

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 17, 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; C. G. Levander, Director of Public Works.

Invocation was delivered by REV. JOHN B. DAVIDSON, First Baptist Church.

Pledge of Allegiance to the Flag.

Councilman Pearson moved that the Minutes of February 10, 1955 be approved. The motion, seconded by Councilman White, carried by the following vote:

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

MR. J. L. POJMAN, President Highland Park Civic Club, introduced MR. GENE ALVIS, spokesman for a group representing a cross section of northwest Austin, asking the Council to accept the Parks Board recommendation and dedicate the land necessary to the development of the Kohn tract. Approximately 18 citizens stood, giving their names, as endorsing this dedication. MR. D. D. JOHNSON urged action on this due to the dire need of a park in this section of the City. Councilman White, having looked over the proposition, felt that he for one was for the dedication of the additional land, and that the Council would go into it and work something out. MR. BEVERLY SHEFFIELD, Director of Recreation, described the planning of this area and the type of park development, and outlined the urgent need for such a park development in this location. Councilman Long asked that the Council not dedicate this land at this meeting, as she wanted to go look this area over and see how far the area will extend and how it would affect Memorial Park. MR. POJMAN stated that Mr. McKown had offered to use his bulldozer for cleaning off the tract if it were dedicated this morning. MR. MCKOWN stated the offer stood; but after this week, he could not say how long or how steady he could work out there. Councilman

Thompson was interested in the status of the cemetery, and it was stated there would be enough cemetery land for seventeen years. He also did not favor dedication of the land at this time, in order to provide for a hearing. Councilman Pearson believed the dedication of this land was proper, but he too wanted to look it over before next week. Opposition was expressed by MR. JOE MANOR, and MR. W. S. BIRDWELL, JR., believing there were lots of people interested in the cemetery that would not favor a park there and that had not had enough notice to be present to present their view. Councilman Long wanted to state that she thought the land could be dedicated for park purposes, and her reason for postponing it for another week was to go out there and look at the area and see where it should be severed, and she believed the park could be separated by a driveway and planting strip. MR. BIRDWELL suggested that this matter be referred to the Plan Commission. The Mayor announced that this matter would be taken up next week, FEBRUARY 24th, shortly after 10:00 A.M.

