

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 2, 1958
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

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

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

Invocation was delivered by REV. SHERWOOD S. DAVIS, Ward Memorial Methodist Church, 1200 Willow Street.

Councilman White moved that the Minutes of the Regular Meeting of June 26th, and of the Special Meetings of March 3rd, March 18th, April 28th and June 4th, 1958, be approved. The motion, seconded by Councilman Long, carried by the following vote:

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

The Mayor greeted JOHN HORTON, University Junior High, who was visiting the Council in line with work on his citizenship merit badge in the Boy Scouts.

After discussion, Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute on behalf of the City of Austin, Texas, a Gravel Lease with Lambert C. Berkman concerning 83.35 acres of land in Hayes County, Texas, in accordance with the terms and provisions of such Gravel Lease as exhibited to the City Council by the City Manager and attached hereto; and,

BE IT FURTHER RESOLVED:

That the City Clerk is hereby authorized and directed to keep this Resolution together with the attached Gravel Lease in the permanent files of The City of Austin without recording said Gravel Lease at length upon the Minutes of the City Council.

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

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

Noes: None

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 9.205 ACRES OF LAND SAME BEING OUT OF AND A PART OF THE A. B. SPEAR 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 White moved that the ordinance be 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

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH LONGHORN DEVELOPMENT CORP.; 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, Pearson, White, Mayor Miller

Noes: None

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, Pearson, White, Mayor Miller

Noes: None

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, 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 FOLLOWING: (1) A TRACT OF LAND CONTAINING APPROXIMATELY 4.52 ACRES, LOCALLY KNOWN AS 2201 $\frac{1}{2}$ LAKE AUSTIN BOULEVARD AND 310-410 ATLANTA STREET AND 303-403 QUARRY STREET, FROM "A" RESIDENCE DISTRICT TO "C-1" COMMERCIAL DISTRICT; (2) LOTS 1 AND 2, BLOCK F, OAK RIDGE HEIGHTS, SECTION ONE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; (3) A TRACT OF LAND FRONTING ON THE WEST RIGHT OF WAY LINE OF SOUTH LAMAR BOULEVARD BEGINNING AT A POINT APPROXIMATELY 125 FEET NORTH OF THE NORTH RIGHT OF WAY LINE OF HETTER STREET, LOCALLY KNOWN AS 1812-1818 SOUTH LAMAR BOULEVARD, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; AND (4) LOT 5, BLOCK 3, GREEN ACRES SUBDIVISION, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; ALL OF SAID PROPERTY BEING LOCATED 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 Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

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

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

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

The ordinance was read the third time and Councilman Long moved that

the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, 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)

WHEREAS, I. E. Hayley is the Contractor for the painting of a building located at 505 Congress Avenue and desires a portion of the sidewalk and street abutting the north 6 feet of Lot 1 and the south 20 feet of Lot 2, in Block 56 of the (Original) City of Austin, Travis County, Texas, during the painting 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 I. E. Hayley, the boundary of which is described as follows:

Sidewalk Working Space

Beginning at the northwest corner of the above described property; thence in a westerly direction and at right angles to the center line of Congress Avenue to a point 4 feet east of the east curb; thence in a southerly direction and at parallels with the center line of Congress Avenue 26 feet to a point; thence in an easterly direction and at right angles to the center line of Congress Avenue to the southwest corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said I. E. Hayley, hereinafter termed "Contractor", upon the following express terms and conditions.

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

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

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

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

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

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

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

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

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than July 30, 1958.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.

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

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

Councilman Long introduced the following ordinance and moved that it be published in accordance with Article 1, Section 6, of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 10.47 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE ISAAC DECKER LEAGUE SURVEY NO. 20, 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 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 first time and Councilman Long moved that the ordinance be 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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by a certain instrument dated July 1, 1957, Frank C. Barron granted a drainageway easement in, upon and across two tracts of land, each being a portion of that certain tract containing 2,638 square feet of land, out of and a part of Lot 41, Block D of Roberts Terrace, a subdivision of a portion of the Dinsmore Simpson Survey No. 27, in the City of Austin, Travis County, Texas, according to a map or plat of said Roberts Terrace of record in Plat Book 5, page 132, Travis County, Texas, said easement of record in Book 1830, pages 71-73, Travis County Deed Records, said two tracts of land hereinafter described as Tract No. 1, containing 323 square feet of land and Tract No. 2 containing 240 square feet of land; and,

WHEREAS, the owner of the hereinafter described two tracts of land, same being portions of above described easement granted July 1, 1957, has requested the release of same; 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 to execute a release of those portions of the drainageway easement located on the hereinafter described premises:

TRACT NO. 1:

BEGINNING at a point in the north line of said Lot 41, Block D of Roberts Terrace, same being in the south line of Patton Lane, same being also the northwest corner of said tract containing 2,638 square feet of land from

which the northwest corner of said Lot 41, Block D of Roberts Terrace bears North 60° 57' West 35.31 feet;

THENCE with the west line of said tract containing 2,638 square feet of land South 26° 31' East 67.43 feet to a point in an ell interior corner of said tract containing 2,638 square feet of land;

THENCE North 82° 26' East 5.29 feet to a point;

THENCE North 26° 31' West 61.74 feet to a point in the north line of said Lot 41, Block D of Roberts Terrace, same being in the south line of Patton Lane;

THENCE with the north line of said tract containing 2,638 square feet of land North 60° 57' West 8.94 feet to the place of beginning.

