

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 26, 1948
10:40 A.M.

Council Chamber, City Hall

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

Roll call

Present : Councilmen Bartholomew, Glass, Johnson, Mayor Miller - 4
Absent : None

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.

A group of citizens from the Pecan Springs School District appeared before the Council and registered a protest against the proposal of the School Board to have this territory taken into the city limits for school purposes only. The group were advised that the City Council had received no request from the School Board to this effect; that it was not the policy of the City now to annex territory for school purposes only, and that the Council had no intention of taking this territory in for that purpose.

A request for additional lights at Bailey Playground for the softball games was received; and the matter was referred to the City Manager to look into and find out what the cost would be.

A petition by property owners in the vicinity of Salina Street between East 11th Street and Rosewood Avenue, asking for a street light in the vicinity of 1136 Salina Street, was received. The matter was referred to the City Manager to grant the request if possible to do so.

Mr. John Rutherford, representing the Longhorn Boat Club, submitted a request for permission to stage boat races on Lake Austin on September 19, from 2:00 P. M., until dark, and to charge an admission fee of 50¢ to the Park to see the races in order to pay for the prizes to be awarded the winners and for a fund to bring the National Boat Races here. The matter was referred to the City Manager to grant the request.

The application of Larry B. Shaw for change in zoning, from "A" Residence District to "B" Residence District, of Lot 11, Block B, Outlot 29, Division D, Lawless Addition, located at 1207 West 22 $\frac{1}{2}$ Street, was received. Councilman Bartholomew moved that the application be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller
Noes : None

Councilman Johnson introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN 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 "B-1" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT OF LOT 14, AND THE SOUTH 25 FEET OF LOT 15, BLOCK 3, CARRINGTON SUBDIVISION, DIVISION "D", 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 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 Bartholomew, Glass, Johnson, Mayor Miller
Noes : None

The ordinance was 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 Bartholomew, Glass, Johnson, Mayor Miller
Noes : None

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller
Noes : None

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

Pursuant to published notice thereof, the public hearing on the application of Austin Development Company, by A. B. Beddow, to amend the Zoning Ordinance in the following particulars:

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

Block C, Crestview Addition, Section 2, being bounded by St. Johns Avenue, Arroro Seca, and Woodrow Avenue, in the City of Austin, Travis County, Texas,

was duly opened.

Those appearing for the change were:

A. B. Beddow, who stated that the change was being asked for in order to build a Community Center to serve their Subdivision, and that same has been requested by the FHA.

Those appearing against the change were:

None.

Thereupon Councilman Johnson moved that the hearing be closed and the action of the Board of Adjustment be sustained and the change be granted; and the City Attorney be instructed to prepare the ordinance. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller
Noes : None

Pursuant to published notice thereof, the public hearing on the application of J. A. Nelson et al 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 "A" Residence District to "C" Commercial District:

Lots 1, 2, 3, 4, and 5, Block 30, Outlot 25, Division "C", Christian and Fellman Addition, located on Swisher Avenue, between Manor Road and 21st Street, in the City of Austin, Travis County, Texas,

was duly opened.

No property owner or other interested person appearing to protest the proposed change, Councilman Glass moved that the hearing be closed and the action of the Board of Adjustment be sustained and the change be granted; and the City Attorney be instructed to prepare the ordinance. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller
Noes : None

Councilman Bartholomew 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 SOUTH 9 FEET OF LOT 81 AND ALL OF LOTS 82 THROUGH 86, OAKWOOD SUBDIVISION, AND ON THREE CERTAIN TRACTS OF LAND FACING ON AIRPORT BOULEVARD AND LYING IMMEDIATELY NORTH OF MANOR ROAD; 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 LOT 3, BLOCK 2, SILLIMAN SUBDIVISION; AND CHANGING THE USE DESIGNATION FROM "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON LOTS 7, 8, AND 9, AND PART OF LOT 10, BLOCK 27, DIVISION E; 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 Bartholomew moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller
Noes : None

The ordinance was read the second time and Councilman Bartholomew 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 Bartholomew, Glass, Johnson, Mayor Miller
Noes : None

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller
Noes : None

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

The application of Eugenio Castro for a Commercial Pilot's permit, approved by the Lake Austin Navigation Board, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller
Noes : None

Councilman Bartholomew offered the following resolution and moved its

adoption:

(RESOLUTION)

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

That the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with V. G. Okie for the laying of certain water mains, sanitary sewer mains, and other pipes in Dawson Road located in Ramona Heights Subdivision, in the City of Austin, Travis County, Texas, in accordance with the terms and provisions of a certain contract, a copy of which is attached to this resolution and made a part hereof for all purposes.

