

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 14, 1951
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Drake presiding.

Roll Call:

Present: Councilmen Long, MacCorkle, White, Mayor Drake
Absent: Councilman Johnson

Present also: Walter E. Seaholm, City Manager; Trueman E. O'Quinn, City Attorney; C. G. Levander, Director of Public Works; R. D. Thorp, Chief of Police; Dr. Ben Primer, City Health Officer.

Councilman White 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 seconded by Councilman Long, the motion was adopted by the Council and the minutes so approved.

MR. R. W. CRAVENS submitted a petition signed by 19 citizens in the 700 block of Henderson, requesting that a study be made as to the advisability of having a street light placed at the corner of 9th and Henderson Streets, as it is a very busy and a very dark corner. This matter was referred to the City Manager for attention.

Regarding the instruction that an amendment to the "Trailer Park Ordinance" be drawn up as requested June 7th by the Council, the City Manager presented a Memorandum from the City Attorney which read as follows:

"The City Council last week requested an amendment to the "Trailer Park Ordinance" in order to permit the connection with city water and sewer lines of a trailer having its own bath and toilet facilities.

"After careful examination of the ordinance (passed March 26, 1940, recorded in Ordinance Book "K" at pages 607-610) it is my opinion that an amendment is not necessary to accomplish the objects desired by the Council.

"Under Section 11 of the ordinance certain bath and toilet facilities must be provided on the premises unless "private conveniences for each site or cottage" are provided. Under this provision you are advised that connections may be made directly from a trailer to the city water and sewer systems, and if all trailers within the camp have their own bath and toilet facilities and are so connected, the ordinance does not require the construction of separate buildings for toilet and bath purposes.

"It should be pointed out that any such plan for a trailer camp must be approved by the Building Inspection Division of the City and by the City Health Officer prior to being opened for operation. All plumbing connections and water connections must be made in conformity with the Plumbing Code of the City of Austin.

"In view of the above, no amendatory ordinance is being submitted."

(S) Trueman E. O'Quinn
City Attorney

It was stated that Mr. H. P. Allen, who made this request on June 7th, will be advised of this fact and he will have no delay in getting his court started.

Regarding the claim of MR. ROSWELL G. MILLER, made on June 7th, for a refund of \$100.00 on a utility contract made in 1940, the City Manager explained the contract and the general extension of these contracts during the war period. He explained the contract was dated July 9, 1940 and would have expired July 9, 1945; but under a general policy established by the City Council, the running of utility refund periods was temporarily suspended from December 1, 1941, to January 1, 1946, on account of World War II. Quoting from the opinion of the City Attorney of June 8, 1951, it was stated, "The Miller contract had run approximately one year and five months at the beginning of the suspension period (December, 1941) and by tacking on the balance of the unexpired time of the five year period this contract lapsed on or before August, 1949. Refunds under the Miller contract cannot be made for any construction or connections completed after July, 1949. The refund period has expired and there would be no legal consideration for the making of a refund at this time. . . ." Councilman White stated it was his understanding that Mr. Roswell Miller had been promised this refund by Mr. Wiginton. Mr. Wiginton was called into the meeting. He stated he told Mr. Miller that the contract was out of date; but if the City Manager and the Council approved any refund, that he would make it; but without the approval, he could not make any refunds. Councilman Long moved that in view of the City Attorney's opinion, that the Council abide by this opinion and deny the claim. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilman Long, MacCorkle, Mayor Drake
Present, but not voting: Councilman White
Noes: None
Absent: Councilman Johnson

The request of MR. W. W. BENNETT to construct the boat docks was resubmitted. It was stated the fact that this was on City property partially had been the reason for much discussion in the past; that it had been suggested that the public be able to use a part of the dock for that reason. Mr. Bennett had said in the past that it could be used when he was open. The proposed construction has the recommendation of the Navigation Board; the L.C.R.A. will accept such construction; and if Mr. Bennett follows the plans he submits, the docks will be an improvement over what he now has. The City Attorney suggested that the Council require Mr. Bennet to pay a nominal rental on that land. The City Manager said Mr. Bennett had agreed to a certain amount at one time in the past.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the construction and maintenance of a private and commercial boat dock on the property leased by W. W. Bennett and described in the Travis County Deed Records on the shore of Lake Austin, and hereby authorizes the said W. W. Bennett to construct, maintain and operate this private and commercial boat dock subject to the same being constructed 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 construction of this private and commercial boat dock after full compliance with all the provisions of this resolution. 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, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said W. W. Bennett has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations)

