

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 20, 1955
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

Roll Call:

Present: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Absent: None

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

Invocation was delivered by REV. RAYMOND BRINK, Trinity Methodist
Church.

Pledge of Allegiance to the Flag.

Councilman White moved that the Minutes of April 14th be approved with
typographical corrections. The motion, seconded by Councilman Pearson, carried
by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

MR. RALPH A. BICKLER presented the following Resolution of the Travis
Audubon Society:

"RESOLUTION

"WHEREAS, The City of Austin is widely known as a city of culture
and learning; and

"WHEREAS, its citizens have a deep appreciation of its natural beauty
and harbor a strong desire for the preservation and conservation of its natural
beauties and resources, as well as the many benefits and pleasures derived from
various forms of wildlife, most especially of birds, within its boundaries; and

"WHEREAS, it is the firm conviction of the members of Travis Audubon
Society that conservation affects profoundly the physical, spiritual, and

economic welfare of every man, woman, and child everywhere and always; and

"WHEREAS, the protection of birds in Austin is a conservation measure of utmost importance and may be brought about to a large extent by declaring the City of Austin a bird sanctuary;

"NOW, THEREFORE, BE IT RESOLVED that the City Council of Austin be hereby petitioned to declare and designate the City of Austin a bird sanctuary.

"BE IT FURTHER RESOLVED that the City Council be hereby respectfully requested to direct the Austin Recreation Department to co-operate with the Travis Audubon Society in the erection of attractive, suitable signs, reading "Austin Is A Bird Sanctuary," at the city limits on the principal highways leading into the City of Austin.

"TRAVIS AUDUBON SOCIETY

"(Sgd) Mrs. Magnolia N. Greene
Mrs. Magnolia N. Greene,
Chairman,
Board of Directors.

"(Sgd) Ralph A. Bickler
Ralph A. Bickler,
President"

He stated the Society would get permission from the land owners and the Highway Department to make the property available, and that the Society would furnish the signs. Councilman Pearson asked if the property owners would look to the Society on matters concerning the signs, and Mr. Bickler stated the Society would do everything. MRS. NOE NEAL invited the Council to visit the Nature Trail next Sunday on its anniversary. Councilman Long moved that the Society's Resolution be adopted and refer the matter to the City Manager. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

MR. BARNEY TRYNOR, Hillard's Rent-a-Car Company, expressed dissatisfaction with the partition at the Municipal Airport for the space they were renting, and believed it did not give them the advertising advantages as it did the other company, and did not give the necessary air circulation. He stated he had taken this up through the City Manager's Office, and the City Manager had stated he would wait until summer and if the air circulation was bad he would do something about making changes. The City Manager outlined a meeting with the two companies whereby these plans had been made, apparently satisfactory to both; and he believed if some changes were made now, the other Company would ask for alterations, and he recommended that time be allowed to give actual knowledge of the conditions rather than anticipation that it would not work out. After more discussion, Councilman Thompson moved that the matter be referred to the City Manager and let him handle it as an administrative matter. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Thompson, White, Mayor McAden
Noes: Councilmen Long, Pearson

The City Manager recommended abandonment of the Skip Paving Program, Unit 3, Raleigh & Gilbert, property of Mr. Antonie, as the property owners had gone into a voluntary paving program which will provide for this particular paving and the rest of the block. The firm of GIESEN & LATSON will do the paving. The City Manager stated an ordinance would be submitted next week to abandon this unit.

MR. JAMES SLOAN appearing for Mr. David Tisinger with reference to the request for sidewalks on Exposition from 6th to 35th, stated they did not wish to withdraw this request, but had an alternate to submit. The people had raised the money for putting the sidewalks in from Windsor to Casis, and he asked the city to take the proper steps to authorize the construction of the sidewalks. These sidewalks would be located as presented formerly, and it was not believed that anyone in this area would object to the sidewalks, although one person did not sign the commitment. The group was asked to try to work out the paving project on a voluntary plan on that portion, and have it ready when the Legislature appropriated its part of the paving, and thereby realize about 50% savings by going the voluntary way. Councilman Thompson moved that the City Manager be instructed to prepare the ordinance as necessary for the cooperation with these people for the construction of these sidewalks and have it ready for next Thursday's meeting. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

MR. VICTOR GLECKLER appeared for information on declaring the necessity of paving and improving portions of Brentwood Street and other streets. This was explained in detail to him, and it was suggested that he get with the contractor, Mr. Latson, and find out what it would cost him to go into the voluntary paving of the street in front of his lots, and report back next Thursday.

