

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 27, 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, White, Mayor Miller

Absent: Councilman Pearson

Present also: Reuben Rountree, Jr., Acting City Manager; Doren R. Eskew, City Attorney.

Invocation was delivered by FATHER PAUL MALONEY, St. Austin's Catholic Church, 2010 Guadalupe.

Councilman White moved that the Minutes of June 20, 1957, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin received and opened bids on June 18, 1957, at 2:00 P.M. on the sale of certain buildings on City owned property; and,

WHEREAS, H. M. Reese submitted the highest and best bids in the amount of \$1.00 for the rock and frame shed rear of 1404 Sabine; in the amount of \$1.00 for the rock building and \$10.00 for the wooden shed on rear, both located at 1400 Sabine; in the amount of \$310.00 for the 2-story frame house at 1402 Sabine; and in the amount of \$20.00 for the concrete block building on the rear, located at 115 Mildred Street; and,

WHEREAS, H. E. Stanley submitted the highest and best bid in the amount of \$356.00 for the brick house located at 200 South Lamar; and,

WHEREAS, Moses Kouri submitted the highest and best bid in the amount of \$227.87 for the 2-story brick store building located at 1410 Sabine; and,

WHEREAS, Tom Attal submitted the highest and best bid in the amount of \$31.27 for the sheet metal buildings in rear, located at 1410 Sabine; and,

WHEREAS, H. G. Sanders submitted the highest and best bid in the amount of \$1550.00 for the 1-story frame house located at 115 Mildred Street; and,

WHEREAS, Sharpe & Ellis submitted the highest and best bid in the amount of \$77.00 for the 1-story brick store building located at 1404 Sabine; and,

WHEREAS, John G. Roos submitted the highest and best bid in the amount of \$265.60 for the box and frame house located on Kleberg Lane - off Marlo Drive, and,

WHEREAS, the City Manager has recommended the sale of such buildings to said bidders; Now, Therefore,

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

That said bids be and the same are hereby accepted and the City Manager is hereby authorized to execute contracts of sale for said buildings at the above described locations with said bidders.

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

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

Mayor Miller 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 FOLLOWING:

- (1) LOTS 21, 22, AND 23, BLOCK 1, NORTHFIELD ANNEX NO. 2 FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;
- (2) THE NORTH 60 FEET OF LOT 4, BLOCK 3, PATTERSON ADDITION FROM "C" COMMERCIAL DISTRICT TO "A" RESIDENCE DISTRICT;
- (3) LOTS 8 AND 9, OUTLOT 55, DIVISION "B" HERMAN SCHIEFFER RESUBDIVISION OF LOTS 54, 55 AND 56, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT;
- (4) A TRACT OF LAND FRONTING APPROXIMATELY 270 FEET ALONG THE EAST RIGHT OF WAY LINE OF MANOR HILLS BOULEVARD AND APPROXIMATELY 920 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF BRIARCLIFF BOULEVARD, LOCALLY KNOWN AS 5915-5935

MANOR HILLS BOULEVARD AND 1801-1945 BRIARCLIFF BOULEVARD, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT; (5) LOTS 3, 4 AND 5, BLOCK E, VOSS SUBDIVISION, AND LOTS 6, 7, 8, 20, 21, 22 AND 23, BLOCK E, R. C. LAMBIE'S SUBDIVISION FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND (6) LOTS 1-7, BLOCK 3, AND LOTS 1-6, BLOCK 4, ELM GROVE SUBDIVISION; LOTS 6-7, BLOCK B, LOTS 1-3, BLOCK C, LOTS 8-10, BLOCK E, LOTS 1-7, BLOCK A, AND LOTS 1-14, BLOCK D, OF R. C. LAMBIE'S RESUBDIVISION OF THE VOSS ADDITION, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN 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 RULE 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 Palmer, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Miller 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 AND HEIGHT AND AREA DESIGNATIONS FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT ON A TRACT OF LAND CONTAINING APPROXIMATELY 18 ACRES OUT OF THE J. P. WALLACE LEAGUE, KNOWN AS BLOCK NO. 13 OUT OF THE H.A. & J.G. FITZHUGH SUBDIVISION, LOCALLY KNOWN AS 800-916 EAST ST. JOHNS AVENUE AND 7201-7321 INTERREGIONAL HIGHWAY, 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 RULE 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 Palmer, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain public utility easement, six (6) feet in width, was reserved and dedicated to the public out of Tarrytown Oaks, a subdivision of a portion of George W. Spear League Survey No. 7, according to a map or plat of record in Book 4, page 147, Plat Records of Travis County, Texas; and,

