

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 21, 1950

10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Glass presiding.

Roll Call:

Present: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Absent: None

Present also: Walter E. Seaholm, City Manager; Trueman E. O'Quinn, City Attorney; C. G. Levander, Director of Public Works.

Councilman Johnson moved that since copies of the minutes of the last meeting of the City Council have been furnished Council members by the City Clerk, the reading of the minutes be dispensed with and that the minutes be adopted as read in the Clerk's report. Upon being duly seconded by Councilman Drake, the motion was unanimously adopted by the Council and the minutes so approved.

MR. H. A. DUNN appeared before the Council to express appreciation to the Council for the magnificent job it had done this past year. He reported that 325,000 books had been sent from Austin citizens to other countries, and each book had a little note in it about Austin.

MRS. N. L. ROBSAHM, 2105 Oxford, appeared before the Council expressing her opposition to any increase in the water bills, as it would work a hardship on many people, and she suggested using the bond money just voted to take care of the financial situation now; and then vote another bond issue later. This was explained to her that the bond money could not be used except as it was authorized.

Pursuant to published notice thereof, public hearing was held on the Budget of the City of Austin for 1951. MRS. HORTON SMITH, Bee Cave Road, appeared before the Council to participate in the Budget Hearing. Two inquiries were made --about the Contingent Fund as required to be set up by Charter, and about the \$175,000 which had been appropriated for the schools. It was explained the

Contingent Fund was set up as Unappropriated balances as shown in the General and Utility Funds. COUNCILMAN DRAKE suggested it be set up as Reserved contingencies rather than unexpended balance. COUNCILMAN LONG felt the \$175,000 had been transferred to another fund without Council authorization, and that a part of it had been spent. It was explained the \$175,000 was still available. COUNCILMAN MacCORKLE made inquiry about the retirement system which was to be revamped. It was stated this was just about ready to submit to the Council in an ordinance form; and that the amount of money the City pays to the Pension Fund is included in the budget, but the amount the employees will pay is not, as their salaries are not yet fixed under the job classification findings. There was a discussion on the amount of details to be set up in the budget; that it would be impossible to itemize every item; as estimates could be made on a certain type of work rather than itemize so much for certain materials, typewriter ribbons, etc. COUNCILMAN MacCORKLE stated he would like to see included in the budget what was spent last year; what is estimated for the coming year for comparison purposes. He would like a statement of where the money comes from and where it goes; a statement on amount of delinquent taxes; what part is real property paying to the cost of government, and what part is personal property paying. He suggested getting with the Manager and giving him an idea of what the Council wanted. COUNCILMAN LONG stated she would like to have "INVENTORY" broken down, as it was now being carried in a lump sum. It was requested that when the job classification is completed that the detailed salary increases be submitted as a supplement to the budget. Question was raised about bonuses to City employees conditioned on their contribution to the Community Chest. Councilman MacCorkle inquired if this were included in the budget, to which it was replied it was not, but by approval of the Council.

COUNCILMAN LONG asked that the building of the Police and Courts Building be postponed at present, and the \$150,000 included in the budget to apply on that, be paid for employee salary increases for the first three months; and not raise the water rates. She suggested going ahead with the building of water and sewer lines and paving of streets. She urged the Council not to increase the water rates now.

MAYOR GLASS stated he had every confidence in the city officials, and that Austin had a wonderful record regarding the handling of its money--the tax rate is low, the interest rate is the lowest in the whole State and possibly the Nation, and he expressed appreciation to those doing the job.

No one else appeared in the Budget Hearing. The City Attorney stated the Council holds a public hearing and approves the budget as presented with the knowledge that final approval is given under the Charter the third week in January at which time the appropriation is made; and anytime in the meantime the Council could amend the Budget however it wanted. Councilman Long moved that the budget not be approved until the corrections were made. The motion lost for want of a second. Councilman Long asked that the budget be revamped; that the salaries are inequitable and should be scaled to where they were last year and it should be worked over and brought back before the Council. Councilman Drake stated this tentative budget could be approved, and the final approval of the budget would be done the third week in January. The City Attorney stated the Council could take final action in the calendar year, so that it would comply with the State Law, and then take final action during the third week in January.

