

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 10, 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. JOHN W. LANCASTER, First Southern Presbyterian Church, 200 East 8th Street.

Councilman White moved that the Minutes of the meeting of April 3, 1958, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

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

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

O. O. NORWOOD	1012-30 Riverside Drive	From "A" Residence 1st
	1013-19 and 1014-20	Height and Area
	Edgecliff Terrace	To "O" Office 2nd
	1000-34 Interregional	Height and Area
	Highway	RECOMMENDED by the
		Planning Commission

The Mayor asked those who wished to grant the change to "O" Office District 2nd Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

The Mayor announced that the change had been granted to "O" Office District 2nd Height and Area and the City Attorney was instructed to draw the

necessary ordinance.

- - - - -

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

ALLAN H. LEISTICO	1015-1017 East 38 $\frac{1}{2}$ Street	From "A" Residence
	3805-07 Harmon Avenue	To "C" Commercial
		RECOMMENDED by the
		Planning Commission

Mr. Leistico promised to file a letter stating he wanted to use this property to display his playground equipment on. Additional petition and opposition was expressed by MR. AND MRS. KIMMONS, and DR. STUDMANN. 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: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

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

- - - - -

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

MARY HOUSTON	2400-02 Lake Austin Blvd.	From "A" Residence 1st
	500-04 Deep Eddy Avenue	Height and Area
		To "GR" General Retail
		6th Height and Area
		NOT Recommended by the
		Planning Commission

The Mayor asked those who wished to grant the change to "GR" General Retail 6th Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilman Long
Noes: Councilmen Palmer, Pearson, White
Present but not voting: Mayor Miller

The Mayor announced that the change had been DENIED.

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). TWO TRACTS OF LAND FRONTING APPROXIMATELY 80 FEET ALONG THE WEST RIGHT OF WAY LINE OF EVERGREEN AVENUE AT A POINT 389 FEET FROM THE NORTH LINE OF WEST MARY STREET, LOCALLY KNOWN AS 1700-1702 EVERGREEN AVENUE AND THE REAR OF 1617-1701 SOUTH LAMAR BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT;
(B). A TRACT OF LAND FRONTING APPROXIMATELY 203 FEET ALONG THE SOUTH AND WEST RIGHT OF WAY LINE OF EVERGREEN AVENUE, LOCALLY KNOWN AS 1602-1606 EVERGREEN AVENUE AND THE REAR OF 1609-1615 SOUTH LAMAR BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; (2) LOTS 7 AND 8, BLOCK 23, SWISHER SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; (3) THREE INTERIOR TRACTS, SAME BEING THE SOUTH 218 FEET OF LOTS 6, 7 AND 8, BLOCK 2, FREDERICKSBURG ROAD ACRES, LOCALLY KNOWN AS THE REAR OF 2133-2159 SOUTH LAMAR, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; (4) ONE LOT FRONTING 128 FEET ON THE WEST RIGHT OF WAY LINE OF NECHES STREET AND 168 FEET ON THE NORTH RIGHT OF WAY LINE OF EAST 15TH STREET, LOCALLY KNOWN AS 1500-1504 NECHES AND 404-410 EAST 15TH STREET, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND (5) ALL OF LOT 11 AND THE SOUTH 35 FEET OF LOT 10, BLOCK 11, DIVISION D, WARD ADDITION, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN 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 Long, Palmer, Pearson, White, Mayor Miller

Noes: None

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

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

THAT The City Council of the City of Austin hereby approves the property situated on the south side of Riverside Drive as a private gasoline plant consisting of a 550 gallon tank and electric pump for the sole purpose of servicing his own motor equipment, and from which no gasoline is to be sold, which property is owned by Harvey Massey, and is a 1.34 acre tract of the City of Austin, Travis County, Texas, and hereby authorizes the said Harvey Massey to operate a private gasoline plant consisting of a 550 gallon tank and electric pump for the sole purpose of servicing his own motor equipment, and from which no gasoline is to be sold, subject to the same being operated 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 operation of this private gasoline plant after full compliance with all the provisions of this resolution, and 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, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Harvey Massey has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
April 10, 1958

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

"Dear Sir:

"I, the undersigned, have considered the application of Harvey Massey, for permission to operate a private gasoline plant consisting of a 550 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the south side of Riverside Drive, which property is a 1.34 acre tract in the City of Austin, Travis County, Texas, and locally known as 6505 Riverside Drive.

"This property is located in a "C" Commercial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading

or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.

