

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 10, 1949
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Glass presiding.

Roll Call:

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

Absent: None

Present also: Guiton Morgan, City Manager; Trueman B. O'Quinn, City Attorney; C. G. Levander, Director of Public Works; R. D. Thorp, Chief of Police.

The Minutes of the previous meeting were read; and upon motion of Councilman Johnson, seconded by Councilman Long, were approved by the following vote:

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

Noes: None

M. A. KIRK submitted to the Council a resolution adopted by the Executive Board of the Austin Branch of the National Association for the Advancement of Colored People, pledging their help to the St. John's Baptist Association to develop that property northeast of town. ARTHUR DeWITTY spoke stating the property in East Austin could not be approved by F.H.A. for loans, while this site in north Austin had been approved; and that the N.A.A.C.P. had made available a site of land to give for the operation of a school and that plans had been made to operate a shuttle bus connecting with city busses. (Resolution on file with City Clerk)

THE MAYOR stated this was not a racial issue, and that the city had grown in that direction, and there was a necessity for parks, a high school, and a football stadium in that area. He stated the need for a stadium where either colored or whites could use. He brought out that land was condemned for the Airport and Bergstrom Field when it became necessary; and that in planning a subdivision, streets, utilities, schools, etc., had to be considered. The Mayor stated that the F. H. A. could not approve this particular site until the plans were submitted and approved by the Planning Commission and City Council.

REV. HAROLD T. BRANCH, President Baptist Minister's Union, submitted a statement to the Council favoring the development of a housing project on the St. John's tract of land. (Copy of this statement on file with City Clerk)

FAYE LOWERY, member of the Progressive Party, submitted a statement from the Progressive Party, offering full support and approval of the St. John's housing development.

MR. WOODROW PATTERSON submitted a petition signed by approximately 4500 citizens asking that the Council obtain the St. John's tract for public school and park development. (Copy of petition on file with City Clerk)

MR. M. H. CROCKETT spoke in favor of obtaining the property for a high school, playground, and stadium.

L. A. KINCHEON, J. W. BROWN, WOODROW C. HUNTER, and other colored men spoke favoring the development of St. John's into a housing project.

MR. LESLIE PHARES appeared before the Council stating the past sale of bonds selling at such a low rate, reflected confidence in the City Government, and that the City Government of Austin was without a doubt the cleanest, best that he had seen.

The City Manager submitted the following memorandum, under date of November 9, 1949, from the Director of Public Works:

"Following is a tabulation of the bids received at 10:00 A.M., November 8, 1949, for Paving Assessment Contract 1 - Units 1 through 27:

Collins Construction Co.	-	\$ 337,385.70
Brown & Root	-	384,619.95
J. M. Dellinger, Inc.	-	393,475.53

"Collins Construction Company is low bidder on the above project, and I recommend that they be awarded the contract.

"Our estimate was \$352,921.50."

The City Manager recommended that the Collins Construction Company be awarded the Contract.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council by ordinance duly passed and approved October 13, 1949, declared that a necessity exists for the permanent improvement of certain portions of public streets listed in Section 1 of said ordinance by excavating, grading, and paving such portions of such public streets, by installation of drainage facilities therein and by the construction of curbs and gutters where adequate curbs and gutters are not now in place; and

WHEREAS, pursuant to the terms of said ordinance plans and specifications for all such improvements were prepared by the Department of Public Works of the City of Austin and placed on file with the City Council and duly approved by the City Council; and

WHEREAS, pursuant to said ordinance the City Manager advertised for bids for the improvement work described in said ordinance, the advertising, receiving and opening of such bids being duly performed as provided by the Charter of the City of Austin and the laws of the State of Texas; and

WHEREAS, bids were received from the construction firms of Brown & Root, J. M. Dellinger, Inc., and Collins Construction Company, in response to said advertisement for bids as follows:

J. M. Dellinger, Inc.	\$ 393,475.53
Brown & Root	384,619.95
Collins Construction Co.	337,385.70

and

WHEREAS, the bid of Collins Construction Co. is considered the lowest and best bid; Now, Therefore,

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

That the bid of Collins Construction Co. be accepted and that Guiton Morgan, City Manager, be and he is hereby authorized and directed to enter into a contract with Collins Construction Co. in accordance with the terms and provisions of the invitation to bid and advertisement for bids and the bid presented by Collins Construction Co. for the improvements covered by the advertisement and bid as accepted.

