

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 12, 1957
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 DR. ED BRATCHER, Tarrytown Baptist Church, 2620 Exposition Boulevard.

Councilman White moved that the Minutes of September 5, 1957, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Present but not voting: Councilman Long (as she was absent the week before)

MR. DAN FELTS, spokesman, and MR. COLBERT GLENN presented a petition signed by 1200 citizens asking that Cameron Road between U.S. 290 and East 51st Street be considered for immediate paving. Mr. Felts asked that a temporary type of pavement be placed pending the regular permanent type. The Director of Public Works stated plans had been worked up for 44' pavement, but there was a delay in getting right-of-way for future widening. The spokesmen were advised of the procedure to follow in getting the people signed up for permanent paving, as the Council did not favor a temporary type of paving.

The Council had under consideration the request for financial relief from the Austin Transit Corporation. MR. CLYDE MALONE and MR. FRANK DENIUS represented the Corporation. MR. M. H. CROCKETT stated the Company needed an increase or it would be forced out of business and the City would have to take over. MR. H. O. ZOCH, interested in the special school service for the children in Delwood IV area, stated their group was willing to pay extra for the extra service. After detailed discussion, Councilman White moved to increase the school children's fare on regular busses to 7¢ and special busses

to 10¢; increase the weekly passes to \$1.00, and leave the regular cash fare at 15¢ as it now stands. The motion, seconded by Councilman Palmer, carried by the following vote:

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

The City Attorney was instructed to draw the necessary ordinance. Mr. Malone stated the special busses would be started Morday at the present rates pending the final passage of the ordinance and the effective date of the increase.

The Mayor announced that the following application for change of zoning had been withdrawn by a letter from Mr. McCaskill dated September 10, 1957:

| | | |
|---------------|--------------------------|------------------------|
| DAN McCASKILL | 819-821 East 32nd Street | From "A" Residence |
| | 3106-3110 Red River | To "LR" Local Retail |
| | | NOT Recommended by the |
| | | Planning Commission |

Pursuant to published notice thereof the following zoning applications were publicly heard:

| | | |
|---------------------|----------------------|------------------------|
| LUPE & LUCY RAMERIZ | 2337 Rosewood Avenue | From "C" Commercial |
| | | To "C-1" Commercial |
| | | NOT Recommended by the |
| | | Planning Commission |

Opposition appeared. Mr. Rameriz withdrew his application.

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| | | |
|-------------|----------------------|------------------------|
| JOHNNY TOLL | 1122 Springdale Road | From "C" Commercial |
| | | To "C-1" Commercial |
| | | NOT Recommended by the |
| | | Planning Commission |

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

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

The Mayor announced that the change had been DENIED.

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LAMAR WELL REALTY
COMPANY

South Lamar Boulevard
and Treadwell Street

PART I
From "GR" General Retail
To "C-1" Commercial
5th Height and Area

PART II
From "GR" General Retail
To "C-2" Commercial

5th Height and Area
RECOMMENDED by the
Planning Commission

MR. TRUEMAN E. O'QUINN represented the applicant. No opposition appeared. The Mayor asked those who wished to grant the change to "C-1" Commercial 5th Height and Area on PART I and "C-2" Commercial 5th Height and area on PART II to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

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

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W. K. DILL

1200-10 Elm Street

From "B" Residence
To "LR" Local Retail
RECOMMENDED by the
Planning Commission with
understanding that appli-
cant will agree to give
10' right-of-way

Mr. Dill represented himself. No opposition appeared. The Mayor asked those who wished to grant the change to "LR" Local Retail to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

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

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E. L. CARUTHERS

1014-1022 East 51st
Street; 5100-02
Interregional
Highway

From "A" Residence
To "GR" General Retail
NOT Recommended by the
Planning Commission
RECOMMENDED "LR" Local
Retail

Mr. Caruthers represented himself. No opposition appeared. The Mayor

asked those who wished to grant the change to "LR" Local Retail to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

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

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| | | |
|--------------------|--------------------------|---|
| CARRET CORPORATION | 2512-18 West 12th Street | From "A" Residence To "B" Residence RECOMMENDED by the Planning Commission |
|--------------------|--------------------------|---|

Mr. Forest Pearson represented Carret Corporation. No opposition appeared. 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 Long, Palmer, Pearson, White, Mayor Miller
Noes: None

