

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 18, 1947
11:00 A.M.

Council Chamber, City Hall

The meeting was called to order, with Mayor Miller presiding.

Roll call

Present : Councilmen Glass, Johnson, Mayor Miller, Councilman
Thornberry - 4
Absent : Councilman Bartholomew - 1

Present also: Guiton Morgan, City Manager; J. E. Motheral, Director of Public Works; Trueman E. O'Quinn, City Attorney; and R. D. Thorp, Chief of Police.

The reading of the Minutes was dispensed with.

Pursuant to published notice thereof, the public hearing on the application of S. G. Garrett to amend the Zoning Ordinance in the following particular :

To amend the USE designation of the following described property so as to change the same from "B" Residence District to "C" Commercial District, to-wit:

Tract of land located at the northeast corner of the intersection of Red River and East 32nd Streets, fronting 175 feet on Red River Street and 150 feet on East 32nd Street, containing 28,544 square feet, and being out of Outlot 22, Division "C", in the City of Austin, Travis County, Texas,

was duly opened.

C. F. Herring, Attorney for S. G. Garrett, proponent, plead for the change, stating that the Addition has been approved by the City Plan Commission; and, further, submitting a letter from the Capital National Bank signifying that it would be willing to advance the money for the public

utilities provided the change in zoning is granted to enable the sale of the property to R. L. Slaughter.

The following property owners appeared in favor of the change:

V. A. Cuneo and E. J. Hood.

The following property owners appeared and protested the change, substantially as follows:

Mr. and Mrs. H. A. Butcher, who stated that their home is just across the street; that this is spot zoning and is not a community center, but just a grocery store and that 99% of the people in that neighborhood are opposed to it; that it would destroy the value of the property as residential; that a number of people have lots there waiting to build to see what the decision is and if the change is made they will not build; that if it is the traffic they want to catch, why not put the store on East Avenue where the traffic will be; that there is no need for a grocery store there; that their home represents an expensive investment and they would not be able to sell it if a store goes in there; and that they are not against a community center, but are against spot zoning.

Dr. W. F. Haile, who stated that he owns two and one-half lots in the vicinity of the proposed change, which he bought for a home, thinking it would remain residential; that he has lost all desire to build there if the change is granted because it would create a traffic hazard in that area which would be dangerous to children; that if a store can be built in a residential area, then how long before there will be beer joints and honky-tonks; that he could sell his lots and buy somewhere else, but what assurance would he have that the same thing would not happen again.

A written protest from Julius H. Runge, Individually and as Attorney for the other Joint Owners of the property at the intersection of the southeast corner of Red River and 32nd Streets, was received.

In reply to the protest of the property owners that this change did not cover sufficient property for a community center, S. G. Garrett, proponent, stated that he would be willing to extend the area to include additional property.

All property owners and interested persons having been given an opportunity to be heard, it was moved by Councilman Glass that the hearing be closed and the change in zoning be granted, with the understanding that R. L. Slaughter, prospective purchaser, sign a written agreement that proper setbacks satisfactory to the City Council will be made in order to alleviate the traffic hazard; otherwise the ordinance making the change effective will not be passed. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry;

Noes : None

Absent: Councilman Bartholomew

The public hearing on the application of Sam Roselle for change in zoning, from "C" Commercial District to "C-2" Commercial District, of the property at 1012 West 6th Street, called for this day was cancelled at

the request of applicant.

The application of Mrs. Samuel Gideon for change in zoning, from "A" Residence District to "B" Residence District, of the south part of the north one-half of Block 64, Division "D", located between 26th and 28th Streets on the west side of Salado Street, was received. Councilman Johnson moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

The application of Mr. and Mrs. C. R. Railsback for change in zoning, from "A" Residence District to "C" Commercial District, of Lots 13 and 14, Block 5, Highland Addition, was received. Councilman Johnson moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

The application of Paul O. Simms for change in zoning, from "A" Residence District and "C" Commercial District, to "D" Industrial District, of Outlots 14 and 30, Division "O", located between East 1st and East 5th Streets and Linden and Tillery Streets, was received. Councilman Johnson moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

The application of W. L. Brown for change in zoning, from "A" Residence District to "C" Commercial District, of 100 feet facing on Dallas Highway, beginning at the southwest corner of 51st Street and extending east to Guadalupe Street, was received. Councilman Johnson moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

The application of H. P. Allen and E. F. Wilkening for change in zoning, from "B" Residence District to "C" Commercial District, of Lots 13 and 14, Outlot 20, Horst Addition, fronting on Whitis Avenue between 19th and 20th Streets, was received. Councilman Johnson moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

Councilman Johnson 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 ARTICLE III, SECTION 12(b) RELATING TO STOP SIGNS AND BY AMENDING ARTICLE IV, SECTION 18(b) RELATING TO NO PARKING ZONES AND SECTION 23(d) RELATING TO LOADING ZONES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

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

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

The ordinance was then read the second time and Councilman Johnson moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

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

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

Thereupon Mayor Miller announced that the ordinance had been finally passed.