Councilman Drake offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the General Budget of the City of Austin, Texas, for the year 1951 has been prepared by the City Manager, filed with the City Clerk for public inspection, and presented to the City Council; and

WHEREAS, the public hearing on said Budget was held in the City Council Chamber at the City Hall on December 21, 1950, after due notice of said time and place, at which hearing the taxpayers of the City of Austin were given the opportunity to be present and participate in such hearing; and said hearing was finally closed; NOW, THEREFORE,

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

That the General Budget of the City of Austin for the year 1951 be and the same is hereby adopted and the amounts set out respectively in said budget be and the same are hereby respectively appropriated for the respective purposes and out of the funds respectively shown in said budget.

Which motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Drake, Johnson, MacCorkle (with the provision that this is tentative in every respect and that it can be changed on the third week in January); Mayor Glass

Noes: Councilman Long

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Drs. Alfred A. Krumholz and Douglas F. Barkley, have made application in writing through their representative, E. Niggli, for permission to operate a doctor's office and clinic for human beings only on Lot 2, Block 44, Division E, Original City of Austin, Travis County, Texas, the same being on the west side of Congress Avenue and locally known as 1702 Congress Avenue, and is located in a "B" Residence District which 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 remodeling and operation of a doctor's office and clinic for human beings only be granted to Drs. Alfred A. Krumholz and Douglas F. Barkley with the following conditions:

1. That this clinic be used in the general practice of medicine, and that no mental or psychiatric patients be housed in such clinic.

2. That all regulations required in this zone and all building code

provisions be complied with in the operation and maintenance of such building.

Which motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Noes: None

Councilman Johnson 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 LARRY LANE, from a point 696 feet north of Manor Road northerly 57 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 LARRY LANE.

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

(2) A gas main in WEST 25th STREET, from Leon Street easterly 216 feet, the centerline of which gas main shall be $13\frac{1}{2}$ feet south of and parallel to the north property line of said WEST 25th STREET.

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

(3) A gas main in SINGLETON AVENUE, from a point 169 feet south of New York Avenue southerly 107 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet west of and parallel to the east property line of said SINGLETON AVENUE.

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

(4) A gas main in DIAZ STREET, from a point 483 feet east of Pedernales Street easterly 105 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 DIAZ STREET.

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

(5) A gas main in BRIDLE PATH from a point 83 feet east of Rockmoor Avenue westerly 167 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 BRIDLE PATH.

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

(6) A gas main in MIRIAM AVENUE, from East 17th Street southerly 100 feet, the centerline of which gas main shall be $9\frac{1}{2}$ feet west of and parallel to the east property line of said MIRIAM AVENUE.

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

(7) A gas main in JARRATT AVENUE, from a point 111 feet south of Gaston Avenue southerly 45 feet, the centerline of which gas main shall be 1 foot west of and parallel to the east property line of said JARRATT AVENUE.

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

(8) A gas main in CANADIAN STREET, from East 7th Street southerly 277 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 CANADIAN STREET.

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

(9) A gas main in SANCHEZ STREET, from a point 548 feet north of East 14th Street southerly 248 feet, the centerline of which gas main shall be 3 feet west of and parallel to the east property line of said SANCHEZ STREET.

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 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.

