

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 30, 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 JUDGE PAT DOUGHERTY, Judge Corporation Court.

Councilman White moved that the Minutes of the meeting of January 23, 1958, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

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

In accordance with published notice thereof, promptly at 10:00 o'clock A. M., Mayor Miller announced that the time for submitting bids on the purchase of \$6,750,000 Electric, Water and Sewer Revenue Bonds and \$2,000,000 Various Purpose General Obligation Bonds of the City of Austin had expired; and the City Council would proceed with the opening of said bids.

Bids were then opened and read as follows:

CITY OF AUSTIN, TEXAS
TABULATION OF BIDS
RECEIVED ON \$6,750,000 ELECTRIC, WATER AND SEWER REVENUE BONDS
JANUARY 30, 1958

NAME OF BIDDER	BONDS MATURE DATE	NOMINAL INTEREST RATES	GROSS INTEREST COST	PREMIUM OFFERED	NET INTEREST COST	EFFECTIVE INTEREST RATE
1. LEHMAN BROTHERS & FIRST SOUTHWEST CO., JOINT MANAGERS & ASSOCIATES Merrill Lynch, Pierce, Fenner & Beane Kuhn, Loeb & Co. Shields & Company B. J. Van Ingen & Co., Inc. Rowles, Winston & Co. Rotan, Mosle & Co. Municipal Securities Company White, Masterson & Company R. J. Edwards, Inc. Austin, Hart & Parvin Sanders & Company and Associates	April 1, 1960, thru April 1, 1966 April 1, 1967, thru April 1, 1969 April 1, 1970, thru April 1, 1979	4 % 2 3/4% 2.90 %	\$2,984,190.90 \$2,982,908.40 \$2,951.2%	\$1,282.50	\$2,982,908.40	2.9512%
2. THE FIRST BOSTON CORP. & ASSOCIATES Carl M. Loeb, Rhoades & Co. Wertheim & Co. Clark, Dodge & Co. Weeden & Co. Dominick & Dominick William Blair & Co. Van Alosty, Noel & Co. The Ohio Co. Robert W. Baird & Co., Inc. The Illinois Company Anderson & Strudwick Baker, Watts & Co. Fridley, Hess & Frederking Harkness & Hill, Inc. Hyden, Miller & Co.	April 1, 1960, thru April 1, 1966 April 1, 1967, April 1, 1968, thru April 1, 1979	4 % 3.10 % 2.90 %	2,998,531.74	375.00	2,998,156.74	2.9662%

CITY OF AUSTIN, TEXAS

TABULATION OF BIDS

RECEIVED ON \$6,750,000 ELECTRIC, WATER AND SEWER REVENUE BONDS

JANUARY 30, 1958

NAME OF BIDDER	BONDS MATURE DATE	NOMINAL INTEREST RATES	GROSS INTEREST COST	PREMIUM OFFERED	NET INTEREST COST	EFFECTIVE INTEREST RATE
Model, Roland, & Stone						
Rodman & Renshaw						
A. G. Edwards & Sons						
Frantz, Hutchinson & Co.						
Piper, Jaffray & Hopwood						
Byrd Brothers						
First of Texas Corporation						
J. A. Hogle & Co.						
Schmidt, Poole, Roberts & Parke						
3. PHELPS, FENN & CO.	April 1, 1960, thru April 1, 1966	4 %				
RAUSCHER, PIERCE & CO., INC.	April 1, 1967,	3 1/4 %				
	April 1, 1968, thru April 1, 1979	2.90 %	\$3,001,350.00	None	\$3,001,350.00	2.9694 %
4. GLORE, FORGAN & CO., & ASSOCIATES	April 1, 1960, thru April 1, 1967	4 %				
Equitable Securities Corp.	April 1, 1968, thru April 1, 1970	2.75 %				
A. C. Alllyn & Co.	April 1, 1971, thru April 1, 1979	2.90 %	3,002,601.74	None	3,002,601.74	2.970726 %
R. W. Pressprich & Co.						
Dean Witter & Co.						
Baxter & Co.						
Stroud & Co., Inc.						
Lee Higginson & Co.						
Dick & Merhe-Smith						
Clark Dodge & Co.						
N. Y. Hanseatic Corp.						
Moore Leonard & Lynch Co.						
Scott Horner & Co.						
Raffensperger Hughes & Co., Inc.						
Courts & Co.						
Barrett Fitch, North & Co.						
Julien Collins & Co.						
Dewar, Robertson & Pancoast						

CITY OF AUSTIN, TEXAS

TABULATION OF BIDS

RECEIVED ON \$6,750,000 ELECTRIC, WATER AND SEWER REVENUE BONDS

JANUARY 30, 1958

NAME OF BIDDER	BONDS MATURE DATE	NOMINAL INTEREST RATES	GROSS INTEREST COST	PREMIUM OFFERED	NET INTEREST COST	EFFECTIVE INTEREST RATE
Moroney, Beissner & Co. Columbian Securities Corporation, Topeka						
Herbert Sims & Co., Inc. Kormendi & Co. Stranahan Harris & Co., Inc. F. Brittain Kennedy & Co. J. A. Overton & Co. F. S. Yantis & Co. Freeman & Co. Joseph, Mellen & Miller, Inc.						
5. HALSEY, STUART & CO., INC., & ASSOCIATES	April 1, 1960, thru April 1, 1966	4 %				
Harriman, Ripley & Co., Inc. Blyth & Co., Inc. Salomon Bros. & Hutzler John Nuveen & Co. Blair & Co., Incorporated A. G. Becker & Co., Incorporated First of Michigan Corporation Bacon, Whipple & Co. Dallas Union Securities Company McCormick & Co. Schoellkopf, Hutton & Pomeroy, Inc. Stern Brothers & Co. Boettcher and Company Merrill, Turben & Co., Inc. Watling, Lerchen & Co. Wallace, Geruldsen & Co. Burns, Corbett & Pickard, Inc. H. V. Sattley & Co., Inc.	April 1, 1967, thru April 1, 1971 April 1, 1972, thru April 1, 1979	3 % 2.90%	\$3,009,255.83	\$202.50	\$3,009,053.33	2.97705%

