

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 10, 1953
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

Roll Call:

Present: Councilmen Long, Pearson, Thompson, Mayor McAden
Absent: Councilman WhitePresent also: W. E. Seaholm, City Manager; W. T. Williams, Jr.,
City Attorney; C. G. Levander, Director of Public Works.The invocation was delivered by REVEREND ARCHIE K. STEVENSON, Hyde
Park Christian Church.Councilman Pearson moved that the Minutes of the previous meeting
be approved. The motion, seconded by Councilman Thompson, carried by the
following vote:Ayes: Councilmen Long, Pearson, Thompson, Mayor McAden
Noes: None
Absent: Councilman WhiteThe Council received notice from the City Manager that the following
application for change of zoning had been referred to the Planning Commission:

A. P. JOURDAN ESTATE	1014-1020 E. 38½ Street	From "A" Residence
By Mrs. Alvah Jourdan	1009-1015 E. 39th Street	To "C" Commercial
	(W. side of East Avenue	
	between 38½ and 39th	
	Streets)	

MR. ED CLARK, representing SOUTHWESTERN BELL TELEPHONE COMPANY, filed the following revised statement to be included in their application of July 23, 1953, for increased telephone rates, and asked for a hearing by the Council as soon as possible.

SOUTHWESTERN BELL TELEPHONE COMPANY

120 West 9th St.
Austin, Texas

September 10, 1953

"Honorable Mayor and Members of the City Council
"City of Austin
"Austin, Texas

"Dear Members of the City Council:

"Since we filed out letter of application dated July 23, 1953, for increased telephone rates in Austin, negotiations between the Management and the Union representing out employees have been completed.

"As a result of these negotiations, a new wage contract was made effective as of Austin 30, 1953. This contract increases the Company's wage expense in Austin by approximately fifty-thousand dollars per year. The net effect on local exchange operations is to reduce out income by almost twenty-five thousand dollars per year.

"Attached are two revised statements to replace similar statements attached to our letter of July 23. You will note that under present telephone rates and present expense levels, we are currently earning a return of only 3.53% on the value of the property being used for local telephone service. These additional expenses make our need for increased rates more apparent.

"Accordingly, we renew our request that an immediate hearing upon our application be set at your earliest convenience.

"Very truly yours,
(Sgd) I. W. Davis
District Manager

Attachments

SOUTHWESTERN BELL TELEPHONE COMPANY
AUSTIN, TEXAS

SUMMARY OF ADJUSTMENTS TO RECORDED NET INCOME FOR
YEAR ENDING MARCH 31, 1953
TO DETERMINE CURRENT LEVEL OF INCOME

Increase in Revenues

Rate Increase of November 17, 1952 \$ 199,503

Increase in Expenses

- (1) Increase in Salary and Wage Expense to reflect full annual effect of salary adjustments and wage

contract effective July 6, 1952 \$10,228

(2) Increase in Salary and Wage Expense to reflect full annual effect of salary adjustments and wage contract effective Austin 30, 1953 24,942

(3) Increase in Maintenance Expenses to reflect full annual effect of normal level of operations 3,906

(4) Increase in Depreciation charges to reflect 1952 cost levels of plant 88,234

(5) Increase in Gross Receipts Taxes etc., as result of Increased Revenues 9,356

(6) Increase in Relief and Pensions expense to reflect change in pension accrual rate 1,370

Total Effect of Increased Expense \$138,036

Net Effect of Changes \$ 61,467

Revised 9-8-53

SOUTHWESTERN BELL TELEPHONE COMPANY
AUSTIN, TEXAS
SUMMARY OF LOCAL EXCHANGE OPERATIONS
12 MONTHS ENDED MARCH 31, 1953

RECORDED RESULTS

Revenues	minus	Expenses	equals	Net Income
\$3,357,363	-	\$2,929,983	=	\$427,380
Net Income	divided by	Value of Property	equals	Rate of Return
\$427,380	+	\$13,865,000	=	3.08%

RESULTS AT CURRENT COST LEVELS

Recorded Income	plus	Effect of Changes*	equals	Current Net Income
\$427,380	+	\$61,467	=	\$488,847
Current Net Income	divided by	Value of Property	equals	Current Rate of Return
\$488,847	+	\$13,865,000	=	3.53%

*See following page.

EFFECT OF REQUIRED RATES

Current Net Income	plus	Additional Net Income	equals	Required Net Income
\$488,847	+	\$489,523	=	\$978,370
Required Net Income	divided by	Value of Property	equals	Required Rate of Return
\$978,370	+	\$13,865,000	=	7.06%

Revised 9-8-53

The Council received the revised statements, and the Mayor stated as soon as possible, the Council would get to his request.