Councilman Glass 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 WEST 27TH STREET, from a point 211 feet west of the centerline of Guadalupe Street easterly 77 feet, the centerline of which underground telephone conduit shall be 17 feet south of and parallel to the centerline of said West 27th Street.
- (2) An underground telephone conduit in EAST 15TH STREET from Congress Avenue Alley easterly 69 feet, the centerline of which underground telephone conduit shall be 38 feet north of and parallel to the centerline of said East 15th Street.

THAT the work and construction of said underground telephone conduits, 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 ordinance and regulations of the City of Austin governing such construction.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

Councilman Thornberry 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 ORDINANCE BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT ON LOTS 18 AND 19, DELZELL SUBDIVISION NO. 2, AND 1½ ACRES OUT OF BLOCK A, PANNELL PLACE; AND CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL DISTRICT AND THIRD HEIGHT AND AREA DISTRICT ON 7 ACRES LOCATED BETWEEN PANNELL PLACE AND THE H. & T. C. RAILROAD AND BETWEEN MANOR ROAD AND EAST 19TH STREET; AND CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON THE WEST 16 FEET OF PROPERTY NOW ZONED "A" RESIDENCE DISTRICT

IN BLOCK 6, BUDINGTON SUBDIVISION; AND CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B-1" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON ALL PROPERTY NOW ZONED "A" RESIDENCE DISTRICT IN BLOCK 6, BUDINGTON SUBDIVISION, WITH THE EXCEPTION OF THE WEST 16 FEET OF SUCH AREA; AND CHANGING THE USE DESIGNATION FROM "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON THAT PORTION NOW ZONED "B" RESIDENCE DISTRICT OF 1.42 ACRES IN ISAAC DECKER LEAGUE IN 900 BLOCK OF SOUTH CONGRESS AVENUE; ALL OF SAID PROPERTY BEING IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND DECLARING AN EMERGENCY.

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

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry

Noes : None

Absent: Councilman Bartholomew

The ordinance was then read the second time and Councilman Thornberry moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry

Noes : None

Absent: Councilman Bartholomew

The ordinance was then read the third time and Councilman Thornberry moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry

Noes : None

Absent: Councilman Bartholomew

Thereupon Mayor Miller announced that the ordinance had been finally passed.

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Texas Public Service 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 Texas Public Service 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 GROVER AVENUE, from a point 225 feet north of North Loop Boulevard, northerly 146 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said Grover Avenue.

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

- (2) A gas main in HASKELL STREET, from a point 179 feet west of Chalmers Avenue, westerly 105 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.

- (3) A gas main in POQUITO STREET, from a point 100 feet north of New York Avenue, northerly 76 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said Poquito Street.

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

- (4) A gas main in WOODROW AVENUE, from a point 1009 feet north of Houston Street, northerly 160 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said Woodrow Avenue.

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

- (5) A gas main in EAST 22nd STREET, from Chestnut Avenue easterly 192 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said East 22nd Street.

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

- (6) A gas main in EAST $53\frac{1}{2}$ STREET, from a point 314 feet east of Bennett Avenue, easterly 53 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said East $53\frac{1}{2}$ Street.

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

- (7) A gas main in CHALMERS AVENUE, from East 11th Street southerly 112 feet, the centerline of which gas main

shall be 14 feet east of and parallel to the west property line of said Chalmers Avenue.

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

- (8) A gas main in BREEZE TERRACE, across East 32nd Street intersection, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said Breeze Terrace.

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

- (9) A gas main in EAST 32ND STREET, from Breeze Terrace easterly 183 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said East 32nd Street.

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

- (10) A gas main in ALAMO BOULEVARD, from West 34th Street northerly 146 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said Alamo Boulevard.

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

- (11) A 9' x 7' x 7' CONCRETE REGULATOR PIT in Dancy Street, the centerline of the 7' axis to be 5 feet east of and parallel to the west line of Dancy Street, and the centerline of the 9' axis to be 10 feet north of the north line of Manor Road.