CITY OF AUSTIN, TEXAS

TABULATION OF BIDS

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JANUARY 30, 1958

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	BO DATE	BOTH INCLUSIVE					
Keith Reed & Company							
6. DREXEL & CO.	April 1, 1960, thru April 1, 1966		4 %				
Bear, Stearns & Co.	April 1, 1967, thru April 1, 1977		2.90%				
Braun, Bosworth & Co., Inc.	April 1, 1978, thru April 1, 1979		3 %	\$3,022,990.90	\$2,072.93	\$3,020,917.97	2.988788%
Ira Haupt & Co.							
Wm. E. Pollock & Co., Inc.							
Shearson, Hammill & Co.							
Bramhall, Falion & Co., Inc.							
Wood, Gundy & Co., Inc.							
Shelby Cullom Davis & Co.							
Rand & Co.							
Dittmar & Company							
Green Ellis & Anderson							
Yarnall, Biddle & Co.							
Elkins, Morris, Stokes & Co.							
Arthur L. Wright & Co., Inc.							
7. SMITH, BARNEY & CO., (Manager) & ASSOCIATES	April 1, 1960, thru April 1, 1967		4 %				
Goldman, Sachs & Co.	April 1, 1968,		3 1/2%				
Estabrook & Co.	April 1, 1969, thru April 1, 1979		3 %	3,121,058.40	None	3,121,058.40	3.0878%
Alex. Brown & Sons							
Hallgarten & Co.							
G. H. Walker & So.							
Roosevelt & Cross, Inc.							
W. E. Hutton & Co.							
Spencer Trask & Co.							
J. Barth & Co.							
The Milwaukee Company							
Tripp & Co., Inc.							
Fitzpatrick, Sullivan & Co.							

CITY OF AUSTIN, TEXAS

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Blunt Ellis & Simmons						
Seasongood & Mayer						
McDonnell & Co.						
Dempsey-Tegeler & Co.						
Russ & Company						
Dallas Rupe & Son, Inc.						
James C. Tucker & Co., Inc.						
McMaster Hutchinson & Co.						

Each of the above and foregoing bids was accompanied by Cashier's-Certified Check in the amount of \$135,000.00.
Whereupon bids were referred to the Finance Director for tabulation and evaluation.

CITY OF AUSTIN, TEXAS

TABULATION OF BIDS

RECEIVED ON \$2,000,000 VARIOUS PURPOSE GENERAL OBLIGATION BONDS

JANUARY 30, 1958

NAME OF BIDDER	BONDS MATURE DATE BOTH INCLUSIVE	NOMINAL INTEREST RATES	GROSS INTEREST COST	PREMIUM OFFERED	NET INTEREST COST	EFFECTIVE INTEREST RATE
1. C. J. DEVINE & CO. AND ASSOCIATES	\$1,900,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1967 January 1, 1968, thru January 1, 1980 January 1, 1981, thru January 1, 1983	3 % 2.90% 3 %				
	\$ 100,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1967 January 1, 1968	3 % 2.90%	\$878,896.72	\$599.00	\$878,297.72	2.931730%
2. DREXEL & CO. AND ASSOCIATES Dean Witter & Co. Trust Company of Georgia C. F. Childs & Co. Provident Savings Bank & Trust Co. Folger, Nolan, Fleming - W.B. Hibbs Co. Barcus, Kindred & Co. Dittmar & Company, Inc. Rowles, Winston & Co. Burt, Hamilton & Co., Inc.	\$1,900,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1973 January 1, 1974, thru January 1, 1981 January 1, 1982, thru January 1, 1983 \$ 100,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1968 January 1, 1968	3 % 2.90% 3 % 3 % 2.90%				
		3 %	883,007.10	102.00	882,905.10	2.94711%
3. HALSEY, STUART & CO., INC. AND ASSOCIATES Chemical Corn Exchange Bank Salomon Bros. & Hutzler John Nuveen & Co. Blair & Co., Inc. A. G. Becker & Co., Inc. Hornblower & Weeks Burns, Corbett & Pickard, Inc. The Fort Worth National Bank	\$1,900,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1968 January 1, 1969, thru January 1, 1974 January 1, 1975, thru January 1, 1983 \$ 100,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1968	4 % 2.80% 2.90% 2.70%				
		2.70%	883,893.62	120.00	883,773.62	2.950009%

CITY OF AUSTIN, TEXAS

TABULATION OF BIDS

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JANUARY 30, 1958

NAME OF BIDDER	BONDS MATURE DATE BOTH INCLUSIVE	NOMINAL INTEREST RATES	GROSS INTEREST COST	PREMIUM OFFERED	NET INTEREST COST	EFFECTIVE INTEREST RATE
Merrill, Turben & Co., Inc. Watling, Lerchen & Co.						
4. THE CHASE MANHATTAN BANK AND ASSOCIATES Kuhn, Loeb & Co. First National Bank in Dallas Ernst & Co. Texas Bank & Trust Co. of Dallas	\$1,900,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1963 January 1, 1964, thru January 1, 1977 January 1, 1978, thru January 1, 1983	4 % 2.90% 3 %				
	\$ 100,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1968	2.90%	\$889,704.58	None	\$889,704.58	2.9698%
5. FIRST NATIONAL CITY BANK OF NEW YORK & ASSOCIATES Merrill Lynch, Pierce, Fenner & Beane Braum, Bosworth & Co., Inc. Robert Winthrop & Co. Fridley, Hess & Frederking Austin, Hart & Parvin	\$1,900,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1983 \$ 100,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1968	3 % 3 %				
			898,748.20	\$1,910.00	896,838.20	2.9936%
6. THE FIRST BOSTON CORPORATION First Southwest Co. Robert W. Baird & Co., Inc. The Illinois Company Weeden & Company Hayden, Miller & Co. First of Texas Corporation	\$1,900,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1968 January 1, 1969, thru January 1, 1985 January 1, 1976, thru January 1, 1983 \$ 100,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1968	4 % 2 2/4% 3 % 3 %				
			897,280.23	377.77	897,282.46	2.994834%
7. FIRST NATIONAL BANK OF CHICAGO Mercantile Trust Company	\$1,900,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1983	3 %				

