

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 18, 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.

Councilman Pearson moved that the Minutes of the Meeting of July 11, 1957, be approved. The motion, seconded by Councilman White, carried by the following vote:

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

MRS. E. L. COLLINS, spokesman for the East Austin Federated Women's Club, submitted a petition asking the Council to instruct the City Manager to immediately proceed to procure a site for a district park and initiate the development to provide additional recreational facilities beginning in 1958. The petition was signed by 912 citizens. The Mayor stated the Council had been looking into the purchases of some property realizing the great need. MRS. RICE suggested a site between Springdale Road and Airport Boulevard. The Mayor suggested that the group select a committee of three or five members; and as the Council looked into these various sites, it could keep the committee informed on the progress and developments. Councilman Long added that the Committee be selected from various sections out there and help out on the selection of a site.

MR. CLARENCE FLOURNOY outlined a problem he had at a tract of land at the intersection of Graham and Morris, whereas there were 23 houses being served water from a 1/2" line, and he asked the Council to bring a 2" line to his property line, from which he would furnish water to these 23 houses. Mr. Davis submitted information about the water situation in this unsubdivided tract. The Mayor asked that all the facts and figures, costs, and effects

and changes in policy that might occur, be brought in; and that the City Manager could look into this. If Mr. Flournoy was entitled to this, the line would be put in; otherwise it would not. The Council also wanted to make an inspection of the Area.

MR. FLOURNOY asked that the 3600 block of Grant be oiled and maintained. The Director of Public Works reported on the condition of the street, stating the street would have to be rebuilt before it could be oiled to any satisfaction.

MR. FLOURNOY asked permission to use the tap which was formerly on the line of his property at 2523 Tanglewood, but due to change of lot lines, was now not by his property. As the matter stood now, he would have to pay \$75.00 to cut the street to tap on at another location. Mr. Davis explained the situation here. The Mayor asked the City Manager if he would get an interpretation of the city's responsibility in this situation by next Thursday, and Mr. Flournoy was advised to put up his deposit for the tap; and if it could not be worked out, the money would be refunded.

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

MRS. FLORENCE E. RICHEY	1312-1402 Newning Avenue	From "A" Residence To "B" Residence RECOMMENDED by the Planning Commission
-------------------------	--------------------------	---

Opposition was expressed by Dr. and Mrs. Garcia and Mr. W. B. Milam. Mrs. Richey appeared on her own behalf. The Mayor asked those who wished to grant the change to "B" Residence to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

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

- - - - -

T. R. HARTGROVE	2401-03 Lake Austin Boulevard and 400-02 Deep Eddy Avenue	From "A" Residence To "O" Office RECOMMENDED by the Planning Commission
-----------------	---	--

The Council noted written opposition from Edwin McKellar. Mr. Hartgrove appeared in his own behalf. 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.

- - - - -

JANIE B. ROGERS

4407-09 Duval

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

Mr. Alvis Vandygriff represented the applicant. No opposition appeared. The Mayor asked those who wished to grant the change to "LR" Local Retail 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 "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

CLIFTON W. FORT

4206-4208 Manchaca Road
2000-06 Ft. View Road

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

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.

- - - - -

MRS. WILLIE SMITH

2930 East 12th Street

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

There was no opposition on this particular lot, but opposition to any change for the whole neighborhood. Mrs. Smith was asked to bring in a letter to the effect she would use this property solely as she had stated, and would not ask for any other commercial zoning that would interfere with the neighborhood. Mrs. Smith promised off-street parking and a nice cement block building, to be well kept. The Mayor asked those who wished to grant the change to "LR" Local Retail to vote "aye"; those opposed to vote "no". Roll showed the following vote:

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

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

W. H. BRIGHT &
 WILLIAM R. BRIGHT

5210-5318 East 5th
 Street

From "D" Industrial
 To "C-1" Commercial
 RECOMMENDED by the
 Planning Commission

Opposition was expressed by Mr. Bill Petri and Mr. Smith. The Council deferred action.

J. E. ROBERTS
 and
 MRS. L. C. BANKS
 By T.E. O'Quinn

200-02 East 17th Street
 1701-05 Brazos Street
 204 East 17th Street

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

The Council wanted to check with the State Building Commission as this was included in the Capitol Expansion program at some future time, before passing on it. The Council deferred action.

MRS. AGNES BURROWS

2314-2318 Longview Street
 1201-03 West 24th Street

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

Opposition was expressed by Miss MARGUERITE CRAIG. The Dr. that was to buy the lot and put in a clinic had decided not to buy. This would leave the zoning open for other uses. Miss Craig stated the neighbors wanted a Clinic built there, but wanted to be sure before the zone was changed. Mr. Denius, Attorney for Mrs. Burrows, was asked to get with the people and the purchaser and get the contract straightened out. The Council deferred action.

