

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 4, 1954
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

Roll Call:

Present: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Absent: None

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Invocation was delivered by FATHER EUGENE DORE, St. Ignatius Church.

Pledge of Allegiance to the Flag.

Councilman White moved that the Minutes of October 28th be approved.
The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 14.26 ACRES OF LAND, SAME BEING A PORTION OF THE J. C. TANNEHILL 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 motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson*, Thompson*, White**, Mayor McAden
Noes: None

**Councilman Pearson and White voted to introduce and order the ordinance published, but both making statements they wanted to look into the matter further.

*Councilman Thompson wanted all the people concerned notified and a hearing set for them.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain public utility easement was reserved and dedicated to the public along certain lot lines on a map or plat of Ridgewood Village, Section 1, in the City of Austin, Travis County, Texas, according to a map or plat of said Ridgewood Village, Section 1, of record in Book 6, at Page 59, Plat Records of Travis County, Texas; and,

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

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

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of portions of such public utility easements located on the hereinafter described tracts of land, to wit:

The South 5 feet of Lot No. 41, and the North 5 feet of Lot No. 42, Ridgewood Village, Section 1, in the City of Austin, Travis County, Texas, SAVE and EXCEPT the South 2.5 feet of the East thirty (30) feet of said Lot No. 41 and the North 2.5 feet of the East thirty (30) feet of said Lot No. 42, on which an easement is retained for electric line purposes.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The City Manager explained the refund contract for installation of a storm sewer in Highland Park West. After discussion, Mayor McAden introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH JACK HARRIS AND E. H. PERRY, SR.; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
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 Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute, on behalf of the City of Austin, a Wire or Cable License agreement dated October 19, 1954, with Guy A. Thompson, Trustee, International-Great Northern Railroad Company, Debtor, for the construction, ownership, maintenance, and use of one certain 12,500 volt aerial power transmission line, in accordance with the terms and provisions of said agreement, as exhibited to the City Council by the City Manager; and,

BE IT FURTHER RESOLVED:

That the City Clerk is hereby authorized and directed to place and keep an executed copy of said Wire or Cable License agreement in the permanent files of the City Clerk's Office.

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

Mayor McAden 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 USE DESIGNATION FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT ON A PORTION OF THE GEORGE W. SPEAR LEAGUE NO. 7, LOCALLY KNOWN AS 2504 LAKE AUSTIN BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAP SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULES REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McAden 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 USE DESIGNATION FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT ON LOT 2, LESS WEST 63.1

FEET, BLOCK 1, BRACKENRIDGE HEIGHTS, LOCALLY KNOWN AS 3400-3402 SOUTH CONGRESS AVENUE AND 101-105 WOODWARD STREET, 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 RULES REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McAden 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 USE AND HEIGHT AND AREA DESIGNATIONS FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT ON TWO TRACTS OF LAND LOCALLY KNOWN AS 2117-2129 GOODRICH AVENUE, 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 RULES REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council had before it for further consideration the following zoning application:

| | | |
|---------------|---|---|
| TED WENDLANDT | 510 Nelray Blvd. & 5413-5415 Guadalupe St. | From "A" Residence To "B" Residence RECOMMENDED by the Planning Commission |
|---------------|---|---|

The Council deferred action on this for further study and inspection until the following week.

Councilman Thompson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Frank F. Knight has made application in writing to erect twenty doctors offices and clinics for human beings only, on property which is entirely restricted to this use and is located on the east side of Red River Street in the 2900 block in a subdivision known as Medical Arts Square, which is located in a "B" Use District and 4th Height and Area District and which under Section 5, Item #6 of the Zoning Regulations requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

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

THAT permission for the erection and maintenance of these doctor's

offices and clinics for human beings only be granted to Frank F. Knight with the following conditions:

1. That these clinics be used in the general practice of medicine, and that no mental or psychiatric patients be housed in such clinic.
2. That all setback regulations required in this zone and all building code provisions be complied with in the operation and maintenance of such building.

