

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 31, 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.

In accordance with published notice thereof, promptly at 10:00 o'clock A.M. Mayor Miller announced that the time for submitting bids on the purchase of City of Austin Electric Light and Power, Waterworks and Sewer System Revenue Bonds in the amount of \$4,650,000.00; City of Austin Various Purpose General Obligation Bonds in the amount of \$1,200,000.00; City of Austin Auditorium General Obligation Bonds in the amount of \$2,500,000.00; and City of Austin Auditorium General Obligation Bonds in the amount of \$300,000.00 had expired, and that the City Council would proceed with the opening of said bids.

Bids were then opened and read, as follows:

ELECTRIC, WATER AND SEWER REVENUE BONDS - \$4,650,000.00

LEHMAN BROTHERS

Shields & Company
Stone & Webster Securities Corp.
B. J. Van Ingen & Co. Inc.
White, Masterson & Co. and Associates

THE FIRST BOSTON CORPORATION AND ASSOCIATES

PHELPS, FENN & CO.

Rauscher, Pierce & Co., Inc. and Associates

DREXEL & COMPANY

Bear, Stearns & Co.
Braun, Bosworth & Co., Inc.
Ira Haupt & Co.
Hayden, Stone & Co.
Wm. E. Pollock & Co., Inc.
Bramhall, Falion & Co., Inc.
Shearson, Hammill & Co.
Wood, Gundy & Co., Inc.
Shelby, Cullom Davis & Co.
Rand & Co.
Goodbody & Co.
Eppler, Guerin & Turner
Dittmar & Company, Inc.

C. J. DEVINE & CO. AND ASSOCIATES

FIRST SOUTHWEST CO.

Merrill Lynch, Pierce, Fenner & Beane
Kuhn, Loeb and Company
J. C. Bradford and Co.
Gregory and Sons
Hornblower and Weeks
Wood, Struthers and Company
Thomas and Company
Municipal Securities Co.
Rowles, Winston and Co.
Rotan, Mosle and Co.

GLORE, FORGAN & CO.

A. C. Allyn & Co.
Baxter & Co.
Stroud & Co., Inc.
Central Republic Co.
Moore, Leonard & Lynch
Scott, Horner & Mason, Inc.
Raffensperger, Hughes & Co., Inc.
Barret, Fitch, North & Co.
The Columbian Securities Corp. of Texas
Herbert J. Sims & Co., Inc.
Stranahan, Harris & Co.
F. Brittain Kennedy & Co.
J. A. Overton & Co.

EASTMAN DILLON, UNION SECURITIES & CO.

Kidder, Peabody & Co.
L. F. Rothschild & Co.
Coffin & Burr, Incorporated
Reynolds & Co.
R. S. Dickson & Co.
Eldredge & Co.
King, Quirk & Co., Incorporated
Geo. B. Gibbons & Co., Incorporated
Andrews & Wells, Inc.
Janney, Dulles & Co., Inc.
Henry, Seay & Black

HALSEY, STUART & COMPANY, INC., NEW YORK
And Associates

Each of the above and foregoing bids was accompanied by a cashier's-certified check in the amount of \$93,000.00.

Whereupon the bids were referred to the Finance Director for tabulation and report.

VARIOUS PURPOSE GENERAL OBLIGATION BONDS - \$1,200,000.00

BANKERS TRUST CO., NEW YORK
Harris Trust & Savings Bank, Chicago
Republic National Bank of Dallas

J. P. MORGAN & CO., INC. AND ASSOCIATES

THE NORTHERN TRUST COMPANY
Harriman Ripley & Co., Inc.
Blyth & Co., Inc.
First of Michigan Corp.
Stern Brothers & Co.
City National Bank & Trust Co., Kansas City, Mo.
Schoellkopf, Hutton & Pomeroy, Inc.
Baxter & Co.
Bacon, Whipple & Co.
H. V. Sattley & Co., Inc.
McClung & Knickerbocker
Dallas Union Securities Co.
Boettcher and Co.
McDonald-Moore & Co.

