

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 1, 1965
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
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, Chief of Police

Invocation was delivered by REVEREND DEAN WOODRUFF, Windsor Park Presbyterian Church.

The Mayor announced it was time for bids to be opened on the Vertical Pumps for the Power Plant, Contract No. GD-102A.

Bids were opened as follows:

BIDDER	BID BOND	ITEM I 2-Pumps	ITEM II Spare Parts	ITEM III Per Diem Rate	ESCALATION	DWGS. IN CAL. DAYS
Alliger & Sears	15,000	37,376	1,089	100*	Firm	158
Byron Jackson	15,000	44,296	679	100	Firm	30
A.M. Lockett Company	15,000	38,774	1,853	100	Firm	21
Peerless Pumps	15,000	¹ 38,438	10	70*	Firm	30
Southern Engine and Pump Co.	15,000	49,750	783	85	Firm	30

*Plus travel expense

¹Deduct \$1700 for 400 H P motors

Bids were referred to the Consultants and Director of Electric Utilities for evaluation and recommendation. Later in the afternoon meeting, the Council

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received the recommendation as follows:

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"Mr. W. T. Williams, Jr.
City Manager
City of Austin
P. O. Box 1160
Austin, Texas

"RIVER INTAKE PUMPS
CONTRACT NO. GD-102-A
DECKER CREEK DAM
OUT JOB CA-2

"Brown & Root, Inc., has examined the bids opened by you at 10:00 A.M., July 1, 1965 in open Council meeting for the Decker Creek Dam, River Intake Pumps, Contract Number GD-102-A.

"Bids were submitted by:

"Alliger & Sears Co.
A. M. Lockett Co., Ltd.
Byron-Jackson Pumps, Inc.
Peerless Pumps, Inc.
Southern Engine & Pump Co.

"All of the above bids were found to be in accordance with the specifications. A tabulation of the bid evaluation as required by the specifications is attached.

"On the basis of the lowest (evaluated) bid, it is recommended that a contract for the River Intake Pumps be awarded to Byron-Jackson Pumps, Inc. for the total lump sum of \$44,296.00.

"Yours very truly,
BROWN & ROOT, INC.
s/ C. W. Weber
C. W. Weber, Project Engineer"

"APPROVED:

s/ D. C. Kinney
D. C. Kinney, Director Electric Utility
City of Austin"

Councilman Long asked for more information on the evaluation. Mr. Weber explained the evaluation in detail stating the bidders were told exactly how to figure, and each bidder figured the operating cost for the period of time requested. The operating cost for a 20 year period is added to the cost of the pump and the City would save \$34,000 by selecting the Byron Jackson Pump over the Alliger & Sears Pump. Councilman LaRue stated this was an excellent analysis. After detailed discussion of the analysis, Councilman White moved that the contract for the Vertical Pumps be awarded to BYRON-JACKSON PUMPS, INC., for the total lump sum of \$44,296.00. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman Long asked for a copy of the more detailed evaluation tabulation.

The Mayor opened the hearing on the ordinance annexing NORTHWEST HILLS, SECTION 7. No one appeared to be heard. Councilman LaRue moved that the hearing be closed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer brought up the following ordinance for its first 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 40.15 ACRES OF LAND OUT OF THE T. J. CHAMBERS 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. (Northwest Hills, Section 7)

The ordinance was read the first time and Councilman LaRue 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 LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman LaRue moved that the Minutes of the Meeting of June 24, 1965, be approved. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Present but not voting: Councilman Shanks

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on maps or plat of Colony North, Section One, a subdivision of

record in Book 21 at Page 16 of the Plat Records of Travis County, Texas, a certain street, extending from the east line of Main Drive in a southeasterly direction to the west line of Jamestown Drive, is designated as Holyoke Avenue; and,

WHEREAS, the present owner of all lots abutting said street has requested that the name of Holyoke Avenue be changed to Colony North Drive; Now, Therefore,

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

That the name of the following described street, designated as Holyoke Avenue, as the same appears on the map or plat of Colony North, Section One, a subdivision of record in Book 21 at Page 16 of the Plat Records of Travis County, Texas, be and the same is hereby changed to Colony North Drive, said street so changed being described as follows:

All that certain street in the City of Austin, Travis County, Texas, known as Holyoke Avenue as shown on a map or plat of Colony North, Section One, a subdivision of a portion of the James P. Wallace Survey Number 57 in the City of Austin, Travis County, Texas, according to a map or plat of said Colony North, Section One, of record in Book 21 at Page 16 of the Plat Records of Travis County, Texas; which Holyoke Avenue extends from the east line of Maine Drive in a southeasterly direction to the west line of Jamestown Drive.