MR. WM. YELDERMAN, Attorney for the Hill Estate, appealed from a decision of the Planning Commission in which it denied approval of a partition. The City Manager outlined the history of this case dating back some three years ago, in which the Planning Commission had tentatively approved the plat filed by the Hill Estate, final approval to be given when the owners had arranged for utilities. The owners ran into difficulty in financing the utilities. He had worked with Mr. James B. Shannon, representative of the Hill Estate, to work something out that would be satisfactory, but the plans suggested were rejected. Then the owners partitioned the property and requested the Plan Commission to approve that as a subdivision, and the partition is different from the subdivision which was submitted. The Planning Engineer stated the partition had been rejected because of inadequate access to the large section adjoining, and because of the increase in number of lots below the ordinance requirement of 60' minimum for septic tanks. He stated others had inquired of the status of this property in line with prospective purchases of other land, and up until February 8, 1955, this area was listed as having received preliminary approval of the Plan Commission. The heirs withdrew their subdivision plat as of February 8th. Councilman Thompson inquired if the land owners, when they could not agree with the Plan Commission on the plan, in order to accomplish subdivision without complying with the ordinance, partitioned this land? The City Manager stated that the Plan Commission had approved the Plat as was brought in by the Hill Estate. Councilman Long suggested that the access be made through the rear of the tract, Lot 15. Councilman Pearson suggested that the heirs try to work out the subdivision, as suggested by the former City Attorney, by selling off part of the tract, to finance the subdivision of another part of it. The Mayor suggested that the matter be sent back to the Plan Commission and be worked out with Mr. Yelderman in a way that proper access could be made. In discussion Councilman Long suggested that this plan before the Council be taken, since the subdivision plat had been withdrawn, and that the Plan Commission be instructed to work out an access street through the rear and send it to the Council with a recommendation. Councilman Thompson moved that this be sent back to the Plan Commission to work out and sent back in two weeks. Councilman Thompson did not want his motion to limit that road to the back of the property. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman White made a statement regarding the telephone rate increase that had been voted while he was ill. He said he did not see Mr. Honaker this trip and did not think it was necessary because he had talked to him on previous occasions; and had he been present, he would have voted "no" on this rate increase because after he talked to Mr. Honaker more than one time concerning this matter of 5.81, and he did not believe the Telephone Company was hurting very much. He just wanted to make his stand clear and wanted to make a statement for the general public that had been calling him up from all over the City. Councilman Thompson made a statement that he voted for the increase for the reason he used the value as a base for rate the value of the Telephone Company's property according to the Tax Department; and if the City taxes the Telephone Company on a certain amount of value, it seems inescapable from the city's viewpoint that that property is worth more or less than that amount; and that is the value of the land, and the fairest way that he knew of to come to the conclusion of the value of the Telephone Company's property. He stated if the Tax Department said it was worth so much money, then the Council for rate making purposes would be inconsistent if it said it was worth less for rate making purposes. MR. HONAKER came up with a figure of some \$13,000,000 according to his method of separation, and the Telephone Company came up with a figure of \$14,100,000 according to their method of separation; and there is argument on both sides that the methods used by each are O.K. and argument on both sides that the method used by each have some error. The figure arrived at by using the value of the Tax Department came between the figure arrived at by Mr. Honaker and that arrived at by the Telephone Company. Since there was evidence that by following strictly Mr. Honaker's figure, Houston's City Council got themselves in a Court case and got higher rates imposed anyway, he felt that somewhere in between these figures was the true and proper amount. Since we tax them on the basis of that figure, he accepted the value set by the Tax Department as a base and that was what he recommended and what the Council voted. Then, he stated, after the base is found, it is necessary to allow them a reasonable return; and according to a schedule of 17-18 cases that Mr. Honaker presented in evidence, 6% is a fair average of the percent of rate that the Courts have approved on telephone rate hearings over the state and over the country. It seems that 6% was the pattern, and he made the motion that the City tax department's value of the property be used, and a rate of return that had been approved by courts generally of 6% had been applied and it came out \$418,000 increase in gross revenue that the Telephone Company was entitled to. He could not determine a fairer manner to decide upon. He believed the people were treated fairly, and the Telephone Company is being treated fairly, and he wanted to resist the notion that they hired an expert and threw his testimony out the window, because it was partially upon his own advice that he came to the conclusion that he did. Councilman Long inquired if that figure of some 13 million dollars was on the tax roll. The City Manager explained that it was not and there were a number of reasons why it was not: (1) They are taxed on all of their properties within the City whether for toll or local exchange; (2) the rate base which is being worked on applies to an area which extends out of the city, for rate making purposes; and adjustments would be made in those respects--deducting properties used for toll, and also adjust for the property outside the city limits. Councilman Long believed the formula of using the \$13,000,000 was just a supposition, as Mr. Honaker had stated the value of the Telephone Company to be any where between \$10,000,000 up to \$13,000,000, and he felt that they were making an adequate rate as is; but that if they should go into Court, in order to be safe, the City ought to just go ahead and give them about a five percent increase, and she frankly believed that this matter of putting it

directly on what the city taxed them on was not the proper way, as the Telephone Company did not insist that it be done that way, but rather objected to it. She did not think it was exactly the thing to consider, as there were many things to take off and add to, and you couldn't always be sure when you are putting values on property. There were many things that would make values a little higher or a little lower. The Telephone Company itself would say \$14,000,000 would be a fair value. When you are horse trading, so to speak, they get up as high as they possibly can; and when you are on the other side, you get down as low as you possibly can. She stated she hit a happy medium of \$12,000,000 and she believed it would have stood up. Councilman Thompson wanted to correct a statement Councilman Long made, when she said Mr. Honaker advised the Council to allow a rate of 5%. He stated Mr. Honaker recommended that the Council give them as a fair rate of return 6%, and not 5%. Councilman Long stated she had said an overall 5% increase.