CITY OF AUSTIN, TEXAS

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NAME OF BIDDER	BONDS MATURE DATE BOTH INCLUSIVE	NOMINAL INTEREST RATES	GROSS INTEREST COST	PREMIUM OFFERED	NET INTEREST COST	EFFECTIVE INTEREST RATE
Julien Collins & Company W. E. Hutton & Co. William Blair & Company Shannon & Company Barrett, Fitch, North & Co. Garrett and Company, Inc.	\$ 100,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1968	3 %	\$898,750.05	\$379.00	\$898,371.05	2.998734%
8. BANKERS TRUST CO. N.Y. Harris Trust and Savings Bank Republic National Bank of Dallas Russ & Company	\$1,900,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1966 January 1, 1967, thru January 1, 1975 January 1, 1976, thru January 1, 1983	4 % 2.90% 3 %				
	\$ 100,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1966 January 1, 1967, thru January 1, 1968	3 % 2.90%	902,687.10	None	902,687.10	3.013142%
9. PHELPS, FENN & CO. RAUSCHER, PIERCE & CO., INC. AND ASSOCIATES	\$1,900,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1963 January 1, 1964, thru January 1, 1983	4 % 3 %				
	\$ 100,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1968	3 %	904,583.35	None	904,583.35	3.0194%
10. LEHMAN BROTHERS & ASSOCIATES Shields & Company B.J. Van Ingen & Co., Inc. Bacon, Stevenson & Co. White, Masterson & Co.	\$1,900,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1968 January 1, 1969, thru January 1, 1972 January 1, 1973, thru January 1, 1983	3 % 3.20% 3 %				
	\$ 100,000 G.O. BONDS SERIES, 1958 January 1, 1959, thru January 1, 1968	3 %	908,186.69	620.00	907,566.69	3.0294%

CITY OF AUSTIN, TEXAS

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JANUARY 30, 1958

NAME OF BIDDER	BONDS MATURE DATE	BOTH INCLUSIVE	NOMINAL		GROSS INTEREST COST	PREMIUM OFFERED	NET INTEREST COST	EFFECTIVE	
			INTEREST RATES	RATES				INTEREST	INTEREST RATE
11. J.P. MORGAN & CO., INC. AND ASSOCIATES	\$1,900,000 G.O. BONDS SERIES, 1958								
	January 1, 1959, thru January 1, 1971		3 1/4%						
	January 1, 1972, thru January 1, 1983		3 %						
12. F.S. SMITHERS & CO., N.Y.	\$ 100,000 G.O. BONDS SERIES, 1958								
	January 1, 1959, thru January 1, 1968		2 3/4%	\$911,303.14	\$907.00	\$910,396.14	3.0388%		
	\$1,900,000 G.O. BONDS SERIES, 1958								
	January 1, 1959, thru January 1, 1968		4 %						
	January 1, 1969, thru January 1, 1970		2 3/4%						
	January 1, 1971, thru January 1, 1983		3 %						
	\$ 100,000 G.O. BONDS SERIES, 1958								
	January 1, 1959, thru January 1, 1964		2 1/4%						
	January 1, 1965, thru January 1, 1968		2 1/2%	911,772.92	None	911,772.92	3.0434%		
13. THE NORTHERN TRUST CO. AND ASSOCIATES	\$1,900,000 G.O. BONDS SERIES, 1958								
	January 1, 1959, thru January 1, 1975		3 %						
	January 1, 1976, thru January 1, 1983		3.20 %						
	\$ 100,000 G.O. BONDS SERIES, 1958								
	January 1, 1959, thru January 1, 1968		3 %	934,822.85	118.00	934,704.85	3.12001%		

Harriman Ripley & Co., Inc.
Blyth & Co., Inc.
First of Michigan Corp.
Stern Brothers & Co.
City National Bank & Trust
Co., Kansas City
Schoellkopf, Hutton &
Pomeroy, Inc.
Commerce Trust Company
Baxter & Co.
Bacon, Whipple & Co.
McCormick & Co.
H. E. Sattley & Co., Inc.

CITY OF AUSTIN, TEXAS

TABULATION OF BIDS

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JANUARY 30, 1958

NAME OF BIDDER	BONDS MATURE DATE BOTH INCLUSIVE	NOMINAL		GROSS		PREMIUM		NET		EFFECTIVE	
		INTEREST RATES	INTEREST COST	INTEREST COST	INTEREST COST	OFFERED	OFFERED	INTEREST COST	INTEREST COST	INTEREST RATE	INTEREST RATE

McClung & Knickerbocker
Dallas Union Securities Co.
Boettcher and Company
McDonald-Moore & Co.

Each of the above and foregoing bids was accompanied by Cashier's-Certified Check in the amount of \$40,000.00.
Whereupon bids were referred to the Finance Director for tabulation and evaluation.

