

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 27, 1950
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 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.

MRS. LEWIS F. HATCH, Executive Secretary of the TRAVIS COUNTY CHAPTER of the NATIONAL FOUNDATION FOR INFANTILE PARALYSIS, appeared before the Council to assure the people of Austin through the Council that Austin has the best equipped polio wards in the United States, and the physicians and surgeons practicing are up to date on the latest methods of treatment. She explained that expenses for these services would be borne by the Chapter. She also thanked the citizens for their cooperation in the Clean-Up Campaign.

Mayor Glass complimented the "Clean-Up Committee" in its campaign. He asked that the Council instruct the City Attorney to draw up an ordinance dropping the fine on garbage-can violations from \$5.00 to \$1.00, and then have strict enforcement of this ordinance.

Public hearing with the Austin Transit Company regarding bus services was held. MR. BEN WAYNE GREIG, President and General Manager; MR. GERALD MANN of Dallas, Attorney; MR. DEAN MOOREHEAD, Attorney, were present representing the Austin Transit Company. Mr. Greig read a statement, 19 pages in length. (A copy of this statement consisting of 19 typewritten pages is on file in the office

of the City Clerk in the AUSTIN TRANSIT COMPANY, INC. file) COUNCILMAN LONG explained charts showing decreases in bus schedules on several lines, stating if there were increases, there would be more passengers riding busses. It was brought out there was a 30% drop in bus passengers all over the country. Those making complaints in bus services were MR. RUDY RICE, Chairman of the Austin Bus Riders Association; MR. D. E. WHEELER, who asked for rerouting of the Kinney Avenue Bus, which will be worked out with the Transit Company; MR. WILSON ATEN complained of poor bus services on Sunday; MRS. M. E. JACKSON, complained of long waiting time between busses; JUNIUS SCOTT, petitioned for service to the City limit line for the St. John's addition outside the city limits; MR. CLYDE WILSON, complained of long waiting time; MR. M. H. CROCKETT, stating he would not want political pressure to break down the bus service and the City have to take it over. Others were heard on various points. After a lengthy discussion, the Council appointed a committee to meet with Mr. Greig to work out their problems. The Committee was appointed as follows:

MR. RUDY RICE, Chairman
MR. A. B. ROSSEN (West Austin)
MR. KNOX WRIGHT (South Austin)
REV. HAROLD T. BRANCH (East Austin)
MR. ARTHUR MERCHANT (University)
MR. HARRY BUSHACKER (Camp Mabry)
MR. PAT MENDEZ (Latin American riders)
MR. MELVIN WARD - Govalle
MRS. STUART LONG - City Council
SGT. BERT LAY - Traffic Department
MR. WILLIAM PARKER - City Planning Department

This Committee is to meet with the Austin Transit Company to present their facts and complaints, and work out their problems with the Company. The Mayor asked that where schedules were listed that the Company try to run the busses on that schedule.

The following applications for changes of zoning were advertised for public hearing this date:

JACK H. KEY	3800 Lake Austin Blvd.	From "C-1" Commercial To "C-2" Commercial NOT Recommended by the Zoning Board of Adjustment.
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MR. HERMAN JONES represented the applicant. There was no opposition present. Councilman Long moved that the recommendation of the Zoning Board NOT be upheld and the requested change granted. The motion, seconded by Councilman Drake, carried by the following vote:

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

The City Attorney was then instructed to draw up the necessary ordinance.

PROPOSAL OF THE
CITY OF AUSTINTriangle at the south-
east corner of Inter-
regional Highway & Air-
port Blvd.From "C" Commercial
To "A" Residence
RECOMMENDED by the
Zoning Board of Ad-
justment.

Councilman Johnson moved that the recommendation of the Zoning Board of Adjustment be upheld and the requested change granted. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

The City Attorney was then instructed to draw up the necessary ordinance.

