

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 6, 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: Guiton Morgan, City Manager; Trueman E. O'Quinn, City Attorney; C. G. Levander, Director of Public Works; R. D. Thorp, Chief of Police; J. D. Huffman, Director of Finance.

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 Long, the motion was unanimously adopted by the Council and the minutes so approved.

MR. HERMAN JONES, representing the AUSTIN HOUSING AUTHORITY, stated a proposed draft of the Cooperation Agreement between the City and Housing Authority had been drawn up, and that the Council would probably want to hold a hearing on this. He requested that the hearing be held as early as the Council thought possible. COUNCILMAN JOHNSON felt that the people of the City should have some say in the matter. COUNCILMAN LONG felt that the hearing should be set the following Tuesday, April 11th, as the Real Estate Board had full information already.

Councilman Johnson moved that the public hearing be set on the night of April 26, 1950. The motion failed for want of a second.

Councilman Long moved that the public hearing be set for Tuesday, April 11th. This motion also failed for want of a second.

MR. JOE HILL spoke in opposition of the Cooperation Agreement, and stated it would take his group some time to present to the Council certain facts and figures. Mayor Glass declared there was a need for public housing, and there was also a need to set up standards that in two years from now the same houses would not be counted as sub-standard houses. He expressed a desire to set standards for houses to be built and not give permits for houses that would be sub-standard. MAJOR SHELTON, representing various Veterans' organizations,

spoke favoring the public housing. Councilman MacCorkle stated he would be out of the City at the next regular meeting of the Council, and Councilman Drake stated he would also be out of the City the week following. The Council felt the hearing should be set at a time that all members could be present. Councilman Drake moved that the public hearing on Housing be set at 8:00 P.M. Tuesday, April 25, 1950, in the Council Room. 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 following be appointed as Chairman and Co-Chairman to the Clean-Up Campaign:

MR. S. M. APPERSON  
MRS. ALDEN DAVIS

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

MR. J. J. BROWN appeared before the Council and asked that special lighting be furnished by the City for the Rock and Mineral Exhibition which will be held in the Coliseum April 21, 22, and 23rd. He stated very valuable exhibits would be shown, and exhibits were being sent from all over the world. Special lighting is needed to display these stones and minerals. As it is quite a bit of expense to bring these exhibits here and that the Exhibition is for educational purposes, Mr. Brown asked that the City help them on the lighting. The Council referred this request to the City Manager and Director of Utilities.

J. J. PRESTON, (colored) appeared before the Council in an appeal of his application to drive a taxi-cab. His application had been denied due to his police record. After the Council reviewed the application, Councilman Long moved that his permit not be granted. The motion, seconded by Councilman Drake, carried by the following vote:

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

Councilman MacCorkle moved that the following application for change of zoning be set for public hearing, Thursday, April 27, 1950, at 11:00 A.M.:

JACK H. KEY, by Charles	Lot 7, Block 2, Lake	From "C-1" Commercial
F. Herring, Agent	Addition, being located	To "C-2" Commercial
	on the n.e. corner of Lake	NOT Recommended by
	Austin Blvd. & Dwarf St.,	the Zoning Board of
	3800 Lake Austin Blvd.	Adjustment 4-4-50

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

The Mayor introduced the following ordinance:

AN ORDINANCE REGULATING THE OPERATION OF WRECKERS AND WRECKER COMPANIES IN THE CITY OF AUSTIN; DEFINING CERTAIN WORDS AND PHRASES; PROVIDING FOR ISSUANCE OF PERMITS FOR OPERATION OF WRECKERS AND WRECKER COMPANIES; PROHIBITING PURSUIT OF AMBULANCES AND POLICE CARS; PROHIBITING WRECKERS AT THE SCENE OF AN ACCIDENT ON PUBLIC STREETS EXCEPT WHEN LAWFULLY CALLED; PROHIBITING SOLICITATION OF WRECKER BUSINESS ON PUBLIC STREETS; PROHIBITING INTERCEPTION OF POLICE RADIO MESSAGES; PRESCRIBING FORMS AND PROCEDURES FOR CALLING WRECKERS TO ACCIDENT SCENES; PROHIBITING POLICE OFFICERS FROM INFLUENCING SELECTION OF WRECKER SERVICES; MAKING THIS ORDINANCE CUMULATIVE OF STATE AND FEDERAL LAWS; PRESCRIBING PENALTIES; PROVIDING A SAVING CLAUSE; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND MAKING THIS ORDINANCE EFFECTIVE APRIL 17, 1950.

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

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

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

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

The ordinance was read the third time, and Councilman Drake moved that it be finally passed. The motion, duly seconded by Councilman Johnson, 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)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduit in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the Director of Public Works; therefore

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

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduit in the following streets:

- (1) An underground telephone conduit across Blue Bonnet Lane at the north line of Wright Street.