A group of property owners on Lake Austin appeared before the Council regarding lowering Lake Austin four or five more feet in order to permit the cleaning of the shores and further construction of their docks. MR. BILL WATT, JR., after having conferred with the Game, Fish and Oyster Commission, did not believe lowering the lake at this time would interfere with the spawning season. The City Manager pointed out several home owners would be inconvenienced by the water being below their water intake; and some would have trouble moving their boats as they are in the mud now. The suggestion of raising the lake to move the boats did not meet with the approval of the group that wanted to continue construction. The City Manager pointed out the cost of lowering the lake per foot. Taking part in the discussion were MR. BILL WATT, JR., MRS. MOFFETT, MR. HAL HENDRICKS, SGT. PARKER, MRS. MARION FOWLER, MR. CECIL REID, and MR. CHARLIE ROBINSON and others. Later in the meeting, the Council, after checking with the L.C.R.A. agreed to lower the lake an additional five feet beginning at 6:00 P.M. January 31st.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the application of the Texas State Bank to construct and maintain the hereinafter described underground improvements:

An underground pneumatic tube system under and crossing San Antonio Street Alley not to exceed a width of five (5) feet. The centerline of said underground pneumatic tube system shall extend from a point on the east property line of said alley, which point is 121 feet north of the north property line of West 19th Street, in a northwesterly direction to a point on the west property line of said San Antonio Street Alley, which point is 130.6 feet north of the north property line of West 19th Street;

be and the same is hereby granted and the Building Inspector is hereby authorized to issue a permit for the construction of such improvements; such grant and permit to be subject to the following conditions:

1. The improvements shall be constructed and maintained in compliance with all laws and ordinances;
2. The permit shall be issued and accepted subject to all reasonable police, traffic, fire, and health regulations of the City of Austin, now existing or hereafter adopted;
3. The repair or relocation of any and all utilities in the vicinity due to these improvements shall be done at the expense of the Texas State Bank;
4. The Texas State Bank will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the construction of maintenance of said improvements; and
5. The City of Austin may revoke such permit at any time and upon such revocation the owner of the building will construct the necessary walls and footing to separate such space from any buildings or other improvements and pay all costs and expenses attendant therewith.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Absent from the Council Room when vote was taken: Councilman Long

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING THAT CERTAIN ALLEY EXTENDING FROM THE SOUTH LINE OF LAMBIE STREET, SAME BEING THE EASTERLY PROLONGATION OF THE NORTH LOT LINE OF LOT 1, BLOCK 4, OF ELM GROVE ADDITION, TO THE EASTERLY PROLONGATION OF THE SOUTH LINE OF LOT 3, BLOCK 4, ELM GROVE ADDITION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, 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 Palmer 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 Palmer 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 Palmer 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 White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain public utilities and drainageway easement was reserved and dedicated to the public across a portion of Highland Park West, in Travis County, Texas, according to a map or plat of said Highland Park West of record in Book 4 at page 299 of the Plat Records of Travis County, Texas; and,

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

WHEREAS, the hereinafter described easement is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a release of the public utilities and drainageway easement located on the hereinafter described premises:

Two (2) strips of land each of the said two (2) 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 33, Block J of Highland Park West, the strip of land hereinafter described as No. 2 being out of and a part of Lot 34, Block J of the said Highland Park West, a map or plat of said Highland Park West being of record in Book 4 at page 299 of the Plat Records of Travis County, Texas, each of the said two (2) strips of land five (5.00) feet in width are to be released from an easement for public utilities and drainage provided on said map or plat of Highland Park West and each being more particularly described as follows:

NO. 1. BEING the East 145.40 feet of the South five (5.00) feet of Lot No. 33, Block J of the said Highland Park West.

NO. 2. BEING the East 145.40 feet of the North five (5.00) feet of Lot No. 34, Block J of Highland Park West.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, J. H. Herman, Jr. is the Contractor for the repair of a building located at 708 Congress Avenue and desires a portion of the sidewalk and street space abutting south 23 feet of Lot 3, Block 83, of the Original City of Austin, Travis County, Texas, during the repair 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 J.H. Herman, Jr., the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southeast corner of the above described property; thence in an easterly direction and at right angles to the center line of Congress Avenue in an easterly direction approximately 12 feet to a point; thence in a northerly direction and at right angles to the center line of Congress Avenue 23 feet to a point; thence in a westerly direction and at right angles to the center line of Congress Avenue; to the northeast corner of the above described property.

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

- (1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted, a substantial walkway at least 4 feet wide in the clear on the inside and at least 8 feet high, the same to be covered solidly on the street side with boards to a height of 4 feet above pavement and on the building side to be covered solidly with boards to a height of 8 feet. The top of the walkway shall be covered solidly with boards at least 2 inches thick, which shall be supported at intervals sufficiently close to prevent sagging of the roofing boards. The roof of said walkway shall be covered with a roofing material which will prevent leaking of the roof and provide a dry walkway at all times. No wood strips or obstructions of any kind shall be permitted 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. The Contractor will also be permitted to use 2 parking meter spaces immediately in front for delivery or removal of materials during construction work.
- (2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.
- (3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.
- (4) That "No Parking" signs shall be placed on the street side of the barricades.
- (5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.
- (6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction 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 February 8, 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 Two Thousand Dollars (\$2000), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

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

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

Councilman White 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 the erection of a boat dock on the property owned by Ike D. Fowler, Jr., the same being a part of the Fowler Estate property out of the William Wofford Survey, as listed in the Travis County Deed Records, and hereby authorizes the said Ike D. Fowler, Jr. to construct, maintain and operate this boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject 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, fire and health regulations and the right of revocations is retained if, after hearing, it is found by the City Council that the said Ike D. Fowler, Jr. has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
January 30, 1958

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

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of Ike D. Fowler, Jr., owner of a piece of property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road, the same being a part of the Fowler Estate property out of the William Wofford Survey, as listed in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately 30 feet beyond the normal high water level. The construction details meeting all requirements, I, Therefore, recommend that if Ike D. Fowler Jr. is granted his request by the City Council, that it be subject to the following conditions:

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector"