C. J. DEVINE & CO., AND ASSOCIATES

THE FIRST BOSTON CORPORATION
First Southwest Co.
Robert W. Baird & Co., Inc.

LEHMAN BROTHERS
Shields & Co.
Stone & Webster Securities Corporation
B. J. Van Ingen & Co.
White, Masterson & Co. and Associates

GOLDMAN, SACHS & CO.

THE FIRST NATIONAL BANK OF CHICAGO
Mercantile Trust Co., St. Louis
Julien Collins & Co.
W. E. Hutton & Co.
William Blair & Co.
Shannon & Co.
Barret, Fitch, North & Co.
Garrett and Co., Inc.

THE FIRST NATIONAL CITY BANK OF NEW YORK
Merrill Lynch, Pierce, Fenner & Beane
Braun, Bosworth & Co., Inc.
Lee Higginson Corp.
Robert Winthrop & Co.
Laurence M. Marks & Co.
Fridley, Hess & Frederking
Eldridge E. Quinlan Co., Inc.
Austin, Hart & Parvin

PHELPS, FENN & CO.
Rauscher, Pierce & Co., Inc.
and Associates

DREXEL & COMPANY
Hayden, Stone & Co.
C. F. Childs & Co.
Geo. B. Gibbons & Company, Inc.
Provident Savings Bank & Trust Co.
Folger, Nolan, Fleming
W. B. Hibbs & Co., Inc.
Dittmar & Company, Inc.

HALSEY, STUART & COMPANY, INC., NEW YORK
and Associates

EASTMAN DILLON, UNION SECURITIES & CO.
Kidder, Peabody & Co.
L. F. Rothschild & Co.
Eldredge & Co.
King, Quirk & Company, Incorporated
Andrews & Wells, Inc.
Janney, Dulles & Co., Inc.
Henry, Seay & Black

Each of the above and foregoing bids was accompanied by a cashier's-
certified check in the amount of \$24,000.00

Whereupon the bids were referred to the Finance Director for tabulation
and report.

AUDITORIUM GENERAL OBLIGATION - \$2,500,000.00

BANKERS TRUST COMPANY
Harris Trust & Savings Bank
Republic National Bank of Dallas

CITY OF AUSTIN EMPLOYEES' RETIREMENT AND PENSION FUND

Each of the above and foregoing bids was accompanied by a cashier's-
certified check in the amount of \$50,000.00.

Whereupon the bids were referred to the Finance Director for tabulation
and report.

AUDITORIUM GENERAL OBLIGATION - \$300,000.00

CITY OF AUSTIN EMPLOYEES' RETIREMENT AND PENSION FUND

The above and foregoing bid was accompanied by a cashier's - certified check in the amount of \$6,000.00.

Whereupon the bid was referred to the Finance Director for tabulation and report.

MR. J. G. KINKEAD, Lehman Brothers and Associates, wanted to go on record as stating if the conditional bid of Halsey, Stuart & Company did not conform with the notice of sale that it be disregarded.

The Council received notice that the following zoning applications had been referred to the Plan Commission, and had been set for public hearing before the Council for February 28, 1957:

CHARLIE BROWN, JR.	1813-15 Walnut Avenue 2701-2703 East 19th St.	From "A" Residence To "LR" Local Retail
FRANK C. BARRON	3411-15 Owen Avenue	From "A" Residence To "BB" Residence
JAMES D. SPILLAR	7010 Burnet Road	From "A" Residence To "C-1" Commercial
WATT SCHIEFFER	7509-7703 Interregional Highway	From "A" Residence 1st Height and Area and "C" Commercial 6th Height and Area To "D" Industrial 2nd Height and Area
JAMES C. MIDDLETON	1614-18 Manor Road	From "A" Residence and "C" Commercial To "C" Commercial
JAMES G. HAMER & ALEX LEWIS	1505-11 Kinney Avenue & 1500-12 So. Lamar Blvd.	From "A" Residence To "GR" General Retail
MIKE W. BUTLER & DAVID M. McCULLOUGH	404 West 30th Street	From "B" Residence To "O" Office
W. E. THOMPSON	1000-1002 West 33rd St. 3300-3308 Lamar Blvd.	From "C" Commercial To "C-2" Commercial

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

FRANK G. DURAN	2607 East 4th Street	From "E" Heavy Industrial To "C-1" Commercial NOT Recommended by the Planning Commission
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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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C. B. SMITH, et al	615-625 St. Johns Avenue	From "A" Residence To "D" Industrial NOT Recommended by the Planning Commission Recommended "C" for the south 100'
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Mr. Callaghan represented MR. C. B. SMITH, et al. Mr. W. T. Jones, and a Mr. Anderson opposed. The Council postponed action until the following week.

