

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 21, 1951
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: Walter E. Seaholm, City Manager; Trueman E. O'Quinn, City Attorney; C. G. Levander, Director of Public Works; R. D. Thorp, Chief of Police.

Councilman MacCorkle 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 White, the motion was unanimously adopted by the Council and the minutes so approved.

Mayor Drake brought up the welfare question for discussion. Councilman Long opened the discussion by saying she had outlined a five-point program for the Welfare Department, which has been under discussion for about two and a half years. There have been investigations and Citizens committees and reports and efforts to try to iron out some of the difficulties found to be existing in that Division. The "Benner Report" came about after a great deal of dissatisfaction with the Welfare Division was brought to the attention of the Council and City Manager. The Council felt that something was needed in that Division because it voted to ask the Community Council to bring in an outside man to make an investigation. That investigation was paid for by the Hogg Foundation and Community Council Funds. He came at the request of citizens of Austin, and he is an expert, and he made this report which has been under fire. Councilman Long stated further that he made some recommendations that hinged around these that she was making today, and that she wanted to state her motion. She stated, "I move that the Welfare Division be separated from the Department of Health; that

the City Council direct the City Manager to employ a Director with experience and degree in Social Work within the next six weeks; that the Department be re-organized under the new Director; 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 that Board; that we authorize the Manager to offer up to \$4,200 a year for this new director; and when this new director is employed, the Council will then amend the Budget to that effect." The motion was seconded by Councilman White.

At this point DR. AINSWORTH KUEHNE spoke stating he felt the present attitude of certain people in authority in the Welfare Department was causing emotional and physical suffering to Austin's needy citizens, and he was in agreement with MRS. LONG'S recommendations and all the points involved. MR. HUGH LYNN was in agreement with the recommendations and felt there would be no further need for any investigations. MRS. W. A. McMICHAEL, 1511 W. 30th stated this matter had been under study at the request of the Council and endorsed by the Commissioners Court, studied by a citizens committee, and she felt the citizens had been at the head of the study at all times. MR. PAT K. MENDEZ, 1710 Garden, spoke favoring the recommendation and speaking for it in behalf of the Latin American Voters League. MRS. CLYDE SMITH, 4536 Duval, cited cases she felt did not receive proper attention and made charges against the Director. MRS. CHAS. CASTANY, 806 E. 20th, Registered Nurse, stated the health work had been made difficult because of the technicalities involved with the Welfare Department and its relationship with the Health Department. She stated the cases were open to review. MRS. CLYDE SMITH answered Mrs. Castany in saying the records would not reflect the true facts. MRS. ISABEL PRYATEL, 1505 Koenig Lane, gave instances in a specific case regarding a diabetic and tubercular man in his request at the Welfare Department. REV. HARRY PESNELL, 2201 Canterbury, stated he had not been able to satisfactorily clear any cases through the Welfare Department. MRS. JAMES BENSON, Chalmers Court, had been an applicant for help through the Welfare Department. She outlined her case and charged that the confidence of the records had been betrayed, and that wrong information about her and her children had been given out; that she and her children had received slurs and slander from the Welfare Department. MR. FRANK PINEDO, representing the Latin American Veteran's League, stated this League favored the appointment of a director trained in Social Welfare, and it was their feeling the City Welfare Department had not been meeting the needs of our City and its many families and children. He asked that each case be investigated before it is turned down.

MRS. LEWIS HATCH, not speaking for or against the City Welfare Department, stated these people had waited three years before coming to inform the Council, and that another week or two for further investigation should be allowed. She stated all the Welfare agencies had been criticised. Also as many people as had spoken against the City Welfare, could speak against the other agencies. She thought the Council should hear of some of the good things of the City Welfare. She stated the Community Council had been given cash to care for the poor people and it went for an investigation. MRS. CLARKE CAMPBELL stated the area of work should be specifically defined in the City Welfare work and the other welfare work and there should be no confusion. She thought some very specific thinking should be done before any move is made. MRS. GARRY BRAY corrected MRS. HATCH regarding the money spent by the Community Council, as their money was not designated for helping the poor. MRS. JOE CASTRO, 2600 Willow, cited a case, who had not received help from the Welfare Department.

