

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 24, 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 MR. FRANK DENIUS.

Councilman White moved that the Minutes of the meeting of April 17th, 1958, be approved. The motion, seconded by Councilman Long, carried by the following vote:

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

MISS BARBARA BONDS and BUBBA HAWKINS, from Mr. Hopkins' 5th Grade at Bryker Woods School, thanked the Council for its courtesies during their visit to the meeting on April 17th; and they presented plaques made by members of their class, JOHNNY F. WILLIAMS, RUTH MAGNESS and GAIL WILDER.

Architects for the Terminal Building at the Airport, FEHR and GRANGER, submitted an analysis of the Terminal Building, and went over the plans for the Building. A display of the model of the terminal was in the Council Room. Mr. Granger stated the Chambers of Commerce had viewed the model and were unanimous in approval. The Citizens Advisory Committee of the City had also seen the plans and model. The plans had been discussed and approved by the Airlines and C.A.A. The Council scheduled another meeting on these plans for 2:30 P.M., Thursday, May 1.

MR. TED WIMBERLY announced that the Waterama would be held at the City Park again this year on May 17 and 18, and asked permission to close the lake on Saturday between 1:00 and 3:00 P.M., and from 4:00 to 6:00 P.M. On Sunday,

the periods would be from 1:00 to 4:00 P.M., and from 5:00 to 6:00 P.M. This was a safety measure they wanted to make. The Mayor suggested that the City Manager check with Chief Thorp and Chief Woody, and have whatever men are necessary. Councilman White moved that the permission be granted as requested. The motion, seconded by Councilman Pearson, carried by the following vote:

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

MR. FRANK DENIUS, representing AUSTIN TRANSIT CORP., appeared before the Council asking permission to increase their services in the newly annexed areas and to go into a zone fare system. The additional fare would be 5¢ for each zone for adults, and 3¢ for children. Shuttle busses would be discontinued and regular services would be started. Councilman Long moved that a public hearing be set on this request for 10:00 A.M., Thursday, May 1st. The motion, seconded by Councilman Palmer, carried by the following vote:

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

DR. S. H. DRYDEN, 1302 Sabine, asked that Sabine between 14th and 15th not be closed, as his office was in the middle of the block. He did not believe closing the street would be of any material benefit. After discussion, Councilman Long moved that this matter be set for hearing at 2:30 P.M., May 8th, and the City Manager be instructed to have Mr. Klapproth take a traffic count over the area for an eight-hour period. The motion, seconded by Councilman Pearson, carried by the following vote:

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

The Council greeted and welcomed a group of students from O. HENRY JUNIOR HIGH SCHOOL.

REV. JOE WEST, appeared before the Council regarding amending the loud speaker ordinance. The City Attorney stated that one way of arriving at this would be to find a means of measuring sound devices where they could be used and yet not be offensive to people inside buildings, hospitals or schools. Chief Miles stated there was a problem of a crowd gathering and getting out in the street and creating traffic hazards. It was pointed out there was nothing prohibiting services in the street. After discussion, Mayor Miller suggested that Rev. West hold his services as planned without any loud speaker and see how it worked out. Rev. West said they had tried and it would not work without a Public Address System. The Mayor stated if he wanted to have a meeting he would have the cooperation of the Police Department to help out with the traffic; but to use a loud speaker would be in violation of the ordinance if it were used between 8:00 and 8:30 P.M. Councilman Long wanted a special permit issued to give it a trial, and if it worked out and was no hazard, then the ordinance could be amended. The Mayor again suggested that he try holding another meeting and see how it worked out without the amplifier.

The City Manager submitted the following:

"MEMO

"Date: April 16, 1958

"TO: Mr. W. T. Williams, Jr.
City Manager
"FROM: A. M. Eldridge, Supervising Engineer
Construction Engineering Division
"SUBJECT: Low Bidders on Water & Sewer Service Building

"Bids were received for the proposed Water and Sewer Service Building April 15th and tabulation of these bids is attached hereto.