The application of Mrs. Rose Williams for a day nursery school at 1907 Tillotson Avenue was before the Council. Mrs. M.E. Eason, 904 East 13th Street appeared in opposition to change of zone; but after explanation this was not a request for change of zoning, she withdrew her objection. The Council noted a protest registered by a telephone call by Mr. Frank K. Kutzschback.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Mrs. Rose Williams, has made application in writing for permission to use and maintain in her residence a day nursery school, complying with all City and State regulations, on Lot 13, Block C, Outlot 62, Division B, in College Heights Addition, in the City of Austin, Travis County, Texas, the same being on the south side of Tillotson Avenue and locally known as 1907 Tillotson Avenue, which property is located in an "A" Residence District and under Section #4, Item 13a of the Zoning Ordinance requires a special permit from the City Council; and

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

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

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

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

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

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

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

(1) A gas main in EAST 52ND STREET, from a point 110 feet west of Bennett Avenue easterly 36 feet, the center-line of which gas main shall be 7.5 feet south of and parallel to the north property line of said EAST 52ND STREET.

Said gas main described above shall have a cover of not less than 2½ feet.

(2) A gas main in OAK CREST AVENUE, from a point 52 feet south of Herndon Lane northerly 95 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said OAK CREST AVENUE.

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

(3) A gas main in HERNDON LANE, from Oak Crest Avenue easterly 89 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said HERNDON LANE.

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

(4) A gas main in RIDGE OAK DRIVE, from a point 94 feet south of the north property line of Highland Park West northerly 1219 feet, the centerline of which gas main shall be 5 feet east of and parallel to the west property line of said RIDGE OAK DRIVE.

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

(5) A gas main in SOL WILSON AVENUE, from a point 115 feet north of Euneva Street northerly 94 feet, the centerline of which gas main shall be 6.5 feet east of and parallel to the west 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.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

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

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

Councilman Long offered the following resolutions and moved its adoption:

(RESOLUTION)

WHEREAS, J. L. Edwards is the Contractor for the demolition of a building located at 2008-10 Guadalupe Street and desires a portion of the sidewalk and street space abutting Lots 43 and 44, Outlot 22, Division D, in the City of Austin, Travis County, Texas, during the demolition 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 by granted to said J. L. Edwards, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the northeast corner of the above described property; thence in an easterly direction and at right angles to the centerline of Guadalupe Street to a point 10 feet east of the west curb line; thence in a southerly direction and parallel to the centerline of Guadalupe Street approximately 60 feet to a point; thence in a westerly direction and at right angles to the centerline of Guadalupe Street to the east side of the above described property.

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

(1). That the Contractor shall construct a four-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least four 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 October 15, 1953.

(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 One Thousand Dollars (\$1,000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

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

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the final plat of the subdivision known as "Castle View", approved by the City Planning Commission of the City of Austin on September 3, 1953, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

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

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

The Council received the following:

"September 10, 1953

"To The City Council
City of Austin, Texas

"Re Completion and Acceptance of
work of Improving Lavaca
Street (both sides), from West
8th Street Alley to West 9th
Street, being Unit 11 of Current
Improvement Program.

"The work of improving Lavaca Street (both sides), from the north curb line of West 8th Street Alley to the south curb line of West 9th Street, known as Unit 11 in the Current street improvement program, has been performed and completed by John R. Andrews in full compliance with the Contract, and the Plans and Specifications therein contained, dated May 19, 1952, between the City of Austin and John R. Andrews.

"I have inspected, approved and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the Contract, Plans and Specifications referred to above.

"Respectfully submitted,
(Sgd) C. G. Levander
Director of Public Works
City of Austin, Texas"

Mayor McAden introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING LAVACA STREET, (BOTH SIDES), UNIT 11, IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY JOHN ANDREWS, AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

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

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

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

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

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

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

The Mayor announced the ordinance had been finally passed.

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin received and opened bids on September 8, 1953, at 10:00 A.M. on the sale of certain buildings on property purchased for Interregional Highway Right-of-Way; and,

WHEREAS, J. L. Nichols submitted the highest and best bid in the amount of \$801.25 on the building located at 79 East Avenue; and,

WHEREAS, Tom Attal submitted the highest and best bid in the amount of \$308.85 on the building located at 804 Holly Street; and,

WHEREAS, Tom Attal submitted the highest and best bid in the amount of \$76.95 on the buildings located 902 Holly Street; and,

WHEREAS, J. L. Nichols submitted the highest and best bid in the amount of \$861.25 on the buildings located at 907 Holly Street; and,

WHEREAS, J. L. Nichols submitted the highest and best bid in the amount of \$976.50 on the buildings located at 902 Lambie Street; and,

WHEREAS, Tom Attal submitted the highest and best bid in the amount of \$1056.91 on the buildings at 903 Lambie Street; and,

WHEREAS, W. O. Harper submitted the highest and best bid in the amount of \$905.00 on the buildings located at 905 Lambie Street; and,

WHEREAS, J. L. Nichols submitted the highest and best bid in the amount of \$1101.25 on the buildings located at 1001 Lambie Street; and,

WHEREAS, the Director of Public Works and the City Manager have recommended the sale of such buildings to said bidders; Now, Therefore,

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

That said bids be and the same are hereby accepted and W. E. Seaholm, City Manager is hereby authorized and directed to execute contracts of sale of said buildings at the above described locations with said bidders.

