

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 19, 1952
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Drake presiding.

Roll Call:

Present: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Absent: None

Present also: W. E. Seaholm, City Manager; Robert L. Burns, Assistant City Attorney; C. G. Levander, Director of Public Works.

Councilman White moved that the Minutes of the last two meetings be approved. The motion, seconded by Councilman Johnson, carried by the following vote:

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

Councilman White moved that the date of hearing of the Telephone Company's request for increase in rates be set for July 1st, 10:00 A.M., instead of June 30th. The motion, seconded by Councilman Long, carried by the following vote:

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

The Council received notice that the following applications for change of zoning had been referred to the Zoning Commission:

JAMES D. COLE

3802 Shirley Avenue

From "A" Residence, 1st
Height & Area District
To "C" Commercial, 5th
Height & Area District

E. L. STECK ESTATE	2911 Guadalupe	From "C-1" Commercial To "C-2" Commercial
MRS. MIKE ORTIZ	2501 E. 7th	From "D" Industrial To "C-1" Commercial
D. A. SHIPWASH	108 W. 43rd	From "A" Residence To "C" Commercial
S. N. Ekdahl	405-09 W. 14th	From "B" Residence To "C" Commercial

Councilman Long inquired if the S. N. Ekdahl request of change of zoning could be considered as an accessory use in their home, in that they wanted to establish their Flower Shop on the 1st floor of thier home. The Assistant City Attorney stated it must be an accessory use to the home, but not reach a point where it would be an actual business, as in this particular case it is.

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to enter into a certain contract with R. G. Mueller, Jr., on behalf of the City of Austin, 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 recordation in the Minutes of the City Council. (On File under WATER MAIN EXTENSIONS - Contract File No. 594-C)

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

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

The Council received the following recommendations from the Park and Recreation Board:

"The Park and Recreation Board at its regular meeting June 12, 1952, after hearing from a special committee composed of Mrs. Alden Davis, Mrs. Frank Davol, and Mrs. Fagan Dickson, passed a motion recommending to the City Council, that the park area in Tarrytown lying between Winsted Lane and Tower Drive and Margranita Crescent be curbed and that a water system be installed.

"It was noted that funds were in the current budget to install a watering system.

Present and voting:

Ayes: Mr. Frank D. Quinn
Mrs. Alden Davis
Mrs. Frank Davol
Mrs. C. E. Browning
Mrs. Fagan Dickson

Nays: None

Not Present: Mr. M. D. Mosteller
Mr. W. T. Caswell
Mr. Nash Moreno
Dr. D. K. Brace (S) Frank D. Quinn, Chairman
PARK & RECREATION BOARD"

"Aug. 10, 1951

"The Park and Recreation Board at its regular meeting August 8, 1951, a motion was made by Mrs. R. N. Lewis, seconded by Mr. Nash Moreno, and unanimously carried as follows:

"That we recommend to the planning commission and City Council that land owners developing property within the City limits and within the five mile area adjacent to the city limits be required to set aside a minimum of five percent of land or the equivalent in money for park and recreation purposes, provided that the area given be acceptable to the Parks and Recreation Board."

Present and voting:

Ayes: Frank D. Quinn
M. D. Mosteller
Mrs. Alden Davis
Mrs. R. N. Lewis
Mr. Nash Moreno (S) Frank D. Quinn, Chairman
Parks and Recreation Board"

The City Manager stated the water system was already under way; and at present the curbing, as recommended in the first memorandum, was not too badly needed, and the money could be spent to better advantage. Regarding the second recommendation, Councilman Long moved that the Memorandum from the Parks and Recreation Board (August 10, 1951) be submitted to the Planning Commission, given study, and a recommendation be sent back to the Council within a reasonable time. The motion, seconded by Councilman White, carried by the following vote:

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

(Park action continued on next page)

Councilman Long moved that the City Manager instruct the City Attorney to study this matter along with the Planning Commission and report his findings on it. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager submitted the following report on the drainage in Mr. Schieffer's property. (Brought before the Council on June 5, and June 12th)

"This is to advise that the waste waters from the filling station located at Wilshire and Airport Boulevards have been diverted from the storm sewer drain which Mr. Perry Jones stated was emptying onto Mr. Schieffer's property. Leaching trenches have been provided on the City property to take care of this water in that it will thus be absorbed in the ground. The only waters that will now pass through the storm sewer system onto Mr. Schieffer's property will be that caused by rains."