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Board of Equalization of the City of Austin has certified its approval of the tax assessment rolls and records of the City of Austin for the year 1954, and has forwarded the same to the City Council; and,

WHEREAS, said tax assessment rolls appear in all respects to be in correct form and prior to their submission the valuations of property shown in said rolls have been examined and corrected in the manner provided by law and ordinances of the City of Austin by the Board of Equalization; and,

WHEREAS, all appeals by taxpayers from decisions of the Board of Equalization have been disposed of and there are now no appeals pending from such Board; Now, Therefore,

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

That the tax assessment roll, showing a total amount of \$382,368,500.00 valuation of property within the City of Austin assessed for City and School taxes for said year, and the tax assessment roll showing a total amount of \$7,210,710.00 valuation of the property lying within and assessed by the City for School purposes only for said year, be and the same are hereby approved and adopted.

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

The Council had under consideration the comprehensive revision of the Zoning Ordinance. The City Attorney recommended adding the words, "or special permit has been authorized by the City Council for construction of such a building," in SECTION 30 after the words, "The provisions of this ordinance shall be effective from the date of its final passage, provided however, that where a building has actually been commenced prior to such date". He suggested also that at the end of SECTION 30 that the words "or authorization of such special permit" be added. Councilman White moved that the ordinance be amended according to the City Attorney's recommendations. The motion, seconded by

Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Mayor McAden 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 ENACTING A COMPREHENSIVE REVISION, IMPROVEMENT, AND AMENDMENT OF SAID ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

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 Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
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 Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"November 3, 1954

"Subject: 24" Steel Cylinder Water Main on Guadalupe and Anderson Lane Project.

"Proposals for the installation of 6673 feet of 24" steel cylinder concrete water main were received until 10:00 A.M., November 2, 1954, and then publicly opened and read. The following proposals were received:

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| "Pelphrey - Basham, Inc. 1412 Electric Building Ft. Worth, Texas | 82,091.90 |
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| | |
|--|-----------|
| "Karl B. Wagner Engineering Construction, Inc. P. O. Box 4116 Austin, Texas | 82,399.02 |
|--|-----------|

| | |
|--|-----------|
| "Joe Bland Construction Company P. O. Box 1158 Austin, Texas | 84,963.63 |
|--|-----------|

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|---|-----------|
| "H. B. Zachry Company P. O. Box 2570 San Antonio, Texas | 92,548.00 |
|---|-----------|

| | |
|---|-----------|
| "Austin Engineering Company 203 Riverside Drive Austin, Texas | 95,809.40 |
|---|-----------|

"The above proposals have been checked and analyzed, and found to be correct and in accordance with the specifications.

"The Water Department estimate on this project was \$82,500.00.

"It is my recommendation that this contract be awarded to Pelphrey - Basham, Inc. as the lowest and best bid received.

"(Sgd) Albert R. Davis
Superintendent - Water Department

"Approved:
(Sgd) WES
City Manager"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on November 2, 1954, the City of Austin received bids for the installation of 6673 feet of 24" steel cylinder concrete water main on Guadalupe and Anderson Lane; and,

WHEREAS, the bid of Pelphrey-Basham, Inc. in the sum of \$82,091.90 was the lowest and best bid, and the acceptance of such bid has been recommended by the Superintendent of the Water 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 Pelphrey-Basham, Inc., in the sum of \$82,091.90, be and the same is hereby accepted, and W. E. Seaholm, City Manager, is authorized and directed to execute a contract with Pelphrey-Basham, Inc.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, J. M. Odom is the Contractor for the erection of a building located at 209 West 27th Street and desires a portion of the sidewalk and street space abutting Lots 18, 19, 20, 21, 22, and 23, Block 10, Outlot 12, Division D, of the City of Austin, Travis County, Texas, during the 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 J. M. Odom, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the north west corner of the above described property; thence in a northerly direction and at right angles to the centerline of West 27th Street to a point 12 feet north of the south curb line; thence in a westerly direction and parallel with the centerline of West 27th Street 130 feet to a point, thence in a southerly direction and at right angles to the centerline of West 27th Street to the north east corner of the above described property.