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

WHEREAS, the hereinafter described easement is 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 the City Manager be and he is hereby authorized to execute a release of said public utility easement located on the following described property, to wit:

Two (2) strips of land, each being three (3) feet in width, each being out of and a part of Tarrytown Oaks, a subdivision of a portion of George W. Spear League Survey #7 in the City of Austin, Travis County, Texas, as shown on a map or plat recorded in Book 4, page 147, Travis County Plat Records, which two (2) strips of land, each three (3) feet in width are more particularly described as Tract No. 1 and Tract No. 2 as follows:

TRACT NO. 1:

The north twenty-five (25) feet of the west three (3) feet of Lot 19 of said Tarrytown Oaks, SAVE and EXCEPT the north five (5) feet of said Lot 19.

TRACT NO. 2:

The north twenty-five (25) feet of the east three (3) feet of Lot 18 of said Tarrytown Oaks, SAVE and EXCEPT the north five (5) feet of said Lot 18.

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

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the City Manager be and he is hereby authorized to execute a quitclaim deed in behalf of the City of Austin, quitclaiming to Gabriel B. Gutierrez a strip of land with a maximum width of 9.77 feet off the north side of Lot 4 of the D. W. Bouldin Addition, in the City of Austin, Travis County, Texas.

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

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

The City Manager submitted the following:

"June 25, 1957

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

"Dear Sir:

"Sealed proposals for the Construction of Morgan Lane and Banister Lane Sanitary Sewer from general area of Morgan Lane, Fortview Road, Banister Lane and Hank Avenue were received until 10:00 A.M., Tuesday, June 25, 1957, and publicly opened and read.

"The following is a tabulation of the bids received:

<u>FIRM</u>	<u>TOTAL BID</u>	<u>WORKING DAYS</u>
Karl B. Wagner	\$29,359.81	140 Working Days
Austin Engineering Company	31,628.70	90 Working Days
Joe Bland Construction Co.	32,855.40	90 Working Days
Hardin Construction Co.	38,888.44	60 Working Days

"It is recommended that the contract be awarded to Karl B. Wagner on their low bid of \$29,359.81, with 140 working days.

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

"Yours truly,  
Albert R. Davis, Director  
Water and Sewer Department

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 25, 1957, for the construction of Morgan Lane and Banister Lane Sanitary Sewer in the general area of Morgan Lane, Fortview Road, Banister Lane and Hank Avenue; and,

WHEREAS, the bid of Karl B. Wagner in the sum of \$29,359.81 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director 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 Karl B. Wagner in the sum of \$29,359.81 be and the same is hereby accepted, and the City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Karl B. Wagner.

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

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

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

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in BALCONES TRAIL, from a point 111 feet south of Northland Drive southerly 193 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said BALCONES TRAIL.

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

(2) A gas main in MAPLE AVENUE, from East 22nd Street southerly 145 feet, the centerline of which gas main shall be 6.5 feet westerly from and parallel to the east property line of said MAPLE AVENUE.

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

(3) A gas main in EAST 22ND STREET, from Maple Avenue to Maldon Place, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said EAST 22ND STREET.

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

(4) A gas main in GLENCREST DRIVE, from a point 155 feet east of Belfast Drive to Berkman Drive, the centerline of which gas main shall be  $6\frac{1}{2}$  feet south of and parallel to the north property line of said GLENCREST DRIVE.

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

(5) A gas main in BROOKSIDE DRIVE, from a point 106 feet north of Glencrest Drive to Glenvalley Drive, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said BROOKSIDE DRIVE.

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

(6) A gas main in GLENVALLEY DRIVE, from Glencrest Drive to Berkman Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said GLENVALLEY DRIVE.

