

on an anticipated growth of the City resulting from the various improvements to be made, but this growth did not come and this year the assessed values are \$700,000.00 less than last year; that the anticipated surplus in the Water and Light Fund at the end of 1933 should not be applied to 1932 taxes, which are due and payable now, as some unforeseen circumstance may arise whereby there would be no surplus; and the further fact that this fund is already carrying several other projects, among which are the old and new sewer bonds.

Mayor McFadden stated that he voted for the foregoing resolution because he believed it necessary to make this transfer of funds to meet an extreme condition which may never come again, but that under ordinary circumstances he would not be in favor of transferring funds from one fund to the relief of another fund unless it were temporary and could be returned.

Councilman Mueller stated that he voted for the resolution because he thought in this way the taxpayers would be given the greatest relief.

Councilman Steck, in voting for the foregoing resolution, stated that he regretted that the Council could not reduce taxes and the water and light rates both, but inasmuch as this could not be done, he thought in a time of depression like this, relief should go to the taxpayer first, whose values have dropped and who has had to reduce rents, and, in many instances, has not been able to collect such rents at all.

No further business coming before the Council, Councilman Mueller moved to recess, subject to call of the Mayor. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Council then recessed.

Approved: *J. H. McFadden*
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 29, 1932.

The Council was called to order by the Mayor. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; absent, Councilman Steck, 1.

The Minutes of the last regular meeting were read and Councilman Gillis moved the adoption of same as read. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

George E. Shelley, Attorney for W. H. Richardson Company, presented a letter signed by W. H. Richardson, Jr., President of said Company, stating that due to failure of said Company to render its stock of merchandise for taxes for the years 1931 and 1932, same was overassessed by the Tax Department, and asking that the error in assessment for 1932 be corrected and that said Company be given a refund on the excessive amount of taxes paid for the year 1931. Affidavits by the said W. H. Richardson, Jr., showing the value

of said stock on January 1, 1931, and January 1, 1932, were submitted with said letter.

Mayor McFadden moved that, in view of the facts as shown, the Assessor and Collector be authorized to make correction on his rolls in the assessment of said W. H. Richardson & Company for the year 1932, placing the valuation of said stock of merchandise at \$134,874.00, or a two-thirds taxable valuation of \$89,915.00, but that no change be made in the assessment of said stock of merchandise for the year 1931. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

Mr. Carl H. Mueller, Chairman, and other members of the Austin Chamber of Commerce Inter-Chamber Health Committee, appeared before the Council relative to the maintenance of a County Health Unit to serve the people of the City of Austin and Travis County jointly, funds for the maintenance of same, in the amount of approximately \$5000.00, to be procured from the United States Public Health Service, The Rockefeller Foundation and the State Health Department to supplement appropriations of the City and County, and asked that the appropriation in the City Budget for the year 1933 for the Public Health Division of the Public Health and Welfare Department be used for this purpose. Dr. Herbert N. Barnett, representing the State Health Department, was also present and spoke of the advantages of such a Unit. Following the discussion, the Council took the matter under advisement for further consideration.

The hearing called for this day, by published notice thereof, on the proposal of the City Council to amend the Zoning Ordinance of the City of Austin in the following particular, to-wit:

To amend the USE designation of all property situated on the South Eighty (80) feet of the West Fifty (50) feet of Lots 1, 2, and 3, Block 160, Original City, of the City of Austin, Travis County, Texas, being the southeast corner of the intersection of Congress Avenue and East Fourteenth Street, so as to change same from "B" Residence District to "C" Commercial District;

was opened. No one appeared to protest the proposed change. Messrs. Earl Simms, Agent for the owners of the property, and Geo. S. Dowell, Attorney for the lessee of said property, were present and plead for the change.

The following report of the Board of Adjustment was then read:

"Austin, Texas, December 28, 1932.

Honorable City Council,
City of Austin.

Gentlemen:

Attached hereto is a copy of a resolution which was passed by the Board of Adjustment at a meeting held on December 19, 1932, in regard to the changing of the Use designation of property located on the southeast corner of the intersection of Congress Avenue and East 14th Street.

