

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 18, 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 FATHER M.C. DEASON, Sacred Heart Church.

The Mayor and Council greeted and welcomed 13 students from Chile. Mayor Palmer said with the unique position the Capital City enjoys, Austin has been honored by visits from all the leaders of the free world. He said Austin was honored to have this fine group from Chile. Mr. Marshal Morris, from the University International Office recognized the students as being student leaders in Chile.

MR. LLOYD LOCHRIDGE, speaking for a number of people, proposed that the Council consider fluoridating the City's water; that it was not a controversial proposal, but one that should be embraced as being good for the people of Austin, particularly for the children. He stated fluoridation had the support and endorsement of reputable doctors, dentists, public health services, and related associations all over the country. It is not a new proposal, as millions of people have had the benefit of fluoridation. Interested citizens present were MR. CARL HARDIN, representing Texas Dental Association; DR. SIDNEY WHITE, Dentist; MRS. WILL WILSON, MR. and MRS. WILLARD DEASON, MRS. LOCHRIDGE, active in the fluoridation program; DR. and MRS. KRUMHOLZ, practicing dentists; DR. CARLOS LOZANO, State Public Health Service; MRS. GEORGE SLAUGHTER, DR. CLIFF PRICE, Pediatrician, and DR. JOHN McNUTT, practicing dentist, and President of the Austin Dental Association.

MRS. SLAUGHTER stated since 1951, the American Medical Association had endorsed fluoridation as being a safe and effective way to reduce dental cavities in children. The Austin Dental Association, U.S. and the State Public Health Departments back fluoridation. She listed eminent authorities who were endorsing the program. She said they were trying to get the facts to everyone in the community. She filed petitions with over 2600 signatures, stating more would be filed later. The petition read "I believe in Fluoridation. I will support the City Council in its action to fluoridate Austin's water supply."

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DR. CLIFF PRICE, Pediatrician, expressed interest in fluoridation. He treated children in his private practice, and in the clinic. Dr. Price spoke on the safety of fluoridation and the studies that had been made. Prior to 1940, the studies were by observing individuals' living in areas where the waters were excessively high or at the optimum level, and in cities where the fluoride was low. From these observations, it was felt that one part per million of fluoride would reduce dental caries. Studies show the decay was decreased about 60%. Comparisons of individuals in cities low in fluoridation were made and there was no difference in any reaction that those individuals might have, with the exception that if the level exceeds one part per million, there might be slight staining of their teeth. There was no evidence that if the level is kept at one part per million, that there was any possibility of cancer, heart disease or effects on kidneys. Fluoride is toxic if consumed in large amounts, and persons could die if a large volume were taken. Less than 20 pounds of sodium fluoride added to one million gallons of water provide one part per million. More than two tons of sodium fluoride would have to be added to produce the mildest symptoms of fluoride poisoning. He listed the various associations and services that had endorsed fluoridation, and all had made statements this was a safe measure. He said this was a safe proposal and asked the Council to consider it.

DR. McNUTT, stated it was part of the dentists' responsibility to educate the people in dental care and public health measures. It was his belief this was a safe, effective, reasonable and economical procedure for preventing tooth decay, and he inquired how the City could ask the dentists to discharge their responsibility in providing some care in community clinics for the needy when it would not take the first step, -- the one proved safe and an effective preventative measure. The cost of prevention is lower than that of treatment. If safety is an argument, why would the American Medical Association and all the other listed proponents not back away from their favorable endorsements. Austin had .4 parts of fluoride in its water, and only a small amount would have to be added. The cost would be \$20 - \$26,000 annually. He asked the Council to approve this measure in the interest of dental public health. In answer to Councilman Shanks' inquiry, Dr. McNutt stated there were 1800 cities in the United States that had fluoridation of their water, and about 50 million people drinking such water; four million drinking naturally fluoridated waters.

MR. LOCHRIDGE distributed informative pamphlets to the Council Members.

MR. TRUEMAN O'QUINN stated there was opposition to the placing of sodium fluoride in the drinking water of Austin, stating prior to 1949 he had never heard anything about placing this in water; but had read about fluoride being prevalent in the water in Deaf Smith County; and although there was a low rate of decay of teeth, there were a lot of people that had mottled teeth. He referred to an opinion he had written while he was City Attorney, in which he advised the City Council and City Officials that the only legal and moral duty they had was to furnish people potable water. If they went beyond that they took certain risks; as the water system was a propriety function, and would not have governmental immunity. He recommended not inviting law suits, but stopping within the legal and moral duty. A national campaign was engaged in during the middle 50's for fluoridation, but it was not the success the advocates wanted. He asked if the Council were going to consider forcing on a part of the population the drinking of water they did not want to drink, that they wanted a full-blown hearing on it, so the Council would know how controversial it was and would have the evidence. He commented on the Travis County Medical Association's vote of approval by only 27 to 24.

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MRS. CHARLES MORTON had information that one out of every 16 babies in Austin would be mentally defective. She said she would not be able to connect this with fluoride or anything else, but the proponents say it has been thoroughly tested. She said synthetic vitamin "D" has been added to food for 20 years; and only now has it been found that this caused deformed babies. When one doctor raises one question that there might be one baby affected by this forced medicine in the water how could Austin afford fluoridation?

MISS MARGARET LOUISE HILL, representing a group, stating the citizens have not been informed on this matter. She said too many sweeping statements had been made by the proponents unaccompanied by specific general references. Since her group wanted to consider the young, the old, the allergic, and the disabled she asked that the Council delay acting on this, and urged a compilation of facts to be made available to all citizens through distribution at the City Hall or elsewhere. A situation as vital to the health as this, should be judged by the citizenry and the Council first hand. She proposed that a hearing be conducted that outstanding national proponents and opponents be brought here as speakers, and that a question period be provided. She suggested the Council appoint a steering Committee composed of known proponents and opponents and each group be given equal time for their speakers. An uninformed citizenry is a critical mob; an informed citizenry is a cooperative unit.

DR. JAMES LASSITER stated there were many loose statements about fluoridation made by people who have not studied this as much as they should. The Council has been told that the American Medical Association had endorsed fluoridation. The American Medical Association, recognizing an endorsement should mean something, is sending out letters reading, "The American Medical Association does not engage in the approval, endorsement, guarantee, or acceptance of unfluoridated water or fluoridated water". He believed no one knew enough about what fluoride does in the body, and the Council was faced with a very grave responsibility. He read an article from "Archives of Environmental Health", an official publication of the American Academy of Occupation Medicine and the Association of Preventative Medicine, stating it had not been determined at which age benefits from fluoride begin. They are not even sure that it should be given at age 1, age 5, or 10 or up. Although some other data lead to the opposite conclusion, much of the data on detection afforded by fluoride administration to children and to rats, support the conclusion that the most important means of entry of fluoride into enamel is by direct contact with teeth. It does have an effect on enamel, but it is during the time the fluoride is in the mouth, and not through the digestive tract. If it is injected by a hypodermic needle it never reaches the enamel. The theory that fluoridation in the public water helps the teeth by a persons' drinking the water and the fluorides' going through the blood stream to the teeth is not true, according to the publishers of the article. The article is about the accumulation of fluoride, and states the possible effect of fluoride accumulation is unknown. It may be good or it may be bad, but it is not known.

