

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 17, 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: Walter E. Seaholm, City Manager; Trueman E. O'Quinn, 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 duly seconded by Councilman Long, the motion was unanimously adopted by the Council and the minutes so approved.

MESSRS. FRANK PINEDO, J. C. LANKFORD, and EMMETT S. SUTTON, representing the Junior Chamber of Commerce and Painters and Decorators, asked the City's Cooperation in the Clean-up, Paint-up and Fix-up Drive. They asked that everything be done to encourage the citizens to clean up their own premises, and that the City try to get the vacant lots cleared by either recommending people who are in that business or by setting up crews to do it, and making a service charge. The City Manager stated the City would cooperate in every way, but shipments on the garbage trucks had been delayed and these trucks could not be counted on in this drive; but with the men and trucks available, the City would certainly help out, even though it meant lots of overtime work. MR. PINEDO asked permission to use the garbage cans as they did last year on Congress. MR. LANKFORD stated that this year the lids would be chained to the cans. Regarding the placing of permanent disposal cans on the streets, Mr. Pinedo stated those cans as recommended by the Beautification Committee had not arrived as yet but are on order. He thought this campaign might have to extend over into June.

Discussion was held on the specifications, bids and award of contract for intravenous solutions. MR. RAYMOND SANDS thought he was low bidder and that

the hospital had used his supplies for three years and they were satisfactory. The City Manager submitted the following recommendations made by the Pathologist in the purchase of the above equipment in a memorandum to the Council dated May 16th:

- a. The Pathologist in charge of the blood bank specified an approved closed disposal unit for the blood bottle. (The Abbot is not a closed unit)
- b. The contemplated blood bank sponsored by the County Medical has indicated a preference for Baxters solutions and sets (Baxters and Cutters sets are interchangeable and these are the only two companies who are so set up. These units of these two companies have been standardized by the Armed services for their convenience and interchangeability.
- c. The simplicity of assembling the Cutter intravenous set was checked with medical staff representatives and nursing staff and found to be more simple and trouble free.

The City Manager submitted a tabulation of the bids by WILSON X-RAY and SANDS PROFESSIONAL PHARMACY, (Copy of tabulation filed in City Clerk's Office under "Hospital" - 1951) showing Wilson low bidder. Sands' bids on the Disposal Units was not acceptable because it is not a closed unit. (See paragraph a above) The City Manager followed the recommendations of the Medical Staff and the Board of Advisors on awarding the contract to WILSON X-RAY. It was suggested that the bids be thrown out, but it was explained the contract had been let on the recommendation two months ago, and the tabulation showed WILSON X-RAY COMPANY to be low bidder. MR. SANDS acknowledged he was late in bringing his matter before the Council.

DR. EVERETT GIVENS, MRS. CARMEN LOWRY, Superintendent of the ELIZA DEE HOME at 1303 East Avenue, and O. H. ELLIOTT, Business Manager, Samuel Huston College reported a bad condition in front of the Eliza Dee Home caused by widening the Street. There is now a steep bank left which could cave in, and they felt this property had been damaged. The Assistant Director of Public Works stated they were working on this; that some steps are to be built, possibly two sets. He did not believe a retaining wall would be necessary, as the curb was pretty high. The Mayor asked the City Manager to bring in the final findings of this for the Council next week.

MR. W. R. SMITH, representing the Traffic Meter Advertising Company, presented their proposition for a franchise to use the parking meter pipes for advertising purposes. The proposition is set out hereinbelow as follows:

"May 15, 1951

The City Council
Municipal Building
Austin, Texas

Gentlemen:

"The Traffic Meter Advertising Company, operating in accordance with the attached sample copy of a standard contract entered into, by, and between the Parking Meter Advertising Company and the Traffic Meter Advertising Company, both of which are corporate entities authorized under the laws of the State of Texas, respectfully seeks the authority of the City of Austin to conduct a parking meter advertising business therein under the following general terms and conditions.