Thence in an easterly direction and at right angles to the centerline of University Avenue to a point 12 feet east of the west curb line, thence in a southerly direction and parallel with the centerline of University Avenue

approximately 288 feet to a point, thence in a westerly direction and at right angles to the centerline of University Avenue to the east line of the above described property.

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

(1) That the Contractor shall construct a 4 foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City Officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

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

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

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

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

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

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

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

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than July 1, 1955.

(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 Five Thousand Dollars (\$5000.) which shall protect, indemnify and hold harmless the City of Austin from any claim or damages to any person by reason of the exercise of 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 Long, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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 WEST 49TH STREET, from Bull Creek Road easterly 100 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said WEST 49TH 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 2ND STREET, from a point 122 feet east of Pleasant Valley Road easterly 229 feet to Broadway, the centerline of which gas main shall be 19 feet south of

and parallel to the north property line of said EAST 2ND STREET.

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

(3) A gas main in SOUTH 5TH STREET, from Herndon Lane southerly 289 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said SOUTH 5TH STREET.

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

(4) A gas main in BEDFORD STREET, from a point 26 feet north of Euneva Street northerly 126 feet, the centerline of which gas main shall be 8.5 feet west of and parallel to the east property line of said BEDFORD STREET.

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

(5) A gas main in EAST 8TH STREET, from Nile Street westerly 248 feet, the centerline of which gas mains shall be 6 feet south of and parallel to the north property line of said EAST 8TH STREET.

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

(6) A gas main in ROOSEVELT AVENUE, from a point 1028 feet north of Houston Street northerly 44 feet, the centerline of which gas main shall be 17 feet west of and parallel to the east property line of said ROOSEVELT AVENUE.

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, Pearson, Thompson, White, Mayor McAden
 Noes: None

The Council set the following zoning applications for public hearing November 24th, 1954 at 11:00 A.M.:

| | | |
|--|---|--|
| E.A. JONES | 301-305 Riverside Drive Block 5, Norwood Heights Addition | From "B" Residence 2nd Hgt & Area To "C" Commercial RECOMMENDED as amended |
| TEXAS REALTY CO. By Oscar W. Holmes | 1135D Springdale Road & 4600-02 Tanney St., 1121D-1133D Springdale Rd., 1120D-1132D Map Street and 4600-02 Sara Drive and 4601-05 Tanney Street Lots 1,2,3,Blk.5,Lots 1,2, 3,4,5,6,7,Blk.7,Pecan Valley Subdivision | From "A" Residence To "C" Commercial 6th Hgt & Area RECOMMENDED by the Planning Commission |
| ED M. BARKLEY | 2408 Santa Rita Street Lot 5,Blk.2, Industrial Addition | From "B" Residence To "C" Commercial NOT Recommended by the Planning Commission |

(Mr. Barkley later wrote in and asked that this application not be set for public hearing at the present time)

The City Manager submitted the following:

"BIDS ON SUSPENSION INSULATORS

OPENED: 10:00 A.M. 10/26/54

| INSULATORS SUSPENSION, BALL & SOCKET TYPE 10" BISC. 15000# EE- NEMA CLASS 52-3 | TOTAL | GRAYBAR ELECTRIC COMPANY | NELSON ELECTRIC COMPANY | GENERAL ELECTRIC COMPANY | LINE MATERIAL COMPANY | WESTINGHOUSE ELECTRIC SUPPLY CO. |
|--|-------|--------------------------------|------------------------------------|--------------------------------|-----------------------------|--|
| 2600 Units | | \$7072.00 | \$6781.32 | \$7072.00 | \$7072.00 | \$6708.00 |
| | | PRIESTER SUPPLY COMPANY | SOUTHERN ELECTRIC SUPPLY CO. | | | |
| | | \$6895.20 | \$6448.00 | | | |

Recommend low bidder, Southern Electric Supply Company be awarded contract.
 APPROVED: (Sgd) WES, City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 26, 1954 for 2600 units of ten-inch Disc Suspension, Ball and Socket Type Insulators; and

