

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 15, 1948

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 - 3

Absent : Councilman Bartholomew - 1

Present also: Guiton Morgan, City Manager; J. E. Motheral, Director of Public Works; Joe Roberts, Assistant City Attorney; and R. D. Thorp, Chief of Police.

The reading of the Minutes was dispensed with.

The public hearing on the application of H. J. Mayton 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 and 2, Block 2, E. Seiders Survey,
located at 38th Street and Morningside
Avenue, in the City of Austin, Travis
County, Texas,

was duly opened.

Those appearing for the change were: H. J. Mayton and Nick Hornsby.

Those appearing against the change were : None

Thereupon, 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 have the ordinance prepared. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Bartholomew

The following report of the Board of Adjustment was received:

"ZONING BOARD OF ADJUSTMENT
AUSTIN, TEXAS
ZONING CHANGE RECOMMENDATION .

Applicant: J. M. Odom

I. Referred to the Board by the City Council on :

II. Property affected:

Lots 1 to 21, inclusive, Block "X", Lots 7 to 14, inclusive, Block "W", in J. E. Bouldin Subdivision, being bounded on the west side by the Missouri Pacific Railroad, on the north by West Mary Street, on the east by South 7th Street, and on the south by Bouldin Creek.

III. To be changed

From : "A" Residence District and First Height and Area District

To : "C" Commercial District and Second Height and Area District

IV. Considered by the Board on : June 22, 1948

V. Parties appearing:

For : None

Against:None

VI. Action of the Board: Change recommended

For the following reasons:

1. The property included in this change consists of 29 lots in two blocks which are bounded by West Mary Street on the north, Missouri Pacific Railroad on the west, Bouldin Creek on the south, and South 7th Street on the east, with Bouldin Creek also cutting through part of the property.
2. This property is so situated as to be very undesirable for residential purposes because of its surroundings and the irregular topography of the ground, most of the tract being located in a low area adjacent to the creek.
3. The Board deemed that to change the property to "C" Commercial would not adversely affect the surrounding property, which is separated from this tract by the creek, a railroad and a street, but would permit the proper development of the property.

(Sgd) H. F. Kuehne
Chairman. "

The public hearing on the application of J. M. Odom 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 to 21, inclusive, Block "X", and Lots 7 to 14, inclusive, Block "W", in the J.E. Bouldin Subdivision, in the City of Austin, Travis County, Texas,

was duly opened.

Those appearing for the change were : J. M. Odom

Those appearing against the change were:None

Thereupon, 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 Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Bartholomew

The following report of the Board of Adjustment was received:

"ZONING BOARD OF ADJUSTMENT
AUSTIN, TEXAS
ZONING CHANGE RECOMMENDATION .

Applicant : Mrs. C. G. Rogers

I. Referred to the Board by the City Council on : July 1, 1948

II. Property affected:

Lots 66 and 67, Block U, Harmon Terrace Addition, being located at the northeast corner of East 49th Street and Airport Boulevard

III. To be changed

From : "A" Residence District and First Height and Area District

To : "C" Commercial District and First Height and Area District

IV. Considered by the Board on : July 13, 1948

V. Parties appearing:

For : Mrs. C. G. Rogers

Against:None

VI. Action of the Board : Change not recommended.

For the following reasons:

1. There is a commercial zone now on Airport Boulevard and 48th Street and one north of 50th Street which was recently created, and if the property in question is zoned for "C" Commercial uses there will be a skip of a block and a half between the existing business zones and the new zone and thereby creating a spot zone.
2. Since the present commercial zone north of this property is required to have a 25-foot setback for all buildings from the Boulevard property line, this same setback should apply to this property and since this property is now laid out fronting on East 49th Street there would also be a setback of 25 feet from this street required. Applying these setbacks to this property would so reduce the buildable area that it is questionable whether there is sufficient space for proper commercial development although there would be sufficient room for a dwelling. To change this property would also constitute a spot zone.
3. The Board deemed that under these conditions and circumstances the granting of this change would not be desirable nor sound zoning and that it would not be in response to any public demand or necessity and of questionable value to the owner.

