

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 3, 1959
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Bechtol, Palmer, Perry, 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; Robert A. Miles, Chief of Police.

Invocation was delivered by CHAPLAIN A. E. ANDERSON, Austin State Hospital.

Councilman White moved that the Minutes of the Meeting of November 25, 1959, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

MR. HARRY M. WHITTINGTON appeared before the Council, and read the following:

"December 3, 1959

"Honorable Tom Miller, Mayor
Honorable Hubert E. Bechtol, Councilman
Honorable Lester Palmer, Councilman
Honorable Edgar Perry, III, Councilman
Honorable Ben White, Councilman
City of Austin
Municipal Building
Austin, Texas

"Gentlemen:

"In behalf of myself and other clients who are resident property owners and taxpayers of the City of Austin, demand is hereby formally made upon the City to meet the requirements of the law in holding the election on December 5, 1959, for the purpose of deciding whether the powers of the Texas Urban Renewal Law

are adopted.

"Article 5.04 of the Texas Election Code requires that when an election is called for the purpose of authorizing the issuance of bonds which place a lien upon real estate, the tax collector shall furnish to the election judges a certified list of the property owners who have rendered same for taxes, and this list shall determine the qualification of the voters.

"Article VII, Section 11 of the City Charter, which empowers the City to issue revenue bonds provides that such bonds may not be issued unless the city "shall first be authorized by a majority of the qualified electors voting at an election held for such purpose."

"Article 6, Section 3a of the Texas Constitution requires that when an election is held by a city "for the purpose of issuing bonds or otherwise lending credit, or expending money or assuming any debt, only qualified electors who own taxable property, who have duly rendered same for taxation, shall be qualified to vote."

The Texas Urban Renewal Law (Art. 1269 L 3), which is to be voted upon on December 5, 1959, requires that "only qualified voters residing in the city, owning taxable property within the boundaries thereof, who have duly rendered the same for taxation shall be entitled to vote at such election." (Section 5)

Section 15(d) authorizes the urban renewal agency of the city the "power to issue bonds from time to time, in its discretion, to finance the undertaking of any urban renewal project under this Act," and to "secure such bonds by a mortgage of" any such urban renewal project."

"Since the Urban Renewal Agency of the City will be authorized to issue revenue bonds and refunding bonds and place a lien on real estate without first obtaining the approval of the qualified voters, the election on December 5, 1959, is in effect a bond election.

"I have been advised by the City Secretary that a certified list of qualified voters, as required by Article 5.04 of the Texas Election Code, has not been prepared for delivery to the election judges and that such list will not be delivered to the election judges prior to the election. Without such list the election judges will have no way of determining whether all voters are qualified.

"It is also possible under the penal laws of this state for an election judge to be fined as much as \$500 for wilfully permitting a person to vote whose name does not appear on the list of qualified voters (Article 216, Texas Penal Code).

"Respectfully yours,
(Sgd) Harry M. Whittington
Harry M. Whittington"

MAYOR MILLER answered Mr. Whittington as to the holding of elections generally, and as to the coming one the City Attorney answered Mr. Whittington on legal points raised. Mr. Whittington stated that the election was in effect

a bond election, and that lists of property owners should be furnished the election judges, and he just wanted to know if the law was going to be complied with. The City Attorney stated the law would be scrupulously applied in carrying out this election. As to bond issues, the Mayor stated he pledged that there would be no bond election called without the approval of the Council.

It being 11:00 A.M., time for hearing zoning applications, Councilman Palmer moved that the zoning hearing be recessed for 15 minutes, and continue with the meeting on other matters. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller

Noes: None

MRS. MAUDE FOLMAR, in the interest of Urban Renewal, had made some sketches in the area to be under consideration, and displayed these drawings, and asked if they would be helpful in the program. She stated if the sketches could be used in any way to help people see what the conditions were in the area, she would be glad to leave them. The Mayor thanked her for the drawings and for her interest.