MR. LOCHRIDGE stated this was a technical matter, and has been passed on by the technical committees of the most responsible dental and public health associations, and his group would ask that a sufficient amount of fluoride be used in the water to protect the children in this community. As to law suits that might arise, Mr. Lochridge referred to the fine staff of City Attorneys, and the Council could ask its opinion as to any risks that might be incurred. He said if the Council wanted to call a hearing, they would be glad to come; or they would be happy to meet with the technical staff or the legal staff.

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MR. FLOYD WILLIAMS opposed fluoridation of the water supply. He was unable to buy vitamins with fluoride in them without a doctor's prescription, and it was stated it was a poison and it had to be taken under a doctor's supervision. Mr. Williams had purchased some rat poisoning, "Pure Sodium Fluoride" and he displayed the container. The salesman told him that this was what is being asked to be put in the water, and the salesman warned him to be careful as it was poison. He was told that fluoride caused catarrachs. If there is such a possibility, he being blind, urged the Council to stay away from it. He asked about the City's liability if this fluoride poisoned the water, would it be liable for any consequences.

MR. LOCHRIDGE stated the Council would not be stirred by this type of prejudiced argument. He said he would be happy to supply a list of the responsible dental and public health associations that had endorsed this program.

MR. CARL HARDIN, representing the Texas Dental Association, discussed legal opinions of the courts. He pointed out the City by act of the Legislature could operate a water system, and the only limitation was that its ordinances not be inconsistent with the Constitution and general law. There is no Texas statute regulating or prohibiting the fluoridation of city water; nor any court decisions. He saw no harm in appointing a fact finding committee, but it might wind up five for and five against. The most widely used argument against fluoridation is the invasion of religious liberty, and the second is forced medication, or socialized medicine. Each and every one of these cases has been taken up by the courts throughout the nation, and in every case each had been turned down. He had a list of each case upheld by the courts.

MR. EUGENE BUSHACHER apposed the adding of the fluoride to the water supply, stating the condition of their teeth was proof to them that no fluoridation was necessary to prevent cavities; also if it were not poisonous, why does the Federal Food Law require that the boxes be so marked or that it cannot be bought without prescriptions. He preferred a vote of the people on this question.

MR. BRICE H. BARNES, Student at the University, pointed out the difference in calcium fluoride and sodium fluoride, stating sodium fluoride was accumulative like arsenic. He referred to an eminent doctor in the Bio-Chemistry Department, DR. ALFRED TAYLOR, who has done considerable research on sodium fluoride; and he has pointed out and proved the inducement of sodium fluoride of the one part per million has greatly influenced and speeded up the occurrence of cancer and other fatal diseases in experimental animals. He did not know that the effect would be the same on humans, but he did not want to have his chances of contacting cancer greater. Strong evidence is pointed out that the instances of mongolism is higher in cities that have artificially fluoridated water. Deaf Smith had been mentioned. Cities in the Panhandle are naturally fluoridated, as is Austin's water, by calcium fluoride, which is a stable compound. If there is any evidence about mongolism being enhanced by sodium fluoride, this should be taken into consideration.

MR. FLOYD WILLIAMS gave the definition of fluoride as given in the dictionary. MRS. GEORGE FRANCISCO gave a definition, stating "Prejudice is the tramp of the mind that goes about with no visible means of physical support."

MRS. C.L. FOX opposed the fluoridation as it would not be beneficial to all the people, and on the other hand it may be harmful.

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Mayor Palmer read two telegrams just received opposing fluoridation -- one from MR. and MRS. DANIEL A. CHANCE, and one from MR. and MRS. E. L. HOWELL. MR. LOCHRIDGE pointed out there were 2600 parents of children who had asked the Council to fluoridate the water. He referred to the pamphlets distributed today stating the Council would find accurate and documented answers.

MRS. GILBERT NOWOTNY stated they had fluoridated water for seven years and her doctor advised them to buy distilled water for their children until they were six years of age. About one out of ten children had mottled teeth in Colorado Springs.

A citizen suggested putting the whole matter before the people. She said she was at a P.T.A. meeting, and there was a ten minute film on fluoride. People asked who were against it, and the answer was "only food faddists". The people should be allowed to hear both sides.

MRS. WILLIAM BURFORD endorsed Miss Hill's and Dr. Lassiters' statements. Another citizen understood 12% of children who were cross-eyed were from cities with fluoridation.

MRS. SARAH PENN HARRIS said there was a citizens committee circulating a petition asking a delay until there is more evidence on the safety of the matter.

MAYOR PALMER thanked both groups for coming before the City Council and said this was a decision that would not be taken lightly by the Council. People are concerned vitally both ways; even the 27 to 24 vote of the doctors should indicate that more careful exploration should be done before a final decision is made. He said the Council would discuss it and it would be brought to the attention of the people before any action of the Council is taken.

Councilman Long wanted to clarify the matter of stopping the fluoridating of the water sometime back, stating the Dental Association came in and urged the Council to pass this measure and other people felt it was a good thing. The Council voted to fluoridate the water of the City, and that she voted for it. It was not any time after Dr. Taylor's report came out, that the dentists back-tracked and left the Council out on the limb. She said she did not intend to get out on the limb again and she wanted to have information from both sides and to have facts and information before fluoridation is imposed upon the citizens of Austin. Once the water is fluoridated it is there for all the people instead of for just a few that want it.

Councilman LaRue said it had been pointed out this was something that should be looked into, and he was sure that is what the Council would do. Mayor Palmer thanked all very much, and said the Council would take the matter under consideration.

Councilman LaRue left at this time due to illness.

Mayor Palmer announced it was 10:30 A.M. and hearing on the ordinance annexing GLENWAY TERRACE was opened. No one appeared to be heard. Councilman Long moved that the hearing be closed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Palmer

Noes: None
Absent: Councilman LaRue

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on Defense and Emergency Relief in Texas given by Homer Garrison, Jr., State Coordinator, pointing out that it must be impressed on all the minds of people that nuclear warfare is not only a possibility but a constant threat to the future of the human race. Mr. Garrison pointed out Civil Defense as an emergency function of government to help the people to survive and recuperate from national disaster, major accidental disaster, or nuclear attack. Civil Defense was mis-named, and Mr. Garrison's belief was that the term "Disaster Relief" or "Disaster Control" would be more in order. Attorney General WAGGONER CARR emphasized the lack of ordinances and lack of legal authority to handle emergency situations; that Civil Defense has been an orphan set apart from the government, starved by lack of appropriations, deficient schooling, and it had only left overs and casts off; but that is not the situation in Austin.