Councilman Long submitted the following complaints:

1. In Tarrytown, water is draining down from the Community Center, in the vicinity of Stanford Lane, and the condition was not sanitary.
2. In the vicinity of 400 E. 18th Street, water from the drug stores and other stores in that area are draining down Waller Creek.
3. The houses belonging to the City on 19th by the Safeway Stores are vacant and people are going in and using the bathrooms.
4. The resident at 902 Ethel Street reported high weeds, and had called this to the attention of the Health Department, but nothing had been done about it.
5. Petition for water in the Govalle Area on Deloney Street, Perez, Comito, and others. Mr. Albert Davis explained the situation in this area, and stated this work was scheduled within four to six weeks, and it would then be up to the individuals to run the pipe down the street after the City ran it the first 100 feet.
6. The inability to contact Mr. Dan Brown, Administrator of the Hospital. Councilman Long stated he had an unpublished telephone number, and she was unable to call him. It was her thought Department Heads should have listed phones. The City Manager stated this was an administrative matter, and he would take care of the situation.
7. Drainage complaint at 3306 Jefferson, by J. D. Rice. Water stands in the street after hard rains. The Director of Public Works stated this work was on schedule to be done.
8. Johnson grass growing in West Park Drive in Highland Village.
9. In the 1000 Block of E. 13th and E. 14th, water is draining and causing considerable washing of private property.
10. Complaint from a colored employee that if he took off June 19th, he would be required to work on July 4, and he would like to celebrate July 4th. The City Manager explained the manner that this was being handled,

Mayor Drake introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; OVERRULING AND DENYING ALL PROTESTS AND OBJECTIONS OFFERED; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREET WITHIN SAID LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST SAID PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The Ordinance was read the first time and Councilman MacCorkle 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 Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time and Councilman MacCorkle 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 Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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

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

The Mayor announced that the ordinance had been finally passed.

The Council received the following letter:

"May 20, 1952

"To The City Council
City of Austin

"Re: Completion and Acceptance of Work
of Improving West 35th Street from
Guadalupe Street to Home Lane, being
Unit 19 of Current Improvement Program.

"The work of improving West 35th Street from the east property line of Guadalupe Street to the west property line of Home Lane, Known as Unit 19 in the current street improvement program, has been performed and completed by Brown & Root, Inc. in full compliance with the contract, and the plans and specifications therein contained, dated October 18, 1951, between the City of Austin and Brown & Root, Inc.

"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 Drake introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK
OF IMPROVING WEST 35TH STREET, UNIT 19, IN THE
CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HERE-
BELOW DEFINED, PERFORMED BY BROWN & ROOT INC.,
AUTHORIZING AND DIRECTING THE ISSUANCE OF
SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION
THEREWITH; DECLARING AN EMERGENCY, AND PROVID-
ING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE
IMMEDIATELY UPON ITS PASSAGE.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

The Council recieved the following letter:

"May 20, 1952

"To The City Council
City of Austin, Texas

"Re: Completion and Acceptance of Work
of Improving West 41st Street from
Avenue C to Speedway, being Unit 35
of Current Improvement Program.

"The work of improving West 41st Street from the east property line of Avenue C to the west property line of Speedway, known as Unit 35 in the current street improvement program, has been performed and completed by Brown & Root, Inc. in full compliance with the contract, and the plans and specifications therein contained, dated October 18, 1951, between the City of Austin and Brown and Root, Inc.

"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 Drake then introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING WEST 41ST STREET, UNIT 35, IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY BROWN & ROOT, INC., 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 MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

The Council received the following letter:

"May 20, 1952

"To The City Council
City of Austin, Texas

"Re: Completion and Acceptance of Work
of Improving San Gabriel Street from
West 17th Street to West 19th Street,
being Unit 40 of Current Improvement
Program.

"The work of improving San Gabriel Street from the north property line of West 17th Street to south property line of West 19th Street, known as Unit 40 in the current street improvement program, has been performed and completed by Brown & Root, Inc. in full compliance with the contract, and the plans and specifications therein contained, dated October 18, 1951, between the City of Austin and Brown & Root, Inc.