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the erection of a boat dock on the property owned by Ted C. Walsh, the same being a part of

the Walsh Estate near the intersection of Enfield Road with Scenic Drive, as listed in the Travis County Deed Records, and hereby authorizes the said Ted C. Walsh to construct, maintain and operate this boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinance of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocations is retained if, after hearing, it is found by the City Council that the said Ted C. Walsh has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
January 30, 1958

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

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of Ted C. Walsh, owner of a piece of property abutting on that part of Lake Austin lying downstream from the westerly extension of the south line of Windsor Road, the same being a part of the Walsh Estate near the intersection of Enfield Road with Scenic Drive, as listed in the Travis County Deed Records, for permission to construct and maintain a covered boat dock (with stalls for private boat storage only) projecting out into the lake approximately 100 feet beyond the normal high water level. The application further states that this boat dock is a replacement for the docks that were located on property recently purchased by the City of Austin from the Walsh Estate. This project has been considered and approved by the Navigation Board (report attached herewith); the construction details meeting the requirements, I, therefore, recommend that if Ted C. Walsh is granted permission to construct and maintain this boat dock that it be subject to the following conditions.

- "(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.
- "(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.
- "(3) That every structure shall be quipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector"

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the erection of a boat dock on the property owned by Cecil Reid, the same being 2.03 acres of land out of the William Bradford Survey No. 48, as listed in the Travis County Deed Records, and hereby authorizes the said Cecil Reid to construct, maintain and operate this boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject 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, fire and health regulations and the right of revocations is retained if, after hearing, it is found by the City Council that the said Cecil Reid has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
January 30, 1958

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

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of Cecil Reid, owner of a piece of property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road, the same being 2.03 acres of land out of the William Bradford Survey No. 48, as listed in the Travis County Deed Records, (the same being approximately 400 yards downstream from Quinlan Park); for permission to construct and maintain a boat dock projecting out into the lake approximately 26 feet beyond the normal high water level. The construction details meeting all requirements, I, therefore, recommend that if Cecil Reid is granted his request by the City Council, that it be subject to the following conditions:

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector"

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the erection of a boat dock on the property owned by Rebekah P. Bell, the same being Lots 10 and 11 of the Lakeland Subdivision near Quinlan Park, as listed in the Travis County Deed Records, and hereby authorizes the said Rebekah P. Bell to construct, maintain and operate this fishing pier and boat slip subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this fishing pier and boat slip after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject 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, fire and health regulations and the right of revocations is retained if, after hearing, it is found by the City Council that the said Rebekah P. Bell has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
January 30, 1958

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

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of Rebekah P. Bell, owner of a piece of property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road, the same being Lots 10 and 11 of the Lakeland Subdivision near Quinlan Park, as listed in the Travis County Deed Records, for permission to construct and maintain a fishing pier and boat slip projecting out into the lake approximately 28 feet beyond the normal high water level. The construction details meeting all requirements, I, therefore, recommend that if Rebekah P. Bell is granted her request by the City Council, that it be subject to the following conditions:

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector"

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the erection of a boat house on the property owned by Calvin C. Huffman, the same being a tract of land abutting the Cobar Ranch Tract out of the A. Ritcherson Survey No. 12, as listed in the Travis County Deed Records, and hereby authorizes the said Calvin C. Huffman to construct, maintain and operate this boat house subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit

for the erection of this boat house after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject 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, fire and health regulations and the right of revocations is retained if, after hearing, it is found by the City Council that the said Calvin C. Huffman has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
January 28, 1958

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

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of Calvin C. Huffman, owner of a piece of property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road, the same being a tract of land abutting the Cobar Ranch Tract out of the A. Ritcherson Survey No. 22, as listed in the Travis County Deed Records for permission to construct a 12 by 16 foot boat house upon an existing boat dock and boat slip projecting out into the lake and located 12 miles above the Tom Miller Dam. The construction details meeting all requirements, I, therefore recommend that if Calvin C. Huffman is granted his request by the City Council that it be subject to the following conditions:

"(1) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(2) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(3) That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman Palmer, 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 23.08 ACRES OF LAND OUT 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 Long moved that the ordinance be 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

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 17.16 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THAT CERTAIN 120 ACRE TRACT OF LAND OUT OF THE MAMES 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 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.

Discussion was held on the bids received for copper cable for Electric Department, as follows:

"Bids opened Jan. 17, 1958

Tabulated by: O.G. Brush, Purchasing Agent

"CITY OF AUSTIN BIDS ON 500 MCM ELECTRIC CABLE

	GENERAL CABLE QUAN. CORP.	STERETT SUPPLY COMPANY	GENERAL ELEC. SUPPLY CO.	GENERAL ELECTRIC SUPPLY CO. Alternate #1
--	---------------------------------	------------------------------	--------------------------------	--

Single conductor 500 MCM 15
KV grounded rubber insulated
cable per City specifications
in 1000' lengths

(1)	(2)
6000' \$16,620.00	\$16,092.00 \$17,454.00 \$17,256.00

2000' for immediate shipment
2000' for shipment April 1, 1958
2000' for shipment July 1, 1958
Manufacturer

General Cable	Roebbling	General Elec.	General Elec.
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GENERAL ELECTRIC SUPPLY CO. Alternate #2 (3) \$14,100.00	GENERAL ELECTRIC SUPPLY CO. Alternate #3 \$16,092.00	GRAYBAR ELEC.CO. \$16,813.80	PRIESTER SUPPLY CO. \$16,813.80	SOUTHERN ELECTRIC SUPPLY \$16,632.00
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General Elec.	Roebbling	Anaconda	Anaconda	Phelps-Dodge
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NOTE: All bidders quote terms of $\frac{1}{2}$ of 1% 10th prox.

- (1) General Cable did not meet City Spec. on stranding.
- (2) General Electric Alternate #1 did not meet City Spec. on stranding.
- (3) General Electric Alternate #2 did not meet City Spec. on jacketing.

