

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 9, 1956  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

## Roll call:

Present: Councilmen Long, Palmer, Pearson, 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.

Invocation was delivered by REV. H. L. MacALLISTER, Govalle Methodist Church, 831 Springdale Road.

Councilman White moved that the Minutes of February 2, 1956, be approved. The motion seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman White offered the following resolution and moved its adoption:

## (RESOLUTION)

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a warranty deed on behalf of the City of Austin conveying the following described property to Gray and Becker, Inc., a private corporation, upon payment of the consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, said tract of land being described as follows, to wit:

379 square feet of land, same being out of and  
a part of that certain tract of land out of the  
Santiago Del Valle Grant in the City of Austin,

Travis County, Texas, which was conveyed to the City of Austin by Warranty Deed dated December 28, 1955 of record in Volume 1650 at Page 246 Deed Records of Travis County, Texas, and is described as tract No. 2 in said Deed, which 379 square feet of land is more particularly described by metes and bounds as follows:

BEGINNING at the Northeast fence corner of the said City of Austin tract, same being the Northwest fence corner of a tract of land conveyed to Gray and Becker, Inc., by Warranty Deed dated September 15, 1954 of record in Volume 1493 at page 338, Deed Records of Travis County, Texas;

THENCE, with the east fence line of the said City of Austin tract, and the west fence line of the said Gray and Becker, Inc. tract of land, S.  $46^{\circ} 46'$  W. 392.60 feet to an iron stake in the east Right-of-Way line of the Interregional Highway;

THENCE, with the east Right-of-Way line of the Interregional Highway N.  $17^{\circ} 45'$  E. 392.27 feet to an iron stake on the north line of the said City of Austin tract, same being the south line of Southside Addition, according to a plat of said Southside Addition of record in Book X at page 576, Plat Records of Travis County, Texas;

THENCE, with the north line of the said City of Austin tract and the south line of said Southside Addition, S.  $58^{\circ} 35'$  E. 19.85 feet to the point of beginning.

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

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 14 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF WINDSOR PARK NO. 2, SECTION ONE AND SECTION TWO, BOTH BEING SUBDIVISIONS OF PORTIONS OF THE DINSMORE SIMPSON SURVEY, 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 White, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

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

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

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 "L", 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 "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT ON LOTS 3 AND 4, IN THE ALICE E. MILLER RESUBDIVISION OF LOT 3, IN BLOCK L, RIDGETOP ADDITION AND THE WEST 8 FEET OF LOT 4, BLOCK L, RIDGETOP ADDITION, LOCALLY KNOWN AS 5004-08 INTERREGIONAL HIGHWAY AND 1021-23 EAST 51ST STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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 Pearson, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller  
Noes: Councilman Long

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 Pearson, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller  
Noes: Councilman Long

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

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller  
Noes: Councilman Long

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin has received bids for the 60,000 gallon ball tower water tank which it owns in the 900 Block of St. Johns Avenue, and which is no longer needed for the City of Austin's water distribution system; and,

WHEREAS, the highest and best bid received for said water tower was that of Jefferson Chemical Company in the amount of \$1,505.00; Now, Therefore,

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

That the bid of Jefferson Chemical Company in the sum of \$1,505.00 be and the same is hereby accepted, and the City Manager is authorized and directed to execute such acquittance or bill of sale as necessary to effect transfer of title.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the agreement between the Austin Public Schools and the City of Austin adopted November 24, 1954 as the policies which were to guide the Austin Public School Administration and the City Administration in the joint use and development of school and recreational facilities, now need to be amended in paragraph C., 1., i., to properly apportion the expense of water and electricity; Now, Therefore,

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

That paragraph C., 1., i., of said policies adopted November 24, 1954, be and the same is hereby amended so that said sub-paragraph shall hereafter read as follows:

To compensate the School Authority for electricity and water consumed by the City Authority in the use of school facilities throughout each year, the City will bear each year all of the School Authority's utility bills scheduled for billing in the ordinary course of business during the months of July and August. The utility costs borne by the City thereby will cover part of the total school utility usage in June all of the usage in July, and part of the usage in August.