MRS. MONTROY, 3013 Kuhlman; MRS. SANCHEZ, 2802 Swisher; MRS. JOSEPHINE DANIEL all favored the recommendation and motion before the Council. W. A. KIRK favored the recommendation. MRS. A. KUEHNE stated the Welfare Department would misrepresent cases if other agencies or church groups wanted to help. MRS. OLCOTT SANDERS felt the Citizens Advisory Committee would be good, as anyone who felt they had not been treated justly could appeal to that committee and the misunderstandings could be cleared. MRS. ROBERT WILLIAMS favored the motion now pending.

MRS. A. C. BALDWIN spoke in defense of the Welfare Department, stating she would like to see more time spent on this matter.

COUNCILMAN MacCORKLE stated he was pretty well sold on the fact that the welfare department should be reorganized, and he wondered at this time whether or not it would be advisable to bury it, at least temporarily. He stated this was the only time he had the opportunity to let the people of Austin know how he felt, and he outlined the functions of a City Council in its policy making powers. He asked if people know this was the largest organization doing business within the City; that it was the largest payroll with the largest number of employees outside of the University and the State? A seat on this Council today required practically the full time of Council members. He said the Council was charged with the responsibility of using its best judgment to spend the taxpayers' money, and he felt he had no right to investigate what the private social agencies are doing, but he was concerned with seeing that the taxpayer gets his just deserts for what he pays into the City. He stated he had tried to get the best advice available from experts on this subject. He stated 40% of the Welfare Budget was spent on salaries and administration. He felt there was no other way than to set up a separate department headed by a qualified person trained in Social Welfare and everyone on that staff to be qualified, and to get the City's part straightened out before he could ask other agencies to join and cooperate with the City.

COUNCILMAN LONG said that after the Department was reorganized as outlined, that the Citizen's Committee should start working toward making this a County-City Welfare Unit, so it could be working as one and not be doing double duty. COUNCILMAN WHITE favored the separation of the two agencies, and felt this should be done now. COUNCILMAN JOHNSON favored the separation of the two departments, but wanted the advisory committee appointed to help advise the Council. MAYOR DRAKE stated the Council was in perfect agreement as to the ultimate end, but a disagreement as to how to accomplish that end. He favored the appointment of the committee first and that committee to try to intergrate the main welfare agencies both private and public in the community; and then the Council should act.

DR. MacCORKLE stated there were some amendments he would like to add to the motion. He stated he was not sure about the salary, as to how much it would take. COUNCILMAN LONG stated she would delete that part from her motion. COUNCILMAN MacCORKLE stated the Manager was limited to employ a director in six weeks; and as that might be hard to do in that time, he would like to add, "as soon thereafter as possible". He stated he favored getting a trained person in Social Welfare to head the organization and also recommended that every staff member be qualified. COUNCILMAN LONG accepted those amendments. The amended motion is as follows:

"BE IT RESOLVED that the Welfare Division be separated from the Department of Health; that the City Council direct the Manager to employ a Director with experience and a college degree in Social Work within the next six weeks or as soon thereafter as possible; that the Department itself be reorganized under the new director with personnel qualified by education and training; 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." The motion was seconded by Councilman White. Roll call showed the following vote:

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

(Copy of the transcript of this discussion is on file in the City Clerk's Office, under "Health and Welfare, 1951")

The Council received a request from MR. R. H. FOLMAR, asking that the AMERICAN RADIO RELAY LEAGUE be granted permission to park a Naval Reserve mobile van parallel to the curb and directly in front of the Stephen F. Austin on Congress Avenue, for the duration of the convention of the Southwest Gulf Division (of the ARRL), August 17, 18, and 19, 1951. This was recommended by the City Manager in the interest of Civil Defense. Councilman White moved that this permission be granted for the time specified and the place requested. The motion, seconded by Councilman Johnson, carried by the following vote:

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

Councilman MacCorkle moved that the following applications for change of zoning be set for public hearing at 11:00 A.M., July 12, 1951:

ARVAN WASHINGTON	2100 East 17th Street, Lot 1, Outlet 35, Div. "B", Belcher's Subdiv.	From "A" Residence To "B" Residence RECOMMENDED by the Zoning Board
7-ELEVEN INC., Lessee ODAS JUNG, owner	915 North Lamar Blvd. So. 70' of Lots 1, 2 & 3, Blk. 9, Outlet 5, Div. "Z", Silliman Add'n.	From "C" Commercial To "C-1" Commercial RECOMMENDED by the Zoning Board of Adjustment
MARVIN B. BRASWELL	5500 Blk. Roosevelt; 5500 Blk. Grover Ave., & 1200 Blk. Houston St. East 2.5 acres of a 4.569-acre tract out of the Spear League bounded by Roosevelt Ave., Houston St., and Grover Ave.	From "A" Residence To "C" Commercial NOT Recommended by the Zoning Board.

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

The Audit specifications for the Calendar Year 1951, which were discussed at the "Briefing Session" of the Council on June 20th at 8:00 P.M., were submitted in amended form. (Copy of these Specifications are on file in the City Clerk's Office under AUDIT, 1951 and identified as being those submitted at this meeting). Councilman MacCorkle suggested that every auditor in town be notified and each one could look at the specifications. Councilman White moved that the City advertise for and receive proposals on July 5, 1951, at 10:00 A.M., for the audit in accordance with the specifications adopted. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

COUNCILMAN LONG reported a call she received that on Speedway and 45th there is a drainage ditch in which open sewage is being deposited, and flows on down through the ditch through Shipe Park, and that this had been in this condition for about two months. The Director of Public Works stated he had a report of an overflow, but did not know that the condition was chronic, and that he would check into this.

COUNCILMAN WHITE reported a bad condition in the alley between Avenue F and Speedway from 42nd and 43rd Streets, stating weeds were shoulder high; but he realized it had been so muddy and rainy that the city trucks could not get in there. He also asked that East 38th Street, even though it had been discussed to make it a through street, be sprinkled with this asphalt mixture in the meantime. The City Manager stated this could be worked out.

COUNCILMAN LONG inquired about buying the right-of-way on Exposition Boulevard for the extension by the Golf course. The City Manager stated only very preliminary planning had been done, and all details would have to be worked out with the University of Texas.

COUNCILMAN LONG stated she had a complaint from the Barton Springs Court that the fence to the ball park was breaking down and balls were coming through. The City Manager stated this would be looked into.

COUNCILMAN WHITE asked why a fence was built across the street from Waller to Canadian. The City Manager stated it was a fence on the sand beach reserve and that was not a public thoroughfare.

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 Manager be and he is hereby authorized and directed to enter into a contract, on behalf of the City of Austin with the Junior Chamber of Commerce of Austin, Texas, leasing to the Junior Chamber of Commerce of Austin, Texas, the concession rights at the two City Softball Fields located on Butler Park-West, 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. (Filed under CONCESSIONS Original in Contract File No. _____)

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on June 15, 1951, bids were received by the City of Austin for the construction of a concrete retaining wall, sidewalk and steps on the north side of East 8th Street from Brazos Street to San Jacinto Boulevard; such bids being as follows:

J. C. Gilstrap	\$ 4,659.10
John Andrews	5,582.26
Carl Hollis	7,140.98
Earl Rogers	7,410.88
Ross Anglin	7,559.20

and

WHEREAS, the bid of J. C. Gilstrap in the sum of \$4,659.10 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 J. C. Gilstrap be and the same is hereby accepted, and W. E. Seaholm, City Manager, is authorized and directed to execute a contract with J. C. Gilstrap for the construction of a concrete retaining wall, sidewalk and steps on the basis of his bid of \$4,659.10.

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

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

Councilman MacCorkle 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 beand the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in EAST 32nd STREET, from Cherrywood Road to Walnut Avenue, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said EAST 32nd STREET.

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

(2) A gas main in RANDOLPH ROAD, from a point 269 feet north of Manor Road northerly 340 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said RANDOLPH ROAD.

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

(3) A gas main in SANTA ROSA STREET, from a point 101 feet west of Pace Street westerly 148 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said SANTA ROSA STREET.

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

(4) A gas main in LYNNDALE DRIVE, from West 51st Street southerly 250 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said LYNNDALE DRIVE.

