

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 13, 1957
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Absent: None

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

Invocation was delivered by REV. DON BENTON, First Methodist Church, 1200 Lavaca Street.

MR. SHEFFIELD introduced a special group from the International Recreation Service, who were visiting in Austin from Iran, East Africa, Belgium Congo, and India, and who were very interested in the City's Recreation program.

Councilman White moved that the Minutes of the Meeting of June 6, 1957, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

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

The City Manager gave a report on proposed park in northeast Austin, and that the Committee that had met with him and the Recreation Director was favorable to their recommendations. Immediate plans were to do some clearing, construct a shelter house, build a fence, install a sprinkler system, and build a splash pool. All of the construction will take most of the summer, but there will be a play area provided in the meantime. It was explained that this will be a large park but that it would take about three years to get it completely developed. MR. HARRIS, spokesman for the group, expressed appreciation for the cooperation of the officials in getting this underway.

MR. CHARLES HACKNEY, 1004 Ruth, reported a bad drainage condition, which he stated was caused by some work done by Mr. Eddy Joseph on his property. He had been unable to work anything out with Mr. Joseph. The drainage problem has caused his driveway to wash out, water to stand under his house, and general flooding of the area. He made a complaint of the weeds on the property that needed clearing. The Mayor asked that the Engineering Department make a study of what can be done; also the Health Department.

The City Manager submitted the following:

"June 11, 1957

"S. Reuben Rountree, Jr.
Director of Public Works

W. T. Williams, Jr., City Manager

"Construction of Miscellaneous Storm Sewers - Contract No. 57-D-23

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, June 11, 1957, for the construction of miscellaneous storm sewers in the following areas: Schulle Avenue, Ethel Street Easement, Schulle Avenue Easement, and Kinney Avenue Easement - Contract No. 57-D-23.

"Capitol City Utilities	\$ 8,430.22
Austin Engineering Co.	10,537.60
Karl B. Wagner	12,993.40
J.Bland Construction Co.	15,266.00

"City's Estimate \$11,892.00

"I recommend that Capitol City Utilities with their low bid of \$8,430.22 be awarded the contract for this project."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 11, 1957, for the construction of miscellaneous storm sewers in Schulle Avenue, Kinney Avenue and Ethel Street, Contract No. 57-D-23; and,

WHEREAS, the bid of Capitol City Utilities in the sum of \$8,430.22 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 Capitol City Utilities in the sum of \$8,430.22 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 Capitol City Utilities.

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

The following zoning application was brought up for public hearing:

EARL SIMMS, JR.

1002 Rio Grande Street

From "B" Residence

To "O" Office

RECOMMENDED by the
Planning Commission

Mrs. Todd was present in the interest of what was to be constructed there, and in the set-backs, requesting that he not build on the side property line. Mr. Earl Simms, Sr. appeared in behalf of his son. 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.

The City Manager explained in detail provisions of a contract to be entered into with Water District No. 10. Councilman Pearson 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, is hereby authorized and directed to enter into a contract on behalf of the City of Austin with Travis County Water Control and Improvement District No. 10 providing for the sale and delivery of water by the City of Austin to the District; for the management of the affairs of said District; for performance by the City of various services for the District; granting permission for the use of certain land of the City as a site for a booster pumping station; granting said District an option to purchase certain easements from the City in the event of cancellation of the Contract by the City; and for the expansion and improvement of the City's water distribution system to serve the District.

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)

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 contract with H. W. Curington, C. G. Levander, Julian Montgomery, Marvin C. Turner, G. D. Williams, and the engineering firm of Black and Veatch,

for their professional services in the preparation of long-range engineering studies and reports for the City of Austin's water system and sewerage system, for a total consideration not to exceed the sum of Thirty Thousand Dollars (\$30,000.00).

The motion, seconded by Councilman Long, 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, Shurr Construction Company is the Contractor for the alteration of a building located at 2100-2102 Guadalupe Street and desires a portion of the sidewalk and street space abutting Lot 31, Outlot 22 $\frac{1}{2}$, Division D, 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 Shurr Construction 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 an easterly direction and at right angles to the center line of Guadalupe Street to the face line of the west curb; thence in a northerly direction and parallel with the center line of Guadalupe Street approximately 70 feet to a point; thence in a westerly direction and at right angles to the center line of Guadalupe Street to the northeast corner of the above described property.

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

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person

at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

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

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

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

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

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than September 15, 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 Five Thousand Dollars (\$5000), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Pearson, 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, Shurr Construction Company is the Contractor for the alteration of a building located at 2116-2120 Guadalupe Street and desires a portion of the sidewalk and street space abutting Lot 33, Outlot 22 $\frac{1}{2}$, Division D, 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 Shurr Construction 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 an easterly direction and at right angles to the center line of Guadalupe Street to the face line of the west curb; thence in a northerly direction and parallel with the center line of Guadalupe Street approximately 70 feet to a point; thence in a westerly direction and at right angles to the center line of Guadalupe Street to the northeast corner of the above described property.

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

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

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

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

(4) That "No Parking" signs shall be placed on the street side of the

barricades.

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

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

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than September 15, 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 Five Thousand Dollars (\$5000), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

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

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

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 "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT ON A PORTION OF A 2.39 ACRE TRACT OF LAND OUT OF OUTLOT 16, DIVISION B, LOCALLY KNOWN AS 3304-3308 OAK SPRINGS 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 RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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 Palmer, carried by the following vote:

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

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 101.67 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE A. W. CANFIELD 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.