DR. E. H. GIVENS appeared before the Council, asking that the City permit the School Board to use the entire area of Downs field (the part behind the fence) that there would be enough area to build a stadium on the north end, and that the area could be used for football also. Dr. Givens stated the present football field was inadequate, too crowded, no aisles, and another one was needed. Councilman Palmer stated that the Council had just recently appointed COUNCILMAN BECHTOL to act as a liaison along with the City Manager to represent the City in working out matters with the School Board, and that this would be referred to them to see what could be worked out.

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

RICHARD DAYWOOD

1152E-1154E Webberville
Road

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

Mrs. Eugene Bunton, representing several property owners, and submitting a petition, expressed opposition to the change, and requested that the area be maintained as residential with no spot zoning. Mr. Daywood represented himself, stating he wanted to have a small grocery store there. The Council deferred action until it could make an inspection of the whole area.

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K. R. MEYER, JR.

4010 Alice Avenue

From "A" Residence
To "B" Residence
RECOMMENDED by the
Planning Commission

No opposition appeared. 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 Bechtol, Palmer, Perry, 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.

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WILLIARD C.
FINKELSTEIN

2209 Manor Road

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

No opposition appeared. The Mayor asked those who wished to grant the change to "C-1" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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E. B. CALVIN
By Robert C. Sneed,
Attorney

2001-45 Interregional
Highway
1601-11 Mariposa Drive

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

No opposition appeared. The Mayor asked those who wished to grant the change to "B" Residence and "LR" Local Retail to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

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

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THEODORE W. BERENSON
By Robert Sneed,
Attorney

5000 Cameron Road

From "C" Commercial
To "C-2" Commercial
RECOMMENDED by the
Planning Commission

No opposition appeared. The Mayor asked those who wished to grant the

change to "C-2" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "C-2" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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WALTER L. McBRIDE	2701-11 East 12th	From "A" Residence
R. L. WORMLEY	Street	To "GR" General Retail
		RECOMMENDED by the
		Planning Commission

One property owner made inquiry, stating they would be opposed if this permitted the sale of beer. The Mayor asked those who wished to grant the change to "GR" General Retail to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

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

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S. I. ARNN	4600 Santa Ana Street	From "A" Residence
JOHN R. DAVIS	1127E Springdale Road	To "LR" Local Retail
	1129E Webberville Road	RECOMMENDED by the
		Planning Commission

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 Palmer, Perry, White, Mayor Miller
Noes: None
Present but not voting: Councilman Bechtol

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.

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FRANK C. BARRON	4800 & 4900 Blocks	From "A" Residence
	New Manor Road	To "BB" Residence
		RECOMMENDED by the
		Planning Commission

No opposition appeared. The Mayor asked those who wished to grant the change to "BB" Residence to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

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

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SOUTHERN OAKS
DEVELOPMENT CO.

2302-18, 2303-19 East
Side Drive
606-720 East Oltorf

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

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 Bechtol, Palmer, Perry, 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.

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L. E. BELDING

1204-1304 Edgecliff
Terrace

From "A" Residence 1st
Height and Area
To "O" Office 2nd
Height and Area
NOT Recommended by the
Planning Commission
RECOMMENDED "O" Office
1st Height & Area

No opposition appeared. The Mayor asked those who wished to grant the change to "O" Office 1st Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "O" Office 1st Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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MRS. F. A. DEVILBISS

5902 Woodrow Avenue

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

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 Bechtol, Palmer, Perry, 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.

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MR. CLARE FALLON, representing HENRY G. SANDERS, in his zoning requests for "LR" zoning at 4601-03 East 12th Street, 1165E-1173E Springdale Road, 1200-02 Springdale Road, and 4124-28 East 12th Street, asked that since adjoining properties in the vicinity were up for zoning, that these applications be considered. He stated the sewer problems would be completed within about three weeks. Councilman Palmer stated that the Council would take another look at this property. The Mayor stated that the Council was trying to work this out with the neighbors.