1. That the City of Austin will grant the Traffic Meter Advertising Company the sole right and privilege to attach to each parking meter pole, pipe, or standard an advertising device consisting of not more than three 6" x 8" signs, such device to be located on the parking meter standard, pipe, or pole immediately below the parking meter head.
2. That the Traffic Meter Advertising Company agrees to utilize its parking meter franchise and conduct, manage and supervise, including the sale of advertising space and the erection and maintenance of all signs, the aforementioned parking meter advertising business in the interest of the City of Austin, Texas.
3. That the Traffic Meter Advertising Company for this franchise will pay to the City of Austin the sum of 32% of the gross receipts collected monthly from the sale of advertising space.
4. That the Traffic Meter Advertising Company will pay six (6) months in advance as consideration for this franchise, and it is agreed that the minimum sum to be realized from this franchise for the first year will be \$20,000.00. As additional meters are added, the city's revenue will increase.
5. That the Traffic Meter Advertising Company will be responsible for the establishment of a full and complete set of books, correctly reflecting the status of accounts. The City of Austin shall have the right and authority to inspect the books at any time it should so desire.
6. That the Traffic Meter Advertising Company, or its representatives, will not damage the parking meter or its supporting pole in any way; but if such damage does occur, then the Traffic Meter Advertising Company, at its own cost and expense, will repair any such injured or damaged fixture resulting therefrom.
7. That the Licensee, through the Parking Meter Advertising Company, will insure claims of liability to limits of \$10/20,000 for personal injury or \$5,000 for property damage, due to the ownership, existence and/or maintenance of specified advertising signs attached to the parking meters.

8. That the Traffic Meter Advertising Company agrees and will use its best efforts to assure that no competitive advertising will be displayed in those locations where such advertising is not purchased by the business establishment adjacent to or in front of those locations.
9. That the Traffic Meter Advertising Company agrees that no advertising representing intoxicating beverages will ever be displayed.
10. That the Traffic Meter Advertising Company will use its best efforts to maintain a high quality advertising business.

"It is most respectfully requested that the Traffic Meter Advertising Company be authorized, by ordinance, to conduct an advertising business in the City of Austin, Texas, for a period of one year, and upon the expiration of the one-year period, the Traffic Meter Advertising Company shall have the sole right and option to maintain such advertising in the event the City of Austin, Texas, shall desire to continue the advertising on parking meters.

"Respectfully submitted

TRAFFIC METER ADV. COMPANY

By (Sgd) J. K. Lyles
Vice-President "

MR. SMITH stated the city would receive 32% of the gross amount of revenue with a guaranty of \$20,000 for the first year. Councilman MacCorkle inquired into the legality of this. Mr. Smith stated the legality never had been tested in the State Courts, and he had his opinion that it was legal; and if it is, the City gets \$20,000 if they grant the proposal; and if not, the advertising plates could be removed. The Mayor asked that the City Manager get copies of the opinion from the City Attorney and furnish them to the Council. The Council agreed not to take action on this request, but to go into it further on Thursday May 31st, 1951.

Brief discussion was held on the Job Evaluation Report. It was the wish of the Council that Mr. N. Ward be invited to come to Austin either Monday or Tuesday for further discussion. The City Manager stated he would contact him and let the Council know which day he would be here. The Council then decided to consider the Report next Thursday and then to instruct the City Manager to have an ordinance drafted.

Friday evening, May 25th at 7:30, was the date set by the Council for an Executive Meeting to discuss appointments of three officials--the Corporation Court Judge, the Clerk of the Corporation Court, and the City Health Officer.

The Council set Tuesday night, May 22nd, 8:00 P.M. for a "briefing" meeting to discuss paving plans.

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 City Council of the City of Austin hereby approves as a filling station site the property located on Lamar Boulevard, west side, north of the T. & N.O. Railroad (Llano Branch), which property fronts 180 feet on Lamar Boulevard, and being known as a portion of the George W. Spear League in The City of Austin, Travis County, Texas, and hereby authorizes the said Texas Company to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted 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 Texas Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"May 17, 1951

"Mr. Walter Seaholm
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of The Texas Company, lessee, for permission to consturct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located on Lamar Boulevard, west side, north of the T. & N.O. Railroad (Llano Branch), which property fronts 180 feet on Lamar Boulevard, and being known as a portion of the George W. Spear League in The City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by the Jefferson Chemical Company, Inc., and is under lease to The Texas Company and we hereby advise that the following conditions exist:

"The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the Zoning maps of the City of Austin.

"There is a drainage ditch on the north side of the T. & N.O. Railraod (Llano Branch) right-of-way adjacent to the above described property.