TRACT NO. 2:

BEGINNING at a point in the south line of Patton Lane, same being in the north line of Lot 41, Block D of Roberts Terrace, same being also in the northeast corner of said tract containing 2,638 square feet of land from which the northwest corner of said Lot 41, Block D, of Roberts Terrace bears North 60° 57' West 70.69 feet;

THENCE South 26° 31' East with the east line of said tract containing 2,638 square feet of land 45.11 feet to a point in an ell interior corner of said tract containing 2,638 square feet of land;

THENCE South 82° 26' West 5.29 feet to a point;

THENCE North 26° 31' West 50.80 feet to a point in the south line of Patton Lane, same being in the north line of Lot 41, Block D of Roberts Terrace;

THENCE with the north line of said tract containing 2,638 square feet of land South 60° 57' East 8.94 feet to the place of beginning.

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

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

Noes: None

The Council discussed portable conveyors and auditorium chairs with the Architect, Construction Engineer, Auditorium Manager, Assistant City Manager and City Manager. Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 27, 1958, for furnishing portable conveyors for the Convention Center and Municipal Auditorium; and,

WHEREAS, the bid of Standard Conveyor Company in the sum of \$8,985.58 was the lowest and best bid therefor, and the acceptance of such bid has been

recommended by the City Manager of the City of Austin; Now, Therefore,

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

That the bid of Standard Conveyor Company in the sum of \$8,985.58 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 Standard Conveyor Company.

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, bids were received by the City of Austin for the furnishing of steel opera chairs for the Municipal Auditorium; and,

WHEREAS, the unit bid of Modern Sales and Service, Inc., of Dallas, Texas, in the amount of \$24.88 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the City Manager; Now, Therefore,

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

That the unit bid of Modern Sales and Service, Inc., of Dallas, Texas, in the amount of \$24.88 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 Modern Sales and Service, Inc., of Dallas Texas.

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 this chair award included the plate and 24 extra chairs.

The City Manager submitted a change order for a different lighting, as the partitions or sound walls as they were dropped from the balcony would require a different switch system for controlling the lighting. The architects had recommended that these controls be installed--one at \$4,016, and the other at \$2,053. Councilman Long moved that the Council approve this change order for lighting the Auditorium in the amount of \$6069 as recommended by the City Manager. The motion, seconded by Councilman White, carried by the following vote:

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

Noes: None

The Mayor proclaimed, and the Council joined him in a rising vote, JULY 9, 1958, as AUSTIN SENATORS' BASEBALL DAY.

The City Manager submitted for discussion some recommended fees for floor space at the Airport Terminal Building, and filed data showing fees charged in other cities for Council review. The recommendation was as follows:

Airline Office Rental 37½¢ per square foot - \$450.00 per annum
(Includes general lighting, heating, and airconditioning, but no janitorial services in rented space.)

(For cargo space, any space not heated or airconditioned, 10% off.)

Rent charge for Operators - Same - \$450.00

Food service Same - \$450.00

Rent-a-Car space 77 square feet of space - \$300 minimum monthly charge or 10% of gross whichever is larger.

Public car parking rates - a few meters around the front entrance.

Government Office - Weather Bureau - 37½¢ less 5¢cents for services
C.A.A.

Other

Government Office Utilities - 5¢ per square foot for utilities
5¢ per square foot for janitorial service.

Charge display space - no recommendation.

Number of Airlines - three to start with.

The Mayor brought up the following zoning application deferred from last week:

MRS. ELSIE HARTKOFF	4400-06 South 1st Street	From "A" Residence
	601-07 St. Elmo Road	To "C-1" Commercial
	Tract 1	NOT Recommended by the
		Planning Commission
		RECOMMENDED "C" Com-
		mmercial
	4401-07 South 1st Street	From "A" Residence
	507-13 St. Elmo Road	To "GR" General Retail
	Tract 2	RECOMMENDED by the
		Planning Commission

The Mayor asked those who wished to grant the change to "C-1" Commercial on Tract 1 and to "GR" General Retail on Tract 2, to vote "aye"; those opposed to vote "No". Roll call showed the following vote:

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

Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial on Tract 1 and to "GR" General Retail on Tract 2 and the City Attorney was instructed to draw the necessary ordinance.

The Council postponed action on the following zoning applications until next week:

JAMES T. WATSON

214-302 Archway Street
301-05 East 26 $\frac{1}{2}$ Street

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

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MRS. JACK O'BANNON

311 West Oltorf Street
2401-05 Durwood

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

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

Ayes: None

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

The Mayor announced that the change had been DENIED.

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MR. & MRS. PETE SOSA

2510-12 Wilson Street

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

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

Ayes: None

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

The Mayor announced that the change had been DENIED.

There being no further business, the Council adjourned at 3:30 P.M., subject to the call of the Mayor.

APPROVED



Mayor

ATTEST:


City Clerk