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 "B" RESIDENCE DISTRICT ON LOTS 1 AND 2, BLOCK 1, OAKMONT HEIGHTS ADDITION, 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 Bechtol 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 Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Bechtol 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 Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

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 of the City of Austin, be and he is hereby authorized to execute a deed, on behalf of the City of Austin, conveying to Ione Hinton Jones, wife of E. A. Jones, the following described property, to wit:

8733 square feet of land more or less, same being out of and a part of that certain street known as Riverside Drive, a portion of the Isaac Decker League in the City of Austin, Travis County, Texas; said 8733 square feet of land more or less being more particularly described by metes and bounds as follows:

BEGINNING at the point of intersection of the old southwest line of Riverside Drive with the west line of Newning Avenue, said point of beginning being also the southeast corner of Block 5 of Norwood Heights, a subdivision of record in Book 3 at page 169 of the Plat Records of Travis County, Texas, same being the northeast corner of Lot 1, Block 2 of the said Norwood Heights;

THENCE with the east line of the herein described tract of land, same being the northerly prolongation of the west line of Newning Avenue N 36° 28' E to an iron stake in the curving old northwest line of Riverside Drive, said curve having an intersection angle of 67° 05', a radius of 137.44 feet, and a tangent distance of 91.11 feet, and from which iron stake another iron stake at the point of intersection of the northerly prolongation of the west line of Newning Avenue with the new southwest line of Riverside Drive bears N 36° 28' E 21.95 feet;

THENCE following the aforementioned curve to the right an arc distance of 110.86 feet the sub-chord of which arc bears N 22° 29' W 107.88 feet to the point of reverse curvature between the aforementioned curve and a curve to the left whose angle of intersection is 24° 39', whose radius is 611.21 feet and whose tangent distance is 133.64 feet;

THENCE with the said curve to the left an arc distance of 3.70 feet the sub-chord of which arc bears N 0° 19' E 3.69 feet to a point;

THENCE S 87° 03' W 60.10 feet to a point of reverse curvature in the old southwest line of Riverside Drive same being the northeast line of the said Block 5 of Norwood Heights;

THENCE with the old southwest line of Riverside Drive same being the northeast line of the said Block 5 of Norwood Heights in a southerly direction to the point of beginning;

HOWEVER, there is hereby retained out of the above described tract of land, 3233 square feet of land for drainage purposes, said 3233 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake in the curving old northeast line of Riverside Drive said curve having an intersection angle of 67° 05', a radius of 137.44 feet, and a tangent distance of 91.11 feet, and from which point of beginning an iron stake at the point of intersection of the northerly prolongation of the west line of Newning Avenue with the old northeast line of Riverside Drive bears S 30° 15' E 44.66 feet;

THENCE N 71° 56' W 74.68 feet to a point in the curving old southwest line of Riverside Drive same being the northeast line of the said Block 5 of Norwood Heights, said curve having an intersection angle of 67° 05', a radius of 197.44 feet, and a tangent distance of 130.88 feet;

THENCE with the said curve to the right an arc distance of 41.41 feet the sub-chord of which arc bears N 5° 22' W 41.32 feet to the point of reverse curvature between the aforementioned curve and a curve to the left whose angle of intersection is 24° 39', whose radius is 551.21 feet, and whose tangent distance is 120.52 feet;

THENCE N 87° 03' E 60.10 feet to a point in the curving old northeast line of Riverside Drive said curve having an intersection angle of 24° 39', a radius of 611.21 feet and a tangent distance of 133.64 feet;

THENCE, with the aforementioned curve to the right an arc distance of 3.70 feet, the sub-chord of which arc bears S 0° 19' W 3.69 feet to the point of reverse curvature between the aforementioned curve and a curve to the left whose intersection angle is 67° 05', whose radius is 137.44 feet, and whose tangent distance is 91.11 feet;

THENCE with the said curve to the left an arc distance of 66.05 feet the sub-chord of which arc bears S 13° 09' E 65.41 feet to the point of beginning.