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Councilman Johnson offered the following resolution and moved its adoption

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the northeast corner of the intersection of Calles Street and East 7th Street which property fronts 88.83 feet on Calles Street and 205.28 feet on East 7th Street and being known as a portion of Outlot 21, Division A of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and hereby authorizes the said R. E. Leigh to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, Traffic and fire regulations; and the right of revocation is retained, if, after hearing, it is found by the City Council that the said R. E. Leigh has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"We, the undersigned, have considered the application of R. E. Leigh for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the northeast corner of the intersection of Calles Street and East 7th Street which property fronts 88.83 feet on Calles Street and 205.28 feet on East 7th Street and being known as a portion of Outlot 21, Division A of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by the City of Austin and is under contract of sale to R. E. Leigh and we hereby advise that the following conditions exist:

"The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

"There is a storm Sewer inlet on the north side of East 7th Street approximately 350 feet east of the above location.

"We recommend that R. E. Leigh be granted permission to construct, maintain, operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions:

(1) "That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

(2) "That only underground tanks shall be used and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street or alley.

(3) "That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc.: that all construction of the filling station improvements shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord with the ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(4) "That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146.

(5) "That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the Department of Public Works file number 2-H-1021.

(6) "Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-1021 and shall be of the pre-moulded type.

(7) "When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection and upon approval, the Building Inspector shall issue a Certificate of Operation before such filling station can be put into service.

Respectfully submitted,
(Sgd) C. G. Levander
Director of Public Works

(Sgd) J. C. Eckert
Building Inspector "

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Troy Ragland is the Contractor for the erection of a building located at 104 West 10th Street and desires a portion of the sidewalk and street space abutting the west 73 feet of Lot 1, Block 124 of the Original City of Austin, Travis County, Texas, during the erection of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

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

Sidewalk and Street Working Space

Beginning at the southwest corner of the above described property; thence in a southerly direction and at right angles to the centerline of West 10th Street to a point 12 feet south of the north curb line; thence in an easterly direction and parallel with the centerline of West 10th Street approximately 73 feet to a point; thence in a northerly direction and at right angles to the centerline of West 10th Street to the south line of the above described property.

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

(1). That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

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

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

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

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

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

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

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

(9). That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, said time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than March 31, 1951.

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

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

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

(13). That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), which shall protect, indemnify and hold harmless the City of Austin from any claims 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.

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Councilman Johnson moved that the following members of the AUSTIN HOUSING AUTHORITY be reappointed, to serve for a period of two years, and that they be written a letter of thanks for serving in this capacity.

Hubert B. Jones
Louise Haynie

The motion, seconded by Councilman Drake, carried by the following vote:
Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Councilman Johnson moved that the following members of the ZONING BOARD OF ADJUSTMENT be reappointed, to serve for a period of two years, and that they be written a letter of thanks for serving in this capacity.

William B. Carssow
Joe Dacy

The motion, seconded by Councilman Drake, carried by the following vote:
Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Councilman Johnson moved that the following members of the NAVIGATION BOARD be reappointed, to serve for a period of two years, and that they be written a letter of thanks for serving in this capacity.

Joe B. Taylor
Artie N. McCallum, Jr.
Marion Fowler

The motion, seconded by Councilman Drake, carried by the following vote:
Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Councilman Johnson moved that the following members of the CIVIL SERVICE BOARD be ~~reappointed~~, to serve for a period of three years, and that he be written a letter of thanks for serving in this capacity.

David Lamme

The motion, seconded by Councilman Drake, carried by the following vote:
Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Councilman Johnson moved that the following members of the TAX BOARD OF EQUALIZATION be reappointed, to serve for a period of two years, and that they be written a letter of thanks for serving in this capacity.

Rickey Key
L. Theo Bellmont

The motion, seconded by Councilman Drake, carried by the following vote:
Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed in behalf of the City of Austin to enter into a contract with The Texas Mausoleum Company for the sale of two (2) acres of land out of Memorial Park to the Company and for the construction by the Company of a mausoleum to be erected on the site without cost to the City of Austin, all in accordance with the terms and conditions of a written contract on permanent file with the City Clerk, which is incorporated in this resolution by reference and made a part hereof for all purposes.