June 14, 1951

Mr. Walter E. Seaholm
City Manager
Austin, Texas

Dear Sir:

I, the undersigned, have reviewed the plans and have considered the application of W. W. Bennett, lessee of a piece of property abutting Lake Austin, and listed in the Travis County Deed Records, for permission to enlarge and maintain a private and commercial boat dock projecting out into Lake Austin approximately 130'.

In accordance with the amendment to the Ordinance governing construction on Lake Austin passed September 15, 1949, this project has also been considered and approved by the Navigation Board and I therefore recommend that W. W. Bennett be granted permission to construct and maintain such private and commercial boat dock subject to the following conditions:

- (1) That nothing but creosoted or cedar piles and heavy iron bolts or concrete

be used in the construction of this pier, dock or wharf.

(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

(4) That all structures extending out into the Lake be constantly kept in a state of good repair and that premises be kept reasonable clean at all times.

Respectfully submitted,

J.C.Eckert (S)

J.C.Eckert

Building Inspector

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

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake

Noes: None

Absent: Councilman Johnson

With regard to a rental on the property which the City owns, Councilman MacCorkle moved that a resolution be drawn up fixing a yearly rental on the property on which MR. BENNET'S piers extend on City property. The motion, seconded by Councilman White, carried by the following vote:

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

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake

Noes: None

The Council postponed decisions on the tax appeals of MR. GEORGE NALLE and MR. H.J.H. MELIN until the following week.

Regarding the duties of the Equalization Board, Mayor Drake stated he would like for that matter to be set up in the proposed Charter amendments. The City Manager stated that the budget provided for "other services" and we could set their duties up as appraisal work; but this matter should be included in the Charter amendment election.

The matter of taxing personal property was not discussed, but was set for Monday night, June 18th at 8:00. Mr. Stohl and members of the Equalization Board were asked to meet with the Council. It was decided that the tax rate would be discussed Monday. Mr. Joe Huffman was asked to be present.

The City Manager submitted the following estimate of the bond fund needs:

"In accordance with your request, we are submitting herewith our estimates of bond fund needs that must be provided in a sale this July 1951.

"To date the following expenditures have been made or encumbered from General Funds, which must be reimbursed by bond funds:

Street and Bridge Improvements	\$ 282,000
Sanitary Sewers Improvements	114,000
Water System Improvements	<u>612,000</u>
TOTAL	\$1,008,000

"In view of the necessity for replacing the General Fund, it is recommended that the following issues be sold in July:

Street and Bridge Improvements	\$ 550,000
Sanitary Sewers Improvements	500,000
Water System Improvements	<u>350,000</u>
TOTAL City Purposes	\$1,400,000
TOTAL Schools	\$1,400,000
TOTAL BONDS TO BE ISSUED	\$2,800,000

"The above estimate of bonds to be provided in the July sale is predicated on the further premise that another bond sale will be made in October. The schools have indicated that they will need a minimum of \$1,600,000 at that time, and it is estimated that the City's needs will likewise be approximately \$1,600,000."

The City Manager in explanation stated the amount should be held down to a minimum due to the condition of the bond market, and that possibly in October we could go ahead with the rest, as the bond market may be in a better condition then. The City had been able to go ahead thus far, and both the City and the Schools need this amount right now. Later in October, \$1,600,000 for the Schools and the \$1,600,000 for the City will have to be requested. He recommended setting the date of the sale at July 19th, as that would give the required time for advertising, and yet would be the earliest date.