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

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| | | |
|---|------------------------------------|---|
| SKYVIEW HOTEL, INC. By Sidney Purser | 6901-6935 Interregional Highway | PART 1 From "C" Commercial 6th To "C" Commercial 2nd NOT Recommended RECOMMENDED 5th Height and Area |
| | 6909-6919 Interregional Highway | PART 2 From "C" Commercial To "C-1" Commercial 6th RECOMMENDED |
| | 6909-6919 Interregional Highway | PART 3 From "C" Commercial To "C-2" Commercial 6th RECOMMENDED by the Planning Commission |

Mr. P. E. Davis appeared for information. The Mayor asked those who wished to grant the change to 5th Height and Area on PART 1; to "C-1" Commercial 6th Height and Area on PART 2; to "C-2" Commercial 6th Height and Area on PART 3, to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the changes had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

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LAMAR WELL REALTY
COMPANY
By Trueman E. O'Quinn

Burnet Road and North
Loop Boulevard

PART 1
From "C" Commercial
To "C-1" Commercial 5th
Height and Area
PART 2
From "C" Commercial
To "C-2" Commercial 5th
Height and Area
RECOMMENDED by the
Planning Commission

The Mayor asked those who wished to grant the change to "C-1" Commercial 5th Height and Area on Part 1 and "C-2" Commercial 5th Height and Area on Part 2, to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

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

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HARRY S. WILDER, JR.

1300 Block Koenig
Lane

From "A" Residence
To "C" Commercial
RECOMMENDED by the
Planning Commission with
understanding that appli-
cant will agree to give
10' right-of-way

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

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

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

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M. J. McCANDLESS

South East corner East
Live Oak & Post Road

From "A" Residence and
"GR" General Retail
To "C" Commercial
RECOMMENDED by the
Planning Commission

Mr. E. H. Smartt represented the applicant. Mr. B. F. Taylor expressed opposition as the trailer court on property adjoining was pushed back next to his lot and had ruined its value. If a buffer strip were required, he hoped it would be at least 20' wide. The Council deferred action until next week so that it could make a personal inspection of the property.

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EVERETT KELLY, et al 401,05,07 East 30th
Street

From "B" Residence
To "LR" Local Retail
NOT Recommended by the
Planning Commission
RECOMMENDED to grant
"LR" at 401-03-05-07-
409-11 East 30th St.

MR. TRUEMAN O'QUINN represented the applicant. MRS. CARL STERZING opposed the change; her sister, MRS. THOMAS F. CRISWELL favored the change if her property could be included. MR. KURT MEYER favored zoning the property from 29th to 31st if zoned at all. MR. CROCKETT believed the area was too congested with traffic already. MR. GENE McCULLOUGH opposed unless some arrangements could be made for parking. MRS. CRISWELL was asked to make special application for her property at 309 East 30th Street. The Council deferred action until next week so that it could make a personal inspection of the property.

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In connection with the Everett Kelly, et al zoning application, Mrs. Thomas F. Criswell expressed a desire to purchase the excess property between her lot and San Jacinto. Her letter regarding this, previously filed with the Planning Department, was filed with the Council.

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

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON ALTA VISTA ALLEY IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID ALTA VISTA ALLEY WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID ALTA VISTA ALLEY WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITTED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID ALTA VISTA ALLEY WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

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 Palmer, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"August 28, 1957

"Bids were opened for the switchgear addition for Bergstrom Substation August 27th at 2:00 P.M. The bids are tabulated as follows:

| <u>BIDDER</u> | <u>DELIVERY</u> | <u>PRICE</u> |
|--------------------------|-----------------|--------------|
| General Electric Co. | 18-20 wks. | \$12,255.00 |
| Westinghouse Elec. Corp. | 30 wks. | \$15,240.00 |
| Allis-Chalmers | 18 wks. | \$15,600.00 |

"All bidders quoted net 30 days and a firm price. General Electric Company delivery is satisfactory.

"I recommend that a contract be awarded to General Electric Company, the lowest and best bidder, for a price of \$12,255.00 for lot of 12 KV switchgear required at Bergstrom Substation.