(Sgd) H. F. Kuehne
Chairman. "

Councilman Glass moved that a public hearing on the foregoing change in zoning requested by Mrs. C. G. Rogers be called for August 5, 1948, at 11:00 A.M. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Bartholomew

The following report of the Board of Adjustment was received:

*ZONING BOARD OF ADJUSTMENT
AUSTIN, TEXAS
ZONING CHANGE RECOMMENDATION .

Applicant: H. W. T. Lacey

I. Referred to the Board by the City Council on : July 1, 1948

II. Property affected:

A 50'x140' tract of land out of the unplatted Spear League, being located on the north side of West 35th Street 120 feet east of Jefferson Street.

III. To be changed

From : "A" Residence District and First Height and Area District

To : "C" Commercial District and First Height and Area District

IV. Considered by the Board on : July 13, 1948

V. Parties appearing:

For : H. W. T. Lacey

Against: R. H. Chapman, Robert H. Stewart, W. H. Hamlett, Jr., Paul S. Hancock, Wm. W. White, Cecil Bryant for Mrs. Edith B. Shannon

VI. Action of the Board : Change not recommended

For the following reasons:

1. When the original zoning ordinance was passed the four corners at the intersection of West 35th and Jefferson Streets were set aside as a Community Center which was recently extended on the northwest corner to permit the enlargement of the present building and to provide parking areas. The only other development in this Community Center is a store at the southeast corner which was in existence prior to the passage of the Zoning Ordinance.
2. There is still ample space in this Community Center for further development for neighborhood shopping purposes.
3. The purpose of this change was to permit the erection of a commercial building for the making of awnings and Venetian blinds and their repairing which was objected to by a large number of the adjacent and surrounding property owners.
4. The Board deemed that this use was not strictly a Community use since the business would be City-wide and would not come within the definition of neighborhood Community Center uses, and furthermore that there was still ample unused commercial space which would not necessitate the enlargement of the commercial area at this time.

(Sgd) H. F. Kuehne
Chairman.

Councilman Glass moved that a public hearing on the application of H. W. T. Lacey for a change in zoning be called for Thursday, August 5, 1948, at 11:00 A. M. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Bartholomew

The following report of the Board of Adjustment was received:

"ZONING BOARD OF ADJUSTMENT
AUSTIN, TEXAS
ZONING CHANGE RECOMMENDATION .

Applicant : Vincente Castillo and Louis A. Joseph, by Donald S. Thomas,

Attorney.

I. Referred to the Board by the City Council on : July 1, 1948

II. Property affected:

Lots 7, 8, 9, and east one-half of 10, Block 3, Outlot 4, Division #0#, Peck Addition, being located at the southwest corner of East 4th and Comal Streets.

III. To be changed

From : "B" Residence District and Second Height and Area District

To : "D" Industrial District and Second Height and Area District

IV. Considered by the Board on : July 13, 1948

V. Parties appearing:

For : Chas. F. Herring and Dean Moorhead

Against: Herman Jones for the Austin Housing Authority

VI. Action of the Board : Change not recommended

For the following reasons:

1. This application is for the change from the present "B" Residence District to an industrial district of three and one-half lots adjacent to the present white housing project on Comal Street for the purpose of erecting a building to house a laundry.
2. When the present sites for the low-cost housing projects were selected by the Federal Government, the Council, at their request, changed the zoning classification of the surrounding property for approximately one block in depth to "B" Residence District in order to protect these projects from an undesirable encroachment of industrial uses which would affect the peace, comfort and safety of the occupants of this project.
3. To change this property back to an industrial zone would be contradictory to the original agreement and intent and purpose of the present zoning since it would open up this property for industrial uses which it was intended to avoid.
4. Since this application is only for three and one-half lots under one ownership for the benefit of only one owner, it would constitute a spot zone not in accord with the best zoning plan for this neighborhood and would adversely affect the housing project and remaining residential property.
5. The Board deemed that in view of the recent creation of a large area for industrial purposes the establishment of spot industrial zones in present residential and commercial areas is not justified and is contrary to the declared policy of the City to locate industrial uses

in eastern section of the City.