AND FURTHER there is hereby retained out of the above described tract of land an easement for the installation and maintenance of a sanitary sewer in, upon and across the following described tract of land:

A strip of land ten (10.00) feet in width, same being out of and a part of that certain tract of land out of the Isaac Decker League in the City of Austin, Travis County, Texas, which was conveyed to the City of Austin by Warranty Deed dated July 29, 1954, of record in Volume 1484 at page 528 of the Deed Records of Travis County,

Texas, the centerline of said strip of land ten (10.00) feet in width being more particularly described by metes and bounds as follows:

BEGINNING at a point in the northerly prolongation of the west line of Newning Avenue, and from which point of beginning an iron stake at the point of intersection of the northerly prolongation of the west line of Newning Avenue with the new southwest line of Riverside Drive bears N 36° 28' E 13.04 feet;

THENCE, N 18° 45' W 42.90 feet to point of termination in the east line of the above described easement retained for storm sewer and sanitary sewer purposes and from which point of termination an iron stake in the new southwest line of Riverside Drive bears N 56° 46' E 0.88 feet.

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

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING, TO PUBLIC TRAVEL, 8733 SQUARE FEET OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THAT CERTAIN STREET KNOWN AS RIVERSIDE DRIVE, A PORTION OF THE ISAAC DECKER LEAGUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING EXISTING SANITARY SEWER LINE EASEMENT, AND DRAINAGEWAY EASEMENT; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Palmer 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 Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Palmer 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 Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

No action was taken on a release of drainage easement at the north east corner of Exposition Boulevard and Enfield Road. The Mayor asked that this be checked very carefully, as this area used to be flooded badly.

Mayor Miller brought up the following ordinance for its second 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 54.4 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY NO. 15 AND THE JAMES WALLACE SURVEY NO. 18, 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 second time and Councilman Palmer moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mayor Miller brought up the following ordinance for its second 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 4.91 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE T. J. CHAMBERS GRANT, 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 second time and Councilman Palmer moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mayor Miller brought up the following ordinance for its second 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 25.19 ACRES OF LAND SAME BEING OUT OF AND A PART OF THE THOMAS ELDRIDGE SURVEY NO. 26, 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 second time and Councilman Palmer moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mayor Miller brought up the following ordinance for its second 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 4.42 ACRES OF LAND MORE OR LESS, SAME BEING OUT OF AND A PART OF THE THEODORE BISSEL SURVEY NO. 18, 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 second time and Councilman Palmer moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mayor Miller brought up the following ordinance for its second 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 5.89 ACRES OF LAND SAME BEING OUT OF AND A PART OF THE JAMES TRAMMEL SURVEY NO. 4, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mayor Miller brought up the following ordinance for its second 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 18.40 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 second time and Councilman Palmer moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mayor Miller brought up the following ordinance for its second 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 31 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE HENRY P. HILL LEAGUE 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 second time and Councilman Palmer moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mayor Miller brought up the following ordinance for its second 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 65 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE HENRY WARNELL 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 second time and Councilman Palmer moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mayor Miller brought up the following ordinance for its second 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 6.7 ACRES OF LAND MORE OR LESS, SAME BEING OUT OF AND A PART OF THE JAMES TRAMMEL 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 second time and Councilman Palmer moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mayor Miller brought up the following ordinance for its second 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 28 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE DINSMORE SIMPSON 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 second time and Councilman Palmer moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mayor Miller brought up the following ordinance for its second 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 5.9 ACRES OF LAND, MORE OR LESS, OUT OF AND A PART OF THE A. B. SPEAR SURVEY NO. 25, 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 second time and Councilman Palmer moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mayor Miller brought up the following ordinance for its second 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 10.7 ACRES OF LAND, MORE OR LESS, OUT OF THE J. C. TANNEHILL SURVEY AND THE HENRY WARNELL 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 second time and Councilman Palmer moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mayor Miller brought up the following ordinance for its second 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 20.99 ACRES OF LAND OUT OF AND A PART OF THE JAMES TRAMMEL SURVEY NO. 4, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the southeast corner of South First Street and West Monroe Street which property fronts 87.6 feet on South First Street and approximately 150 feet on West Monroe Street being known as Lots 1 and 2 of Block 3 of D. W. Bouldin Addition in the City of Austin, Travis County, Texas, and hereby authorizes the said Lewis Schnell to construct, maintain, and operate a drive-in gasoline filling station and to construct curbs, ramps, and sidewalks in conjunction therewith subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans. The Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper Police, Traffic and Fire regulations; and the right of revocation is retained, if after hearing it is found by the City Council that the said Lewis Schnell has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"December 3, 1959

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

"Dear Sir:

"We, the undersigned, have considered the application of Lewis Schnell for permission to construct, maintain, and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the southeast corner of South First Street and West Monroe Street which property fronts 87.6 feet on South First Street and approximately 150 feet on West Monroe Street being known as Lots 1 and 2 of Block 3 of D. W. Bouldin Addition in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Lewis Schnell. We hereby advise that the following conditions exist.