Attorney General Carr had said only through definite understanding could progress be made to establish Civil Defense as a Profession among other activities of government. Civil Defense is the Government functioning in an emergency. Nothing can relieve the Public Officials of their responsibilities for their citizens in peace or war; good weather or bad, or in disaster procedures. The Director is a coordinator who works with the various governmental agencies. On the local levels, the City and County Attorneys have the responsibility of advising their departments on legal problems occurring in disaster. Colonel Kengla gave examples of controversies due to cities' failing to prepare ordinances to cover disaster functions. The Adjutant General and National Guard will provide only military support for Civil Defense within their states, and it would not be a supplanting role. BILL PARKER, Director, Region 5, brought out the President's budgeting twice as much money for 1966 than for 1965 for Civil Defense, and three times as much for shelters. Extensive resurveys will be made all over the country, selecting one city from each state, and Austin is the selected City for the State of Texas. He stated it would be necessary to brief the Council on the Shelter Plan very soon. Austin has been designated as a C.S.P. City, and Colonel Kengla spoke briefly of the resurvey to be made. He outlined advances made in communications and ventilation in shelters. He expressed his disappointment that the government was not going to reinact the bill providing shelters in schools, hospitals, and welfare institutions, and that is Austin's largest weakness. All the shelters are in the down-town area or at the University. The school is a natural development point and is a natural fall in place for the neighborhood. The program will be held in abeyance pending the resurveys. Civil Defense is Government; it is the coordination of regularly organized government to handle natural disasters, major disasters and nuclear attack. The Defense Coordinator concluded his report by reading the President's Message regarding the program of Civil Defense, stating there should be effective fall out shelters based on the Civil Defense System, and this would save millions of lives and cost less than any other measure that could be taken. Mayor Palmer thanked Colonel Kengla stating from his remarks that Austin was as abreast of this situation as any other city. Colonel Kengla said Austin was in advance of most other cities. He urged that Austin take advantage of what has been offered to it.

Councilman Long moved that Colonel Kengla's report on the Civil Defense Conference be accepted and that he be thanked for attending the meeting and for his informative report on Civil Defense. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman LaRue

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Councilman White moved that the Council approve the Minutes of February 11, 1965. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman LaRue

The Council had before it an ordinance vacating SOUTH 6TH STREET ALLEY between West Gibson Street and Jewell Street Alley, and a portion of JEWELL STREET alley between South 6th Street and South 5th Street. The City Manager said this was requested initially from people at the south end of the alley, that only the southern portion be vacated. Now all owners have signed a request to vacate the whole alley except one, who is ill, and her relative saw no reason why she would object. Councilman Long inquired about the situation of the alley. The Director of Public Works explained neither of the two alleys had ever been opened. Councilman Long stated it would seem the south end of the alley would be a means of circulation. The City Manager said he made the same inquiry, and it was pointed out there was no need for circulation in that area, and the Planning Department in its recommendation suggested retaining the west 35' of the alley for the use of a cul de sac in the event traffic every created the necessity for a cul de sac.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING TO PUBLIC TRAVEL PORTIONS OF THOSE CERTAIN TWO ALLEYS; NUMBER ONE BEING ALL OF THAT CERTAIN ALLEY OUT OF AND A PART OF BLOCK 10, SOUTH HEIGHTS, A SUBDIVISION OF A PORTION OF THE ISAAC DECKER LEAGUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, TRAVERSING BLOCK B, CAPITAL HEIGHTS ADDITION, LOCALLY KNOWN AS SOUTH 6TH STREET ALLEY; NUMBER TWO BEING A PORTION OF THAT CERTAIN ALLEY WHICH EXTENDS FROM SOUTH 6TH STREET TO SOUTH 5TH STREET LYING BETWEEN AND ADJACENT TO THE SOUTH LINE OF BLOCK B, CAPITAL HEIGHTS ADDITION AND THE NORTH LINE OF BLOCK D, LOCALLY KNOWN AS JEWELL STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, RETAINING AN EASEMENT FOR DRAINAGE PURPOSES IN, UPON AND ACROSS TRACT NUMBER ONE; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Shanks 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, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman LaRue

The ordinance was read the second time and Councilman Shanks 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:

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

The ordinance was read the third time and Councilman Shanks 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: None
Absent: Councilman LaRue

The Mayor announced that the ordinance had been finally passed.

The Council had before it for approval a pneumatic tube space assignment for the AUSTIN NATIONAL BANK in East 5th Street. Councilman Long asked if there were any problems related to this. The City Manager stated there were none except the streets were getting crowded with utility lines. The Bank had requested the lines be placed on the north side of the street, but there are so many utility lines on the north side, that this space is being allocated on the south side. He pointed out on a sketch the route the line would take. Councilman Long moved that the Council accept the City Manager's recommendation and 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 the Austin National Bank of Austin, Texas to construct and maintain the hereinafter described underground improvements:

Two (2) pneumatic tubes to be installed within a two (2.00) foot wide space assignment which is described for convenience in three (3) parts, the centerline of which two (2.00) foot wide space assignment is described as follows:

Assignments for an underground pneumatic tube system in and under East 5th Street, not to exceed a width of two (2.00) feet. The centerline of said two (2.00) foot wide underground pneumatic tube system assignment being more particularly described as follows:

No. 1. In East 5th Street - Extending from a point in the north property line of East 5th Street 115 feet west of the west property line of Congress Avenue Alley, at right angles to the north property line of East 5th Street, southerly 45 feet to a point 5 feet south of the centerline of East 5th Street.

No. 2. In East 5th Street - Extending from a point 115 feet west of the west property line of Congress Avenue Alley and 5 feet south of the centerline of East 5th Street, in an easterly direction 5 feet south of and parallel to the centerline of East 5th Street, to a point 145 feet east of the east property line of Brazos Street.

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No. 3. In East 5th Street - Extending from a point in the north property line of East 5th Street, 145 feet east of the east property line of Brazos Street, at right angles to the north property line of East 5th Street, southerly 45 feet to a point 5 feet south of the centerline of East 5th Street.

be and the same is hereby granted and the Building Inspector is hereby authorized to issue a permit for the construction of such improvements, said grant and permit to be subject to the following conditions:

- (1) The improvements shall be constructed and maintained in compliance with all ordinances relating thereto.
- (2) The permit shall be issued and accepted subject to all reasonable police, traffic, fire and health regulations of the City of Austin, now existing or hereafter adopted.
- (3) The repair or relocation of any and all utilities in the vicinity necessitated by the laying of these improvements shall be done at the expense of the Austin National Bank of Austin, Texas.
- (4) The Austin National Bank of Austin, Texas, will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the construction or maintainance of said improvements.
- (5) The City of Austin may revoke such permit for good cause after notice to the Austin National Bank in Austin and hearing thereon, and upon such revocation the owner of such improvements will remove the same and pay all costs and expenses attendant therewith.

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

Ayes: Councilmen Long, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman LaRue

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH CARRINGTON'S UNIVERSITY HILLS 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 Shanks, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman LaRue

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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 Shanks, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman Long inquired about the personal belongings of Mrs. Ora Green, asking if she were living on the premises. It was stated she was not living there and was not being evicted. She did have some belongings there, and was being given the right to remove them. Councilman Long asked if she were willing to take them out. The Building Official said she wanted to wait until after Council action, and she would be willing to remove them within a certain amount of time. Councilman Long stated the other cases refer to "a court of competent jurisdiction"; but in this one, there is no court action mentioned. The Building Official stated Mr. Hage had asked that the City take this recommended action. The City Attorney reported voluntary compliance had been obtained in almost every case. Councilman Long asked if the City would remove this structure and if Mr. Hage had requested that it do so if he would be charged for the removal. The City Attorney stated there would become a lien on the land. After extensive discussion about each unit, Councilman White moved that the Council uphold the recommendation of the Building Standards Commission on the following substandard housing:

Structure at 3712 Wabash
(M.K. Hage, Jr.)

- That the structure be declared a public nuisance by the City Council; that after giving Mrs. Ora Green due notice to remove any personal belonging, the City will demolish said structure; and affix the costs thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.