The Texas Public Service 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 Texas Public Service 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 Texas Public Service 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 franchise granted to said Company by the City of Austin.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

Councilman Glass offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, J. M. Odom is the Contractor for the erection of a building located at 306 West 16th Street, and desires a portion of street space abutting Lot 4, Block 37, 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:

STREET WORKING SPACE

Beginning at the southwest corner of the above described property; thence in a northerly direction and at right angles to the centerline of West 16th Street to a point 6 feet south of the north curb line; thence in an easterly direction and parallel to the centerline of West 16th Street approximately 64 feet to a point; thence in a northeasterly direction to a point 8 feet east of the east line of the above described property; thence in a northerly direction and parallel with the centerline of the alley approximately 128 feet to a point; thence in a westerly direction and at right angles to the centerline of the alley to the northeast 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 construct a 4-foot walkway within the outer boundaries of the above described working space, except in the alley, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind 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 obstructions, 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 March 1, 1948.

(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 or 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 Contractor's 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 for damages to any person or property that may accrue to or be brought by any person by 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.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
Noes : None
Absent: Councilman Bartholomew

Councilman Glass 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 southeast corner of Speedway and San Jacinto Boulevard, which property fronts approximately 173.12 feet on San Jacinto Boulevard and 128.36 feet on Speedway, and being a portion of Lot 1, Block 3 of Grooms Addition, and also a tract of land known as Reserve No. 11 adjacent to the aforementioned Lot 1 within the City of Austin, Travis County, Texas, and hereby authorizes the said Sinclair Refining Company acting by and through E. U. Conley, Area Manager, 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's 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 Sinclair Refining Company, acting by and through E. U. Conley, Area Manager, has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
September 18, 1947

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of the Sinclair Refining Company, acting by and through E. U. Conley, Area Manager, for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon property located at the southeast corner of Speedway and San Jacinto Boulevard, which property fronts approximately 173.12 feet on San Jacinto Boulevard and 128.36 feet on Speedway, and being a portion of Lot 1, Block 3 of Grooms Addition, and also a tract of land known as Reserve No. 11 adjacent to the aforementioned Lot 1 within the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is under option to the Sinclair 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.

The storm water and surface drainage from this filling station will have to be conveyed through a City Standard Grease Trap into Waller Creek.

We recommend that the Sinclair Refining Company acting by and through E. U. Conley, Area Manager, be granted permission to construct, maintain and operate said drive-in 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 the 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 and pumps 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 into Waller Creek adjacent to the above mentioned property.

(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-H-874.

(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-874, and shall be of the pre-moulded type.

(7) That before use of said station, the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted,

(Sgd) J. E. Motheral
Director of Public Works

" J. C. Eckert
Building Inspector. "

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry

Noes : None

Absent: Councilman Bartholomew

The application of J. B. LANKFORD, 805 Spence Street, for a license to operate as a taxicab a 4-door Fleetmaster Chevrolet, 1946 Model, Factory No. DAAL08-959, State License No. JC-5161, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry

Noes : None

Absent: Councilman Bartholomew

The application of JOE SMALL, 1212 Haskell Street, for a license to operate as a taxicab a 4-door Chevrolet Sedan, 1941 Model, State License No. JC-2344, duly approved by the City Manager, was submitted.

Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

The application of FRANK BUTLER, 405 West 16th Street, for a license to operate as a taxicab a 4-door Hudson Sedan, 1947 Model, Engine No. 17-144-695, State License No. JC-3955, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

The application of WILLARD L. PANNELL, 410 West 11th Street, for a license to operate as a taxicab a Special Deluxe 4-door Chevrolet Sedan, Motor No. BA379992, State License No. JB-4644, 1942 Model, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

The application of BURTON ANDREW ANDERSON, 410 West 11th Street, for a license to operate as a taxicab a 4-door Deluxe Plymouth, 1941 Model, Serial No. P12-269433, State License No. JA-7193, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

The application of DENNIS L. DUKE, 1312½ West 40th Street, for a license to operate as a taxicab a 4-door Chevrolet Sedan, 1941 Model, Motor No. AA68822, State License No. JB-360, duly approved by the City Manager, was submitted. Councilman Johnson moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

The application of JUSTIN WILLIAM FRAZIER, 1809 Congress Avenue, for a license to operate as a taxicab a 4-door Plymouth Sedan, 1946 Model, Engine No. 11559860, State License No. JB-3631, duly approved by the City Manager, was submitted. Councilman Johnson moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

The application of HERMAN OWENS, 1311 West 6th Street, for a license to operate as a taxicab a Fordor Chevrolet, 1946 Model, Serial No. 3OKL55115, Motor No. DAA-523339, State License No. JC-6361, duly approved by the

City Manager, was submitted. Councilman Johnson moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