(Contract attached)

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS §

THIS AGREEMENT entered into by and between the City of Austin, a municipal corporation situated in Travis County, Texas (hereinafter for convenience sometimes called "City") and the Texas Mausoleum Company, a corporation organized and existing under the laws of the State of Texas (hereinafter for convenience sometimes called "Company"), WITNESSETH:

I.

The City of Austin agrees to sell to the Company and the Company agrees to purchase from the City two (2) acres of land situated in Memorial Park, a cemetery owned and maintained by the City of Austin, for the purpose of furnishing a site for a community mausoleum to be erected by the Company without cost to the City of Austin.

II.

The Company agrees to build a mausoleum of masonry construction containing not less than 588 crypts and to sell crypts and spaces within the mausoleum, but without any expense for selling and promotion to the City of Austin, such plans and specifications for the mausoleum to be approved by the City of Austin before construction.

III.

The Company agrees to pay to the City of Austin Ninety Thousand Two Hundred Dollars (\$90,200.00) as consideration for the two acres of land (site to be selected by mutual agreement of the City and the Company) and will pay to the City of Austin the sum of Forty-five Thousand One Hundred Dollars (\$45,100.00) in cash upon delivery of a deed by the City conveying the land to the Company. The balance of the purchase price (\$45,100.00) will be paid to the City by the Company over a period of five (5) years, such payments to be

a minimum of Nine Thousand Dollars (\$9,000.00) per year, the outstanding balance to bear interest at the rate of two and one-half per cent ($2\frac{1}{2}\%$) per annum.

IV.

In making annual payments during the five-year period to the City of Austin, the Company will pay the City at the rate of One Hundred Twenty-five Dollars (\$125.00) from the sale of each crypt as sold, plus \$25.00 per crypt to be placed in a trust fund in an Austin bank as required by law, but in no event will the total payments on the purchase price be less than \$9,000.00 per annum.

V.

The City agrees to construct a circular driveway in Memorial Park to serve the site for the mausoleum and will assume perpetual maintenance and care of the mausoleum, the two-acre site, and the driveway to the mausoleum.

VI.

The Company agrees that it will not take possession of the property to be sold by the City, nor will it start construction of the mausoleum building, until at least one-half of the 588 crypts have been sold. All money from the sale of the first one-half of the crypts will be held in trust until all crypts have been sold.

IN TESTIMONY WHEREOF, the City of Austin has caused these presents to be signed by W. E. Seaholm, its City Manager, thereunto duly authorized by the City Council, and its seal affixed hereunto, attested by the City Clerk, and The Texas Mausoleum Company has caused this instrument to be executed by W. H. Johnson, its President, and attested by its Secretary, this the ____ day of December, 1950.

CITY OF AUSTIN

ATTEST:

By _____
City Manager

City Clerk

THE TEXAS MAUSOLEUM COMPANY

By _____
President

ATTEST:

Secretary

Which motion, duly seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector of the City of Austin has submitted to the City Council the tax roll and record of the City of Austin for the year 1950; and

WHEREAS, said tax roll appears in all respects to be correct in form, and prior to its submission the valuations of property shown in said roll have been examined and corrected in the manner provided by law and by ordinances of the City of Austin by the Board of Equalization which has made its report, Therefore,

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

That said tax roll showing a total amount of \$160,858,290 valuation of the property assessed for City and School taxes for said year and a total amount of \$4,423,703.57 levied as taxes for City and School purposes for said year, be and the same is hereby approved.