(Copy of Contract attached)

THE STATE OF TEXAS :

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS :

This contract made and entered into by and between the City of Austin, a municipal corporation situated in Travis County, Texas, hereinafter for convenience sometimes called the City, and V. G. Okie of Travis County, State of Texas, hereinafter for convenience sometimes called the Customer;
W I T N E S S E T H :

I.

(a) The City of Austin for the consideration hereinafter stated agrees to furnish all labor, tools, equipment, implements, appliances, and materials necessary to lay and agrees to lay the certain water mains and other pipes in Ramona Heights Subdivision on the streets and at the locations described as follows:

Six-inch (6") cast iron water main in Dawson Road, from end of present main to the north side of Ramona Heights Subdivision, a distance of approximately 140'.

(b) The City of Austin for the consideration hereinafter stated agrees to furnish all labor, tools, equipment, implements, appliances and materials necessary to lay and agrees to lay the certain sanitary sewer mains and other sewer pipes in Ramona Heights Subdivision on the streets and easements at the locations described as follows:

Sewer main in Dawson Road, extending from Retama Street to Lot No. 3, a distance of approximately 330'.

II.

It is estimated that all the work contemplated under Paragraph I above will cost the sum of Seven Hundred and Twenty-five Dollars (\$725.00) when completed, of which cost the sum of Three Hundred and Twenty-five Dollars (\$325.00) is estimated to be the cost of the water lines and the sum of Four Hundred Dollars (\$400.00) is estimated to be the cost of the cost of the sewer lines; and the Customer in consideration of the foregoing

obligations to the City, which are assumed for the benefits of the Customer in order to furnish water service and sewer to him, agrees to deposit the sum of Seven Hundred and Twenty-five Dollars (\$725.00) with the City of Austin prior to commencement of the work.

III.

Within a reasonable time after deposit of the sum or sums of money as provided in Paragraph II, the City of Austin agrees to commence construction of the utility improvements described in Paragraph I and to prosecute said work in a good and workmanlike manner and with reasonable diligence until fully completed; but delays occasioned by matters and events over which the City has no control shall be excepted and not included in the time reasonably required to complete the work.

IV.

The deposit provided for in Paragraph II is an estimate only of the cost of constructing the utility improvements described in Paragraph I; and it is agreed that if the actual cost of such work is less than the amount deposited by the Customer, the City of Austin after the work is completed will refund to the Customer the difference between the actual cost and the estimated cost of such work, but if the actual cost of such work shall exceed the amount of said deposit, the Customer agrees upon notice from the City immediately to deposit an additional sum to make up the difference between the estimated cost and the actual cost of the work.

V.

Immediately after completion of the utility improvements described in Paragraph I, the City of Austin will furnish to the Customer a statement of such costs, together with the date of completion of the work; and the City of Austin is hereby authorized, through its officers or agents, to note on this contract the correct figure stating the actual cost of such work and the date of completion/

VI.

It is agreed that the Customer shall be reimbursed for the money deposited as provided in Paragraph II above in the following manner:

Within sixty (60) days after the first day of January following completion of the work described in Paragraph I, the City shall pay to the Customer a sum equal to twice the gross amount of income realized by the City from the service and sale of water for usual, customary, and normal domestic, commercial, and industrial uses to customers having a direct connection with the water mains and sewer lines, described above, for the period of time immediately preceding the first day of January; and within sixty (60) days after the first day of January of each succeeding year, the City agrees to pay to the Customer a sum equal to twice the gross income realized by the City during the preceding calendar year from the service and sale of water from said water lines for usual, customary, and normal domestic, commercial and industrial uses to customers having a direct connection with said water mains and sewer lines, until the total amount of the cost of construction of the utility improvements has been repaid; but in no event shall the City make such payments for a period of time longer than ten (10) years from the

date of completion of said work (as such date is noted hereon under provisions of Paragraph V), even though the full cost of such work at the end of said time has not been refunded in full to the Customer; and if at any time before the expiration of said ten (10) year period the principal sum of such cost has been repaid, further payment shall cease.

VII.

It is agreed that the City may make such repairs and changes in all of said utility improvements, pipes, hydrants, and connections necessary to the orderly conduct of proper utility systems. Title to all said utility improvements shall be and remain at all times in the City of Austin.

VIII.

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

IX.

