

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 17, 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. EDWIN R. SPANN, Tarrytown Methodist Church, 2601 Exposition Boulevard.

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

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

Pursuant to published notice thereof, public hearing was called on paving programs covering Jackson Avenue and Eva Street and other streets at 10:30 A.M. No one appeared. Councilman White moved that the hearing be closed. The motion, seconded by Councilman Pearson, carried by the following vote:

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

Mayor Miller introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS 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 STREETS 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 STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED 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 STREETS 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 first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen 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 Pearson, 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 Pearson, 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 CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS 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 STREETS 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 STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED 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 STREETS 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 first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

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

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

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"January 15, 1957

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

"Dear Sir:

"Sealed proposals for the construction of concrete sanitary sewers and appurtenance generally in the Montopolis Area and referred to as Montopolis Area, Phase II, Sanitary sewers were received until 10:00 A.M. Tuesday, January 15, 1957, and then publicly opened and read

"The following is a tabulation of the bids received:

<u>Firm</u>	<u>Total Bid</u>	<u>Working Days</u>
Karl B. Wagner Engr. Const.	\$57,607.41	150
Hardin Const. Company	\$66,416.12	120
Capitol City Utilities	\$68,011.81	100
Austin Engineering Co.	\$71,954.28	150
Joe Bland Const. Co.	\$84,664.70	140

"It is recommended that the contract be awarded to Karl B. Wagner Engineering Construction Inc. on their low bid of \$57,607.41 with 150 working days.

"Yours truly,
Albert R. Davis, Superintendent of
Water & Sanitary Sewer Dept.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 15, 1957, for the construction of concrete sanitary sewers and appurtenances in the Montopolis Area and referred to as Montopolis Area, Phase II, Sanitary Sewers; and,

WHEREAS, the bid of Karl B. Wagner Engineering Construction Inc. in the sum of \$57,607.41 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of Water and Sanitary 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 Karl B. Wagner Engineering Construction Inc. in the sum of \$57,607.41 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 Karl B. Wagner Engineering Construction Inc.

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

The City Manager submitted the following:

"Subject: Street Lighting Materials on Price Inquiry 5890x for East Seventh St. Lighting.

"On 14 December 1956 at 2:00 P.M. sealed bids were opened for 110 mercury vapor constant wattage ballasts. A tabulation of these bids are as follows:

"Line Material Co.	\$5,555.00
Sterett Supply	5,144.70
Westinghouse Elec.Mfg.	5,555.00
Priester Supply	5,555.00
G. E. Supply	5,132.60
Graybar Elec.	5,145.80

"All ballasts quoted met specifications. All prices were net - 30 days, and were firm with the excepting of G. E. Supply's bid, which contained a 10% escalator clause.

"I recommend that the firm price of \$5,144.70 for the material submitted by Sterett Supply be accepted.

"(Sgd) D.C. Kinney
Director, Elec. Utilities

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

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 14, 1956, for furnishing of 110 mercury vapor constant wattage ballasts; and,

WHEREAS, an evaluation of the bids received for such materials shows the firm bid of Sterrett Supply in the amount of \$5,144.70 to be the lowest firm bid; and,

WHEREAS, the acceptance of such bid has been recommended by the Director of Electric Utilities 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 firm bid of Sterrett Supply in the sum of \$5,144.70 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 Sterrett Supply.

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

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the existing Sewage Treatment System of the City of Austin is in need of extension estimated to cost \$150,342.50; and,

WHEREAS, the City Council of the City of Austin agrees that if a federal grant of \$45,102.75 for said project is made pursuant to the Federal Water Pollution Control Act (33 U.S.C. 466, et seq.), the City of Austin will pay the remaining costs of the approved project; and,

WHEREAS, the City of Austin will provide proper and efficient operation and maintenance of the approved project after completion of construction thereof; Now, Therefore,

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

That the City Manager, W. T. Williams, Jr., is and has been authorized and directed to file the Application of the City of Austin for a Federal Grant of \$45,102.75 for sewage treatment system under the provisions of 33 U.S.C. 466, et seq. with the Department of Health, Education and Welfare of the United States Public Health Service.

