

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 3, 1954
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

Roll Call:

Present: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Absent: None

Present also: W. E. Seaholm, City Manager; Doren R. Eskew, Acting City Attorney; C. G. Levander, Director of Public Works.

Invocation was delivered by RABBI JOSEPH R. BRANDRISS, Agudas Achim.

MR. TOM PINCKNEY, President Austin Fire Fighters Association, asked that the Council vote at this meeting for shorter hours for the firemen; that at first the firemen had considered asking for 60 hour-week; but after further study, they were asking the Council for a 63 hour-week, and that it go into effect when the next Budget goes into effect. In detail, he stated it would mean an addition of 15 firemen, and this addition would bring the city to the minimum requirement of $1\frac{1}{2}$ firemen for every 1,000 population as recommended by the National Board of Fire Underwriters; and would mean 15 additional trained firemen in case of an emergency. He stated the City Manager, in meetings with them, had stated he was in agreement with their requests. Councilman Long moved that the City Manager work toward bringing in a recommendation for the 63 hour-week and a 40 hour-week for the city employees except in special cases. Councilman White seconded the motion. In discussion, Councilman Thompson asked if the City Manager were in the process of getting the figures for the new budget to contemplate the 40 and 63 hour weeks, and if he would then be able to show what effect these shorter hours would have. The City Manager stated he was. MR. AMOS HARREL, 1209 W. 8th expressed opposition to shorter hours. He spoke as a tax payer. MR. M. L. LYLES, 5406 Cameron Road, spoke in behalf of the firemen's request. Councilman Long expressed her intent to vote for the 63 hour week, but not at this time, as she would have to decide where the money was coming from. She stated the money would have to be raised to put it into effect; and what Mr. Pinckney wanted to know was whether or not they could expect it. If they do not get it, they could take the matter to the people. Councilman White favored the shorter hours, as he believed all along employees could do as much in 8 hours as they would do in 10, and he was for good working conditions. Councilman Pearson stated if the firemen were given additional pay increase, the other employees would be entitled also to a pay increase; and it

was strictly an administrative policy and not a matter for the Council until the Administration came in with its recommendation and listed recommendations on raising the dollars. He too expressed his desire that every city employee have better working conditions, but he did not want to do for on group unless he could do for all the employees. When he received the facts and figures, he assured all the gentlemen that he would look on the proposition favorably; but it would be unfair to have to vote on something without knowing the facts. Councilman White, too was in favor of considering all the employees, and stated he wanted the laboring men taken care of. Councilman Long commended the Firemen in their request that they gave the Council time to get ready for the change in the next budget. She believed it was the policy for the Council to decide whether or not the employees had 40 & 63 hour week. Councilman Thompson offered a substitute motion that the City Manager be instructed to give the Council an analysis of the cost of establishing the shorter working hours during the year 1955 and present those figures 30 days before he presented this budget so that the Council would have time to study it. Councilman Pearson seconded the motion. Regarding his motion, Councilman Thompson stated his natural disposition was to improve the working conditions; but the Council was charged with the responsibility of seeing that the work that has to be done by this City got done and got done within a budget that did not impose on the people who pay the taxes on their homes an unbearable tax; and with the responsibility of keeping our utility rates to our domestic consumers on a reasonable level; the law of economics imposes upon the Council that it keep the industrial and commercial rates at a level where we could compete with other communities in bringing in industries, which incidentally furnish more jobs. It is a huge responsibility of this Council, and he was going to have to know and study and know that he was taking a position that was absolutely equitable to the workers, to the taxpayers, and to the final and ultimate good of the City of Austin, and he was not going to commit himself today to vote for these shorter hours. He wanted the City Manager to present the figures 30 days before he presents the budget so the Council would have time to study it. It deserves attention. The City Manager stated as he understood it, Councilman Thompson would like to see what the result of changing from our present time to 63 and 40 hour; what it means it means in that change. Councilman Thompson wanted to know what it cost, and thought by that time the Council would have some notion of what the revenue would be. He stated it would then have to be studied in relationship to where the money would come from to pave the streets to knock out some of the dust destroying the health of our public and destroying the inconvenience and discomfort; it would have to be studied in relationship of how the things that are going to have to be done will be done to maintain our sanitary system; and studied in relationship with all the rest of the things that have to be done by the City Council. Councilman Long stated that no one lost sight of that, and if a Council member got on here with a one-track mind and did not realize the responsibility to all the citizens and to everybody as a whole, they would have no business being on the Council. Councilman Thompson made the comment that it had been his observation that there were some members on the Council that appeared, at least to him, to take each thing by itself without considering its relationship to other aspects to their responsibility; and if it seemed to be a popular notion, to go ahead and promote and vote for it; and if it seemed to be an unpopular notion with voters particularly, that they go along with the thing, which implies of course that some Council member member acts or is motivated by the political aspect of the proposition rather than the real aspect of the proposition. Councilman Long replied to Councilman Thompson that he had made many nasty remarks to her in this Council, and that she had sat there and taken them. She stated, "You have said in public; you have said in private; you have insulted me, doubting my