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RAYMOND C. LITTLEFIELD By Robert.Sneed	2103-09 Oldham Street 2102-04 Ewisher 801-05 Manor Road	From "BB" Residence To "C" Commercial RECOMMENDED by the Planning Commission
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The Mayor asked those who 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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WARREN S. FREUND, et al	709 West 10th Street 905-07 West Avenue	From "B" Residence To "O" Office
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The Mayor asked those who wished to grant the change to "O" Office 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 "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

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E. C. LOGSDON

4609-4617 Red Bluff
Road

From "A" Residence
To "C" Commercial
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: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

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

MR. H. B. RAINS, FEHR BAKING COMPANY, appeared before the Council asking permission to operate a sound truck from 9:00 A.M. to 12:00 noon, and from 2:00 P.M. until 5:00 P.M. for 12 days, in an advertising campaign. The Council felt it should not deviate from the ordinance now in effect and therefore could not grant the permit.

Councilman Palmer moved that the Minutes of the meeting of January 24, 1957, be approved. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a Pipe Crossing Agreement between the City of Austin and Missouri-Kansas-Texas Railroad Company of Texas for the construction of a thirty inch (30") sanitary sewer line across the right-of-way of said railroad company approximately 45.5 feet measured northeasterly along the centerline of the main track from the east end of Bridge No. U-951.8.

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, certain public utility easements were reserved and dedicated to the public along certain lot lines in Brykerwoods Addition "B", in the City of Austin, Travis County, Texas, according to a map or plat of Brykerwoods Addition "B", of record in Volume 4, Page 12, Plat Records of Travis County, Texas; and,

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

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

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

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

- (1) Being all of the west three (3.00) feet of Lot 8, Block 3, of Brykerwoods Addition "B"; and
- (2) Being all of the east three (3.00) feet of Lot 9, Block 3, of Brykerwoods Addition "B".

The motion, seconded by Councilman Pearson, 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)

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the southeast corner of East 38 $\frac{1}{2}$ Street and Airport Boulevard, which property fronts 126 feet on East 38 $\frac{1}{2}$ Street and 90.9 feet on Airport Boulevard, being known as a portion of Block F of Manor Hills in the City of Austin, Travis County, Texas, and hereby authorizes the said Frank C. Barron to construct, maintain, and operate a drive-in gasoline filling station and to construct curbs, ramps, and sidewalks in conjunction therewith subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans. The Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted 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 Frank C. Barron has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"January 31, 1957

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

"Dear Sir:

"We, the undersigned, have considered the application of Frank C. Barron for permission to construct, maintain, and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the southeast corner of East 38 $\frac{1}{2}$ Street and Airport Boulevard, which property fronts 126 feet on East 38 $\frac{1}{2}$ Street and 90.9 feet on Airport Boulevard, being known as a portion of Block F of Manor Hills in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Frank C. Barron and is under lease to Gulf Oil Corporation. We hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street, and furthermore, shall not create a nuisance to others in the neighborhood. It is understood that the disposal of such drainage shall be entirely the responsibility of the property owner. Any waste connection to a storm sewer which empties into an open drainageway shall be discontinued, if the waste becomes a nuisance or damages any property or rights of others in the vicinity of the open drainageway.

"We recommend that Frank C. Barron be granted permission to construct, maintain, and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line; correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways; building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used, and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street, or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc., and that all construction of the filling station improvements shall be in accordance with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146.