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

Councilman Pearson noted MR. FRYMIER and another gentleman who was present in the interest of the left-turn arrow signal at 12th and Lamar. It was stated this arrow had been put in on a trial basis; and if it did not prove satisfactory, the matter would have to be worked out again, or may have to be put back like it was.

The Mayor stated the Council had told the Chamber of Commerce that shortly after the first of the year that a rate for the Auditorium would be set up so that the Chambers of Commerce and other people that wanted to have a trade show and conventions could be given an idea as to the value; but as far as the local or non-profit organizations, they had been promised--the Symphony, Church and Schools, and different phases of the city recreation--that that would not be passed on until a public hearing was held, if it so pleased the Council. He recommended that as far as the shows that might come in, the trade shows, grand operas, conventions that might come, that the rate might as well be set up; that it would be a measuring stick for the Chamber of Commerce; and then set sometime not too far away to have a public discussion of the different agencies in Austin, the charitable agencies, church, and other things that are non profit. The City Manager stated the rates had been developed to make the income produce as much as the operating cost, and there was a balance between the convention business and local business. At this time, the schedule for the purpose of conventions had been set up for immediate use; and when the others are ready, adjustments could be made as necessary. After discussion, Councilman Pearson moved to approve the rates as set out by this study. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None
(See amended motion this date)

The study referred to in the motion is set out as follows:

POSSIBLE SCHEDULE OF RATES AUSTIN MUNICIPAL AUDITORIUM AND CONVENTION CENTER & COLISEUM

Schedule A

CLASS I

Commercial athletic & entertainment events; conventions or shows of any kind where exhibit space is sold.

Examples;

Ice shows, boxing, wrestling, road shows (sponsored by promoter) ***

Automobile shows

Conventions where exhibit space is sold

Home & Trade Shows

CLASS II

Non-commercial, non-profit events with admission charged or offering taken.

Examples;

Church revival; offering is taken

Church Bazaars

Local Symphony

Local organizations sponsoring professional shows; percentage of money goes to local organization***

Local organizations sponsoring shows; 100% of money goes to sponsoring organizations but payment allowed to "name" talent or band

Political conventions or meetings

CLASS III

Non-commercial, non-profit events with no admission charged or offering taken.

Examples;

Church meeting, no offering taken

Convention of non-profit organization where no adm. charged or exhibition space sold

Educational meetings

Local organizations sponsoring shows where 100

percent of money goes to local organization and no payment allowed for "name" band or talent.

SERVICE CHARGES: A charge of 1/3 applicable rate will be assessed for move-in and move-out periods and for rehearsals where use of facility must be blocked out for such purpose. Other service charges to be determined later.

***Suggest Auditorium receive 10% of gross receipts from ticket sales or stipulated rental, whichever is greater.

Morning 6-12	Afternoon 12-6	Evening 6-12	ALL DAY	COLISEUM ANY PART OF DAY
\$150.	\$210.	\$270.	\$600.	\$300.

Main floor

Basement used for exhibits

Used for dead storage

Main Floor

Basement used for exhibits

Used for dead storage

Main floor

Used for exhibits

Dead storage

Later in the meeting, there was more discussion on the rates, and some of the Council members thought that rates for all activities were set instead of just rates for the conventions, trade shows, etc. Councilman Pearson then moved to reject the motion that had been made and revote on the rates to include everything on the schedule except leaving local organizations to be discussed later at a public hearing. The motion, seconded by Councilman Long, carried by the following vote:

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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 south side of South Lamar Blvd. as a private gasoline plant consisting of a 550 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by the Austin Garden Center, and is Lot 12, Delcrest Addition, of the City of Austin, Travis County, Texas, and hereby authorizes the said Austin Garden Center to operate a private gasoline plant consisting of 550 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 Austin Garden Center has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
January 13, 1957

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

"Dear Sir:

"I, the undersigned, have considered the application of the Austin Garden Center, by Paul A. Wolfe, for permission to operate a private gasoline plant consisting of a 550 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 south side of South Lamar Blvd. which property is designated as Lot 12, Delcrest Addition in the City of Austin, Travis County, Texas, and locally known as 2223 South Lamar Blvd.