Councilman Long moved that the following applications for change of zoning be referred to the Zoning Board of Adjustment:

DUPLEX ADVERTISING CO., INC. 2618 E. 7th

From "A" Residence
To "D" IndustrialFRANK RIEGER, (Shelton and
Shelton)

1000 W. 29th

From "A" Residence
To "C" Commercial

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
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 sum of \$12,000.00 be and the same is hereby appropriated out of the Parks, Playgrounds and Recreation Bond Fund, not otherwise appropriated, for the purpose of accoustical treatment of the Coliseum.

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

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

Discussion of the extension of time on the Power Plant Contracts requested by MR. J. M. ODOM and MR. W. K. JENNINGS, and brought up at the meeting of April 20, was held. Councilman Long moved that the two contractors be granted an indefinite extension. The motion lost for the want of a second. The Mayor stated he would like to see action postponed until a later time and see how much time they would need, and the Council could always grant it; that he wanted to be fair with both the contractor and unions. No action was taken by the Council, and the City Manager stated he would write the contractors of this fact and that it would be a matter for future consideration.

Mayor Glass 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; 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 by Councilman Long, 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 seconded by Councilman Long, 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 by Councilman Long, carried by the following vote:

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

Councilman Long offered the following resolution, and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the northwest corner of the intersection of East 7th Street and Red River Street, which property fronts 128 feet on Red River Street and 92 feet on East 7th Street, and being known as Lot 4 and East 23 feet of Lot 3, Block 88, of the Original City of Austin, Travis County, Texas, and hereby authorized the said Humble Oil and Refining 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 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 Humble Oil and Refining Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendation attached)

April 27, 1950

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of the Humble Oil and Refining Company for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the northwest corner of the intersection of East 7th Street and Red River Street, which property fronts 128 feet on Red River Street and 92 feet on East 7th Street, and being known as Lot 4 and East 23 feet of Lot 3, Block 88, of the Original City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Dr. A. A. Biebel and is under lease to the Humble Oil and Refining 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 storm sewer inlet in the west side of Red River Street adjacent to the above described property.

We recommend that Humble Oil and Refining 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 streets.
- (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 and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer.
- (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-1324.
- (6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-C-1324 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,

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

Councilman Drake offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the Director of Public Works; therefore

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

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduits in the following streets:

(1) An underground telephone conduit in HARMON AVENUE, from East 46th Street northerly 150 feet, the centerline of which underground telephone conduit shall be 12.5 feet west of and parallel to the east property line of said Harmon Avenue.

(2) An underground telephone conduit across HARMON AVENUE, at a point 150 feet north of East 46th Street.

(3) An underground telephone conduit in WEST 34TH STREET, from a point 30 feet east of Guadalupe Street easterly 39 feet, the centerline of which underground telephone conduit shall be 8 feet north of and parallel to the south property line of said West 34th Street.

(4) An underground telephone conduit in WEST 35TH STREET, from a point 60 feet west of the right-of-way line of I. & G. N. Railroad and 6 feet south of the north property line of West 35th Street, easterly 263 feet to the east right-of-way line of I. & G. N. Railroad and 11 feet south of the north property line of said West 35th Street.

THAT the work and construction of said underground telephone conduit, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

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

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

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

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

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

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in WYNONA AVENUE, from a point 32 feet north of Allandale Road northerly 265 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said WYNONA AVENUE.

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

(2) A gas main in WYNONA AVENUE, from White Horse Trail southerly 765 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said WYNONA AVENUE.

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

(3) A gas main in WHITE HORSE TRAIL, from Wynona Avenue westerly 699 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said WHITE HORSE TRAIL.

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

(4) A gas main in SHOALMONT AVENUE, from White Horse Trail southerly 687 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said SHOALMONT AVENUE.

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

(5) A gas main in WOODVIEW AVENUE, from Shoalwood Avenue southerly 595 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said WOODVIEW AVENUE.

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

(6) A gas main in BULL CREEK ROAD, from White Horse Trail southerly 1584 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said BULL CREEK ROAD.

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

(7) A gas main in BURNET ROAD, from a point 87 feet north of Houston Street northerly 90 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said BURNET ROAD.