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

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

Discussion was held on opening Grover Avenue, Woodrow and Arroyo Seca. MR. HERMAN JONES presented a petition with practically 1000 names requesting the opening of Grover. MR. W. H. BULLARD stated all three streets needed opening. MR. A. B. BEDDOW stated the solution now would be opening Woodrow, as it could be accomplished immediately. He offered to excavate and gravel Woodrow through the Joseph property without charge to the city, north to Anderson Lane. He stated he would excavate and gravel it to city specifications. He stated Woodrow could be opened within 30 days. MR. JOHN COFER, representing the JOSEPHS, outlined the negotiations between the Joseph Estate and the City during the past six years. He stated the City was already using some of the right-of-way which they did not pay for, and which they graded, rolled and oiled and made into a road which is being used by the public. He said that the Josephs were willing, if the City would pay them for this property on Arroyo Seca that they have taken and settle that controversy, to denote this right-of-way on Grover and he judged on Woodrow, provided they were not to be assessed at anytime in the future of the paving or curbing on that.

At this point Councilman White entered the Council room.

The City Attorney stated the public was using the road before the Condemnation suit was filed, and Mr. Beddow stated there had never been any equipment on the road and it was not maintained. It was originally started when the contractors build Brentwood School. Councilman Long thought the offer should be accepted. Councilman Pearson suggested that the Council make a personal

inspection of all this property and try to come up with a solution within 30 days, taking under advisement a trade with the Josephs on whatever is a fair way, or condemn if the Council felt it mist. Councilman White stated he would not vote to condemn that property until every source of negotiations had failed; that he believed that they could get together, and condemnation would prolong this six months, and the people wanted the streets opened now. MRS. VIRGINIA PECK was anxious that GROVER be opened. The Mayor stated the Council would try to work this all out within the next week or two and come to some equitable settlement.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with W. H. Bullard in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recondation in the Minutes of the City Council. (On File Under WATER MAIN EXTENSIONS - Contract File No. 741-C)

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

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

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

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessments for the property hereinafter described, assessed in the name of Fischer Brothers, are incorrect because of erroneous information as follows:

"The assessments involved were based upon excessive valuations as shown by the affidavit signed by Erwin Fischer, September 9, 1953, attached hereto.

"During the years indicated below, all other property was assessed on the basis of two-thirds of its actual value. For the sake of equalization, I recommend that I be authorized to change the assessments to reflect this ratio, as set out below:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1936	Merchandise	\$2,000	\$1,040
1941	"	\$1,600	\$ 950

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1942	Merchandise	\$1,600	\$1,030
1943	"	\$1,600	\$1,050

(Sgd) T. B. Marshall
City Tax Assessor and Collector

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessments hereinafter set forth and has found the same to be erroneous for the reasons stated in his certificate delivered to the City Council and filed with the City Clerk, and

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

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

That the following tax assessments for the years shown be, and the same are, hereby adjusted and corrected to fix the assessed values therein as indicated.

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1936	Merchandise	\$2,000	\$1,040
1941	"	\$1,600	\$ 950
1942	"	\$1,600	\$1,030
1943	"	\$1,600	\$1,050

STATE OF TEXAS ()

COUNTY OF TRAVIS ()

Before me, the undersigned authority in and for said County and State, this day personally appeared Edwin Fischer, representing Fischer Brothers, to me well known, and who, upon oath deposes and says that, to the best of his knowledge and belief the value of merchandise located at 609 West 6th was as stated below:

January 1, 1936, - - - - - \$1,550.00 $\frac{1}{2}$
 January 1, 1941, - - - - - \$1,420.42;
 January 1, 1942, - - - - - \$1,534.46;
 January 1, 1943, - - - - - \$1,569.19;

and that, with the exception of the year 1936, these figures were based upon actual inventory records.

Sworn to and subscribed before me this 9th day of September, 1953.