motives. There is not a citizen in the City of Austin that does not know that when I say that I want the 63 hour week that it is going to cost more money. Now whether that is good politics I don't know. Your firemen know that it is going to cost more money -- not much -- they pointed out. Certainly it is going to cost more money, but there are a few things--there are a few people in this City that realize that we have to move forward. I am not fooling anybody. I have served on this Council for six years. You sat here, and yesterday or day before yesterday when we had a Council meeting with the Planning Commission, we had had in our possession for two months the Annual report, and you did not even know where Zaragosa Park was, and you sat here and say publicly time and time again you doubt my motives. You have sat here at this Council table and degraded the dignity of it by saying, 'Mrs. Long, would you shut up!' I frankly am not going to sit here and have this Council degraded in any such manner. Now, if you doubt my motives, certainly you can keep it to yourself and vote the way you see fit. But to sit here and shout time and again, and I feel that this Council table itself--the people of Austin four times have voted me into office. They don't doubt my motives no doubt; and if you doubt them, well fine, but to sit here and continually harrass and think up nasty things, I don't intend to stand for it and I don't think the people of Austin appreciate it." Councilman White stated that in Councilman Thompson's first statement, he said plural--he said "members"; in the last statement he said "member". He stated he hoped he did not include him on that. Councilman Thompson stated he did not call any names. He stated he was not referring to him, as he knew what he thought of him. Councilman Long stated he was referring to her.

The Mayor made the following statement:

"The Council last year gave the firemen a \$20.00 increase across the Board, and the rest of the employees an increase, and that is the reason they did not get that. (shorter hour week) Mr. Pinckney has inferred that the City Government has had this under consideration. I told Mr. Pinckney last year in June or July when this went into effect that they would have to get along with this for at least a year or more before they could expect any relief. I for one have intended to do that just as I told these fellows.

"We are occupying the position of carrying out a public trust in representing all the people in the City of Austin, and I think the Council by and large has done a pretty good job in that respect; and it is with this thought in mind that I sit here in these deliberations and try to come up with a decision that I think will benefit the people as a whole and not any particular class or clique in general. I feel that this Council and administration will come up with just about the right answer in this thing as they have come up with some pretty good answers in most of the things.

"I am of the opinion that we should carry this thing over until we get the budget for consideration--we do not have it yet. We do not have any extra money any where that I know of. We have an increase in the budget of \$178,000 while we had an increase in population of some 8 or 9000 people and we do have an increase at the present time of some 4 or 5000 people over last year, and we are trying to keep our expenditures within the bounds of our income. I feel that we will come up with something acceptable to all the people in the City Government, namely the 2250 of employees that we have, and I believe that when we consider the budget we can take this into consideration. If you people out there will be so kind as to place your faith in this Council, I think we can come up with the right answer."

Roll call on Councilman Thompson's substitute motion that the City Manager be instructed to give the Council an analysis of the cost of establishing the shorter working hours during the year 1955 and present those figures 30 days before he presented this budget so that the Council would have time to study it, having been seconded by Councilman Pearson, showed the following vote:

Ayes: Councilmen Pearson, Thompson
Noes: Councilmen Long, White
Present but not voting: Mayor McAden

Roll call on Councilman Long's original motion that the City Manager work toward bringing in a recommendation for the 63 hour week and a 40 hour week for the city employees except in special cases, having been seconded by Councilman White, showed the following vote:

Ayes: Councilmen Long, White
Noes: Councilmen Pearson*, Thompson**
Present but not voting: Mayor McAden

*Councilman Pearson made the following statement regarding his vote:

"We are instructing the City Manager to bring in a recommendation that we do not have the money to meet, and then we will have to come back and raise the tax."

**Councilman Thompson made the following statement regarding his vote:

"I am going to vote 'No' just to register my attitude at the moment. By making a motion, I have indicated that I want to see the figures and I am willing to see a study of this thing; but since the rest of the Council does not seem to want to make an adjustment in the motion, I am going to vote 'no', because I feel sure we are going to get the figures and make a study and finally come out with what we want."

Councilman White moved that the Minutes of the previous meeting be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden.
Noes: None

Councilman White offered the following resolution and moved its adoption.

(RESOLUTION)

WHEREAS, Mrs. Geo Livingston has made application in writing for permission to use and maintain in her residence a day nursery complying with all City and State regulations, on Lot 18, Wilder Addition #1, in the City of Austin, Travis County, Texas, the same being on the east side of Woodrow Street and locally known as 5803 Woodrow, which property is located in an "A" Residence District and under Section #4, Item 13a of the Zoning Ordinance requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

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

THAT permission for the use and maintenance of a day nursery at the location described above be granted to Mrs. Geo. Livingston.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Pearson 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 to execute and deliver unto Kenneth Ramey and wife, Frances M. Ramey, a release of that certain mechanic's lien granted by instrument dated March 16, 1954, upon Lot 7, Block 5, University Park Addition to the City of Austin, upon receipt of payment of the sum of \$145.14.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption.