"This property is located in a "C" 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"

The motion, seconded by Councilman White, 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, 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 MT. BONNELL DRIVE, from a point 271 feet west of Balcones Drive westerly to Mt. Bonnell Road, the centerline of which gas main shall be 18 feet south of and parallel to the north property line of said MT. BONNELL DRIVE.

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

(2) A gas main in PECOS STREET from Tanglewood Trail northerly 396 feet, the centerline of which gas main shall be 6 feet east of and parallel to the west property line of said PECOS STREET.

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

(3) A gas main in BARRANCA CIRCLE from Balcones Drive westerly 362 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet south of and parallel to the north property line of said BARRANCA CIRCLE.

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

(4) A gas main in SHINOAK DRIVE, from a point 40 feet west of Balcones Drive westerly 725 feet to a point, the centerline of which gas main shall be $6\frac{1}{2}$ feet south of and parallel to the north property line of said SHINOAK DRIVE.

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

(5) A gas main in MT. BARKER DRIVE, from a point 45 feet west of Balcones Drive to Crestway Drive, the centerline of which gas main shall be $6\frac{1}{2}$ feet south of and parallel to the north property line and $6\frac{1}{2}$ feet west of and parallel to the east property line of said MT. BARKER DRIVE.

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

(6) A gas main in CRESTWAY DRIVE, from Monte Vista Drive northerly 412 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet west of and parallel to the east property line of said CRESTWAY DRIVE.

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

(7) A gas main in LEDGESTONE DRIVE, from Monte Vista Drive easterly 108 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet south of and parallel to the north property line of said LEDGESTONE DRIVE.

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

(8) A gas main in MOUNTAIN TOP CIRCLE, from Mt. Barker Drive southerly 520 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet north of and parallel to the south property line of said MOUNTAIN TOP CIRCLE.

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

(9) A gas main in MONTE VISTA DRIVE, from Mt. Barker Drive to Mt. Barker Drive, the centerline of which gas main shall be $6\frac{1}{2}$ feet west of and parallel to the east property line, $6\frac{1}{2}$ feet north of the south property line, and $6\frac{1}{2}$ feet east of the west property line of said MONTE VISTA DRIVE.

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

(10) A gas main crossing CRESTWAY DRIVE, the centerline of which gas main shall extend from a point $6\frac{1}{2}$ feet north of the south property line of Crestway Drive and 30 feet east of the east property line of Mt. Barker Drive, northerly across CRESTWAY DRIVE for a distance of 37 feet.

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

(11) A gas main in PAWNEE PATHWAY, from a point 205 feet south of Roundup Trail southerly 290 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet west of 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.

(12) A gas main in OAKCREST AVENUE, from a point 217 feet south of West Oltorf Street southerly 29 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet west of and parallel to the east property line of said OAKCREST AVENUE.

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

(13) A gas main in LOLA DRIVE, from Georgian Drive easterly 1086 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet south of and parallel to the north property line of said LOLA DRIVE.

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

(14) A gas main in MT. VERNON DRIVE, from Redd Street northerly 1064 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet west of and parallel to the east property line of said MT. VERNON DRIVE.

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

(15) A gas main in ST. ELMO CIRCLE, from Mt. Vernon Drive easterly 306 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet south of and parallel to the north property line of said ST. ELMO CIRCLE.

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

(16) A gas main in PLATEAU CIRCLE, from Mt. Vernon Drive easterly 401 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet south of and parallel to the north property line of said PLATEAU CIRCLE.