The application of HERMAN OWENS, 1311 West 6th Street, for a license to operate as a taxicab a Chevrolet Fordor, 1946 Model, Motor No. DAA-17981, Serial No. 5DJK-6368, State License No. JB-2528, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

The application of ROY HUGH MASON, 2214 San Antonio Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

The application of ARTIE N. FRETWELL, 4612 Avenue G, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the permit be granted. The motion carried by the following vote:

Ayes: Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes: None
 Absent: Councilman Bartholomew

The application of CLARENCE ANDREW PULATIE, 1113 East 3rd Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

The following applications for private boat licenses, duly approved by the Navigation Board, were submitted:

<u>Owner</u>	<u>Description</u>
Fry, Sheridan, 252 Oak Grove Courts	Sloop, Sail, 6 months old, 2-passenger
Johnson, Fred P., 502 East 41st St.	Home-made, Outboard, 1946 Model, "Judibug", Sea King, 4-passenger
Shierlow, John Paul, 1502 East Side Dr.	Home-made, V-Bottom, Outboard, 1947 Model, "Mary", 7-passenger

Councilman Thornberry moved that the licenses be granted. The motion carried by the following vote:

Ayes: Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes: None
 Absent: Councilman Bartholomew

The City Manager submitted the following tabulation of bids received for the construction of a storm sewer in Linscomb Avenue from Kinney Avenue to Garner Avenue:

"September 17, 1947

Memorandum to : Guiton Morgan, City Manager

Memorandum from: J. E. Motheral, Director of Public Works

The following bids were received and tabulated on Tuesday, September 16, 1947, for the construction of a storm sewer in Linscomb Avenue from Kinney Avenue to Garner Avenue:

Sam B. Ricks -----	\$ 9,403.22
W. S. Conner -----	10,278.00
Collins Construction Company----	11,015.65
Joe Bland Construction Company--	11,796.00
Moore Construction Company-----	11,995.75
Karl Wagner -----	13,359.00

It is recommended that the contract be awarded to Sam B. Ricks on his low bid of \$9,403.22.

(Sgd) J. E. Motheral

Approved:

(Sgd) Guiton Morgan "

Councilman Glass moved that the recommendation be approved and the bid of Sam B. Ricks, low bidder, in the amount of \$9,403.22, be accepted, and the City Manager be directed to enter into contract accordingly. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
 Noes : None
 Absent: Councilman Bartholomew

D. B. Johnson came before the Council and submitted a request on behalf of himself and other citizens who own lots in Memorial Park Cemetery, for a larger water main there in order that the grass may be kept greener. He was advised that the City realized the need for a larger water main there and that same would be installed at such time as it was possible to do so.

The following memorandum was submitted by the City Manager:

"September 18, 1947

Memorandum to : Guiton Morgan, City Manager

Memorandum from: J. E. Motheral, Director of Public Works

The final subdivision plat of Royal Oaks, Section 2, has been completed and was approved by the Planning Commission on February 28, 1947. We have memoranda from water, sewer, gas, and street superintendents stating that the subdivider has complied with their respective parts of the subdivision regulations.

It is recommended that this plat be formally accepted by the City Council.

(Sgd) J. E. Motheral

Approved:

(Sgd) Guiton Morgan
City Manager "

Councilman Thornberry then offered the following resolution:

(RESOLUTION)

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

That the final plat of the subdivision known as Royal Oaks Section 2, approved by the City Plan Commission of the City of Austin February 28, 1947, 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.

Upon motion, the resolution was adopted by the following vote:
Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry
Noes : None
Absent: Councilman Bartholomew

The following memorandum was submitted by the City Manager:

"September 18, 1947

Memorandum to : Guiton Morgan, City Manager

Regarding : Power Plant Expansion

We have made an extensive study of the power requirements of the City of Austin for the next several years, and the required needs of plant capacity to meet these expected demands. It is interesting to note that the kilowatt take on our plant for the past twenty-five years has averaged $10\frac{1}{2}\%$ increase per year compounded. The five years immediately preceding the war from 1936-1941, the demand increased an average of 16.1% per year compounded. During the war years of 1941-1946 the average increase was 7.2% per year compounded. The year 1946 increased 15% over 1945; whereas, for eight months of 1947 the increase is 18% over the corresponding eight months of 1946. The maximum demand on our plant in 1946 was 23,115 KW. It is anticipated that the maximum demand for 1947 will reach 27,400 KW, an increase of approximately 4300 KW.

Our present capacity (4 units) is 22,000 KW. We consider that the firm capacity of our plant is 17,000 KW; that is, with three units running, and one large unit out.