The Council had before it the following zoning deferred from June 27th:

PETITION OF GERALD W.
 MODESETTE, et al

7600-7812 Gault Street
 1301-1313 Anderson Lane
 7600-7810 & 7601-7811
 Tisdale Drive

From "D" Industrial 3rd
 Height and Area
 To "A" Residence 1st
 Height and Area

NOT Recommended by the Planning Commission 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. FRANK DENIUS represented Mr. Nelson Puett, stating Mr. Puett had deed restrictions recorded in the County; consequently the property could be used only for single residence purposes, and Mr. Puett would join in the application to have his property zoned "A" Residence. He requested "BB" Residence zoning on Lots 22, 23 and 65; but Lot 22 had a single residence constructed there. Lots 23 and 65 were considered as "BB" Residence. This was satisfactory to the petitioners represented by MR. BOB MILES. MR. FRANK DENIUS requested for Mr. Puett, that the Council study Paragraph C, Section 31, of the Zoning Ordinance as to the real intent and meaning. MAYOR MILLER explained that all the time the Council would not want to deliberately roll back zoning from Commercial or Industrial to Residential, for many reasons; that both homes and industry must be protected. He explained how this particular tract had been zoned industrial, and had been developed residential, and how the restrictions had been recorded, and the zoning trend already set by the developer. The Mayor also asked that in the future when tracts of land zoned "C" Commercial or "D" Industrial, come in for residential development, that the Planning Department, in passing on the subdivision, would consider the proper zoning and have the developer file an application for the zoning change. The Mayor asked those in favor of making those changes from "D" Industrial to "BB" Residence on Lots 23 and 65 and changing all the rest to "A" Residence say "aye"; opposed "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 "A" Residence on all except Lots 23 and 65 which are granted "BB" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

In connection with the RICHEY zoning, at 1312-1402 Newning Avenue, it was brought out the paving program was being slowed down by lack of a very few signatures. The Mayor told Dr. Garcia, and Mr. Milam, that if they had the 80%, the others would be assessed. It was suggested that a strip map be taken out to the owners, and try to get it worked out.

Mayor Miller submitted a petition signed by citizens in the 2600 block of East 2nd Street complaining of a number of dogs being penned in the yard of a vacant house. The Assistant Chief of Police made a report as of this date, in that there were five large hounds and two puppies. The large dogs were vaccinated and had tags. The matter was turned over to the City Manager to see that the nuisance was eliminated.

The City Manager submitted the following:

"W. T. Williams, Jr. City Manager "Construction of Voluntary Paving
Contract No. 57-V-26, Units 1 thru 6

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, July 16, 1957, for the construction of Voluntary Paving Contract No. 57-V-26, Units 1 through 6.

"Raymond Canion & Co.	\$30,872.01
McKown & Sons	31,909.41
Giesen & Latson Const. Co.	32,357.90
 "City's Estimate	 \$30,004.43

"I recommend that Raymond Canion & Company with their low bid of \$30,872.01 be awarded the contract for this project.

"S. Reuben Rountree, Jr.
(Sgd) S.R.R., Jr.
July 16, 1957"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 16, 1957, for the construction of Voluntary Paving Contract No. 57-V-26, Units 1 through 6; and,

WHEREAS, the bid of Raymond Canion & Co. in the sum of \$30,872.01 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 Raymond Canion & Co. in the sum of \$30,872.01 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 Raymond Canion & Co.

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

Mayor Miller introduced the following ordinance:

AN ORDINANCE 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 "D" INDUSTRIAL DISTRICT ON THE NORTH 160 FEET OF LOT 1, G. C. PROCK SUBDIVISION, LOCALLY KNOWN AS 1105D-1109D SPRINGDALE ROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT ON 1.14 ACRES

OF LAND, A PART OF OUTLOT NO. 76, DIVISION "D",
LOCALLY KNOWN AS 3411-3415 OWEN AVENUE, 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 first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"July 16, 1957

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

"Dear Sir:

"Sealed proposals for the construction of 8,554 feet of 24 inch and 2,633 feet of 18 inch Sanitary Sewers in the Tannehill Branch Area from Springdale Road to Manor Road were received until 2:00 P.M., Tuesday, July 16, 1957, and publicly opened and read.