(Sgd) H. F. Kuehne
Chairman. #

Councilman Glass moved that a public hearing on the above application of Vincente Castille and Louis A. Joseph, by Attorney Donald S. Thomas, be called for Thursday, August 5, 1948, at 11:00 A. M. The motion carried by the following vote:

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

A public hearing on the application of Ollie R. Knight, et al, for a change in zoning, from "A" Residence District to "C" Commercial District, of property located on the west side of Morningside Avenue, or Lamar Boulevard, between West 38th Street and West 39th Street, was called for Thursday, August 5, 1948, at 11:00 A. M.

The application of John S. Rush for change in zoning, from "A" Residence District to "C" Commercial District, of Lots 1 to 10, inclusive, of John S. Rush Subdivision, was received. Councilman Johnson moved that the application be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

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

The application of C. R. Wilkerson for change in zoning, from "B" Residence District to "C" Commercial District, of property located at the corner of 12th and Neches Streets, was received. Councilman Johnson moved that the application be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

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

The application of W. E. Long for change in zoning, from "A" Residence District to "C" Commercial District, of property located at 1007 West 11th 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
Noes : None
Absent: Councilman Bartholomew

Councilman Glass 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 SECOND HEIGHT AND AREA DISTRICT ON A PORTION OF A CERTAIN ONE ACRE TRACT OUT OF THE GEORGE W. SPEAR LEAGUE, LOCATED 132 FEET SOUTH OF ORAN STREET IN 4800 BLOCK OF BURNET ROAD; 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 ordinance be passed to its second reading and laid over. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Bartholomew

The ordinance was then laid over for its second reading.

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 Manager be and he is hereby authorized and directed to execute a Bill of Sale on behalf of the City of Austin, conveying to L. E. Palmer that certain frame house now situated on Lot 7, of F. Haster's Subdivision, in the City of Austin, Travis County, Texas, which house is known as 1024 East 53rd Street, Austin, Texas, all in accordance with the terms and provisions of a Bill of Sale, a copy of which is attached to this Resolution and made a part hereof for all purposes.

(Copy of Bill of Sale)

THE STATE OF TEXAS :
COUNTY OF TRAVIS :

WHEREAS, L. E. Palmer of Austin, Travis County, Texas, has agreed to purchase from the City of Austin that certain frame house situated on Lot 7, of F. Haster's Subdivision, in the City of Austin, Travis County, Texas, and known as 1024 East 53rd Street, Austin, Texas, which house was acquired by the City of Austin from Wesley M. Atchison, Jr., and wife, Mary Frances Atchison, by warranty deed dated July 14, 1948, which deed is recorded in Volume _____, at page _____, of the Deed Records of Travis County, Texas;

NOW, THEREFORE, the City of Austin, a municipal corporation, situated in Travis County, Texas, acting by and through its City Manager, Guiton Morgan, for and in consideration of Two Thousand Five Hundred Dollars (\$2,500.00) cash to it in hand paid by L. E. Palmer, the receipt of which is hereby acknowledged, does bargain and sell to L. E. Palmer that certain frame house situated on Lot 7 of F. Haster's Subdivision in the City of Austin, Travis County, Texas, which house is known as 1024 East 53rd Street, Austin, Texas; all on condition that the said L. E. Palmer shall move or cause to be moved

the house herein sold from its present location before September 1, 1948.

IN WITNESS WHEREOF, the City of Austin aforesaid has caused these presents to be signed by Guiton Morgan, its City Manager, on this the _____ day of July, 1948.

CITY OF AUSTIN

By _____
City Manager

Attest:

City Clerk

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

Ayes : Councilmen Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Bartholomew

E. C. Fournier, on behalf of the Veterans of Foreign Wars, requested permission to use the softball fields at House Park and Butler Park for the National Softball Tournament to be held here on August 11 to 15th. The request was granted, subject to approval of the Recreation Department.

The Mayor called up for its second reading, the following ordinance:

AN ORDINANCE PROVIDING FOR CLASSIFICATION OF ALL FIREMEN AND POLICEMEN IN THE CITY OF AUSTIN; AND PRESCRIBING THE NUMBER OF POSITIONS IN EACH CLASSIFICATION; AND ESTABLISHING THE OFFICES AND POSITIONS IN THE FIRE DEPARTMENT AND THE POLICE DEPARTMENT OF THE CITY OF AUSTIN; AND SUSPENDING THE RULE REQUIRING THIS ORDINANCE TO BE READ ON THREE SEPARATE DAYS.

