

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 20, 1966  
10:00 A.M.

Council Chamber, City Hall

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The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, White, Mayor Palmer  
Absent: Councilman Shanks

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

Councilman Shanks was absent as he was out of the City.

Invocation was delivered by DR. JOHN BARCLAY, Central Christian Church.

Councilman Long moved the Council recess the zoning hearing set for 10:00 A.M. to hear Dr. John Barclay. The motion, seconded by Councilman White, carried by the following vote:

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

DR. BARCLAY made two reports from the Austin Equal Citizenship Corporation, the first having to do with a complaint of racial discrimination in the area of public accommodations in a retail store, not covered in the Civil Rights Act of 1964. The action of the Committee of five was made known to the respondent, who in turn wrote a letter to the complainant stating they would welcome her business. This store changed its attitude and policies to be non discriminating with any customers.

Dr. Barclay reported on the complaint of MR. EDWIN B. FULLER, Attorney, that the City Sanitation Department engaged in rank discrimination towards its employees. The Board attempted on three occasions to get Mr. Fuller to make his complaints before the Board, but he declined for the reasons that he had not had time to amass the information necessary to substantiate this complaint. Dr. Barclay after a lengthy conference with the Superintendent of the Sanitation

Department reported he was convinced that this condition had not prevailed and does not prevail in the Sanitation Department of the City of Austin. In answer to Councilman Long's inquiry, DR. BARCLAY stated he had not been able to interview the former employees, as he did not have their addresses, but the Corporation wanted them to come before it and felt it should deal with their Attorney. Dr. Barclay reported that the Foremen were white, and that there were only two promotions--to a driver and to a Foreman. The nine foremen were there when Mr. Perry took over five years ago, and there has not been a death, resignation, a discharge, retirement, or demotion, so there has been no chance of promotions to a foreman's position. Dr. Barclay said he did not detect any sense of racial prejudice, and Mr. Perry's general attitude is that the job must be done, and the man who can do the job was the man he wanted and that he wanted to keep him when he could get him. Dr. Barclay said Mr. Perry had worked for the City for 35 years; and one in a responsible position for 35 years must be a pretty steady, responsible, fruitful man. Mayor Palmer thanked Dr. Barclay for the report and for looking into the matter. He stated apparently Mr. Fuller had not filed with the Corporation formally any specific information or complaint. Councilman Long asked Dr. Barclay to contact the men, as when he interviewed the Superintendent he should have heard both sides. Dr. Barclay said he would be most happy if Mr. Fuller would bring these men in and lay their complaints before the whole group. Councilman Long asked if he had interviewed the other men working in the Sanitation Department, and Dr. Barclay replied they had no complaint. She stated she thought the situation bears looking into further. Mayor Palmer expressed appreciation for the report.

Councilman LaRue moved that MR. ROBERT SNEED be heard. The motion was seconded by Councilman White. Roll call showed a unanimous vote.

MR. SNEED stated previously MR. CAL MARSHALL and MR. SANSTROM had filed an application for a change in the Master Plan covering property contiguous to the TRACOR PLANT. Mr. Sneed believed all were in agreement in solving their problems and asked that his clients' applications be heard the same time as that of Tracor's, 2:30 P.M., November 3rd. Councilman LaRue moved that these two applications be heard at 2:30 P.M., November 3, 1966, along with the application of TRACOR for amendment to the Master Plan concerning property in the area bounded by the M.K.T. Railroad on the east and south and by Ed Bluestein Boulevard on the west. The motion, seconded by Councilman White, carried by the following vote:

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

MAYOR PALMER opened the hearing on the Amendment to the Zoning Ordinance Text concerning the sale of beer and wine. The Director of Planning presented the recommendation of the Planning Commission, stating this provision for sale of beer and wine in grocery stores and cafes had been under discussion for several years; the zoning ordinance committee of twelve appointed by the Council recommended this revision by a vote of ten to two to permit the sale of beer in all bona fide cafes where it was in accordance with State law and in conjunction with the sale of food; and also permitting the sale of beer in grocery stores as an outright permitted use, in accordance with the State Law. The Planning Commission had studied and discussed this as it now is before the Council. The

recommendation was that sale of beer or wine in any unopened container for off premise consumption would be permitted in "LR" Local Retail as well as in grocery stores in the "GR" General Retail and "C" Commercial Districts. It is recommended to permit the sale in grocery stores for off premise consumption in "D" Industrial and "E" Heavy Industrial. The City Attorney asked if the recommendation were that beer and wine be permitted to be sold in "E" Heavy Industrial in a restaurant or cafe, as it would be in "C" Commercial and the Mayor said this should be stated that way for clarification.