"We recommend that The Texas Company be granted permission to construct, maintain, and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

(2) That only underground tanks shall be used and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street or alley.

(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc.; that all construction of the filling station improvements shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord with the ordinance prohibiting the disposal of commercial water or oils upon the City street.

(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146.

(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the Department of Public Works file number 2-C-1444.

(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-C-1444 and shall be of the pre-moulded type.

(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection and upon approval, the Building Inspector shall issue a Certificate of Operation before such filling station can be put into service.

"Respectfully submitted,
(Sgd) C. G. Levander
Director of Public Works
(Sgd) J. C. Eckert
Building Inspector "

The motion, seconded by Councilman MacCorkle, 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, ENCLUSIVE, 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 "C-1" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C-2" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON THE SOUTH ONE-HALF OF LOTS 58 THROUGH 62, OUTLOT 55, DIVISION "B"; LOTS 4, 5, 6, AND 7 OF ORIGINAL LOTS 55 AND 56, OUTLOT 55, DIVISION "B"; ORIGINAL LOTS 7 THROUGH 15, BLOCK 4, OUTLOT 4, DIVISION "B"; ORIGINAL LOTS 1 THROUGH 6, BLOCK 7, OUTLOT 3, DIVISION "B" AND THE SOUTHWEST 87.5' x 100' OF LOT 1, BLOCK 1, OUTLOT 56, DIVISION "B", 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 MacCorkle 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 MacCorkle 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 MacCorkle 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 then announced that the ordinance had been finally passed.

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 "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON 1.43 ACRES OUT OF BLOCK 5, OUTLOT 60, DIVISION "B", M. P. GRAHAM UNPLATTED, 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 Long, 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 Long, 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 Long, carried by the following vote:

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

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

Mayor Drake brought up the following ordinance for its second 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 41.39 ACRES OF LAND PARTLY OUT OF THE ISAAC DECKER LEAGUE AND PARTLY OUT OF THE SANTIAGO DEL VALLE GRANT 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 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 then announced that the ordinance had been finally passed.

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED:
"AN ORDINANCE AMENDING AN ORDINANCE ENTITLED 'AN
ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS
IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING
AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE
OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT
THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS, AND
OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION
AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE
INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE
CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING
AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION,
ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR
LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM
REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS
OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND
ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE
SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA
DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND
PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR
A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND
PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN
EMERGENCY,' WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL
ON APRIL 23, 1931, AND RECORDED IN ORDINANCE BOOK "I" AT
PAGES 301-318 OF THE ORDINANCE RECORDS OF THE CITY OF
AUSTIN, BY ENACTING A COMPREHENSIVE REVISION, IMPROVEMENT,
AND AMENDMENT OF SAID ORDINANCE; REPEALING ALL ORDINANCES
OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING
AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY
COUNCIL ON JULY 17, 1941 AND RECORDED IN ORDINANCE BOOK
"L" AT PAGES 152-174, OF THE ORDINANCE RECORDS OF THE CITY
OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY AMENDING SECTION 5
SO AS TO PERMIT IN "B" RESIDENCE DISTRICTS BUILDINGS USED BY
HEADQUARTERS OF PROFESSIONS, AND DEFINING THE TERMS "CLUB"
AND "PROFESSION"; AND SUSPENDING THE RULE REQUIRING THE
READING OF ORDINANCES ON THREE SEPARATE DAYS.

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 then announced that the ordinance had been finally passed.

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 City Council of the City of Austin hereby approves the property situated on the north side of Barton Springs Road as a private gasoline plant, which property is owned by Lackie Construction Company and is a part of Lot 1-F of the W. C. Moore Tract in the City of Austin, Travis County, Texas, and hereby authorizes the said Lackie Construction 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 Lackie Construction Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
May 17, 1951

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

"Dear Sir:

"I, the undersigned, have considered the application of Lackie Construction 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 north side of Barton Springs Road, which property is designated

as part of Lot 1-F of the W. C. Moore Tract in the City of Austin, Travis County, Texas, and locally known as 108 Barton Springs Road.