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

(8) A gas main in HASKELL STREET, from a point 284 feet west of Chalmers Avenue westerly 39 feet, the centerline of which gas main shall be 23 feet south of and parallel to the north property line of said HASKELL STREET.

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

(9) A gas main in WEST 11TH STREET, from Meriden Lane westerly 170 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said WEST 11TH STREET.

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

(10) A gas main in RED RIVER STREET, from River Street southerly 205 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said RED RIVER STREET.

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

(11) A gas main in STEVENSON AVENUE, from Pecos Street easterly 62 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said STEVENSON AVENUE.

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

(12) A gas main in FREDERICKSBURG ROAD, from a point 371 feet south of West Gibson Street southerly 300 feet, the centerline of which gas main shall be 12 feet east of and parallel to the west property line of said FREDERICKSBURG ROAD.

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

(13) A gas main in CASWELL AVENUE, from a point 72 feet north of East 43rd Street northerly 80 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said CASWELL AVENUE.

Said gas main described above shall have a cover of not

less than $2\frac{1}{2}$ feet.

(14) A gas main in BRIDLE PATH, from a point 208 feet west of Pecos Street westerly 86 feet, the centerline of which gas main shall be 13.5 feet south of and parallel to the north property line of said BRIDLE PATH.

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

(15) A gas main in PALO DURO ROAD, from a point 130 feet east of Arroyo Seca westerly 90 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said PALO DURO ROAD.

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

(16) A gas main in BROOKVIEW ROAD, from a point 163 feet south of Schieffer Avenue northerly 59 feet, the centerline of which gas main shall be 6 feet east of and parallel to the west property line of said BROOKVIEW ROAD.

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

(17) A gas main in BOWLING GREEN AVENUE, from a point 472 feet south of Dorris Avenue southerly 59 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said BOWLING GREEN AVENUE.

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 Long, carried unanimously.

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 Manager be and he is hereby authorized and directed to enter into a contract for and on behalf of the City of Austin with A. Roy Thomas and E. C. Thomas, such contract containing an agreement as to cost of construction of water and sewer lines constructed in Bellaire Subdivision and the purchase and payment by the City of said lines, all in accordance with the terms and conditions of the certain contract, a copy of which is attached to this Resolution and made a part hereof for all purposes.

(Contract attached)

THE STATE OF TEXAS }

COUNTY OF TRAVIS }

This contract made and entered into by and between the City of Austin, a municipal corporation situated in Travis County, Texas, hereinafter called "City" and A. Roy Thomas and E. C. Thomas of Travis County, Texas, hereinafter called "Customer", WITNESSETH:

I.

(a) Customer, acting by contract with Karl B. Wagner, has caused to be installed in and along certain public streets in Bellaire Subdivision, an addition to the City of Austin, certain water mains and other pipes at the location and in the sizes described as follows:

<u>Location</u>	<u>Size</u>
Payne Avenue - Burnet Road to Arroyo Seca	8" C.I.
Laird Drive - Payne Avenue to South side of subdivision	6" C. I.
Goodnight Lane - Payne Avenue to southside of subdivision	6" C. I.

(b) The Customer, acting by contract with Joe Bland Construction Company, has caused to be installed in and along certain public streets in Bellaire Subdivision, an addition to the City of Austin, certain sanitary sewer mains and other pipes at the locations described as follows:

In Payne Avenue from Burnet Road to east limit of subdivision; and
In Goodnight Lane from Payne Avenue to south limit of subdivision.

II.

The contract for all such construction work was submitted to the City and the prices of such work were approved by the City before the work was done. The eight-inch (8") water mains herein described were substituted at the instance of the City for the six-inch (6") mains planned by the Customer and adjustment has been made by the City with the Customer for the difference in cost resulting from the difference in size of such mains. It is agreed and understood that such work was completed and approved by the City as of April 1, 1950 and that the cost to the Customer of the water mains and pipes herein

described was Nine Thousand, Four Hundred Ninety Three and 30/100 Dollars (\$9,493.30) and that the cost to Customer of the sewer lines herein described, including necessary manholes, cleanouts and appurtenances, was Seven Thousand, Seven Hundred Nine and 06/100 Dollars (\$7,709.06), being a total cost to customer for all such mains and pipes of \$17,202.36.