RECOMMENDATION:

General Electric Supply Company Alternate #3 and Sterett Supply Company both bid on Roebbling Cable and bids were identical. Recommend award be divided equally between General Electric Supply Company Sterett Supply Company on Roebbling Cable.

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 17, 1958, for the furnishing of 500 MCM 15 KV grounded rubber insulated cable for use by the Electric Department of the City of Austin; and,

WHEREAS, the bid of Sterett Supply Company in the sum of \$16,092.00 and the bid of General Electric Supply Company in the sum of \$16,092.00, which were identical, were the lowest bids therefor; and the City Council has determined that the Contract be awarded to Sterett Supply Company; Now, Therefore,

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

That the bid of Sterett Supply Company in the sum of \$16,092.00 for the above cable, be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized to execute a contract therefor with said Sterett Supply Company.

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

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller

Noes: Councilman Long

The Director of Public Works read a letter signed by property owners on Possum Trot from Enfield Road to 12th Street, agreeing to the paving with a double asphalt penetration surface, cost to be paid by the city; and that curb and gutter along the west side of Possum Trot be paid by the property owners; and that a concrete ribbon be constructed along the east side, to be paid by the City; that those property owners abutting the east side of Possum Trot desiring curbing may install it at their own expense. Councilman Long moved that they proceed with the double asphalt penetration type of surfacing. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Long made inquiry about the status of the paving in the 5300 block of Woodrow, as the people were anxious for the paving to start, but there was some question of the storm sewer. The Director of Public Works reported that plans were ready on the storm sewer, which would come in with the North Loop paving, and that bids would be advertised shortly after the bonds were sold and money was available.

The Council recessed until 2:00 P.M.

Recessed Meeting

2:00 P.M.

The Finance Director reported on the checking of the bids, and stated that the syndicate of LEHMAN BROTHERS, Joint Managers with FIRST SOUTHWEST COMPANY had the bid producing the net interest cost to the city of \$2,982,908.40, the net interest rate of 2.9512, on the Revenue Bonds. On the General Obligation Bonds, the syndicate headed by C. J. DEVINE & COMPANY produced the lowest net interest cost to the City of \$878,297.72; the interest rate being 2.931730. Councilman Pearson moved that the City Attorney be instructed to draw the necessary Resolutions accepting the bids of LEHMAN BROTHERS & FIRST SOUTHWEST COMPANY at 2.9512 on the Revenue Bonds, and C. J. DEVINE & COMPANY at 2.931730 on General Obligation Bonds. The motion, seconded by Councilman White, carried by the following vote:

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

Later on in the meeting, the Council had before it the specific resolutions accepting the bids for the bonds. Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Lehman Brothers acting by and through their duly authorized agent and representative, H. J. Szold, and First Southwest Company acting by and through its duly authorized agent and representative, Winton Jackson, this day submitted to the City Council the following proposal:

OFFICIAL BID FORM

January 30, 1958

Honorable Mayor and City Council
City of Austin
Austin, Texas

Gentlemen:

Reference is made to your "Official Notice of Sale," dated January 17, 1958, of \$6,750,000 CITY OF AUSTIN, TEXAS ELECTRIC LIGHT, AND POWER, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 1958, which is attached hereto and made a part hereof.

For your legally issued bonds, as described in said Notice, we will pay you par and accrued interest from date of issue to date of delivery to us, plus a cash premium of \$1,282.50 for bonds maturing and bearing interest as follows:

April 1, 1960, through April 1, 1966, . . .	4 %
April 1, 1967, through April 1, 1969, . . .	2-3/4 %
April 1, 1970, through April 1, 1979, . . .	2.90 %

Interest cost, in accordance with the above bid, is

Gross Interest Cost	\$2,984,190.90
Less Premium	1,282.50
NET INTEREST COST	\$2,982,908.40

EFFECTIVE INTEREST RATE 2.9512 %

Attached hereto is Cashier's- Check of the American National Bank, Austin, Texas, in the amount of \$135,000.00, which represents our Good Faith Deposit, and which is submitted in accordance with the terms as set forth in the "Official Notice of Sale."

If we are the successful purchasers, we will select Dumas, Huguenin and Boothman, Bond Attorneys, whose fee we will pay, to render their unqualified approving legal opinion on this issue.

We desire that the Paying Agents for this issue be: First National City, New York, New York, and American National, Austin, Texas.

Respectfully submitted,

Lehman Brothers) Joint
First Southwest Company) Managers
Merrill Lynch, Pierce, Fenner & Beane
Kuhn, Loeb & Co.
Shields & Company
B. J. Van Ingen & Co., Inc.
Rowles, Winston & Co.
Rotan, Mosle & Co.

Municipal Securities Company
White, Masterson & Co.
R. J. Edwards, Inc.
Austin, Hart & Parvin
Sanders & Company And Associates

By: Lehman Brothers
By: Signed/ H. J. Szold Partner
Authorized Representative
1st Southwest Co.
Signed/ Winton Jackson V.P.

ACCEPTANCE CLAUSE

The above and foregoing bid is hereby in all things accepted by the City of Austin, Texas, this the 30th day of January, 1958.

ATTEST:

Mayor, City of Austin, Texas

APPROVED:

City Clerk, City of Austin, Texas

City Attorney, City of Austin, Texas

and,

WHEREAS, the said bid and proposal of Lehman Brothers and First Southwest Company was the most advantageous bid submitted to the City Council for the purchase of the aforesaid bonds; NOW, THEREFORE,

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

That said proposal of Lehman Brothers and First Southwest Company to purchase \$6,750,000.00 City of Austin, Texas, Electric Light and Power, Waterworks and Sewer System Revenue Bonds as per the City's Notice of Sale and Prospectus dated January 17, 1958, at the price and upon the terms of said proposal be and the same is hereby accepted and Lehman Brothers and First Southwest Company be awarded the sale of said bonds; and,

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

That the City Manager be and he is hereby authorized and directed to sell to Lehman Brothers and First Southwest Company the \$6,750,000.00 of City of Austin, Texas, Electric Light and Power, Waterworks and Sewer System Revenue Bonds as per the City's Notice of Sale and Prospectus dated January 17, 1958, at par and accrued interest from date of issue to date of delivery plus a cash premium of \$1,282.50 according to the terms of said bid hereinbefore set out.