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

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

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

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

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

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc., and that all construction of the filling station improvements shall be in accordance with the Building

Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

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

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan, hereto attached, which plan bears the Department of Public Works file number 2 - H - 1690.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - H - 1690 and shall be of the premoulded type.

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

"Respectfully submitted,
(Sgd) S. Reuben Rountree, Jr.
Director of Public Works
(Sgd) J. C. Eckert
Building Inspector"

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

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property located on the east side of Cameron Road, approximately 500 feet north of East 51st Street which property fronts 147.02 feet on Cameron Road and is known as a portion of the James P. Wallace Survey in the City of Austin, Travis County, Texas, and hereby authorizes the said Mrs. Charles Adela Rubiola to construct, maintain, and operate a drive-in gasoline filling station and to construct curbs, ramps, and sidewalks in conjunction therewith subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans. The Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper Police, Traffic and Fire regulations; and the right of revocation is retained, if after

hearing it is found by the City Council that the said Mrs. Charles Adela Rubiola has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"December 3, 1959

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

"Dear Sir:

"We, the undersigned, have considered the application of Mrs. Charles Adela Rubiola for permission to construct, maintain, and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located on the east side of Cameron Road, approximately 500 feet north of East 51st Street which property fronts 147.02 feet on Cameron Road and is known as a portion of the James P. Wallace Survey in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Mrs. Charles Adela Rubiola and is under lease to Gasateria Oil Company. We hereby advise that the following conditions exist.

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

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

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

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

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

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

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

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan, hereto attached, which plan bears the Department of Public Works file number 2 - C - 2735.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - C - 2735 and shall be of the premoulded type.

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

"Respectfully submitted,
(Sgd) S. Reuben Rountree, Jr.
Director of Public Works
(Sgd) J. C. Eckert
Building Inspector"

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

The Council recessed at 12:00 Noon until 2:00 P.M.

RECESSED MEETING

2:00 P.M.

At 2:00 P.M. the Council resumed its meeting.

The City Manager discussed the bids received for a front-end loader for the Public Works Department and stated the Director of Public Works recommended that all bids be rejected, and that new bids be taken on a larger machine. MR. ROUNTREE stated that the specifications were not quite high enough, as it was desired to have service and availability of parts included; and since the low bidders did not meet specifications, it was desired to call for new bids, and apply for a larger machine. After detailed discussion, Councilman White moved to reject the bids and readvertise. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

MR. HIGGINS, Consulting Engineer on the Holly Street Power Station gave a report on the progress of the Power Plant as of the present time. He read an Interim Report (On file under POWER PLANT - Holly Street Station). He complimented the Electric Department in its capable operation, and on the date and information, and planning which it has. As to erection work done by the city, Mr. Higgins stated they had been very interested in watching this, and that the City personnel was doing an excellent job; and that he did not know of any group in his company or the other company that could put men in there that could do better; and the city personnel was saving money. As far as steel was concerned, the City was at the top of the list for what has been coming in. Mr. Higgins stated the picture was looking good, and he thought the Council would be interested in hearing about the progress, and that his company was satisfied. The Mayor thanked Mr. Higgins for his report.

The City Manager stated he had a letter from Mr. Bluestein stating the Highway Department would conduct a public hearing at District 14 Headquarters 7901 Interregional Highway on Wednesday, December 16, 1959, to discuss the developments of the extension of Highway 183 from Loop 275 to Interstate Highway 35; and State Highway 71 and U. S. 183 from the Colorado River Bridge at Montopolis, and approaches. The Council was invited to attend this meeting; but it was pointed out there was another hearing scheduled before the Council about this same hour. It was decided that certain city officials attend the meeting, and that the Council schedule a later meeting with the Highway Officials. After a check was made with the Highway Department, a meeting was set for Thursday, December 17th at 3:00 P.M.