"APPROVED:

W.T. Williams, Jr., City Manager

D.C. Kinney, Dir. Elec. Utility"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 27, 1957, for switchgear addition for Bergstrom Substation; and,

WHEREAS, the bid of General Electric Co. in the sum of \$12,255.00 for lot of 12 KV switchgear required at Bergstrom Substation was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Electric Utility 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 General Electric Co. in the sum of \$12,255.00 for lot of 12 KV switchgear required at Bergstrom Substation 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 General Electric Co.

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

The City Manager submitted the following:

"September 10, 1957

"Bids were opened September 4, 1957 at 2:00 P.M. for 10,000/12,500 KVA Unit Substation. These bids are tabulated as follows:

| <u>BIDDER</u> | <u>DELIVERY</u> | <u>UNIT PRICE</u> |
|-----------------------------|-----------------|-------------------|
| Westinghouse Electric Corp. | 23 weeks | \$123,091.00 |
| General Electric Co. | 23 weeks | \$122,285.00 |
| Allis-Chalmers Mfg. Co. | 14 weeks | \$121,096.00 |

"All bidders quoted net 30 days, firm price, and FOB point of shipment, freight allowed. All deliveries were satisfactory.

"On the basis of the low unit price bid of \$121,096.00, I recommend that we purchase two (2) unit substations, one for Clark Substation and one for Hancock Substation for a total firm price of \$242,192.00 from Allis-Chalmers Mfg. Co.

"APPROVED:

W. T. Williams, Jr., City Manager

D.C. Kinney, Director Elec. Utility"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 4, 1957, for 10,000/12,500 KVA Unit Substation; and,

WHEREAS, the unit bid of Allis-Chalmers Mfg. Co. in the sum of \$121,096.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Electric Utility 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 unit bid of Allis-Chalmers Mfg. Co. in the sum of \$121,096.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized to execute a contract on behalf of the City of Austin with Allis-Chalmers Mfg. Co. for the purchase of two (2) unit substations per unit price above set out.

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

The City Manager submitted the following:

"Bids opened 9/6/57 - 2:00 P.M.
 Tabulated by: O.G. Brush, Purchasing Agent

"CITY OF AUSTIN BIDS FOR NETWORK TRANSFORMERS ELECTRIC DEPARTMENT

| | QUAN. | PRIESTER SUPPLY CO. | GENERAL ELECTRIC CO. | STERETT SUPPLY CO. | ALLIS- CHALMERS CO. | WALTER TIPS CO. | SOUTHERN ELECTRIC SUPPLY |
|---|-------|-----------------------------|----------------------------|---------------------------|---------------------------|---------------------------|--------------------------------|
| NETWORK TRANS- FORMERS per City Spec.E331 for 480Y/277V-500 KVA | 2 ea. | \$15,760 | \$15,760 | \$15,254 | \$15,760 | \$15,760 | \$15,760 |
| Manufacturer | | Moloney | G.E. | Kuhlman | A.C. | Westing- house | A.C. |
| Price Firm | | No - 10% Escala- tion | Yes | No-10% Escala- tion | No-10% Escala- tion | No-10% Escala- tion | No-10% Escalation |
| Shipment | | 10 weeks | 6 weeks | 12 wks. | 7 wks. | 5 wks. | 7 weeks |

"These two network transformers are scheduled for installation in the Littlefield Building to serve load that has not been on our system before. The Consulting Mechanical Engineer for this building has requested service by October 31, 1957. In order to meet this service date, we must have at least six weeks delivery.

"It is therefore recommended contract be awarded General Electric Company on basis of six weeks delivery and a firm price of \$15,760.00 total.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, sealed bids were opened at 2:00 P.M. on September 6, 1957, for the purchase of two 480Y/277V-500 KVA network transformers for the City of Austin electric distribution system; and,

WHEREAS, an evaluation of bids received for such equipment and date of delivery shows the bid of Walter Tips Co. in the sum of \$15,760.00 with delivery in five weeks, to be the 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 said bid of Walter Tips Co. in the sum of \$15,760.00 be and the

same is hereby accepted, and W. T. Williams, Jr., City Manager, is hereby authorized to purchase such equipment for such amount from said Walter Tips Co.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: Councilman Long

The City Manager submitted the following:

"September 5, 1957

"Bids on four (4) travelling water screens were received and opened in the City Purchasing Agent's Office at 2:30 P.M. on Tuesday, September 3rd, 1957.