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

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, C. J. Devine & Co. & Associates, acting by and through their duly authorized agent and representative, C. J. Devine & Co., this day submitted to the City Council the following proposal:

OFFICIAL BID FORM

January 30, 1958

Honorable Mayor and City Council
City of Austin
Austin, Texas

Gentlemen:

Reference is made to your "Official Notice of Sale," dated January 17, 1958, of \$2,000,000 CITY OF AUSTIN, TEXAS GENERAL OBLIGATION BONDS, SERIES 1958, which is attached hereto and made a part hereof.

For your legally issued bonds, as described in said Notice, we will pay you par and accrued interest from date of issue to date of delivery to us, plus a cash premium of \$599.00 for bonds maturing and bearing interest as follows:

\$1,900,000 General Obligation Bonds, Series 1958:

January 1, 1959, through January 1, 1967 . . 3. %	\$ 53,100.04
January 1, 1968, through January 1, 1980 . . 2.90%	572,870.85
January 1, 1981, through January 1, 1983 . . 3. %	236,775.00

\$100,000 General Obligation Bonds, Series 1958:

January 1, 1959, through January 1, 1967 . . .	3. %	\$13,275.00
January 1, 1968, through January 1, 19-- . . .	2.90%	2,875.83
January 1, 19--, through January 1, 19-- . . .	-----%	

Interest cost, in accordance with the above bid is:

Gross Interest Cost	\$878,896.72
Less Premium	599.00
NET INTEREST COST	\$878,297.72

EFFECTIVE INTEREST RATE 2.931730 %

Attached hereto is Cashier's-Certified Check of The Austin National Bank, Austin, Texas, in the amount of \$40,000.00, which represents our Good Faith Deposit, and which is submitted in accordance with the terms as set forth in the "Official Notice of Sale."

If we are the successful purchasers, we will select McCall, Parkhurst & Crowe, Bond Attorneys, whose fee we will pay, to render their unqualified approving legal opinion on these bonds.

We desire that the Paying Agents for these bonds be: Bankers Trust Co., New York, New York, and Austin National Bank, Austin, Texas.

Respectfully submitted,
C. J. Devine & Co. & Associates
S/ C. J. Devine & Co.

By _____
Authorized Representative

ACCEPTANCE CLAUSE

The above and foregoing bid is hereby in all things accepted by the City of Austin, Texas, this the 30th day of January, 1958.

Mayor, City of Austin, Texas

ATTEST:

City Clerk, City of Austin, Texas

APPROVED:

City Attorney, City of Austin, Texas

and,

WHEREAS, the said bid and proposal of C. J. Devine & Co. & Associates was the most advantageous bid submitted to the City Council for the purchase of the aforesaid bonds; Now, Therefore,

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

That said proposal of C. J. Devine & Co. & Associates to purchase \$2,000,000.00 City of Austin, Texas General Obligation Bonds, Series 1958 as per the City's Notice of Sale and Prospectus dated January 17, 1958, at the

price and upon the terms of said proposal be and the same is hereby accepted and C. J. Devine & Co. & Associates, be awarded the sale of said bonds; and,

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

That the City Manager be and he is hereby authorized and directed to sell to C. J. Devine & Co. & Associates the \$2,000,000.00 of City of Austin, Texas General Obligation Bonds, Series 1958 as per the City's Notice of Sale and Prospectus dated January 17, 1958, at par and accrued interest from date of issue to date of delivery plus a cash premium of \$599.00 according to the terms of said bid hereinbefore set out.

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

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

Noes: None

A group of firemen appeared before the City Council, regarding base pay scales. MR. PHILIP S. TRUTZAWAS was spokesman for the group, and listed the following increases which the members of the Austin Association of Fire Fighters and the Austin Fire Department asked the Council to adopt and put into effect on or before October 1, 1958:

<u>Classification</u>	<u>Present Base</u>	<u>Proposed Base</u>	<u>Increase</u>
Hoseman & Ladderman	\$300.00	\$350.00	\$50.00
Drivers & Mechanic	\$320.00	\$375.00	\$55.00
Captain, Ass't Drill			
Inst., Fire Alarm Operator	\$340.00	\$420.00	\$80.00
Dist. Chief, Drill Instruc-			
tor, Chief Mechanic	\$370.00	\$460.00	\$90.00
Ass't Chief	\$420.00	\$520.00	\$100.00
Fire Chief	Salary Open		

He stated the Committee would like to have an answer by April 1, 1958, which they thought would be ample time. MR. TOM PINCKNEY outlined the study that had been made on arriving at these figures, and compared the base rate scales with other cities in the state. A lot of cities over the state would be receiving more wages and shorter hours by October 1st Mr. Pinckney stated, and listed those cities. DR. A. L. EXLINE, JR., appeared in behalf of the increase, stating as a taxpayer, he would be willing to help support the firemen's increase. MAYOR MILLER stated that it may be that wages for firemen had gotten out of line. He stated that the City had increased its contribution to the Firemen's pension some \$7,000; had increased the payment for longevity, and had added \$1,500 in clothing. A little over a year ago the City payroll was increased by \$900,000. The Mayor said the Council would take this matter under consideration, and try to give an answer within the necessary period; and if not, it would have to ask for an extension of time. Councilman White stated he had been sympathetic with the firemen, but the Council had to look after the other employees too; Councilman Long said she had always pulled for the firemen and rest of the city employees' getting raises, and that all she could do now was to work and study this out; that it may be a problem that the people of Austin may have to help solve by a referendum. Councilman Pearson stated the

Council wanted to do everything it possibly could; that to give this raise would mean additional taxes for every home owner; and if the public were willing to invest that much more, he believed it would be a good investment.

