

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 7, 1960  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Councilman Bechtol moved that the Minutes of the Meeting of March 31, 1960, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The City Attorney explained the amendment to the Ordinance authorizing the issuance of Revenue Bonds authorized last week. Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 600331-P ENTITLED:  
"AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF AUSTIN,  
TEXAS, AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL  
SUM OF SIX MILLION FIVE HUNDRED THOUSAND DOLLARS (\$6,500,000.00);  
\$1,150,000.00 BEING THE SIXTH AND FINAL PARCEL OR INSTALLMENT  
OF A TOTAL VOTED AUTHORIZATION OF \$17,500,000.00, AND  
\$5,350,000.00 BEING THE FOURTH AND FINAL PARCEL OR INSTALLMENT  
OUT OF A TOTAL VOTED AUTHORIZATION OF \$20,000,000.00 FOR THE  
PURPOSE OF EXTENDING AND IMPROVING THE CITY'S COMBINED ELECTRIC  
LIGHT AND POWER, WATERWORKS AND SEWER SYSTEM, AS AUTHORIZED  
BY THE GENERAL LAWS OF THE STATE OF TEXAS, PARTICULARLY  
ARTICLE 1111 ET SEQ., REVISED CIVIL STATUTES OF TEXAS, 1925,  
AS AMENDED; PRESCRIBING THE FORM, TERMS AND CONDITIONS OF  
THE BONDS AND THE FORM OF INTEREST COUPONS; PLEDGING THE  
REVENUES OF THE CITY'S COMBINED ELECTRIC LIGHT AND POWER,  
WATERWORKS AND SEWER SYSTEM TO THE PAYMENT OF THE PRINCIPAL

OF AND INTEREST ON SAID BONDS, AFTER DEDUCTIONS OF REASONABLE EXPENSES OF OPERATING AND MAINTAINING SAID COMBINED SYSTEM; ENACTING PROVISIONS INCIDENT AND RELATING TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND DECLARING AN EMERGENCY", WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON MARCH 31, 1960, AND IS OF RECORD IN BOOK 60 OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 2 OF SAID ORDINANCE PERTAINING TO REDEMPTION DATE OF SAID BONDS, BY AMENDING SAID ORDINANCE BY ADDING THERETO A NEW SECTION DESIGNATED SECTION 7a PROVIDING FOR REGISTRATION AS TO PRINCIPAL OF SAID BONDS, BY AMENDING SECTION 8 OF SAID ORDINANCE PERTAINING TO FORM OF BONDS, BY AMENDING SECTION 8 OF SAID ORDINANCE PERTAINING TO REDEMPTION DATE OF SAID BONDS, BY AMENDING SECTION 10 OF SAID ORDINANCE PERTAINING TO NOTE TO PRINTER, BY AMENDING SAID ORDINANCE BY ADDING THERETO A NEW SECTION DESIGNATED SECTION 10a PROVIDING FOR BOND REGISTRATION CERTIFICATE, AND BY AMENDING SECTION 12 OF SAID ORDINANCE PERTAINING TO SPECIAL REVENUE BOND RETIREMENT AND RESERVE FUND; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum reasonable and safe speed for the operation of vehicles at the following location is greater than

thirty (30) miles per hour; and,

WHEREAS, after said investigation the City Council has found that the maximum reasonable and safe speed for the operation of vehicles is thirty-five (35) miles per hour at the following location:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
West 35th Street	East property line of Balcones Drive	West property line of the Missouri Pacific Railroad.

Now, Therefore,

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

That the City Clerk be authorized and instructed to record this finding in Section 33.40 of the Traffic Register.