"This property is located in a "D" Industrial 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 Underwriter's 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 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 "Shoal Village, Section Two", approved by the City Plan Commission of the City of Austin on April 13, 1950, 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 Long, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Johnson moved that the City Clerk be directed to record in the Minutes of The City Council the report received from the Director of Public Works, which is set out below. The motion, seconded by Councilman White, carried by the following vote:

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

"Austin, Texas
May 15, 1951

"TO THE MAYOR AND CITY COUNCILMEN
CITY OF AUSTIN, TEXAS

"Gentlemen:

"In accordance with the proceedings heretofore had by the City Council, at your direction and as required by law, I have prepared, and herewith submit to you, estimates of the cost of improving East 13th Street from the east property line of East Avenue to the west property line of Waller Street in the City of Austin, Texas, as ordered by, and described in, an ordinance duly enacted by the City Council on July 21, 1950 and an ordinance duly enacted by the City Council on January 25, 1951, by the paving of said street and the construction of curbs, gutters and other appurtenances thereto, all as provided for in the revised Plans and Specifications therefor and in the contract dated August 22, 1950 between the City of Austin and Brown & Root, Inc.

"The estimates hereinafter set out are based upon the unit prices called for in said contract and the apportionment of the cost of said improvements as heretofore proposed and described by you; and said estimates contain the proposed amounts per front foot to be charged and assessed against the abutting property, and the real and true owners thereof, for the following items, respectively:

"Amount per front foot for curbs and gutters;

"Amount per front foot for gutters;

"Amount per front foot for the improvements,
exclusive of curbs and gutters or gutters;

"Total amount per front foot for all of said
improvements;

"Said estimates further show the total cost of said improvements proposed to be charged against and paid by said abutting property, and the real and true owners thereof; the total cost of said improvements to be paid by the City of Austin, Texas, and the total cost of all of said improvements in reference to, and on said street or unit to be improved as above described and as indicated herein by Street and Unit Number, said estimates in reference to said street and unit being as follows, to wit:

STREET AND UNIT NUMBER	AMOUNT PER FRONT FOOT FOR CURBS AND GUTTERS AS- SESSED AGAINST ABUTTING PRO- PERTY AND OWNERS	AMOUNT PER FRONT FOOT FOR GUTTERS ASSESSED AGAINST ABUTTING PROPERTY AND OWNERS	AMOUNT PER FRONT FOOT FOR IMPROVE- MENTS EXCLUSIVE OF CURBS AND GUTTERS AND SEPARATE GUTTERS ASSESSED AGAINST ABUT- TING PROPERTY & OWNERS
East 13th Street - Unit 33	\$1.25	\$ 0.70	\$3.53
TOTAL AMOUNT PER FRONT FOOT FOR ALL IMPROVEMENTS ASSESSED AGAINST ABUTTING PROPERTY AND OWNERS	TOTAL COST TO BE ASSESSED AGAINST AND PAID BY ABUTTING PROPERTY AND OWNERS	TOTAL COST TO BE PAID BY THE CITY	TOTAL COST OF ALL IMPROVEMENTS
\$4.78	\$7,628.86	\$2,632.09	\$10,260.95

"In addition to the above estimate, I herewith hand you proposed Assessment Roll, or statement, relative to said improvements on said Street or Unit, on which I have shown the proposed amount to be assessed against the several parcels of abutting property, and the real and true owners thereof, together with descriptions of said properties, the number of front foot frontage; names of apparent owners, and other matters, all as accurately as I have been able to determine.

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

Mayor Drake introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVEMENT OF EAST 13th STREET FROM THE EAST PROPERTY LINE OF EAST AVENUE TO THE WEST PROPERTY LINE OF WALLER STREET, IN THE CITY OF AUSTIN, TEXAS; AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE PORTION OF SAID COSTS PROPOSED TO BE PAID BY THE CITY OF AUSTIN, TEXAS; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE

REAL AND TRUE OWNERS THEREOF FOR THE PART OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 31st DAY OF MAY, 1951, IN THE COUNCIL CHAMBER OF THE CITY COUNCIL IN THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY, AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF SAID CITY; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON PASSAGE.