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, public utility and drainageway easements were reserved and dedicated to the public on either side of the dividing lines of all lots on a map or plat of Highland Park West, a subdivision of portions of the Daniel J. Gilbert Survey, the C. J. Strother Survey, and the Albert Selsbee Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Highland Park West of record in Book 4, page 299, Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the hereinafter described premises has requested that said public utility and drainageway easement located thereon be released; and,

WHEREAS, the hereinafter described easement is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute a release of the public utility and drainageway easement located on the hereinafter described premises:

- (1) The Northeast five (5) feet of Lot 5, Block 0 of said Highland Park West.
- (2) The Southwest five (5) feet of Lot 6, Block 0 of said Highland Park West.

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

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Mayor Miller brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 67.76 ACRES OF LAND OUT OF THE HENRY P. HILL LEAGUE 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 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, Palmer, Pearson, White, Mayor Miller

Noes: None

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

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman Long asked the Council to explore the possibility of selling water to San Antonio, as it was trying to get more water and was talking about building a 10 million dollar dam, and the city had 412 million acres of water. She thought it might bring in 200,000 dollars a year. The Mayor suggested letting San Antonio initiate the proposition; and stated that the City had obtained that allotment while JUDGE W. T. WILLIAMS, SR. was City Attorney. He stated he would look into the matter, and asked that the Council also be thinking about a proposition of building a line up to West Lake Hills.

Mayor Miller submitted a resolution pertaining to Federal and State aid in relocating utilities with the right-of-ways of international highways. Councilman Long then offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the 84th Congress is considering a Federal Aid Bill to assist in the construction of a system of transcontinental and international highways, freeways and expressways throughout the nation; and,

WHEREAS, past Federal programs have been limited to payment of part of the construction cost with no payment toward the cost of acquiring right-of-way; and,

WHEREAS, in addition to right-of-way costs, the construction of such highway, freeway and expressway systems through municipalities create expensive problems of relocating or readjusting public utilities within the designated right-of-way, which frequently extend beyond the immediate project; and,

WHEREAS, the City of Austin has spent approximately two million dollars for right-of-way for Interregional Highway (U.S. Highway 81), and it appears that the citizens will be called upon within the near future to spend approximately one million dollars more in furtherance of such highway program, and in addition thereto extensive costs for relocating its sanitary sewers, storm sewers, water system and electrical system; and,

WHEREAS, such interregional and international highway system is intended to serve all the people of the United States without disproportionate burdens upon a few it is hoped that the Congress will recognize public utility relocation and readjustment costs as a part of construction costs; Now, Therefore

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

That the members of the 84th Congress of the United States of America be urged to amend and support the pending highway legislation so as to provide for Federal participation in the cost of right-of-way and relocating public

utilities incidental to highway, freeway and expressway construction; and,

BE IT FURTHER RESOLVED:

That the City Clerk of the City of Austin be and she is hereby authorized and directed to prepare and send a certified copy of this Resolution to all members from Texas of the 84th Congress of the United States.

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

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Mayor Miller asked the Press and Radio and T.V. to invite the public up to look at the Highway map on East Avenue.

MR. R. M. BAUTISTA introduced the President and Secretary of the LULAC CLUB. A proclamation for Lulac Week had been drawn.

Councilman Long stated she was getting calls from people in the Airport area asking when the work on Phase 2 would begin and when they would be required to move. The City Manager explained the progress of Phase I and the location of the property to be acquired for the east-west run way. He explained further that the C.A.A. had money earmarked for Phase 2 which would have to be matched by city funds; and if bonds are authorized by election, this work would be included in the bond proposal, and the work would be under contract by July 1st of this year. The Mayor asked the City Manager to get a report stating how many bonds that were imperative could be issued per year without raising the interest and sinking funds, and which he thought were the most urgent; and let the Council know so it could give some publicity to this, pointing out how much could be done with no increase. If the people wanted more, then that would have to be figured out. The City Manager stated he would have that by next week.