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller

Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF HOLLY STREET AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY McKOWN & SONS AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Bechtol 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 Bechtol, Palmer, Perry, White, Mayor Miller

Noes: None

The ordinance was read the second time and Councilman Bechtol 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 Bechtol, Palmer, Perry, White, Mayor Miller

Noes: None

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF WOODROW AVENUE AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY GIESEN & LATSON CONSTRUCTION COMPANY, AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Bechtol 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 Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman Bechtol 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 Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF FRANKLIN BOULEVARD IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY MCKOWN & SONS, AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Bechtol 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 Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman Bechtol 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 Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF GONZALES STREET AND ALLEN STREET IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY MCKOWN & SONS, AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Bechtol 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 Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman Bechtol 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 Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF STRATFORD DRIVE IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY LEE MANERS, AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Bechtol 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 Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman Bechtol 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 Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF BOWIE STREET AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY MCKOWN & SONS, AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Bechtol 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 Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman Bechtol 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 Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "I", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "C-1" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT ON THE SOUTH ONE-HALF OF LOTS 1 AND 2, BLOCK 1, BUDDINGTON SUBDIVISION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller  
Noes: Councilman Perry

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

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller  
Noes: Councilman Perry

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

carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller  
Noes: Councilman Perry

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "I", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE FOLLOWING: A. FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT ON LOTS 21 AND 22, BLOCK D, OAK HILL ADDITION, LOCALLY KNOWN AS 2120 (2116) OXFORD AVENUE; AND B. FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON LOTS 23-26, BLOCK D, OAK HILL ADDITION, LOCALLY KNOWN AS REAR OF 2122-2124 OXFORD AVENUE; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

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



Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

At 10:30 O'clock A.M., the Council held a hearing on second reading of an ordinance pertaining to paving Scenic Drive. MR. EMMETT SHELTON asked the Council to set aside a paving assessment which had been issued, and listed the various transactions of the subdividing of the Herman Brown tract, and the paving of Scenic Drive. He said the paving procedure had not been followed in this case, and the whole procedure was void.

MAYOR MILLER said that the assessment should be taken out and that the Nalles should not have to pay any added interest; but under the paving laws, the abutting property owner should pay for the paving. The City Attorney stated that the ordinance before the Council established the facts in the order in which they actually arose and that it did not levy an assessment, and the amount. The Mayor outlined the increase in value of the land through improvements by the City and the growth of the city, and stated the property had been enhanced by this paving and the Nalles should pay for the paving but without any penalty or interest. The City Attorney explained that the ordinance had been passed through its first reading and that it acknowledged the error of recitation in the previous ordinances mentioned, and amends the ordinances and restores the status quo except as to the time for having a hearing on the question of assessment which is yet to be determined. After a very detailed discussion, Councilman Palmer moved that the public hearing be held on June 30, 1960, at 10:30 A.M. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

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

AN ORDINANCE AMENDING ORDINANCE NO. 590709-B,  
ORDINANCE NO. 590903-M, AND ORDINANCE NO.  
590924-R, INsofar AS SAID ORDINANCES PERTAIN  
TO SCENIC DRIVE FROM A POINT 287.6 FEET WEST  
OF TAYLORS DRIVE WESTERLY 549.82 FEET TO THE  
NORTH PROPERTY LINE OF HERMAN BROWN ADDITION  
NO. 2, SECTION 1.

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The Mayor asked if the Council would want him to work this out with the people involved, that he would be glad to try to settle it. The members informally agreed.

The City Manager submitted the following:

"Sealed bids opened 2:00 P.M. April 5, 1960  
Tabulated by: O.G. Brush, Purchasing Agent

"BIDS FOR CHEMICALS - FILTER PLANTS

Sodium Hexametaphosphate,  
per City Specifications

Quantity	Maintenance Engineering Corporation	Dearborn Chemical Company	Low Bid Sept. 14, 1959
50,000# car	\$7,150.00	\$7,041.30	\$7,185.00 Maintenance Engr. Co.

"There are only two firms able to supply this and bids were sent to both firms.

"Mr. Ullrich states that he is able to store a 50,000 pound carload and recommends we purchase in that quantity, which is about 6 - 8 months supply.

"RECOMMENDATION: Recommend contract be awarded Dearborn Chemical Company for one 50,000 lb. car load as lowest and best bid.

"W. T. Williams, Jr. City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 5, 1960, for the purchase of one 50,000 pound car load of Sodium Hexametaphosphate, for use by the Filter Plants of the City of Austin; and,

WHEREAS, the bid of Dearborn Chemical Company in the sum of \$7,041.30 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent 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 Dearborn Chemical Company in the sum of \$7,041.30 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, is hereby authorized to enter into a contract on behalf of the City with Dearborn Chemical Company.