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the opening, construction, and maintenance of an additional street, highway, and freeway in the City of Austin extending from its north

limits to its south limits, said street, highway and freeway being commonly known as "Interregional Highway", and,

WHEREAS, the City Council has found and determined that the hereinafter described land is suitable for such purpose and that it is necessary to acquire said land for such street, highway and freeway; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof; 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 for said purpose to the following described tract of land:

Three (3) tracts of land, the tract of land hereinafter described as No. 1 containing 9 square feet of land and being out of and a part of Lot 1, Bellvue Park, a subdivision of a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, according to a map or plat of said subdivision of record in Book 1, page 45, Plat Records of Travis County, Texas, which Lot 1, was conveyed together with other property to A.M. Rundell and wife, Nora Rundell by warranty deed dated July 1, 1948, of record in Volume 914, page 144, Deed Records of Travis County, Texas, the tract of land hereinafter described as No. 2 containing 402 square feet of land and being out of and a part of Lot 4, Elmhurst Addition, a subdivision of a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, according to a map or plat of said subdivision of record in Book 3, page 214, Plat Records of Travis County, Texas, which Lot 4 was conveyed together with other property to A. M. Rundell and wife, Nora Rundell, by warranty deed dated February 13, 1942, of record in Volume 693, page 262, Deed Records of Travis County, Texas, the tract of land hereinafter described as No. 3 containing 0.438 of one acre of land, and being out of and a part of Lots 13, 14, 15, 16, 17, of the aforementioned Elmhurst Addition, which Lots 13, 14, 15, 16, 17, were conveyed to A.M. Rundell and wife, Nora Rundell, by warranty deed dated April 18, 1945, of record in Volume 756, page 140, Deed Records of Travis County, Texas, each of the three (3) tracts of land being more particularly described by metes and bounds as follows:

No. 1. BEGINNING at an iron pipe on the west line of Lot 1 of the said Bellvue Park Subdivision and on the proposed east right-of-way line of the Interregional Highway, said proposed east right-of-way line of the Interregional Highway being a curve whose intersection angle is $37^{\circ} 35'$, a tangent distance of 700.12 feet and a radius of 2057.57 feet;

THENCE following said curving proposed east right-of-way line of the Interregional Highway to the right an arc distance of 10.55 feet the subchord of which arc bears S. $19^{\circ} 36'$ W. 10.43 feet to an iron stake on the south line of said Lot 1;

THENCE with the south line of Lot 1, which line is also the south line of Bellvue Park N. $61^{\circ} 17'$ W. 1.81 feet to the southwest corner of said Lot 1;

THENCE with the west line of said Lot 1 N. $29^{\circ} 41'$ E. 10.35 feet to the point of beginning.

No 2: BEGINNING at an iron pipe at the point of intersection of the proposed east right-of-way line of the Interregional Highway with the west line of Lot 4, Elmhurst Addition, said proposed east right-of-way line of the Interregional Highway being a curve whose angle of intersection is $37^{\circ} 35'$, a tangent distance of 700.12 feet and a radius of 2057.57 feet;

THENCE following said curving line to the right an arc distance of 73.38 feet, the subchord of which arc bears S. $22^{\circ} 56'$ W. 73.37 feet to an iron pipe on the south line of said Lot 4 and on the north line of Bobbye Street;

THENCE with the north line of Bobbye Street and the south line of Lot 4, N. $59^{\circ} 49'$ E. 10.90 feet to the southwest corner of Lot 4;

THENCE with the west line of Lot 4, N. $31^{\circ} 33'$ E. 72.62 feet to the point of beginning.

No 3. BEGINNING at the northwest corner of Lot 13 of the Elmhurst Addition, on the south line of Taylor Gaines Street;

THENCE with the south line of Taylor Gaines Street, and the north line of said Lot 13, S. $59^{\circ} 44'$ E. 50.60 feet to an iron stake on the proposed east right-of-way line of the Interregional Highway;

THENCE with the proposed east line of the Interregional Highway S. $18^{\circ} 54'$ W. 276.59 feet to an iron pipe on the south line of Lot 17, same being the south line of the Elmhurst Addition;

THENCE with the south line of Lot 17 and the south line of the Elmhurst Addition N. $58^{\circ} 33'$ E. 110.97 feet to the southwest corner of said Lot 17 and which corner is the southwest corner of the Elmhurst Addition;

THENCE with the west line of Lots 17, 16, 15, 14, 13, and the west line of the said Elmhurst Addition, N. $31^{\circ} 32'$ E. 269.02 feet to a point of beginning.

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

Ayes: Countilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the opening, construction and maintenance of an additional street, highway, and freeway in the City of Austin extending from beyond its south limits, said street, highway and freeway being commonly known as "Inter-regional Highway"; and,

WHEREAS, the City Council has found and determined that the hereinafter described land is suitable for such purpose and that it is necessary to acquire said land for such street, highway and freeway; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof; 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 for said purpose to the following described tract of land:

Two (2) tracts of land, the tract of land hereinafter described as No. 1 containing 0.066 of one acre of land, and the tract of land hereinafter described as No. 2 containing 1.688 acres of land, each of the said two (2) tracts of land being out of and a part of that certain 73.44 acre tract of land, a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, which was conveyed to D. M. Bryant and wife, Ollie M. Bryant by warranty deed dated February 26, 1930, of record in Volume 448, page 188, Deed Records Travis County, Texas, each of the said two (2) tracts of land being more particularly described by metes and bounds as follows:

No. 1: BEGINNING at an iron stake on the proposed west right-of-way line of the Interregional Highway, which iron stake is also in a southwest line of East Live Oak Street and from which point of beginning a concrete monument at an angle point in the centerline of East Live Oak Street bears N. $38^{\circ} 59'$ E. 35.0 feet and N. $19^{\circ} 59'$ W. 318.86 feet;