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 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 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, 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 White, carried by the following vote:

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

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

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Interregional Highway now being constructed in the City of Austin will cross the tract of land hereinbelow described; and

WHEREAS, the City of Austin has negotiated with various representatives of the owner of said tract of land and has been unable to agree with such representatives on the market value of said tract; and

WHEREAS, the City Council of the City of Austin now finds as a fact that it is necessary for the City of Austin to acquire the tract of land hereinbelow described through the exercise of the power of eminent domain; Now, Therefore,

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 file or cause to be filed against all owners and lienholders, a suit in eminent domain to acquire fee simple title of the following described tract of land:

1.142 acres of land, same being out of and a part of that certain 103.15 acre tract of land out of the James P. Wallace Survey in the City of Austin, Travis County, Texas, which was conveyed to The Orphan Home of the St. Johns Regular Baptist Association by warranty deed dated March 1, 1906, of record in Volume 243 at page 269-270 of the Deed Records of Travis County, Texas, which 1.142 acres of land is more particularly described by metes and bounds as follows:

BEGINNING at a steel pin at the point of intersection of the west line of the Middle Fiskville Road with the proposed west right-of-way line of the Interregional Highway, said proposed west right-of-way line being a curve whose intersection angle is $21^{\circ} 35'$ whose tangent distance is 1120.81 feet, and whose radius is 5880.14 feet;

THENCE following said curving line to the right an arc distance of 856.49 feet, the subchord of which arc bears N. $23^{\circ} 30' E.$ 855.74 feet to a steel pin on the north line of the said Orphan Home tract, same being the south line of St. Johns Avenue;

THENCE with the north line of said Orphan Home tract and the south line of St. Johns Avenue S. $59^{\circ} 06' E.$ 96.36 feet to an iron stake at the northeast corner of the said Orphan Home tract on the west line of Middle Fiskville Road;

THENCE with the west line of the Middle Fiskville Road S. $29^{\circ} 58' W.$ 848.73 feet to the point of beginning.

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

Further consideration of the Livestock Ordinance was scheduled for May 24th. The Council asked that copies of the City Attorney's comments on this ordinance be sent to each member.

The City Manager submitted the following memorandum to the City Council:

"Billy Disch, Commodore of Longhorn Boat Club, requests permission for the first boat race of the season, Sunday, May 20.

"In the past, boat races have been held at Lake Austin Metropolitan Park. This year, the request is to have the race at the Longhorn Club's own property which is approximately two miles down the river from the park."

Councilman Long moved that the Longhorn Boat Club be granted permission to hold their races on Sunday May 20th on Lake Austin, below the Park, as they requested. The motion, seconded by Councilman Johnson, carried by the following vote:

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

PROFESSOR E. W. STEEL, Engineering Department at the University, outlined a research plan for destroying the weeds in lakes, stating his tests would be in laboratories or in a small area of the lake, and the chemicals he would use would not be harmful to fish, cattle or human beings. The proposal is outlined as follows:

*"Proposed Cooperative Research in Control of Aquatic
Vegetation*

LOWER COLORADO RIVER AUTHORITY
and
The University of Texas

"Purpose: To determine practical methods for controlling rooted, submerged aquatic vegetation in Lake Austin that will not kill fish or birds or make the water dangerous or otherwise unsuitable for municipal purposes. Information obtained will also be applicable to small natural or artificial lakes where excessive aquatic vegetation interferes with boating, fishing and swimming.

"Time Required: It is supposed that about one year will be required.

"Procedure: So far as possible the laboratories and equipment of the University will be made available for the project. The work will be directed along the following general lines:

1. Use of organic dyes. Certain of these, it is known, will destroy rooted aquatic plants, apparently without harm to fish or making the water unsuitable for domestic use. However, little is known as to the mechanism of control by the dyes, effects of water conditions, dosages required, or time interval between doses.

2. Certain chemicals have been used by the Bureau of Reclamation for the control of aquatic growths in irrigation canals. These may be applicable to control of such growths in reservoirs and also for control of marginal growths.
3. It may be possible to apply a chemical to the reservoir bottom while the water level has been lowered that will prevent growth of vegetation for a lengthy period. Lake Austin is unique since the water level can be lowered and thus it presents a method of attack which has not been applicable elsewhere and has not been studied.