"The following is a tabulation of the bids received:

"FIRM	TOTAL BID	WORKING DAYS
Hardin Construction Company	\$ 86,041.58	130 Working Days
Austin Engineering Company	88,852.90	150 Working Days
Karl B. Wagner Engineering Construction Inc.	108,609.35	200 Working Days
Heldenfels Brothers	120,857.40	120 Working Days
Joe Bland Construction Company	122,320.20	150 Working Days

"It is recommended that the contract be awarded to Hardin Construction Company on their low bid of \$86,041.58, with 130 working days.

"Yours truly,
Albert R. Davis, Director
Water and Sewer Department
"APPROVED BY: City Manager"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 16, 1957, for the construction of 24 inch and 18 inch sanitary sewers in the Tannehill Branch Area from Springdale Road to Manor Road; and,

WHEREAS, the bid of Hardin Construction Company in the sum of \$86,041.58 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of 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 Hardin Construction Company in the sum of \$86,041.58 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 Hardin Construction Company.

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

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 OF SUCH 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 White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS 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 OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS 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 White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING A PORTION OF AN ALLEY THAT TRAVERSES BLOCK 161 OF THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, WHICH LIES BETWEEN THE EAST LINE OF BLOCK 161, SAME BEING THE WEST LINE OF SAN JACINTO STREET, AND THE SOUTHERLY PROLONGATION OF THE WEST LINE OF LOT 7, BLOCK 161; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING THE NORTH FIVE FEET OF THAT CERTAIN ALLEY WHICH LIES WEST OF AND PARALLEL TO WEST AVENUE AND PARALLEL TO AND EAST OF OWENS AVENUE AND EXTENDS IN A NORTHERLY DIRECTION FROM THE NORTH LINE OF WEST 34TH STREET, RETAINING A PUBLIC UTILITIES EASEMENT IN THE CITY OF AUSTIN; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

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

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

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

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Long, 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 Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That in consideration of payment to the City of Austin of thirteen percentum (13%) of the gross receipts from sales of all forms of travel accident insurance, the City Manager, W. T. Williams, Jr., is authorized to execute a five year contract authorizing Mercury International Transinsurance, Inc. to sell all forms of travel accident insurance both by machine and by counter sales methods at Robert Mueller Municipal Airport Terminal Building, and with the consent of Associated Aviation Underwriters to assign to said Mercury International Transinsurance, Inc. the contract and agreement between said Associated and said City covering insurance machine operations in the Airport Terminal Lobby.

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, a certain electric line easement, in, upon and across four (4) strips of land, each five (5) feet in width, same being out of and a part of Blocks 8 and 10, of Green Acres, a subdivision of a portion of the George W. Davis Survey Abstract 217, in the City of Austin, Travis County, Texas, was granted to the City of Austin by instrument dated June 5, 1948, of record in Volume 914 at page 88 of the Deed Records of Travis County, Texas; and,

WHEREAS, the hereinafter described portions of such easement 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 and directed to execute a release of portions of such electric line easement located on the hereinafter described tracts of land, to wit:

Four (4) strips of land, each of the said four (4) strips of land being five (5.00) feet in width, the strip of land hereinafter described as No. 1 being out of and a part of Lot 11, Block 8, Green Acres; the strip of land hereinafter described as No. 2 being out of and a part of Lot 10, Block 8, of said Green Acres; the strip of land hereinafter described as No. 3 being out of and a part of Lot 4, Block 10 of Green Acres, the strip of land hereinafter described as No. 4 being out of and a part of Lot 3 Block 10 of said Green Acres, said Green Acres being a subdivision of a portion of George W. Davis Survey Abstract 217 in the City of Austin, Travis County, Texas, according to a map or plat of said Green Acres of record in Book 4 at page 333 of the Plat Records of Travis County, Texas; each of the said four (4) strips of land five (5.00) feet in width being more particularly described as follows:

No. 1: Being the east five (5.00) feet of Lot 11, Block 8 of said Green Acres;

No. 2: Being the west five (5.00) feet of Lot 10, Block 8 of said Green Acres;

No. 3: Being the east five (5.00) feet of Lot 4, Block 10 of said Green Acres;

No. 4: Being the west five (5.00) feet of Lot 3, Block 10 of said Green Acres.

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, Eitze Kitchens Construction Company is the Contractor for the erection of a building located at 203 East 10th Street and desires a portion of the sidewalk and street space abutting Lots 9, 10, & 11, Block 112, of the Original City of Austin, Travis County, Texas, during the erection 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 Eitze Kitchens Construction Company, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point in the north line of Block 112 approximately 66 feet east of the northwest corner of said block; thence in a northerly direction and at right angles to the center line of East 10th Street to a point 12 feet north of the south curb line; thence in an easterly direction and parallel with the center line of East 10th Street approximately 90 feet to a point; thence in a southerly direction and at right angles to the center line of East 10th Street to the north line of Lot 9.