After further discussion, Councilman Long moved that the City Manager advertise for bids on the sale of bonds of the City of Austin at 10:00 A.M., July 19, 1951, in the amount of \$2,800,000; \$1,400,000 for the Schools and \$1,400,000 for the City as recommended by the City Manager. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake

Noes: None

Absent: Councilman Johnson

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the sum of \$2,000.00 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of Constructing a model of the Colorado River in the vicinity of Congress Avenue to Lamar Blvd.

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

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake

Noes: None

Absent: Councilman Johnson

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 City Council of the City of Austin hereby approves as a filling station site the property located at the southwest corner of the intersection of South Congress Avenue and College Avenue, which property fronts 170 feet on South Congress Avenue and 163.32 feet on College Avenue, and being known as a portion of Lots 8, 9, 10 and 11, Block 1, LaPrelle Place in the City of Austin, Travis County, Texas, and hereby authorizes the said Mrs. Johnnie D. Tadlock 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 Mrs. Johnnie D. Tadlock has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"June 14, 1951

"Mr. Walter Seaholm
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of Mrs. Johnnie D. Tadlock for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction there-

with upon the property located at the southwest corner of the intersection of South Congress Avenue and College Avenue which property fronts 170 feet on South Congress Avenue and 163.32 feet on College Avenue, and being known as a portion of Lots 8, 9, 10 and 11, Block 1, LaPrelle Place in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Mrs. Johnnie D. Tadlock and is under lease to the Humble Oil and Refining Company 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 west side of South Congress Avenue approximately 485 feet north of the above location.

"We recommend that Mrs. Johnnie D. Tadlock be granted permission to construct, maintain, and 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, buildings 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-1034.

(6) "Expansion joints shall be constructed as shown upon the plans hereto attached marked 2-H-1034 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 "

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

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake

Noes: None

Absent: Councilman Johnson

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on June 8, 1951, bids were received by the City of Austin for the construction of shelter houses in Gillis, Govalle and Ramsey Parks, such bids being as follows:

Frank Rundell	\$ 12,999.00
Ricks Construction Co.	14,563.11
Joe Fuhrman	15,000.00
Earl Rogers	15,031.00
J. C. Gilstrap	15,312.00
W&W Construction Co.	15,637.00
Carl Rongo	16,068.00
Paul Keller	17,200.00

and

WHEREAS, the bid of Frank Rundell in the sum of \$12,999.00 was the lowest and best bid, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin by the City Manager;
Now, therefore

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

THAT the bid of Frank Rundell be and the same is hereby accepted, and W. E. Seaholm, City Manager, is authorized and directed to execute a contract with Frank Rundell for the construction of shelter houses in Gillis, Govalle and Ramsey Parks on the basis of \$12,999.00.

(The City's estimate was \$15,000.00)

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

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake

Noes: None

Absent: Councilman Johnson

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on June 8, 1951, bids were received by the City of Austin for the construction of a lounge at the Municipal Golf Course, such bids being as follows:

Frank Rundell	\$ 2,999.00
W & W Construction Co.	3,339.00
Ricks Construction Co.	3,794.47
Paul Keller	3,940.00
Earl Rogers	4,012.00

and

WHEREAS, the bid of Frank Rundell in the sum of \$2,999.00 was the lowest and best bid, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin and by the City Manager; Now, therefore

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

THAT the bid of Frank Rundell be and the same is hereby accepted, and W. E. Seaholm, City Manager, is authorized and directed to execute a contract with Frank Rundell for the construction of a lounge at the Municipal Golf Course on the basis of his bid of \$2,999.00.

(The City's estimate was \$3,500.00)

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

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake

Noes: None

Absent: Councilman Johnson

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on June 8, 1951, bids were received by the City of Austin for the construction of a concrete floor on bridge on East 4th Street over Waller Creek, such bids being as follows:

Earl Rogers	\$ 1,361.60
Joe Fuhrman	1,767.10
J. C. Gilstrap	2,204.65
Carl Hollis	2,538.59
Maufrais Bros.	3,168.00

and

WHEREAS, the bid of Earl Rogers in the sum of \$1,361.60 was the lowest and best bid, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin and by the City Manager; Now, therefore,

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

THAT the bid of Earl Rogers be and the same is hereby accepted, and W. E. Seaholm, City Manager, is authorized and directed to execute a contract with Earl Rogers for the construction of a concrete floor on bridge on East 4th Street over Waller Creek on the basis of his bid of \$1,361.00.