"(5) That all filling station improvements pump islands, driveways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan, hereto attached, which plan bears the Department of Public Works file number 2-H-1494.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2-H-1494 and shall be of the premoulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection, and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted,
(Sgd) S. Reuben Rountree, Jr.
Director of Public Works
(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

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property located on the east side of Burnet Road approximately 160 feet north of Romeria Drive, which property fronts 206.69 feet on Burnet Road, being known as a portion of the George W. Spear League in the City of Austin, Travis County, Texas, and hereby authorizes the said Lillie H. Walling and George H. Walling to construct, maintain, and operate a drive-in gasoline filling station and to construct curbs, ramps, and sidewalks in conjunction therewith subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans. The Building Inspector is

hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted 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 Lillie H. Walling and George H. Walling has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"January 31, 1957

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

"Dear Sir:

"We, the undersigned, have considered the application of Lillie H. Walling and George H. Walling for permission to construct, maintain, and operate a drive-in gasoline filling station and to construct commercial driveways inconjunction therewith upon the property located at the east side of Burnet Road approximately 160 feet north of Romeria Drive, which property fronts 206.69 feet on Burnet Road, being known as a portion of the George W. Spear League in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Lillie H. Walling and George H. Walling and is under lease to Humble Oil and Refining Co. We hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street, and furthermore, shall not create a nuisance to others in the neighborhood. It is understood that the disposal of such drainage shall be entirely the responsibility of the property owner. Any waste connection to a storm sewer which empties into an open drainageway shall be discontinued, if the waste becomes a nuisance or damages any property or rights of others in the vicinity of the open drainageway.

"We recommend that Lillie H. Walling and George H. Walling be granted permission to construct, maintain, and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line; correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways; building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used, and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc., and that all construction of the filling station improvements shall be in accordance with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 - H - 146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan, hereto attached, which plan bears the Department of Public Works file number 2 - H - 1495.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - H - 1495 and shall be of the pre-moulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection, and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted,
(Sgd) S. Reuben Rountree, Jr.
Director of Public Works
(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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter named and said maps or plans have been considered by the Director of Public Works; therefore

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

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduits in the following streets:

(1) An underground telephone conduit in EAST 13TH STREET, from Brazos Street to San Jacinto Street, the centerline of which underground telephone conduit shall be 23 feet south of and parallel to the north property line of said EAST 13TH STREET.

THAT the work and construction of said underground telephone conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The motion, seconded by Councilman Pearson, 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, Ace Plastering Company is the Contractor for the alteration of a building located at 708 Congress Avenue and desires a portion of the sidewalk and street space abutting the south one-half of Lot 3, Block 83, of the Original City of Austin, Travis County, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said Ace Plastering Company, 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 easterly direction and at right angles to the center line of Congress Avenue 5 feet to a point; thence in a northerly direction and parallel with the center line of Congress Avenue approximately 23 feet to a point; thence in a westerly direction and at right angles to the center line of Congress Avenue to the east line of the above described property.

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

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

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

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

(4) That "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 February 20, 1957.

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

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

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 ANNEXA-
TION 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 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, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council postponed making an appointment on the Solicitation Board until next week.

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 Manager, W. T. Williams, Jr., be and he is hereby authorized and directed to execute the ninety-nine (99) year lease to The United States of America, exhibited to the City Council by the City Manager, for the construction and maintenance of an Armory and related activities upon the following described premises, to wit:

A tract of land situated in the County of Travis, State of Texas, and being a part of Division "O" Outlot No. 68 of the Government Outlots adjoining the Original City of Austin and being more particularly described as follows:

BEGINNING at the southwest corner of Outlot No. 68, said point being in the east line of Comal Street;

THENCE along the west line of said Outlot No. 68 and the east line of said Comal Street north $22^{\circ} 40'$ east, 421 feet to a point for the northwest corner of this tract;

THENCE south $67^{\circ} 20'$ east, 653.2 feet to a point in the east line of said Outlot No. 68 for the northeast corner of this tract;

THENCE along the common line between Outlots 67 and 68, same being the west line of Block B of Chalmers Addition to the City of Austin, south $22^{\circ} 40'$ west, 421 feet to the southeast corner of said Outlot No. 68;

THENCE along the south line of said Outlot No. 68 north $67^{\circ} 20'$ west 653.2 feet to the point of beginning, containing 6.3 acres, more or less.