"The low bidder for General Construction is J. C. Peterson of Austin, Texas, in the amount of \$169,000.00 for the base bid. Alternate No. 1 which provides for a brick exterior rather than clay tile adds \$900.00 to the base bid, 250 calendar days are proposed for completion time. Mr. Carlton Brush, Architect, recommends the acceptance of this proposal.

"The low bidder for the Mechanical work is Young & Pratt, whose bid is \$43,823.00. The low bidder for the Plumbing and Electrical work is Fox-Schmidt, whose bid is \$34,979.00 for Plumbing and \$23,225.00 for the Electrical. The completion date for the Mechanical, Plumbing and Electrical work is 30 calendar days from the completion date of the General Contractor. Mr. B. Segall, Jr., Consulting Engineer, recommends the acceptance of these proposals.

"I recommend that the above proposals be accepted.

"(Sgd) A. M. Eldridge, Supervising
Engineer

"We concur in the above recommendations

"(Sgd) Carlton Brush, Architect

"(Sgd) B. Segall, Jr., Consulting Engineer

"Albert Davis, Director of Water & Sewer
Department

"APPROVED:

W. T. Williams, Jr., City Manager

Councilman White moved that the City Manager be authorized to execute a contract with J. C. PETERSON for the general construction of the Water and Sewer Service Building in the amount of \$169,000.00 plus Alternate No. 1 which provides for a brick exterior rather than clay tile. The motion, seconded by Councilman Long, carried by the following vote:

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

Councilman Long moved that the City Manager be authorized to execute a contract with YOUNG & PRATT for the Mechanical work in the construction of the Water and Sewer Service Building in the amount of \$43,823.00. The motion, seconded by Councilman Pearson, carried by the following vote:

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

Councilman White moved that the City Manager be authorized to execute a contract with FOX SCHMIDT for the Plumbing and Electrical Work in the construction of the Water and Sewer Service Building in the amount of \$34,979.00 for the plumbing and \$23,225.00 for the electrical work. The motion, seconded by Councilman Long,, carried by the following vote:

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

The Council heard MIKE WALDEN, high bidder for concession rights at the Coliseum until January 1st. Councilman Long moved that MR. MIKE WALDEN be granted the concession rights as the best bid for the Coliseum. The motion, seconded by Councilman White, carried by the following vote:

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

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

AN ORDINANCE PERPETUALLY VACATING AND CLOSING A PORTION
OF PECOS STREET IN THE CITY OF AUSTIN, TRAVIS COUNTY,
TEXAS; AND SUSPENDING THE ORDINANCE RULE REQUIRING
THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

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

AN ORDINANCE AMENDING CHAPTER 11 OF THE AUSTIN CITY
CODE OF 1954 BY AMENDING SECTION 11.9 THEREOF PER-
TAINING TO BURNING RUBBISH, BRUSH AND OTHER COM-
BUSTIBLE MATTER.

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

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

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT ON LOTS 7 AND 8, BLOCK A, PLAINVIEW HEIGHTS, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on August 1, 1955 the State of Texas and the City of Austin entered into an agreement for the construction, maintenance and operation of a

street illumination system on the Austin Expressway from East 19th Street North to U. S. Highway 290, the route of Interstate Highway No. 35 (formerly U. S. Highway 81) and

WHEREAS, said agreement will have elapsed on May 29, 1958 unless renewed; and,

WHEREAS, the provisions contained in Section 3 of said Agreement dated August 1, 1955, are satisfactory to both parties concerned; Now Therefore,

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

That the City Manager W. T. Williams, Jr., be and he is hereby authorized to execute a renewal of the Agreement of August 1, 1955, for maintenance and operation of the street illumination system herein described between the City of Austin and the State of Texas for an additional two year period after May 29, 1958 at which time said Agreement will be renewed or a new Agreement executed.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

SECTION 1. That the attached Contract marked Exhibit "A" and made a part hereof in all respects between the State of Texas and the City of Austin, providing for the construction, maintenance, existence and use of the portion of Highway No. U. S. 183 (Burnet Road) between the following limits, to wit: From the west City limit line to near the intersection of F. M. Road No. 1325, be and is hereby approved and W. T. Williams, Jr., City Manager, is hereby authorized to execute the same on behalf of the City and Elsie Woosley, City Clerk, is hereby authorized to attest the same under the seal of said City.