(The City's estimate was \$2,043.00)

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

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake

Noes: None

Absent: Councilman Johnson

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC 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 12(b) OF ARTICLE III RELATING TO STOP SIGN LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake

Noes: None

Absent: Councilman Johnson

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

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake

Noes: None

Absent: Councilman Johnson

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

Ayes: Councilmen Long, MacCorkle, White, Mayor Drake

Noes: None

Absent: Councilman Johnson

The Mayor announced that the ordinance had been finally passed.

Specifications for the audit were discussed. The specifications as submitted are set out below:

SPECIFICATIONS FOR AUDIT
OF THE
CITY OF AUSTIN, TEXAS
FOR THE CALENDAR YEAR 1951

1. The procedure outlined herein applies to all funds, functions and activities of the City of Austin.
 - a. Funds to be audited as follows:

1. General Fund	4. Bond & Interest Retirement Funds
2. Working Capital Funds	5. Trust and Agency Funds
3. Bond Funds	6. Utility Fund
 - b. All activities under the following functions:

1. Administrative & Finance	6. Clearing Accounts
2. Public Safety	7. Electric Utility
3. Public Works	8. Water Utility
4. Public Health & Welfare	9. Sewer Utility
5. Recreation & Libraries	10. Central Storeroom

2. Kind, Type and Scope of the Audit: The Audit engagement shall be continuous and be conducted in accordance with Appendix I of "Municipal Audit Procedure", more particularly described as Bulletin No. 8 dated February 19, 1939, of the National Committee on Municipal Accounting, as outlined on page Nos. 35 to 47, both inclusive, which Appendix I is hereby made a part of these Specifications for Audit, to the extent that such procedures are applicable to the accounting methods employed by the City of Austin, and except as herein after indicated, viz,

ARTICLE A - GENERAL DIRECTIONS (See Part II, pages 6-10)

ARTICLE B - REVENUE AND RECEIPTS

The examination of detailed records underlying revenues and receipts is to be for the twelve months of the year.

1.b) The contracting auditors shall reconcile the recorded cash receipts, in monthly totals, for the twelve months of the fiscal year with the aggregate deposits shown by the bank statements for those months and in addition, shall trace the daily recorded receipts to the related deposits for the same period.

2.b) The contracting auditors shall not pass upon the tax levy ordinance.

2.h) The contracting auditors shall test accuracy of the records of unpaid taxes, both real and personal, by requesting direct confirmation of amounts during, at, or prior to the end of the fiscal year, from selected groups of property owners. The result of this circularization, with the listing of all exceptions and all requests returned because of nondelivery, shall be furnished to the City of Austin in a special report within sixty days after the day of mailing such requests.

2.i) To the extent that controlled detailed records of unpaid real estate taxes are maintained by the City, the contracting auditors shall prepare or test trial balances of selected groups of such records to a degree sufficient to satisfy themselves that such records are, in fact, being maintained in agreement with the related controlling accounts.

ARTICLE C - EXPENDITURES AND DISBURSEMENTS. The contracting auditors shall review the procedure followed by the City in the handling of expenditures and

disbursements to internal control exercised relative thereto; they shall satisfy themselves that the prescribed procedure is being effectively carried out by examination for selected periods within the year of detailed records underlying the recorded disbursements. In this connection it is understood that the contracting auditors may rely upon the City's system of internal control over expenditures to the extent that such system is shown to be functioning but that any disclosed weaknesses shall be subjected to further investigation. The test-examination by the contracting auditors of the records relating to cash disbursements shall include the scrutiny of invoices, purchase orders, receiving tickets, pay rolls, etc., to ascertain that disbursements are supported by properly approved documents; shall also include investigation of purchase and pay roll procedures and independent counts at intervals without notice of the imprest cash funds maintained in various departments of the City.