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

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

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the City Manager, W. T. Williams, Jr., be and he is hereby authorized to engage the professional services of the engineering firm doing business as Seaholm & Levander for the design of one project for improvement to the City's Water System and three projects for improvements to the City's Sanitary Sewer System described by the City Manager to the City Council and referred to as the Airport Boulevard Sewer Project, the Govalle Sewer Project, Water Plant #1 New Intake, and Barton Springs Sewer Project, for an engineering fee of 3.6% (estimated to be \$13,356.00) of the total cost of construction of said improvements (estimated to be \$371,000.00).

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

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

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

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

authorized to engage the professional services of the engineering firm doing business as Montgomery & Williams for two projects for improvements to the City Sanitary Sewer System and one project for improvement to the City's Water System, described by the City Manager to the City Council and referred to as the Waller Creek Sewer Interceptor Project, the Radam Lane Sewer Project, and the Water Reservoir Project, for an engineering fee of 3.6% (estimated to be \$14,328.00) of the total cost of construction of said improvements (estimated to be \$398,000.00).

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

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the City Manager, W. T. Williams, Jr., be and he is hereby authorized to engage the professional services of the engineering firm doing business as Marvin Turner Engineers for four projects for improvements to the City's Sanitary Sewer System, described by the City Manager to the City Council and referred to as the Morgan Lane Sewer Project, the Johnson Creek Sewer Project, the Manchaca Road Sewer Project, and the Forest Oaks Sewer Project, for an engineering fee of 3.6% (estimated to be \$9,540.00) of the total cost of construction of said improvements (estimated to be \$265,000.00) and for one project referred to as the Hornsby Bend Oxidation Pond for an engineering fee of 3.75% (estimated to be \$4,875.00) of the total cost of construction of said improvement (estimated to be \$130,000.00).

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

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

The City Manager stated MR. P. S. CRAWFORD applied for a building permit on property lying within the wide span of the route of the South Belt Loop. He has submitted a sketch showing a proposed location for a building approximately 240' from the center line; and it was believed that this location would not conflict with the location of the route in any. The City Manager recommended that the Council authorize the issuance of the permit. Councilman Long moved that the issuance of a building permit as submitted here be authorized. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager discussed the retirement ordinance as it concerned prior service credits, and the \$100.00 per month limit. The discussion was carried over.

Recessed Meeting

3:00 P.M.

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Lehman Brothers, Shields & Company, Stone & Webster Securities Corporation, B. J. Van Ingen & Co. Inc., and White, Masterson & Co. and Associates, acting by and through their duly authorized agent and representative, Philip Seles, this day submitted to the City Council the following proposal:

OFFICIAL BID FORM

Honorable Mayor and City Council
City of Austin
Austin, Texas

January 31, 1957

Gentlemen:

Reference is made to your "Official Notice of Sale," dated January 21, 1957, of \$4,650,000 CITY OF AUSTIN, TEXAS ELECTRIC LIGHT AND POWER, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, which is attached hereto and made a part hereof.

For your legally issued bonds, as described in said Notice, we will pay you par and accrued interest from date of issue to date of delivery to us, plus a cash premium of \$790.50 for bonds bearing interest as follows:

April 1, 1960, through April 1, 1965	4%
April 1, 1966, through April 1, 19	3.10%
April 1, 1967, through April 1, 1979	3%

Interest cost, in accordance with the above bid is:

Gross Interest Cost	\$1,842,011.10
Less Premium	790.50
NET INTEREST COST	\$1,841,220.60
EFFECTIVE INTEREST RATE	3.1333%

Attached hereto is Cashier's-Certified Check of the The National Bank of Commerce of Houston Bank, Houston, Texas, in the amount of \$93,000.00 which represents our Good Faith Deposit, and which is submitted in accordance with the terms as set forth in the "Official Notice of Sale."