Structure at 6312 Walnut Hills -
Drive (O. B. McKown Jr.)

That the structure be declared a public nuisance by the City Council; that the owner be given ninety days from February 18, 1965 to demolish the structure; that if after the expiration of 90 day period, the owner has failed to demolish the structure, the Legal Dept. be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; that upon termination of the legal proceedings in favor of the City and failure of the defendant to abate the

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Structure at 5515 Woodrow
(Joe Bailey Estate)

- 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.
- That the structure be declared a public nuisance by the City Council; that the owner be given 90 days to dispose of the property, and if the property is disposed of, that the purchaser shall be furnished with a true copy of the notice of condemnation and at the same time shall give the Building Official a notice of such transaction supplying the name and address of the person or persons to whom the sell is proposed; that if after expiration of the 90 day period, the owner has failed to bring the structure to requirements of the Minimum Housing Code, the Legal Dept. be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; that upon a termination of the legal proceedings in favor of the City and 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.

Structure at 1008 West Lynn
(John Joseph)

- That the structure be declared a public nuisance by the City Council; that upon relocating the occupants of the structure, the owner of said property is given 30 days to demolish the structure on this property; that if after expiration of the 30 day period, the owner has failed to bring the structure to requirements of the Minimum Housing Code, the Legal Dept. be instructed to seek judicial determination that the above structure is a public nuisance in court of competent jurisdiction; that upon a termination of the legal proceedings in favor of the City and 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 Long, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman LaRue

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No action was taken on the recommendation of the Building Standards Commission concerning the property at 1402 Ulit, until after the City Attorney has looked into the matter of handling this through a tax sale or some other procedure to clear title.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:

LOTS 4, 5 AND 6, BLOCK 1 OF THE MOORE SUBDIVISION FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL 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 first time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman LaRue

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

Ayes: Councilmen Long, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman LaRue

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

Ayes: Councilmen Long, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman LaRue

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:

A ONE ACRE TRACT OF LAND, LOCALLY KNOWN AS 2015-2019 BLUE BONNET LANE, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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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 Shanks, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman LaRue

Paper work on the street opening had not been completed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:

THE SOUTH 79.5 FEET OF THE WEST 174 FEET OF LOT 3, AND THE NORTH 8.87 FEET OF THE WEST 174 FEET OF LOT 4, WENDLANDT SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE 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 first time and Councilman Shanks moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Shanks, Mayor Palmer

Noes: Councilman White

Absent: Councilman LaRue

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:

(A) THE NORTH 100 FEET OF LOT 2 OF THE STASSWENDER ADDITION, LOCALLY KNOWN AS 5007-5013 BULL CREEK ROAD, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND (B) THE SOUTH 125 FEET OF LOT 2 OF THE STASSWENDER ADDITION, LOCALLY KNOWN AS 5001-5005 BULL CREEK ROAD, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE 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 first time and Councilman Shanks moved that the ordinance be passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Shanks, White, Mayor Palmer

Noes: Councilman Long

Absent: Councilman LaRue

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The City Manager submitted the following:

"February 11, 1965

"TO: Honorable Mayor and Members of the City Council

SUBJECT: Bids on one (1) Self-Propelled Aggregate Spreader for the Street and Bridge Division.

"Sealed bids were opened in the office of the Purchasing Agent at 10:00 A.M. February 10, 1965 for one (1) Self-Propelled Aggregate Spreader with one (1) 1957 Grace Spreader Box Trailer to be traded-in. This equipment will be used to spread the graded aggregate on streets on which a double asphalt surface or seal coat asphalt has been placed.

"There were three known manufacturers of this type of equipment. Invitations to bid were mailed to the three manufacturers, their distributors and to other distributors of heavy equipment in this area. The City's estimated cost of this equipment including trade-in was \$13,000.00

"The bids received are as follows:

<u>Bidder</u>	<u>Brand</u>	<u>Net Difference</u>
The Roy Klossner Co.	Hi-Way #SP200	\$13,801.16
Cooper Equipment Co.	Flaherty #K	13,078.10
Jess McNeel Machinery Co.	Etnyre Chip Spreader	<u>12,301.00</u>

"The low bid by Jess McNeel Machinery Company meets all requirements and conditions of our specifications.

"RECOMMENDATIONS: It is recommended the award be made to Jess McNeel Machinery Company for one (1) Self-Propelled Etnyre Chip Spreader including one (1) trade-in in the amount of \$12,301.00 as the lowest and best bid.

"W. T. WILLIAMS, JR., City Manager"

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 10, 1965, for one (1) self-propelled aggregate spreader for use by the Street and Bridge Division of the City; and,

WHEREAS, the bid of Jess McNeel Machinery Company, in the sum of \$12,301.00 and trade-in, 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:

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That the bid of Jess McNeel Machinery Company, in the sum of \$12,301.00 and trade-in, 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 Jess McNeel Machinery Company.

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

The City Manager submitted the following:

"February 15, 1965

"TO: Honorable Mayor and Members of the City Council

Subject: Bids for Precoated Aggregate

"Sealed bids were opened in the office of the Purchasing Agent at 10:00 A.M. February 15, 1965 for 4,000 tons of Precoated Aggregate for the Street and Bridge Division. This material is used in the seal coat program of various paved streets.

"Invitations to bid were sent to all known producers of this type material in this area.

"The bids received are as follows:

<u>Bidder</u>	<u>Net Unit Price</u>	<u>Net Total Price</u>
Glo-Stone Material Co.	\$3.45	\$13,800.00
Uvalde Rock Asphalt Co.	4.46	17,840.00
Capitol Aggregates, Inc.	3.83	15,320.00
Servtex Materials Co.	3.55	14,200.00

"This material will be delivered to the City of Austin Stockpiles as requested by the Street and Bridge Division. The bid by Glo-Stone Materials Co. meets all requirements and conditions of our specifications.

"RECOMMENDATION: It is recommended a contract be made with Glo-Stone Materials Company to supply 4,000 Tons of Precoated Aggregate in the amount of \$13,800.00 as the lowest and best bid.

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

Councilman Long offered the following resolution and moved its adoption:
(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 15, 1965, for 4,000 tons of precoated aggregate for the Street and Bridge Division of the City of Austin; and,

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WHEREAS, the bid of Glo-Stone Material Company, in the sum of \$13,800.00 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 Glo-Stone Material Company, in the sum of \$13,800.00, 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 Glo-Stone Material Company.

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

Ayes: Councilmen Long, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman LaRue

The City Manager submitted the following:

"February 15, 1965

"TO: Honorable Mayor and Members of the City Council

SUBJECT: Bids for Sodium Hexametaphosphate

"Sealed bids were opened in the office of the Purchasing Agent at 10:00 A.M. February 12, 1965 for 80,000 pounds of Sodium Hexametaphosphate for the Filter Plants. This material is used in filtration at the Filter Plants and represents approximately a six months supply.

"Invitations to bid were sent to all firms that have asked to bid or that we thought could possibly bid.