"In order to carry out the above investigations it is proposed to use aquaria for preliminary work, concrete tanks for work on a larger scale and then semi-field trials in one or more detached coves of the lake. This program will require construction of three concrete tanks 6 ft. by 12 ft. and 4 ft. deep at the Research Center of the University or elsewhere, if desired by the L.C.R.A. The attached budget includes the construction of such tanks and purchase of aquaria. The cost of chemicals, as budgeted, should care for those needed for the field tests. Since we shall be dealing with chemical dyes in very small amounts a colorimeter will be required that is far more sensitive than the type used in ordinary water work and accordingly the cost of one is included. It is contemplated that after the work is completed the colorimeter and aquaria will remain with the University.

BUDGET

Contribution of Lower Colorado River
Authority

Equipment		
Aquaria and appurtenances	\$ 150.00	
Concrete tanks	500.00	
Colorimeter	<u>150.00</u>	
Total equipment		\$ 800.00
Supplies		
Chemicals	\$ 150.00	
Glassware	<u>25.00</u>	
Total supplies		175.00
Salaries		
Part-time chemist	\$1000.00	
Assistant 500 hrs. at \$1.25	<u>625.00</u>	
Total salaries		1,625.00
Travel		
Car travel Lake to laboratory at .06 per mile		100.00
Cost of publication		<u>225.00</u>
		\$2,925.00
Contingencies 10%		<u>295.00</u>
Total L.C.R.A. contribution		\$3,220.00

Contribution of The University
of Texas

Equipment

Use of Sanitary laboratory facilities and
apparatus, balances, microscopes, etc. \$ 500.00

Supplies

Standard laboratory supplies, gas, water, reagents,
stock of glassware, electric power 400.00

Administration and Clerical work 500.00

Salaries

Prof. E. W. Steel, director, 10% of time, 1 yr. 600.00

University overhead - 10% of total 532.00

Total University contribution \$ 2,532.00

GRAND TOTAL \$ 5,752.00

The City Manager stated that Mr. Steel had asked the participation of the City of Austin with the L.C.R.A. and the University of Texas. He suggested that the L.C.R.A. and the City participate to the extent of an estimated cost of \$3,220.00 for a year, and this would represent a cost to the City of approximately \$1,610.00. The City Manager recommended to the Council that the City of Austin participate in this research project, since it is vitally concerned in the aquatic growth in Lake Austin in that it affects our water supply. Councilman Long moved that the City Manager be instructed to enter into a contract for this experiment as outlined in his recommendation. The motion, seconded by Councilman Johnson, carried by the following vote:

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

Noes: None

The Mayor submitted the following letter addressed to the Honorable Council under date of April 16, 1951:

"We are in receipt of Esperanza School District tax statement #R3107, covering ninety-seven acres of land outside the City of Austin on its Northwest boundary, owned jointly by George S. Nalle and J. E. Motheral. The valuation on this property was raised approximately 1750%, to more than seventeen times last year's figure. We appeared before the tax equalization board, and they promised to review the property. We have heard nothing further from them until receiving the tax bill to which no appreciable change in valuation was made. Accordingly, we desire to appear before the Council to secure a just valuation on this property. While the actual amount of taxes involved amounts to less than 1% of the City Taxes I have already paid to you this year, I feel that the valuation is so unjust and discriminatory that I cannot permit it to go unchallenged.

"Trusting that you will grant us an early hearing, we remain,

Yours very truly,
(S) George S. Nalle"

The Council set this protest for hearing at the next meeting, May 24th, 1951.

Mayor Drake read the following letter to be presented for the record:

"St. Davids Community Hospital
606 West Seventeenth
Austin 1, Texas
May 2, 1951

"Hon. Wm. S. Drake, Jr.
Mayor, City of Austin
City Hall
Austin, Texas

Dear Mr. Drake:

"The Board of Trustees of St. David's Hospital has been engaged in raising funds for a new building and has met with considerable success. Although the campaign is not entirely complete, the Board plans to proceed immediately with the construction of a new hospital building. These plans call for the construction of a hospital of 100 to 150 beds.

"During the course of the campaign, numerous sites for the hospital have been suggested. Our investigation discloses that an ideal site would include ten acres approximately. We are trying to proceed with the utmost care, taking into account the welfare of the patrons and the convenience of the location to the doctors and the visitors who may attend them.

"The best site of this size, that is, ten acres or more, that we have been able to locate would be a portion of the old country club golf course purchased by the City from the country club. The Board would like to negotiate for ten acres of this property out of the portion which lies north of 41st Street and east of Red River.