SECTION 2. That upon the execution of said Contract by the hereinabove authorized officers the attesting officer shall certify copies of this Resolution and attach a copy thereof to each of the copies of said Contract and transmit the same to the State of Texas for appropriate action.

SECTION 3. That this Resolution shall become effective immediately upon its adoption.

EXHIBIT "A"

MUNICIPAL CONSTRUCTION AND MAINTENANCE AGREEMENT

STATE OF TEXAS ()

COUNTY OF TRAVIS ()

This agreement made this ____ day of _____ 19__ by and between the State of Texas, hereinafter referred to as the "State", party of the first part, and the City of Austin, Travis County, Texas, acting by and through its duly

authorized officers under an ordinance passed the _____ day of _____, 19____, hereinafter called the "City", party of the second part.

W I T N E S S E T H

WHEREAS, the City has requested the State to contribute financial aid in the improvement and maintenance of Burnet Hwy. Street within such City, from West City Limits to Near F. M. 1325, the route of F.M. Road No. _____ and Highway No. U.S. 183 and hereinafter called the "Project", and has by proper resolution authorized the State to enter upon and improve and maintain or assist the City in the improvement and maintenance of said project; and

WHEREAS, the State Highway Commission has approved a program of work which includes the project described above, and the State Highway Engineer, acting for and in behalf of the State Highway Commission in activating such program, has made it known to the City that the State will assist the City in the improvement and maintenance of said project, conditioned that the City, as contemplated by Senate Bill 415, Acts 46th Legislature, Regular Session, will enter into agreements with the State for the purpose of determining the liabilities and responsibilities of the parties with reference thereto.

A G R E E M E N T

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

Project Authorization

It is understood and agreed between the parties hereto that the City by virtue of the provisions of its charter and the laws of the State of Texas has exclusive control of and jurisdiction over all streets and public ways within the incorporated limits of such City, and that the City has requested and consented to the construction and maintenance of the project and the State in the construction and maintenance of such project does so at the special instance and request of the City. The City, in consideration of the mutual covenants herein contained, does hereby agree to and does hereby authorize the State to improve or assist in the improvement of said project at the location and in the manner shown on the construction plans to be approved by both parties. It is mutually agreed that as the project is developed to the construction stage, either as a unit or in increments, both parties shall approve such plans by signature approval thereon, and a copy of such plans for the units or for each increment as such increment is developed will be attached hereto, marked "Exhibit A", and made a part hereof in all respects.

Right of Way and Existing Utilities

The City will provide without cost to the State a right of way for the project free of all obstructions and encroachments, and of a width sufficient to provide properly for the improvements shown on the plans. The City will provide without cost to the State for the installation, removal or other necessary adjustment of any and all utilities and services, whether publicly or privately owned, as may be necessary to permit the proper improvement, maintenance and use of said project. Existing utilities shall be adjusted in respect to location and type of installation in accordance with requirements of the State. If,

upon receipt of written request by the State, the City does not promptly carry out any provision of this paragraph and delay results in additional expense to the State, such expense will be the direct charge and obligation of the City.

Construction Responsibilities

The City and State will provide for the items of construction for which each has assumed financial responsibility.

For the items of construction which are the State's financial responsibility, the State will prepare or provide for the construction plans, advertise for bids, and let the construction contract, or otherwise provide for the construction and will supervise the construction, reconstruction or betterment work as required by said plans. As the project is developed to the construction stage, either as a unit or in increments, the State will secure the City's approval of the construction plans for each increment or the unit prior to award of contract.

If there are items of construction which are the City's responsibility, the City will prepare plans and accomplish construction, and the design and construction procedures will be subject to inspection and approval of the State. If desired by the City and approved by the State, any part or all of the items of construction which are the City's responsibility may be included in the plans and made a part of the construction work to be undertaken by the State. In this event the State will prepare the plans, let the contract, and supervise the construction, and the City will pay to the State the cost of the items which are the City's responsibility. The details of cost participation and method of payment will be covered by a separate agreement to be executed between the City and the State prior to the undertaking of construction.