ARTICLE D

7.a) The contracting auditors shall make a test circularization of recorded debtors with respect to unpaid utility bills and sundry accounts receivable as of a date on or before the end of the fiscal year. The stationery, stamps and circularization forms necessary for the circularization of these accounts, as well as those for the circularization of unpaid taxes, as set forth under Article B-2, b, shall be furnished by the City. The limit of the circularization shall be determined by the contracting auditor but shall be of reasonable extent based on the total amount of items covered by this audit.

9.a) The contracting auditors may rely upon the accuracy of inventories of materials and supplies submitted by the respective operating departments of the City, and shall not be required to make tests of the physical quantities thereof by actual contact therewith.

12.b,c) Examine transactions relating to such fixed assets as have been capitalized in the various funds maintained by the City.

12.d) The contracting auditors shall investigate the policies followed by the City with respect to repairs and replacements and shall review the major charges to the maintenance accounts during the year.

3. The examination herein contemplated will not include a detailed audit of all of the transactions recorded in the accounts of the City, but will be based upon tests of accounting records and other supporting evidence for selected periods during the year to permit the contracting auditors to be satisfied that the system of internal control is reasonably set up and properly functioning. A test of this type should ordinarily disclose major irregularities of a recurring nature but, since the tests will cover only a part of the transactions for the year, it is understood that all irregularities, if any exist, will not necessarily be disclosed.

4. If unusual conditions arise whereby the services of the contracting

auditor are necessary beyond the extent of the work contemplated and required under the terms of this contract, such unusual conditions shall be referred to the City Council and the City Council shall instruct the Co-partnership concerning such additional services.

5. The Contracting auditor shall advise the City Council and the City Manager on such changes in accounting procedure which in his opinion would improve the fiscal records of the City of Austin.

6. The audit shall begin assoon after the signing of the related contract as shall be convenient to the contracting auditors. The audit periods will be on a "throughout-the-year basis," and that visits by the representative of the contracting auditors shall not be forbidden by any officer or employee of the City.

7. The City of Austin will furnish desk space and a well lighted place for the employees of the contracting auditor to work. They will be permitted access to the City Hall at any time in order to continue their work. All books of record and filed documents will be made accessible. The municipal accounting staff will provide the contracting auditors with such routine assistance as is possible to assist in reducing the expense of the audit to the municipality. It shall be the privilege of the auditors to request the Director of Finance to have brought into balance any book or record which should have been in balance. Should any ledger or other book or record be out of balance and not brought into balance within a reasonable time, it shall be the duty of the auditors to, by formal communication, notify the City Council of said condition.

8. The detailed report of the contracting auditors shall contain pertinent financial statements pertaining to the various funds, departments or boards of the City, together with comments relative thereto, shall set forth the opinion of the contracting auditors as to such statements, and shall be signed with the firm name. One copy of such report shall be delivered to the City Clerk for his file of official documents and 9 additional copies shall be delivered to the City Council.

9. It is required that the audit reports be delivered not later than February 1, after the close of the fiscal year.

10. Payments will be made in two installments, one-third when one-half of the audit is substantially complete and two-thirds upon acceptance by the City Council.

11. The firm or co-partnership contracting this audit engagement shall be Certified Public Accountants experienced in Municipal Auditing.

RESERVATIONS

The City Council reserves the right to reject any and all proposals.