THENCE with the southwest line of East Live Oak Street S. $19^{\circ} 59'$ E. 62.68 feet to an iron pipe at the point of curvature of a curve whose angle of intersection is $90^{\circ} 00'$, whose tangent distance is 10.0 feet, and whose radius is 10.0 feet;

THENCE following said curving line to the right an arc distance of 15.70 feet the long chord of which arc bears S. $25^{\circ} 01'$ W. 14.14 feet to an iron pipe at the point of tangency of said curve;

THENCE S. $70^{\circ} 01'$ W. 29.20 feet to an iron pipe at the point of curvature of a curve whose angle of intersection is $37^{\circ} 53'$, whose tangent distance is 25.52 feet and whose radius is 75.07 feet;

THENCE following said curving line to the right an arc distance of 28.69 feet the sub-chord of which arc bears S. $81^{\circ} 04'$ W. 28.50 feet to a point in the

proposed west right-of-way line of the Interregional Highway which iron pipe is also in the north line of East Oltorf Street;

THENCE with the proposed west right-of-way line of the Interregional Highway N. $17^{\circ} 45'$ E. 63.55 feet to an iron stake;

THENCE continuing with the proposed west right-of-way line of the Interregional Highway N. $38^{\circ} 59'$ E. 33.04 feet to the point of beginning.

No. 2: BEGINNING at an iron pipe in the proposed west right-of-way line of the Interregional Highway which iron pipe is also in the south line of East Oltorf Street and from which point of beginning a concrete monument at the northeast corner of the Austin Public Free School Tract of land as described in deed of record in Volume 1037, page 229, Deed Records of Travis County, Texas, bears N. $72^{\circ} 13'$ W. 147.17 feet;

THENCE with the present south line of East Oltorf Street S. $72^{\circ} 13'$ E. 521.56 feet to a point at a fence which point is also the northeast corner of the said D. M. Bryant et ux tract of land as described in said deed of record in Volume 448, page 188, Deed Records, Travis County, Texas;

THENCE with the east line as fenced of the D. M. Bryant et ux tract of land S. $29^{\circ} 30'$ W. 153.20 feet to an iron stake on the corporate limit line of the City of Austin, Travis County, Texas, as adopted by the City Council of the City of Austin by ordinance dated August 5, 1937;

THENCE with the said corporate limit line of the City of Austin N. $72^{\circ} 13'$ W. 430.06 feet to a point;

THENCE continuing with the said corporate limit line of the City of Austin N. $19^{\circ} 59'$ W. 98.14 feet to an iron pipe in the proposed west right-of-way of the Interregional Highway;

THENCE with the proposed west right-of-way line of the Interregional Highway N. $17^{\circ} 45'$ E. 72.38 feet to the point of beginning.

23.744 acres of land same being out of those two (2) certain tracts of land out of the Isaac Decker League in Travis County, Texas, which two (2) tracts of land were conveyed to D. M. Bryant and wife, Ollie M. Bryant by warranty deed dated February 26, 1930, of record in Volume 448, page 188, Deed Records of Travis County, Texas, and Executrix deed dated February 4, 1939, of record in Volume 607, page 192, Deed Records of Travis County, Texas, which 23.744 acres of land are more particularly described by metes and bounds as follows:

BEGINNING at a point on the east fence line of the said D. M. Bryant et ux 73.44 acre tract of land as described in said deed of record in Volume 448, page 188, Deed Records of Travis County, Texas, which point of beginning is also in the corporate limit line of the City of Austin, Travis County, Texas, as adopted by the City Council of the City of Austin by ordinance dated August 5, 1937, and from which point of beginning a concrete monument in the said corporate limit line of the City of Austin bears S. $72^{\circ} 13'$ E. 47.74 feet;

THENCE with the east fence line of the said D. M. Bryant et ux 73.44 acre tract of land S. $29^{\circ} 30'$ W. 199.70 feet to a point on the proposed east

right-of-way line of the Interregional Highway;

THENCE with the said proposed east right-of-way line of the Interregional Highway S. $31^{\circ} 27'$ W. 467.34 feet to a point;

THENCE continuing with the proposed east right-of-way line of the Interregional Highway S. $28^{\circ} 22'$ W. 2057.53 feet to a point on the south line of the said certain 17.5 acres of land, more or less, which is described in said deed of record in Volume 607, page 192, Deed Records of Travis County, Texas, and from which point the south-east fence corner of said 17.5 acre tract of land bears S. $60^{\circ} 13'$ E. 351.7 feet;

THENCE with the south line of the aforementioned C. M. Bryant et ux 17.5 acre tract of land as fenced N. $60^{\circ} 13'$ W. 350.10 feet to a point on the proposed west right-of-way line of the Interregional Highway and from which point the southwest corner of the aforementioned 17.5 acre tract of land as fenced bears N. $60^{\circ} 13'$ W. 119.0 feet;

THENCE with the proposed west right-of-way line of the Interregional Highway N. $28^{\circ} 22'$ W. 2048.87 feet to a point;

THENCE N. $25^{\circ} 18'$ E. 467.34 feet to a point;

THENCE N. $17^{\circ} 45'$ E. 343.83 feet to a point on the corporate limit line of the City of Austin as adopted by the City Council of the City of Austin by ordinance dated August 5, 1937;

THENCE with the said corporate limit line of the City of Austin S. $19^{\circ} 59'$ E. 98.14 feet;

