

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 1, 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. EDWIN M. SCHAFFER, United Church of Christ, Evangelical and Reformed, 5800 Cameron Road.

Councilman White moved that the Minutes of the Meeting of April 24, 1958, be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

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

PUBLIC HEARING was held on the request of the Austin Transit Corp. to extend bus service in new areas of the City and to institute a zone fare system. Mr. Frank Denius, Attorney, introduced Mr. Clyde Malone; members of the Drivers and Shop Employees Executive Committee; and others interested in the request. "Projection of Increase in Revenue Due to the Installation of a Zone Fare System", a statement showing fares charged in other cities of comparable size to Austin, and "Cost of Wage increase for the Two Years from December 1, 1957, to November 30, 1959 as per contract Negotiated and Executed on December 1, 1957" were filed. Also filed were petitions from residents of Southwest Austin and the Ford Village Area, Colorado Foothills, Windsor Park-Delwood 4-Gaston Park and Windsor Park II, requesting the zone fare system which would enable these areas to have bus service. After discussion, Councilman Pearson moved that the proposal of the Austin Transit Company be put into effect with the zones and the fares as outlined, and that the necessary ordinance be prepared. The motion, seconded by Councilman White, carried by the following vote:

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

The Council greeted a group from WILLIAM B. TRAVIS HIGH SCHOOL.

MR. CHAS. EARL SANDERSON, representing a group from northwest Austin, who had come in about four weeks earlier protesting the heavy truck travel on Allandale Road, and the deterioration of that Street; also the fact that Allandale Road had been designated a farm-to-market road. His protest today was that Allandale Road was included in a list of streets to be paved, and he believed that the repaving of this Road was necessary because of the heavy truck travel and because of the fact that a water main was put in, and the street not properly repaired. He did not believe the property owners on Allandale Road should pay for the paving; and that since it was a part of the State Highway System, he did not want to be paying for a highway. The Mayor reviewed the recent paving policies and stated Allandale was a road constructed many years back that had not held up. After discussion, the Mayor stated information would be obtained about rerouting the traffic, and getting the State to help out on the paving, and about stop signs to be erected. The matter was then deferred until the following week.

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

J. H. HAUSENFLUKE	4408-4412 Lamar Blvd.	From "C" Commercial To "C-1" Commercial RECOMMENDED by the Planning Commission
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Opposition was expressed by Mr. G. W. Reid, Mrs. Velma Meier, Mrs. Hinsley, through her relative; Mr. R. T. Spaw, and others. The Council deferred action until next week so that the members could make a personal inspection of the area.

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JOHN RIVAS	2501 Diaz Street 625-627 Pedernales Street	From "D" Industrial To "C-1" Commercial NOT Recommended by the Planning Commission
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Opposition was expressed by E. M. Arredondo, Jr., 2607 Diaz; and by a lady living at 2600 Diaz who feared there would be on-premises consumption at this location as there was at the place at East 6th and Pedernales. Mr. John Rivas and neighbors appeared in his behalf. The Council deferred action until next week so that the members could make a personal inspection of the area.

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MAX STARCKE By Herman Jones	6315-6321 Burnet Road	From "C" Commercial To "C-1" Commercial RECOMMENDED by the Planning Commission
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No opposition appeared. The Mayor asked those who wished to grant the change to "C-1" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

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

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

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MRS. ARNOLD
HERNANDEZ

609 Henderson Street

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

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

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

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

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DAN STATHOS,
By Trueman O'Quinn

5349-5353 Burnet Road

From "C" Commercial 2nd
Height and Area &
"A" Residence 1st
Height and Area
To "C-2" Commercial 2nd
Height and Area
RECOMMENDED by the
Planning Commission

No opposition appeared. The Mayor asked those who wished to grant the change to "C-2" Commercial 2nd Height and Area 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-2" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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EDWARD JOSEPH

707-709 Nelray Boulevard

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

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

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

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

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SAMPSON CONNELL, SR. 1608 West 35th Street

From "A" Residence
To "C" Commercial
RECOMMENDED by the
Planning Commission

Mr. P. D. Rudd appeared making inquiry. 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 to cover.

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MRS. FRANCISCO appeared making inquiry about the status of Urban Renewal.

MR. WAYNE GOLDEN explained the amendment of the Urban Renewal Contract which was before the Council and discussion was held.