Mayor McAden introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40th LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR

DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS,
AND DECLARING AN EMERGENCY.

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 Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The City Manager submitted the following:

"Sealed bids opened 2:00 P.M.
March 31, 1955
Tabulated by: O. G. Brush
Purchasing Agent

"TABULATION OF BIDS
for furnishing
INTRAVENOUS SOLUTIONS
TO
BRACKENRIDGE HOSPITAL
(to be placed on 2 year contract)

"BIDDER MANUFACTURER OF SOLUTIONS	WILSON XRAY & SURGICAL COMPANY "CUTTER"	SANDS PROFESSIONAL PHARMACY "ABBOTT"	AMERICAN HOS- PITAL SUPPLY "BATTER"
Total bids all items listed	\$30,813.58	Not complete	Not complete
Total bids on items on which all bidders quoted in order to de- termine low bidder	\$30,711.99	\$32,343.96	\$32,177.56
Cash discount on invoices if paid by 10th prox.	2%	2%	2%

Recommend low bidder, Wilson Xray be awarded contract.

(Sgd) W.T.W.
City Manager"

Councilman Thompson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 31, 1955,

for furnishing the estimated requirements of Intravenous Solutions for two years for the City of Austin; and,

WHEREAS, the bid of Wilson X-ray & Surgical Company in the sum of \$30,711.99 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 Wilson X-ray & Surgical Company in the sum of \$30,711.99 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, is hereby authorized and directed to execute a contract on behalf of the City of Austin with Wilson X-Ray & Surgical Company.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

(1) A gas main in ALAMEDA DRIVE, from Sunset Lane northerly 48 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said ALAMEDA DRIVE.

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

(2) A gas main in LAIRD DRIVE, from a point 175 feet north of Karen Avenue, northerly 280 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said LAIRD DRIVE.

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

(3) A gas main in BRENTWOOD STREET, from Laird Drive easterly, 709 feet, the centerline of which gas main shall be 6.5 feet south of and parallel

to the north property line of said BRENTWOOD STREET.

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

(4) A gas main in WALNUT AVENUE, from a point 236 feet north of East 32nd Street, northerly 145 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said WALNUT AVENUE.

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

(5) A gas main in GROVER AVENUE from a point 140 feet north of Koenig Lane southerly 147 feet, the centerline of which gas main shall be 7 feet west of and parallel to the east property line of said GROVER AVENUE.

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

(6) A gas main in KOENIG LANE from Grover Avenue, easterly 766 feet to Sunshine Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said KOENIG LANE.

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

(7) A gas main in SUNSHINE DRIVE from Koenig Lane northerly 558 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said SUNSHINE DRIVE.

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

(8) A gas main in AURORA DRIVE from Koenig Lane northerly 715 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said AURORA DRIVE.

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

(9) A gas main in MANCHACA ROAD from a point 769 feet south of Redd Street, southerly 1775 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said MANCHACA ROAD.

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

(10) A gas main in FRONTIER TRAIL from Manchaca Road northerly 1142 feet to a point 100 feet north of Cactus Lane, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said FRONTIER TRAIL.

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

(11) A gas main in LASSO PATH from Frontier Trail northerly 594 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said LASSO PATH.

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

(12) A gas main in CACTUS LANE, from Frontier Trail easterly 349 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said CACTUS LANE.

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

(13) A gas main in ROUND UP TRAIL, from Manchaca Road northerly 1387 feet to a point 60 feet north of Cactus Lane, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said ROUND UP TRAIL.

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

(14) A gas main in PAWNEE PATHWAY from Round Up Trail southerly 249 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said PAWNEE PATHWAY.

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

(15) A gas main in BELMONT PARKWAY from a point 156 feet east of Belmont Circle, easterly 390 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said BELMONT PARKWAY.

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

(16) A gas main in LERALYNN STREET, from a point 41 feet south of Genard Street, southerly 55 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of LERALYNN STREET.

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

(17) A gas main in GRAYSON LANE from East 40th Street southerly to a point 116 feet north of East 39th Street, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said GRAYSON LANE.

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

(18) A gas main in EAST 40TH STREET, from Airport Boulevard westarily 726 feet to a point 200 feet west of Vineland Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said EAST 40TH STREET.