If we are the successful purchasers, we will select Wood, King & Dawson, New York, New York, Bond Attorneys, whose fee we will pay, to approve the legality of the bonds.

We desire that the Paying Agents for this issue be: To be determined later, New York, New York, and To be determined later, Austin, Texas.

Respectfully submitted,

Lehman Brothers
Shields & Company
Stone & Webster Securities Corporation
B. J. Van Ingen & Co. Inc.
White, Masterson & Co. and Associates

By /s/ Philip Seles
Authorized Representative

ACCEPTANCE CLAUSE

The above and foregoing bid is hereby in all things accepted by the City of Austin, Texas, this the 31st day of January, 1957.

Mayor, City of Austin, Texas

ATTEST:

City Clerk, City of Austin, Texas

APPROVED:

City Attorney, City of Austin, Texas

and,

WHEREAS, the said bid and proposal of Lehman Brothers, Shields & Company, Stone & Webster Securities Corporation, B. J. Van Ingen & Co., Inc., and White, Masterson & Co. and Associates, was the most advantageous bid submitted to the City Council for the purchase of the aforesaid bonds; NOW THEREFORE,

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

That said proposal of Lehman Brothers, Shields & Company, Stone & Webster Securities Corporation, B. J. Van Ingen & Co., Inc., and White, Masterson & Co. and Associates, to purchase \$4,650,000.00 City of Austin, Texas, Electric Light and Power, Waterworks and Sewer System Revenue Bonds as per the City's Notice of Sale and Prospectus dated January 21, 1957, at the price and upon the terms of said proposal be and the same is hereby accepted and Lehman Brothers, Shields & Company, Stone & Webster Securities Corporation, B. J. Van Ingen & Co. Inc., and White, Masterson & Co. and Associates be awarded the sale of said bonds; and,

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

That the City Manager be and he is hereby authorized and directed to sell to Lehman Brothers, Shields & Company, Stone & Webster Securities Corporation, B. J. Van Ingen & Co. Inc., and White, Masterson & Co. and Associates the \$4,650,000.00 of City of Austin, Texas, Electric Light and Power, Waterworks and Sewer System Revenue Bonds as per the City's Notice of Sale and Prospectus dated January 21, 1957, at par and accrued interest from April 1, 1957, to date of delivery plus a cash premium of \$790.50 according to the terms of said bid hereinbefore set out.

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)

WHEREAS, Bankers Trust Company - New York, Harris Trust & Savings Bank - Chicago, Republic National Bank of Dallas, acting by and through their duly authorized agent and representative, John S. Davis, this day submitted to the City Council the following proposal:

OFFICIAL BID FORM

Honorable Mayor and City Council
City of Austin
Austin, Texas

January 31, 1957

Gentlemen:

Reference is made to your "Official Notice of Sale", dated January 21, 1957, of \$1,200,000 CITY OF AUSTIN, TEXAS VARIOUS PURPOSE GENERAL OBLIGATION BONDS, which is attached hereto and made a part hereof.

For your legally issued bonds, as described in said Notice, we will pay you par and accrued interest from date of issue to date of delivery to us, plus a cash premium of \$ -0- for bonds bearing interest as follows:

January 1, 1958, through January 1, 1965	4%
January 1, 1966, through January 1, 1971	3%
January 1, 1972, through January 1, 1981	3.10%

Interest cost, in accordance with the above bid, is:

Gross Interest Cost	\$510,212.47
Less Premium	-0-
NET INTEREST COST	\$510,212.47
EFFECTIVE INTEREST RATE	3.16902%

Attached hereto is Cashier's-Certified Check of the Republic National Bank, Dallas, Texas, in the amount of \$24,000.00, which represents our Good Faith Deposit, and which is submitted in accordance with the terms as set forth in the "Official Notice of Sale."

If we are the successful purchasers, we will select McCall, Parkhurst & Crowe, Bond Attorneys, whose fee we will pay, to approve the legality of the bonds.

We desire that the Paying Agents for this issue be: Bankers Trust Co., New York, New York, and American National Bank, Austin, Texas.