THENCE continuing with the said corporate limit line S. $72^{\circ} 13'$ E. 430.06 feet to the point of beginning.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the opening, construction and maintenance of an additional street, highway, and freeway in the City of Austin extending from its north limits to its south limits, said street, highway and freeway being commonly known as "Interregional Highway"; and,

WHEREAS, the City Council has found and determined that the hereinafter described land is suitable for such purpose and that it is necessary to acquire said land for such street, highway and freeway; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value

thereof; 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 for said purpose to the following described tract of land:

1701 square feet of land, same being out of and a part of Lot 7, Elmhurst Addition, a subdivision of a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas according to a map or plat of said subdivision of record in Book 3, Page 214, Plat Records of Travis County, Texas, which Lot 7 was conveyed to Homer S. Clark by warranty deed dated June 2, 1947 of record in Volume 852, Page 269, Deed Records of Travis County, Texas, said 1701 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron pipe at the point of intersection of the north line of Lot 7 with the proposed east Right-of-Way line of the Interregional Highway;

THENCE with the proposed east Right-of-Way line of the Interregional Highway, S. $28^{\circ} 22'$ W. 59.98 feet to an iron pipe on the south line of Lot 7;

THENCE with the south line of Lot 7, N. $59^{\circ} 51'$ E. 29.87 feet to an iron stake on the southwest corner of Lot 7, which corner is also in the west line of the aforementioned Elmhurst Addition;

THENCE with the west line of Lot 7 and the west line of said Elmhurst Addition, N. $31^{\circ} 33'$ E. 59.95 feet to an iron stake at the northwest corner of said Lot 7;

THENCE with the north line of Lot 7, S. $59^{\circ} 51'$ E. 26.53 feet to the point of beginning.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the opening, construction and maintenance of an additional street, highway, and freeway in the City of Austin extending from beyond its north limits to beyond its south limits, said street, highway and freeway being commonly known as "Interregional Highway"; and,

WHEREAS, the City Council has found and determined that the hereinafter land is suitable for such purpose and that it is necessary to acquire said land for such street, highway and freeway; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof; 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 for said purpose to the following described tract of land:

Tract No. 1:

0.176 of one acre of land, same being out of and a part of that certain 20 acre tract of land, a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, which 20 acres of land was conveyed to Augusta A. Howell by court decree dated June 20, 1895 of record in District Court Cause No. 12148 and described as No. 4 in said Decree of court which 0.176 of one acre of land is more particularly described by metes and bounds as follows:

BEGINNING at the present northwest corner of the said Augusta A. Howell Estate 20 acre tract of land, which beginning point is also in the present south line of East Live Oak Street and from which point of beginning a concrete monument shown as No. 322 in the records of the office of the Director of Public Works of the City of Austin, Travis County, Texas at an angle point in the centerline of East Live Oak Street bears N. 29° 30' E. 30.0 feet and S. 82° 19' E. 146.11 feet;

THENCE with the present south line of East Live Oak Street S. 82° 19' E. 67.90 feet to an iron pipe in the proposed east R-O-W line of the Interregional Highway;

THENCE with the proposed east R-O-W line of the Interregional Highway S. 38° 59' W. 173.68 feet to an iron stake in the corporate limit line of Austin, Travis County, Texas, as adopted by the City Council of the City of Austin by ordinance dated August 5, 1937;

THENCE with the said corporate limit line N. 72° 13' W. 35.15 feet to an iron stake in the west line of the said Augusta A. Howell Estate 20 acre tract of land;

THENCE with the west line of the said Augusta A. Howell Estate tract of land N. 29° 30' E. 153.2 feet to the point of beginning.

Tract No. 2:

0.079 of one acre of land, same being out of and a part of that certain 20 acre tract of land, a portion of the Santiago Del Valle Grant in Travis County, Texas, which was conveyed to Augusta A. Howell by court decree dated June 20, 1895, of record in District Court Cause No. 12148 and described as No. 4 in said decree of court which 0.079 of one acre of land is more

particularly described by metes and bounds as follows:

BEGINNING at a point corporate limit line of the City of Austin, Travis County, Texas, as adopted by the City Council of the City of Austin by ordinance dated August 5, 1937 and which point of beginning is also in the proposed East Right-of-Way line of the Interregional Highway, and from which point of beginning a concrete monument as set by the Department of Public Works of the City of Austin on an angle point in the said corporate limit line of the City of Austin and shown as No. 133 in the files of the Department of Public Works, bears S. 72° 13' E. 12.86 feet;

THENCE with the proposed East Right-of-Way line of the Interregional Highway S. 38° 59' W. 209.69 feet to a point on the west line of the said 20 acre tract of land as fenced;

THENCE with the west line of the said 20 acre tract of land as fenced N. 29° 30' E. 199.70 feet to a point on the corporate limit line of the City of Austin, Travis County, Texas, as adopted by City Council of the City of Austin, by ordinance dated August 5, 1937;

THENCE with the said corporate limit line S. 72° 13' E. 35.16 feet to the point of beginning.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the opening, construction and maintenance of an additional street, highway, and freeway in the City of Austin extending from its north limits to its south limits, said street, highway and freeway being commonly known as "Interregional Highway"; and,

WHEREAS, the City Council has determined that public necessity requires the opening, construction and maintenance of adequate turn-on lanes and right turn lanes from the intersecting streets to the "Interregional Highway" by widening and straightening said intersecting streets; and,