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

IN TESTIMONY WHEREOF, the City of Austin has caused this instrument to be executed in duplicate by its City Manager, attested by its City Clerk, with its corporate seal affixed, and the said V. G. Okie has executed this instrument in duplicate, this the ____ day of _____, 1948.

CITY OF AUSTIN

By _____
City Manager

Attest:

City Clerk

Approved:

Director of Utilities

Director of Public Works

City Attorney

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

The following memorandum was submitted by the City Manager:

" August 26, 1948

Memorandum to : Guiton Morgan, City Manager

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

The final subdivision plat of Ramona Heights has been completed and was approved by the City Plan Commission on August 12, 1948. 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 Bartholomew offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the final plat of the subdivision known as "Ramona Heights Subdivision", approved by the City Plan Commission of the City of Austin on August 12, 1948, 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.

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

The Mayor announced a meeting of the Railroad Relocation Committee for Monday, August 30, at 4:00 P. M., in the Council Chamber, and instructed the City Clerk to notify the Committee.

The City Manager submitted the following tabulation of bids received on the Hancock Drive and Kinney Avenue Fire Stations:

"August 24, 1948.

Re: City of Austin Fire Stations
Hancock Drive and Kinney Avenue.

Mr. Guiton Morgan
City Manager
City of Austin
Austin, Texas

Dear Mr. Morgan:

In line with your instructions, Mr. Edwin C. Kreisle and representatives of this firm received bids on the two new City Fire Stations up to 10:00 A.M. today and then publicly opened and tabulated those bids in the presence of the bidders in the Council Room of the City Hall.

We attach hereto three copies of two tabulation forms, one giving the general construction tabulation for each of the two buildings separately and for those buildings combined. The other showing the individual bids for the mechanical and electric work for each of the two buildings.

This afternoon Mr. Kreisle and the members of this firm analyzed the bids and jointly make the following recommendations:

1. That Alternate No. 1, Hancock Drive Station, providing for Property Line Sidewalks at an extra cost of \$530.00, be included in the General Contract.
2. That the Contract for the General Construction of the two buildings be awarded to Bill Tarver at his combination low bid totaling \$50,599.00 less a combination credit of \$500.00 for a net contract of \$50,099.00.
3. That the Contract for the Electric Work for the Hancock Drive Station be awarded to Dean Johnston at his low bid price of \$1,726.00.
4. That the Contract for the Electric Work for the Kinney Avenue Station be awarded to Bert Williams Electric Company at their low bid price of \$1,926.66.
5. That the Contract for Plumbing and Heating for the Hancock Drive Station be awarded to J. O. Andrewartha at his low bid price of \$2,286.00.
6. That the Contract for Plumbing and Heating for the Kinney Avenue Station be awarded to the A.A.A. Plumbing Company at their low bid price of \$2,241.19.

A Summary of the recommendations being made is as follows:

Hancock Drive Station - Giesecke, Kuehne & Brooks

General Construction - Bill Tarver -----	\$23,269.00
Electric Work - Dean Johnston -----	1,726.00
Plumbing & Heating - J. O. Andrewartha -----	<u>2,286.00</u>

Total -----	\$27,281.00
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Deduct Proportionate Combination Bid Credit on General Con- struction -	<u>230.00</u>
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Net Total Construction Cost ----	\$27,051.00
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Cost per Sq.Ft. \$13.43

Kinney Avenue Station - Edwin C. Kreisle

General Construction - Bill Tarver -----	\$27,330.00
Electric Work - Bert Williams Electric Company -----	1,926.66
Plumbing & Heating - A.A.A. Plumbing Company -----	<u>2,241.19</u>

Total -----	\$31,497.85
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Deduct Proportionate Combination Bid Credit on General Con- struction -	<u>270.00</u>
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Net Total Construction Cost ----	\$31,227.85
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Cost per Sq.Ft. \$15.50

Your attention is called to the fact that on each project construction cost includes an outside concrete hose drying rack and property line sidewalks, curbs and gutters, which costs are included in the square foot figures shown above.