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

(19) A gas main in VINELAND DRIVE from a point 147 feet north of East 40th Street, southerly to a point 262 feet south of East 40th Street, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said VINELAND DRIVE.

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

(20) A gas main in BOLM ROAD from Shady Lane easterly 1639 feet to Walton Lane, the centerline of which gas main shall be 4 feet south of and parallel to the north property line of said BOLM ROAD.

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

(21) A gas main in WALTON LANE from Bolm Road northerly 712 feet, the centerline of which gas main shall be 4 feet west of and parallel to the east property line of said WALTON LANE.

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

(22) A gas main in KOERNER STREET, from Bolm Road southerly 468 feet, the centerline of which gas main shall be 6 feet west of and parallel to the east property line of said KOERNER STREET.

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

underground 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 Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Pearson 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 East 56th Street as a private gasoline plant consisting of a 550 gallon tank and one 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 Jarrell Insulators, and is the 200 x 200 foot unplatted part of R. V. Long 23 acre tract, of the City of Austin, Travis County, Texas, and hereby authorizes the said Jarrell Insulators to operate a private gasoline plant consisting of a 550 gallon tank and one 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 Jarrell Insulators has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendation Attached)

"Austin, Texas
April 20, 1955

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

"Dear Sir:

"I, the undersigned, have considered the application of Jarrell Insulators for permission to operate a private gasoline plant consisting of a 550 gallon underground tank and I 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 East 56th Street, which property is designated as 200 x 200 feet unplatted part of R. V. Long 23 acre tract, in the City of Austin, Travis County, Texas, and locally known as 620 East 56th Street.

"This property is located in a "C" Zone 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) J. C. Eckert
J. C. Eckert
Building Inspector"

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

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, J. M. Odom is the Contractor for the erection of a building located at 810-818 Brazos Street and desires a portion of the sidewalk and

street space abutting Lots 9, 10, 11 and 12, Block 97, of the Original City of Austin, Travis County, Texas, during the erection 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. M. Odom, 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 Brazos Street to a point 20 feet east of the west curb line; thence in a southerly direction and parallel with the center line of Brazos Street approximately 130 feet to a point; thence in a westerly direction and at right angles to the center line of Brazos Street to the east line of the above described property.

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

(1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted, a substantial walkway at least 4 feet wide in the clear on the inside and at least 8 feet high, the same to be covered solidly on the street side with boards to a height of 4 feet above pavement and on the building side to be covered solidly with boards to a height of 8 feet. The top of the walkway shall be covered solidly with boards at least 2 inches thick, which shall be supported at intervals sufficiently close to prevent sagging of the roofing material which will prevent leaking of the roof and provide a dry walkway at all times. No wood strips or obstructions of any kind shall be permitted along the pavement within the walkway, and at any time in the opinion of the City Officials it becomes necessary for any reason to install a board floor within the walkway the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(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 "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or

other public utilities in the construction of such barricades.

(7) 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.

(8) 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.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstruction 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 April 15, 1956.

(10) 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.

(11) 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.

(12) 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 Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000.) 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 White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Unitech Company is the Contractor for the alteration of a building located at 917 Congress Avenue and desires a portion of the sidewalk

and street space abutting the south 1/2 of Lot 5, Block 111, 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 Unitech Company, the boundary of which is described as follows:

Sidewalk and Street Working Space

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

2. THAT the above privileges and allotment of space are granted to the said Unitech Company, 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 a door 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 2 parking meter spaces immediately in front of the entrance in the barricade for the delivery or removal of materials during construction work.)

(2) 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.

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

(4) 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.

(5) 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.

(6) 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 July 1, 1955.

(7) 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.

(8) 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 of all of said space any time with its public utilities, or for other necessary public purposes.

(9) 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 Contractors expense.