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

COUNCILMAN MacCorkle suggested that the Council hear the report of the Actuary on the City's Retirement System and also hear the Actuary who represents the Texas Municipal Retirement System, so that the Council can get the benefits of their discussions and be in a position to ask any questions. The City Manager stated he would have a report ready for the Council sometime the early part of the week. He said he would get the report out, showing what the costs will be and the amounts of money that will have to be transferred, etc., and the Council would have time to read the report before the next meeting.

MR. LESLIE PHARES appeared before the Council to give a formal invitation to the Council to ride as honored guests in the Armistice Day Parade on November 11th at 10:30, and gave detailed arrangements of the Parade. The invitation included the City Manager, the Chief of Police, and the Fire Chief.

COUNCILMAN DRAKE stated that the welfare divisions of the state, city, and county seemed mixed up in the different agencies overlapping their duties, and he suggested that some study be made of the different agencies. He stated that the Community Council would be glad to furnish an outline of all the organizations and their duties. The City might have to answer the County on some welfare questions, and Councilman Drake stated he would like to have full information on the different organizations and their functions throughout the County. Councilman Drake moved that the City Manager be instructed to contact the Community Council and see if they can furnish the Council a survey on the welfare situation in the County, and obtain a recommendation. The motion, seconded by Councilman Long, carried by the following vote:

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

The Mayor brought up the question of the housing at Bergstrom Field. It was explained that Bergstrom Field representatives contemplated an extensive housing program on or near Bergstrom Field. It was brought out that since the Federal Government owned the legal title, and the City owned the equitable title, it would be necessary for the City to join the Federal Government in a lease of about 100 acres for a period of 75 years. The houses will actually be constructed by a sponsor to be a private individual, company, or firm, to be selected by the Secretary of Defense on bids, to afford adequate low-cost housing for military personnel at the Airport. It will be financed without the Government or City putting up the money. The City Attorney stated the proposed contract provided that as long as the lease runs the buildings will belong to the sponsor and they could remove them, but that he thought the lease could be amended to provide that the buildings will become the property of the City and the Government. The City Attorney stated the Secretary of Defense must certify that the housing is necessary to provide adequate housing for military personnel; that the military installation is a pertinent part of the military establishment; and that there is no intention to curtail activities there.

Councilman Long moved that the Council join the United States Government in a lease contract with a sponsor for housing at Bergstrom Field, the details to be worked out with the City Manager and the City Attorney. The motion, seconded by Councilman Drake, carried by the following vote:

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

The Council set Monday, November 21, 1949, at 8:00 P.M. as a meeting date with the City Planning Commission to discuss major thoroughfares and boulevards.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That Guiton Morgan, City Manager, be and he is hereby authorized and directed in behalf of the City of Austin to enter into an agreement with F. A. Hester, Jr., for the release and cancellation of a lease covering the following described premises in the City of Austin, Travis County, Texas:

All that certain lot, tract, or parcel of land situated in the City of Austin, Travis County, Texas, and known and described as Lot No. Six (6) in the Resubdivision of the south half of Block No. Forty-four (44) in Christian and Fellman's Addition to the City of Austin, Travis County, Texas, according to a map or plat of said resubdivision made by J. E. Smith and recorded in Book No. 2, page 153, of the Plat Records of Travis County, Texas, to which reference is made for all particulars. Said lot fronts 46 feet on Glasscock Street and runs back the same width 150 feet to an alley in said block.

The term of said lease being for 20 years, beginning the 28th day of May, 1947; the purpose of said release being to acquire all outstanding interests in said Lot 6 for right of way purposes in connection with the extension and development of East Avenue as an Interregional Highway; said release and cancellation being for a consideration to be paid by the City of Austin of \$975.00.