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

RESOLUTION ACCEPTING AN OFFER OF THE
UNITED STATES TO AMEND CONTRACT FOR
PLANNING ADVANCE NO. TEX. R-20(A)

WHEREAS, The United States of America (herein called the "Government") has tendered to the City of Austin (herein called the "local Public Agency") an Offer, hereinafter mentioned, to amend Contract for Planning Advance No. Tex. R-20(A), dated January 13, 1958; and

WHEREAS, the Local Public Agency has given due consideration to said Offer:

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

Section 1. The Offer of the Government to the Local Public Agency dated April 17, 1958, designated Offer to Amend Contract for Planning Advance No. Tex. R-20(A), is hereby in all respects accepted.

Section 2. The Local Public Agency agrees to abide by all of the provisions, terms, and conditions of said Offer.

Section 3. Authority is granted to the officers and duly appointed agents of the Local Public Agency to send to the Housing and Home Finance Agency

certified copies of this and such further documents or proofs in connection with the acceptance of said Offer as may be requested by the Government.

Section 4. This RESOLUTION shall be effective immediately.

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

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

Noes: None

I.B. FELPS, 904 South 1st Street, appeared before the Council stating South 1st Street was laid off in four lanes. He had an accident there and was given a ticket for making an illegal turn from the middle lane into his drive. The street has just been paved and marked off. The Mayor stated the Council would look into this matter for him.

The Council recessed until 3:00 P.M.

RECESSED MEETING

3:00 P.M.

At 3:00 P.M. the Council resumed its business.

MR. ARTHUR FEMR, Architect, explained the model of the Airport Terminal and grounds, and showed the plans for future expansion whereby 18 planes could be taken care of as to the present number. He stated the plans had the approval of the C.A.A., the Airlines, and other interested people. MR. RAGSDALE and MRS. BROWNING approved the plans stating they were excellent, functional and efficient. DR. C. C. COVERT, Airport Committee, MR. EARL HOWELL, MRS. HAMMERMAN, expressed approval, as did MR. REX SHIELDS. MR. SHAW, Continental Airlines, and others complimented the plans. Councilman Pearson moved that the plans thus far advanced be approved, and to instruct the architects to proceed, consulting further as they go along with the City Manager and the C.A.A., and to get everything ready to take bids. The motion, seconded by Councilman White, carried by the following vote:

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

Noes: None

The Mayor read a letter from MR. and MRS. TOM KLUGE, 2904 Glenview, asking that the paving of 30th Street be postponed at this time. They had just paid for the paving of Glenview from 29th Street to 30th Street. No action was taken by the Council.

Councilman Pearson moved that Unit 70, ALLANDALE ROAD, from the EFL of Shoal Creek Boulevard to the WPL of Burnet Road, be deleted; and that ROCKMOOR, from the north line of Cherry Lane to the north line of Meredith be added; and also CHERRY LANE from Raleigh to Rockmoor. (Paving Ordinance declaring the necessity of paving Glendale Place, etc.) 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 DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OR TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.

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

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

The ordinance was read the second time and Councilman Pearson 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 Pearson 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.

The City Manager submitted the following:

"April 29, 1958

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, April 29, 1958, for the construction of approximately fourteen (14) blocks of pavement

and accessories known as Assessment Paving Contract No. 58-A-13 consisting of 6 units.

"McKown & Sons	\$38,334.98
Raymond Canion & Company	39,866.39
Giesen & Latson Const. Co.	40,234.68
Collins Construction Co.	48,979.47
Ed H. Page	52,038.66

"City's Estimate	\$37,767.78
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"I recommend that McKown & Sons with their low bid of \$38,334.98 be awarded the contract for this project.

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

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 29, 1958, for the construction of approximately fourteen (14) blocks of pavement and accessors known as Assessment Paving Contract Number 58-A-13 consisting of six (6) units; and,

WHEREAS, the bid of McKown & Sons in the sum of \$38,334.98 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 McKown & Sons in the sum of \$38,334.98 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 McKown & Sons.

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

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

Noes: None

The City Manager submitted the following:

"April 29, 1958

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, April 29, 1958, for the construction of approximately twenty-two (22) blocks of pavement and accessories known as Assessment Paving Contract Number 58-A-14 consisting of 10 units.