Respectfully submitted,

EDWIN C. KREISLE

By (Sgd) Edwin C. Kreisle

GIESECKE, KUEHNE & BROOKS

By (Sgd) B. E. Giesecke . "

Councilman Bartholomew moved that the above recommendations of the Architects be approved and the low bids accepted, and the City Manager be authorized and directed to enter into contracts with the low bidders accordingly. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

The following tabulation of bids on Cast Iron Water Pipe and Fittings was submitted by the City Manager:

UNITED STATES PIPE & FOUNDRY COMPANY:

<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Amount</u>
4" Cast Iron Pipe Cl.150 F.S.W.W. P421, 12', or 18' length - 3/32" Cement Lining	5,000	\$ 1.04	\$ 5,200.00
6" Ditto	100,000	1.53	153,000.00
8" Ditto	50,000	2.18	109,000.00
12" Ditto	32,000.	3.76	120,320.00
16" Ditto	1,200	5.62	6,744.00
24" Ditto	12,000	10.55	126,600.00
<u>Cast Iron Pipe Fittings</u>			
6" - 12"	50	221.00	11,050.00
14" - 24"	50	231.00	11,550.00
30" - 48"	50	251.00	12,550.00
Total -			\$556,014.00

AMERICAN CAST IRON COMPANY:

<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Amount</u>
4" Cast Iron Pipe Cl.150 F.S.W.W. P421, 12', or 18' length - 3/32" Cement Lining	5,000	\$ 1.12	\$ 5,600.00
6" Ditto	100,000	1.64	164,000.00
8" Ditto	50,000	2.34	117,000.00
12" Ditto	32,000	4.05	129,600.00
16" Ditto	1,200	5.92	7,104.00
24" Ditto	12,000	11.11	133,320.00
<u>Cast Iron Pipe Fittings</u>			
6" -12"	50	240.00	12,000.00
14" -24"	50	250.00	12,500.00
30" -48"	50	270.00	13,500.00
Total -			\$594,624.00

It is recommended that the bid of the United States & Foundry Company be accepted,

(Sgd) Walter E. Seaholm "

Councilman Bartholomew offered the following resolution; and moved its adoption:

(RESOLUTION)

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

That the City Manager be and he is hereby authorized and directed to

enter into a contract on behalf of the City of Austin with the United States Pipe and Foundry Company for 4", 6", 8", 12", 16", and 24" cast iron pipe and cast iron pipe fittings for Water Distribution System requirements in 1949-50, they having submitted the lowest and best bid.

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

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 JESSIE STREET, from a point 125 feet south of Butler Road northerly 165 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east property line of said Jessie Street.

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

- (2) A gas main in AVENUE H, from a point 38 feet south of East 54th Street northerly 144 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east property line of said Avenue H.

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

- (3) A gas main in GOODRICH AVENUE from a point 82 feet north of Bauerle Avenue southerly 153 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north property line of said Goodrich Avenue.

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

- (4) A gas main in AVENUE H, from a point 56 feet north of East 54th Street northerly 72 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east property line of said Avenue H.

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

- (5) A gas main in GASTON AVENUE from a point 267 feet east of Harris Boulevard westerly 90 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north property line of said Gaston Avenue.

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

- (6) A gas main in TISDALE DRIVE from Anderson Lane northerly 384 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east property line of said Tisdale Drive.

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

- (7) A gas main in GOODRICH AVENUE from a point 286 feet south of Valeria Street southerly 93 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east property line of said Goodrich Avenue.

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

- (8) A gas main in SABINE STREET from a point 113 feet south of East 8th Street southerly 287 feet, the centerline of which gas main shall be 1 foot east of and parallel to the west property line of said Sabine Street.

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

- (9) A gas main in EAST 8TH STREET from Sabine Street westerly 54 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north property line of said East 8th Street.

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

- (10) A gas main in EAST 40TH STREET from a point 154 feet east of Wilbert Road easterly 204 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north property line of said East 40th Street.

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

- (11) A gas main in LA VISTA STREET from South Congress Avenue westerly 139 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north property line of said La Vista Street.

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

- (12) A gas main in BONNIE ROAD from Rockmoor Avenue westerly 404 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north property line of said Bonnie Road.

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

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 excavations 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 Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

The petition of the Texas and New Orleans Railroad Company for permission to shift and relocate a portion of its Austin-Ilano main track on East Sixth Street, East Fifth Street, and Canadian Street, and to construct certain tracks along East Sixth Street and East Fifth Street, was received. Councilman Johnson moved that the matter be referred to the City Manager and the Engineering Department for study and report back to the City Council. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Councilman Bartholomew introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE TEXAS AND NEW ORLEANS RAILROAD COMPANY TO RELOCATE, CONSTRUCT, MAINTAIN, OPERATE, AND USE A RAILWAY SPUR TRACK IN, UPON, AND ALONG A PORTION OF EAST FIFTH STREET BETWEEN WALLER STREET AND MEDINA STREET IN THE CITY OF AUSTIN, SUBJECT TO CERTAIN CONDITIONS; AND SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ UPON THREE SEPARATE DAYS.