WHEREAS, the City Council has found and determined that the hereinafter described land is suitable for such purposes and that it is necessary to acquire said land for such street, highway and freeway and such widening and straightening of intersecting streets thereto; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof; 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 for said purposes to the following described tract of land:

TRACT NO. 1:

2.701 acres of land, same being out of and a part of that certain 17 acre tract of land, a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, which was conveyed to H. F. Hodge and wife, Mattie Lee Hodge, both now deceased, by warranty deed dated December 12, 1907 of record in Vol. 228, Page 272, Deed Records of Travis County, Texas, a one-sixth (1/6) interest each in and to the said 17 acres of land having been conveyed to Cornelia Woods, James Redd, and Mabel R. Spears by "Court Order to Partition Estate" dated April 5, 1951 of record in Vol. 148, Page 490, of the Probate Minutes of Travis County, Texas, a one-sixth (1/6) interest each in and to the said 17 acres of land having been conveyed to Mattie Lee Spears, Agnes Campbell and S. W. Redd, Jr. by deed of gift dated July 31, 1951 of record in Vol. 1173, Page 430, Deed Records of Travis County, Texas, and which 2.701 acres of land is more particularly described by metes and bounds as follows:

BEGINNING at a fence corner in the north line of the said 17 acre tract of land which north line is also the south line of Southside Addition, a subdivision of a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, according to a map or plat of said subdivision of record in Book "X", pages 576-577, Deed Records of Travis County, Texas and from which point of beginning a steel pin in the proposed east Right-of-Way line of the Interregional Highway bears N. 58° 35' W. 19.85 feet;

THENCE with a west fence line of the said Redd et al tract S. 46° 46' W. 39.60 feet to a point on the proposed east line of the Interregional Highway;

THENCE with the proposed east line of the Interregional Highway S. 17° 45' W. 578.60 feet to a point on the south fence line of the said 17 acre tract of land which fenceline is also the north line as fenced of East Live Oak Street;

THENCE following the south line of the said 17 acre tract of land as fenced with the following five (5) courses;

- (1) N. 77° 58' W. 31.50 feet to a point
- (2) N. 82° 36' W. 82.33 feet to a point
- (3) N. 88° 04' W. 64.80 feet to a point
- (4) N. 65° 14' W. 123.90 feet to a point
- (5) N. 69° 16' W. 43.85 feet to an iron pipe at

the northeast corner of a tract of land containing nine hundred and fourteen (914) square feet, which was conveyed to the City of Austin by Warranty Deed dated April 26, 1950 of record in Vol. 1041, Page 296, Deed Records of Travis County, Texas;

THENCE with the east line of the aforementioned City of Austin, tract of land S. 17° 47' W. 2.00 feet to point;

THENCE following the south and west line of the said City of Austin

tract of land with the following three (3) courses:

- (1) N. $71^{\circ} 09'$ W. 65.85 feet to a point
- (2) N. $50^{\circ} 01'$ W. 45.49 feet to a point
- (3) N. $67^{\circ} 28'$ E. 17.78 feet to the northwest

corner of the said City of Austin tract of land;

THENCE N. $43^{\circ} 36'$ W. 3.22 feet to the most westerly corner of the herein-described tract of land;

THENCE following the dividing fence between the said 17 acre tract of land and a tract of land owned by B. W. Reinke with the following six (6) courses:

- (1) N. $72^{\circ} 36'$ E. 52.10 feet to a point
- (2) N. $82^{\circ} 53'$ E. 40.46 feet to a point
- (3) N. $56^{\circ} 39'$ E. 254.49 feet to a point
- (4) N. $62^{\circ} 38'$ E. 70.28 feet to a point
- (5) N. $39^{\circ} 14'$ E. at 86.90 feet pass an iron pipe in the

proposed east Right-of-Way line of the Interregional Highway in all a distance of 102.41 feet to a point on the south line of the Southside Addition;

THENCE with the south line of the said Southside Addition S. $58^{\circ} 35'$ E. 14.00 feet to the point of Beginning;

LESS, however, and excepting from the above, that portion of the said 17 acres of land which was conveyed to the City of Austin by warranty deed dated April 26, 1950 of record in Vol. 1041, Pages 296-297, Deed Records of Travis County, Texas.

TRACT NO. 2:

364 square feet of land, same being out of and a part of that certain 17 acre tract of land, a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, which was conveyed to H. F. Hodge and wife, Mattie L. Hodge, both now deceased, by warranty deed dated December 24, 1907, of record in Volume 228, page 272, Deed Records of Travis County, Texas, a one-sixth ($1/6$) interest each in and to the said 17 acres of land having been conveyed to Cornelia Woods, James Redd, and Mabel R. Spears, by "Court Order to Partition Estate" dated April 5, 1951, of record in Volume 148, page 490, of the Probate Minutes of Travis County, Texas, a one-sixth ($1/6$) interest each in and to the 17 acres of land having been conveyed to Mattie Lee Spears, Agnes Campbell, and S. W. Redd, Jr. by deed of gift dated July 31, 1941, of record in Volume 1173, page 430, Deed Records of Travis County, Texas, and which 365 square feet of land is more particularly described by metes and bounds as follows:

BEGINNING at an iron pipe in the proposed east right-of-way line of the Interregional Highway and on the south line of the said 17 acre tract, and from which point of beginning a concrete monument, at an angle point in the centerline of East Live Oak Street as set by the Department of Public Works of the City of Austin bears S. $17^{\circ} 45'$ W. 35.74 feet and S. $82^{\circ} 49'$ E. 75.82 feet;

THENCE with the proposed east right-of-way line of the Interregional

Highway N. $17^{\circ} 45'$ E. 8.84 feet to a steel pin set at the most northerly corner of the herein described tract of land;

THENCE with the north line of the herein described tract of land S. $71^{\circ} 53'$ E. 82.59 feet to a point on the south line of the said 17 acre tract of land and on the north line of East Live Oak Street;

THENCE with the south line of the said 17 acre tract of land N. $78^{\circ} 00'$ W. 82.96 feet to the point of beginning.