General

The City and the State on the _____ day of _____, 19____, entered into an agreement, hereinafter called "Municipal Maintenance Agreement", establishing the responsibilities of both Parties in respect to the maintenance and operation of the then existing system of highways within the City. This Municipal Maintenance Agreement includes the provision that in the event the system of highways is changed, the full effect and all conditions of the Municipal Maintenance Agreement shall apply to the changed highway system unless the execution of a new agreement on the changed portion is requested by either the City or the State.

The Municipal Maintenance Agreement under the general section headed "Coverage" lists in Paragraph numbered one (1) the sections of highway routes on which the State assumed certain maintenance responsibilities, and under Paragraph numbered two (2) lists the sections on which the City would be responsible for all maintenance except that the State would erect and maintain route, directional and destination signs and markers. It is hereby agreed that these listings shall be modified as necessary to include this project in the listing under Paragraph numbered one (1) for certain maintenance responsibilities by the State provided that if any section of this project is to be excluded from the listing in Paragraph numbered one (1) and included in Paragraph numbered two (2), such section is identified as follows:

It is further agreed by the City and State that no other revision in the Municipal Maintenance Agreement is required and that the full effect and all

conditions of the Municipal Maintenance Agreement shall apply to this project. The Municipal Maintenance Agreement is hereby supplemented by this construction agreement for this project, and a copy shall be attached thereto and made a part thereof in all respects.

Special Conditions

Indemnification

The City agrees to indemnify the State against any and all damages and claims for damages to adjoining, abutting or other property for which the State is or may be liable arising out of, incident to or in any way connected with the installation, the construction, the existence, the use and/or maintenance of such project and does hereby agree to indemnify the State against any and all court costs, attorneys' fees and all expenses and connection with suits for such damage and shall, if requested to do so in writing, assist or relieve the State from defending any such suits brought against it.

Nothing in this agreement shall be construed to place any liability on the City for personal injury arising out of the construction of such project. Furthermore, it is not the intent of this agreement to impose upon the City the liability for injury to person or property arising out of the construction of the project by the State's contractor unless the State itself would be liable for such injury or damage.

Nothing herein contained shall be construed to place upon the State any manner of liability for injury to or death of persons or for damage to or loss of property arising out of or in any manner connected with the maintenance or use of the project, and the City will save the State harmless from any damages arising from said maintenance and/or use of said project.

It is further understood and agreed between the parties hereto that the improvement and/or maintenance of the project by the State is for the sole purpose of providing the travelling public a more adequate travel facility and shall never be the basis of any claim for State assumption, or participation in the payment, of any of the obligations of the City incurred in the improvement, past or present, of any street project.

IN WITNESS WHEREOF, the parties have hereunto affixed their signatures, the City of _____ on the _____ day of _____, 19____ and the Highway Department on the _____ day of _____, 19____,

ATTEST:

CITY OF _____

BY _____

(Title of Signing Official)

THE STATE OF TEXAS

Certified as being executed for the purpose and effect of activating and/or carrying out the orders, established policies, or work programs heretofore approved and

authorized by the State Highway
Commission:

BY _____
Administrative Engineer

APPROVAL RECOMMENDED:

District Engineer

Chief Engineer of Highway Design

Engineer, Secondary Roads

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)

WHEREAS, bids were received by the City of Austin on April 22, 1958, for the construction of a bridge at West 45th Street and Shoal Creek - Contract No. 58-C-10; and,

WHEREAS, the bid of Larson & Pugh, Inc. in the sum of \$64,306.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Larson & Pugh, Inc. in the sum of \$64,306.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Larson & Pugh, Inc.