(10) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1000) 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 White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

No action was taken on the following Zoning Ordinance for its second reading:

IDA D. LEDBETTER	2356-2374 Rosewood Avenue	From "A" Residence 1st H&A
	1150-1160 Hargrave	and "C" Commercial 2nd H&A
		To "GR" General Retail
		6th H&A

Councilman Pearson moved that the Council delay any action on signs until the Council decides what we are going to do about these pieces of property (with reference to request of DUPLEX ADVERTISING COMPANY for approval of sign locations on city property). The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Mayor McAden brought up the following ordinance for its third 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 44.0 ACRES OF LAND, MORE OR LESS, OUT OF THE JAMES TRAMMEL SURVEY NO. 4, 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 third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White 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 the East Side Investment Company to construct and maintain the hereinafter described underground improvements:

A basement under the sidewalk area on the west side of Brazos Street adjoining Lots Nos. 9 and 10, Block 97 of the Original City of Austin, Travis County, Texas; 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 East Side Investment Company.
- (4). The East Side Investment 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 Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Council had before it the following report from the Plan Commission regarding a proposed northwest park at Austin Memorial Park:

"April 14, 1955

"Honorable Mayor and City Council
City of Austin
Austin, Texas

"File: C9-55-1

"Gentlemen:

"Your City Planning Commission, after careful study of the following matter, submits the following recommendation regarding a proposed Northwest Park at Austin Memorial Park. This is in reply to the Council request of March 3, 1955, at which time it was voted "to send this to the Planning Commission for a study, evaluation and report back to the City Council within six weeks."

"The Planning Commission and its Master Plan Committee have held several study sessions on this matter. A special field trip was made on March 15 by the Master Plan Committee, the Director of Recreation and members of the Planning staff. Individually other members of the Commission have made field inspection of the property. On March 22, the matter was further reviewed in Committee with two other Commission members also being present in addition to the above.

"At the Commission meeting on April 12, the matter was further discussed. As a result of this discussion the Commission

"VOTED: To recommend the following:

- "1) That arrangements be made to open Bull Creek Road northward from Hancock Drive to Northland Drive immediately.
- "2) That, in view of the apparent high cost of cemetery operation by the City, an immediate investigation be made of the feasibility of using that part north and east of the proposed road (between the road and Shoal Creek) for cemetery purposes.
- "3) That in the event it be found feasible to use the area designated in No. 2) above as a cemetery, that such use be continued.

"The Commission is not recommending on the specific location of an extension of Bull Creek Road at Hancock Drive. But, the Commission feels an increasing need for this road will develop for local circulation purposes as the area north of Northland Drive develops residentially.

"Respectfully submitted,
CITY PLANNING COMMISSION
(Sgd) V. L. Mike Mahoney
V. L. Mike Mahoney
Director of Planning"

MR. LANDON BRADFELD asked that the recommendation of the Plan Commission be followed. Councilman White stated he would never agree to split that cemetery up. Councilman Thompson believed the Railroad Boulevard would be built, and that this extension of Bull Creek Road should be left with the Master Planners. After discussion, Councilman Long moved that the Engineering Department be instructed to make a study of the feasibility of a street through

there and the least cost to the City. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long moved that the Master Planning Department be asked to make an immediate study of the land use in that area and find us a recommended area for a park. The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Thompson moved that a communication be sent this Master Planning group that is making the master plan asking that they immediately proceed to study the traffic pattern in that area and advise this Council about whether or not Bull Creek Road should be extended to tie into Bull Creek Road across Shoal Creek, or whether or not it should be extended in another direction, or whether or not it should be extended at all. The motion lost for lack of a second.

Discussion of marking left-turn lanes on Congress Avenue was held. Councilman White explained the wishes of the people out there, stating this was what they wanted. Councilman White moved that the street be painted marking the "left-turn" both ways (Academy Drive). The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson*, Thompson, White, Mayor McAden
Noes: None

*Councilman Pearson made the following statement concerning his vote:

"I very definitely understood that it was their wishes that we have left-turn lanes painted at Riverside Drive, Academy, Live Oak and Oltorf, and to go that far and eliminate spending \$5,000 building concrete islands. If they had moved back to one paved street that is news to me. I certainly will vote "aye" to put one in, but I feel that they certainly need all four; and the least we can do is to paint the safety left turn lanes."