"It is our understanding from various City officials that a new golf course is planned which would accomodate a larger group of people. We believe that the use of a portion of this land for hospital purposes would be as beneficial to all of the people of Austin as any other purpose to which it could be put, and we sincerely hope that the Council will set fit to approve this request.

"We would like to meet with members of the Council or its administrative staff at your convenience to work out the details of this proposal.

"Sincerely yours,
BOARD OF TRUSTEES
ST. DAVID'S HOSPITAL

(S) R. W. Byram
Chairman, Site Committee"

MAYOR DRAKE felt that some sort of Service Desk should be set up in the City Hall, where ideas or suggestions could be routed as well as complaints and have some manner of follow-up system. He stated if there were no objections that he would like to have the City Manager make a recommendation on such a Service Desk.

COUNCILMAN LONG stated she had a complaint that there were violations of the taxi-cab ordinance, regarding boot-legging. When called to the Taxicab Inspector's attention, he stated his hands are tied because he has to make cases on those companies. She said Delivery Services are picking up passengers, and she asked that these reported violations be looked into and that the law be enforced.

The Mayor asked for nominations for appointment for the City Manager Position. Councilman Johnson moved that MR. WALTER E. SEAHOLM be reappointed as City Manager. The motion was seconded by Councilman MacCorkle, and carried by the following vote:

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

The City Manager stated three property owners, MR. ART WILKE, southwest part of town; MR. DAVID BARROW, north west part of town; and BRADFIELD and BRUSH, Colorado Foot Hills, want to bring their properties inside the City limits, and he asked the Council if it is favorable to such, work could be started on the planning of utilities. He stated they were interested in utility refund contracts. Councilman Long made inquiry about taking in all fringe areas. Councilman MacCorkle asked if this could be discussed next Tuesday night at the briefing session. The City Manager stated it could; but on these particular pieces he wondered how the Council felt so he could go ahead with the details of their utility plans. Different members stated their approval of the plan, and the City Manager said he would go ahead with them and not hold them up on their plans.

COUNCILMAN WHITE asked about the drainage ditch in Govalle, stating it was clogged up with weeds and the water could not drain off. He thought if the weeds were cut, the water could run off. The City Manager stated much work was not being done along this line, and he would ask the Director of Public Works to check into this particular request.

COUNCILMAN MacCORKLE asked if anything had been done about an Audit of the City. The City Manager asked if the Council desired that a number of auditing firms be asked to draw up specifications and submit a proposal; that this being a professional service, bids could not be called for. Councilman Long thought more auditors should be notified. It was decided to wait until next Thursday, (May 24th) and decide how the Council wanted to go about engaging the auditor.

COUNCILMAN LONG asked information about the law covering contracts and bids. The City Attorney explained the procedure the City was using, and that he had furnished copies to Department Heads. The City Manager was asked to furnish the

Council with a Memorandum as to the procedure the City is now following on taking bids and awarding contracts.

COUNCILMAN LONG asked about the procedure of taking bids for feeding the prisoners in the jail, as one of the policemen is now furnishing these meals. She asked if the Chief of Police called for such bids. The City Manager explained how the bids were handled through the Department Heads, the Purchasing Agent and his office. The City Attorney stated he did not know of any requirement regarding the taking of bids on the furnishing of meals as long as it is in the budget allotment; that the City could make a purchase contract which terminates with the budget.

The Council received a report from the Hospital Committee, Executive Committee and Administrator of Brackenridge Hospital, dated May 14, 1951, regarding the case of MINNIE HANCOCK, deceased. Mishandling of this case was reported by MR. SAM BRASFIELD at the Council Meeting of May 10, 1951. Copy of this report is on file in the City Clerk's Office under "HOSPITAL", 1951. The main point brought out in the report was that full information had not been given the interne by the nurse that hospitalization had been advised by an attending physician. Copy of this report was previously sent to Mr. Brasfield.

The Press asked that copies of matters coming up before the Council be furnished them previous to the meeting. It was stated the Council wanted to work with the Press and Radio in every way, but this request would have to be limited.

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

JACK H. KEY

1501-05 Scenic Drive

From "A" Residence
To "C" Commercial

F. J. McBRIDE

911-13 W. 30th

From "A" Residence
To "B" Residence

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

APPROVED:

W S Druse

Mayor

ATTEST:

Edin Worsley

City Clerk