(John A. Basford)

Notary Public, Travis County, Texas

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

The Council set the following proposals of the Planning Commission to amend the Zoning Ordinance and Zoning Maps by establishing the boundaries for various original districts, and providing appropriate regulations to be enforced therein, for public hearing at 11:00 A.M., October 8, 1953:

- AREA 1: All that land situated between Taylor Slough on the south and Highland Park West on the north, and lying between the Colorado River and the new City limit line on the west and the old City limit line on the east.
- AREA 2: All that land within the present limits of the City of Austin lying west of Lake Austin and the Colorado River and south of Bee Creek.
- AREA 3: All that land lying south of the Colorado River composed of Bluffington, Sections 1 and 2, and Ridgewood Village, Section 1, subdivisions.
- AREA 4: All that area situated between Rundell Place and Melridge Place and Robert E. Lee Road and between the old City limit line and the new City Limit Line.
- AREA 11: All that property within the present City limits and lying between Cameron Road and the east line of Lambert Berkman property.
- AREA 15: All that property within the present City limits lying north of a line 180 feet north of and parallel to the centerline of Anderson Lane and being situated between the Llano Branch of the H. & T. C. Railroad and a line 200 feet west of and parallel to the centerline of Lamar Boulevard.
- AREA 17: All that property within the present City limits lying between Burnet Road and Shoal Creek between the north line of Alandale Subdivision and the north line of Green Acres Subdivision.

("old City limit line" means the City limit line as it existed prior to December 20, 1951)

The subdivision ordinance was before the Council. The City Manager explained the resolution setting out the proposed fiscal policy. Councilman Long commended the City Manager on this proposal. MR. W. H. BULLARD stated the resolution was on the way to a fine solution, but did need a little more detailed study. Councilman Thompson requested more time for further consideration of this fiscal policy. MR. CLYDE COPUS objected to not getting 100% of the investment back, instead of the 80%; and he saw nothing in the policy that provided for approach mains and storm sewers. MR. GIBSON RANDEL asked postponement of passing the fiscal policy, and asked that a public hearing be held and that further consideration be given to the matter of approach mains in storm sewers and not be left to negotiations; and that 100% refund be considered. The Mayor stated this would be set for public hearing next Thursday. Later on in the meeting the Mayor announced this would be reset for public hearing on October 1st, 1953.

Discussion of the subdivision ordinance was held. The Subdivision Committee and all were in agreement except on the paving specifications, and it was decided to amend the ordinance to add on page 17 of the ordinance under consideration after the words one and one-half (1-12") inches thick the following words: "or hot mix cold laid, such as Uvalde rock asphalt, Serve-Tex, or other equivalent asphaltic pre-mix designs, or quadruple asphalt surface treatment".

The Mayor then introduced the following ordinance as amended:

AN ORDINANCE PRESCRIBING RULES AND
REGULATIONS GOVERNING PLATS AND SUB-
DIVISIONS OF LAND WITHIN THE CORPORATE
LIMITS OF THE CITY OF AUSTIN AND WITHIN
FIVE MILES THEREOF, REPEALING ALL OR-
DINANCES OR PARTS OF ORDINANCES IN CON-
FLICT HEREWITH, PROVIDING A SEVERABILITY
CLAUSE, AND DECLARING AN EMERGENCY.

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

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

The ordinance was read the second time, and Councilman Thompson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

*Councilman Long made the following statement regarding her vote for the passage of the ordinance:

"I would like to make this observation. It has been three and one-half years since I proposed paving for subdivisions. I have brought it up from time to time and tried my best to get this ordinance passed. We have what I consider a very good subdivision ordinance, except I am a little disturbed about the high standards set for the paving. I think those standards are good, but I am in doubt as to whether or not we will be able to continue to participate the city's part one-third and the citizens participate their one-third and get paving done, simply because the city does not have its money. I personally think the City should continue on its policy of paying one-third of the paving. I do not think we will get as much paving as if we had made these standards a little bit lower particularly in the lower income area; however, I am happy to see this ordinance brought in and I am going to vote 'yes' on it."

** Councilman Thompson made the following statement regarding the Subdivision Ordinance as to his vote:

"I have studied this considerably; and if my interpretation of it is correct, and it is based on the best logic that I have, that the actual truth of the matter is that this city is going to save enough money in street maintenance over the next 10-15 years over the system that was in effect before this ordinance was passed, that they are more rapidly going to get the unpaved streets of this city paved that they would had they continued on without this ordinance; and with the proper disposition of this city's fiscal policy problem disposed of, the situation of everybody concerned will be improved. I am not ready yet to say that I think the City should continue its policy of paying one-third of the paving costs on old streets. I want to see that investigated and find out if it is possible and acceptable to the public that we reduce that participation, because if it acceptable to the public and we can reduce the participation of the city in the paving of these streets, then every \$100,000 we get ahold of to pave streets will just pave more streets. I think the city is making a step forward in the passage of this ordinance so I vote 'aye'."

Councilman Thompson asked that the appointment on the Electric Inspection Board be postponed until next week. MR. JACK SWENSON asked that the

appointment be made promptly so that there would be a full Board. It was stated that this would be placed on the Agenda for the following week.

There being no further business, the Council adjourned at 12:50, subject to the call of the Mayor.

APPROVED:

CA Mealy
Mayor

ATTEST:

Elmer Hassley
City Clerk