Respectfully submitted,

Bankers Trust Company - New York
Harris Trust & Savings Bank - Chicago
Republic National Bank of Dallas
By /s/ John S. Davis
Authorized Representative

ACCEPTANCE CLAUSE

The above and foregoing bid is hereby in all things accepted by the City of Austin, Texas, this the 31st day of January, 1957.

ATTEST:

Mayor, City of Austin, Texas

City Clerk, City of Austin, Texas

APPROVED:

City Attorney, City of Austin, Texas

and,

WHEREAS, the said bid and proposal of Bankers Trust Company-New York, Harris Trust & Savings Bank-Chicago, Republic National Bank of Dallas, was the most advantageous bid submitted to the City Council for the purchase of the aforesaid bonds; Now, Therefore,

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

That said proposal of Bankers Trust Company-New York, Harris Trust & Savings Bank-Chicago, and Republic National Bank of Dallas to purchase \$1,200,000.00 City of Austin, Texas Various Purpose General Obligation Bonds as per the City's Notice of Sale and Prospectus dated January 21, 1957, at the price and upon the terms of said proposal be and the same is hereby accepted and Bankers Trust Company-New York, Harris Trust & Savings Bank-Chicago, and Republic National Bank of Dallas, be awarded the sale of said bonds; and,

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

That the City Manager be and he is hereby authorized and directed to sell to Bankers Trust Company-New York, Harris Trust & Savings Bank-Chicago, and Republic National Bank of Dallas the \$1,200,000.00 of City of Austin, Texas Various Purpose General Obligation Bonds as per the City's Notice of Sale and Prospectus dated January 21, 1957, at par and accrued interest from February 1, 1957, to date of delivery according to the terms of said bid hereinbefore set out.

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, Bankers Trust Company - New York, Harris Trust & Savings Bank - Chicago, Republic National Bank of Dallas, acting by and through their duly authorized agent and representative, John S. Davis, this day submitted to the City Council the following proposal:

OFFICIAL BID FORM

Honorable Mayor and City Council
City of Austin
Austin, Texas

January 31, 1957

Gentlemen:

Reference is made to your "Official Notice of Sale," dated January 21, 1957, of \$2,500,000 CITY OF AUSTIN, TEXAS AUDITORIUM BONDS, which is attached hereto and made a part hereof.

For your legally issued bonds, as described in said Notice, we will pay you par and accrued interest from date of issue to date of delivery to us, plus a cash premium of \$251.00 for bonds bearing interest as follows:

January 1, 1958, through January 1, 1987	3-1/4%
January 1, 19 , through January 1, 19	%
January 1, 19 , through January 1, 19	%

Interest cost, in accordance with the above bid, is:

Gross Interest Cost	\$1,560,541.78
Less Premium	251.00
NET INTEREST COST	\$1,560,290.78
EFFECTIVE INTEREST RATE	3.24948%

Attached hereto is Cashier's-Certified Check of the Republic National Bank, Dallas, Texas, in the amount of \$50,000.00, which represents our Good Faith Deposit, and which is submitted in accordance with the terms as set forth in the "Official Notice of Sale."

If we are the successful purchasers, we will select McCall, Parkhurst & Crowe, Bond Attorneys, whose fee we will pay, to approve the legality of the bonds.

We desire that the Paying Agents for this issue be: Bankers Trust Co., New York, New York, and American National Bank, Austin, Texas.

Respectfully submitted,

Bankers Trust Company - New York
Harris Trust & Savings Bank - Chicago
Republic National Bank of Dallas
By /s/ John S. Davis
Authorized Representative

ACCEPTANCE CLAUSE

The above and foregoing bid is hereby in all things accepted by the City of Austin, Texas, this the 31st day of January, 1957.