III.

For and in consideration of the refunds to the Customer by the City, hereinafter more fully described, and in consideration that the City shall make such repairs and changes in all of said utility improvements, pipes, hydrants, and connections necessary to the orderly conduct of proper utility systems, the Customer hereby bargains, sells, grants, and conveys to the City of Austin all of Customer's right, title, and interest in and to all said utility improvements more fully described in Paragraph I (a) and (b), and all appurtenances thereto, and title to such water mains and pipes and sanitary sewer mains and pipes and all appurtenances thereto hereafter shall be in the City of Austin.

IV.

It is agreed that the Customer shall be reimbursed for the cost of the water mains and pipes, and sanitary sewer mains and pipes, described in Paragraph I (a) and (b) above on the basis of the agreed total cost of \$17,202.36, for all such water and sewer mains, pipes and appurtenances, such reimbursements to be made in the following manner:

Refunds to the Customer by the City shall begin from April 1, 1950, the first such refunds to cover the year 1950; and upon the execution of this contract, the City shall pay to the Customer a sum equal to twice the gross amount of income realized by the City, during the calendar year 1950, from the service and sale of water for usual, customary, and normal domestic, commercial, and industrial uses to consumers having a direct connection with the water mains and sewer lines described in Paragraph I (a) and (b) above; and within sixty (60) days after the first day of January of each succeeding year after 1951 the City agrees to pay to the Customer a sum equal to twice the gross income realized by the City during the preceding calendar year from the service and sale of water from said water lines for usual, customary and normal domestic, commercial and industrial uses to consumers having a direct connection with said water mains and said sewer mains, until the sum of \$17,202.36, being the total amount of cost of the construction of the utility improvements have been repaid, but in no event shall such refunds exceed said sum of \$17,202.36; and the City shall not, in any event, make such annual payments for a period of time longer than ten (10) years from and after April 1, 1950, even though the full cost of \$17,202.36 for such work has not been refunded in full to the Customer at the end of said ten (10) years; and if at any time before the expiration of said ten (10) year period the principal sum of said cost has been repaid, further payment shall cease.

V.

It is agreed that this contract is made with reference to the existing charter and ordinances of the City of Austin and laws of the State of Texas pertaining to all matters affecting this contract, and the Customer agrees to comply with all provisions of such laws, ordinances, and charter.

VI.

It is agreed that the City may at its option retain any part or all of any accrued refund to be made to the Customer in compliance with Paragraph IV of this contract and refuse to make the payments and refunds so provided for in this contract in the event the Customer shall fail or refuse to comply substantially with any obligation lawfully imposed by the City of Austin or the State of Texas regulating the platting, planning and development of subdivisions within the City of Austin.

IN TESTIMONY WHEREOF, the City of Austin has caused this instrument to be executed in duplicate by its City Manager, attested by its City Clerk, with its corporate seal affixed and the said A. Roy Thomas and E. C. Thomas has executed this instrument in duplicate, this the _____ day of _____ 1950.

CITY OF AUSTIN

ATTEST:

By _____

City Manager

City Clerk

APPROVED:

A. Roy Thomas

Director of Utilities

E. C. Thomas

Director of Public Works

City Attorney

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

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the final plat of the subdivision known as "Allandale Section III", 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 MacCorkle, carried by the following vote:
Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Mayor Glass introduced the following ordinance:

AN ORDINANCE PROHIBITING LOITERING IN THE PARKS, PLAYGROUNDS, GOLF COURSE, AND ATHLETIC FIELDS OF THE CITY OF AUSTIN; EXCEPTING LAKE AUSTIN METROPOLITAN PARK, THE ISLAND PARK, AND PART OF ZILKER PARK FROM SUCH PROHIBITION; PRESCRIBING A PENALTY FOR THE VIOLATION THEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; 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 Long, carried by the following vote:

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

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

The ordinance was read the third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman Long, 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 City Manager submitted the following petition addressed to the Honorable Mayor, City Council and City Manager, signed by approximately 150 employees:

"We, the undersigned employees of the City of Austin, wish to express our sincere appreciation for the privilege granted us in the summers of 1948 and 1949, - that of having Saturdays off, - and we respectfully petition you for the same consideration this summer, to begin about June 1, 1950."