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

Mayor Palmer 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 (A) 11.89 ACRES OUT OF THE JAMES TRAMMEL SURVEY, NO. 4 AND (B) 0.28 OF ONE ACRE OF LAND 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. (Frontier Village, Lot 1 and proposed Frontier Village, Section 3; portion of Parker Lane subdivision)

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

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The City Manager submitted the following:

"June 24, 1965

"TO: Mr. W. T. Williams, Jr., City Manager
SUBJECT: Bids on 69 KV Oil Circuit Breakers

"Bids were opened at 2:00 p.m., Wednesday, June 23, 1965, for four 69 KV, 1200 ampere, 3500 MVA interrupting duty Oil Circuit Breakers and Accessories. The bids are tabulated below:

<u>VENDOR</u>	<u>PRICE</u>
General Electric Company	\$57,894.00
Westinghouse Electric Company	57,000.00
Pennsylvania Transformer Division	58,060.00

"All vendors quoted a firm price and net 30 days. All deliveries are satisfactory.

"I recommend that we accept the low bid of Westinghouse Electric Corporation of \$57,000.00 for four Circuit Breakers and Accessories.

"From: Dexter C. Kinney, Dir. Electric Utility
Signed: Dexter C. Kinney"

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 23, 1965, for four 69 KV, 1200 ampere, 3500 MVA interrupting duty Oil Circuit Breakers and Accessories; and,

WHEREAS, the bid of Westinghouse Electric Corporation, in the sum of \$57,000.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Electric Utility 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 Westinghouse Electric Corporation, in the sum of \$57,000.00, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Westinghouse Electric Corporation.

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

The City Manager submitted the following:

"June 23, 1965

"TO: Mr. W. T. Williams, Jr., City Manager
SUBJECT: Bids on 69 KV Substation Structure Addition for Hancock Substation

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"Bids were opened at 10:00 a.m., June 18, 1965, for a one bay addition to Hancock 69 KV Substation, by the Purchasing Agent, and sent to the Electric Department for evaluation and recommendation. The bids are tabulated below:

"Joslyn Mfg. Company	\$13,244.00
Southern States Equipment Company	13,360.00
Southern States Equipment Company, alter- nate	12,860.00
Schwager-Wood Company, Inc.	13,930.00
Pennsylvania Transformer Division	21,700.00
ITE Circuit Breaker Company	11,191.00
Priester Mell Company	12,974.00
Graybar Electric Company	<u>11,015.77</u>

"All vendors quoted a firm price except Joslyn Supply Company, who quoted a firm price for nine months and escalation limited to 5% thereafter. All quoted net 30 days except Graybar Electric Company who quoted a discount of $\frac{1}{2}$ of 1%. The discounted prices are shown in the tabulation. All deliveries quoted were satisfactory.

"I recommend that we accept the low bid of Graybar Electric Company of \$11,015.77 as the best bid for the structure addition to Hancock Substation.

"From: Dexter C. Kinney, Dir. Electric Utility
Signed: Dexter C. Kinney"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 18, 1965, for one bay addition to Hancock 69 KV Substation; and,

WHEREAS, the bid of Graybar Electric Company, in the sum of \$11,015.77, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Electric Utility, of the City of Austin, and by the City Manager; Now, Therefor,

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

That the bid of Graybar Electric Company, in the sum of \$11,015.77, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Graybar Electric Company.

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

The City Manager submitted the following:

"June 29, 1965

"To: Honorable Mayor and Members of the City Council.

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"SUBJECT: Bids on All Equipment, Material and Installation of a High Level Voice Sound Emergency Warning System.

"Sealed bids were opened in the office of the Purchasing Agent at 2:00 P.M. June 28, 1965 for All Equipment, Material and Installation of a High Level Voice Sound Emergency Warning System for the Civil Defense Department.

"Bids were advertised in the American-Statesman on June 13 and June 20, 1965 and sent to the following prospective bidders: Music for Business, Background Music of Austin, Austin-Hargis Company, Bill Ellis Sound Equipment, Southwest Sound Equipment Company, Taft Broadcasting Company, Carver Sound Company, Fentress Engineering Company, Altec Lansing Corporation, Graybar Electric Company and Beckwith Electronic Engineering.

"The bids received are as follows:

	Net Total
"Taft Broadcasting Company	\$29,462.00
Southwest Sound Equipment Company	<u>25,217.73</u>

"The low bid by Southwest Sound Equipment Company meets all requirements and conditions of our specifications.

"RECOMMENDATION: It is recommended the award be made to Southwest Sound Equipment Company in the amount of \$25,217.73 as the lowest and best bid.