The ordinance was read the second time and Councilman Glass moved that the ordinance be passed to its third reading and laid over. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Bartholomew

The Mayor called up for its second reading, the following ordinance:

AN ORDINANCE AUTHORIZING THE MISSOURI-KANSAS-TEXAS RAILROAD COMPANY OF TEXAS TO CONSTRUCT, MAINTAIN AND OPERATE A RAILWAY SPUR TRACK IN, UPON, OVER AND ACROSS SPRINGDALE AVENUE IN THE CITY OF AUSTIN, SUBJECT TO CERTAIN CONDITIONS; AND DECLARING AN EMERGENCY.

The ordinance was read the second time and Councilman Glass moved that the ordinance be passed to its third reading and laid over. The motion carried

by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Bartholomew

The ordinance was then laid over for its third reading.

The Mayor called up for its second reading, 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 "D" INDUSTRIAL DISTRICT AND THIRD HEIGHT AND AREA DISTRICT ON A CERTAIN TRACT OF LAND LYING BETWEEN EAST 7TH STREET, PLEASANT VALLEY ROAD, HIDALGO STREET, AND CALLES STREET, 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 second time and Councilman Johnson moved that the ordinance be passed to its third reading and laid over. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Bartholomew

The ordinance was then laid over for its third reading.

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 PALO DURO ROAD, from Camino Real to Laird Drive, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north property line of said Palo Duro Road.

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

- (2) A gas main in ALGONO ROAD, from Camino Real to Laird Drive, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north property line of said Algono Road.

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

- (3) A gas main in ROMERIA DRIVE, from Camino Real to Laird Drive, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north property line of said Romeria Drive.

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

- (4) A gas main in ALEGRIA ROAD, from Camino Real to Lair Drive, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north property line of said Alegria Road.

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

- (5) A gas main in PEQUENO STREET, from Camino Real to Laird Drive, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north property line of said Pequeno Street.

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

- (6) A gas main in LAIRD DRIVE, from a point 88 feet south of Palo Duro Road northerly 1413 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 Laird Drive.

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

- (7) A gas main in MANSSELL AVENUE, from Gonzales Street southerly 331 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 Mansell Avenue.

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

- (8) A gas main in WASHINGTON AVENUE, from a point 9 feet east of Coleto Street easterly 69 feet, the centerline of which gas main shall be 12 feet south of and parallel to the north property line of said Washington Avenue.

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

- (9) A gas main in GILLESPIE PLACE, from a point 293 feet east of Kenwood Avenue 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 Gillespie Place.

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

- (10) A gas main in SOL WILSON AVENUE, from Bedford Street easterly 195 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 Sol Wilson Avenue.

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

- (11) A gas main in EAST 40TH STREET, from Wilbert Road westerly 271 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.

- (12) A gas main in EMERSON STREET across Comal Street intersection, the centerline of which gas main shall be $7\frac{1}{2}$ feet north of and parallel to the south property line of East 19th Street Alley.

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

- (13) A gas main in EMERSON STREET, from Comal Street southerly 74 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 Emerson Street.

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

- (14) A gas main in EAST $23\frac{1}{2}$ STREET, from a point 5 feet east of Sabine Street easterly 122 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 $23\frac{1}{2}$ Street.

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

- (15) A gas main in EAST 22nd STREET from Alamo Street westerly 108 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 22nd Street.

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

- (16) A gas main in LAWMONT AVENUE, from a point 142 feet east of Woodview Avenue easterly 21 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 Lawmont Avenue,

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

- (17) A gas main in WEST 11TH STREET, from a point 220 feet east of Toyath Street easterly 90 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet south of and parallel to the north property line of said West 11th Street.

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

- (18) A gas main in CLEARVIEW DRIVE, from a point 227 feet west of Pecos Street westerly 10 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 Clearview Drive.

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

- (19) A gas main in WEST 51ST STREET, from a point 269 feet east of Woodrow Avenue easterly 144 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 West 51st Street.

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

- (20) A gas main in CAMINO REAL, from Romeria Drive to Alegria Road, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east property line of said Camino Real.