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

Ayes: Councilman Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain public utility easements were reserved and dedicated to the public on a map or plat of Forest Oaks Addition, Section 2, a subdivision of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of said Forest Oaks Addition Section 2, of record in Book 6, at page 115, Plat Records of Travis County, Texas; and,

WHEREAS, the hereinafter described portions of such easements are not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

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

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of the hereinafter described portions of such public utility easements, to wit:

No. 1: The west ten (10) feet of Lot 7 of Block N of Forest Oaks Section 2, LESS the west five (5) feet of the south one hundred (100) feet of said Lot 7.

No. 2: A strip of land ten (10) feet in width out of Lot 8 of Block N. of Forest Oaks Section 2, and is more particularly described by metes and bounds as follows:

BEGINNING at a point in the north line of said Lot 8, same being the southwest corner of said Lot 7, of Block N;

THENCE following the southerly prolongation of the west line of said Lot 7, S. $30^{\circ} 00'$ W. to a point on the east line of said Lot 8 and on the west right-of-way line of the I & GNRR;

THENCE following the east line of said Lot 8 and the west line of said I & GNRR in a northeasterly direction

to a point on a line ten (10) feet easterly from and parallel to the first course described above;

THENCE following a line ten (10) feet easterly from and parallel to the first course described above N. 30° 00' W. 10.00 feet to the point of beginning

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, J. M. Odom is the Contractor for the erection of a building located at 820 Brazos Street and desires a portion of the sidewalk and street space abutting the east 57.5 feet of lots 7, 8, and 9, Block 97, of the Original City of Austin, Travis County, Texas during the erection of the building, such space to be used in the work and for the storage of materials therefor, therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said J. M. Odom, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southeast corner of the above described property; thence in an easterly direction and at right angles to the center line of Brazos Street to a point 12 feet east of the west curb line; thence in a northerly direction and parallel with the center line of Brazos Street approximately 138 feet to a point thence in a westerly direction and at right angles to the center line of Brazos Street to the north east corner of the above described property.

Thence in a northerly direction and at right angles to the center line of East 9th Street to a point 12 feet north of the south curb line thence in a westerly direction and parallel with the center line of East 9th Street approximately 57.5 feet to a point thence in a southerly direction and at right angles to the center line of East 9th Street to the northwest corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said J. M. Odom, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted, a substantial walkway at least 4 feet wide in the clear on the inside and at least 8 feet high, the same to be covered solidly on the street side with boards to a height of 4 feet above pavement and on the building side to be covered solidly with

boards to a height of 8 feet. The top of the walkway shall be covered solidly with boards at least 2 inches thick, which shall be supported at intervals sufficiently close to prevent sagging of the roofing boards. The roof of said walkway shall be covered with a roofing material which will prevent leaking of the roof and provide a dry walkway at all times. No wood strips or obstructions of any kind shall be permitted along the pavement within the walkway, and at any time in the opinion of the City Officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstruction, red lights during all periods of darkness and provide lighting system for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than December 1, 1954.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part of all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed

or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00) which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise of abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Troy Ragland is the Contractor for the alteration of a building located at 133 East 6th Street and desires a portion of the sidewalk and street space abutting a portion of Lots 7 and 8, Block 56 of the Original City of Austin, Travis County, Texas, which is listed as a parcel of ground designated "F" on the City Tax Records, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said Troy Ragland, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the northwest corner of the above described property thence in a northerly direction and at right angles to the center line of East 6th Street to a point 6 feet south of the south curb line; thence in an easterly direction and parallel to the center line of East 6th Street approximately 14 feet to a point; thence in a southerly direction and at right angles to the center line of East 6th Street to the northeast corner of the above described property.

(1) That the Contractor shall erect within the above described working space a solid fence built of not less than one-inch material and at least 3 feet in height (or extending from the sidewalk to the underside of the present awning) substantially braced and anchored and to maintain same in good condition at all times while the work is in progress. The Contractor will be permitted to put a door in the barricade that will either open in or slide parallel to the

barricades, and at all times that material is being delivered or taken away from the building, a watchman shall be provided to warn pedestrians of approaching danger. (The Contractor will also be permitted to use one parking meter space immediately in front of the barricade for the delivery or removal of materials during construction work.)

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space .

(4) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(5) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(6) That the Contractor shall place on the outside corner of any walkway, barricades or obstruction, red lights during all periods of darkness and provide lighting system for all tunnels.

(7) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than July 15, 1954.

(8) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the condition demand it.