The motion, seconded by Councilman Bechtol, carried by the following vote:  
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The City Manager reviewed the authorization for a contract with the DRISKILL HOTEL COMPANY for operation of restaurant in the Airport Terminal, and pointed out that the Company wanted to change the contract from a three-year to a five-year contract. Councilman Bechtol 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 Driskill Hotel Company in accordance with the terms and provisions of that certain contract, a 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.

The motion, seconded by Councilman White, carried by the following vote:  
 Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
 Noes: None

The Mayor brought up the following zoning applications deferred from last week; and March 24th:

MRS. CORDELIA A.	4717-4805 Harmon Avenue	From "A" Residence
LENTHE & THEODOR E.		To "C" Commercial
BECKER		NOT Recommended by the
		Planning Commission

Councilman Palmer stated he had a call from the Attorney, MR. VANDERGRIFT, who represented the opposition, stating they had no opposition to "O" Office. The Mayor asked those who wished to grant the change to "O" Office to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
 Noes: None

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance.

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MRS. WESLEY DIVER	1201 Ruth Avenue	From "A" Residence
	6604-08 Grover Avenue	To "B" Residence
		NOT Recommended by
		the Planning
		Commission

The Mayor asked those who wished to grant the change to "B" Residence to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Palmer, Perry, White, Mayor Miller  
 Noes: Councilman Bechtol

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance.

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The Council had before it the following zoning application:

R. C. TUCKER	Part of Tract 2, Area 6,	From Interim "A"
By Doak Rainey	Original Zoning of pro-	Residence
	perty annexed south of	To "B" Residence
	Northland Drive and west	
	of Bull Creek Road	
	(adjoining the tract now	
	being used for construction	
	of apartments known as High-	
	land Park Apartments)	

The Mayor asked those who wished to establish the original zoning as "B" Residence to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The Mayor announced that the original zoning had been established as "B" Residence and the City Attorney was instructed to draw the necessary ordinance.

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the property situated on the north side of West 1st Street as a private gasoline plant consisting of an 8,000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by Maufrais Brothers, Inc., and is Lot 1, Block 7, Raymond Plateau, and the unplatted section of the I & GN Railroad Company Tract known as 910 West 1st Street, of the City of Austin, Travis County, Texas, and hereby authorizes the said Maufrais Brothers, Inc. to operate a private gasoline plant consisting of an 8,000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Maufrais Brothers, Inc. has failed and refused, and will continue to fail and

refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas  
April 7, 1960

"Mr. W. T. Williams, Jr.  
City Manager  
Austin, Texas

"Dear Sir:

"I, the undersigned, have considered the application of Maufrais Brothers, Inc. for permission to operate a private gasoline plant consisting of an 8,000 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the north side of West 1st Street, which property is designated as Lot 1, Block 7, Raymond Plateau, and the unplatted section of the I & GN Railroad Company Tract in the City of Austin, Travis County, Texas, and locally known as 910 West 1st Street.

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

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

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

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

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

"Respectfully submitted,  
(Sgd) Dick T. Jordan  
Building Official"

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the application of Southwestern Bell Telephone Company to construct and maintain the hereinafter described underground improvements: a transformer vault 9.50' x 20.00' under the sidewalk area on the East side of Colorado Street within the area described as follows, to wit:

A portion of Colorado Street north of West 9th Street, both being streets in the Original City of Austin, Travis County, Texas, as shown on a map or plat of said Original City on file in the General Land Office of the State of Texas, said portion of Colorado Street being more particularly described as follows:

BEGINNING at a point in the east line of Colorado Street, said point of beginning being 11.30 feet north of the point of intersection of the east line of Colorado Street with the north line of West 9th Street;

THENCE, with a line 11.3 feet north of and parallel to the westerly prolongation of the north line of West 9th Street in a westerly direction 9.50 feet to a point;

THENCE, with a line 9.50 feet west of and parallel to the east line of Colorado Street in a northerly direction 20.00 feet to a point;

THENCE, with a line 31.30 feet north of and parallel to the westerly prolongation of the north line of West 9th Street in an easterly direction 9.50 feet to a point in the east line of Colorado Street;