Mayor McAden introduced the following ordinance:

AN ORDINANCE PERPETUALLY CLOSING AND VACATING
A CERTAIN PORTION OF CARRANZA STREET, IN THE CITY
OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE
ORDINANCE RULE REQUIRING THE READING OF AN ORDINANCE
ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Thompson 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 and directed to execute a quitclaim deed on behalf of the City of Austin conveying all its rights, title and interest in and to the following described tract of land to Everett D. Bohls for and in consideration of the payment by the said Everett D. Bohls to the City of Austin of the consideration of Ten Dollars (\$10.00) and other good and valuable consideration, said property being more particularly described as follows: to wit:

2190 square feet of land, more or less, same being a portion of a street shown as Carranza Street on a map or plat of Paul Simms Addition, a subdivision of Outlot 22 of Division A of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas, a map or plat of said Paul Simms Addition being of record in Book 3 at page 186, Plat Records of Travis County, Texas, which 2190 square feet of land is more particularly described by metes and bounds as follows:

BEGINNING at the point of intersection of the south line of Carranza Street with the west line of Calles Street, same being the northeast corner of Lot 42 of said Paul Simms Addition;

THENCE, with the south line of Carranza Street and the north line of Lot 42 and 41 of said Paul Simms Addition, N. 67° 11' W. 88.35 feet to the northwest corner of said Lot 41;

THENCE, following the northerly prolongation of the west line of said Lot 41, N. 22° 59' E. 15.41 feet to a point in the south line of East 7th Street;

THENCE, with the south line of East 7th Street, S. 79° 11' E. 90.31 feet to a point in the west line of Calles Street;

THENCE, with the west line of Calles Street, S. 22° 46' W. 34.19 feet to the point of beginning.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

The City Manager submitted the following:

"Sealed bids opened 2:00 P.M.
April 8, 1955
Tabulated by O. G. Brush,
Purchasing Agent

"B I D S

POLES - ELECTRIC DISTRIBUTION

"SIZE	QUANTITY	CONROE CREOSOT- ING COMPANY	OLIN MATHIESON CHEMICAL CO. (FROST)	KOPPERS COMPANY
55' Class 4 Poles	55 ea.	\$3094.94	\$2520.36	\$2669.13
50' " 4 "	55 ea.	2439.51	2068.14	2173.79
45' " 4 "	200 ea.	7091.28	6971.72	7089.32
40' " 5 "	200 ea.	*5239.08	*4894.12	5484.08
35' " 5 "	120 ea.	2395.51	2491.94	2379.05

GRAYBAR ELECTRIC COMPANY

\$3126.43
2444.80
6959.80
*4940.10
2429.46

"NOTE: Prices shown are net less all discounts.

"*These bidders stated on their bids that they cannot meet specified delivery schedule on 40' poles, since this size pole is in heavy demand and is definitely critical throughout the whole production area. Koppers Company only bidder able to ship per specified schedule.

"Electric Department advises that shipping dates given on bid form are necessary to meet City of Austin construction schedule, and recommend shipment as being of first consideration.

"RECOMMENDATIONS:

"55' and 50' Class 4 poles be awarded low bidder, Olin Mathieson Chemical Co.

- "45' Class 4 poles be awarded low bidder, Graybar Electric Co.
40' Class 5 poles be awarded Koppers Company as only bidder who can meet shipping schedule.
35' Class 5 poles be awarded low bidder, Koppers Co.

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

Councilman Thompson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 8, 1955, for the furnishing of electric distribution poles; and,

WHEREAS, the bids of Olin Mathieson Chemical Co. in the sum of \$2,520.36 for 55' Class 4 poles and of \$2,068.14 for 50' Class 4 poles, were the lowest and best bids therefor; and,

WHEREAS, the bid of Graybar Electric Company in the sum of \$6,959.80 for 45' Class 4 poles was the lowest and best bid therefor; and,

WHEREAS, the bid of Koppers Company in the sum of \$5,484.08 was the most advantageous bid for 40' Class 5 poles, and in the sum of \$2,379.05 was the lowest and best bid for 35' Class 5 poles; and,

WHEREAS, the acceptance of such bids 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 bids of Olin Mathieson Chemical Co. in the sum of \$2,520.36 for 55' Class 4 poles, and \$2,068.14 for 50' Class 4 poles; the bid of Graybar Electric Company in the sum of \$6,959.80 for 45' Class 4 poles; and the bids of Koppers Company in the sums of \$5,484.08 for 40' Class 5 poles, and \$2,379.05 for 35' Class 5 poles, be and the same are hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with the above named companies.

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

The City Manager presented the following:

"April 19, 1955

"The opening of bids on the 30" Sanitary Sewer Interceptor from West 3rd Street at Bowie Street North to Gaston Avenue were opened Tuesday, April 12, 1955, at 10:30 A.M. Following is a tabulation of bids.