Councilman Pearson was concerned about the wrong impression having been given the people as he wanted only the facts presented to the people of Austin on what happens at the Council table, and he wanted to commend BEN HAWKINS on getting the records straight, as they were straight in the morning's paper. He believed the people appreciated getting the absolute facts. The truth was that after Mr. Honaker said if you would give the Telephone Company an increase of \$210,000 gross, and if you would use this particular evaluation of their property of which is \$12,000,000, it would possibly bring their rate of return up to 5.81. He went further and said he would admit that that was a border line case, and it possibly is not enough; but any time you get you revenues to where they will receive around 6%, they cannot go to the courts and win. The paper tried their best to tell the people the facts this morning, and he appreciated it, because he wanted the facts and did not want anybody to try to mislead the people, as too often that happened. He wanted to stand up and be counted when everybody was honest with their stories. He was honest with his conviction. The Tax Department would not recognize the value Mr. Honaker suggested, and he felt that somewhere between the two would be the figure. He felt that the Telephone Company would probably insist that their values were around 16 million dollars. He said that as his statement had been stated, he thought that they had arrived at just as fair a proposition as could possibly been presented to the people. After more discussion, the Mayor submitted the following rate schedule:

PRESENT AND PROPOSED RATE SCHEDULE  
AND REVENUE EFFECT  
AUSTIN, TEXAS

CLASS OF SERVICE	NUMBER OF ITEMS 12-31-53	RATES		ESTIMATED ANNUAL REV- NUE INCREASE
		PRESENT	PROPOSED	
<hr/>				
BUSINESS SERVICE				
One Party Flat	5654	10.50	12.25	118,734
Extension-Flat	4213	1.75	1.75	
Semi-Public	660	30 da	30 da	
Extension-Non-Coin	274	1.25	1.25	
One Party Meas.	110	6.50	7.50	1,320
Extension-Meas.	19	1.25	1.25	
 P.B.X.				
Commercial				
Trunks	842	16.00	18.38	24,048

Stations	6780	1.75	1.75	
Hotel				
Trunks	92	10.75	12.25	484
Stations	1480	1.25	1.25	
RESIDENCE SERVICE:				
One Party	21242	4.25	5.00	191,178
Two Party	2300	3.55	4.00	12,420
Four Party	11703	2.90	3.25	49,153
Extensions	3725	1.25	1.25	
RURAL:				
Business	82	7.50*		
Extension	16	1.75		
Residence	1666	3.50*		
Extension	86	1.25		
SERVICE				
Business		3.00		
Residence	5	1.50		
Miscellaneous				<u>22,794</u>
TOTAL				420,131

\*Applies within 5 miles of the base rate area. For each additional 3 miles, or fraction thereof, 25¢ extra. Air line Measurement used.

The rate schedule was discussed in detail.

Mayor McAden introduced the following ordinance:

AN ORDINANCE DETERMINING AND FIXING THE  
SCHEDULE OF RATES TO CHARGED BY SOUTH-  
WESTERN BELL TELEPHONE COMPANY FOR  
EXCHANGE TELEPHONE SERVICE IN THE CITY  
OF AUSTIN, TEXAS.

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

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

The City Manager submitted the following:

"Following is a tabulation of the bids received by the Purchasing Agent in his office on February 9, 1955 for a vertical type back rake bar screen to be installed in the Canterbury Holding Tank and Lift Station.

San Antonio Machine & Supply Co.	\$4,117.00
Jeffery Manufacturing Co.	5,115.00
Walker Process Equipment Co.	5,342.00
American Well Works (Alternate)	5,131.00

"Irecommend that San Antonio Machine & Supply Company withtheir bid of \$4,117.00 be awarded the Contract for furnishing this equipment.

(S) C. G. Levander, Director of  
Public Works"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 9, 1955, for a vertical type back rake bar screen to be installed in the Canterbury Holding Tank and Lift Station; and,

WHEREAS, the bid of San Antonio Machine & Supply Company in the sum of \$4,117.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works 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 San Antonio Machine & Supply Company in the sum of \$4,117.00 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 San Antonio Machine & Supply Company.