2. THAT the above privileges and allotment of space are granted to the said Eitze Kitchens 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 December 31, 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 of 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, Pearson, White, Mayor Miller
Noes: None

Councilman Palmer 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 INTERREGIONAL HWY., from a point 524 feet south of St. John's Avenue, southerly 230 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said INTERREGIONAL HWY.

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

(2) A gas main in SHADY LANE, from a point 156 feet south of Gonzales Street, northerly 476 feet, the centerline of which gas main shall be 12 feet east of and parallel to the west property line of said SHADY LANE.

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

(3) A gas main in GUADALUPE STREET, from Northway Drive northerly 320 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said GUADALUPE STREET.

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

(4) A gas main in ALAMO STREET, from a point 74 feet north of Pennsylvania Avenue northerly 320 feet, the centerline of which gas main shall be 6 feet west of and parallel to the east property line of said GUADALUPE STREET.

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

(5) A gas main in GREENWOOD AVENUE, from a point 120 feet south of Breedlove Court southerly to Pennsylvania Avenue, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said GREENWOOD AVENUE.

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

(6) A gas main in PENNSYLVANIA AVENUE, from Greenwood Avenue easterly 449 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said PENNSYLVANIA AVENUE.

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

(7) A gas main in ROSEWOOD AVENUE, from a point 155 feet west of Webberville Road easterly to Webberville Road, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said ROSEWOOD AVENUE.

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

(8) A gas main in WEBBERVILLE ROAD, from Rosewood Avenue southerly 612 feet, the centerline of which gas main shall be 6.5 feet east of and parallel to the west property line of said WEBBERVILLE ROAD.

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

(9) A gas main in WADFORD STREET, from Dunlap Street northerly 222 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said WADFORD STREET.

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

(10) A gas main in GOODWIN AVENUE, from Webberville Road easterly 100 feet, the centerline of which gas main shall be 3.5 feet north of and parallel to the south property line of said GOODWIN AVENUE.

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

The City Manager submitted a list of proposed changes in room rents for Brackenridge Hospital. Present rates are:

Private Rooms

- | | |
|-----------------------------|------------------------|
| a. AC, Phone, toilet & Lav. | \$12.50 - \$15.50 |
| b. AC, Lav. only | (SW) \$10.00 - \$10.50 |
| c. AC only | - |
| d. Small private, no extras | (WW) \$9.50 |

Semi-Private

- | | |
|---|-------------|
| a. AC, 2 beds with toilet & Lav. & (Phone)) | \$11.50 |
| b. 2 beds and lav. | \$ 9.00 (C) |

Wards	\$8.00
-------	--------

Nursery

- | | |
|-----------------------------|--------|
| a. With Mother hospitalized | \$4.00 |
| b. After mother goes | \$4.00 |
| c. Incubator care | \$5.00 |

The proposal would be an increase of \$1.00 except for six corners rooms, which would be increased \$1.50. Those rooms are Numbers 401, 402; 501, 502; 601 and 602. After discussion, Councilman White moved that the rates be increased as recommended and be effective August 1, 1957. The motion, seconded by Councilman Palmer, carried by the following vote:

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

MAYOR MILLER announced that two checks had been received from the Austin Housing Authority for payments in lieu of taxes in the amount of \$19,053.00. This covered the Booker T. Washington, Meadowbrook Homes, Old and New Santa Rita, Chalmers, and Rosewood Courts.

The Mayor announced that Travis Post No. 76 had formally rejected the offer the City made with reference to purchase of the property at Deep Eddy. He asked that the City Manager write them a letter thanking them for considering the offer; and stating to them if they ever desire to reopen the matter again, the City would be glad to renew negotiations.

The Mayor asked that the little house or building be placed down on the river bank as suggested sometime ago, which house could be used as a shelter house, as a place for dressing rooms for the group that uses the river for baptisimals, and for other groups. He appointed Councilman Long to advise with the City Manager and Director of Recreation on the location of the building. Councilman Pearson was opposed to putting the building down there, as vandals would be destroying it from time to time.

Mayor Miller introduced the following ordinance:

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

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

Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Present but not voting: 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 White, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Present but not voting: Councilman Pearson

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

Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Present but not voting: Councilman Pearson

The Mayor announced that the ordinance had been finally passed.

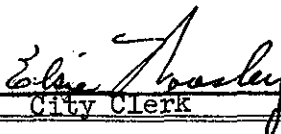
There being no further business the Council adjourned at 1:30 P.M. subject to the call of the Mayor.

APPROVED



Mayor

ATTEST:


City Clerk