We have a firm contract with the LCRA for 12,500 KW; thus, it is seen that we are now very much dependent upon the LCRA contract. In other words, with a firm of 17,000 KW in capacity in our plant we would need to buy 10,000 KW from the LCRA to take care of our anticipated demand for this year.

The following demands are anticipated for the next several years; namely,

<u>Year</u>	<u>KW Demand</u>	<u>Kilowatt Hours</u>
1946	23,116	112,875,270
1947	27,400	132,000,000
1948	30,000	146,000,000
1949	33,000	161,000,000
1950	36,000	177,000,000
1951	40,000	196,000,000
1952	45,000	220,000,000

From a study of the above demands, which are based upon the $10\frac{1}{2}\%$ increase, which we feel is conservative, it is seen that in 1949, with a 33,000 KW demand, it will be necessary for us to operate every machine, plus the total commitment from LCRA. It will be necessary that we purchase additional capacity from the LCRA over our contract for the years 1948-1949.

In considering power from any hydro-electric system, the question naturally arises as to how firm such power can be. We have experienced and are even now experiencing a drought of considerable duration, and the water storage of the LCRA lakes is being gradually depleted. If this drought should continue through the rest of the year, and through 1948, the

generating ability of the LCRA would be considerably strained. In the event of hydro-power shortage, could the City of Austin insist on being served its contract requirements, while such cities as Georgetown, San Marcos, Bastrop, etc. are cut short? Even now we are operating all four machines and interchanging kilowatt hours for some capacity over and above our ability to take care of our demand. This is being done to conserve water.

The City of Austin should never become totally dependent upon any hydro system, but we should have at least a total plant capacity capable of meeting the demands of the City of Austin.

The earliest possible delivery of a 20,000 KW steam turbine generator is January, 1950. In the year 1950, it is anticipated that the demand will reach 36,000 KW; thus, with our firm of 17,000 KW, and the new unit of 20,000 we will be able to take care of our own anticipated demand. In 1951-1952, we again become deficient, and another 20,000 KW steam turbo unit must be added to the plant.

It is anticipated that the installation of a 20,000 KW steam turbine generator, with boilers, and auxiliaries, complete, will cost \$2,500,000.00. It is necessary that the boilers be purchased and installed in 1949 so as to be ready for a turbine in January, 1950; thus, enabling us to be ready to generate and meet the power requirements in the summer of 1950.

In view of the above facts, I recommend that we accept the proposal submitted by the Westinghouse Electric Corporation for a 20,000 KW, AIEE-ASME, preferred standard steam turbo-generator, and condenser. The Westinghouse Electric Corporation has submitted the best delivery date for such a unit. They promise delivery in January, 1950; whereas, the only other two manufacturers of this equipment, the Allis-Chalmers Company, and the General Electric Company, promise delivery in April, 1950, and June, 1950, respectively.

(Sgd) Walter E. Seaholm
Director of Utilities

(see typewritten original for)
(tabulation of bids attached)

Councilman Thornberry then offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin May 31, 1947, from Westinghouse Electric Corporation, Allis-Chalmers Manufacturing Company, and General Electric Company on one (1) 20,000 KW, 3600 rpm, AIEE-ASME Standardized Steam Turbine Generator and one (1) 17,000 square foot surface condensor and auxiliaries; and

WHEREAS, the bid of Westinghouse Electric Corporation, with its Texas office in the Milam Building, San Antonio, Texas, was the lowest and best bid considering price and early date of delivery; and

WHEREAS, on May 31, 1947, the City of Austin furnished the Westinghouse Electric Corporation a letter of intent to guarantee delivery of the turbine-generator unit and the surface condensor with auxiliaries in 1950 and reserved the right, without cost or obligation on the part of the City of Austin, to cancel the letter of intent in September, 1947; and

WHEREAS, it is deemed advisable to accept finally the bid of Westinghouse Electric Corporation on the aforementioned turbine-generator unit at \$545,455.00 and on the aforementioned condensor with auxiliaries at \$82,268.00 with guarantee of delivery on both the turbine and the condensor not later than the month of January, 1950; Now, Therefore,

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 a contract with Westinghouse Electric Corporation for the purchase of one (1) 20,000 KW, 3600 rpm, AIEE-ASME Standardized Steam Turbine Generator at \$545,455.00 and one (1) 17,000 square foot surface condensor and auxiliaries at \$82,268.00 with delivery to the City of Austin not later than the month of January, 1950.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller, Councilman Thornberry

Noes : None

Absent: Councilman Bartholomew

There being no further business, upon motion, seconded and carried, the meeting was recessed at 12:40 P. M., subject to call of the Mayor.

Attest:

Sallie McAllen

City Clerk

APPROVED:

Tom Miller

MAYOR