"McKown & Sons	\$73,872.65
Raymond Canion & Co.	78,079.57
Giesen & Latson Const. Co.	81,200.28

"Collins Const. Co.	\$85,133.33
Ed H. Page	95,893.37
"City's Estimate	\$74,764.18

"I recommend that McKown & Sons with their low bid of \$73,872.65 be awarded the contract for this project.

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

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 29, 1958, for the construction of approximately twenty-two (22) blocks of pavement and accessories known as Assessment Paving Contract Number 58-A-14 consisting of ten (10) units; and,

WHEREAS, the bid of McKown & Sons in the sum of \$73,872.65 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 McKown & Sons in the sum of \$73,872.65 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 McKown & Sons.

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:

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. 290 between the following limits, to wit: From the East City Light line to Interstate 35, 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.

(Contract Attached)

"MUNICIPAL CONSTRUCTION AND MAINTENANCE AGREEMENT

"STATE OF TEXAS .()

COUNTY OF TRAVIS ()

"This agreement made this _____ day of _____, 1958 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 a resolution passed the _____ day of _____, 1958, 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 U. S. Highway 290 Street within such City, from Intersection Interstate 35 (Marked U.S.81) to Austin East City Limits, the route of Highway No. U.S. 290 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 unit 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

"Pursuant to the terms of a separate contract to be executed, the City agrees to acquire 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 require 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. Provided, however, that nothing herein shall be construed to relieve any privately owned utility from any obligation that it may have under its franchise, or by virtue of State law or applicable Charter provisions, to make such installation, repair, removal, or adjustment.

"Construction Responsibilities

"The City and the 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 provisions 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 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.

"Indemnification

"In the event any claim or suit is filed against the State for damages to adjoining, abutting or other property in connection with the construction, existence, use, maintenance or operation of such project, the City hereby agrees to save the State whole and harmless against any loss or expense in connection therewith, and shall, if requested to do so in writing, assist or relieve the State from defending any such suits brought against the State.

"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, and it is not the intent of this agreement to impose upon the City any liability for injury to persons 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 liability for injury to or death of persons or damage to or loss of property arising out of or in any manner connected with the maintenance and use of the project. It is not the intention of this instrument to create any new liability against either of the parties hereto in favor of a third party or parties, but merely to deal with such liability as the law imposes upon the respective parties in connection with construction and maintenance of improvements of the nature and character involved in this contract.

"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 Austin on the ____ day of _____, 1958 and the Highway Department on the ____ day of _____, 1958.

"ATTEST:

"CITY OF AUSTIN

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

Mayor Miller introduced the following ordinance:

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, CALLING AN ELECTION FOR THE AUTHORIZATION OF REVENUE BONDS OF THE CITY OF AUSTIN IN THE AMOUNT OF TWENTY MILLION DOLLARS (\$20,000,000.00) FOR THE PURPOSE OF EXTENDING AND IMPROVING THE CITY'S ELECTRIC LIGHT AND POWER SYSTEM; ENACTING PROVISIONS INCIDENT AND RELATING TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.

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

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

Noes: None

The ordinance was read the second time and Councilman Pearson 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 Pearson 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 Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

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

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in SAN JACINTO STREET, from a point 30 feet south of the north line of East 13th Street northerly 376 feet, the centerline of which gas main shall be 10 feet east of and parallel to the west property line of said SAN JACINTO STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in EAST 14TH STREET, from San Jacinto Street, westerly 305 feet, the centerline of which gas main shall be 10 feet south of and parallel to the north property line of said EAST 14TH STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in FINLEY DRIVE, from a point 126 feet north of West 49th Street northerly 35 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said FINLEY DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in CLUB TERRACE, from a point 459 feet west of Montopolis Drive westerly 70 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said CLUB TERRACE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(5) A gas main in DELWOOD DRIVE, from a point 123 feet south of Northridge Drive southerly 1,392 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said DELWOOD DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(6) A gas main in ROGGE LANE, from a point 55 feet east of Ridgemont Drive easterly 930 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said ROGGE LANE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(7) A gas main in MANOR HILLS BOULEVARD, from a point 90 feet north of Northridge Drive, southerly 1935 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said MANOR HILLS BOULEVARD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(8) A gas main in MAPLELEAF DRIVE, from Rogge Lane, northerly 1342 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said MAPLELEAF DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(9) A gas main in NORTHRIDGE DRIVE from Manor Hills Boulevard, easterly 143 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said NORTHRIDGE DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(10) A gas main in OAKLEAF CIRCLE, from Manor Hills Boulevard, easterly 80 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said OAKLEAF CIRCLE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(11) A gas main in HARDY DRIVE, from a point 159 feet north of Morrow Street, northerly 945 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said HARDY DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(12) A gas main in MANCHACA ROAD, from a point 529 feet north of Jones Road southerly 1,324 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said MANCHACA ROAD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(13) A gas main in FAIR OAKS DRIVE, from Manchaca Road westerly 1,120 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said FAIR OAKS DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(14) A gas main in PIN OAK PATH, from Fair Oaks Drive, southerly 150 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said PIN OAK PATH.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(15) A gas main in PLUMAS LANE from Fair Oaks Drive northerly 110 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said PLUMAS LANE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