Discussed was the sale of beer and wine in cafes. Cafes are permitted in "LR" Local Retail District; however, the recommendation is not to permit the sale of beer and wine in a cafe in the "LR" Local Retail, but it is recommended in "GR" General Retail or "C" Commercial or lesser restricted districts. The Planning Director explained the recommendation against the sale of beer and wine in cafes in "LR" Local Retail, stating the Commission was sensitive about this, and felt there should be a degree of control over this in "LR" Local Retail. Councilman Long stated the hearing should be continued, as she did not know how many people had cafes or barbecue places in "LR" Local Retail. The Planning Director stated out of several hundred restaurants, there probably would not be ten located in "LR" Local Retail. Councilman LaRue believed the few restaurants in "LR" Local Retail would have no bearing. The Mayor noted this was for the sale of beer and wine in "LR" Local Retail for on premise consumption. It was pointed out in answer to Councilman LaRue's question that in an "LR" Local Retail District adjacent to "GR" General Retail or "C" Commercial, a special permit may be issued for the "LR" Local Retail District. The Planning Director stated over the past year and a half there had been 51 "C-1" Commercial applications, of which 42 had been granted; five had been withdrawn; two had been granted some other classification; and two had been postponed. The basic pattern among the Commission and the Council is generally the granting of these requests.

MR. C. T. JOHNSON said the primary function of a grocery store was the sale of food; the function of a drug store is to sell drugs; and a liquor store is for the sale of beer or liquors. He stated that Austin was a cultural City, with educational institutions and churches with a different atmosphere than highly industrialized cities. The social status of Austin was different, and the City had to be careful to protect society as a whole. He was opposed to this expansion of the sale of beer and wine. The Mayor stated the moral issue or economic issue of beer and wine could not be handled through zoning, and this was a matter to be solved through educational processes and from the pulpit.

MR. AMOS HEROLD objected to classifying beer and wine as a food as they are stimulants; expressed concern over the young people who get drunk; and said the acquisition of these tastes should be discouraged. He stated he had spent his life teaching young people intelligence and sobriety and there were 200 churches endeavoring to make people stable, intelligent and sober. He opposed liberalizing the sale of beer and wine. He was speaking for the young people.

Councilman Long brought up the discussion of the part of the ordinance covering signs. The City Attorney explained in paragraph 5, there was a special regulation on signs regarding beer and wine; but all of Section 11 had to do with signs. To be consistent it was necessary that all paragraphs be changed, but the existing regulations are not affected in any way. He explained also how the "B" Residence was related in paragraph 1 regarding signs.

The Director of Planning pointed out Paragraph 51, under "D" Industrial prohibiting the sale or dispensing of beer, wine or liquor for on or off site consumption in "D" Industrial was recommended to be deleted from the ordinance. This recommendation should be included in the ordinance. With respect to "E" Heavy Industrial it was recommended that the last half of paragraph (a) of Section 10, of the present ordinance be deleted and Section 10(a) would read: "In 'E' - Heavy Industrial District, buildings and land, except as otherwise provided in this ordinance, may be used for any use permitted in 'D' Industrial District; and for any other use not in conflict with any ordinance of the City regulating nuisances."

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: DEFINING "GROCERY STORE"; ALLOWING THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION IN A GROCERY STORE; ALLOWING THE SALE OF BEER AND WINE FOR ON-PREMISE CONSUMPTION IN A RESTAURANT IN THE "GR" DISTRICT; ALLOWING THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION IN "C" DISTRICT; DELETING SECTION 7; DELETING REFERENCES TO "C-1" DISTRICTS FROM SECTION 3, SECTION 8, SECTION 18 AND SECTION 25; DELETING PARAGRAPH 51 OF SECTION 9; DELETING CERTAIN EXCEPTIONS PERTAINING TO THE SALE OF BEER AND WINE FROM SECTION 10; DELETING PARAGRAPH (h) OF SECTION 12; AMENDING THE USE DISTRICT MAP TO RE-DESIGNATE AREAS NOW DESIGNATED "C-1" TO "C" DISTRICTS; AND AMENDING SECTION 11 RELATING TO SIGNS; AND DECLARING AN EMERGENCY.