(9) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City , in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(10) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(11) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person be reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessment for the property hereinafter described in the name of M. E. Chernosky is incorrect for the following reason:

"Effective for the year 1948, the Board of Equalization reduced the valuation of this 150' x 1466' tract of land due to the fact that it is a large and deep ditch that has no use other than for drainage. No adjustment in the valuation was made for the year 1947.

"I recommend that I be authorized to reduce the assessed valuation on these improvements as follows:

| <u>YEAR</u> | <u>DESCRIPTION OF PROPERTY</u> | <u>ORIGINAL ASSESSED VALUE</u> | <u>REDUCED VALUE</u> |
|-------------|---|--------------------------------|----------------------|
| 1947 | 4.356 ac, Outlot 32, 33 Division A, Plat 365, Item 154, Parcel No. 2 0418 0125 | \$1,270.00 | \$70.00 |

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

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessment hereinafter set forth in the name of M. E. Chernosky, and has found the same to be erroneous for the reason stated in his certificate delivered to the City Council and filed with the City Clerk, and

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustment,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the following tax assessment for the year shown be, and the same is, hereby adjusted and corrected to fix the assessed value therein as indicated.

| <u>YEAR</u> | <u>DESCRIPTION OF PROPERTY</u> | <u>ORIGINAL ASSESSED VALUE</u> | <u>REDUCED VALUE</u> |
|-------------|--|--------------------------------|----------------------|
| 1947 | 4.356 ac, Outlot 32, 33, Division A, Plat 365, Item 154, Parcel No. 2 0413 0125 | \$1,270.00 | \$70.00 |

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

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

MR. GEORGE W. STUDER, 2313 Willow, appeared protesting the City's placing fertilizer on the Metz Park grounds. The Mayor told him and the group that this had been taken care of and there would be no more placed there; and steps had been taken to cover this over. He stated Councilman White had made a personal inspection of this and had made a report. Councilman White stated he understood that it would be sprayed all along.

Councilman Thompson moved that the following be appointed to the Tax Equalization Board:

MR. W. R. NABOURS
MR. ELDRIDGE MOORE
MR. W. L. MOORE to replace Mr. Carey Thompson, resigned.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Council received the following proposal from WADE, BARTON & MARSH:

"June 1, 1954

"Honorable Walter E. Seaholm
City Manager
City of Austin
Austin, Texas

"Dear Mr. Seaholm:

"In accordance with our recent conversation, and based upon our experience in auditing the City's records for the past three years, we agree to examine the accounts of the City of Austin for the nine month period ending September 30, 1954, for a fee not to exceed \$8,500.00. Inasmuch as the examination only covers nine months, we will do one month less of detail work than we have done in the past. In all other respects the scope of our examination will be the same as heretofore.

"Very truly yours,

"(Sgd) Wade, Barton & Marsh
WADE, BARTON & MARSH"

Councilman Pearson asked that the Council not take action until the following week, as he would like to see a copy of the specifications; and it might be possible to eliminate some specific things and reduce the cost.

The Council set a hearing of the BUILDING CODE for 2:00 P.M., July 15th.

The Council went over the Pending List. The following items were taken off:

Ordinance requiring Missouri Pacific to stop their trains at Mary St.
Request of Chamber of Commerce for a firm to prepare Master Plan.
Report on two-hour parking zones with 10¢ fee around Court House and other areas. (City Manager sending our report)

Councilman White moved that MRS. HERBERT ASH be appointed as a member of the Library Commission. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Appointment of other members of the Library Commission was deferred until the following week.

Councilman Thompson asked for further information on MR. ALBERT ULLRICH, who in the last couple of years had made a very sizable contribution to the welfare of our City in the design of new ideas about the disposal of sewage. Because of this study by Mr. Ullrich, the City had saved thousands of dollars. There had been some publicity in national magazines, and Councilman Thompson asked to see those magazines and that the press and radio give this more publicity. Councilman White named MR. NOBLE LATSON as another who had contributed much to the city in his asphalt mixture for sprinkling.

Councilman Long moved that the City Manager be instructed to take whatever steps that were necessary to get the new water plant into operation as soon as possible. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long noted the success of the Subdivision Ordinance and wanted to again compliment the citizens committee that worked on it. Port Arthur, Texas was just before adopting an ordinance like this one.

Mayor McAden 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 AND HEIGHT AND AREA DESIGNATIONS FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT ON A TRACT OF LAND LOCALLY KNOWN AS 413-17 VARGAS ROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA 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 Pearson 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 Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the second time and Councilman Pearson 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 Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilman Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

Mayor McAden 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 TO "B" RESIDENCE DISTRICT ON LOT 64, NORTHFIELD SUBDIVISION, LOCALLY KNOWN AS 601 NELRAY, 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 Pearson 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 Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the second time and Councilman Pearson 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 Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

Mayor McAden 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 AND HEIGHT AND AREA DESIGNATIONS FROM "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT ON LOTS 25 and 26, OUTLOT 35,

DIVISION "D", IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA 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 Pearson 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 Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The ordinance was read the second time and Councilman Pearson 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 Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

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Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor annound the ordinance had been finally passed.

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


E. C. STEWART

107-109 W. James St.

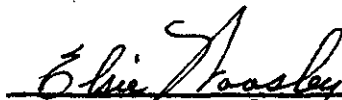
From "A" Residence
1st Height & Area
To "C" Commercial
6th Height & Area

There being no further business the Council adjourned at 12:10 P.M.
subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:


City Clerk