"(3) That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

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

The motion, seconded by Councilman White, 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)

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

THAT the City Council of the City of Austin hereby approves the property situated on the south side of East 5th Street as a private gasoline plant consisting of a 5000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by the Austin Meat Co., and is part of Lot 2, E. H. Deats Estate, Outlot 15, Division O, of the City of Austin, Travis County, Texas, and hereby authorizes the said Austin Meat Co. to operate a private gasoline plant consisting of a 5000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated 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 operation of this private gasoline plant after full compliance with all the provisions of this resolution, and 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, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Austin Meat Co. has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
April 10, 1958

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

"Dear Sir :

"I, the undersigned, have considered the application of the Austin Meat Co., through their agent, Raymond Ramsey, Jr., for permission to operate a private gasoline plant consisting of a 5000 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the south side of East 5th Street, which property is designated as part of Lot 2, E. H. Deats Estate, Outlot 15, Division O, in the City of Austin, Travis County, Texas, and locally known as 3301 East 5th Street.

"This property is located in a "D" Industrial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.

"(3) That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

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

The motion, seconded by Councilman White, 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)

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

THAT the City Council of the City of Austin hereby approves the property situated on the north side of East 1st Street as a private gasoline plant consisting of a 1000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by the Thomas Bros. Lumber Co., and part of Lot 12, E. H. Deats Estate, Outlot 15, Division O, of the City of Austin, Travis County, Texas, and hereby authorizes the said Thomas Bros. Lumber Co. to operate a private gasoline plant consisting of a 1000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated 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 operation of this private gasoline plant after full compliance with all the provisions of this resolution, and 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, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Thomas Bros. Lumber Co. has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
April 10, 1958

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

"Dear Sir:

"I, the undersigned, have considered the application of the Thomas Bros. Lumber Co., through their agent, Raymond Ramsey, Jr., for permission to operate a private gasoline plant consisting of a 1000 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the north side of East 1st Street, which property is designated as part of Lot 12, E. H. Deats Estate, Outlot 15, Division 0, in the City of Austin, Travis County, Texas, and locally known as 3400 East 1st Street.

"This property is located in a "D" Industrial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.

"(3) That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

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

The motion, seconded by Councilman White, 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, C. D. Spiller is the Contractor for the demolition and erection of a building located at 317 East 6th Street and desires a portion of the sidewalk and street space abutting east 1/2 of Lot 9, Block 58, of the Original City of Austin, Travis County, Texas, during the demolition and erection of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said C. D. Spiller, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the northeast corner of the above described property; thence in a northerly direction an at right angles to the center line of East 6th Street to a point 5 feet south of the south curb line; thence in a westerly direction an parallel to the center line of East 6th Street 23 feet to a point; thence in a southerly direction and at right angles to the center line of East 6th Street to the northwest corner of the above described property.

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

(1) That the Contractor shall erect within the above described working space a solid fence built of not less than one-inch material and at least 8 feet in height substantially braced and anchored and to maintain same in good condition at all times while the work is in progress. The Contractor will be permitted to put a door in the barricade that will either open in or slide parallel to the barricades, and at all times that material is being delivered or taken away from the building, a watchman shall be provided to warn pedestrians of approaching danger.

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

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

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin has received notice from Earl Hayes, Rent-A-Car Inc., licensee of Avis Rent-A-Car System that the said Earl Hayes Rent-A-Car Inc. has purchased the car rental franchise operated by C. H. Smith at the Austin Municipal Airport; and,

WHEREAS, the said Earl Hayes Rent-A-Car Inc. has requested permission to occupy the airport space designated for the use of C. H. Smith and to operate a car rental service on the same Commission Agreement with the City under which the said C. H. Smith operated at Municipal Airport; and,

WHEREAS, the City Council finds no reason why such request should not be granted and that the same is reasonable; Now, Therefore,

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

That the request of Earl Hayes Rent-A-Car, Inc. for permission to occupy the space designated at Austin Municipal Airport for the use and upon the conditions under which the said C. H. Smith has occupied the same be granted when the request therefor has been evidenced in writing by both C. H. Smith and Earl Hayes Rent-A-Car, Inc.

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

Pursuant to published notice thereof, the Council at 11:00 A.M. held a public hearing on a change of the Zoning Text to include the sale of wine for off-premises consumption in the original containers, in "C-1" Commercial. No opposition appeared. MR. TRUEMAN O'QUINN was present favoring the amendment. The hearing was closed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS

DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL ON APRIL 23, 1931, AND RECORDED IN ORDINANCE BOOK "I" AT PAGES 301-318 OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, AS SUCH ORDINANCE HAS BEEN FROM TIME TO TIME AMENDED, BY AMENDING PARAGRAPH 3 OF SECTION 7 THEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

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.