Yours respectfully,

(Sgd) H. F. Kuehne, Chairman
Board of Adjustment. "

RESOLUTION.

WHEREAS, the City Council, in accordance with the terms of the Zoning Ordinance, has submitted to the Board of Adjustment, for its consideration and recommendation, an amendment to the Zoning Ordinance providing for the change of the Use designation of the south eighty (80) feet of the west fifty (50) feet of Lots 1, 2, and 3, Block 160, Original City, being the southeast corner of the intersection of Congress Avenue and East 14th Street, from "B" Residence District to "C" Commercial District; and

WHEREAS, an amendment was presented to the City Plan Commission on November 6, 1931, providing for the change of the Use designation of the lot herein described and also all that property comprising the two half blocks east and west of Congress Avenue between 13th and 14th Streets from "B" Residence District to "C" Commercial District and said

Recommendation of the City Plan Commission disapproving said change was sustained at that time by the City Council; and

WHEREAS, a similar amendment was presented to the Board of Adjustment on September 15, 1932, providing for the change of the Use designation of the lot herein described and also that portion now excluded in the present amendment at the corner of 14th Street and Congress Avenue from "B" Residence District to "C" Commercial District and the said recommendation of the Board of Adjustment disapproving the change was sustained at that time by the City Council; and

WHEREAS, the status of this property is now the same as it was at that time and no new conditions or circumstances have arisen to alter the same; and

WHEREAS, the Board carefully considered the proposed amendment in the light of all additional arguments presented and for the best interests of the City and adjoining property and found serious objection thereto; therefore,

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF AUSTIN:

THAT the above amendment to the Zoning Ordinance and change in the Use District map be and is hereby disapproved and not recommended to the City Council of the City of Austin for the same reasons as stated in the resolution of September 20, 1932.

(Sgd) Board of Adjustment,

By H. F. Kuehne, Chairman. "

At the request of Mr. Simms, the Council deferred action on the above matter until all members of the Council are present.

The Mayor laid before the Council the following resolution:

WHEREAS, the Board of Trustees of the Austin Independent School District of the City of Austin, Texas, have requested the City Council of the City of Austin to permit them to construct a rock wall within the street area of Trinity Street and to have the top of said wall constructed at an elevation higher than the established curb elevation so as to increase the play-field area of that tract of land being used by the Austin Public Schools and being legally described as being Lot 8, Block 94, Original City of Austin; and

WHEREAS, the curb line has been established 20 feet east of the center line of Trinity Street, said curb line being also 20 feet west of the east line of Trinity Street; and

WHEREAS, the City Council has favorably considered the request and the foregoing facts; therefore

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

THAT the Board of Trustees of the Austin Independent School District of the City of Austin are hereby granted a permit to construct a rock wall within Trinity Street subject to the following conditions:

(1) That the west face of said proposed rock wall shall be 27 feet east of and parallel to the center line of Trinity Street.

(2) That said rock wall shall be constructed at the expense of the Austin Public Schools.

(3) That at any time the area between the west face of said rock wall and the true east line of Trinity Street may be needed for any public purpose then said rock wall shall be removed at the expense of the Austin Public Schools within 30 days after demand having been made by the City of Austin upon formal action of any City Council of the City of Austin.

(4) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin, and under the direction of the City Engineer.

(5) That the acceptance of the use of this permit as evidenced by any rock wall being in place in Trinity Street west of and adjacent to Lot 8, Block 94, Original City of Austin, shall be termed and considered as acceptance of the conditions herein set forth and that a certified copy of this resolution shall be filed with the County Clerk of Travis County, Texas.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The application of O. A. Peters for permit to set the curb back at 711-713 East 7th Street, for parking purposes, was read.

The Mayor then laid before the Council the following:

"Austin, Texas, December 29, 1932.

Mr. Adam R. Johnson,
City Manager,
Austin, Texas.

Dear Sir:

The request of O. A. Peters, owner of Lot 16, Block 63, of the Original City of Austin, and commonly known as 711-713 East 7th Street, for a permit to set back his curb and construct a ramp in front of his property has been investigated and considered and the following facts are presented: O. A. Peters' property is within the "C" Commercial Use District.