The City Manager stated the 'Municipal Audit Procedure' had been followed down to ARTICLE C, and all the various items were still incorporated, but were enlarged on to take care of Austin. Discussion of the wording of ARTICLE C was held. The Council agreed to add the word "not" in the second sentence, so that it would read, "In this connection . . . the contracting auditors may not rely...." Under Article D, 9.a) the Council informally agreed to add "not" in the first line -- "The contracting auditors may not rely...." and to omit "not" in the third line-- "and shall be required to make tests of the physical quantities...." In ARTICLE C, it was suggested to put the word "bids" in the sentence reading, "The test-examination by contracting auditors of the records relating to cash disbursements shall include the scrutiny of bids, invoices...." Those changes were suggested by Councilman Long. Councilman MacCorkle suggested, and it was agreed that the following be added at the end of the specifications, "It is understood that no statements included herein should permit or are intended to permit the auditor to omit any procedure which reasonable care and professional standards would require." In ARTICLE D, Councilman Long suggested that the words "and the City Manager" be removed from Item 5. The City Attorney stated there may be changes which would not involve the expenditure of additional funds or involve the matter of policy which the City Manager might want to make on his own initiative and that this is a by product of the audit that might be of some benefit to the administrative officials. Councilman Long suggested that two paragraphs taken from the City of Tyler specifications be included in ours. "Purchase orders and receipts for incoming supplies and materials shall be checked in order to ascertain whether or not all goods purchased were duly and properly received, prices paid for materials and supplies shall be checked against bids." The other, "Any and all contracts shall be inspected, and proper provision made to show clearly their contents if they affect the financial operation and standing of the City's affairs." It was stated these specifications would be edited and sent out to the Council.

MAYOR DRAKE stated MR. JOHN E. WEILER had contacted him stating that before he appealed the award of the appraisers in the condemnation suit, he would accept an offer of \$13,000. The City Manager stated the Court made an award of \$10,280. The Mayor stated this had been taken into court, and this figure was set; therefore, he felt the City should not pay more than what was set as a fair and true market value at that time. Councilman MacCorkle then moved that the Council not accept MR. WEILER'S offer to settle for \$13,000 for the property needed for the Water Plant (5.12 acres, Daniel J. Gilbert Survey). The motion, seconded by Councilman White, carried by the following vote:

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

(This was the property the Council authorized condemnation for, on April 19, 1951)

COUNCILMAN WHITE made inquiry about matter that had come before the Council about cleaning out the ditch in Govalle. The report on this was that it had been too rainy to get the machinery there to do this work. He asked about the lights for the Little League Baseball Field. The City Manager stated these lights had

had been requested, but no reply had been received on whether or not they could be obtained; however, the Recreation Director was following through on that. COUNCILMAN WHITE inquired about summer rates for water. The City Manager stated the limited capacity of the plant would not stand an additional increase in demand for water, which would be caused by a reduction in rate. He stated after the new plant was in operation, it might be different; but at this time he would not recommend a lower water rate to encourage watering lawns etc. COUNCILMAN WHITE asked about the East Monroe thoroughfare through to the Interregional Highway. The City Manager replied that right-of-way was being obtained, but it would not go through until the Highway was constructed. He stated they were also obtaining rights-of-way for the highway. Regarding the bridge, the City Manager stated there had been some delay in getting the steel; but it was believed the steel situation will be eased about September and the work could be started.

COUNCILMAN LONG reported on the welfare situation, stating that the Council in executive session had appointed her to present the point of view to the City Manager and Health Officer. She had a petition* with 600 names presented showing dissatisfaction with the Welfare Department. She presented the plan in outline form in the form of a motion unless some member wanted a separate motion on each item. * (This petition filed with the Council, personally, and is not on file in City Clerk's Office)

1. I would like to recommend, coming out of this discussion and my talk with the City Manager and Dr. Primer, that the Welfare Division be separated from the Department of Health.
2. That we, the City Council, direct the Manager to employ a Director with experience and degree in Social Work within the next six weeks.
3. That the Department itself be reorganized under the new Director and supervisor.
4. That we name a nine member citizens board to advise the Council on the Welfare Department and that we include one Latin American and one negro on this Board.
5. That we authorize the Manager to offer up to \$4,200 a year for a new Director; and when this new director is employed, the Council will then amend the Budget to that effect."