THAT the work and construction of said underground telephone conduit, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduit has been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

Which motion, duly 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)

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

THAT the City Council of the City of Austin hereby approves the property situated on the south side of East 1st Street as a private gasoline plant, which property is owned by M. A. Barr and is designated as Lot 4, Block 2, Outlot 42, Division O, Riverview Addition in the City of Austin, Travis County, Texas, and hereby authorizes the said M. A. Barr to operate a private gasoline plant consisting of a 280 gallon underground tank and pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject 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 M. A. Barr has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas  
April 6, 1950

Mr. Guiton Morgan  
City Manager  
Austin, Texas

Dear Sir:

I, the undersigned, have considered the application of M. A. Barr, for permission to operate a private gasoline plant consisting of a 280 gallon underground tank and pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the south side of East 1st Street, which property is designated as Lot 4, Block 2, Outlot 42, Division 0, Riverview Addition in the City of Austin, Travis County, Texas, and locally known as 2607 East 1st Street.

This property is located in a "C" Commercial District and I recommend that this permit be granted subject to the following conditions:

(1). That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

(2). That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street or alley.

(3). That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

(4). That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

Respectfully submitted,

(Sgd) J. C. Eckert  
J. C. Eckert  
Building Inspector"

Which motion, duly 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, on October 1, 1889, Fred Sterzing, Tax Assessor for the City of Austin, sold the property hereinafter described, to the City of Austin, for taxes owing for the year 1887 assessed against M. McCarty; and

WHEREAS, the taxes for said year and all taxes levied by the City of Austin against said property for years subsequent to 1887 have been paid and satisfied; Now, Therefore,

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

That Guiton Morgan, City Manager, be and he is hereby authorized and directed to execute a quitclaim deed for and on behalf of the City of Austin to Lorena M. Smith, successor in right to M. McCarty, and conveying all right, title, and interest of the City of Austin in and to the east 40 feet of Lot 7, and the west 11 feet of Lot 8, Block 122, in the Original City of Austin, Travis County, Texas.

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

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

Councilman Drake offered the following resolution and moved its adoption:

(RESOLUTION)

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

That Guiton Morgan, City Manager, be and he is hereby authorized and directed to execute a release of all public utility easements now existing on the north five (5) feet of Lots 1, 2, 3, and 4, of Elmhurst, a subdivision of a portion of the Santiago Del Valle Grant within the City of Austin, Travis County, Texas, according to a map or plat of said Elmhurst of record in Book 3, at page 214, of the Plat Records of Travis County, Texas.

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

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

The Mayor introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING THAT CERTAIN ALLEY IN DR. W. A. HARPER'S RESUBDIVISION OF BLOCKS 3 AND 10, GLENRIDGE ADDITION, BEGINNING AT THE NORTH LINE OF WEST 34TH STREET AND EXTENDING NORTHERLY TO THE SOUTH LINE OF WEST 34TH STREET ALLEY, AND BOUNDED ON THE WEST BY LOT 13 AND ON THE EAST BY LOT 12, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND SUSPENDING THE ORDINANCE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

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

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

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

The ordinance was read the third time, and Councilman Drake moved that it be finally passed. The motion, duly seconded by Councilman Johnson, 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.

At the meeting of March 30, 1950, the Council voted to extend the time for payment of City taxes without penalty to June 1, 1950. As required by Charter that this action be made by Ordinance, Mayor Glass introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 15, OF THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON MARCH 7, 1946, PROVIDING A PROCEDURE FOR THE ASSESSMENT AND COLLECTION OF TAXES, WHICH IS RECORDED IN BOOK "M" AT PAGE 127 OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, TO POSTPONE THE DATE FOR IMPOSING THE PENALTY OF FIVE PER CENT (5%) ON TAXES FOR

THE YEAR 1949 TO JUNE 1, 1950; AND DECLAR-  
ING 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 Long, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass  
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 Long, carried by the following vote:

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

The ordinance was read the third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman Long, 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.

The City Manager submitted the following two letters:

"April 1, 1950

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

Re: Examination of the City's Records - 1950

"Dear Mr. Morgan:

"In accordance with our conversation, the proposed examination of the City's records will include the following procedures:

1. All recorded cash receipts will be traced into the depositories with complete verification of all sources of revenue with the exception of ad valorem taxes and utilities billings. These departments will be test checked to our own satisfaction as to accuracy and correctness of procedure. These departments have internal auditing procedures furnished by the presence of billing machines which make such a procedure possible. The other sources of city revenue are not so controlled and will, for that reason, be verified in detail by accounting for receipt numbers and re-addition of same in support of remittance to the city. We shall examine all checks issued during



1950 and the support to these checks shall be examined in detail. As may be seen, we are putting major emphasis on the verification of the source and disposition of cash funds handled by the City of Austin.

2. We shall verify the Balance Sheet items in detail with the exception of Inventory and Fixed Properties. All other assets will be verified in accordance with generally accepted accounting procedure. We shall examine the accounting procedures relative to Inventory and Fixed Properties as to correctness of procedure and results.

"This examination, as described above, plus other procedures not specifically mentioned will be done throughout the year as mentioned in our letter of proposal.

"If further information is desired, please advise us.

Very truly yours,  
HOWARD T. COX & COMPANY  
(Signed) Howard T. Cox  
Certified Public Accountant"

April 5, 1950

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

Dear Sirs:

"In connection with the annual audit of the financial statements of the City of Austin, we wish to inform you that we shall be pleased to perform this service for the calendar year 1950, as we have for the years 1947 and 1948.

