by John R. Andrews in full compliance with the Contract, and the Plans and Specifications therein contained, dated April 17, 1952, between the City of Austin and John R. Andrews.

"I have inspected, approved and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the Contract, Plans and Specifications referred to above.

"Respectfully submitted,  
(Sgd) C. G. Levander  
Director of Public Works  
City of Austin, Texas"

Mayor Drake then introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING WEST 6TH STREET (NORTH SIDE), UNIT 2, IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY JOHN ANDREWS, AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

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

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

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

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

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

The Mayor announced the ordinance had been finally passed.



The Council received the following:

"February 12, 1953

"To The City Council  
City of Austin, Texas

"Re: Completion and Acceptance of Work of  
Improving West 5th Street from Rio  
Grande Street to Nueces Street, being  
Unit 4 of Current Improvement Program.

"The work of improving West 5th Street, from the east curb line of Rio Grande Street to the west curb line of Nueces Street, known as Unit 4 in the current street improvement program, has been performed and completed by John R. Andrews in full compliance with the Contract, and the Plans and Specifications therein contained, dated January 24, 1952, between the City of Austin and John R. Andrews.

"I have inspected, approved and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, Plans and Specifications referred to above.

"Respectfully submitted,  
(Sgd) C. G. Levander  
Director of Public Works  
City of Austin, Texas"

Mayor Drake introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK  
OF IMPROVING WEST 5TH STREET, UNIT 4, IN THE  
CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HERE-  
BELOW DEFINED, PERFORMED BY JOHN ANDREWS, AUTHOR-  
IZING AND DIRECTING THE ISSUANCE OF SPECIAL  
ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH;  
DECLARING AN EMERGENCY, AND PROVIDING THAT THIS  
ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY  
UPON ITS PASSAGE.

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

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

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

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

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

The Mayor announced the ordinance had been finally passed.

The City Manager submitted the following certificate from the City Tax Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessments for the property hereinafter described in the name of Austin Barber College and Annex are incorrect for the following reasons:

"The original rendition erroneously included value of personal property at 604 East 6th Street which personal property was removed from Austin to San Antonio prior to the tax levy date involved, namely January 1, 1952. Our personal property appraisers recommend an adjustment based on a corrected rendition which has been submitted.

"I recommend that I be authorized to reduce the assessed valuations on such property as follows:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1952	Barber Shop equipment	2,020	1,420
1952	Supplies	170	10

"(Sgd) T. B. Marshall  
City Tax Assessor and Collector"

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessments hereinafter set forth in the name of Austin Barber College and Annex, and has found the same to be erroneous for the reasons stated in his certificate delivered to the City Council and filed with the City Clerk, and

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustments, Now Therefore,

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

That the following tax assessments for the years shown be, and the same are, hereby adjusted and corrected to fix the assessed values therein as indicated.

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1952	Barber Shop equipment	2,020	1,420
1952	Supplies	170	10

And the City Tax Assessor and Collector is authorized and directed to make such change in the tax rolls.

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

Councilman Johnson 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 "Great Oaks, Section 1", approved by the City Plan Commission of the City of Austin on December 4, 1952, 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, 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 White, carried by the following vote:  
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake  
Noes: None

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 "Delwood 4", approved by the City Plan Commission of the City of Austin on January 29, 1953, 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, MacCorkle, White, Mayor Drake  
Noes: None

Councilman Long asked the City Attorney for an opinion regarding subdivisions and stating the law on it.

Councilman White submitted a petition from MR. J. H. RABY, 2104 Rountree and 19 others requesting the dredging of Boggy Creek between 19th and 23rd Streets. Councilman White said he had personally inspected this and it was in a bad condition. He asked that the Director of Public Works check this and report back to the Council on it.

There being no further business the Council adjourned at 12:00 noon, subject to the call of the Mayor.

APPROVED: \_\_\_\_\_

Mayor

ATTEST:

City Clerk