The City Manager reviewed the contract with the pathologists at Brackenridge Hospital, in which both had agreed to resign and each submit an application to do the work and each wanted the Medical Staff to decide on the matter. The Medical Staff considered it and concluded temporarily to re-employ DR. D. M. QUEEN. The City Manager reviewed the provisions as to the revenue, whereby both pathologists had received 45% of the revenue, and the city received 55%. The recommendation was that Dr. Queen be re-employed for 22½% of the gross income from private patients, and the additional 22½% to be placed in a trust fund until another pathologist is added, the money to be used for additional services or equipment. The City Manager stated this plan had been reviewed by the Medical Staff, the Hospital Board, and by himself. Councilman Bechtol inquired as to the method of using money from this trust fund, as he wanted the administration to have the full power. The City Manager stated he would approve any appropriations. After discussion, Councilman Palmer moved that the City Manager be instructed to enter into a contract with DR. D. M. QUEEN, Pathologist, at Brackenridge Hospital for a two year period from November 1, 1959. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The City Manager submitted a recommendation for engaging a consultant to set up the cost accounting operations and make a study of the Hospital. He stated he would like to recommend MR. STEINLE, who had agreed to do the work for \$15,000. The Mayor asked that Mr. Steinle be asked to come to Austin and talk with the Council and make his proposition. He suggested that he be called to come as soon as possible. The Mayor stated the city would bear the expense of his trip to Austin.

The City Manager reported on the insurance rates as applied to the new Howson Branch Library under certain construction of the columns. He listed the rates on the building and on the contents before and after fireproofing the columns, showing a savings on the premium by fireproofing; but he did not yet have the figures from the Architect to estimate the cost of fireproofing the columns, and it was not determined whether or not the cost would offset the additional premiums. The Council took no action until the Architect furnishes the figures.

The City Manager submitted a recommendation from the Director of Electric Utilities on street lighting in new subdivisions. The following report was read:

"December 2, 1959

"To Mr. D. C. Kinney, Dir.Elec.Utility SUBJECT Street Lighting in New Subdivisions

"In response to your request I submit the following report.

"Since World War Two there has been a rapid increase in the area of the City and to date in practically all the newer areas the streets are either unlighted or lighted only to extremely substandard levels. Lack of adequate street lighting not only in these areas but throughout the City is due to inadequate funds for this purpose.

"In order to provide more and better street lighting additional funds are necessary. Since street lighting is beneficial to an area, in that it contributes to public safety and improves property values, it is appropriate that street lighting be made a cost of subdividing.

"I recommend that all new subdivisions inside the corporate limits of the City of Austin be required to provide street lighting for that subdivision to the minimum standards of the Illumination Engineering Society. We estimate that the additional cost to the subdivider per lineal foot of property line abutting streets within the subdivision would be \$0.75 for installation on metal poles, and \$0.25 for installation on wooden poles. For these amounts street lighting could be provided on 30 foot residential streets to the IES minimum standard of 0.2 average foot candles. This would provide a street lighting standard at approximately 220 foot intervals and at intersections. The lineal foot cost of \$0.75 to the subdivider is based on using metal standards with cable underground and incandescent lamps, and is for the type of installation which would be installed in subdivisions where the utility poles are not located on the streets. The lineal cost \$0.25 per foot would provide the same level of lighting in a subdivision where utility pole lines are located on the streets. In this instance street lighting equipment would be installed whenever possible upon the utility poles. All wiring in this case would be aerial.

These costs do not include any necessary wiring which might be installed aerially on pole lines as a part of the lighting system, or the control system.

"The above prices are based on 30 foot residential streets. For streets which are wider and designed as thoroughfares or collector streets, IES requires higher illumination levels. Costs for these types of streets are presently being derived. In the subdivisions the appropriate street classification will determine the level to which the street shall be lighted.