"Thanking you in advance for this courtesy, we are, ..."

Councilman Long moved that in accordance with the petition that a work week of five nine hour days be worked out during the months of June, July, and August, as was authorized last summer, and all details to be worked out with the City Manager. The motion, seconded by Councilman Drake, carried by the following vote:

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

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 Guiton Morgan, City Manager, be and he is hereby authorized and directed to enter into, for and in behalf of the City of Austin, one certain written agreement, dated April 17, 1950, with Guy A. Thompson, Trustee, International-Great Northern Railroad Company, Debtor, for the construction, ownership, maintenance, and use of one certain 12-inch water line by the City of Austin across the said Trustee's premises at Engineer's Chaining Station 9235/49 I.C.C., at or near Austin, Travis County, Texas, all as more particularly set out in said agreement on file in the office of the City Clerk and to which reference is here made for all purposes.

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

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

Noes: None

Councilman Johnson moved that no building permits be granted unless proper connections to sewers or septic tanks can be made--and no pit toilets permitted, this to apply for all new construction until the Building Code is revised and adopted. The motion, seconded by Councilman Long, carried by the following vote:

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

Noes: None

Councilman Long moved that the Council express its appreciation to the CENTRAL CHRISTIAN CHURCH for the use of its auditorium and to REVEREND JOHN BARCLAY for his invitation to use the Church auditorium last Tuesday, April 25th, for holding the public hearing on Housing, and that the City Clerk write a letter to that effect. The motion, duly seconded, carried by the following vote:

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

Noes: None

The matter of public housing was again brought before the Council. Statements were made by MR. FRED MORSE in opposition, stating Austin, an example City, should set a further example, and he felt public housing to be a socialistic program; by MR. HERMAN JONES, representing the Housing Authority in its request; MR. JIM COCHRAN in opposition, but asking that the request that the City waive restrictions in the building code not be granted; MR. FRED ADAMS

in opposition; MR. W. C. LITTLE in opposition as this new construction at this particular time would up the prices in construction material; MR. JOE HILL in opposition, and listing a number of suggestions that he would like to be looked into if the cooperation agreement were signed. Different Council members gave their opinions. Councilman Long felt the over-all plan which was under consideration now, was very good and would rid the city from slum areas. Councilman MacCorkle stated with reference to Section II of the resolution, that he did not want it said he was against public houses, because he was not; nor did he have any criticism to make of the administration of the Austin Housing Authority; but he would like to refer the question to the people for a vote. The Mayor stated he did not want the City to take credit for tearing down slum houses when certain houses were removed and replaced by filling stations, etc. He said he hated to apply for Government money, but the City had had to in other instances. The Mayor said that when the final agreement was drawn up, many things were to be considered and possibly changed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

A Resolution Declaring Public Policy and Adopting a Comprehensive Plan Essential to Achieve Improved Housing Conditions in the City of Austin

GENERAL STATEMENT: The City Council of the City of Austin recognizes that within the City of Austin and its environs there exists a need for more adequate housing for an appreciable percentage of the population.

The need for more adequate housing is a need, not only for an increased number of housing accommodations, but also for homes and other living quarters that are safe and sanitary (thus affording greater protection and benefits for the health, safety, and general welfare of all inhabitants) and are available to persons and families within the low income brackets of the community.

The City Council finds, that to provide for more adequate housing in the City of Austin and its environs, a comprehensive program, affecting all phases of housing problems and participated in by the citizenship and government as well, is necessary if satisfactory improvement of housing conditions is to be obtained.