THENCE, with the east line of Colorado Street in a southerly direction 20.00 feet to the point of beginning;

be and the same is hereby granted and the Building Inspector is hereby authorized to issue a permit for the construction of such improvements, said grant and permit to be subject to the following conditions:

- (1). The improvements shall be constructed and maintained in compliance with all ordinances relating thereto.
- (2). The permit shall be issued and accepted subject to all reasonable police, traffic, fire, and health regulations of the City of Austin, now existing or hereafter adopted.
- (3). The repair or relocation of any and all utilities in the vicinity due to those improvements shall be done at the expense of the Southwestern Bell Telephone Company.
- (4). The Southwestern Bell Telephone Company will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the construction or maintenance of said improvements.
- (5). The City of Austin may revoke such permit at any time and upon

such revocation the owner of the building will construct the necessary walls and footing to separate such space from any buildings or other improvements and pay all costs and expenses attendant therewith.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

Councilman White introduced the following ordinance and moved that it be published in accordance with Article 1, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 1.07 ACRES OF LAND OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NO. 18 IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The motion, seconded by Councilman Bechtol, carried by the following vote:  
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING 0.033 OF ONE ACRE OF LAND, SAME BEING A PORTION OF THAT CERTAIN STREET IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, KNOWN AS BULL CREEK ROAD, RETAINING A SANITARY SEWER EASEMENT, IN THE CITY OF AUSTIN, AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING THAT CERTAIN PORTION OF A PUBLIC STREET KNOWN AS PERRY LANE, WHICH LIES EAST OF BULL CREEK ROAD AND WEST OF FINLEY DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

No action was taken on the ordinance to vacate East 17th Street Alley from Neches Street easterly 69', nor on the ordinance vacating a portion of Live Oak Street.

MAYOR MILLER announced that MR. RALPH DAVIS, was to brief the Council members on the evaluation of the bids received for the gas supply, and would make explanations; and that Mr. Davis had agreed to hear any of the bidders that wanted to be heard, on Friday (April 8th) and that the Council would arrange such a meeting for them. TEXAS CENTRAL GAS COMPANY was scheduled to be heard at 10:00 A.M., Friday, April 8th.



The City Manager submitted the following:

"A. C. WARNER, GENERAL CONTRACTOR  
P. O. BOX 5073  
AUSTIN 31, TEXAS  
April 6, 1960

"Mr. W. T. Williams, Jr.  
City Manager  
P. O. Box 1160  
Austin 64, Texas

"Dear Mr. Williams:

"I propose to make certain changes in my previous bid for construction of the Concession Building at Zilker Springs. These changes are indicated on the attached NEGOTIATION PROPOSAL dated April 6, 1960.

"The revised lump sum bid including the changes indicated is Seventeen thousand four hundred eighty six dollars (\$17,486.00).

"Sincerely,  
A. C. WARNER, GENERAL CONTRACTOR  
By s/ A. C. Warner  
A. C. Warner, Owner

"NEGOTIATION PROPOSAL

"Concession Building at Zilker Springs  
Negotiated Changes to Base Contract  
April 6, 1960

P L A N S

"The revised contract drawing supersedes the original contract drawings dated 9-25-59 except for details or notes shown on the following sheets.

- "Sheet No. 1. Grading requirements shall be the same for the revised building.
- Sheet No. 3. Contractor shall install fountain drink machine and ice receptacle.
- Sheet No. 4. Shelving requirements shall apply. Refer to Section E-E.
- Sheet No. 6. The electrical requirements shall be the same as shown on Sheet 6, except for such electrical work deleted with the removal of the mechanical room. The electrical work shall additionally include the connection of three 1/4 HP ventilating fans in partition wall as shown on plan.
- Sheet No. 7. The plumbing requirements shall remain the same.

General Note: Contract includes allowance of \$335 for installation of aluminum wainscot.

Contract includes allowance of \$400. for ventilation equipment consisting of three (3) fans and two (2) ceiling ventilators.