"The bids received are as follows:

<u>Bidders</u>	<u>Net Unit Price</u>	<u>Net Total Price</u>
Dixie Chemical Company	\$0.1240	\$9,920.00
Colgon Corporation	0.1109	8,872.00
McKesson & Robbins, Inc.	0.1190	9,520.00
F.M.C. Corporation	0.1086	8,688.00
Olin Mathieson Chemical Corp.	0.1049	8,392.00
Par Tek Corporation	0.103292	8,263.36

"On bids taken June 17, 1964 the low unit price obtained was \$0.1089 from Sline Chemical Services. Sline Chemical Services has changed their name to Par Tek Corporation.

"The low bid by Par Tek Corporation meets all requirements and conditions of our specifications.

"RECOMMENDATION: It is recommended the award be made to Par Tek Corporation of Houston, Texas in the amount of \$8,263.36 for

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"80,000 pounds of Sodium Hexametaphosphate as the lowest and best bid.

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 12, 1965, for 80,000 pounds of sodium hexametaphosphate, approximately six months supply for the Filter Plants; and,

WHEREAS, the bid of Par Tek Corporation, in the sum of \$8,263.36, 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 Par Tek Corporation, in the sum of \$8,263.36, 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 Par Tek Corporation.

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

Ayes: Councilmen Long, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman LaRue

The City Manager submitted the following:

"Sealed bids opened 2:00 P.M. February 10, 1965
Tabulated by B. J. Bonds, Purchasing Agent

"CITY OF AUSTIN, TEXAS
BIDS ON TRUCKS

Bid No.	Description	Quantity	Trade Ins.	Armstrong- Johnson (Ford)	International (Internationa) l)	Harvester Capitol (Chevrolet)	Chevrolet (Chevrolet)	Dependable Motors (Dodge)
2033						International		
Filter Plant	One-Half Ton Pick-Up Truck	1 Each	1 Each	\$1,361.00	\$1,460.00	\$1,460.62	\$1,506.00	
2034						Armstrong- Johnson (Ford)	Harvester Capitol (Chevrolet)	Dependable Motors (Dodge)
Police Department	One-Half Ton Pick-Up Trucks	4 Each	4 Each	5,304.00	5,057.00	No Bid	5,630.00	
2035								
Electric Distribution	3/4 Ton Cab and Chassis Truck	2 Each	2 Each	3,036.00	2,855.00	3,235.74	3,020.00	

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<u>Bid No.</u>	<u>Description</u>	<u>Quantity</u>	<u>Trade Ins.</u>	<u>Armstrong- (Ford)</u>	<u>International (Internationa-</u>	<u>Harvester Chevrolet</u>	<u>Capitol (Chevrolet)</u>	<u>Dependable Motors (Dodge)</u>
<u>2036</u>	Electric One Ton Cab Distri- and Chassis bution Truck	1 Each	1 Each	\$1,646.00	<u>\$1,639.00</u>	No Bid	\$1,884.00	
<u>2037</u>	Electric 3/4 Ton Distri- Pick-Up bution Trucks	2 Each	2 Each	3,654.00	<u>3,490.00</u>	3,866.24	3,669.00	
<u>2038</u>	Electric One Ton Cab Distri- and Chassis bution Truck	3 Each	3 Each	<u>4,429.00</u>	4,696.00	4,905.38	5,005.00	
<u>2039</u>	Street 5 to 8 Cubic and Yard Dump Truck Bridge with Bed & Hoist	2 Each	3 Each	8,960.00	<u>8,335.00</u>	10,169.52	8,392.00	
<u>2040</u>	Street 3 Cubic Yard and Dump Truck with Bridge Bed & Hoist	1 Each	1 Each	<u>2,767.00</u>	2,892.00	2,974.69	2,836.00	
<u>2041</u>	Street 10 to 12 Cubic and Yard Dump Truck Bridge with Bed & Hoist	1 Each	2 Each	8,371.00	<u>8,100.00</u>	No Bid	No Bid	
<u>2042</u>	Street 3 Cubic Yard and Dump Truck with Bridge Bed & Hoist	2 Each	2 Each	<u>7,100.00</u>	7,365.00	No Bid	*6,856.00	
<u>2043</u>	Street One-Half Ton and Pick-Up Trucks	2 Each	2 Each	<u>3,650.00</u>	3,822.00	4,096.30	3,896.00	
<u>2044</u>	Parks Truck with Cab, Divi- Chassis & Plat- sion form Bed	1 Each	1 Each	No Bid	2,260.00	<u>2,247.31</u>	2,318.00	
<u>2045</u>	Parks 3 Cubic Yard Divi- Dump Truck	1 Each	1 Each	<u>2,844.00</u>	3,022.00	3,336.31	3,049.00	

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<u>Bid. No.</u>	<u>Description</u>	<u>Quantity</u>	<u>Trade Ins.</u>	<u>Armstrong-Johnson (Ford)</u>	<u>International</u>	<u>Harvester</u>	<u>Capitol (International)</u>	<u>Chevrolet (Chevrolet)</u>	<u>Dependable Motors (Dodge)</u>
2046									
Parks Division	One-Half Ton Pick-Up Truck	1 Each	1 Each	\$1,403.00	\$1,488.00	<u>\$1,321.42</u>		\$1,429.00	
2047									
Sanitation Division	One-Half Ton Pick-Up Trucks	4 Each	4 Each	<u>5,457.00</u>	5,690.00	5,935.68	5,541.00		
2048									
Sanitation Division	Truck Complete with Van Body	1 Each	1 Each	<u>2,824.00</u>	3,112.00	3,238.31	3,298.00		
2049									
Sanitary Sewer	2 Ton Flat Bed Truck	1 Each							
	2 Ton Cab & Chassis Truck	3 Each	1 Each	13,570.00	<u>11,150.00</u>	No Bid	11,730.00		
2050									
Sanitary Sewer	One Ton Flat Bed Truck	1 Each	None	<u>2,178.00</u>	2,293.00	2,326.74	2,196.00		
2051									
Sanitary Sewer	Van Type Truck	1 Each	None	1,977.00	No Bid	<u>1,960.32</u>	2,015.00		
2052									
Water Distribution	One-Half Ton Pick-Up Trucks	2 Each	1 Each	<u>2,838.00</u>	2,923.00	2,980.08	2,876.00		
2053									
Water Distribution	One Ton Cab and Chassis with Flat Bed	4 Each	4 Each	8,151.00	<u>7,868.00</u>	8,356.96	8,194.00		
2054									
Water Distribution	2 Ton Cab & Chassis Truck	1 Each							
	2 Ton Cab & Chassis with Flat Bed	3 Each							
	2 Ton Dump Truck	1 Each	3 Each	12,211.00	<u>12,005.00</u>	No Bid	12,535.00		

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<u>Bid No.</u>	<u>Description</u>	<u>Quantity</u>	<u>Trade Ins.</u>	<u>Armstrong-Johnson (Ford)</u>	<u>International Harvester (International)</u>	<u>Capitol Chevrolet (Chevrolet)</u>	<u>Dependable Motors (Dodge)</u>
2055	Parks & Recreation Trucks	3/4 Ton Cab & Chassis	2 Each	1 Each	\$3,561.00	\$3,478.00	\$3,735.82 \$3,545.00

" * Our specifications required a minimum horsepower of 185 and 12 ply tires. The bid by Dependable Motors stated they were bidding 178 horsepower and 10 ply tires. The Dodge brochure submitted with the bid listed this truck with an engine that had 202 horsepower that would have met the requirements of our specifications. Our present tire supplier stated the 12 ply tire was available. No exceptions to these requirements were taken by the other bidders.