The motion, seconded by Councilman Long, 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 ANNEXA-
TION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF
16.47 ACRES OF LAND, SAME BEING 2.67 ACRES OF UN-
PLATTED LAND OUT OF AND A PART OF THE ISAAC DECKER
LEAGUE, AND ALL OF THAT CERTAIN 13.80 ACRES OF LAND

KNOWN AS ALAMO HEIGHTS SECTION 1, A SUBDIVISION OF A PORTION OF THE ISAAC DECKER LEAGUE, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

Councilman Pearson moved that a building permit be granted at 503 Clark Street (158' south of proposed right-of-way line of South Belt Loop). 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)

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 Justin Lane 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 Glastron Sales, Inc., and is an unplatted 1.513 acres out of the Richcreek, 19.5 acre tract, of the City of Austin, Travis County, Texas, and hereby authorizes the said Glastron Sales, Inc. 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 Glastron Sales, Inc. has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
April 24, 1958

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

"Dear Sir:

"I, the undersigned, have considered the application of Glastron Sales, Inc., 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 Justin Lane, which property is designated as an unplatted 1.513 acres out of the Richcreek, 19.5 acre tract, in the City of Austin, Travis County, Texas, and locally known as 920 Justin Lane.

"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

The Mayor announced that May 1st had been proclaimed LAW DAY, as requested by the Travis County Bar Association through its Chairman of Public Relations, Evelyn Archer.

The City Manager submitted the following:

"April 24, 1958

"Mayor & City Council
City of Austin
Austin, Texas

"Re: Work to be accomplished under
Ordinance No. 580116C - Passed
January 16, 1958

"In compliance with your directions given in the above ordinance, I file herewith my estimate of the cost of the street improvements (curb, gutter and paving) on the following units set out in said Ordinance:

	<u>Curb & Gutter</u>	<u>Paving</u>	<u>Total</u>
Unit 2: Wayside Dr.; SPL W.10th St. (W) to SPL W.12th St.	\$ 673.45	\$4465.85	\$5669.05
3: W. 9th St.; EPL W.Ave.to WPL San Antonio St.	2067.51	5660.16	8146.72
9: Harvey St.; NPL E.12th St. to SPL E.16thSt.	2178.74	5585.42	7764.16
10: Marathon Blvd.; NPL. W. 40th St. to SPL W. 41st St.	1375.00	3355.00	4730.00
12: E.13th St.; EPL Harvey St. to WGL Airport Blvd.	2521.45	5649.13	8170.58
15: Grover Ave.; SPL W.49th St. to SPL N. Loop Blvd.	4378.74	12481.74	19844.75
16: N.Loop Blvd.; EGL Burnet Rd. to WPL Lamar Blvd.	8920.02	23555.06	33507.33
17: Jeff Davis St.; EGL Burnet Rd. to SPL N.Loop Blvd.	82.37	109.93	192.30
23: W.49th/2 St.; EPL Bull Creek Rd. to WPL Finley Dr.	-	2333.14	2333.14

"Yours very truly,
(Sgd) S. Reuben Rountree, Jr.
Director of Public Works"

Councilman Long moved that the estimate of the Director of Public Works on paving ordered under ordinance passed January 16, 1958, be accepted and approved. The motion, seconded by Councilman White, carried by the following vote:

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

The Director of Recreation submitted a proposition of MR. FRED W. ADAMS in which he had agreed to put up \$10,000 for a playground in the area behind Kirby Hall and adjacent to the Seminary. This is city owned property and would serve the students at the University as well as be open to the public. He stated there would be no summer recreation program, and the operation of the Park might run between \$10 and \$12,000. Councilman Long moved that Mr. Adams' gift of \$10,000 to the City be accepted, and that it be applied to the park area behind Kirby Hall. The motion, seconded by Councilman Palmer, carried by the following vote:

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

Discussion of the swimming pool for the East District Park was postponed until more figures could be furnished. It was desired to also have the attendance records at the parks.

Councilman Pearson moved that the lease with the Chambers of Commerce on the Butler Tract be made for a primary term of 51 years with a nine year option rather than a 50 year term with a 10 year option. The motion, seconded by Councilman Palmer, carried by the following vote:

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

The Council recessed until 2:30 P.M.

RECESSED MEETING

2:30 P.M.