"Our fee for the 1948 audit was \$4,500.00, and it is our opinion that we can make the 1950 audit for the same fee.

"It is our understanding that you wish to consider all local firms of Certified Public Accountants who have the staffs capable of making the audit of a city the size of Austin. We have such a staff, and accordingly will appreciate your consideration.

Yours very truly  
(S) Wade, Barton & Marsh  
WADE, BARTON & MARSH"

During the discussion it was brought out that a schedule made by DR. C. L. SMITH had been used by the two firms as a proposal. Councilman MacCorkle stated he would like to have auditors follow a procedure set up. It was suggested that the auditors be called in to advise the Council on their proposal. Later, MR. JIM T. BARTON came before the Council stating they worked about 225 hours

and followed the specifications (those set out in the schedule by DR. C. L. SMITH in 1948), and that it would be their plan to follow them again and spend about the same amount of time. They made test counts on the inventory, made a surprise accounting of the cash and then made the account at the end of the year. The City Manager stated the audit was a check of all the city's receipts and disbursements primarily; a check of all the securities, bonds, etc., that are in the bank; a check of the financial management of the City as to the accounting of funds; and a check of the money and of the Finance Director; and for that reason, he nor Mr. Huffman wanted to recommend the firm or the individual who would make the audit.

MR. HOWARD T. COX came before the Council. Councilman MacCorkle asked him if he followed the schedule by Dr. C. L. Smith. MR. COX stated there were some things they did not do, and many things not in the schedule which they did do. The difference would be covered in a detailed check on cash transactions. He stated they covered most of the things and went further besides. He stated they did not make a check on the budget, but only on what actually occurred. Their audit was an accounting of all cash disbursements, and not much time was spent on inventories. His firm was familiar with the accounting records, and the card records checked out. He stated anything that developed regarding City money would be checked whether they included it in their proposal or not.

In this discussion inquiry was made if there was a check on all furniture, equipment, etc, or would that cost a lot of money. The City Manager stated such had been studied in the past, but that he was not aware of anything missing, and that it would cost money. He felt that the past experience would not justify the cost. The Finance Director stated there was a good record on all motor equipment. The City Manager stated in the past, the cost was just too high. Mr. Cox was asked about having a physical accounting of all the property made of the City. He replied there would have to be a survey made, and the actual fixing of the numbers and tags would be the initial cost; and from there, each Department could do the accounting. He suggested that it be done right to start with, and then numbers added as equipment were added. MR. HUFFMAN stated one organization set up an elaborate system at a cost of \$150,000. The entire electric system, the power plant, the water system, would have to be mapped out. Mr. Huffman explained how it might be done in the City, but that it took quite a bit of money.

After the discussion, and after MR. J. T. BARTON and MR. HOWARD T. COX left, Councilman Long moved that HOWARD T. COX be selected as the Auditor. 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 the City Manager write a letter of thanks to both the auditors that presented their proposals to the Council. The motion, duly seconded, carried by the following vote:

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

Councilman Johnson moved that City employees who desired to, be permitted to attend Easter Services, Friday. The motion, seconded by Councilman Drake, carried by the following vote:

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

MRS. HORTON SMITH came before the Council to remind the City Officials and employees to attend their forum on the Housing question, where informed people will present facts and information. Their meeting is scheduled for April 12th at the Council Room, 8:00 P.M.

Councilman Long moved that the Fire and Police Departments be commended for their services in fighting the fire and handling the crowds at the T. H. WILLIAMS fire which occurred at 11:20 A.M., March 23, 1950. On the second of Councilman MacCorkle, the Council unanimously adopted the motion and requested the City Clerk to write a letter to the Chief of the Fire Department and the Chief of the Police Department informing them of the action of the Council in order that the appreciation of the City Council might be made known to the members of the Fire Department and the Police Department.

Councilman MacCorkle inquired about the second paving program. It was stated there were twice as many blocks as there was money, and the big problem now was to cut the program in half to fit the money. The Mayor stated to proceed with haste on this second program.

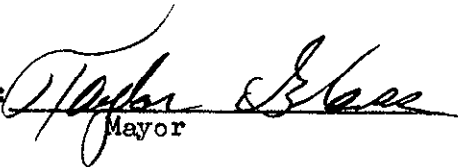
The Mayor suggested that the City move with haste on the hangar program at the Airport, as the money was now available.

Councilman MacCorkle made inquiry on the one-way street ordinance, and the City Manager stated there were still some figures on the signal lights that he wanted to obtain, and that he would have it ready to submit to the Council at the next meeting.

Councilman Drake opened a discussion by members of the Council regarding methods of assessing and fixing values of personal property for tax purposes. On motion of Councilman Drake, seconded by Councilman MacCorkle, the Council unanimously voted to request the City Tax Assessor and Collector and the Board of Equalization to give special consideration to a study of an equitable and uniform mode of making assessments by the Tax Assessor and adjustments by the Board in personal property tax values.

There being no further business, the council recessed subject to the call of the Mayor.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk