

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 29, 1959
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; Robert A. Miles, Assistant Chief of Police.

Invocation was delivered by FATHER JOHN CARVLIN, St. Austin's Catholic Church, 2010 Guadalupe.

Councilman White moved that the Minutes of the Meeting of January 22, 1959, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

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

MRS. T. R. RICE, President of Federated Women's Clubs of Austin, introduced DR. CONNER who presented a study of the facilities and personnel of the recreation in East Austin, and a petition setting out suggestions that certain classifications for personnel be set up, and that the personnel be highly qualified; that the personnel salary be made adequate without depending on supplements from concessions, rentals, etc, which should go to the Department of Recreation; that a trained leader and sub-worker be placed over all community playgrounds; that the Department of Recreation be allowed to operate free of political interference; that revenues from various sources be accounted for monthly and turned over to the Recreation Department for use in purchasing equipment for Rosewood Recreation Center and Parks; that a committee from East Austin be appointed by the Recreation Department as a Liaison Committee in promoting good public relations regarding the Rosewood Recreation Center and Parks; that a suitable site for a park be purchased to replace the crowded conditions at the L. L. Campbell School Playground; that a standard program of recreation be set up and applied to all recreation centers and parks under the direction or supervision of the Department of Recreation; that expansion be

made of program, plant, and facilities at Rosewood Recreation Center and other parks. The Council heard the group. The Mayor stated they would have a general supervisor of Recreation, as it was listed in the budget, and he listed other items in the budget for the area. He agreed that it would be fine to have a committee to work with the Recreation Department. It was announced that extra money had been appropriated for the whole program; that qualified personnel would be employed and that the group would see improvements, and would be proud of their programs. Dr. Conner expressed thanks to the Council.

MR. CLARENCE FLOURNOY appeared before the Council regarding obtaining a water tap at a certain location on his property. The Superintendent of Water and the City Attorney explained why this could not be obtained, as Mr. Flournoy had not complied with the subdivision ordinance. Mr. Flournoy was advised to subdivide his property according to the requirements, and he would have no trouble in getting water connections.

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, inquiries are made periodically by persons interested in the population and growth of the City of Austin; and,

WHEREAS, based upon studies and analysis of population factors indicated by water, electric, and gas connections, birth and death rates, immigration and migration, and the school census of the Austin Independent School District, the population within the corporate limits of the City of Austin is estimated with reasonable accuracy to have been 197,000 as of January 1, 1959; Now, Therefore,

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

That the official estimate of the population residing within the corporate limits of the City of Austin as of January 1, 1959, be established as 197,000.

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

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the City Manager be and he is hereby authorized and directed to advertise for bids on the sale of Bonds of the City of Austin at 10:00 A.M. March 26, 1959, as follows:

Parks and Playgrounds General Obligation	
Bonds, authorized at an election May 12,	
1956	\$ 50,000.00

Public Free Library System General
Obligation Bonds, authorized at an election

May 12, 1956	200,000.00
Street, Bridges and Drainageways General Obligation Bonds, authorized at an election May 12, 1956	750,000.00
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General Obligation Bonds Total	\$1,000,000.00
Electric Light and Power System Revenue Bonds, authorized at an election May 24, 1958	\$3,800,000.00
Waterworks System Revenue Bonds, authorized at an election May 12, 1956	\$1,080,000.00
Sewer System Revenue Bonds, authorized at an election May 12, 1956	\$1,620,000.00
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Revenue Bonds Total	\$6,500,000.00

Advertisements for such bids shall be in the usual and customary form and shall be published at least once in The Austin Statesman, Austin, Texas, and in The Bond Buyer, New York, New York, and in addition shall be given such circulation as will invite attention to the proposed sale. The right shall be reserved to the City of Austin to reject any and all bids, and advertisements shall direct the filing of sealed bids to be opened by the City Council at a regular meeting held for such purpose in the City Hall at the time and date hereinbefore set forth.

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

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 110 ACRES OF LAND, MORE OR LESS, OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Palmer 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 White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the erection of a boat dock and observation platform on the property owned by Earl T. Howell as described in the Travis County Deed Records and known as approximately 400 feet up the river from Green Shores subdivision on the shore of Lake Austin, and hereby authorizes the said Earl T. Howell to construct, maintain and operate this boat dock and observation platform subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this boat dock and observation platform after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said Earl T. Howell has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
January 26, 1959

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

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of Earl T. Howell, owner of a piece of property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road, the same being approximately 400 feet up the river from Green Shores Subdivision, as listed in the Travis County Deed Records, for permission to construct and maintain a boat dock and observation platform projecting out into the lake approximately 42 feet beyond the normal high water level. The construction details meeting all requirements, and the Lake Austin Navigation Board having considered and approved this project, I, therefore, recommend that if Earl T. Howell is granted his request by the City Council, that it be subject to the following conditions:

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

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine

supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

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

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

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

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

MR. CHARLES H. BAREFIELD submitted his request for lease of the property he has been leasing for five years at 1210 West Riverside Drive (RIVERSIDE TACKLE AND BAIT). Council members indicated that there were too many coming uses of the property to contract with him to let him construct permanent buildings that would have to be removed. Mr. Barefield stated he had plans for some prefabricated buildings. The Mayor asked Mr. Barefield to set up in detail just what he proposed and the Council would see what he wanted.

In discussing the property in the area of Mr. Barefield's location, the Mayor asked that the lease of the golf course be looked into.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "C" COMMERCIAL DISTRICT TO "O" OFFICE DISTRICT ON LOTS 17-20, BLOCK 9, HYDE PARK ANNEX, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD SUCH CHANGE; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

"Sealed Bids opened January 20, 1959
 Tabulated by: O. G. Brush, Purchasing Agent

CITY OF AUSTIN BIDS FOR MAINTAINER - STREET & BRIDGE DIVISION

2 Maintainers per City Specs.	H. W. Lewis Equipment Company	Jess McNeel Machinery Company	W. K. Holt Eqt. Co. of Austin
	\$13,500.00	\$13,780.00	No Bid
	Net	Net	
Manufacturer	Allis-Chalmers Model D	Galion Model 503	

RECOMMENDATION:

Recommend low bid as submitted by H. W. Lewis Equipment Company.

"W. T. Williams, Jr., City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 20, 1959 for two maintainers for the Street and Bridge Division; and,

WHEREAS, the bid of H. W. Lewis Equipment Company in the sum of \$13,500.00 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 H. W. Lewis Equipment Company in the sum of \$13,500.00 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 H. W. Lewis Equipment 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:

"January 17, 1959

"W. T. Williams, Jr., City Manager

"Rigid Frame Garage Building
 Street & Bridge Division

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, January 20, 1959 for the construction and erection of a Rigid Frame Garage Building at the Street and Bridge Yard - 600 River Street.

BID NO. 1

Aluminum Roof Panels and Galvanized Wall Panels

Capitol City Steel	\$19,659.00
Steel Structures, Inc.	20,217.00
Rapsilver, Inc.	20,697.00

BID NO. 2 - ALTERNATE

Painted Steel Panels For Roof and Sidewalls	
W. J. Fullerton Const. Co.	\$18,100.00
Rapsilver, Inc.	19,847.00
City's Estimate	\$19,200.00

"I recommend that W. J. Fullerton Construction Company with their low bid of \$18,100.00 on Bid No. II - Alternate - be awarded the contract for this project.

"S. Reuben Rountree, Jr.
 Director of Public Works"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 20, 1959, for the construction and erection of a rigid frame garage building with painted steel panels for roof and sidewalls, at the Street and Bridge Yard located at 600 River Street; and,

WHEREAS, the bid of W. J. Fullerton Construction Company in the sum of \$18,100.00 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 W. J. Fullerton Construction Company in the sum of \$18,100.00 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 W. J. Fullerton 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:

"January 27, 1959

"W. T. Williams, Jr., City Manager

"Contract No. 59-D-3

"Following is a tabulation of the bids received at 10:00 A.M., Tuesday, January 27, 1959 for the construction of a reinforced concrete culvert at Arroyo Seca and Payne Avenue and a reinforced concrete culvert at Arroyo Seca and Romeria Drive - Contract No. 59-D-3.

Ed H. Page	\$7,557.44
Texas Bridge Company, Inc.	10,233.33
Giesen & Latson Const. Co.	10,556.27
Walter Schmidt	10,580.00
Miller Concrete Contractors	10,793.09
Maufrais Brothers, Inc.	10,963.06
City's Estimate	\$10,420.00

"I recommend that Ed H. Page with his low bid of \$7,557.44 be awarded the contract for this project.

"S. Reuben Rountree, Jr.
 Director of Public Works"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 27, 1959 for the construction of a reinforced concrete culvert at Arroyo Seca and Payne Avenue and a reinforced concrete culvert at Arroyo Seca and Romeria Drive - Contract No. 59-D-3; and,

WHEREAS, the bid of Ed H. Page in the sum of \$7,557.44 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 Ed H. Page in the sum of \$7,557.44 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin

The City Manager submitted the following:

"Sealed Bids Opened 2:00 P.M. Dec. 30, 1958
Tabulated by O. G. Brush, Purchasing Agent

CITY OF AUSTIN BIDS ON 3 CONDUCTOR 15 KV, 350 MCM CABLE BID NO. 7617X

Description	Quan.	Unit	Anaconda Wire & Cable Co.	Phelps Dodge Copper Prod. Co.	The Okonite Company	Tenn. Coel & Iron Co.	General Cable Corp.
Solid Type 3 cond. 15 KV, 350 MCM Paper & Lead Cable Per City Spec. EL 747	2500	\$4,601.00 M'	\$11,502.50	\$11,502.50	\$11,502.50	\$11,502.50	\$11,502.50
Alternate #1 Ditto	5000	\$4,274.00 M'	\$21,370.00	\$21,370.00	\$21,370.00	\$21,370.00	\$21,370.00
Alternate #2 Ditto	7500	\$4,274.00 M'	\$32,055.00	\$32,055.00	\$32,055.00	\$32,055.00	\$32,055.00
Alternate #3 Ditto	10,000	\$4,224.00 M'	<u>\$42,240.00</u>	\$42,240.00	\$42,240.00	\$42,240.00	\$42,240.00
FOB Point			Austin	Factory Freight Allowed	Austin	State of Texas	Factory Freight Allowed
			Price Firm 30 days accept-	Price Firm 10 days acceptance	Price Firm 30 days acceptance	Price Firm	Price in effect at shipment based on copper and lead.
Shipment			10% - or - quantity vari- ation allowed at above prices 18 days or as required	21 days	6-8 weeks	8-9 weeks	13-18 days

Recommendation:

All five bids are identical in price, Anaconda and General Cable Company offered best delivery. Anaconda quoted shipment FOB Austin and also quoted a firm price with delayed shipment in accordance with our requirements. Our requirements for this year will approximate 9000'. It is recommended that Anaconda Wire & Cable Co. be awarded a contract for 10,000' with ~~±~~ 10% variation

"W. T. Williams, Jr.
City Manager"

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on December 30, 1958, the City of Austin received bids for the furnishing of solid type 3 conductor 15 KV, 350 MCM paper and lead cable; and,

WHEREAS, an evaluation of the bids received for such cable shows the bid of Anaconda Wire and Cable Co. in the sum of \$42,240.00 for 10,000 feet was the best bid therefor; and,

WHEREAS, the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin and the City Manager; Now, Therefore,

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

That said bid of Anaconda Wire and Cable Co. in the sum of \$42,240.00 for 10,000 feet of solid type 3 conductor 15 KV, 350 MCM paper and lead cable, be and the same is hereby accepted, and W. T. Williams, Jr., City Manager, is hereby authorized to execute a contract on behalf of the City of Austin with Anaconda Wire & Cable Co.

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

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller

Noes: Councilman Long

The City Attorney explained a request to vacate a portion of West 35th Street, sometimes referred to as Old Bull Creek Road, and explained easements and agreements from Westwood Country Club Building Corp., and Texas Fine Arts Association Holding Corporation, in connection with the vacating of the street.

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING A PORTION OF WEST 35TH STREET, SOMETIMES KNOWN AS OLD BULL CREEK ROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, LYING BETWEEN LAKE AUSTIN AND A LINE EXTENDING BETWEEN THE WEST END OF A ROCK WALL, AT THE GATE INTO WESTWOOD COUNTRY CLUB TRACT OF LAND ON THE NORTH LINE OF SAID WEST 35TH STREET, AND THE EAST END OF THE MOST NORTHERLY PORTION OF A ROCK WALL WEST OF THE GATE INTO THE CLARA DRISCOLL SEVIER TRACT KNOWN AS LAGUNA GLORIA TRACT OF LAND ON THE SOUTH SIDE OF SAID WEST 35TH STREET; RETAINING AN EASEMENT FOR DRAINAGE AND OTHER PUBLIC UTILITIES IN THE CITY OF AUSTIN; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

(RESOLUTION)

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

That the application of Westwood Country Club Building Corporation be approved for the erection of new boat slips on the property of the said Westwood Country Club Building Corporation on the east shore of Lake Austin at the terminus of West 35th Street or Old Bull Creek Road; hereby authorizing the said Westwood Country Club Building Corporation to construct, maintain and operate said boat slips subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations of the Building Inspector; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of said boat slips after full compliance with all the provisions of this Resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable, and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations, and the right of revocation is retained if, after hearing, it is found by the City Council that said Westwood Country Club Building Corporation has failed and refused, and will continue to fail and refuse, to perform any such conditions, regulations and requirements.

(Recommendations attached)

"Austin, Texas
January 28, 1959

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

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of Westwood Country Club Building Corporation, owner of property abutting on that part of Lake Austin lying upstream from the westerly extension of the south

line of Windsor Road, the same being approximately at the terminus on the Lake shore of West 35th Street or Old Bull Creek Road, for permission to construct and maintain certain new boat slips projecting out into the lake approximately 50 feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Westwood Country Club Building Corporation be granted its request by the City Council that it be subject to the following conditions:

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than 50 feet into such lake beyond the normal highwater level of the lake, but that so long as there is in effect an agreement by the owner of the adjoining property, as there appears to be at the present time, that said improvements may be placed nearer than ten feet to the side property line of the applicant.

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

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

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

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

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: Councilman Long

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, J. M. Odom is the Contractor for the erection of a building located at the southeast corner of West 24th Street and Guadalupe Street and desires a portion of the sidewalk and street space abutting the University of Texas Campus 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 northwest corner of the above described property; thence in a westerly direction and at right angles to the center line of Guadalupe Street to a point 4 feet west of the east curb line; thence in a southerly direction and at right angles to the center line of Guadalupe Street approximately 40 feet to a point; thence in an easterly direction and at right angles to the center line of Guadalupe Street to the west 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 systems for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk,

barricades, materials, equipment and other obstructions shall be removed not later than February 1, 1960

(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 (\$5,000) which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

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

Councilman Long submitted a request from a Mrs. Peterson who lives in the Joslin School area, for four-way stop signs of same way to control traffic on Redd Street and Manchaca Road.

Councilman Long submitted a request from Mr. George Christian, Executive Secretary to the Governor, for some kind of traffic control on speed at 27th and University Avenue.

Councilman Long introduced the following ordinance and moved that it be published in accordance with 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 9.23 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY 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 White, carried by the following vote:

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

Noes: None

The ordinance was read the first time and Councilman Long moved that the ordinance be 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 Council recessed at 12:30 until 4:00 P.M.

RECESSED MEETING

4:00 P.M.

At 4:00 P.M. the Council resumed business.

The City Manager went over the matter of preparing advertisements for taking bids on the low water dam and bridge. Discussion of wage scales under heavy construction and building construction was held. The Mayor called a public hearing for Tuesday at 3:30, to discuss this with interested groups.

The Director of Public Works submitted the request of MR. McKOWN to move a 2,000 gallon butane unit on the property he has rented from the City on Lamar. The permit would be issued through the Building Inspectors Office after approval of the Council and after compliance with Railroad Commission regulations. Councilman Palmer moved that the permission be granted. The motion, seconded by Councilman White, carried by the following vote:

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

Noes: None

The Director of Public Works made inquiry in behalf of Mr. McKown, Jr., if it would be all right for him to level off the Babe Ruth Ball Park property for parking. The material will come from Lamar Boulevard under pass. Councilman Palmer moved that the permission be granted. The motion, seconded by Councilman Pearson, carried by the following vote:

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

Noes: None

Councilman Long asked that Mr. McKown be requested to put oil or asphalt covering on it to keep down the dust.

The Assistant City Manager submitted the financial report of the Humane Society, and reviewed the Budget amounts that the City had set up for the handling of animals by the Society. It was unanimously agreed that the City pay \$700 per month, beginning January 1st of this year, the amount being that budgeted, and that the contract be amended next Thursday.

The Assistant City Manager submitted the request of the North Austin Civitan Club to use a part of the Hancock Tract for a circus for one day. The City Manager stated in granting the permit, he would recommend that they be required to comply with the Solicitation Ordinance on the telephone advertising and soliciting. It was agreed that if the Club used the property that they should not have anyone on the telephone section except their own individual members. Councilman Long moved that the use of the Hancock Tract (close to the Interregional Highway) be approved as requested by the Civitan Club, subject to their being certain it is cleaned up. The motion, seconded by Councilman Palmer, carried by the following vote:

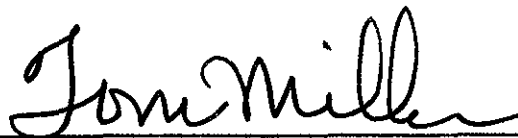
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The City Manager announced that MR. HOYLE OSBORNE had been acting as Planning Director since Mr. Mike Mahoney had left, and he wanted to announce the appointment of MR. OSBORNE as Planning Director.

The City Manager stated the Concession contract at Barton Springs had terminated and that there were two people had made inquiry--MR. MIKE WALDEN and MR. J. C. WALLACE. As the Council had indicated that the City should build the concession stand, the City Manager stated he recommended that since a new stand could not be completed by the opening date, that they open up with the present facilities. Councilman Pearson stated another concessionaire from Shoppers World had made inquiry to him. It was decided that this matter be taken up in the Tuesday meeting.

There being no further business, the Council adjourned at 5:30 P.M., subject to the call of the Mayor.

APPROVED



Mayor

ATTEST:


City Clerk