The Mayor reported on negotiations with Mr. M. H. CROCKETT regarding widening Riverside Drive. Councilman Pearson reported on arrangements worked out with MR. ROY SNAUTZ in the same widening project. Councilman Long moved that the City Manager be authorized to enter into an agreement to get the rights-of-way for these streets, and on the other side with haste. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Councilman Long stated the Mayor and Councilman Pearson should be commended for their quick action in securing this right-of-way and for their efforts.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized

to execute a quitclaim deed on behalf of the City of Austin conveying to M. H. Crockett whatever right, title or interest the City of Austin has in that certain 1289 square feet of land being out of and a part of a street known as Riverside Drive in the Isaac Decker League in the City of Austin, Travis County, Texas, same being along the west side of Riverside Drive south of its intersection with Barton Springs Road, SAVE and EXCEPT, however, a public utility easement in, upon and across said tract is to be retained by the City of Austin.

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
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 W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a contract between the City of Austin and M. H. Crockett, et al, and the execution of such contract is hereby ratified and confirmed, by the terms of which the City of Austin in return for the necessary right-of-way for widening Riverside Drive between Barton Springs Road and South Congress Avenue to a width of eighty (80) feet, the City of Austin will pay the cost of paving such street to a width of sixty (60) feet with thoroughfare type paving and with necessary appurtenances, to replace sidewalks, and to install curbs, gutters and driveways.

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

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING THAT CERTAIN 1289 SQUARE FEET OF RIVERSIDE DRIVE WHICH LIES SOUTH OF BARTON SPRINGS ROAD AND ALONG THE WEST SIDE OF RIVERSIDE DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING A PUBLIC UTILITY EASEMENT THEREON; AND SUSPENDING THE ORDINANCE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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 Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

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 Palmer, carried by the following vote:



Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

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

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager announced that the lake would begin to be lowered on the night of February 15th and go down slowly about 13'. He believed it would be down about two weeks. The Council was favorable to this date and length of time.

The City Manager announced that architects had been engaged for drawing plans for the fire stations. A tentative site on East 30th had been recommended for the 30th and Guadalupe Station, and he asked the Council to go by and look the area over.

In checking over the list of surplus city property, the Council suggested that the Mayor contact MR. JANES and see what could be worked out.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, J. H. Herman, Jr. is the Contractor for the alteration of a building located at 718 Congress Avenue and desires a portion of the sidewalk and street space abutting the north 23 feet of Lot 5, Block 83, of the Original City of Austin, Travis County, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said J. H. Herman, Jr., the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the north east corner of the above described property; thence in an easterly direction and at right angles to the center line of Congress Avenue to a point 5 feet west of the west curb line; thence in a southerly direction and at right angles to the center line of Congress Avenue approximately 23 feet to a point; thence in a westerly direction and at right angles to the center line of Congress Avenue to the South east corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said J. H. Herman, Jr., hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall erect within the above described working space a solid fence built of not less than one-inch material and at least 8 feet in height (or extending from the sidewalk to the underside of the present awning) substantially braced and anchored and to maintain same in good condition at all times while the work is in progress. The Contractor will be permitted to put and/or in the barricade that will either open in or slide parallel to the barricades, and at all times that material is being delivered or taken away from the building, a watchman shall be provided to warn pedestrians of approaching danger. (The Contractor will also be permitted to use two parking meter spaces immediately in front of the entrance in the barricade for the delivery or removal of materials during construction work.)

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(5) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(6) That the Contractor shall place on the outside corners of any walkway, barricades, or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(7) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than March 6, 1956.

(8) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(10) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(11) That the Contractor shall furnish the City of Austin a surety bond in the sum of Two Thousand Dollars (\$2000.) which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

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

The Council informally approved membership in the Society of Associated Industrial Editors.

There being no further business Councilman Long moved that the Council adjourn. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Council adjourned at 11:50 A.M. subject to the call of the Mayor.

APPROVED

  
Mayor

ATTEST:

  
City Clerk