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

- (21) A gas main in ALEGRIA ROAD, from Camino Real to Arroyo Seca, the centerline of which gas main shall be $5\frac{1}{2}$ feet north of and parallel to the south property line of said Alegria Road.

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

- (22) A gas main in HALL STREET EASEMENT, across Alegria Road and Goodnight Lane, the centerline of which gas main shall be 140 feet west of and parallel to the west property line of Arroyo Seca.

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

- (23) A gas main in MARTIN AVENUE, from a point 62 feet north of East 54th Street northerly 60 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 Martin Avenue.

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

- (24) A gas main in GOODNIGHT LANE, from a point 40 feet west of Arroyo Seca westerly 140 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 Goodnight Lane.

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 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

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 SECTION 22(f) OF ARTICLE IV, RELATING TO TWO-HOUR PARKING LOCATIONS; 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 ordinance be passed to its second reading and laid over. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Bartholomew

The ordinance was then laid over for its second reading.

The application of ALLEN LEE JACKSON, 410 West 11th Street, for a license to operate as a taxicab a 4-door Chevrolet Sedan, 1946 Model, Motor No. DAA-543822, State License No. JC-9659, 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

Noes : None

Absent: Councilman Bartholomew

The application of NICK GANDORA LEDESMA, 64 San Marcos Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Johnson moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Bartholomew

The application of ROBERT SEWLEY SHANK, 1113 East 31st Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Johnson moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Bartholomew

The application of ROBERT VASQUEZ, 2014 Garden Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Johnson moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Bartholomew

The application of DURHAM'S CAFE, by Floyd Durham, 606 Maiden Lane, for a wine and beer license, duly approved by the City Manager, was submitted. Councilman Johnson moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Bartholomew

The application of LIQUOR HOUSE, by Emil Lundstedt, 217 Congress Avenue, for a package store 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 Glass, Johnson, Mayor Miller

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> |
|--|---|
| Baughman, H.C. - 4626 Burnet Road - | Home-made, Outboard, Evenrude, 6-passenger |
| Mrs. Hal H. Bookout - 1501-H Brackenridge Apartments | Morphew, Outboard, Mercury, 1948 Model, 4-passenger |
| Wees Williams -1711 Windsor Road | Outboard, 1948 Model, Johnson, 4-passenger |

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

Ayes : Councilmen Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Bartholomew

It was moved by Councilman Johnson that the recommendation of the City Manager that the City concur in the recommendation of the County that the excavation work on the approach road from Lake Austin Boulevard to the Colorado River for the low water bridge be done now and in accordance with bids received by the County for said work, as contained in a letter of July 14, 1948, from the County Engineer, Ian Morgan, be approved. The motion carried by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Bartholomew

The City Manager submitted the following memorandum:

July 14, 1948

Memorandum to : Guiton Morgan, City Manager

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

Bids were received and tabulated July 13 for the construction of two sanitary sewer projects. Contract "J" contemplates the construction of a main in Nueces Street Alley and Nueces Street from 21st to 27th Streets. Contract "K" includes the construction of mains and laterals in the area north of 12th Street between the H'TC Railroad and Airport Boulevard. The bids were as follows:

CONTRACT "J"

| | |
|--------------------------------------|-------------|
| Joe Bland Construction Company ----- | \$40,725.50 |
| Karl Wagner ----- | 48,003.30 |
| Taylor Construction Company ----- | 58,320.00 |

CONTRACT "K"

| | | |
|--------------------------------|-------|-------------|
| Joe Bland Construction Company | ----- | \$23,992.00 |
| Trueheart & Caldwell | ----- | 23,994.30 |
| Karl Wagner | ----- | 26,303.75 |
| Taylor Construction Company | ----- | 30,472.50 |

On Contract "J", the low bid is approximately \$16,000.00 above our estimate and although we have a very small construction force at the present time, we feel sure this project could be built over a period of time at a cost not to exceed \$30,000.00, at the most.

The low bid on Contract "K" is within our estimate and we recommend that the contract be awarded to Joe Bland Construction Company for \$23,992.00.