"All prices shown are net or net difference.

"RECOMMENDATION: It is recommended the award be made as indicated in the following manner:

Armstrong-Johnson	- 18 Ford Trucks including 16 trade-ins	\$35,448.00
International Harvester	- 27 International Trucks including 23 trade-ins	63,977.00
Capitol Chevrolet	- 3 Chevrolet Trucks including 2 trade-ins	5,529.05

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

Councilman Long asked why all these vehicles could not be purchased from one firm. Mayor Palmer stated the principle difference in prices came from the allowances on the trade-ins. Councilman Long asked if specifications were written so that all could participate. The City Manager stated there were certain standard specifications, and all of the companies can bid. He discussed the tabulation of the type of trucks, and number of trade-ins. Councilman Long inquired about the age of trucks that were being replaced. The City Manager reported not only the age but the mileage and the amount of maintenance were considered. Councilman Long asked if trucks were being provided for anyone not now driving one. The City Manager stated these were working vehicles. The Director of Public Works stated a driver in the Street and Bridge Department was being eliminated because a larger truck is being obtained. Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 10, 1965, for various types and sizes of trucks; and,

WHEREAS, the bids of Armstrong-Johnson, Inc., in the total sum of \$35,448.00 and sixteen (16) trade-ins for nine (9) one-half ton pick-up trucks, three (3) one-ton cab and chassis truck, three (3) three-cubic yard dump truck with bed and hoist, one (1) three-cubic yard dump truck, one (1) truck complete

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with Van Body, and one (1) one-ton flat bed truck; the bids of International Harvester Co., in the total sum of \$63,977.00 and twenty-three (23) trade-ins for four (4) one-half ton pick-up trucks, for (4) 3/4 ton cab and chassis truck, one (1) one-ton cab and chassis truck, two (2) 3/4 ton pick-up truck, two (2) 5 to 8 cubic-yard dump truck with bed and hoist, one (1) 10 to 12 cubic yard dump truck with bed and hoist, one (1) two-ton flat bed truck, three (3) two-ton cab and chassis trucks, four (4) one-ton cab and chassis with flat bed, one (1) two-ton cab and chassis truck, three (3) two-ton cab and chassis with flat bed, and one (1) two-ton dump truck; and the bids of Capitol Chevrolet Co., in the sum of \$5,529.05 and two trade-ins for one (1) truck with cab, chassis and platform bed, one (1) one-half ton pick-up truck and one (1) Van Type truck, were the lowest and best bids therefor, and the acceptance of such bids 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 bids of Armstrong-Johnson, Inc., International Harvester Co. and Capitol Chevrolet Co., 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 said companies.

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

The City Manager submitted the following:

"Sealed bids opened 2:00 P.M., February 15, 1965
 Tabulated by: B. J. Bonds, Purchasing Agent

"CITY OF AUSTIN, TEXAS
 BIDS ON ASPHALT

Description	Estimated Quantity	Net Unit Price	Gulf States Asphalt Co.	Humble Oil & Refining Co.	Wright Asphalt Products Co.	Texas Emulsions
HVMS Asphalt Emulsion	150,000 Gallons	Total Net Price	No Bid	\$0.110835	\$ 0.1181	\$ 0.1050
				16,625.70	17,715.00	15,750.00
RC-2 Cut-Back Asphalt	15,000 Gallons	Net Unit Price	\$0.111132	0.107016	0.1150	
		Total Net Price	1,666.98	1,605.24	1,725.00	No Bid
OA Asphalt	50,000 Gallons	Net Unit Price	0.093688	0.094276	0.0960	No Bid
		Total Net Price	4,684.40	4,713.80	4,800.00	
RS-2 Asphalt Emulsion	300,000 Gallons	Net Unit Price				0.1010
		Total Net Price	No Bid	No Bid	No Bid	30,030.00

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"Present contract unit price: HVMS Asphalt Emulsion \$0.1010 (Texas Emulsions)

RC-2 Cut-Back Asphalt	0.1092 (Humble Oil)
OA Asphalt	0.0942 (Humble Oil)
RS-2 Asphalt Emulsion	0.1010 (Texas Emulsions)

"Invitations to bid were sent to all known producers of this material in this area. This contract will be for one year beginning March 1, 1965 and ending February 28, 1966.

"NOTE: The City of Austin does not have heating & storage facilities for RS-2 Asphalt Emulsion. The Specifications required the successful bidder of this material must maintain loading, heating and storage facilities in the Austin area in order to load this material directly in City Vehicles. Texas Emulsions does maintain this type equipment on Balcones Drive. The other materials will be delivered to City storage facilities as required.

"RECOMMENDATION: It is recommended a contract be with the low bidder as follows:

150,000 gallons of HVMS Asphalt Emulsion - Texas Emulsion, Inc.	\$15,750.00
15,000 gallons of RC-2 Cut Back Asphalt - Humble Oil & Ref. Co.	1,605.24
50,000 gallons of OA Asphalt - Gulf States Asphalt	
Company	4,684.40
300,000 gallons of RS-2 Asphalt Emulsion - Texas Emulsions, Inc.	30,030.00

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

Councilman Long inquired about the difference in asphalt, the OA Asphalt, RC-2 Cut-Back Asphalt, HVMS and RS-2 Asphalt Emulsions. The Superintendent Street and Bridge Division, Mr. E. I. Purser gave a detailed technical report on the various asphalts and asphalt emulsions, explaining the conditions in which they were used, the safety factors, and advantages. Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 15, 1965, for the furnishing of various types of asphalt; and,

WHEREAS, the bid of Texas Emulsion, Inc., in the sum of \$15,750.00 for 150,000 gallons of HVMS Asphalt Emulsion; the bid of Humble Oil & Refining Company, in the sum of \$1,605.24 for 15,000 gallons of RC-2 Cut-Back Asphalt; the bid of Gulf States Asphalt Co., in the sum of \$4,684.40 for 50,000 gallons of OA Asphalt; and the bid of Texas Emulsions, Inc., in the sum of \$30,030.00 for 300,000 gallons of RS-2 Asphalt Emulsion, were the lowest and best bids therefor, and the acceptance of such bids 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 bids of Texas Emulsion, Inc., Humble Oil & Refining Co., Gulf States Asphalt Co. and Texas Emulsions, Inc., 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 said companies.

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

The City Manager submitted the following:

"February 15, 1965

"TO: Mr. W. T. Williams, City Manager SUBJECT: Sale of Houses

"Bids were opened in my office February 15, 1965, at 10:00 A.M. for the sale of eight houses that Urban Renewal has turned over to us for disposal.

"Bids from five different individuals were received and a breakdown of the bidding is as follows:

	Robert Smith	O. Mar- berger	R. R. Martin	N. C. Garcia	Kenneth McGary
1604 Washington	<u>81.50</u>	3.50	25.00		
1509 Washington	12.00	<u>57.75</u>	25.00		
1711 Washington	<u>112.50</u>	96.85	20.00		
1406 Hackberry		<u>286.85</u>	20.00		
1607 Hackberry		<u>103.75</u>	90.00		52.50
1173½ Angelina		2.50	<u>20.00</u>		
1183 Comal		40.25	55.00	<u>100.00</u>	
1185 Comal		35.75	<u>55.00</u>		

"The high bid on each house is underscored in red. The bid sheets and deposits are attached.