"Austin Engineering Company	\$ 163,779.45
Karl B. Wagner	169,501.03
Joe Bland Construction Company	213,274.25

"It is my recommendation that Austin Engineering Company be awarded the contract.

"(Sgd) Albert R. Davis
Albert R. Davis
Superintendent
Water and Sewer Department

"Approved: (Sgd) W. T. Williams, Jr.
City Manager"

Councilman Thompson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 12, 1955, for a 30" Sanitary Sewer Interceptor, from West 3rd Street at Bowie Street north to Gaston Avenue; and

WHEREAS, the bid of Austin Engineering Company in the sum of \$163,779.45 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Water and Sewer Department 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 Austin Engineering Company in the sum of \$163,779.45 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, is hereby authorized and directed to execute a contract on behalf of the City of Austin with Austin Engineering Company.

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

The Mayor stated one of the policemen backed into Dr. Woolsey's widow's car and damaged it to the extent of \$60.00. The City Attorney stated there would be no liability on the taxpayers, as to pay this claim would be making a gift of public funds, taking tax money for which the City could not be held responsible legally. Councilman Pearson could not agree that Police and fire officers should not be covered under insurance, and inquired as to what other cities did in cases like this. The City Manager explained in detail--that the other cities that he knew of handled the cases in the same way--that the taxpayers were not at fault; the officers were in performance of a duty for the state and not the city. He had recommended that all employees carry a rider on their policies which would protect them while they were driving a city vehicle, and he suggested that it might be well for the city to carry that sort of rider for them as a part of the compensation. The employee then would be required to pay the claim if he were negligent. Councilman Thompson suggested that the City Manager bring a report to the Council covering a proposition of that sort. The Mayor asked that the City Manager give a detailed report on this particular accident. Councilman Thompson reminded there were many cases of this sort that had not been paid damages. The City Manager stated he would bring in a report on all drivers of governmental function cars, as well as the other city cars, with respect to this insurance.

Councilman White recommended that the Council instruct Mr. Williams to advertise in some way or some form that the City does have some property available to the public; sell it, get the money, and get these properties and lots on the taxrolls, and use that money for paving purposes. The City Manager suggested that the Council might like to study such things as restrictions and zoning which might bring a better price if certain changes were made. Councilman Pearson believed it would be necessary for the Council to go over these and come to a conclusion of what it would offer. Councilman Long had not had an opportunity to go over the list.

Councilman Long stated there were two propositions passed by the people in the election--the firecracker proposition and the dogs, and she asked the City Manager to draw those ordinances and bring them to the Council. Councilman White stated the people had spoken two-to-one. Councilman Pearson suggested that since the City had gone into this agreement with the Humane Society, he believed the situation would be improved, and recommended that the Council wait to see how it worked out. Councilman Thompson believed that would be the case also.

Councilman Long moved that the summer water rate be granted as of June 1st. The motion, seconded by Councilman White.

Councilman Thompson moved that the motion be tabled. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Pearson*, Thompson, Mayor McAden

Noes: Councilmen Long, White**

*Councilman Pearson made the following statement regarding his vote:

"I am in favor of summer water rates; it is a good thing; but I think that it is a policy that should be set by the incoming Council. Three of the present Council are for it, but I do not think we should vote on it before they have an opportunity to be heard. The revenues are coming out while they will be serving."

**Councilman White made the following statement for the record:

"If it is a good deal, why don't you vote for it now and not put it on the other Council?"

The City Manager submitted a voluntary paving project on Payne Avenue from Woodrow to Grover where most of the property owners had signed to pave, and one on CULLEN from Hardy Drive to Yeates, where there were only 75% that had signed. The Council informally agreed to go ahead with the paving on Payne and let Cullen wait until more signed up.

The City Manager brought a request from the First Presbyterian Church to use sidewalk space for their building, and line up with the building line of the Perry Hotel. He did not recommend granting this, as it would set a pattern for the whole block. The Council informally agreed to the City Manager's recommendation.


The City Manager reported on the progress of the trade of the triangle on Guadalupe and 29th, and the Texas Company filling station property on Guadalupe plus some property on the Interregional, stating the appraisors thought this to be a very advantageous trade for the City. It was requested that the City Manager send out a memorandum regarding the appraisal.

The Council adjourned about 1:00 P.M., subject to the call of the Mayor.

APPROVED:


Mayor

ATTEST:


City Clerk