"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 Drake then introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK
OF IMPROVING SAN GABRIEL STREET, UNIT 40, IN
THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS
HEREBELOW DEFINED, PERFORMED BY BROWN & ROOT,
INC., AUTHORIZING AND DIRECTING THE ISSUANCE
OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION
THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING
THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IM-
MEDIATELY UPON ITS PASSAGE.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

The Council received the following letter:

"May 20, 1952

"To The City Council
City of Austin, Texas

"Re: Completion and Acceptance of Work
of Improving West 39th Street from
Avenue B to Speedway, being Unit 42
of Current Improvement Program.

"The work of improving West 39th Street from the east property line of Avenue B to the west property line of Speedway, known as Unit 42 in the current street improvement program, has been performed and completed by Brown & Root, Inc. in full compliance with the contract, and the plans and specifications therein contained, dated October 18, 1951, between the City of Austin and Brown & Root, Inc.

"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 Drake introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK
OF IMPROVING WEST 39TH STREET, UNIT 42, IN THE
CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HERE-
BELOW DEFINED, PERFORMED BY BROWN & ROOT, INC.,
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 MacCorkle 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 Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

The Council received the following letter:

"May 20, 1952

"To The City Council
City of Austin, Texas

"Re: Completion and Acceptance of Work
of Improving LaFayette Avenue from
Edgewood Avenue to Concordia Avenue,
being Unit 45 of Current Improvement
Program.

"The work of improving Lafayette Avenue from the north property line of Edgewood Avenue to the north property line of Concordia Avenue, known as Unit 45 in the current street improvement program, has been performed and completed by Brown & Root, Inc. in full compliance with the contract, and the plans and specifications therein contained, dated October 18, 1952, between the City of Austin and Brown & Root, Inc.

"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 Drake introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING LAFAYETTE AVENUE, UNIT 45, IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY BROWN & ROOT, INC., 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 MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

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 INDUSTRIAL BOULEVARD, from South Congress Avenue easterly 943 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said INDUSTRIAL BOULEVARD.

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

(2) A gas main in LAIRD DRIVE, from Ullrich Avenue to Koenig Lane, the centerline of which gas main shall be 6.5 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.

(3) A gas main in ULLRICH AVENUE, from Laird Drive to Clay Avenue, the centerline of which gas

main shall be 6.5 feet south of and parallel to the north property line of said ULLRICH 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 reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company required definite information upon the ground as to elevation 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.

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

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

Noes: None

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

"June 18, 1952

"TO THE MAYOR AND CITY COUNCIL:

"I hereby certify that the tax assessments on property described as S. 148' of Lot 11, Block 1, Outlot 45, Division "B", Hofheinz, Plat 43, Item 156, located at 1502 East 19th Street, Austin, assessed against Nineteenth Street Baptist Church, for the years 1950 and 1951, are incorrect because of erroneous information as follows:

"According to a signed statement by Rev. Harold T. Branch, Pastor, on behalf of the Nineteenth Street Baptist Church, and substantiated by our investigation, these premises were owned by said church and used exclusively for church purposes for the period of these tax assessments.

"I recommend that I be authorized to adjust the assessed valuations as follows:

<u>Year</u>	<u>Original Assessment</u>	<u>Adjusted Assessment</u>
1950	\$ 450.00	\$ -0-
1951	\$ 450.00	\$ -0-

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

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessment hereinafter set forth and has found the same to be incorrect 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 adjustment in assessed value hereinafter indicated for said assessment, Now Therefore,

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

That the 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 Assessment</u>	<u>Adjusted Assessment</u>
1950	S. 148' of Lot 11, Block 1, Outlot 45, Division "B", Hofheinz, Plat 43, Item 156	\$ 450.00	\$ -0-
1951	"	\$ 450.00	\$ -0-

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

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

"June 18, 1952

"TO THE MAYOR AND CITY COUNCIL:

"I hereby certify that the tax assessments on property described as Lot 5 and E. 21 and 2/3' of Lot 6, Block 4, Outlot 46, Division B, C. R. Johns Subdivision, Plat 247, Item 4-2, located at East 20th and Chestnut Streets, Austin, assessed against Willie Chapel Primitive Baptist Church, for the years 1945, 1946, 1947, 1948, 1949, 1950, and 1951, are incorrect because of erroneous information as follows:

"According to an affidavit signed by Rev. W. C. Clark, Pastor, on behalf of the Willie Chapel Primitive Baptist Church, and substantiated by our investigation, these premises were owned by said church and used exclusively as a church and parsonage for the period of these tax assessments.