WHEREAS, the bid of Southern Electric Supply Company in the sum of \$6,448.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Electric Division 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 Southern Electric Supply Company in the sum of \$6,448.00 be and the same is hereby accepted, and W. E. Seaholm, City Manager of the City of Austin, is hereby authorized and directed to execute a contract on behalf of the City of Austin with Southern Electric Supply Company.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Nees: None

The City Manager submitted the following:

"BIDS ON A C S R ALUMINUM CABLE

BIDS OPENED: 10/26/54

Tabulated by: O. G. Brush,
Purchasing Agent

| | | | | | |
|----------------|----------|--------------|-------------|-------------|--------------|
| COMMODITY | QUANTITY | SOUTHERN | NELSON | WALTER | WESTINGHOUSE |
| A C S R CABLE | | ELECTRIC | ELECTRIC | TIPS | ELECTRIC |
| PER CITY SPEC. | | SUPPLY | COMPANY | COMPANY | COMPANY |
| | 40,000# | \$12,680.00 | \$12,680.00 | \$12,680.00 | \$12,680.00 |
| MANUFACTURER | Pounds | PHELPS | KAISER | KAISER | KAISER |
| | | DODGE | ALUMINUM | ALUMINUM | ALUMINUM |
| | | CO. | CO. | CO. | CO. |
| | | GENERAL | PRIESTER | LINE | WILLIAMSON |
| | | ELECTRIC | SUPPLY | MATERIAL | SALES |
| | | SUPPLY | COMPANY | COMPANY | COMPANY |
| | | *\$12,580.00 | \$12,680.00 | \$12,680.00 | *\$12,580.00 |
| | | REYNOLDS | ANACONDA | KAISER | REYNOLDS |
| | | | | ALUMINUM | |
| | | | | CO. | |

All bids shown are totals for quantity involved.

*Williamson Sales bid Firm Price. General Electric Supply bid price in effect at time of shipment.

Recommend Williamson Sales as lowest and best bid.

APPROVED: (Sgd) WES
City Manager"

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 26, 1954, for 40,000 pounds of A C S R Aluminum Cable; and

WHEREAS, the bid of Williamson Sales Company in the sum of \$12,580.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Electric Division 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 Williamson Sales Company in the sum of \$12,580.00 be and the same is hereby accepted, and W. E. Seaholm, City Manager of the City of Austin, is hereby authorized and directed to execute a contract on behalf of the City of Austin with Williamson Sales Company.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The City Manager submitted the following:

"BIDS ON SIX DUMP TRUCKS
STREET AND BRIDGE DIVISION

BIDS OPENED 2:00 P.M.
October 27, 1954

| | | | |
|----------|-------------|-------------------|----------------------|
| | C. B. SMITH | CAPITOL CHEVROLET | SWEARINGEN-ARMSTRONG |
| | \$13,614.30 | \$13,476.18 | \$13,590.00 |
| MAKE | DODGE | CHEVROLET | FORD |
| Delivery | 15 days | 2 weeks | 30-60 days |

NOTE: Prices shown are net totals after trade-in.
These are bids received after all bids of October 20, 1954
had been rejected, and new bids called for.

APPROVED:
(Sgd) WES
City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 27, 1954, for six (6) dump trucks for the Street and Bridge Division of the City of Austin; and,

WHEREAS, the bid of Capitol Chevrolet, Inc. in the sum of \$13,476.18 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent 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 Capitol Chevrolet, Inc. in the sum of \$13,476.18 be and the same is hereby accepted, and W. E. Seaholm, City Manager of the City of Austin is hereby authorized and directed to execute on behalf of the City of Austin with Capitol Chevrolet, Inc.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman Long moved that the City Manager be instructed to make photostat copies available to the Attorney General's Department of all identical bids, including these this morning, for the past 12 months, and that these same photostats of the identical bids be sent to the Anti-Monopoly Committee, Chairman Senator William Langer, Senate Office Building, Washington 25, D.C. The motion, seconded by Councilman White, lost by the following vote:

Ayes: Councilmen Long, White

Noes: Councilmen Pearson, Thompson, Mayor McAden

Councilman Thompson preferred sending the matter first through the Attorney General. Councilman White stated the matter had been sent to the Attorney General some six-eight months ago; and since this Committee was working on this he wanted them to have the material. Councilman Pearson felt that certain goods were consigned to merchants and they sold them at a given price. He thought rather than send these bids to Washington it would be better to go through the Attorney General's office. He did not think the bids received this date were identical. Mayor McAden too, did not think the matter was one for the U.S. Senate, as the State government was the place. The City Manager stated copies had already been furnished to the local authorities.

Councilman Long moved that photostatic copies of all identical bids for the last 12 months be made available for the Attorney General. The motion seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson*, Thompson, White, Mayor McAden

Noes: None

*Councilman Pearson made the statement concerning his vote, that he was assuming that Mr. Seaholm will have the same thinking as he had regarding what was an identical bid. Councilman Pearson did not consider the bids received this date identical.

Councilman Long asked that she be furnished a copy of all the material, as a member of the Council, for her own use.

The Mayor read a resolution adopted by THE AUSTIN PHARMACEUTICAL ASSOCIATION regarding their efforts and cooperation to curb the sale of such comic books as are considered to promote criminal influence and contribute to juvenile delinquency. (On file under COMIC BOOKS)

The Mayor announced that he had given each member of the Council a copy of the "Code of Ethics" regarding Comic Books, and stated he believed the matter was getting under control and would take care of itself, and suggested that the Council wait about six weeks to see the outcome of the clean-up program.

Councilman Thompson moved that the Council confirm the City Manager's appointment of MR. V. R. (BUDDY) WATTINGER, to fill the vacancy of Master Plumber on the Plumbing Board. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
 Noes: None

The City Manager reported on requests for street lights--

On 51st Street a work order has been issued for getting in the lights.

On 49th and Avenue G the lights are in.

Councilman Long inquired about the sidewalks abutting the Interregional Highway as to whose responsibility it was to maintain them; that the grass was growing into the walks and they were crumbling away. She wanted to know if the City had the responsibility to take care of these walks. The City Manager stated it was the responsibility of the property owner.

Councilman Long inquired about the lighting of the Interregional Highway. The City Manager stated the City would have to put up about \$100,000 to match the State for this lighting, and he listed the needs of Lamar and other streets for such lighting.

The Council received notice from the City Manager that the following applications for change of zoning had been referred to the Plan Commission:

| | | |
|--|---|---|
| E. C. THOMAS | 2900-2912 Oak Springs Dr. & 1160-1178 Harvey Street | From "A" Residence 1st Height and Area TO "C" Commercial 6th Height and Area |
| H. J. WATSON, By Bob Bright, Agt. | 51-55 San Marcos & 1000-02 Lambie; 1004-08 & 1100-02 Lambie | From "A" Residence 1st Height and Area To "C" Commercial 6th Height and Area |
| D. S. WOODS & E. O. STEVENSON | 502-510 Willow and 92-96 Red River | From "A" Residence To "C" Commercial |
| THEO. A. BURKLUND By Eugene W. Nelson | 5300 Avenue F | From "A" Residence 1st Height and Area To "C" Commercial 6th Height and Area |

BERT P. BROWN

5226-5264 & 5300-32
Burnet RoadFrom "A" Residence
1st Height and Area
and "C" Commercial
2nd Height and Area
TO "C" Commercial
6th Height and Area

MRS. L. E. NITSCHKE

2012 & 2014 Speedway

From "C" Commercial
2nd Height and Area
To "C-1" Commercial
2nd Height and AreaGREENLEE CORP
By Tom D. Quinn

1501-13 Anderson Lane

From "A" Residence
To "C" Commercial
6th Height and Area

Councilman Thompson moved that the Council adjourn, subject to the call of the Mayor. The motion, seconded by Councilman Pearson, carried by the following vote:


Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Council adjourned at 12:10 P. M.

APPROVED


Mayor

ATTEST:


City Clerk