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

The City Manager submitted the following:

"The following bids were received on four pumps in the Purchasing Agent's Office on February 9, 1955, The specifications provided that the bids would be evaluated on the bid price plus the operating costs over a ten year period. In each case we have recommend the equipment that showed the total lowest figure for the bid price plus the ten year operating costs.

Pump No. 1 (12,200 gpm)	
Fairbanks-Morse	\$ 8,335.00
A. M. Lockett & Co.	10,498.00
Allis-Chalmers	10,012.00

"Irecommend that the contract for this pump be awarded to Fairbanks-Morse on their bid of \$8,335.00

"Pump No. 2 (6,000 gpm)	
A. M. Lockett & Co.	\$5,275.00

Fairbanks-Morse	5,098.00
Allis-Chalmers	6,272.00

"I recommend that the contract for this pump be awarded to A. M. Lockett and Company on their bid of \$5,275.00.

"Pump No. 3 (4,000 gpm)	
A. M. Lockett & Co.	\$3,394.00
Fairbanks-Morse	3,298.00
Allis-Chalmers	5,553.00

"I recommend that the contract for this pump be awarded to A. M. Lockett and Company on their bid of \$3,394.00.

"Pump No. 4 (2,000 gpm)	
A. M. Lockett & Co.	\$1,806.00
Fairbanks-Morse	1,828.00
Allis-Chalmers	3,018.00

"I recommend that the contract for this pump be awarded to A. M. Lockett and Company on their bid of \$1,806.00

"These pumps will be installed in the new Sewage Holding Tank and Lift Station, bids for which will be received in the near future.

C. G. Levander, Director of Public Works"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on the 9th day of February, 1955, bids were received by the City of Austin for the purchase of four sewage pumps to be installed in the new Sewage Holding Tank and Lift Station; and,

WHEREAS, an evaluation of the bids received for such equipment shows the bids of the following suppliers of each named item to be the lowest and best bid based on a ten year cost basis, to wit:

Fairbanks-Morse	Pump No. 1 (12,000 gpm)	\$8,335.00
A. M. Lockett & Co.	Pump No. 2 ( 6,000 gpm)	\$5,275.00
A. M. Lockett & Co.	Pump No. 3 ( 4,000 gpm)	\$3,394.00
A. M. Lockett & Co.	Pump No. 4 ( 2,000 gpm)	\$1,806.00

and

WHEREAS, the acceptance of each of such bids has been recommended by the Director of Public Works and City Manager of the City of Austin, Now, Therefore,

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

That the hereinabove named bids of Fairbanks-Morse and A. M. Lockett & Co. be and the same are hereby accepted, and W. T. Williams, Jr., City Manager, is hereby authorized to enter into contract with each of said suppliers for the purchase of said pumps on the basis of said bids.

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

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

Councilman Pearson moved that the following ordinance be introduced and ordered published in accordance with Article I, Section 6 of the Charter:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 3.64 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE A. B. SPEAR SURVEY IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

*Fairy Oaks*

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

Mayor McAden introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE RECONSTRUCTION AND MAINTENANCE OF THE PORTION OF SH HIGHWAY NO. 71 IN THE CITY OF AUSTIN, HEREINABOVE REFERRED TO AS "THE STREET PROJECT" AND AUTHORIZING THE CITY MANAGER OF THE CITY TO EXECUTE AND THE CITY CLERK TO AFFIX THE CORPORATE SEAL AND ATTEST THE SAME, A CERTAIN CONTRACT BETWEEN THE CITY AND THE STATE OF TEXAS PROVIDING FOR THE INSTALLATION, RECONSTRUCTION, MAINTENANCE, EXISTENCE AND USE OF THE SAID STREET PROJECT; FOR THE INDEMNIFICATION OF THE STATE OF TEXAS, BY THE CITY, AGAINST ALL DAMAGES TO ADJOINING, ABUTTING AND OTHER PROPERTY, AND FOR EXPENSES IN CONNECTION WITH ANY CLAIM OR SUIT THEREOF; AND DECLARING AN EMERGENCY AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER 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, Pearson, Thompson, White, Mayor McAden  
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, Pearson, Thompson, White, Mayor McAden  
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, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"Proposals for the construction of the South Austin Pump House on Center Street between South 1st Street and South 2nd Street were received until 10:00 A.M., February 15, 1955 and then publicly opened and read.