ATTEST:

Mayor, City of Austin, Texas

City Clerk, City of Austin, Texas

APPROVED:

City Attorney, City of Austin, Texas

and,

WHEREAS, the said bid and proposal of Bankers Trust Company - New York, Harris Trust & Savings Bank - Chicago, and Republic National Bank of Dallas, was the most advantageous bid submitted to the City Council for the purchase of the aforesaid bonds; NOW, THEREFORE,

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

That said proposal of Bankers Trust Company - New York, Harris Trust & Savings Bank - Chicago, and Republic National Bank of Dallas, to purchase \$2,500,000.00 City of Austin, Texas Auditorium Bonds as per the City's Notice of Sale and Prospectus dated January 21, 1957, at the price and upon the terms of said proposal be and the same is hereby accepted and Bankers Trust Company - New York, Harris Trust & Savings Bank - Chicago, and Republic National Bank of Dallas be awarded the sale of said bonds; and,

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

That the City Manager be and he is hereby authorized and directed to sell to Bankers Trust Company - New York, Harris Trust & Savings Bank - Chicago, and Republic National Bank of Dallas the \$2,500,000 of City of Austin, Texas Auditorium Bonds as per the City's Notice of Sale and Prospectus dated January 21, 1957, at par and accrued interest from February 1, 1957, to date of delivery plus a cash premium of \$251.00 according to the terms of said bid hereinbefore set out.

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, The City of Austin Employees' Retirement and Pension Fund, acting by and through its duly authorized agents and representatives, W. T. Williams, Jr., City Manager, and J. D. Huffman, Jr., Director of Finance of the City of Austin, this day submitted to the City Council the following proposal:

OFFICIAL BID FORM

Honorable Mayor and City Council
City of Austin
Austin, Texas

January 31, 1957

Gentlemen:

Reference is made to your "Official Notice of Sale," dated January 21, 1957, of \$300,000 CITY OF AUSTIN, TEXAS AUDITORIUM BONDS, which is attached hereto and made a part hereof.

For your legally issued bonds, as described in said Notice, we will pay you par and accrued interest from date of issue to date of delivery to us, plus a cash

premium of \$ -0- for bonds bearing interest as follows:

January 1, 1958, through January 1, 1987	3%
January 1, 19 , through January 1, 19	%
January 1, 19 , through January 1, 19	%

Interest cost, in accordance with the above bid is:

Gross Interest Cost	\$177,000.00
Less Premium	-0-
NET INTEREST COST	\$177,000.00
EFFECTIVE INTEREST RATE	3.00000%

Attached hereto is Cashier's-Certified Check of the _____ Bank, _____, in the amount of \$6,000.00, which represents our Good Faith Deposit, and which is submitted in accordance with the terms as set forth in the "Official Notice of Sale."

If we are the successful purchasers, we will select _____, Bond Attorneys, whose fee we will pay, to approve the legality of the bonds.

We desire that the Paying Agents for this issue be: _____, New York, New York, and _____, Austin, Texas.

Respectfully submitted,
THE CITY OF AUSTIN EMPLOYEES'
RETIREMENT AND PENSION FUND

By _____
Authorized Representative

ACCEPTANCE CLAUSE

The above and foregoing bid is hereby in all things accepted by the City of Austin, Texas, this the 31st day of January, 1957.

ATTEST:

Mayor, City of Austin, Texas

City Clerk, City of Austin, Texas

APPROVED:

City Attorney, City of Austin, Texas

and,

WHEREAS, the said bid and proposal of The City of Austin Employees' Retirement and Pension Fund was the most advantageous bid submitted to the City Council for the purchase of the aforesaid bonds; NOW THEREFORE,

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

That said proposal of The City of Austin Employees' Retirement and Pension Fund, to purchase \$300,000.00 City of Austin, Texas Auditorium Bonds as per the City's Notice of Sale and Prospectus dated January 21, 1957, at the price and upon the terms of said proposal be and the same is hereby accepted and The City of Austin Employees' Retirement and Pension Fund be awarded the sale of said bonds; and,


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

That the City Manager be and he is hereby authorized and directed to sell to The City of Austin Employees' Retirement and Pension Fund the \$300,000.00 of City of Austin, Texas Auditorium Bonds as per the City's Notice of Sale and Prospectus dated January 21, 1957, at par and accrued interest from February 1, 1957, to date of delivery according to the terms of said bid hereinbefore set out.

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 4:45 P.M.
subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:


City Clerk