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

Mayor Miller 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 8.41 ACRES OF LAND, SAME BEING A PORTION OF THE PAUL PFEIFER ADDITION, A SUBDIVISION OF A PORTION OF THE SANTIAGO DEL VALLE GRANT 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 Pearson moved that the ordinance be finally passed. The motion, seconded by Councilman White, 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 brought up the following ordinance for its second 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 3.93 ACRES OF LAND 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 second time and Councilman Pearson moved that the ordinance be 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 City Manager submitted the following:

"Sealed Bids opened 2:00 P.M. Jan. 15, 1957
Tabulated by: O.G. Brush, Purchasing Agent

"CITY OF AUSTIN BIDS ON CONDENSER TUBES POWER PLANT

"Type A Admiralty Condenser Tubes 1" O.D. x .049 x 18 ft. 2150 pcs. or 22,036 lbs.	Phelps Dodge \$.6641 lbs.- \$14634.11	The Baldwin Co. .6641 lbs.- \$14634.11	C&K & M Supply .6641 lbs.- \$14634.11	American Brass .6641 lbs.- \$14634.11	San Antonio Machine .6641 lbs.- \$14634.11
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Phelps Dodge
quoted alternate
bid of \$.6616 per
lb. if quantity
increased to
30,000 lbs.

	Price Firm	Price to be in effect at time of shipment	Price to be in effect at time of shipment	Price to be in effect at time of shipment	Price to be in effect at time of shipment
Shipment	2-3 weeks	3-4 weeks	3-4 weeks	3-4 weeks	3 weeks
Terms for cash 10th prox.	$\frac{1}{2}$ of 1%	$\frac{1}{2}$ of 1%	$\frac{1}{2}$ of 1%	$\frac{1}{2}$ of 1%	$\frac{1}{2}$ of 1%

Metal Goods Co.
No Bid

"Recommend alternate bid of Phelps Dodge be accepted since additional tubes will be needed later.

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

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, sealed bids were received by the City of Austin and opened on January 15, 1957, for 30,000 lbs. of Type A, Admiralty 1" O.D. x .049 x 18 ft. condenser tubes for the City of Austin Power Plant; and,

WHEREAS, the bid of Phelps Dodge Corporation in the sum of \$ 0.6616 per lb. for said tubes 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 Phelps Dodge Corporation for said condenser tubes be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized to purchase same from said Phelps Dodge Corporation.

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

The Council continued the hearing on the following zoning application deferred from last week:

EDWIN LONDON
By E.H. Smartt

3108-22 Lamar Blvd.
1001-07 West 32nd St.

From "A" Residence
1st & 5th H&A
& "C" Commercial
5th H&A
To "C" Commercial
5th H&A
RECOMMENDED by the
Planning Commission

MR. WEBB CONNELLY and MR. HILLEN appeared in their own interest. MR. O. ASHLEY appeared in favor of the change, withdrawing his former opposition, stating the new development would improve the neighborhood. MR. HOPKINS, representing MR. PETER SCHRAM, JR., the DAGGETTS, and MR. RONNIE DUGGER opposed; but stated if no permanent structures were going to be placed on the rear, he supposed there would be no serious objection if there were ample guarantee. MRS. EMMONS opposed the change. MR. SMARTT is to file a letter of intent, working with the Legal Department, regarding the building and the use of the rear of the lot. The Mayor asked those who wished to grant the change to "C" Commercial, 5th Height and Area on everything save and except the area which is 46' in width and 130' in depth off the southwest corner of the portion, which will remain "A" 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 to "C" Commercial

5th Height and Area on everything save and except the area which is 46' in width and 130' in depth off the southwest corner of the portion and the City Attorney was instructed to draw the necessary ordinance to cover.

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T. E. FISHER
By Trueman O'Quinn

2401-05 Winsted Lane
2700-2702 Windsor Rd.

From "A" Residence
To "LR" Local Retail
NOT Recommended by
Planning Commission

Opposition expressed by MR. WELDON ROPER, who also filed a petition; MR. LOUIS McDANIELSON, filing a petition of some 250 names; MR. JACK HARRIS, orally and by petition; MR. JOHN SEAY, recent purchaser of property across the street; MRS. GREGORY. MR. O'QUINN, representing the applicant, had requested this be postponed until next week, as he had to be in Court at this time. The Council continued the hearing and postponed action until next Thursday.