"Due to the fact that these structures are dilapidated, and also the fact that it would cost this office several hundred dollars if we had to demolish them, it is recommended that these bids be accepted.

"If the bids are acceptable, the attached contracts should be signed by you and attested and returned to me in order that we may fulfill the contracts with the successful bidder.

"FROM: Dick T. Jordan
Building Official

SIGNED Dick T. Jordan"

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CITY OF AUSTIN, TEXAS

Councilman Long offered the following resolution and moved its adoption:
(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 15, 1965, for the sale of eight (8) houses that Urban Renewal turned over to the City for disposal; and,

WHEREAS, the bids of Robert Smith, in the sum of \$81.50 for house located at 1604 Washington, and in the sum of \$112.50 for house located at 1711 Washington; the bids of O. Marberger, in the sum of \$57.75 for house located at 1509 Washington, in the sum of \$286.85 for house located at 1406 Hackberry, and in the sum of \$103.75 for house located at 1607 Hackberry; the bids of R. R. Martin, in the sum of \$20.00 for house located at 117½ Angelina and in the sum of \$55.00 for house located at 1185 Comal; and the bid of N. C. Garcia, in the sum of \$100.00 for house located at 1183 Comal, 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 bids of Robert Smith, O. Marberger, R. R. Martin and N. C. Garcia, 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 said named persons.

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

The City Manager submitted the request of MR. JAY PATTERSON, Attorney for the County School Board to hold its election along with the City Council Election, at the same polling places. Last time the election officials conducted both elections, and the School Board paid on a proportionate basis. Councilman Shanks moved that the same procedure be followed as that of two years ago. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager reported a letter from MR. VIC EHLERS in which he stated a grant of \$16,200 to the Community Council had been approved by the Office of Economic Opportunity; and these funds are to be matched by \$1,800 local funds for preparing a proposed Action Plan. The Council had already generally committed itself, but the amount was not exact, and the matter was to be brought back to the Council when the amount was known. After discussion, Councilman Long moved that the Council authorize Councilman Shanks, as the representative of the Council, to contact the School Board, and discuss their share in the expense of the Community Opportunity Program; that the expenditure of \$1,800 for matching money with the Federal Government be authorized; and that Mayor Palmer contact Judge Watson to see if they want to participate in the Community Opportunity Program.

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

February 18, 1965

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

The City Manager stated the Community Council had discussed with DR. PRIMER the establishment of a maternity clinic and dental clinic on the east side in connection with the Economic Opportunity Program, and he had prepared a budget which would be matched 90% by the Government. About \$10,000 worth of equipment would be donated by the State, and the salaries and other expenses would run around \$23,000 annually. His 10% this year is available from his current budget. The City Manager stated this was not a matter for the Council to act on today; but before it was given to the Community Council to put in their program, he wanted to discuss it with the Council. Councilman Long asked if this could be placed in the Hospital. The City Manager stated Dr. Primer believed it would be better located in the east Austin area. It was brought out the dentists would be fully paid for their services and the dentists were working with Dr. Primer on this program. The City Manager stated there were two houses in the Kealing Project that could be used for this clinic. Mayor Palmer asked that this be referred to the Community Council for recommendation to be tied in with the overall program, to see how much the total is going to cost. Councilman Shanks suggested that a letter be obtained from the Dental Society for the City's file. He stated instead of taking these projects piece-meal, that the Council should look at the whole program. The City Manager wanted the Council to be informed of this, and to be sure it had no objection to Dr. Primer's presenting it to the Community Council. There may be so many things proposed that the Council can not handle, and it may decide it may not want this particular one. The City Manager stated as long as there were no objections, Dr. Primer would go ahead and submit this project.

The City Manager discussed the three large steam sterilizers at the Hospital, two of which are American Sterilizers over 24 years old. A later model is six years old, and this sterilizer has broken down. The next day one of the old ones sprang a leak and was put out of use. He described a newly developed sterilizer which is produced by AMERICAN STERILIZER COMPANY and which is a combination gas and steam sterilizer. It is reported this one sterilizer was adequate in capacity and could support the sterilizing requirements alone, as long as the Hospital remained the same size. It cost \$23,000 and there is only one manufacturer, and that is AMERICAN STERILIZER COMPANY. To buy one gas sterilizer and one steam, it would cost approximately \$34,000, and this one sterilizer would do the same job. The type of gas is ethylene oxide, and it is used for sterilizing certain instruments and plastic goods that cannot be sterilized by steam. The City Manager stated the Hospital Administrator had recommendations from the Chief of Staff, Chief of Surgery, Pathologists, and one from the Chairman of the Hospital Board, recommending this machine. The City Attorney stated this would be a straight emergency purchase rather than advertising for bids. Councilman White moved to purchase this combination sterilizer as recommended. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The City Manager stated bond funds would be used.

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The City Manager reported in view of the enlargement of the Coliseum Annex, the Manager of the Auditorium stated it was necessary to change the rates, recommending \$75.00 a day for the new addition; and if both sections were used that the fee be \$100.00 per day. The present charge is \$50.00 per day for the annex. Councilman Shanks moved that the Council accept the Auditorium Manager's recommendation and adopt the rates. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman LaRue

The Assistant City Manager reported receipt of a letter from TOM PERKINS, on behalf of the Chamber of Commerce, and Highland Lakes Tourists Association, asking the Council's approval to use Town Lake for three events in 1965.

1. A Drag Boat Race, April 17th-18th.
2. Southwest Memorial Week-end Drag Race, May 29th and 30th.
3. A race to wind up the season, October 16th and 17th.

Two of the events will be free to the public and on the third event they ask to retain concession rights to defray some of the costs of expensive timing equipment. Councilman Long moved to grant their request. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman LaRue

Councilman Long inquired about the hearing on NORTH EXPRESSWAY, INC. at 5417 Harmon Avenue. The City Attorney stated there was a 15 day notice requirement. The Mayor stated that this be set at the earliest date that would comply legally, and all the people be notified.

The Assistant City Manager stated the Civil Defense Survey is nearing completion. Colonel Kengla would like to review this with the Council, possibly next week. The Mayor suggested this be heard about 3:00 P.M.; but since they were down stairs, the Council could just go to their offices if it finished earlier.

The Mayor received a letter and diagrams on possible exchange of properties to widen Reinli Drive, and give these property owners some access to some land locked property. The matter was referred to the City Manager.

Mayor Palmer inquired if the Director of Public Works was working with Mr. Hillman Lyons on the necessary repairs on Disch Field. The Director of Public Works stated they had arrived at a conclusion.

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Mayor Palmer stated the Council received a letter from the Texas Municipal League calling attention to a public hearing, Tuesday, February 23rd, at 2:30 P.M. by the House Committee on Revenue and Taxation. It will permit cities to levy a sales tax if voted on by the people. Also, there will be a hearing next Tuesday at 10:30 A.M. to plan the discussion, and then a luncheon with the Legislators before the meeting in the afternoon. Councilman Long stated she did not want to take any official action. Councilman Shanks said as far as he was concerned, he would like to take official position. The Mayor read the proposal, setting out this was straight-forward, far-sighted legislation to meet urban needs and provide more just and equitable tax base for cities, and relieve the disproportionate burden imposed in many areas on the home owners by restrictions limiting Texas cities almost entirely to the property tax base. The Mayor stated it would be well for all the Council to appear there.