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

(7) A gas main in CAPITOL DRIVE (east), from a point 77 feet west of Capitol Drive (north) easterly to Capitol Drive (north) the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said CAPITOL DRIVE.

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

(8) A gas main in MADISON AVENUE, from a point 53 feet east of Hardy Drive westerly to Hardy Drive, the centerline of which gas main shall be 5 feet south of and parallel to the north property line of said MADISON AVENUE.

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

(9) A gas main in MALDON PLACE from East 22nd Street southerly to end, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said MALDON PLACE.

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

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.



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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, A. W. Bryant is the Contractor for the alteration of a building located at 809 Congress Avenue and desires a portion of the sidewalk and street space abutting the south 23 feet of Lot 3, Block 97, 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 A. W. Bryant, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southwest corner of the above described property; thence in a westerly direction and at right angles to the center line of Congress Avenue to a point 5 feet east of the east curb line; thence in a northerly direction and parallel with the center line of Congress Avenue approximately 23 feet to a point; thence in an easterly direction and at right angles to the center line of Congress Avenue to the northwest corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said A. W. Bryant, 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 contract 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 to 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 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 1, 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 White, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Texas Lumber Company, is the Contractor for the addition and alteration of a building located at 1313 East 6th Street and desires a portion of the sidewalk and street space abutting Lots 5 & 6, Block 3, Outlot 3, Division A, of the Original City of Austin, Travis County, Texas, during the addition and 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 Texas Lumber Company, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the northwest corner of the above described property; thence in a northerly direction and at right angles to the center line of East 6th Street to a point 4 feet south of the south curb line; thence in an easterly direction and parallel with the center line of East 6th Street 90 feet to a point; thence in a southerly direction and at right angles to the center line of East 6th Street to the northeast corner of the above described property.

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

(1) That the Contractor shall construct a guard rail within the boundary lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(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 August 1, 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 One Thousand Dollars (\$1000), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

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

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

The Council had before it the following zoning applications:

WILLIAM SHIVE

1700 West 34th Street  
3400-3402 Jefferson St.

From "A" Residence  
To "O" Office  
RECOMMENDED by the  
Planning Commission

The Mayor announced that action was postponed until next week, Wednesday, July 3, 1957.

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LYDIA HASTINGS

5510-5512 Jeff Davis

From "A" Residence  
To "C" Commercial  
NOT Recommended by the  
Planning Commission

The Council postponed decision until next week.

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JESSE MITCHELL

6900-02 Guadalupe

From "A" Residence  
To "LR" Local Retail  
RECOMMENDED by the  
Planning Commission

In this respect, Mr. Mitchell stated the City had ordered him to remove some building material, pending the zoning of the property. The Council postponed decision until next week.

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PETITION OF GERALD  
W. MODESETTE, et al

7600-7812 Gault St.  
1301-13 Anderson Lane  
7600-7810 & 7601-7811  
Tisdale

From "D" Industrial  
3rd Height & Area  
To "A" Residence 1st  
Height and Area  
NOT Recommended but  
RECOMMENDED "A" for  
all but Lots 1,2,3,42,  
43,44,45,46 & 47 which  
are recommended "LR",  
and Lots 23 & 65,  
which are recommended  
"BB"

MR. BOB MILES, spokesman for a large group, favored the change to "A" but opposed the changing of some of the lots to "LR" Local Retail and "BB" Residence as recommended by the Plan Commission. The group stated the use of the property had been misrepresented to them by the salesmen at the time they bought. It was the idea that the trend had changed to residential--an area of homes, schools and churches. MR. NELSON PUETT represented himself, urging that the listed lots be made "LR" Local Retail. The matters were discussed in detail. The Council deferred action until next week, in order to make an inspection of the area.

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G. C. PROCK

1105D-1109D Springdale  
Road

From "A" Residence  
To "D" Industrial  
NOT Recommended by the  
Planning Commission

Mr. and Mrs. Prock represented themselves. No opposition appeared. The Council deferred action until next week in order to make an inspection of the area.