"Following is a tabulation of the bids:

| | |
|-------------------------|-------------|
| "The Jeffrey Mfg., Co., | \$42,490.00 |
| Chain Belt Co., | \$50,357.00 |
| Link Belt Co., | \$48,900.00 |

"I recommend that the contract for these four (4) travelling water screens be awarded to The Jeffrey Mfg. Co., on their low bid of \$42,490.00.

"Sincerely,
(Sgd) C. G. Levander
C. G. Levander

"I approve and concur in the above recommendation.

(Sgd) A. H. Ullrich, Superintendent
Water and Sewage Treatment"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 3, 1957, on four (4) traveling water screens - Intake for Filter Plant No. 1; and,

WHEREAS, the bid of The Jeffrey Mfg. Co. in the sum of \$42,490.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Consulting Engineer, by the Superintendent of Water and Sewage Treatment 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 The Jeffrey Mfg. Co. in the sum of \$42,490.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager, is hereby authorized and directed to execute a contract on behalf of the City of Austin with The Jeffrey Mfg. Co.

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

The City Manager submitted the following:

"September 4, 1957

"Bids on four (4) vertical type pumps were opened in the City Purchasing Agent's office at 2:00 P.M., on Tuesday, September 3rd, 1957.

"Following is a tabulation of the bids:

| | Southern Engine and Pump Co. | Peerless Pump Division | DeLaval Steam Turbine Co. | Byron- Jackson Pumps Inc. |
|-------------|---------------------------------|---------------------------|------------------------------|---------------------------------|
| 1-7000 GPM | 14,955.00 | 13,726.00 | 12,800.00 | 15,516.60 |
| 1-10000 GPM | 15,520.00 | 15,769.00 | 15,725.00 | 18,867.00 |
| 2-14000 GPM | <u>41,050.00</u> | <u>47,316.00</u> | <u>43,800.00</u> | <u>50,478.60</u> |
| Total Bids | <u>71,525.00</u> | <u>76,811.00</u> | <u>72,325.00</u> | <u>84,862.20</u> |

"I recommend that the contract for these four pumps be awarded to Southern Engine and Pump Co., on their low bid of \$71,525.00.

"Sincerely,
(Sgd) C. G. Levander

"I approve and concur in the above recommendations of Mr. Levander.

(Sgd) A. H. Ullrich, Superintendent
Water and Sewage Treatment"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 3, 1957, on four (4) vertical type pumps - Intake for Filter Plant No. 1; and,

WHEREAS, the combined base bid of Southern Engine and Pump Company in the sum of \$71,525.00 was the lowest and best bid therefor, and the acceptance of such base bid has been recommended by the Consulting Engineer, by the Superintendent of Water and Sewage Treatment 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 combined base bid of Southern Engine and Pump Company in the sum of \$71,525.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager, is hereby authorized and directed to execute a contract on behalf of the City of Austin with Southern Engine and Pump Company.

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, on certain maps and plats of the City of Austin, a public road or street is shown as Ford Street, extending one block eastward from Rabb Lane and curving into that certain street known as Norris Drive; and,

WHEREAS, the present owners of all lots abutting said Ford Street one block east of Rabb Road have requested that the name be changed from Ford Street to Norris Drive; and,

WHEREAS, the City Council of the City of Austin deems it to the best interest of the public to change the name of said Ford Street to Norris Drive; Now, Therefore,

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

That the street now known as Ford Street one block east of Rabb Road, which extends easterly and curves into Norris Drive in the City of Austin, Travis County, Texas, be and the same is hereby changed to Norris Drive.

BE IT FURTHER RESOLVED:

That the City Clerk is hereby authorized and directed to file or cause to be filed a certified copy of this Resolution in the Deed Records of Travis County, Texas.

The motion, seconded by Councilman Palmer, 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, Fred Sterzing, Tax Collector for the City of Austin, did, by Deed dated November 27, 1878, recorded in Volume 42, page 504 of the Deed Records of Travis County, Texas, convey the hereinafter described property to the City of Austin for taxes for the year 1877; and,

WHEREAS, the City of Austin never took possession of such property under said deed, and does not have nor claim any interest in said property; and,

WHEREAS, C. H. Sandberg, the owner of such property, has requested the City of Austin to quitclaim all interest in such property to him in order to prevent difficulties hereafter; 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 to execute a quitclaim deed to C. H. Sandberg covering the following described land, to wit:

Lot Two (2), in Block Two (2), in the Minter, Montgomery and Rector's Subdivision of Outlot Forty-two (42), Division "B", according to the map or plat of said subdivision, recorded in Volume 36, page 267 of the Deed Records of Travis County, Texas, together with all improvements thereon situated.