Which motion, seconded by Councilman Drake, carried by the following vote:
Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Mayor Glass introduced the following ordinance:

AN ORDINANCE FIXING AND LEVYING MUNICIPAL AND
SCHOOL TAXES FOR THE CITY OF AUSTIN, TEXAS,
FOR THE YEAR 1950; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

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

Mayor 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 BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "D" INDUSTRIAL DISTRICT AND THIRD HEIGHT AND AREA DISTRICT TO "E" HEAVY INDUSTRIAL DISTRICT AND THIRD HEIGHT AND AREA DISTRICT ON A TRACT OF LAND IN OUTLOT 15, DIVISION "O", KNOWN AS 3213-33 EAST 5TH STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
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Noes: None

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

Mayor 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 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 LOT 1, BLOCK 3, GLENWOOD ADDITION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

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

Mayor 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 BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY 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 THE NORTH 64 FEET OF LOT 19, OUTLOT 57, DIVISION "E", AND THE SOUTH 64 FEET OF LOT 19, OUTLOT 57, DIVISION "E", IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ORDERING CHANGES IN THE USE MAPS SO AS TO

RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE
RULE REQUIRING THE READING OF ORDINANCES ON THREE
SEPARATE DAYS.

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

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

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

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

Councilman Johnson 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 deed in behalf of the City of Austin conveying to Addie Lucas and Georgia B. Lucas two tracts of land as follows:

Tract No. 1 - 0.21 of one acre
Tract No. 2 - 0.13 of one acre

Both of said tracts being out of and a part of that certain tract of land out of the T. J. Chambers 8 League Grant conveyed to the City of Austin by Thos. P. Price et ux by deed dated July 29, 1947, of record in Volume 868 at Page 125 of the Deed Records of Travis County, Texas.

Which motion, duly seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the following described tract of land owned by the City of Austin, a municipal corporation situated in Travis County, Texas, be, and the same is hereby set aside and dedicated for use as a public street and thoroughfare in the City of Austin, said tract being described as follows:

0.344 of one acre of land, same being out of and a part of that certain 3.04 acre tract of land, a portion of the T. J. Chambers 8 League Grant in Travis County, Texas, which was conveyed by Thomas P. Price et ux to the City of Austin by warranty deed dated July 29, 1947, of record in Volume 868 at Pages 123 to 124 of the Deed Records of Travis County, Texas, which 0.344 of one acre of land is more particularly described by metes and bounds as follows:

BEGINNING at an iron stake at the southwest corner of Lot 1 of Block S of Highland Park West, a subdivision of record in Book 4 at Page 299 of the Plat Records of Travis County, Texas;

THENCE with the south line of the said City of Austin 3.04 acre tract of land, same being the present north line of Ridge Oak Drive, S. 46°45' W. 381.16 feet to an iron stake;

THENCE continuing with the south line of the said City of Austin 3.04 acre tract, S. 50°29' W. 149.87 feet to an iron stake at the southwest corner of the said City of Austin 3.04 acre tract;

THENCE with the west line of said City of Austin 3.04 acre tract, N. 30°38' W. 50.29 feet to an iron stake on the proposed north line of Ridge Oak Drive;

THENCE continuing with the proposed north line of Ridge Oak Drive N. 56° 42' E. 3.85 feet to the point of beginning.

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

That the City Clerk be, and she is hereby authorized and directed to file this resolution in the office of the County Clerk of Travis County, Texas, giving notice to the public of the dedication for street purposes of the tract of land hereinabove described.

Which motion, duly seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to enter into, for and on behalf of the City of Austin, one certain written agreement, dated December 18, 1950, with Guy A. Thompson, Trustee, International-Great Northern Railroad Company, Debtor, for the construction, maintenance, ownership, and use of one certain 36 inch water line by the City of Austin across the said Trustee's premises at Engineer's Chaining Station 9280 -14.5, at or near Austin, Travis County, Texas, all as more particularly set out in said agreement on file in the office of the City Clerk and to which reference is here made for all purposes.