Councilman Long moved that the Junior Chamber of Commerce be granted permission to use Zilker Park for a 4th of July Celebration, details to be worked out with the City Manager. The motion, seconded by Councilman Palmer, carried by the following vote:

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

Mayor Miller introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF THAT CERTAIN ALLEY IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION COSTS AGAINST THE PROPERTY ABUTTING SUCH ALLEY OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, 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 Palmer, carried by the following vote:

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

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 Palmer, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

The Acting City Manager submitted a petition for paving on Clarkson between Cherrywood and East 38 $\frac{1}{2}$  Street. If the Railroad would pave, there would be 86%. After much discussion, Councilman Long moved that the street be paved, and the City Manager be instructed to have the City Attorney check to get the Railroad to pay its share. The motion, seconded by Councilman Palmer, carried by the following vote:

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

Councilman Long moved that they authorize the proceeding with the Voluntary Paving of Daugherty Street, as recommended by the Acting City Manager, and assess the skips. The motion, seconded by Councilman Palmer, carried by the following vote:

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

The Council had before it the bids on four 10-unit T-Hangar Buildings at the Airport as follows:

"June 26, 1957

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

W. T. Williams, Jr.  
 City Manager

"Construction of 4-10 Unit Multiple T-Hangar Buildings for Robert Mueller Municipal Airport

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, June 18, 1957, for the construction of 4-10 Unit Multiple T-Hangar Buildings for Robert Mueller Municipal Airport.

<u>"Contractor</u>	<u>Slide Type Top Hung Doors</u>	<u>Overhead Swing Open Type-Mechanically Operated Doors</u>
Joe Holt Construction Co.	No Bid	\$99,900.00
Valentine Machine & Welding	\$ 99,988.44	No Bid
A.W.Bryant Construction Co.	No Bid	103,275.00
Ray L. Wimberly	108,500.00	No Bid
Star Manufacturing Co.	116,295.00	No Bid
Ricks Construction Co.	117,787.00	No Bid
Moffett & Troop Inc.	119,416.47	No Bid
Ward Construction Co.	119,700.00	No Bid
Rapsilver Inc.	113,198.00	No Bid
City's Estimate	\$100,000.00	

"I recommend that contract be awarded to Joe Holt Construction Company on their bid of \$99,900.00."

MR. HERMAN JONES represented Mr. Valentine, Valentine Machine & Welding, next low bidder. MR. JOE HOLT represented himself, who was the low bidder. Discussion was held on the type of doors, and the ability to deliver the type bid, and the specifications. After a detailed technical discussion, Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 18, 1957, for the construction of four 10-unit T-Hangar Buildings with overhead swing open type mechanically operated doors; and,

WHEREAS, the bid of Joe Holt Construction Company in the sum of \$99,900.00 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; Now, Therefore,

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

That the bid of Joe Holt Construction Company in the sum of \$99,900.00 be and the same is hereby accepted, and the City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Joe Holt Construction Company.

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

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

The Acting City Manager submitted a proposal from BOBBY RAGSDALE that he would build four larger type T-Hangars at the time the City built its hangars, and the contract would run the same length of time. Mr. Rountree was asked to find out a fair ground rent, a rate of depreciation, the location and whether or not additional runways would have to be paved, and other information.

The City Attorney submitted a request from MR. GLEN GARNER for a building permit in the right-of-way line set aside in the South Belt Loop, and stated the City would not need his property in this. Councilman Long moved the issuance of a building permit as outlined be authorized. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

The City Attorney submitted a request of MR. JOE CALLEN to purchase a strip of land which the city owns and which is between his property and the



Interregional Highway. Mr. Callen has a purchaser interested in buying his lot, if he could buy the strip from the city. The Mayor stated the Highway Department was still working on plans for the Interregional, and had advised the City to wait about 30 days for their developments. Mr. Callen's property was at 49th and Interregional. No action was taken at this time.

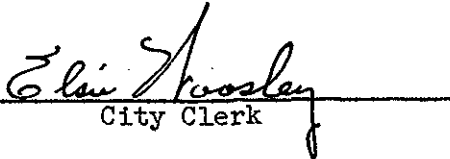
There being no further business, the Council adjourned at 4:00 P.M., subject to the call of the Mayor.

APPROVED



Mayor

ATTEST:

  
City Clerk