MR. LOUIS HIRSCHFELD appeared before the Council reviewing his request of last May regarding the excessively wide driveways being used by the used-car lots with particular reference to West 5th Street. After explaining the situation as existing there and other places, Mr. Hirschfeld asked the Council to direct that portions of the driveways be marked off so that people could use a part of them for parking. The City Manager suggested making an inspection of these areas, and tell the operators to pick the locations where they want their cars to come in and out, and then the City would mark the rest of the drives as available for parking. Councilman Long moved that the City Manager be given authority to make this check and do something about it. The motion, seconded by Councilman White, carried by the following vote:

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

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "I", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE AND HEIGHT AND AREA DESIGNATIONS FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON 4.34 ACRES OF LAND, LOCALLY KNOWN AS 1012-1030 RIVERSIDE DRIVE, 1013-1039 AND 1014-1020 EDGECLIFF TERRACE, 1000-1034 INTERREGIONAL HIGHWAY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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 Pearson, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING THAT CERTAIN PORTION OF OLD MANOR ROAD WHICH EXTENDS FROM THE WESTERLY PROLONGATION OF THE SOUTH LINE OF LOVELL DRIVE, ACCORDING TO THE MAP OR PLAT OF DEVONSHIRE

PARK OF RECORD IN BOOK 6 AT PAGE 128 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, TO A LINE BEARING NORTH 50° 13' WEST AND INTERSECTING WITH THE EAST LINE OF OLD MANOR ROAD AT A POINT WHICH BEARS NORTH 29° 47' EAST 271.74 FEET FROM THE INTERSECTION OF THE SOUTH LINE OF SAID LOVELL DRIVE AND THE EAST LINE OF OLD MANOR ROAD; RETAINING EASEMENTS FOR PUBLIC UTILITIES; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

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

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

(RESOLUTION)

WHEREAS, the expansion of the Robert Mueller Municipal Airport in the City of Austin, Travis County, Texas, has made it in the public interest to vacate and close a portion of that certain street in said City, which is known as Old Manor Road; and,

WHEREAS, the safety of the flying public arriving and departing from said airport has made it necessary to provide certain height limitations for construction on certain lands adjacent to said airport; and,

WHEREAS, Joseph A. Barnes, Berta Barnes, Commie Zell Barnes and Ivy V. Smith, for and in consideration of the conveyance to them of a portion of the vacated portion of Old Manor Road, have agreed to limit the height of buildings and structures on any portion of that certain tract of land which is described by deed to T. S. Barnes and wife, of record Book 210, Page 123 to a maximum height of 35 feet above ground level when and where required to do so by the City of Austin, such height restrictions to be placed upon said land to be specifically enforceable 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 of the City of Austin, be and he is hereby authorized to execute a special warranty deed to the said Joseph A. Barnes, Berta Barnes, Commie Zell Barnes and Ivy V. Smith for and in consideration of their agreement to so limit the height of buildings and structures on said land to 35 feet provided however that an easement for telephone and electric cables and lines be reserved along the East 15 feet of the hereinafter described tract, and provided further that an easement for sanitary sewer lines be reserved along the West 15 feet of said hereinafter described tract; such tract of land to be deeded, being described as follows, to wit:

0.260 of one acre of land, same being out of and a part of that certain portion of Old Manor Road vacated by Ordinance of the City Council of the City of Austin, Travis County, Texas dated 1958 said Manor Road being shown on a map or plat of Devonshire Park, a subdivision of a portion of the Henry Warnell Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Devonshire Park of record in Book 6 at Page 128 of the Plat Records of Travis County, Texas; said 0.260 of one acre of land being more particularly described by metes and bounds as follows:

BEGINNING at a point in the east line of Manor Road and from which point of beginning a concrete monument at the northwest corner of Lot 1, Block A, of said Devonshire Park, same being the southwest corner of Lot 3, Block C of Wilbarger Place, Section one, a subdivision of record in Book 6 at page 38 of the Plat Records of Travis County, Texas, bears N. 29° 47' E 89.26 feet and N 48° 18' E 93.68 feet;

THENCE, with the east line of this tract same being the former east line of Old Manor Road, S 29° 47' W 166.79 feet;

THENCE, N 45° 15' W 82.81 feet to a point same being a point in the former west line of Manor Road;

THENCE, N 29° 47' E 159.51 feet to the northwest corner of this tract;

THENCE, S 50° 13' E 81.23 feet to the point of beginning.