Which motion, duly seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Further discussion of the zoning request of C. B. HAHN and ADA BELLE UNION for change of zone at 3701-07 East Avenue from "A" Residence to "C" Commercial was held. Councilman Drake moved that Lots 7, 8, 9, and 10, those belonging to Mr. Hahn and Ada Belle Union, be changed to Commercial, and that the City Attorney be instructed to draw up the necessary ordinance. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

No action was taken on the application of MR. HENRY CAIN for change of zoning of his property at 3009 Lamar Boulevard from Residence to Commercial when it came before the Council for public hearing on December 14th, as Mr. Cain was not present to present his case. He was notified to be present on this date, December 21st. He stated he planned on building an electrical shop and other small buildings. MR. and MRS. GREENWOOD WOOTEN again presented opposition, stating their newly acquired home was just a little over 50 feet from this location. After further discussion, Councilman Johnson moved that the recommendation of the Zoning Board be upheld, and the requested change granted, and the City Attorney instructed to draw up the necessary ordinance. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The City Manager submitted the proposition of the Butler Brick Company releasing about $48\frac{1}{2}$ acres out of 53, which they have leased from the City until 2011, and on which they have paid \$625.00 a year. They will retain $4\frac{1}{2}$ acres adjacent to the tracks and on to the top of the bluff. He stated the minimum compensation would be a 10% increase of the \$625.00. The maximum would be $17\frac{1}{2}\%$

of the gross revenues derived from the $4\frac{1}{2}$ acres in the rental of the buildings which they propose to build. In 2011 the land and buildings will go back to the City. The City Manager stated they had worked out details pertaining to the proposed railroad boulevard with its relation to this property, and had cut down their property from 5.71 acres to $4\frac{1}{2}$ to take care of the highway, and it was his recommendation to the Council that an agreement be made. Councilman MacCorkle moved that the City Manager negotiate with Mr. Jay Brown, Attorney for the Butlers, and work out the agreement on the proposal as presented. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The Council received notice from the City Manager that the following applications for zoning changes had been referred to the Zoning Board:

F. W. and L. A. McAL-		From "C" Commercial
LISTER and MAC L. COKER	916-18 West 6th	To "C-1" Commercial
EDWIN E. FOSTER	1501-05 Scenic Drive	From "A" Residence
		To "C" Commercial
J. W. SCARBROUGH	1401-09 Eva	From "A" Residence
		To "C-1" Commercial

Councilman Long moved that the following applications for change of zoning be set for public hearing at 11:00 A.M., January 11, 1951:

JOE THOMAS	1501-03 East 7th	From "A" Residence
		To "C" Commercial
McCANDLESS HOMES, INC.	100 Blk. W. Koenig	From "A" Residence
	Lane, & 100, 200 &	To "C" Commercial
	300 Blk. E. Koenig	

The motion, seconded by Councilman MacCorkle, carried by the following vote:
Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Councilman Long moved that a commemoration to the memory of MRS. SIMON GILLIS be written into the Minutes, and an expression of sympathy be sent to MR. GILLIS, who so long served on the Council, and the members of his family; and that a copy of the resolution be sent to the GILLIS family. The motion seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The City Manager stated there was a new building to be erected on 10th Street between Colorado and Congress. They want to move back on the building line, but want to be out as far as the building east of them. He stated they wanted about 1.4' to be in line with the other building, and he stated it was his recommendation that this new building be in line with the others. Councilman Long moved that the City Manager proceed with drawing up an ordinance establishing a new building line on this particular property. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The City Manager stated in opening Trinity through to 19th Street, that certain property would be needed; and as there is a proposed building to be located on this property, he suggested that the City buy the property now, before there is any building on it. He stated about 62 or 63 feet would be needed and that it would be about \$25,000, which would be at the rate of \$400.00 a foot. He stated this particular property was key property. It was stated this price was about in line. Councilman Drake stated a stone building had been planned there and he felt the property should be acquired. Councilman Drake then moved that the City Manager be authorized to negotiate for acquiring this property from MRS. MAERKI on 19th Street in accordance with the recommendations he submitted to the Council, for opening Trinity Street to 19th. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

Councilman Johnson moved that the Council not meet the following Thursday, December 28th, in observance of Christmas week. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

There being no further business, the Council adjourned subject to the call of the Mayor.

APPROVED

Taylor & Glass
Mayor

ATTEST:

E. P. Wooley
City Clerk