At 2:30 P.M. the Council met with the following representatives from the Austin Banks and Bond Companies to discuss the needs for a bond issue for the Power Plant:

MR. E. P. CRAVENS
MR. HOWARD COX
MR. ARCH ADAMS
MR. DONALD JAMES
MR. H. H. LUEDECKE
MR. GUS MOOS

MR. W. G. POPE
MR. TOM JOSEPH
MR. DICK PETTWAY
MR. TED WHITLOCK
MR. J. P. GIBSON
MR. J. O. NANCE

The City Manager gave a resume of the operations of the Power Plants over the years and the increased demands on the plant, and the engaging of Ebasco Company to check the city's thinking in the projection of the trend of development in the system. It was the conclusion of Ebasco that this growth would continue during the next five years. Charts showing load growth and revenues were explained. The Director of Finance went over six statements of revenue bonds before and including the \$26,000,000 issue. The City Manager pointed out that \$3,000,000 could be transferred to the General Fund, the debt service could be paid off, and have around \$2,000,000 for capital outlay.

Mayor Miller asked the group to read over the statements and study them and report back to the Council. MR. GUS MOOS after looking over the figures stated it looked like it would be poor business not to go into the expansion. MR. HOWARD COX stated it looked like the City had no other choice--with its efforts to bring industry in, the city's ability to grow might be retarded if it did not have adequate power. He commended the presentation of this matter. MR. ARCH ADAMS was interested about the report and the L.C.R.A. He inquired as to distribution of the \$26,000,000, and the City Manager listed 12 to 13 million for the plant itself, and a fourth million to supplement the low water dam authorized in 1946 under general obligation bonds, and the rest to go into the distribution system.

Mayor Miller stated that it looked like the initial response was that the group saw nothing else to do but to submit it. He stated the Council would like to have the judgment of this group, and of the Chambers of Commerce, and others; and if it looked like the thing to do, the matter would be submitted to the people before school was out.

The Council received notice from the City Manager that the following zoning applications had been referred to the Planning Commission and set for public hearing before the Council on May 29, 1958:

A. B. BEDDOW	1515-1811 Anderson Lane 7814-18 & 7815-19 Rutgers Ave. 7810-12 and 7811-13 Woodrow	From "A" Residence To "GR" General Retail
ALLAN H. LEISTICO	3709 & 3800-06 East Avenue	From "A" Residence To "C" Commercial
JOE DACY	5005-17 East 5th Street	From "D" Industrial To "C-1" Commercial
JAMES A. DAVIS	2801-2903 South 1st Street 517-521 El Paso Street	From "A" Residence To "LR" Local Retail
D. G. LEDESMA	3524-36 East 7th Street	From "D" Industrial To "C-1" Commercial
HESSE E. BARTLETT	603 Oltorf Street	From "A" Residence To "GR" General Retail
HARRY PETERSON, et al	7723-7823 Burnet Road 2203-2205 Anderson Lane	From "A" Residence and "GR" General Retail To "C-1" Commercial
C. D. WILSON	4206 Duval Street	From "B" Residence To "LR" Local Retail
JAMES D. STRICKLAND	5301-5303 Duval Street 500-02 East 53rd Street	From "A" Residence To "LR" Local Retail
HARRY S. WILDER	5700-5800 Grover Avenue	From "A" Residence To "C" Commercial
DAVID NOZICK	2330 South Lamar Boulevard 2401-03 Bluebonnet Lane	From "C" Commercial To "C-1" Commercial
JAMES J. CITY	1709-11 Cedar Street 2601-03 East 18th Street	From "A" Residence To "B" Residence
JACK RITTER	908-10 South Lamar Boulevard	From "C" Commercial To "C-1" Commercial
W. S. BIRDWELL, JR. et al	Tract 1-7213-27 Burnet Road Tract 2-Rear of 7205-7301 Burnet Road	From "GR" General Retail To "C-1" Commercial From "A" Residence To "GR" General Retail

There being no further business, the Council adjourned at 4:45 P.M., subject to the call of the Mayor.

APPROVED

Jon Miller

Mayor

ATTEST:

Elise Hoosley

City Clerk