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FRANK E. WATTERSON
KAYTE D. WATTERSON

2612-2614 So. 1st St.
600 Cumberland Road

From "A" Residence
To "LR" Local Retail
NOT Recommended by
Planning Commission

MR. FRANK WATTERSON appeared in his own behalf. MR. EDGAR C. WALSCH expressed opposition. The Council continued the hearing and postponed action until next Thursday.

MAYOR MILLER brought up a request of MR. W. T. CASWELL that the City go ahead with the engineering work on the Caswell Tennis Center, on which center there had been appropriated \$30,000. The City Manager stated the Director of Recreation and Director of Public Works were working on that now; and if necessary, private engineers could be called in to do the design work. The Mayor asked that this be given immediate attention. The City Manager reported on the cost of two more tennis courts, making a total of \$43,000. The Mayor suggested to go on with the \$30,000 project at this time.

The Mayor reported on a recommendation of the Recreation Director with regard to putting a permanent slab for basketball practice on the golf course property. It was estimated the slab might cost between \$800 to \$1200. Councilman Long moved that the Budget be amended and appropriate the necessary money to build the court. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager reported that MR. PAT CANION had 76% collected for the voluntary paving of East 39th from Duval to Peck, and would like to proceed. Councilman Long moved that he be given permission to go ahead with this paving. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager stated the Superintendent of Public Schools, Mr. Irby Carruth, said the local P.T.A. would like to invite the State Convention to meet here in the 3rd week of November, 1958. Although it was first believed that the Auditwoium would not be completed at that time, but it looked as though the completion date might be moved up, and they could take this booking. Councilman Long moved that the Council join the School Board in inviting the Texas P.T.A. Convention here for 1958. The motion, seconded by Councilman Pearson, carried by the following vote:

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

After discussion, Councilman Long moved that the City Manager be authorized to signify to the Capital National Bank the City's approval of the assignment of the lease with the HUMANE SOCIETY to the Capital National Bank for security, limited strictly to the purposes that are set out in the lease itself. The motion, seconded by Councilman Pearson, carried by the following vote:

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

The City Manager reported on two letters from MR. CARRUTH--one stating that the Board of Education was considering including the Summitt School District in the Austin School District, and asking the City to go out and approve the properties and set it up. The City Manager had referred this to the Tax Department. They could give an estimate of the job, and the actual cost would be what the schools would pay.

The other letter requested annexation of the new Gullett School, the Pecan Springs Elementary School Site, and the T. N. Porter Junior High School Site. Two of these are not adjacent to the city limit line. The Council decided to drive out and look at the sites and see what expenses would be involved.

The Council discussed meeting with the School Board and members of the Recreation Board to go over the various recreational facilities and get together on the use. The Mayor stated he would arrange a meeting with the President, the Superintendent, and Dr. Brace and discuss the matters.

The City Manager reported that the contract for concessions at Zilker Park was expiring, and the concessioner was ready to renew the contract for another year on the same basis. There were other inquiries made regarding bidding. He recommended advertising for bids on February 4th. The Council informally approved.

Councilman Pearson brought up a request of Mrs. Lear to purchase a 10' strip on 31st and Lamar. The City Manager believed this strip would be needed for turn-outs; however, her request was on file as an interested person.

MR. C. J. SCHMIDT appeared before the Council asking that someone be designated in the City as Chairman for the March of Dimes to take care of any voluntary contributions by the employees. The City Manager stated if it met with the approval of the Council, he would like to have MRS. BESS BEEMAN. The Council informally approved.


Councilman Long moved that MR. R. L. STRUHALL, JR, and MRS. FRANCES R. HODGE be reappointed on the Board of Adjustment. (Term to expire December 31, 1958) The motion, seconded by Councilman Palmer, carried by the following vote:

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

Noes: None

There being no further business the Council adjourned at 12:35 P.M. subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:


City Clerk