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on June 11, 1957, the City of Austin received bids for the purchase of one 14,000 G.P.M. high service pumping unit for Filter Plant No.2; and,

WHEREAS, an evaluation of the bids received for such equipment shows the evaluated price in the sum of \$31,330.00 of DeLaval Steam Turbine Company to be the lowest bid therefor; and,

WHEREAS, the acceptance of such bid has been recommended by the Superintendent of Water and Sewage Treatment and by the City Manager; Now, Therefore,

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

That said evaluated price of DeLaval Steam Turbine in the sum of \$31,330.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager, is hereby authorized to purchase such equipment from said company.

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

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

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on June 11, 1957, the City of Austin received bids for the purchase by the City of one 2,500 G.P.M. pumping unit to be installed in the Sewage Treatment Plant, Hornsby Bend Sludge Disposal Project; and,

WHEREAS, an evaluation of the bids received for such equipment shows the base bid of Byron Jackson in the sum of \$8,385.00, plus possible maximum escalation of \$545.00, to be the lowest bid therefor; and,

WHEREAS, the acceptance of such bid has been recommended by the Superintendent of Water and Sewage Treatment and by the City Manager; Now, Therefore,

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

That said base bid of Byron Jackson in the sum of \$8,385.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager, is hereby authorized to purchase such equipment for the amount of such base bid and the amount of such price increase, as may be in effect at the time of shipment, such increase not to exceed \$545.00.

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

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

Noes: None

Councilman Long moved that the Council recognize FLAG DAY, 180th Anniversary and set aside June 14th as official observance of Flag Day. The motion, seconded by Pearson, carried by the following vote:

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

The City Manager and City Attorney outlined a proposal for purchasing the American Legion Property. The Mayor set forth some conditions--(1) that for four months after the City received the property, the American Legion could occupy the building without charge; then after that, up to 12 months, they would pay \$250 per month rent; that they would keep the building in good condition. 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 and directed to sign and deliver to Travis Post No. 76, The American Legion Department of Texas, a written offer to purchase all of the property owned by said Post adjoining the City's property commonly known as Deep Eddy, based upon a total consideration not to exceed Seventy Thousand Dollars (\$70,000.00).

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

The Director of Public Works reported on the paving of Woodrow Avenue from Koenig Lane to north of Ruth Avenue, stating 80% were signed up, and that about a half of those who would be skipped would pay before being assessed.

The City Manager stated there were a number of streets that should be paved, and on which streets no petitions had been worked up, and asked that the Council consider the possibility of paving these streets, and formally declaring the necessity for paving, but giving the property owners sufficient time to develop a voluntary paving program; and if they did not, then to go ahead on the assessment program. Discussion was held on working up a financing program for hardship cases on these particular streets that the city declares it necessary to pave. A study had been made to set up a front-foot rate of paving on a 30', 40' and 36' street. A list of streets that would be included in this program was read, and the Director of Public Works stated he would submit a list with maps by next Thursday.

A report was made on the lag in paving of East Milton and East Mary from Congress to Nickerson. Councilman Palmer stated he would contact the contractors and bring in a report next week.

Councilman Palmer 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 renewal of a lease granting to the U. S. Department of Commerce, Civil Aeronautics Administration, a Fan Marker Station Site, being current Lease No. C2ca-1094-A.

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

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

Noes: None

Councilman Long moved that the City Manager be authorized to execute a contract on the 30 T-hangars that now exist on the Ragsdale side, on the same terms on which the 20-T-hangars were to be operated and managed. The motion, seconded by Councilman Palmer, carried by the following vote:

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

Noes: None

The Council received notice from the City Manager that the following zoning applications had been referred to the Plan Commission and scheduled for public hearing before the Council on July 18th:

MRS. FLORENCE E. RICHEY	1312-1402 Newning	From "A" Residence To "B" Residence
T. R. HARTGROVE	2403 Lake Austin Boulevard	From "A" Residence To "O" Office
W. H. & Wm.R. BRIGHT	5200 East 5th Street	From "D" Industrial To "C-1" Commercial
AGNES S. BURROWS	2312-18 Longview	From "B" Residence To "O" Office
MANIE B. ROGERS	4407 Duval Street	From "A" Residence To "LR" Local Retail
MRS. WILLIE SMITH	2930 East 12th Street	From "A" Residence To "LR" Local Retail
J. E. ROBERTS	1701-05 Brazos & 200-202 East 17th	From "A" Residence To "O" Office
MRS. L. C. BANKS	204 East 17th Street	From "A" Residence To "GR" General Retail

CLIFTON W. FORT	4208 Manchaca Road & 2000 Fort View Road	From "A" Residence To "O" Office
GEORGE B. SHEPHERD	5522 Bull Creek Road	To establish zoning as "C-1" Commercial 1st Height and Area
GEORGE B. SHEPHERD	5528 Bull Creek Road	To establish zoning as "LR" Local Retail 1st Height and Area

There being no further business, the Council adjourned at 12:30 P.M.
subject to the call of the Mayor.

APPROVED

Tom Miller
Mayor

ATTEST:

Elain Hoosley
City Clerk