S P E C I F I C A T I O N S

"The bound set of documents as listed in its table of contents shall remain the same inasmuch as each is applicable to the revised plans except as follows:

- "P. 15 Roof bond will not be required. Roofers 5 year guarantee will be provided.  
P. 22 Add "All sheetrock will be textoned."

"A. C. WARNER, GENERAL CONTRACTOR  
By s/ A. C. Warner  
A. C. Warner, Owner

"March 18, 1960

"A. C. WARNER - Cost Breakdown as Bid

	<u>Bid</u>	<u>Revised 4-4-60</u>
General Conditions	259.00	259.00
Specified Allowance for Sign	100.00	0
Excavation	465.00	465.00
Forms and Concrete	1,009.00	793.00
Finishing Concrete	435.00	191.00
Reinforcing Steel & Wire Mesh	1,377.00	325.00
Structural & Misc. Steel	33.00	3.00
Cast Stone	141.00	70.00
Masonry	1,874.00	1,017.00
Carpentry	2,121.00	2,069.00
Millwork	410.00	410.00
Insulation	150.00	180.00
Lathing & Plastering	1,333.00	100.00*
Waterproofing	60.00	60.00
Roofing & Sheetmetal	740.00	200.00
Overhead Door	260.00	100.00
Special Equipment	30.00	30.00
Stainless Steel	1,080.00	320.00
Airolite Aluminum Louvers	45.00	45.00
Aluminum Windows	-0-	0
Glass, Glazing & Aluminum	936.00	670.00
Ceramic Tile	580.00	100.00
Formica	111.00	350.00**
Cleaning	80.00	80.00
Painting	623.00	850.00
Caulking & Weatherstripping	27.00	27.00
Rough Hardware & Misc.	130.00	130.00
Toilet Accessories	-0-	0
Finish Hardware	259.00	259.00
Electrical	3,175.00	3,050.00
Plumbing	2,323.00	2,323.00
Heating & Air Conditioning	3,193.00	400.00
Supervision	450.00	450.00
Total	23,809.00	15,326.00 (8,483.00) dif- ference
Taxes & Insurance	500.00	
Overhead & Profit	1,500.00	
Bond	260.00	
Total	26,069.00	

ORIGINAL BID TOTAL . . . . . \$25,969.00

"Original Bid	25,969.00
Negotiated Difference	<u>8,484.00</u>
Negotiated Price	17,486.00

\* Included in allowance for aluminum wainscot.

\*\* \$235.00 included in allowance for aluminum wainscot.

"REVISED CONCESSION BLDG. PLANS -

Date: 4-6-60

COST OF TRANSFORMER ROOM AND ASSOCIATED ELECTRICAL WORK

Trans. Room	\$970.
Elect. inside room	170.
Underground ducts	<u>500.</u>
	1,640

NEGOTIATED CONTRACT	\$17,486.
Trans. Room and Ducts	<u>1,640</u>

\$15,846 Net cost of conc. bldg exclusive of trans. room and ducts.

The City Manager reviewed the bids for the construction of the Concession stand at Zilker Springs, and stated that Councilman Palmer and Mr. Eldridge had worked with the low-bidder to cut down the cost of the building. He showed the plans, and the items which has been revised. After considerable discussion, Councilman Bechtol moved that the contract be awarded to the low bidder, A. C. WARNER, General Contractor for the construction of a Concession Building at Zilker Springs, upon the assurance of the low bidder that he has waived his rights under the general conditions of the contract concerning the amount of quantity of change orders that would be required of the contract, and in keeping with the change orders which have been discussed with the contractor, and which are submitted in writing by the contractor. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White

Noes: None

Not in Council Room when vote was taken: Councilman Perry, Mayor Miller

The Assistant City Manager announced that Monday, April 11th, at 3:00 P.M. the Fall-out shelter would be officially opened.

The ELECTRIC UTILITY - CITY OF AUSTIN MONTHLY PROGRESS REPORT FOR MARCH 1960 was filed with the Council.

Councilman Palmer moved that the Council adjourn. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller

Noes: None

The Council adjourned at 12:30 P.M., subject to the call of the Mayor.

APPROVED

\_\_\_\_\_  
Mayor

ATTEST:

Eliza Worsley  
City Clerk