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

The City Manager and City Attorney explained a contract to be made with the Texas Highway Department in regard to the South Belt Loop. Mr. Buford Stewart and others were present who were interested in this, and took part in the discussion. Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Texas Highway Department has been authorized to participate in the purchase of right-of-way required for the completion of the proposed highway commonly known as "South Belt Loop", designated by the Texas Highway Department as Highway No. 293, between the west City Limits of the City of Austin near U.S. Highway No. 290 and the City Limits of the City of Austin east of Congress Avenue; Now, Therefore,

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

That the City Manager W. T. Williams, Jr., be and he is hereby authorized to execute a contractual agreement for right-of-way procurement with the State of Texas for the acquisition of said right-of-way for said portion of said Highway No. 293 under the provisions of House Bill No. 620, enacted by the 55th Legislature.

The motion, seconded by Councilman Palmer, 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, Article 974a, Revised Civil Statutes of Texas, requires city approval of subdivision plats of lands lying within five (5) miles of the limits of any city, and further provides that when such platted land lies within five (5) miles of more than one city, that the city having the largest population shall approve such plats, unless the governing body of the city having the largest population has agreed with another city affected that the power to approve plats within stated portions of the area shall be conferred upon such other city; and further provides that any such agreement shall be revocable by either city at the end of twenty (20) years after the agreement, or such shorter period of time as may be agreed upon; and,

WHEREAS, there are certain areas of land which are not within the corporate limits of the Village of Westlake Hills but which are entirely surrounded by the Village of Westlake Hills, and which lands lie within five (5) miles of the limits of the City of Austin and the Village of Westlake Hills; and,

WHEREAS, it is deemed that the public interest will be best served by conferring the power of approval of subdivision plats within said portion of said land upon the governing body of the Village of Westlake Hills; Now, Therefore,

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

That the City Manager, W. T. Williams, Jr., be and he is hereby authorized and directed to execute and cause to be filed with the County Clerk of Travis County, Texas, an agreement with the Village of Westlake Hills, for a period of ten (10) years, conferring upon said Village the power of approval of subdivision plats of lands which are wholly enclosed by the corporate limits of the Village of Westlake Hills, but which lands do not constitute a portion of the Village of Westlake Hills.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: Councilman Long

Councilman Palmer 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 3.39 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF THE JAMES P. WALLACE SURVEY NO. 57 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 Palmer 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 PERPETUALLY CLOSING AND VACATING A PORTION OF CESSAL AVENUE, SAME BEING A SOUTHEASTERLY PROLONGATION OF CESSAL AVENUE AND FORMING A CUL DE SAC, AND LOCATED IN BROOKSDALE, A SUBDIVISION OF A PORTION

OF J. C. TANNERHILL LEAGUE, 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 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 White 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 White moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, 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.

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING THAT CERTAIN PORTION OF AN ALLEY TRAVERSING BLOCK 27 OF TRAVIS HEIGHTS, LYING BETWEEN THE NORTHERLY PROLONGATION OF THE WEST LINE OF LOT 16, BLOCK 27 AND THE NORTHERLY PROLONGATION OF THE EAST LINE OF SAID LOT 16, BLOCK 27 OF SAID TRAVIS HEIGHTS, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT FOR PUBLIC UTILITIES; 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 Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, 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 Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, 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 Long, 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 Council took under consideration an ordinance prohibiting the use of breakable containers for gasoline and other flammable liquids with flash point below 200°. The Fire Marshal will come in and go over the technicalities.