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

(5) A gas main in BEDFORD STREET, from Euneva Street northerly 42 feet, the centerline of which gas main shall be 8.5 feet west of and parallel to the east property line of said BEDFORD STREET.

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

(6) A gas main in WEST 45th STREET, from Bull Creek Road to Rue Street, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said WEST 45th STREET.

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

(7) A gas main in FINLEY DRIVE, from West 45th Street northerly 39 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said FINLEY DRIVE.

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

(8) A gas main in OAKMONT BOULEVARD, from West 45th Street northerly 31 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said OAKMONT BOULEVARD.

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

(9) A gas main in RUE STREET, from West 45th Street northerly 272 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said RUE STREET.

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

(10) A gas main in RIVERSIDE DRIVE, from Upland Drive to Loma Drive, the centerline of which gas main shall be 5 feet south of and parallel to the north property line of said RIVERSIDE DRIVE.

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

(11) A gas main in LOMA DRIVE, from Riverside Drive southerly 349 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said LOMA DRIVE.

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

(12) A gas main in SHOAL CREEK BOULEVARD, from Park Row to Lamar Boulevard, the centerline of which gas main shall be 1.5 feet east of and parallel to the east curb line of said SHOAL CREEK BOULEVARD.

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

(13) A gas main in LAMAR BOULEVARD, from Shoal Creek Boulevard to West 19th Street, the centerline of which gas main shall be 3 feet east of and parallel to the east curb line of said LAMAR BOULEVARD.

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

(14) A gas main in WEST 35th STREET, from Balcones Drive to Foothill Drive, the centerline of which gas main shall be 7.5 feet north of and parallel to the south property line of said WEST 35th STREET.

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

(15) A gas main in FOOTHILL DRIVE, from West 35th Street to Foothill Parkway, the centerline of which gas main shall be 7.5 feet east of and parallel to the west property line of said FOOTHILL DRIVE.

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

(16) A gas main in FOOTHILL PARKWAY, from Foothill Drive to Foothill Terrace, the centerline of which gas main shall be 7.5 feet north of and parallel to the south property line of said FOOTHILL PARKWAY.

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

(17) A gas main in FOOTHILL TERRACE, from Foothill Parkway west and south to Foothill Parkway, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said FOOTHILL TERRACE.

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 utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

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

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 Manager be and he is hereby authorized and directed to enter into a contract, on behalf of the City of Austin with the Coca Cola Bottling Company of Fort Worth for the erection and maintenance of a scoreboard on property of the City of Austin known as Butler Softball Field No. 1 (Jaycee Stadium), 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 in Contract No. 522-C)

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

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the northeast corner of the intersection of East 1st Street and Chalmers Avenue which property fronts 120 feet on East 1st Street and 100 feet on Chalmers Avenue, and being known as a portion of Lot 4, Outlot 22, Division "O" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and hereby authorizes the said Pearce Oil Company 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 Pearce Oil Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"June 21, 1951

"Mr. Walter Seaholm
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of the Pearce Oil Company, lessee, for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the northeast corner of the intersection of East 1st Street and Chalmers Avenue which property fronts 120 feet on East 1st Street and 100 feet on Chalmers Avenue, and being known as a portion of Lot 4, Outlot 22, Division "O" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Hattie Goerner and is under lease to the Pearce Oil 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 east side of Chalmers Avenue approximately 200 feet north of the above location.

"We recommend that the Pearce Oil Company 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 in side of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

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

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc.; that all construction of the filling station improvements shall be in accord with the Building Ordinance,

the Zoning Ordinance, the Filling Station Ordinance, and in accord with the ordinance prohibiting the disposal of Commercial water or oils upon the City streets.

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

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the Department of Public Works file number 2-C-1446.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-C-1446 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 White, carried by the following vote:
 Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
 Noes: None

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:

MOSES J. KOURI,
 ADMINISTRATOR,
 JIM EL KOURI ESTATE 2516 Guadalupe St.