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

MR. NORMAN GROSS protested this award on the basis that there is only one type of equipment that is even mentioned. It is taken down the line from the manufacturer's catalog and does not allow any other type of sound contractor to even suggest an equal. He stated he could never get the Civil Defense Coordinator to consider their making a test. Two weeks ago they were told bids would be sent out for this service. Two weeks was not adequate even to get "an equal". He said this bid should be thrown out; and have a consultant saying what is wanted and what is to be accomplished. His equipment was used at Christmas broadcasting from the Capital National Bank, and the equipment penetrated a great portion of the downtown area down to 15th Street. He asked again for an opportunity to bid. Mr. Gross believed it would take within 30-45 days to work up the specifications. This has been started since 1963. As late as January of this year, they were advised this program had been cancelled, and he had equipment on his premises for testing and proving. In answer to the Mayor's question, Mr. Gross stated he had not asked for an extension of time to submit his bid. The Defense Coordinator stated this was the only system that would qualify for matching funds by the Government; that Altex is the only company that has a high level voice sound warning system on which the Federal Government can support with matching funds. The Assistant City Manager reported in 1962 Colonel Kengla was asked to conduct a feasibility study on a warning system in Austin, and he submitted the study he conducted and it includes every piece of equipment that it was possible to get to analyze. The study includes correspondence with Federal Agencies, State Agencies, and others. Colonel Kengla reviewed the testing of the Southwest System conducted by Dr. Boner at the University, and testings of the low powered equipment that were made in other cities. Colonel Kengla gave a detailed report on their reasons of choice. The Assistant City Manager stated back in 1963 Mr. Gross was requested to submit specifications on their equipment for City inspection. They have not been received yet. Mr. Gross said they had

the equipment and were ready to make the test, but they never had an opportunity to do so. Mr. Gross said there was no other request other than to penetrate the area and they did this at Christmas. The Assistant City Manager said Mr. Gross and his company has had the same opportunity to qualify their equipment for government matching funds as any other company. Colonel Kengla said other companies could qualify their equipment, but only one had done so. The City Attorney stated the specifications were in his office for quite a long time for an analysis by his department to make sure the provisions of competitive bidding could be met. A long and detailed description of the system to be installed was included in the specifications, so that anyone who wanted to bid on an integrated system could be in a position of bidding. Specifications were released. The Federal Government has not accepted any other, but that does not mean it would not accept any other that could meet these specifications. The Assistant City Manager stated the Minutes of May 27 reflect a discussion informing the Council that probably only one bid would be received, and asked permission to advertise for bids at that time.

Councilman Long moved that MR. AMOS HEROLD be heard. The motion was seconded by Councilman LaRue. Roll call showed a unanimous vote.

MR. HEROLD stated the Federal Government was discriminating.

Councilman Shanks, in view of the fact as to what has been stated and all the evidence here, and the fact that Federal participation could be obtained, offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 28, 1965, for all equipment, material and installation of a high level voice sound emergency warning system; and,

WHEREAS, the bid of Southwest Sound Equipment Company, in the sum of \$25,217.73, 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 Southwest Sound Equipment Company, in the sum of \$25,217.73, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City of Austin, with Southwest Sound Equipment Company.

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

Councilman Long made the following statement concerning her vote:

"I do not like this one bit. I hate to have inconsistencies; I have no proof that the Federal Government has said this is all they would take; but at

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the same time, I want to go along with their sound system so there is nothing else to do in this situation but to vote for it, but I do not like this kind of bidding to come before the Council. I would like to have some proof that the Federal Government makes this kind of statement."

The City Manager submitted the following:

"June 29, 1965

"To: Mr. W. T. Williams, Jr., City Manager Subject: Tabulation of Bids
SOUTH AUSTIN ELECTRIC
SERVICE CENTER

"We are transmitting herewith copies of Bid Tabulation for South Austin Electric Service Center.

"This facility will accommodate men and rolling equipment in the South Austin area for Electric Transmission and Distribution work.

"We are advised by Mr. Turner, Superintendent of Electric Distribution, that adequate funds are available for this work.

"Mr. Turner and Mr. Hancock join us in recommending that this contract be awarded to the low bidder, C & H Construction Company, Inc., for the lump sum price of \$32,825.00.

"From: A. M. Eldridge, Supervising Engineer
Construction Engineering Division
Signed: A. M. Eldridge

"PROJECT: SOUTH AUSTIN ELECTRIC SERVICE CENTER
BID OPENING 2:00 P.M., Tuesday, June 29, 1965 in the Office of the City
Manager

BIDDER	BASE BID	TIME (Calendar Days)	BID BOND
W. D. Anderson Company	\$38,115	120	Yes
C & H Construction Company, Inc.	32,825	120	Yes
Gray & Becker, Inc.	35,388	120	Yes
L-H Builders	33,869	120	Yes"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 29, 1965, for South Austin Electric Service Center; and

WHEREAS, the bid of C & H Construction Company, Inc., in the sum of \$32,825.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Supervising Engineer, Construction Engineering 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 C & H Construction Company, Inc., in the sum of \$32,825.00, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with C & H Construction Company, Inc.

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

The City Manager submitted the following:

"June 29, 1965

"To: Mr. W. T. Williams, Jr., Subject: Tabulation of Bids EQUIPMENT STORAGE
City Manager BUILDING FOR STREET AND BRIDGE DIVISION

"We are transmitting herewith copies of Bid Tabulation for Equipment Storage Building for Street and Bridge Division.

"This facility will accommodate rolling equipment for the Street and Bridge Division in the South Austin area.

"We are advised by Mr. Rountree, Director of Public Works, that adequate funds are available for this work.

"The low bidder, C & H Construction Company, Inc., has done very good work for the City in the past.

"Mr. Rountree and Mr. Purser join us in recommending that this contract be awarded to C & H Construction Company, Inc., for the lump sum price of \$31,550.00.

"From: A. M. Eldridge, Supervising Engineer
Construction Engineering Division

Signed: A. M. Eldridge

"PROJECT: "EQUIPMENT STORAGE BUILDING FOR STREET AND BRIDGE DIVISION

BID OPENING: 10:00 A.M., Tuesday, June 29, 1965 in the Office of the City Manager

BIDDER	BASE BID	TIME (Calendar Days)	BID BOND
W. D. Anderson Company	\$34,699	120	5%
C & H Construction Company, Inc.	31,550	100	5%
Gray & Becker, Inc.	33,983	120	5%
L-H Builders	33,879	120	5%
Thomas Brothers Construction Company	33,044	140	5%"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 29, 1965, for Equipment Storage Building for Street and Bridge Division; and,

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WHEREAS, the bid of C & H Construction Company, Inc., in the sum of \$31,550.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Supervising Engineer, Construction Engineering 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 C & H Construction Company, Inc., in the sum of \$31,550.00 be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with C & H Construction Company, Inc.

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

The City Manager submitted the following:

"June 30, 1965

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

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A. M., Friday, June 4, 1965, at the Office of the Director of the Water and Sewer Department for the relocation and installation of approximately 2,653 feet of 12-inch and 2,480 feet of 8-inch water mains in INTERSTATE HIGHWAY 35 AND RUNDBERG LANE. This work is necessary to relocate lines to clear the Highway for construction of over and under passes, and construction of mains to provide adequate water service on the East side of Interstate 35. The bids were publicly opened and read in the Second Floor Conference Room of the Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
H and M Construction Corporation	\$43,074.55	40
Capitol City Utilities	49,143.80	40
Ford-Wehmeyer, Incorporated	54,837.00	75
Bland Construction Company	60,119.65	65
Walter W. Schmidt	61,402.70	60
City of Austin (Estimate)	63,763.10	70

"It is recommended that the contract be awarded to the H and M Construction Corporation on their low bid of \$43,074.55, with 40 working days.

"Yours truly,
s/ Victor R. Schmidt, Jr.
Victor R. Schmidt, Jr.
Director Water and Sewer Department"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 4, 1965, for the relocation and installation of approximately 2,653 feet of 12-inch and 2,480 feet of 8-inch water mains in Interstate Highway 35 and Rundberg Lane; and,

WHEREAS, the bid of H and M Construction Corporation, in the sum of \$43,074.55, 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 H and M Construction Corporation, in the sum of \$43,074.55, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with H and M Construction Corporation.

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

The Council had before it for consideration a contract between National Engineers and the City of Austin. The City Manager stated this is a line that will be constructed from the new Water Treatment Plant which has not been built south of the river, and the line will extend from that point easterly to the locations mentioned to tie into the system. Water Plant No. 3 is in the engineering stage.

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. T. Williams, Jr., City Manager be and he is hereby authorized to execute a contract with National Engineering Company for the performance of professional engineering services for construction of 48-inch and 54-inch water mains from Water Treatment Plant No. 3 to Kinney Avenue and Hether Street, in accordance with the provisions therefor presented to the City Council by the City Manager.

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the free flow and expeditious handling of traffic under conditions

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existing at the location below require that traffic upon such street move only in a one-way direction, such location and street being described as follows:

<u>STREET</u>	<u>FROM-TO</u>	<u>DIRECTION OF ONE-WAY MOVEMENT</u>
East 10th Street	West Service Road of Expressway (Interstate Hwy No. 35) to Trinity Street	Westbound

Now, Therefore,

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

That the City Clerk be authorized and instructed to record this finding in Section 33.38 of the Traffic Register.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation the City Council has found that traffic conditions at the locations and streets below designated are such that an urgent need for enforcement of strict limits upon the time of parking of vehicles at these locations upon these streets make it advisable to use mechanical devices in such enforcement, and has found that such locations should be placed in the Parking Meter Zone indicated below:

<u>ZONE</u>	<u>STREET</u>	<u>BLOCK</u>	<u>SIDE</u>
12	Trinity (3 spaces)	900	West
12	San Jacinto (8 spaces)	900	East

Now, Therefore,

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

That the locations upon the streets of the City of Austin as above described be and the same are hereby placed in the Parking Meter Zone designated above and that the City Clerk be, and she is hereby authorized and instructed to record this finding in Section 33.43 of the Traffic Register.

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

Councilman Long moved that MR. AMOS HEROLD be heard. The motion was seconded by Councilman LaRue. Roll call showed a unanimous vote.

MR. HEROLD asked that regulations be drawn up to govern air traffic and

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that the police authority be used to safeguard the people against the dangers of low flying planes. It was pointed out the F.A.A. regulates these matters, and the pilots are regulated. Planes must fly 1000' over any populated area. It was suggested Mr. Herold communicate his complaint to the F.A.A., and they will investigate it and do something about it, if anything needs to be done.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 28, 1965, for the sale of eleven (11) houses that Urban Renewal Agency has turned over to the City for disposal; and,

WHEREAS, the bids of J. H. Means, in the sum of \$17.00 for house located at 1505 Hackberry, in the sum of \$5.00 for house located at 1507 Washington, and in the sum of \$8.75 for house located at 1176-1/2 Angelina; the bids of August Heyer, in the sum of \$33.75 for house located at 1800-1/2 Washington, and in the sum of \$18.60 for house located at 1702 New York; the bids of Weldon Johnston, in the sum of \$26.63 for house located at 1800 Washington, in the sum of \$23.31 for house located at 1189 Comal, in the sum of \$26.66 for house located at 1309 Cotton, in the sum of \$31.51 for house located at 1709 New York, and in the sum of \$17.61 for house located at 1800 Rosewood; and the bid of C. E. Favors, Jr., in the sum of \$41.00 for house located at 1500 Rosewood, were the highest and best bids therefor, and the acceptance of such bids has been recommended by the Building Official 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 above bids, as set out, be and the same are hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute contracts, on behalf of the City, with J. H. Means, August Heyer, Weldon Johnston and C. E. Favors, Jr.

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

Councilman LaRue moved that the Council accept the recommendations from the Building Standards Commission on substandard housing as follows:

2702 East 12th Street
Anna Mae Tasby Plummer

- That the structure be declared a public nuisance by the City Council; that the structure be demolished immediately; that in the event that this structure is not demolished, the Legal Department be instructed to seek judicial determination that the structure is a public nuisance in a court of competent jurisdiction; that upon a termination of the legal proceedings in favor of the City, the failure of the defendant to abate the nuisance, the forces of the City, with permission of the court, be empowered to demolish the structure, and affix the costs thus incurred as a valid and enforceable lien against the

property upon which the above mentioned structure is located.

2912 East 12th Street
James E. Ritcherdson

- That the structure located on this lot be declared a public nuisance by the City Council; that the owner of said property be given sixty days from April 22, 1965 in which to demolish the structure; that after expiration of the sixty day period if the owner has failed to demolish the structure, the Legal Department of the City be instructed to seek judicial determination that the structure is a public nuisance in a court of competent jurisdiction; that upon a termination of the legal proceedings in favor of the City, the failure of the defendant to abate the nuisance, the forces of the City, with permission of the court, be empowered to demolish the structure, and affix the costs thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.

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

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

VERA K. & JACK
McBRIDE

2913 San Gabriel	From "BB" Residence 1st &
2915-2919 North Lamar	5th Height & Area
Boulevard	To "GR" General Retail 1st
911-913 West 30th St.	& 5th Height & Area
Additional Area	NOT Recommended by the
906 West 30 $\frac{1}{2}$ Street	Planning Commission
907-911 West 30 $\frac{1}{2}$ St.	RECOMMENDED "O" Office 1st
3001-3005 North Lamar	Height & Area excluding 909
Boulevard	West 30th Street and 906
910-914 West 30th St.	West 30 $\frac{1}{2}$ Street
2901-2911 San Gabriel	
910-916 West 29th Street	
909 West 30th Street	

Councilman Long moved that the change to "GR" General Retail 1st and 5th Height & Area be granted for 2913 San Gabriel, 2915-2919 North Lamar Boulevard and 911-913 West 30th Street and the Additional Area be denied. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "GR" General 1st and 5th Height & Area for 2913 San Gabriel, 2915-2919 North Lamar Boulevard and 911-913 West 30th Street and the City Attorney was instructed to draw the

necessary ordinance to cover. The Mayor also announced that the additional area had been denied.

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

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOT 17 OF THE HANCOCK PARK ADDITION, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Long, Shanks, White, Mayor Palmer
Noes: Councilman LaRue

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

Ayes: Councilmen Long, Shanks, White, Mayor Palmer
Noes: Councilman LaRue

The Mayor announced that the ordinance had been finally passed.

The Council had before it the consideration of an ordinance amending the EMPLOYEES' PENSION SYSTEM to allow larger investments in corporate stocks and bonds recommended by Employees' Retirement Board and Investment Advisory Board. Mayor Palmer reported the Investment Advisors are the bond people representing the Austin National, the Capital National and the American National Banks. They serve without any charge as advisors to the investment group of the Retirement System which is Mr. W. T. Williams, Jr., Mr. Willard Houser, and Mr. Norman Barker. The ordinance had been amended again to permit the Pension System to invest 20% in U.S. Government insured mortgages and 20% in corporate stocks and bonds. This leaves 60% of the system in Government obligation. This amendment is a unanimous recommendation from the Investment Advisors to the Pension Board and it is the unanimous recommendation from the Pension Board to the Council. This authorization would permit the Investment Advisors to invest 10% of the entire system in corporate bonds in various nature so long as they are properly rated bonds and 40% in Corporate Stocks; then with further permission they advise and recommend to the Council that they will be permitted to go down to 30% in governments. The City Manager stated the ordinance would provide that not less than 30% be in governments. Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING A RETIREMENT AND PENSIONING SYSTEM FOR CERTAIN EMPLOYEES OF THE CITY OF AUSTIN, PURSUANT TO AUTHORITY GRANTED THE CITY COUNCIL UNDER SECTION 4, OF ARTICLE IX, OF THE CHARTER

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OF THE CITY OF AUSTIN; CREATING A RETIREMENT BOARD TO ADMINISTER AND OPERATE THE RETIREMENT AND PENSIONING SYSTEM AND DEFINING ITS POWERS, DUTIES AND FUNCTION; PROVIDING A METHOD OF FINANCING THE SYSTEM; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HERewith; PROVIDING A SEVERABILITY AND SAVING CLAUSE AND DECLARING AN EMERGENCY" AS PASSED BY THE CITY COUNCIL ON OCTOBER 10, 1940 AND AS AMENDED FROM TIME TO TIME THEREAFTER BY AMENDING SECTION 1 (a) OF ARTICLE IX THEREOF PERTAINING TO INVESTMENTS OF FUNDS; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HERewith; PROVIDING A SEVERABILITY AND SAVING CLAUSE AND DECLARING AN EMERGENCY.

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 Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
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 Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
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 of Austin hereby ratifies and confirms its acceptance from Southern Pacific Company of that certain easement for public street purposes for Ohlen Road dated January 13, 1965, being an easement eighty feet in width at the location and upon the conditions enumerated therein.

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

Action on appointing three members of the Urban Renewal Board of Commissioners whose terms expire July 23, 1965, was postponed until next week.

Councilman White stated Mr. Chester Freund called about his property in South Austin (Amendment to the Austin Development Plan, in the area east of Interstate 35 and south of Ben White Boulevard, from Industrial to Residential, Santa Monica South.) Mr. Freund wants the property designated "A" Residential. Councilman White asked that this be disposed of. The Mayor stated action was delayed to determine whether or not the Missouri Pacific was going to acquire that tract. The City Attorney and their attorneys in Dallas are working on concluding the transaction. The Mayor said with the tract already there, and most of the tract is designated in the Master Plan as "D" Industrial that perhaps the Missouri Pacific people should be invited in to present their case. Councilman White reported that Mr. Freund would prefer the residential tract to extend to the railroad right of way without leaving a buffer. Councilman Long suggested getting the railroad officials in for discussion; and if it is left industrial, there should be a buffer zone provided. The Mayor stated the Council would look at this again, and give Mr. Freund an early answer.

Councilman Shanks asked about the dog pound policies and fees. The Chief of Police said the dogs were taken to the Humane Society and there is an impounding fee of \$1.00, \$.75 a day board; and if a dog has not been vaccinated and licensed a charge is made for that service. Councilman Shanks suggested so that people might keep up their dogs better, that a \$10.00 impounding fee be charged. He asked more consideration be given to this. Councilman Long said Austin has been lenient in enforcing the dog ordinance, and if enforcement were tightened and some public relations be done on this, that would do more than charging the \$10.00 fee. It was discussed and stated the same dogs are back in the pound the next day. The Chief stated there was not much more enforcement that could be given to the dog ordinance, without adding more wardens. Councilman LaRue suggested that the City Attorney be requested to look into raising the impounding fee for dogs to \$10.00. Councilman Shanks thought if people looked after their dogs as they should, they would not have to pay the \$10.00 fee. Councilman White likewise believed the \$10.00 would have a definite effect as people would think a little before they turned that dog loose. Councilman Shanks said the dog situation is getting out of hand, and the time of rabies is approaching; and people should assume their responsibility and keep their pets up. After discussion, Councilman Shanks moved that the City Manager be asked to recommend a new schedule on boarding these animals. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

Councilman Long asked for a report from the City Attorney on the situation with the L.C.R.A. and upper stream people who were trying to get water upstream. She understood that Snyder, Rotan and Odessa, and those who were trying to build a dam upstream were entering into a contract with the L.C.R.A. downstream to build an impounding dam, and there will be more water, and these people can build their dam upstream. She asked if this could be investigated to see if this dam might also be used for the city's dam where it might build its power plant. The City Manager stated the L.C.R.A. had some concern about constructing a dam in the Columbus area, but that would not help Austin any. The Mayor asked the City Attorney to look into this.

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The City Manager reported a letter from MR. W. R. COLEMAN, Agent for MR. JOHN LEDBETTER, requesting permission to construct a foot bridge out in Lake Austin. The administration, after checking into this, recommended that the foot bridge be denied. The Director of Public Works displayed a map of the area, the location of the island in the slough and the proposed 100' long walkway, which would be three feet above water level. The City Manager said this was referred to the Navigation Board, and it was their opinion this walkway would impede navigation and would be very dangerous for boats using this part of the lake, and the Board unanimously voted to deny the application. Councilman Long moved that the request for the foot bridge be DENIED. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman Long referred to a letter from MRS. BESS TOBIN that the City had trespassed on her property. The City Attorney gave a complete report on the matter. The City Manager stated one problem of which Mrs. Tobin may not be aware, is where her property line is. The fence is about 30' outside the property line, way out in the street. She probably thought the crew was on her property when in fact they were in the street. The City Attorney showed a plat pointing out the property lines, the fence lines, and street right of way. Councilman Shanks said Judge Hart, her attorney, could explain this to Mrs. Tobin.

The City Attorney stated an offer to sell a parcel of land to the City, on the corner of Redwood and East 19th Street had been received. This parcel adjoins property which is Golf Course property. He listed the amount of the offer of this 345 x 212' tract on Redwood Street. The City Manager stated it would be well to have this tract included in the Scarbrough tract; and the City would want to retain any portion of the property which includes any part of the creek or west bank of the creek within the grounds of the golf course on down to 19th Street. The remaining portion could be sold for development of a residential subdivision or shopping center. A buffer could be provided between the nearest green and the boundary line of the property. The Council wanted to go look at this area and the properties.

The City Attorney stated in Marlow Heights, the City obtained some lots through exchange of property, to straighten out the property line for the golf course. Part of the obligation of the exchange was to subdivide the property that was not needed. The area was surveyed and laid out into a subdivision. It was his recommendation that the Council decide on the value to place on the property and it could be sold to who ever wanted to purchase it. Councilman Long said the best thing to do would be set a minimum and sell the lots on sealed bids. The City Attorney stated these were finished lots, and the market value could be pretty well set. The Mayor said the Council would look at these lots when they went to see the Redwood and East 19th Street property.

The City Manager stated in connection with the Brackenridge Urban Renewal Project and Hospital Expansion program and related uses, there is a plan drawn by the architect indicating uses to be made of various properties. At the corner

of 17th and Trinity, there was an old barracks moved in about two years ago and it has been idle. MR. DUDE McCANDLESS now owns the property and has asked for a building permit. The development of the barracks into an apartment building is inconsistent with the present plan for the area. The City Manager stated it would be preferable for Mr. McCandless to hold up on the development until more definite conclusion can be reached as to what the plan should be; but it is definitely in conflict with the plan as it exists today. Councilman White stated the way he understood Mr. McCandless' plans he was willing to take a chance on the expense until the time the other development took place if he could get in there now. The Mayor stated if the City acquired it, it would cost just that much more. The City Manager pointed out this is an Urban Renewal Area; and when the plan says it is going to residential, commercial cannot be placed in there and vice versa. It will have to be used for the purpose as finally approved, "plan use" for the property. The City Manager outlined the procedure of planning, stating it would take about six months. The Building Official had explained the status of this area to Mr. McCandless and had suggested to him it would be wise to wait on these plans. Mr. McCandless now is asking for the Council to give him permission to proceed or not. The Mayor stated the Council would try to give him an answer at an early date.