At this point MR. STARR KEALHOFER, JR., commended the work of the Welfare Department, stating under the supervision of its present Director, it has worked and had protected the taxpayers' money; and that according to reports, 25% of the applications for welfare are for the City to make payments on homes or cars and when they are refused, they say--"We will make the payments and you feed us". He stated other people had been offered jobs, and they did not feel they were suitable, so they wanted to remain on the rolls of the City Welfare. The Department was doing an excellent job, and Mr. Kealholfer asked the Council to visit the Department and examine the records and hear from the Staff. MAYOR DRAKE stated this was an overall welfare program that was under way. MRS. A. C. BALDWIN spoke before the Council commending the Welfare Department under its present director. She outlined her interest in welfare and her acquaintance with the various welfare workers throughout the City, and complimented two outstanding welfare people--Captain Lemens of the Salvation Army, and Miss McDaniel of the Austin Welfare Division. She asked that the Council not take action this morning without a thorough study being made of the Director and the Department. She asked that the Council have an open meeting on this matter. W. A. KIRK was in favor of the Citizens Committee

having representatives from the negroes. MAYOR DRAKE reviewed the matter and stated he would like for the Council to have time to think of the outline and different phases--just what it would do divorced from the Health Department; how the salary will fit in with the evaluation program. He stated there was a legal problem also and he would like for that to be cleared in the Charter Amendment. COUNCILMAN MacCORKLE favored separating the Welfare from the Health Department and setting up a Department of Welfare responsible to the City Manager; the Director appointed by the Manager to be a qualified person in welfare and the salary to be what would be necessary to obtain such a person. COUNCILMAN WHITE felt the same way as Dr. MacCorkle. MAYOR DRAKE stated there were many things to be considered about the whole plan, and he would like more time. COUNCILMAN LONG stated it had been discussed for some time and she had presented this study and did not want any more delay. MR. KEALHOFER again asked the Council to give this more thought, as the City had called MISS McDANIEL from another position to this one, and that spoke of her capability. He thought it might be a matter of personnel conflicts. After more discussion, Councilman White seconded the motion, but it was decided not to take action on this until the following week.

Inquiry was made about the Joseph Estate property (for condemnation for street purposes for access to Brentwood School) and the Council agreed that if negotiations were not completed by next Wednesday (June 20th) it would authorize further action at its meeting Thursday, June 21st.

COUNCILMAN LONG made inquiry about the two men delivering water and light bills from one part of town to another, and the comparison of their car allowances with others. She stated they were allowed \$20.00 against other allowances of \$40.00. It was explained they do most of their delivery work on foot, driving their cars to one location and walking from there.

COUNCILMAN LONG brought several requests she had received: one from DOROTHY J. CROW, owner of property near the American Legion Club House, who complained of the sewer having breaks ever so often. It was stated it would take a larger main to take care of this and about \$80,000, and that is contemplated this year along with five other locations. COUNCILMAN LONG inquired about the light at North Loop and Dallas Highway. This light has been authorized, but the materials are not available. She stated she had inquiry about promoters having boxing at the Coliseum without sponsors. She requested that the rest home on 15th and Red River be checked by the Fire Marshall.

ON May 3, MR. RABY came before the Council regarding storm sewer work. Councilman Long wanted to know when that would be started. The Director of Public Works said plans for the bridge and drainage ditch were complete, and they were trying to get the easements now. So far there have been two who refused to sign. COUNCILMAN LONG inquired about the drainage around 1202 Norwood. MR. LEVANDER stated they were studying the possibility of draining that as part of the Highway

drainage; if that could not be worked out, a storm sewer will be necessary and the owners will have to participate in the cost.

COUNCILMAN LONG thought possibly the citizens on the Traffic Committee should be extended to about 15 as the scope is so wide and that this was a big over-all plan and might change the whole pattern. The Mayor thought a committee of 15 might be too large and would not function as efficiently as a smaller committee. Councilman Long said that seven people might not be representative, as she would like to see a representative from the negroes, from the bus drivers, from trucking organizations, and several women on the committee. No action was taken on this at this meeting.

The Council received notice from the City Manager that the following applications for change of zoning had been referred to the Zoning Board of Adjustment for consideration and recommendation:

E. D. BOHLS	1003-05-07 Winsted Lane	From "A" Residence To "B" Residence
DEMENCIO MENDOZA	2520 E. 3rd Street	From "B" Residence To "C" Commercial

There being no further business, the Council adjourned at 12:35 subject to the call of the Mayor.

APPROVED



Mayor

ATTEST:



City Clerk