"The design of the system will be performed by the City without cost to the subdivider. Materials utilized in the system shall be City of Austin Electric Department standard materials and/or covered by the Electric Department EL Specifications. A street lighting system so installed shall become property of the City of Austin when inspected and accepted by the City. When accepted the City will operate and maintain the system.

"FROM Paul A. Conrad, Supt.Elec.
Engineering
SIGNED Paul A. Conrad"

The City Manager stated it would be his recommendation to amend the fiscal policy to provide that in subdivisions where refund contracts are given on water and sewer, that the installation of street lights be a prerequisite to get a utility contract. It was suggested that street name signs be included also.

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 "B" RESIDENCE DISTRICT ON ONE TRACT OF LAND FRONTING APPROXIMATELY 65 FEET ON THE WEST RIGHT OF WAY LINE OF ALICE AVENUE, LOCALLY KNOWN AS 4010 ALICE AVENUE, 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 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 Bechtol, Palmer, Perry, 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 Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, 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 Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller

Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Attorney stated MR. C. B. SMITH had made inquiry about a piece of land, on which the City had set a price of \$30,000. Mr. Smith wanted to lease the land and it was the City Attorney's recommendation that the monthly amount be \$175.00. The Mayor asked that more information about the use of the property be obtained, and stated he would be willing to lease the property for five years, but at the end of that period, look at the matter again.

The Director of Public Works explained a request for a curb break on West Avenue and 14th Street for Mrs. Palm, and stated he would not recommend the plans as submitted by Mr. Kellam, representing Mrs. Palm. The Council wanted to look at the situation on the ground.

MR. ZABEL and MR. EDMUNDS TRAVIS appeared before the Council asking permission to set up a booth on Congress Avenue to get signers for a petition they were circulating regarding the sale of the old Country Club Property. The Council took no action.

The Assistant City Manager submitted information on a solicitation application from the United Cerebral Palsy Center, who want to campaign from December 15th to March 15, 1960, to raise \$40,000 to raise money to operate expanded facilities. The Solicitation Board was concerned because this would be granting a permit for a second drive. At this time the Board will either disapprove the permit or lay it on the table.

The Council took no action on a request from MR. DICK HARDEN and MR. REX SHIELDS, representing the GONZALES WARM SPRINGS, to put three parking meters at 905 Congress Avenue on a five minute basis, during their drive.

The City Manager submitted some proposed amendments to the Retirement Ordinance, and the Council discussed the four proposals. The City Manager stated he would recommend to the Council Alternate "A" and Alternate "D". The proposed amendments are as follows:

Alternate provisions: Reserve to be deposited.

Alternate A. Deposits withdrawn plus interest:

- (1) He shall have deposited in the system, prior to March 1, 1960, a reserve equal to the amount withdrawn plus all interest said amount would have earned if it had not been withdrawn, and

Alternate B. Deposits withdrawn plus interest; Plus deposits during absence plus interest.

- (1) He shall have deposited in the system, prior to March 1, a reserve equal to:
 - (i) The amount withdrawn plus all interest said amount would have earned if it had not been withdrawn, and
 - (ii) The amount such member would have paid into the system plus all interest said amount would have earned if the member had not ceased to be a member of the system; and

Alternate provisions: Tenure required after reinstatement.

Alternate C. Until 65 or disabled.

- (2) He shall remain a member of the system until he reaches age 65, or shall have become entitled to Disability Retirement pursuant to the provisions of Article VII.

Alternate D. Until 55 with 20 years service or disabled.

- (2) He shall remain a member of the system until he shall have become entitled to retirement under the provisions of Article VI, or shall have become entitled to Disability Retirement pursuant to the provisions of Article VII.

After discussion, Councilman Bechtol moved that the ordinance be amended as set out in Alternates "A" and "D". The motion died for lack of a second.

The Council received notice from the City Manager that a Zoning Text Amendment had been set for public hearing on December 17, 1959, the amendment to change the definitions to include the definition of an APARTMENT DWELLING GROUP; and to permit the issuance of special permits for the construction of Apartment Dwelling Groups.

There being no further business, the Council adjourned at 5:30 P. M., subject to the call of the Mayor.

APPROVED

Tom Miller.
Mayor

ATTEST:

Elsie Woodley
City Clerk