"The following proposals were received:

"Brown and Root, Inc.	\$25,000.00	90 working days
Austin Engineering Company	28,900.00	80 working days
Wayne H. Lott Company	29,888.00	40 working days
J. M. Odom	32,650.00	150 working days
Walter W. Schmidt	32,860.00	100 working days
Jones and Hazeltine	37,665.00	120 working days
Moore Construction Company	39,931.00	125 working days

"These proposals have been checked and analyzed. It is my recommendation that the contract be awarded to Brown and Root, Inc. as the lowest and best bid received.

Albert R. Davis, Superintendent  
Water and Sewer Department

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on February 15, 1955, the City of Austin received bids for the construction of the South Austin Pump House on Center Street between South 1st and South 2nd Street; and,

WHEREAS, the bid of Brown and Root, Inc. in the sum of \$25,000.00 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 Brown and Root, Inc. in the sum of \$25,000.00 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 Brown and Root, Inc.

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:

"Proposals for the construction of an 8,000,000 gallon prestressed concrete reservoir on Center Street between South First Street and South Second Street were received until 10:00 A.M., February 15, 1955, and then publicly opened and read.

"The following bids were received:

"J. M. Odom	\$249,736.00
Roy Goodson Construction Co.	273,372.00
McKenzie Construction Co.	280,000.00
Moore Construction Co.	286,881.00
Brown and Root	319,700.00

"The Marvin Turner Engineers prepared the plans and specifications for this job and assisted in the opening of bids. They joined me in analyzing the proposals and also in making the recommendation that the proposal of J. M. Odom be accepted as the lowest and best bid, and that the contract be awarded to him on his bid of \$249,736.00.

"Albert R. Davis, Superintendent  
Water and Sewer Department"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 15, 1955, for the construction of an 8,000,000 gallon prestressed concrete reservoir on Center Street between South First Street and South Second Street; and,

WHEREAS, the bid of J. M. Odom in the sum of \$249,736.00 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 J. M. Odom in the sum of \$249,736.00 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 J. M. Odom.

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

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

No action was taken on Ordinance ordering a General Election to be held on April 2nd, the matter to be presented the following week. Councilman Long inquired about other matters to be included in an election, and the amount of time necessary. The City Manager stated the dog ordinance had been sent to the Council this week.

Regarding the dog-situation, Councilman Thompson asked the City Manager to confer with the Police Department on the enforcement of the present ordinance and if there is any money available to get some extra help, to see that the present ordinances are more strictly enforced, pending the time we do get another ordinance. The City Manager stated he would look into this and find out what the trouble is.

Mayor McAden introduced the following ordinance to amend the budget to provide an appropriation for the purchase of property to enlarge Evergreen Cemetery:

AN ORDINANCE APPROPRIATING FUNDS FOR  
VARIOUS PURPOSES, AND DECLARING AN  
EMERGENCY.

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

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

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

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

The ordinance was read the third time and Councilmen Long moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, 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.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO  
ENTER INTO A CERTAIN CONTRACT WITH RIDGEVIEW  
DEVELOPMENT CORPORATION; PROVIDING FOR THE  
APPROPRIATION OF MONEY PAID TO THE CITY OF  
AUSTIN UNDER SUCH CONTRACT AND DECLARING AN  
EMERGENCY.

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

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

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

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

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, 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 City Council of the City of Austin hereby approves the erection of a boatdock on the property owned by A. H. Ritter, the same being Lot 37, Tarrytown River Oaks Subdivision, Section #2, as listed in the Travis County Deed Records, and hereby authorizes the same A. H. Ritter to construct, maintain, and operate this boatdock subject to same being constructed 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 erection of this boatdock after full compliance with all the provisions of this resolution. 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, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said A. H. Ritter, has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"Austin, Texas  
February 17, 1955

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

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of A. H. Ritter, owner of a piece of property located upstream from the westerly extension of the south line of Windsor Road, the same being the Lot 37, Tarrytown River Oaks Subdivision, as listed in the Travis County Deed Records, for permission to construct and maintain a boatdock projecting out into the lake approximately 20 feet beyond the normal high water level. The

construction details meeting all requirements, I therefore recommend that if A. H. Ritter is granted his request by the City Council, that it be subject to the following conditions.