"I recommend that I be authorized to adjust the assessed valuations as follows:

<u>Year</u>	<u>Original Assessment</u>	<u>Adjusted Assessment</u>
1945	\$ 290.00	\$ -0-
1946	290.00	-0-
1947	440.00	-0-

1948	440.00	-0-
1949	440.00	-0-
1950	2,200.00	-0-
1951	2,200.00	-0-

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

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessment hereinafter set forth and has found the same to be incorrect 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 adjustment in assessed value hereinafter indicated for said assessment, Now Therefore,

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

That the tax assessment for the year shown be and the same is hereby adjusted and corrected to fix the assessed value therein as indicated:

<u>Year</u>	<u>Description of Property</u>	<u>Original Assessment</u>	<u>Adjusted Assessment</u>
1945	Lot 5 & E. 21 & 2/3' of Lot 6, Block 4, Outlot 46, Division B, C. R. Johns Subdivision, Plat 247, Item 4-2	\$ 290.00	\$ -0-
1946	"	290.00	-0-
1947	"	440.00	-0-
1948	"	440.00	-0-
1949	"	440.00	-0-
1950	"	2,200.00	-0-
1951	"	2,200.00	-0-

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

Mayor Drake brought up the following ordinance for its second reading:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF CERTAIN STREETS OR PORTIONS THEREOF IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE PROCEDURE PROVIDED BY ARTICLE XXIV OF THE CITY CHARTER AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT A PART OF THE COSTS SHALL BE BORNE BY THE CITY

AND THAT A PART SHALL BE BORNE BY THE ABUTTING PROPERTIES AND THE OWNERS THEREOF, PROVIDING FOR THE ASSESSMENT OF THE PORTION OF THE COSTS TO BE BORNE BY PROPERTY OWNERS, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.

The ordinance was read the second time and Councilman Johnson moved that the 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 Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, C. Ben Hibbets is the Contractor for the alteration of a building located at 2270 Guadalupe Street and desires a portion of the sidewalk space abutting Lot 36, Outlot 35, Division D, in the Original City of Austin, Travis County, Texas, during the alteration 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 C. Ben Hibbetts, the boundary of which is described as follows:

Sidewalk Working Space

Beginning at a point 22 feet south of the north property line; thence in an easterly direction and at right angles to the centerline of Guadalupe Street to a point 4 feet west of the west curb line; thence in a northerly direction and parallel with the centerline of Guadalupe Street approximately 22 feet to a point; thence in a westerly direction and at right angles to the centerline of Guadalupe Street to the northeast corner of the above described property; thence in anortherly direction and at right angles to the centerline of West 23rd Street to a point 4 feet south

of the south curb line; thence in a westerly direction and parallel with the centerline of West 23rd Street approximately 25 feet to a point; thence in southerly direction and at right angles to the centerline of West 23rd Street to the north line of the above described property.

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

(1). That the Contractor shall construct a guard rail within the boundary lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

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

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

(4). 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.

(5). 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.

(6). 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 August 31, 1952.

(7). 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.

(8). 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.

(9). 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.

(10). That the Contractor shall furnish the City of Austin a surety bond in the sum of Two Thousand Dollars (\$2,000.00), 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 Johnson, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

MR. KENT RIDER stated interest of his community in the 200' strip of land running along Airport Boulevard which the City had set aside for future use after dedicating other acreage for park purposes. He asked when this park was to be developed. It was explained there were no immediate plans, other than it had been leveled off temporarily, and it was planned to be filled in more when additional dirt could be obtained from the highway.

Councilman MacCorkle inquired about the audit. The City Manager stated that WADE, BARTON and MARSH had accepted to do the job at the same price and same conditions as last year.

Councilman White asked if the Shoal Creek property from Shoal Creek Boulevard to Hancock Drive couldn't be cleared off and made into an area for community picnic grounds.

The Mayor introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE 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) and SECTION 22 (e) OF ARTICLE IV RELATING TO TWO-HOUR AND ONE-HOUR PARKING LOCATIONS RESPECTIVELY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the first time, and Councilman MacCorkle 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 Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time, and Councilman MacCorkle 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 Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman Long asked if a study could be made of the area on 18th Street and San Antonio to see if two-hour parking would be advisable, as the people in this neighborhood had no space for parking. The City Manager stated an investigation would be made.

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

APPROVED: W. S. Drake

Mayor

ATTEST:

Elaine Hooley
City Clerk