The City Attorney gave the following report on "Proposal of 149 Firemen to Contribute Money to Pension Fund":

"The instrument referred to this office for study, bearing 149 signatures contained the following expression:

"WE THE FOLLOWING MEMBERS OF THE AUSTIN FIREMENS RELIEF & RETIREMENT FUND HEREBY AGREE TO CONTRIBUTE 2-1/4% MORE INTO OUR PENSION FUND.

"PROVIDED FURTHER THAT IF A MAJORITY OF THE MEMBERS AGREE TO PAY INTO THE RETIREMENT FUND THE 2-1/4% MORE. THAT THE PENSION BOARD THEN RAISE THE PENSION TO \$125.00 PER MONTH. BOTH THE PENSION AND THE DEDUCTION OF 2-1/4% BECOME EFFECTIVE FEBRUARY THE 15TH, 1958. This is a vote by petition."

As you can see, the above language does two things:

1. It creates an agreement between 149 people that they will contribute 2-1/4% more to the pension fund.
2. It states that if a majority of the members agree to do likewise that they then agree that the Board may raise pensions from \$100.00 per month to \$125.00.

"The state law specifically provides that the Trustees may accept gifts and donations to the Fund, so the agreement of these 149 people to donate money to the fund is entirely proper. As a matter of fact rewards, and private donations have traditionally gone into the fund rather than to members of the Department.

"The exact amount agreed to be donated is left somewhat uncertain in the words "2-1/4% more". This could be construed to mean 2-1/4% more than they are now contributing or 2-1/4% more of their salaries than they are now contributing.

"The method of making the contribution is not expressed in the offer. Based upon this instrument the City could not legally deduct any sum from the wages of any of the signers thereof. No amount may be withheld from the wages of an individual for the purposes of The Retirement System unless the individual files a sworn statement asking that it be done and designating his beneficiaries. There is considerable doubt as to the authority of the City to withhold more than 3% of the salary of any fireman for pension purposes in any event.

"The amount of contributions by members of the System may only be determined by vote, with the results of the vote being certified by the Fire Chief or other person duly authorized to conduct the referendum. Voting is a proceeding in which complete freedom of choice is afforded to the person casting a ballot. A "petition" does not meet this requirement. The last sentence of the quoted language: "This is a vote by petition" (which was apparently placed on the

petition in a different typewriter than the main portion) cannot transform that which is not a vote into that which is.

"In answer to the question as to whether the Firemens Relief and Retirement Fund can be merged with the Employees Retirement System of the City of Austin when there are benefits certain, payable to all members upon an actuarial bases founded upon the contributions by the members, by the City, and from the earnings of the system, such a merger can be made.

"As to whether Federal Social Security Benefits can be extended to firemen and policemen, a very simple amendment to Section (P) of Sec. 418 of Title 42, U.S.C.A. would accomplish this by making such benefits available upon a local option basis, to firemen and policemen in Texas as has been done in other states. We are advised by Congressmen that all efforts to do the same for Texas firemen and policemen have been vigorously, and successfully, opposed by some Texas firemen and policemen.

"Respectfully submitted,
Doren R. Eskew
City Attorney"

The pension system was discussed. The Mayor suggested that if the firemen want to increase, they should decide on it at an election among themselves, in a duly authorized referendum. The Mayor asked the firemen if they wanted the other shift to come before the Council, but the group stated that that would not be necessary.

Councilman Pearson moved that the contract for lime be awarded to AUSTIN WHITE LIME COMPANY. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller

Noes: None

Absent from the Council Chamber when the vote was taken: Councilman Long

Later in the meeting, the Mayor announced that the Council had recinded their action on this award for lime, and decided to wait until next week.

The Council considered bids for auditorium chairs. The Assistant City Manager read off the bids as now submitted for four chairs together. Bids were submitted by PEABODY, AMERICAN, HEYWOOD-WAKEFIELD (through Abels Stationers) and INTERNATIONAL. Mr. Blodgett displayed different seating arrangements. Mr. Wolf Jessen, Architect, was present. After a detailed lengthy discussion, Councilman Pearson moved that ABELS STATIONERS be awarded the contract for the HEYWOOD-WAKEFIELD chairs as exhibited out here, in the amount of 1300 plus or minus, at \$35.43, with the noted changes to be made (the extra inch added, and the architects and engineers to work with the company on the arms and catches); the chairs to be of nylon, foam rubber, and coil springs; to come in sets of three's and two's, and to include trucks as per specifications submitted to store them on. (These chairs were to be located in the center or rear of the auditorium.) The motion, seconded by Councilman White, carried by the following vote:

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

Noes: None

Councilman Pearson moved that the bid as per specifications, which is the low bidder of the chairs to be installed in the balcony, be awarded to INTERNATIONAL. (1428 chairs @ \$35.74 per chair.) 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 it was the desire of the Council to have AMERICAN and PEABODY bring in samples of their chairs with skids on them, for the front section of the Auditorium.

The Council decided to hear the report on the Auditorium Thursday, February 6th.

The Council discussed further lowering of the lake. After having checks made of the lake and the boats, etc. the Council agreed to have the lake lowered five additional feet, the lowering to begin at 6:00 P.M. Friday, January 31st. The Press, Radio, and T.V. were notified.

There being no further business, the Council adjourned at 7:00 P.M., subject to the call of the Mayor.

APPROVED

Tom Miller
Mayor

ATTEST:

Elin Shosley
City Clerk