- "(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced to withstand wind and water pressure, be used in the construction and that no structure shall be nearer than ten feet to any side property line of the owner or applicant.
- "(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, ware and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.
- "(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.
- "(4) That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,  
(Sgd) J. C. Eckert  
Building Inspector"

The motion, seconded by Councilman Pearson, 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 37.46 ACRES OF LAND, (Hilldale)  
SAME BEING OUT OF AND A PART OF THAT CERTAIN  
TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE  
GRANT IN TRAVIS COUNTY, TEXAS, WHICH SAID AD-  
DITIONAL 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 Pearson, 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.

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 3.76 ACRES OF LAND, SAME BEING OUT OF AND A PART OF A CERTAIN 5.47 ACRE TRACT OF LAND 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 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, Pearson, Thompson, White, Mayor McAden  
Noes: None

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

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

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "I", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE AND HEIGHT AND AREA DESIGNATIONS FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT ON 2.73 ACRE TRACT OF LAND BEING A PART OF LOTS 6 AND 7 OF SOUTH SIDE ADDITION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULES REQUIRING THE READING OF ORDINANCES 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 Pearson, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "C-2" COMMERCIAL DISTRICT AND SECOND HEIGHT AND DISTRICT TO "D" INDUSTRIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON AN APPROXIMATE 2 ACRE TRACT LOCALLY KNOWN AS 127-153 RIVERSIDE DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULES REQUIRING THE READING OF 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 Pearson, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Mayor McAden introduced the following ordinance:

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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, Pearson, Thompson, White, Mayor McAden  
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, Pearson, Thompson, White, Mayor McAden  
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, Pearson, Thompson, White, Mayor McAden  
Noes: None

The Mayor announced that the ordinance had been finally passed.

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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, Pearson, Thompson, White, Mayor McAden  
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Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden  
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The Mayor announced that the ordinance had been finally passed.

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AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT ON A 6.28 ACRE TRACT OF LAND LOCALLY KNOWN AS 2101-2121, 2201-2213 AIRPORT BOULEVARD AND 3101-3107, 3201-3217 MANOR ROAD, ALL IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULES REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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AND FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT ON TWO ADJOINING TRACTS OF LAND LOCALLY KNOWN AS 2201-2229 POST ROAD AND 201-207 EAST LIVE OAK STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULES REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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The Mayor announced that the ordinance had been finally passed.

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

The Mayor announced that the ordinance had been finally passed.

Councilman Long stated there had been a bill introduced in the House, which had to do with allocating \$25 million dollars to cities out of the General Fund, and she would like to see this Council go on record approving that because the Cities could be helped in their paving. Members of the Council wanted copies furnished them of this bill.

Councilman Long stated she mentioned to the Council about the call from Mr. B. Joseph regarding the paving on Arroya Seca and Piedmont. The Director of Public Works stated this work was under contract with Mr. McKown. Mr. McKown, being present, stated they were to proceed with this when the storm sewer in the A. B. Beddow Subdivision was completed. It was believed this would be finished in about two weeks.

Councilman Long inquired about Mrs. Bell's property on Pressler Street. Councilman Thompson had made a personal inspection of this, and Mrs. Bell had seemed concerned about the building of a house across the street from her, believing that it would only add to more congestion. The Director of Public Works stated there was a jog in the street, the right-of-way being narrow, and that they had started in 1937 to get more right-of-way, but it looked like it was going to be necessary to condemn it. Councilman Thompson suggested that the Traffic Department make a study, and if they felt there was too much congestion, then the Council could see if it felt that it should be straightened; and if so, if the people would not be reasonable about the right-of-way, then condemnation proceedings could be started. Councilman Long asked if a report could be made on this.

There being no further business the Council adjourned at 12:45 P.M.  
subject to the call of the Mayor.

APPROVED

  
Mayor

ATTEST:

  
City Clerk