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, J. M. Odom is the Contractor for the alteration of a building located at 100-114 East 6th Street and 601-605 Congress Avenue and desires a portion of the sidewalk and street space abutting Lot 1 and south 23 feet of lot 2, Block 69, 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 as shown on the barricade layout plan hereto attached; 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 southeast corner of the above described property; thence in a southerly direction and at right angles to the center line of East 6th Street to a point 12 feet south of the north curb line; thence in a westerly direction and parallel with the center line of East 6th Street 160 feet to a point; thence in a northerly direction and at right angles to the center line of East 6th Street to the southwest 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 12 feet west of the east curb line; thence in a northerly direction and parallel with the centerline of Congress Avenue 69 feet to a point; thence in an easterly direction and at right angles to the center line of Congress Avenue to the northwest corner 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 boards. The roof of said walkway shall be covered with a 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 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 December 12, 1957, which time may be extended if necessary.

(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, Palmer, Pearson, White, Mayor Miller

Noes: None

Councilman Palmer 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 east side of South 1st Street as a private gasoline plant consisting of a 1000 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 leased by Covert Automobile Company, and is designated as the unplatted portion of the M K Hage tract in the City of Austin, Travis County, Texas, and hereby authorizes the said Covert Automobile Company to operate a private gasoline plant consisting of a 1000 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 Covert Automobile Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"Austin, Texas

September 11, 1957

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

"Dear Sir:

"I, the undersigned, have considered the application of Covert Automobile Company, for permission to operate a private (gasoline) plant consisting of a 1000 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 east side of South 1st Street, which property is designated as the unplatted portion of the M K Hage tract in the City of Austin, Travis County, Texas, and locally known as 517 South 1st Street.

"This property is located in a C-2 Commercial 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) J. C. Eckert
Building Inspector"

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

The Council deferred action on the zoning requests of MR. L. J. ROBINSON for change of zoning in Area 6 (designated as No. 12 on the original zoning map) until next week.

The Council again discussed the paving of Cameron Road between 51st and Manor Road. Councilman White moved that they proceed with the paving of Cameron Road from 51st Street to Manor Road, and to authorize the City Manager

to advertise for bids for 44' roadway and to establish Cameron Road as a thoroughfare and to bring in a recommendation for the establishment of a building line by next week. The motion, seconded by Councilman Palmer, carried by the following vote:

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

Councilman White moved that "C-2" Commercial be established as the original zoning of the property of W.P. WHITED for 150' back and the balance "LR" Local Retail. (Shown on the original zoning map of AREA 6 as No. 11.) The motion, seconded by Councilman Palmer, 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 ENTITLED: "AN ORDINANCE PRESCRIBING FARES AND CHARGES COLLECTIBLE, BEGINNING THE 1ST DAY OF JULY, 1947, BY EVERY PERSON, FIRM AND CORPORATION MAINTAINING AND OPERATING WITHIN THE CITY OF AUSTIN A BUS SYSTEM FOR LOCAL TRANSPORTATION OF PASSENGERS FOR HIRE USING OR OPERATING UNDER A PUBLIC FRANCHISE; PRESCRIBING PAYMENTS TO THE CITY OF AUSTIN, BASED UPON GROSS ANNUAL RECEIPTS FROM OPERATIONS, BY EVERY PERSON, FIRM AND CORPORATION MAINTAINING AND OPERATING WITHIN THE CITY OF AUSTIN A BUS SYSTEM; FIXING TIMES FOR SUCH PAYMENTS; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN JUNE 26, 1947, AND IS RECORDED IN BOOK "M", PAGES 523-524, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 1 THEREOF PRESCRIBING RATES FOR THE TRANSPORTATION OF PASSENGERS FOR HIRE BY BUS WITHIN THE CITY OF AUSTIN.

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

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

The City Manager stated no provisions had been made for increase in the Civil Defense Budget, nor for providing for a manager for the Auditorium. He stated it might be well to get the manager to come several months ahead to get started; also the engineer on the airconditioning. Councilman Pearson suggested employing the manager by the last of April 1958.

Councilman Long moved that the September 19th hearing on the Budget be continued through September 26th at 10:30 A.M., making that day the formal hearing when the hearing on the budget will be closed. The motion, seconded by Councilman Palmer, carried by the following vote:

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

The City Manager gave a report on the meeting with the group interested in the development of Harris Park. He stated the group preferred a wading pool to the spray pool, and this would be a little additional cost, and he explained how this could be taken care of. Councilman Long asked that a list of the various projects planned be furnished the Council.

There being no further business, the Council adjourned at 6:00 P.M. subject to the call of the Mayor.

APPROVED

Jon Miller
Mayor

ATTEST:

Elin Hooley
City Clerk