The declaration and adoption of an over-all plan, to the end that housing, sanitation, living conditions, and general welfare will be improved, is deemed by the City Council to be essential at this time. Therefore,

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

I. DECLARATION OF POLICY: There is hereby established and declared a policy for the City of Austin and its citizenship, acting by and through the City Council, the duly constituted policy-making body of the City and its inhabitants, as follows:

(1) To effect more adequate housing in the City of Austin and its environs, every available means for that purpose shall be employed, and the program employing such means shall be executed as expeditiously as may be found both prudent and feasible; and

(2) The efforts of all means available shall be coordinated, to the end that it will not be necessary again in the City of Austin to extend public housing beyond the purview of the program this day adopted.

II. PLAN FOR EFFECTIVE POLICY PRINCIPLES: It is the intent of the City Council of the City of Austin to achieve the aims of its housing policy through the initiation and execution of a comprehensive program which will consist of the coordinated action of each of the following plans:

(1) To enable the City of Austin to cooperate effectively with private enterprise to eliminate sub-standard and inadequate housing, through the clearance of slums and blighted areas, Government assistance if found necessary will be sought under the national program provided by Title I of the National Housing Act of 1949.

(2) To eliminate sub-standard housing and provide more adequate housing, the City of Austin will enter into a "Cooperation Agreement" with the Housing Authority of the City of Austin, by which five hundred and twenty (520) units of low-rent housing will be constructed, and the City Council will conscientiously, and as effectively as possible, eliminate "by demolition, condemnation, effective closing, or compulsory repair or improvement of unsafe or insanitary dwelling units situated in the locality or metropolitan area of the City substantially equal in number to the number of newly constructed dwelling units provided" by construction of the proposed low-rent housing projects.

(3) To eliminate sub-standard housing, to avoid deterioration of housing facilities in the future, and to prevent erection of sub-standard housing hereafter, the Council will initiate and enact comprehensive revisions of the ordinances and regulations of the City of Austin controlling and prescribing housing standards, including the building code, the plumbing code, electrical code, sanitary code, and zoning ordinance, and provide adequate and effective means and personnel for enforcement of such rules, standards and regulations.

(4) To supplement the aims of the revisions of the building and sanitary ordinances of the City of Austin, the City Council will adopt ordinances and regulations necessary to insure proper drainage and service of utilities, including water, sewerage, electricity, telephones, and gas, to new subdivisions of the City of Austin and its environs, and will provide guidance for the development of the City of Austin and its environs through adoption of a comprehensive plan affecting such development.

(5) The City Council will cooperate fully with the County Commissioner's Court of Travis County in the regulation and control of subdivisions outside the corporate limits of the City of Austin, and will coordinate subdivision regulations and general plans adopted by the City of Austin with such regulations and plans adopted and put into effect by Travis County.

In discussion of this resolution, it was decided to take each paragraph of Section II PLAN FOR EFFECTING POLICY PRINCIPLES separately and vote on each one. Councilman Long withdrew her motion. Councilman MacCorkle moved that it be adopted through SECTION II, PLAN FOR EFFECTING POLICY PRINCIPLES, Paragraph (1). The motion, seconded by Councilman Long, carried by the following vote:

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

Councilman Drake moved that Paragraph No. (2) under SECTION II, PLAN FOR EFFECTING POLICY PRINCIPLES be adopted. The motion was seconded by Councilman Long. Councilman MacCorkle made a statement that he wanted it understood that he was not voting against public housing, but that he thought this was a matter to be referred to the people, and that he was going to vote against Paragraph (2) as it now stands. The motion carried by the following vote:

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

Councilman Long moved that Paragraph No. (3) be adopted. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

Councilman MacCorkle moved that Paragraph No. (4) be adopted. The motion seconded by Councilman Long, carried by the following vote:

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

Councilman Long moved that Paragraph No. (5) be adopted. The motion, seconded by Councilman Drake carried by the following vote:

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

JOEL ANDREW WHEELER, 608B G.I. Drive, appeared before the Council in an appeal of the administrative denial of his application to drive a taxi-cab. Councilman MacCorkle moved that he be granted a 90-day probation permit. The motion, duly seconded, carried by the following vote:

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

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

APPROVED: 
Mayor

ATTEST:


City Clerk