Mayor Palmer read a letter from Eddy Simmons, addressed to Mr. Heaton, the Fire Marshal, commending him and his fine department for the supreme prompt and courteous attention in their recent fire in the Paint and Body Shop.

Councilman Long reported she attended the League of Municipalities Breakfast this week and heard MR. BILL OLSON discuss about 50 bills which are before the Legislature.

The Mayor read a letter concerning the lease between the Austin Community Livestock Processors, Inc. and the City in August, 1963. The lease provided for a two year term with an option to renew for eight years. The request was for renewing the lease for a period of two years, and an option to renew for six years, rather than exercising the option in Section 10. Except for this modification, the terms and provisions of the contract would remain the same. The letter set out that the lessee had paid \$23,768 Water and Light last year, and \$20,105 for the same service during the current year. The lessee employs in excess of 50 people and had a payroll of \$188,000; and as of to date, the payroll will exceed \$148,000. The Assistant City Manager pointed out that several major pieces of equipment have broken down, due to lack of adequate maintenance personnel. He had written Mr. Brooks in this regard requesting he consider giving the City Maintenance employee additional help so that there could be proper maintenance on the equipment. Emphasis was placed on working out a better maintenance system, Councilman Long suggesting such provision in the form of an agreement; the City Attorney explaining this section of the contract, stating the City had no authority to review the maintenance procedures and to require preventative maintenance; and Councilman Shanks inquiring if this matter had been discussed with the lessees. The Assistant City Manager reported he had talked with the Manager, and had written a letter; but had received no reply. He said when the City operated the Abattoir, it had four full time maintenance men; but there is only the one City Maintenance employee now, with some part time help, but he needs two full time men under his supervision. Mayor Palmer inquired about the time limitation on exercising the option. The City Attorney stated legally, they had not exercised their option but had changed the contract. The lessees should be notified today that question could be raised subsequently; and if they change the contract, there may be some other changes in the contract which the Council might want to make. Their letter did not appear to put them on perfectly safe grounds in exercising their option, but they have several days yet in which to do so. After discussion, Councilman Shanks moved to grant the request, to be accompanied by a letter pointing out the necessity to work out some arrangements on the maintenance. The motion,

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seconded by Councilman White, carried by the following vote:

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

The Director of Planning stated the Citizens Committee on Community Improvement is prepared to recommend to the Council on the BLACKSHEAR PROJECT, and the suggestion was to present this recommendation to the Council next week. Councilman Long moved to set the report from the Citizens Committee on Community Improvement on the Blackshear Project at 10:40 March 4, 1965. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The City Council received notice from the City Manager that the following applications for change of zoning had been referred to the Planning Commission and set for public hearing before the Council at 10:00 A.M., March 25, 1965:

M. K. HAGE, JR. & AUSTIN DOCTORS BLDG. CORP.	3404-3406, 3508, 3700-3706 Wabash Avenue 3405-3407, 3501-3507, 3701, 3707-3713 McDonald Avenue 1101-1103, 1107, 1104-1106 West 35th Street 1101-1103, 1100-1106 West 37th Street 1105-1107 West 38th Street Additional Area 3500-3506 Wabash Avenue 3509, 3703-3705 McDonald Ave. 1105, 1100-1102 West 35th St. 1105-1107 West 37th Street	From "A" Residence 1st Height & Area & "O" Office 1st Height & Area To "O" Office 3rd Height & Area
C. T. USELTON	2704-2804 Cole Street	From "A" Residence 1st Height & Area To "O" Office 2nd Height & Area
WALTER D. NETTLE By D. W. Morris	6509 and 6511 Berkman Dr.	From "A" Residence To "GR" General Retail
MRS. E. M. BARTON By Robert J. Potts, Jr.	1401 Cedar Avenue	From "C" Commercial To "C-1" Commercial
TROY HARRELL	104 West 43rd Street Rear of 4303-4305 Avenue D	From "A" Residence To "LR" Local Retail
DR. D. A. BAGGETT By M. B. Braswell	804-806 Manor Road 2200-2202 Swisher Street	From "BB" Residence 2nd Height & Area To "C-1" Commercial 2nd Height & Area

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JAMES E. DYE, LUCILLE P. DYE, By J. M. Patterson, Jr.	4703 Burnet Road	From "C" Commercial 2nd Height & Area To "C-2" Commercial 2nd Height & Area
PAUL C. WALTER By Roy Stawnicz	6800-6822 Burnet Road 2400-2404 Addison Avenue	From "C" Commercial To "C-1" Commercial
E. C. THOMAS	6519-6521 Burnet Lane	From "GR" General Retail To "C" Commercial
KENNETH E. DAVIS, By Edward M. Horne	1008-1030 Reinli	From "A" Residence 1st Height & Area & "C" Commercial 5th Height & Area To "C-2" Commercial 2nd Height & Area
MAURICE HALL By Robert O. Smith	1001-1005 Flores Street 1000-1008 Waterfront 1011 Waterfront 14-18 Interregional Hwy. 21-29½ San Marcos	From "A" Residence 1st Height & Area To "C-1" Commercial 3rd Height & Area
MRS. ROY BEDICHEK By H. H. Rathell, Jr.	2201-2205 Oldham 800-802 Manor Road	From "BB" Residence 2nd Height & Area To "B" Residence 2nd Height & Area
FELIX GRIFFIN, JR. By Al Mendez	1617 South 1st Street	From "C" Commercial 2nd Height & Area To "C-2" Commercial 2nd Height & Area
THEODORE P. MEYER JR., By Herbert Smartt	4204-4212 Red River St.	From "A" Residence To "B" Residence
MRS. VIVIAN TUCKER By Arthur E. Pihlgren	1207 Riverside Drive 1100-1218 South Interre-gional Highway	From "A" Residence 1st Height & Area To "LR" Local Retail 5th Height & Area
A. E. COOKE By Richard Baker	4305-4307 Caswell	From "A" Residence To "BB" Residence
R. C. ARMSTRONG	4234-4422 Interregional Highway 4424-4444 Airport Blvd.	From "A" Residence To "GR" General Retail

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CITY OF AUSTIN By W.T. Williams, By Thomas Perkins, By Paul D. Jones	Tract 1 2013-2015, 2105-2109 Bergman Avenue 2012-2014 Bogle Avenue	From "A" Residence To "C" Commercial
	Tract 2 2017-2019, 2101-2103 Bergman Avenue 2016-2018 Bogle Avenue	From "A" Residence To "C-1" Commercial
EMMA GERTRUDE WENDE- BURG and HILMA GRACE MAGOWN, By Phil Mockford	2614-2616 Wilson 400-416 Cumberland Road	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area
KATHLEEN WALSH BELSHAN MAURICE DOKE, By Wroe Owens	1500-1504 Scenic Drive	From "C" Commercial 1st Height & Area To "C" Commercial 3rd Height & Area
W. R. CRAWFORD	(2810) 2804 South 1st Street	From "A" Residence To "GR" General Retail

There being no further business Councilman White moved that the Council adjourn. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Council adjourned at 1:30 P.M. subject to the call of the Mayor.

APPROVED

Lutie E. Palmer
Mayor

ATTEST:

City Clerk