PROVIDED, however, that the East fifteen (15) feet of the above described tract is retained as an electric and telephone line easement; and,

PROVIDED, further that the West fifteen (15) feet of said above described tract is retained as a sanitary sewer easement.

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

The Council recessed at 12:30 until 2:00 P.M.

Recessed Meeting

2:00 P.M.

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

The City Manager submitted the following:

"Sealed bids opened 2:00 P.M. March 24, 1958
Tabulated by: O.E. Brush, Purchasing Agent

BIDS ON NETWORK TRANSFORMERS

	General Electric Company	Walter Tips	Sterett Supply Company	Priester Supply	Southern Electric Supply Co.	Gray- bar	General Electric Supply
4-Network Transformers in accordance with City of Austin Specification E-337	\$29,856.00	\$29,856.00	\$29,856.00	\$29,856.00	\$29,856.00	No Bid	No Bid
Price firm	Yes	Yes	Yes for shipment within 6 months	Price is maximum subject to adjustment downward	Yes		
Manufacturer	General Electric house	Westing-	Kuhlman	Moloney	Allis-Chalmers		

RECOMMENDATIONS: All prices quoted were published current prices. All bidders quoted firm price except Priester Supply who quoted a firm price with a downward escalation. All bids meet City's specifications. It is recommended that these transformers be purchased from Priester Supply Company, for a firm price of \$29,856.00 with a downward escalation in the event of a price decrease.

W. T. Williams, Jr. City Manager"

"Sealed bids opened March 25, 1958
Tabulated by: O. G. Brush, Purchasing Agent

BIDS ON DISTRIBUTION TRANSFORMERS

	General Electric Supply Co.	Graybar	Priester Supply	Southern Electric Supply	Line Mater- ial Indus- tries	Walter Tips	Sterett Supply Co.
3-Distribution Transformers 500 KVA	\$10,768.11	\$10,768.11	\$10,767.00	\$10,767.00	\$10,767.00	\$10,215.00	\$10,767.00
Manufacturer	General Electric	General Electric	Moloney	Allis Chalmers	Line Material	Westing-house	Kuhlman

"Recommendations: Walter Tips quoting on Westinghouse Transformers is low bidder with a price of \$10,215.00, and meets the City's specifications.

Recommend low bid of Walter Tips be accepted.

W. T. Williams, Jr. City Manager"

Councilman Pearson moved that the contract for four network transformers (bids for which were received on March 24th at 2:00 P.M.) and three distribution transformers 500 KVA (bids for which were received on March 25th) be awarded to WALTER TIPS COMPANY, in the total amount of \$40,071.00. The motion, seconded by Councilman Palmer, carried by the following vote:

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

Noes: None

The Mayor reviewed the contract with the Butlers and the amended contract of 1951. After a detailed discussion, Councilman White moved that the City Manager be authorized to execute an amendment to the Butler lease on the Zilker Tract so that the Butlers will relinquish from their lease the land needed for right-of-way purposes for the extension of West 1st Street; and that in return for the relinquishment of the needed land of approximately one and one-third acres, the lease is to be modified to reduce the gross rental on buildings which may be constructed from 17½% to 10% and to pay the Butlers \$2,000 for the removal of their buildings and the expense of moving bricks and anything else in the right-of-way that has to be moved out; provided the Missouri Pacific Railroad Company gives to the city sufficient right-of-way on the north side of the Butler lease, for which the City is to pay the expense of moving a spur track not to exceed \$11.00 a running foot, so that the spur will be extended 25' south of the south right-of-way line of the new extension of West 1st Street; and the City is to bear full cost of constructing the roadway. The motion, seconded by Councilman Pearson, carried by the following vote:

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

Noes: None

*Councilman Long made the following statement regarding her vote:

"I think we are paying through the nose, but I vote 'aye' because I think the road is necessary in that particular location."

MR. DAVID BARROW appeared before the Council regarding some property between Springdale Road and property belonging to Tom Plummer, but which property does not show on the City maps. Since Springdale Road is to be widened at this location on Santa Anna, Mr. Barrow stated they would dedicate one-half of the right-of-way necessary to widen it. The Director of Public Works and City Manager recommended buying the whole tract for straightening out Springdale. The Council decided to go look at the proposition on the ground.

There being no further business, the Council adjourned at 3:35 P.M.,

subject to the call of the Mayor.

APPROVED

Tom Miller

Mayor

ATTEST:

Elsie Hoosley

City Clerk