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

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

The City Manager submitted the following:

"April 29, 1958

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, April 29, 1958, for the construction of paved roadways and parking areas, concrete culvert, and general grading at East District Park - Contract No. 58-C-12.

"Giesen & Latson Const. Co.	\$25,338.00
C. H. Lester	29,488.05
Capital Const. Co.	40,282.38

"City's Estimate	\$20,871.00
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"I recommend that Giesen & Latson Construction Company with their low bid of \$25,338.00 be awarded the contract for this project.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 29, 1958, for the construction of paved roadways and parking areas, concrete culvert, and general grading at East District Park - Contract No. 58-C-12; and,

WHEREAS, the bid of Giesen & Latson Construction Company in the sum of \$25,338.00 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 Giesen & Latson Construction Company in the sum of \$25,338.00 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 Giesen & Latson Construction Company.

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

The City Manager submitted the following:

"April 29, 1958

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, April 29,

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

The City Manager submitted the following:

"April 30, 1958

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, April 29, 1958, for the construction of miscellaneous storm sewers, to be known as Contract No. 58-D-15, in the following areas: West 25th Street from Lamar Boulevard to 297' east of Leon Street; I. & G.N. Railroad Easement No. 2 from West 30th Street southerly 193'; Rosedale Avenue Easement across Lot No. 9 of Shoalcrest Oaks south of West 40th Street; and Pecos Street north of Reed Park.

"Richard Schmidt	\$25,645.22
Austin Engineering Company	28,539.50
Bland Construction Company	30,295.20
Karl B. Wagner Engr. Const. Inc.	31,331.60
Ed H. Page	31,925.00

"City's Estimate	\$19,366.00
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"I recommend that Richard Schmidt with his low bid of \$25,645.22 be awarded the contract for this project.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 29, 1958, for the construction of miscellaneous storm sewers, Contract No. 58-D-15; and,

WHEREAS, the bid of Richard Schmidt in the sum of \$25,645.22 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 Richard Schmidt in the sum of \$25,645.22 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 Richard Schmidt.

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

The City Manager submitted the following:

"April 30, 1958

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

"Dear Sir:

"Sealed proposals for the construction of Sanitary Sewers and appurtenances in South 1st Street and St. Elmo Road Area were received until 2:00 P.M., Tuesday, April 29, 1958, and then publicly opened and read.

"The following is a tabulation of bids received:

<u>"Firm</u>	<u>Total Bid</u>	<u>Working Days</u>
Karl Wagner Engineering Construction Inc.	\$76,358.70	160
Joe Bland Construction and Engineering Co.	81,868.65	145
Austin Engineering Co.	124,704.65	210

"It is recommended that the contract be awarded to the Karl Wagner Engineering Construction Inc. on their low bid of \$76,358.70 with 160 working days.

"Yours Truly,
(Sgd) Albert R. Davis
Director Water and Sewer Department
(Sgd) S. A. Garza
Superintendent Sanitary Sewer
Division

"APPROVED BY: (Sgd) W. T. Williams, Jr.
City Manager"

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 29, 1958, for the construction of sanitary sewers and appurtenances in South First Street and St. Elmo Road area; and,

WHEREAS, the bid of Karl Wagner Engineering Construction Inc. in the sum of \$76,358.70 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department 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 Karl Wagner Engineering Construction, Inc., in the sum of \$76,358.70 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 with Karl Wagner Engineering Construction, Inc.

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

There being no further business, the Council adjourned at 4:30 P.M.,
subject to the call of the Mayor.

APPROVED



Mayor

ATTEST:


City Clerk