From "C-1" Commercial
 To "C-2" Commercial

Decision on GEORGE NALLE'S and H.J.H.MELIN'S tax appeals was postponed until the meeting of June 28th. Also further consideration of an ordinance setting up a Traffic Committee was postponed until June 28th.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, it has become necessary for the City of Austin to acquire land for the extension of Arroyo Seca, a public street in the City of Austin, to provide a continuation of Arroyo Seca from Violet Crown Heights Resubdivision to Crestview Addition; and

WHEREAS, it has been found necessary to acquire land adjacent to Arroyo Seca as an extension of a proposed public park; and

WHEREAS, the extension and development of Arroyo Seca and the establishment of a public park adjacent to Arroyo Seca is a part of an adopted plan for the development by the City of Austin and by the Board of Trustees of the Austin Public Schools of an area providing a school site, a public park, adequate drainage and street and boulevard connections for residential districts to be served by such school site and by such park; and

WHEREAS, the land needed and required by the City of Austin for the extension of Arroyo Seca and for the establishment of a proposed public park is owned by the heirs of Cater Joseph, deceased; and

WHEREAS, the City of Austin has failed to reach an agreement with the heirs of Cater Joseph, the owners of said land, as to the purchase price of said land to be used for street, drainage and public park purposes; NOW, THEREFORE,

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

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to cause proceedings to be instituted in behalf of the City of Austin to acquire under the right of eminent domain from the heirs of Cater Joseph, and any other owners of the land needed by the City of Austin for the extension of Arroyo Seca and for the establishment of a public park adjacent to Violet Crown Heights Resubdivision and Crestview Addition in the City of Austin, such lands being described more particularly as follows:

2.819 acres of land, same being out of and a part of that certain 45.28 acre tract of land out of the George W. Spear League in the City of Austin, Travis County, Texas, which was conveyed to Cater Joseph by warranty deed of record in Volume 676 at Pages 189-192 of the Deed Records of Travis County, Texas, which 2.819 acres of land is more particularly described by metes and bounds as follows:

BEGINNING at the northwest corner of the said Joseph Tract as evidenced by a railroad rail driven into the ground, said corner being in the south line of Crestview Addition, a subdivision of record in Book 4 at Page 335 of the Plat Records of Travis County, Texas, and also being the northeast corner of a tract of land conveyed to J. P. Moulden by deed of record in Volume 317 at Page 213 of the Deed Records of Travis County, Texas;

THENCE with the south line of said Crestview Addition and the north line of the said Joseph Tract, S. $59^{\circ}24'$ E. 398.54 feet to a concrete monument on the southwest corner of Block 8 of said Crestview Addition, same being the point of curvature of a curve, having an intersection angle of $27^{\circ}30'$, a tangent distance of 180.00 feet and a radius of 735.60 feet;

THENCE following said curving line to the right an arc distance of 353.06 feet, the long chord of which arc bears S. $64^{\circ}11'$ W. 349.68 feet to an iron stake on the point of tangency of said curve;

THENCE S. $77^{\circ}56'$ W. 15.82 feet to an iron stake on the point of curvature of a curve having an intersection angle of $47^{\circ}51'$, a tangent distance of 148.10 feet and a radius of 333.81 feet;

THENCE following said curving line to the left an arc distance of 278.78 feet, the long chord of which arc bears S. $54^{\circ}01'$ W. 270.75 feet to an iron stake on the point of tangency of said curve and on the northwest corner of Lot 14 of Block I of Violet Crown Heights, Section 2, Resubdivision, according to a plat of said subdivision of record in Book 5, at page 68 of the Plat Records of Travis County, Texas, said point also being on the south line of the said Joseph tract;

THENCE with the south line of the said Joseph tract, N. $59^{\circ}13'$ W. 78.83 feet to a concrete monument on the northwest corner of said Violet Crown Heights, Section 2, Resubdivision, same being the southwest corner of the said Joseph Tract;

THENCE N. $29^{\circ}57'$ E. 30.35 feet to an iron stake on the southeast corner of the said J. P. Moulden tract;

THENCE with the west line of the said Joseph tract and the east line of the said Moulden tract, N. $29^{\circ}58'$ E. 519.84 feet to the point of beginning.

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

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

APPROVED: _____

Mayor

ATTEST:

Elvis Hooley
City Clerk