Mayor Palmer read a resolution passed at a meeting of Board of Trustees of State Firemen's Relief & Retirement Fund--Austin Local signed by Lyndon A. Troxell, Tom Pickney and Steen Smith, as follows:

"We want to commend the following people for aiding and assisting us in the passage of our recent pension bill.

"Hon. Mayor Lester Palmer; Mayor Pro-Tem Travis LaRue; Ben White; Louis Shanks; Emma Long; Norman McK. Barker; and Doren Eskew.

"Senator Charles Herring for introducing the bill in the Senate and getting the bill out of the Senate in record time.

"Also State Representatives Bob Armstrong; Pat Cain; Don Cavness; and Wilson Foreman.

"We also want to thank City Manager Bill Williams and Assistant City Manager Jim Wilson for assisting us after the passage of the bill.

"That this resolution be a part of the minutes for April. That each of the above named persons be mailed a copy of the resolution."

The Assistant City Manager stated Mr. Osborne had talked to Mr. Leonard Lundgren representing the Holiday Inn, and he requested the City Council to give some indication as to the small triangles of land south and east of the proposed Holiday Inn project. A plat was displayed and the property pointed out, one located at the corner of Flores Street and Interregional Highway, and the other at Waterfront and the Highway. The Planning Director said they were not asking for a commitment, but wanted to know how to proceed. Holiday Inn would like to acquire these two triangles of land but he inquired about the Wolf property. The City Manager gave a detailed report on this particular property, and the

agreement that if the City did not need the property, and if the City Council decided later the City had no need for this property and did so formally by adoption of a resolution to that effect by a certain date, Mr. Wolf would reacquire that portion which the Council declared excess at the same price he paid per square foot, that was paid to him for the property. That date before which the Council had to act was in 1958. Prior to the date the time expired, Mr. Wolf contacted Mayor Miller and asked him to get the Council to adopt the resolution called for in the contract declaring the City had no need for the property thus making it available to him. The Council did not take that action after having it called to its attention, and the time for its adoption expired. The determination had to be made by a given date, and the Council refused to take that action. Legally, the contract does not obligate the City to any further consideration. The Mayor stated the Council at that time thought there might be some public need--perhaps a high powered transmission line or substation that was going to have to be located in that vicinity. Councilman Shanks asked if either piece of property were needed. The City Manager stated he hesitated to say the City would never need a piece of property along a highway like this; but at present there seems to be no present need for it. The Mayor stated it would also have to be determined that Holiday Inn was the abutting property owner. The Director of Planning stated what they needed to determine is how they should proceed in working out this plan and come back to the Council with a formal presentation. Holiday Inn proposes the vacation of Flores Street, and the Holiday Inn site would be on this property. The City Attorney read the provision of the contract "If it is determined by the City Council of the City of Austin by resolution duly adopted within five years from the date of this instrument (Instrument dated November 3, 1953) that any substantial portion of the above described property lying west of the west boundary of the street as hereafter developed as said Interregional Highway, is not needed for any public purposes, the said Oswald G. Wolf shall have the right and option to purchase the same from the City of Austin for the sum of \$400.00. If any such resolution is passed within such five year term the said Oswald G. Wolf shall be notified by mailing to him a copy of said resolution at his post office address within ten days thereafter. If the said Oswald G. Wolf elects to exercise that option he shall notify the City Manager of the City of Austin in writing within three months from the date of said resolution that he desires to purchase that property, it being clearly understood and agreed that the said Oswald G. Wolf is granted the right hereunder to buy said remaining substantial portion after the passage of said resolution but is under no obligation to do so"

The City Attorney also read a letter dated October 30, 1958, regarding the matter and setting out in quotations "The owner shall have the option to repurchase that part west of the Interregional right of way line the above lots described within five years from date of deed, if the City is not using a substantial part of said portion for public purposes, for consideration of \$400." The City Attorney stated he visited Mr. Wolf and asked to see the instrument containing that language, but Mr. Wolf was unable to locate any such instrument. The City Attorney stated an identical contract was entered into with MRS. ELMA HAMILTON on October 9, 1953. Before that time expired, Mrs. Hamilton asked for the same thing Mr. Wolf asked for, and the request was denied. The property thereafter was sold to the State of Texas. No action was taken by the Council at this time.

There being no further business, Councilman Shanks moved that the Council

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Council adjourned at 2:20 P.M. subject to the call of the Mayor.

APPROVED

L. E. Palmer
Mayor

ATTEST:

Elin Moorley
City Clerk