Which motion, duly seconded by Councilman Drake, carried by the following vote:

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

Councilman Johnson introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON LOT 11, BLOCK 68, DIVISION E, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
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, duly seconded, carried by the following vote:

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

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

Ayes: Councilman Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

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

Councilman Long introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 12(b) OF ARTICLE III RELATING TO STOP SIGN LOCATIONS, AND SECTIONS 22(e), 23(b) AND 23(d) OF ARTICLE IV RELATING RESPECTIVELY TO ONE-HOUR PARKING, PASSENGER ZONE, AND LOADING ZONE LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

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

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

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

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

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

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

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

The following applications for change of zoning, previously considered by the Zoning Board and advertised for public hearings this date were heard:

W. R. HOOPER	1225 South Congress 109 Academy Drive	From "B" Residential To "C" Commercial RECOMMENDED by the Zoning Board of Adjustment
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MR. W. R. HOOPER appeared in his own behalf, and there was no opposition. Councilman MacCorkle moved that the Council uphold the recommendation of the Zoning Board and grant the requested change, and that the City Attorney be instructed to draw up the necessary ordinance. The motion seconded by Councilman Drake carried by the following vote:

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

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M. K. HAGE, JR. AND SAM HAGE	1522-1526 Barton Springs Road	From "A" Residential To "C" Commercial RECOMMENDED by the Zoning Board of Adjustment
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There was no opposition to this requested change, and Councilman MacCorkle moved that the Council uphold the recommendation of the Zoning Board and grant the requested change, and that the City Attorney be instructed to draw up the necessary ordinance. The motion, seconded by Councilman Drake carried by the following vote:

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

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MRS. JAMES R. HAMILTON AND MRS. PEGGY MAE FULLER	2509 Red River, 2901-15 Red River	From "A" Residential To "B" Residential RECOMMENDED by the Zoning Board of Adjustment
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This change was requested by the Zoning Board of Adjustment in connection with a request of W. J. NELSON of his property at 2917 Red River, which was granted by the Council on October 13th, and the Council advertised the above property for public hearing for this date. The property owners, Mrs. James R. Hamilton, and Mrs. Peggy Mae Fuller, submitted statements that they consented to the change recommended. Councilman Long moved that the Council uphold the recommendation of the Zoning Board and grant the requested change, and the City Attorney be instructed to draw up the necessary ordinance. The motion, seconded by Councilman Drake, carried by the following vote:

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

JACK SPARKS, for	5301-5315 Evans	From "A" Residential
J. NOVY	(one whole block)	To "C" Commercial
		RECOMMENDED by the
		Zoning Board of Adjustment.

Mr. Jack Sparks and Mr. J. Novy appeared in behalf of this request. Mr. Marion Shafer submitted a petition signed by approximately 23 residents and property owners in opposition to this change, fearing that in the future if the "C" Commercial Zone was not satisfactory, a warehouse or something objectionable might be placed there. The petitioners asked if Mr. Novy would give them a written agreement that he would not ask for a change to industrial within the next ten years, that they would not oppose the "C" Zoning for his theater. Mr. Novy stated he would give them this written agreement. Councilman MacCorkle moved that the recommendation of the Zoning Board be upheld and the change granted, and that the City Attorney be instructed to draw up the necessary ordinance. The motion, seconded by Councilman Drake, carried by the following votes:

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

Councilman Drake moved that the following applications for change of zoning be referred to the Zoning Board of Adjustment for consideration and recommendation:

PAUL O. SIMMS, Agt for HERMAN BROWN, et al	2700 Blk. Exposition Blvd.	From "A" Residential To "C" Commercial
I. E. McNEILL	1003 West 38th	From "A" Residential To "C" Commercial
JOSEPH W. ROBERTSON	3502 Bonnie Road	From "A" Residential To "C" Commercial
JOE O. PROWSE & FLOYD L. EDWARDS by GIBSON R. RANDLE, Atty	628 $\frac{1}{2}$ & 630 Northwestern Avenue	From "D" Industrial To "C-2" Commercial

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

Councilman Johnson moved that the following application for change of zoning after having been heard and considered by the Zoning Board, be set for public hearing on December 8, 1949, at 11:00 A.M:

L. M. RANDOLPH AND
ANNIE MAE RANDOLPH

E. 52', Lot 5, Blk. 4,
Outlot 36, 1212 Chicon
Street

From "C" Commercial
To "C-1"
NOT Recommended by the
Zoning Board

The motion, duly seconded by Councilman Drake, carried by the following vote:

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

There being no further business, the Council, upon motion of Councilman Johnson, seconded by Councilman Long, recessed, subject to call of the Mayor.

APPROVED: Taylor Glass

ATTEST:

Elsie Woosley
City Clerk