Mr. Peters is constructing a store building on the south side of 7th Street. The setback area will be used principally by customers parking in front of his new place of business and will act as a widening of the paving on 7th Street and will be to the benefit of the users of 7th Street as it will allow a greater width of travel-way.

I recommend that this permit be granted subject to the following conditions:

(1) That reconstruction of the setback area on 7th Street shall be constructed in accordance with the accompanying plan marked 2-H-298 and that all such widened area, ramps and curbs and a sidewalk between the property line and the curb line shall be constructed of concrete at the expense of the applicant.

(2) That all such concrete shall be not less than 6" in thickness and of the following proportions: 1 part of cement, 2 parts of sand, and 4 parts of screened gravel or rock.

(3) That the concrete curb adjacent to the sidewalk area shall be not less than 6" high and an expansion joint not less than 3/4" thick shall be placed between the building and the sidewalk.

(4) That all such expansion joints shall be of the pre-moulded type.

(5) That all concrete work within the street area shall be executed by a bonded sidewalk contractor.

(6) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

Yours truly,

(Sgd) Orin E. Metcalfe,
City Engineer. "

WHEREAS, O. A. Peters, owner of the property situated on the south side of Seventh Street and west of East Avenue, legally described as Lot 16, Block 63, of the Original City of Austin, has presented a request to grant him a permit to set a curb back adjacent to his lot so as to provide more parking space on Seventh Street; and

WHEREAS, a plan has been presented showing the proposed layout and said plan 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 is hereby granted to O. A. Peters, owner of the property situated on the south side of Seventh Street and west of East Avenue, legally described as Lot 16, Block 63, of the Original City of Austin, to set the curb back adjacent to his property, subject to the same's being constructed in accordance with the plan approved by the City Engineer, which plan is hereto attached and marked 2-H-298, and in accordance with the following conditions:

(1) That reconstruction of the setback area on Seventh Street shall be constructed in accordance with the accompanying plan marked 2-H-298 and that all such widened area, ramps and curbs and a sidewalk between the property line and the curb line shall be constructed of concrete at the expense of the applicant.

(2) That all such concrete shall be not less than 6" in thickness and of the following proportions: 1 part of cement, 2 parts of sand, and 4 parts of screened gravel or rock.

(3) That the concrete curb adjacent to the sidewalk area shall be not less than 6" high and an expansion joint not less than 3/4" thick shall be placed between the building and the sidewalk.

(4) That all such expansion joints shall be of the pre-moulded type.

(5) That all concrete work within the street area shall be executed by a bonded sidewalk contractor.

(6) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

Councilman Alford moved that the tentative budget of the City of Austin for the year 1933, as submitted by the City Manager, be approved and adopted. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

City Manager Johnson asked that the Tax Assessor and Collector be authorized to strike from the Tax Rolls for the year 1932 Assessment No. R-1077, in the name of E. R. Bardenwerper, for a camp house located on a tract of land near the dam, amounting to \$1.80, as said improvements no longer existed, having been torn down by order of the City Health Department. Councilman Gillis moved that the Tax Assessor and Collector be directed to strike said assessment from his rolls. Motion was seconded by Mayor McFadden and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

No further business coming before the Council, Councilman Mueller moved to recess, subject to call of the Mayor. Motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilman Mueller, 4; nays, none; Councilman Steck absent, 1.

The Council then recessed.

Approved: _____

Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, January 5, 1933.

The Council was called to order by the Mayor. Roll call showed the following members present: Councilman Gillis, Mayor McFadden, Councilman Mueller, 3; absent, Councilmen Alford and Steck, 2.

The Minutes of the last regular meeting were read and Councilman Gillis moved the adoption of same as read. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Councilman Gillis, Mayor McFadden, Councilman Mueller, 3; nays, none; Councilmen Alford and Steck absent, 1.

The application of Pattons, Incorporated, 116 East 7th Street, for license to operate as a taxicab one Ford Taxicab, 1929 Model, Motor No. A781223, State Highway License No. K 32-736, was read. Councilman Mueller moved that the application be granted. Motion