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller
Noes : None

The ordinance was read the second time and Councilman Bartholomew 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 Bartholomew, Glass, Johnson, Mayor Miller
Noes : None

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller
Noes : None

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

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 sum of \$1220.00 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of operation of the Caswell Tennis Center for the remainder of 1948:

Salaries:

A.	1 Manager @ \$125 a month for 4 months -----	\$ 500.00
B.	1 Caretaker @ \$130 a month for 4 months -----	520.00
C.	1 Part-time help @ \$.60 per hour - 4 months ----	<u>200.00</u>
	Total -	\$1220.00

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller
Noes : None

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 following rates be and the same are hereby prescribed for tennis fees to be charged at the Caswell Tennis Center:

Yearly Membership -----	\$25.00
Six Months Membership -----	16.00
Yearly Junior Membership -----	10.00
Summer Junior Membership (three months)---	4.00
University Membership (nine months) -----	20.00
University Membership (three months)-----	10.00
Hourly Fees for Non-members -----	.30
Locker Fee (per year) -----	2.50

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

The application of LUTHER E. BUCK, 2519 Lake Austin Boulevard, for a license to operate as a taxicab a 4-door Plymouth Sedan, 1942 Model, Motor No. T-147078, State License No. JD-9577, 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 Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

The application of CECIL RAYMOND BUNCH, 30 Riverside Court, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

The application of OWEN FRANKLIN STIDHAM, 2940 Pannell Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

The application of EUGENE GEORGE HANNUSCH, 604 West 30th Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

The application of MIDGET CAFE, 705 Red River Street, by Mrs. Elsie Ward, for a retail dealer's on-premise beer license, 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 Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

The application of PLUMMER'S TAVERN, 412 East 6th Street, by Tom Plummer, for a wine and beer license, 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 Bartholomew, Glass, Johnson, Mayor Miller
 Noes : None

The application of HILL'S PLACE, 2134 East 7th Street, by J.W.Hill, for a wine and beer license, 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 Bartholomew, Glass, Johnson, Mayor Miller
 Noes : None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, city taxes were assessed for the year 1939 on Lots 6,8, and 9, Block B, South Heights, Flat 117, Item 99, in the City of Austin, Travis County, Texas, in the sum of \$7.53, and for non-payment of same at maturity, penalty in the sum of \$0.38 has been assessed, and interest in the sum of \$3.76 has accrued, making the total amount of taxes, penalty and interest due, \$11.67; and

WHEREAS, this is the property of the Capitol Heights Baptist Church and same is exempt from taxation, and the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$0.38 and to remit one-half of the interest in the sum of \$1.88; therefore,

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

That the aforesaid penalty in the sum of \$0.38 and one-half of the interest in the sum of \$1.88 are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$0.38 and one-half the interest in the sum of \$1.88 off his rolls and to issue to the party entitled to receive same a receipt in full on the payment of said taxes and one-half the interest, as aforesaid.

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller
 Noes : None

The following resolution was submitted:

WHEREAS, the following named persons owed delinquent taxes to the City of Austin; and

WHEREAS, the City Assessor and Collector has collected the amounts shown herein for the years indicated:

Jessen, Jessen & Millhouse -	1942	\$ 4.60
T. F. Bland	1942	2.30
Hattie E. Dowdy	1947	8.74
H. J. Beadle	1941, 1942	8.38
George A. Brooks, Jr.	1937, 1938, 1942	11.43
Hal Bookout	1941	.34
Willie Baker	1941, 1942, 1943	5.97

L. J. Priest	1934, 1938	\$ 4.46
Ralph Everhard	1941	6.53
Opal Denson	1941, 1942, 1947	20.79
Nelson Kelley	1941	4.01
Marion Theriot	1942	.69
Edgar V. Pfulman	1946	4.25
Ferris Bros. Union Drug	1947	<u>337.41</u>
		\$419.90

and

WHEREAS, on the above accounts, penalties and interest in the sum of \$16.52 was collected; Therefore,

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

That the Tax Assessor and Collector be and he is hereby authorized and directed to clear the above accounts as paid for all years indicated.

The resolution was adopted by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller

Noes : None

Upon motion, seconded and carried, the meeting was then recessed, subject to call of the Mayor.

Approved:

Tom Miller

MAYOR

Attest:

Helene M. Miller

CITY CLERK