(Sgd) J. E. Motheral "

Councilman Glass moved that the bid of Joe Bland Construction Company on Contract "K", in the amount of \$23,992.00, be accepted as the lowest and best bid and the City Manager be authorized to enter into contract with the said Joe Bland Construction Company accordingly; and that the bids on Contract "J" be held for further study, as recommended by the City Manager. The motion carried by the following vote:

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

It was moved by Mayor Miller that the following be appointed as a committee to study the railroad relocation plan as called for in the City Plan, subject to their acceptance of such appointment:

Prof. H. K. Snell
 of the University of Texas;
 M. H. Crockett;
 Landon Bradfield;
 Oakley Davis;
 Walter Heierman;
 John C. Ross;
 John Nash, Jr.;
 Nick Hornsby;
 James P. Egan;
 J. M. Odom;
 O. T. Olson;
 Joe Erwin;
 Dennis Macken;
 H. J. Holtzmann

The motion carried by the following vote:

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

The following resolution was introduced:

(RESOLUTION)

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:

| | | | |
|-------------------|--------------------------|-----------|-----------------|
| Maggie S. Amstead | - 1937 through 1947 | - - - - | \$738.87 |
| State Motel | - 1943, 1945, 1946, 1947 | - - - | 113.89 |
| Vida H. Dunbar | - 1944, 1945 | - - - - - | 4.20 |
| Victor Olvera | - 1940, 1941 | - - - - - | 6.30 |
| Harry Tom Balagia | - 1942 | - - - - - | 8.28 |
| LaVan R. Parker | - 1943 | - - - - - | 3.22 |
| L. J. Peters | - 1940 through 1943 | - - - - | 30.51 |
| John Barclay | - 1935 through 1939 | - - - - | 16.86 |
| Dale Baden | - 1939, 1941 | - - - - | 3.86 |
| Willie E. Baker | - 1939, 1940, 1941, 1942 | - - - | 8.33 |
| Julia Stern | - 1942 | - - - | 4.60 |
| Travis Edwards | - 1940, 1941, 1942, 1943 | - - - | 11.82 |
| Harold L. Pannell | - 1944 | - - - | 5.88 |
| Malcolm Beall | - 1941 | - - - | 1.49 |
| Johnnie Krager | - 1942 | - - - | .23 |
| C. C. Taylor | - 1943 | - - - | 2.30 |
| | | | <u>\$960.64</u> |

and

WHEREAS, on the above accounts penalties and interest in the sum of \$128.70 was collected; Therefore,

BE IT RESOLVED BY THE CITY COUNCIL:

THAT the Tax Assessor and Collector be and 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 Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Bartholomew

The following resolution was introduced:

(RESOLUTION)

WHEREAS, tax assessments covering the improvements formerly located on Lots 2 and 3, State land, Plat 142, Item 7-1, were levied for the years indicated below at the valuations set forth as follows, showing ownership in the name of Ella Perkins; and

WHEREAS, the improvements are not now in existence, having been removed from the premises; and

WHEREAS, it appears that the tax levies involved are not considered as collectible; Therefore,

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

THAT the Tax Assessor and Collector of the City of Austin be, and he is hereby authorized, to remove from the tax rolls the following assessments:

| <u>Year of levy</u> | <u>Assessed Value</u> | <u>Year of levy</u> | <u>Assessed Value</u> |
|---------------------|---------------------------|---------------------|---------------------------|
| 1924 | \$115 | 1936 | \$210 |
| 1925 | 115 | 1937 | 210 |
| 1927 | 245 | 1938 | 210 |
| 1928 | 245 | 1939 | 210 |
| 1929 | 245 | 1940 | 210 |
| 1930 | 245 | 1941 | 210 |
| 1931 | 245 | 1942 | 210 |
| 1932 | 245 | 1943 | 210 |
| 1933 | 210 | 1944 | 210 |
| 1934 | 210 | 1945 | 210 |
| 1935 | 210 | 1946 | 210 |
| 1936 | 210 | 1947 | 210 |

The resolution was adopted by the following vote:

Ayes : Councilmen Glass, Johnson, Mayor Miller

Noes : None

Absent: Councilman Bartholomew

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

Approved: Tom Miller

MAYOR

Attest:

Helene M. Allen

CITY CLERK