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

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

Councilman White moved that the Minutes of the Meetings of September 29 and October 13, 1966, be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager submitted the following:

"October 20, 1966

"To the City Council  
City of Austin, Texas

"Re: Completion and Acceptance of Work Improving  
Portions of Certain Streets in the City of  
Austin Being Assessment Paving Contract Number  
64-A-21

"The work of improving portions of the following named streets in the City of Austin, being Assessment Paving Contract Number 64-A-21, dated November 19, 1964, between the City of Austin and Lee Maners, has been performed and completed by Lee Maners in full compliance with the contract and the plans and specifications therein contained:

<u>"Street</u>	<u>From</u>	<u>To</u>
Trinity Street	NGL East 7th Street	NGL East 8th Street
Trinity Street	NGL East 8th Street	NPL East 10th Street
Trinity Street	NPL East 10th Street	SGL East 11th Street
East 9th Street	EGL Brazos Street	WGL San Jacinto Street
East 10th Street	EGL San Jacinto Street	WPL Trinity Street
East 10th Street	EPL Trinity Street	WPL East Avenue

"I have inspected, approved and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, plans and specifications referred to above.

"Respectfully submitted,  
s/ S. Reuben Rountree, Jr.  
S. Reuben Rountree, Jr.  
Director of Public Works"

Mayor Palmer introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING TRINITY STREET AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY LEE MANERS; AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

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, White, Mayor Palmer  
Noes: None  
Absent: Councilman Shanks

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

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, White, Mayor Palmer  
Noes: None  
Absent: Councilman Shanks

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility and drainage purposes, in, upon and across a part of Lot 3, Highland Hills, Section Three, a subdivision of a portion of the T. J. Chambers Grant in the City of Austin, Travis County, Texas, according to a map or plat of said Highland Hills Section Three of record in Book 7 at Page 185 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has requested the City Council of the City of Austin to release the hereinafter described public utility and drainage easement; and,

WHEREAS, the City Council has determined that the hereinafter described portion of said easement is not now needed and will not be required in the future; Now, Therefore,

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

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described portion of said public utility and drainage easement, to-wit:

A strip of land two and one-half (2.50) feet in width, same being out of and a part of Lot 3, Highland Hills Section Three, a subdivision of a portion of the T. J. Chambers Grant in the City of Austin, Travis County, Texas, according to a map or plat of said Highland Hills Section Three of record in Book 7 at Page 185 of the Plat Records of Travis County, Texas; said strip of land two and one-half feet in width being more particularly described as follows:

BEGINNING at the point of intersection of the south line of Overlook Drive, same being the north line of said Lot 3, Highland Hills Section Three, and a line 6.25 feet west of and parallel to the east line of said Lot 3 and from which point of beginning the most northerly corner of said Lot 3 bears North 56° 55' East 6.28 feet;

THENCE, with said line 6.25 feet west of and parallel to the east line of said Lot 3, South 38° 12' East 109.04 feet to point of termination.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain easements were granted to the City of Austin for public utility purposes, in, upon and across part of Lots 29 and 31, Ridgewood Village, Section 1, a subdivision of a portion of the Henry P. Hill League in the City of Austin, Travis County, Texas, according to a map or plat of said Ridgewood Village Section 1, of record in Book 6 at Page 59 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has requested the City Council of the City of Austin to release the hereinafter described public utility easements; and,

WHEREAS, the City Council has determined that the hereinafter described easements are not now needed and will not be required in the future; Now, Therefore,

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

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described public utility easements, to-wit:

Two (2) strips of land, each of the said two (2) strips of land being five (5.00) feet in width; the strip of land hereinafter described as Number 1 being out of and a part of Lot 29, Ridgewood Village, Section 1; the strip of land hereinafter described as Number 2 being out of and a part of Lot 31, Ridgewood Village, Section 1, said Ridgewood Village Section 1, being a subdivision of a portion of the Henry P. Hill League in the City of Austin, Travis County, Texas; each of the said two (2) strips of land five (5.00) feet in width being more particularly described as follows:

NUMBER 1: BEING all the East 70.00 feet of the South five (5.00) feet of Lot 29, Ridgewood Village, Section 1.

NUMBER 2: BEING all the East 70.00 feet of the North five (5.00) feet of Lot 31, Ridgewood Village, Section 1.

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter

named and said maps or plans have been considered by the Director of Public Works; therefore

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

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduits in the following streets:

- (1) An underground telephone conduit in PERSHING DRIVE, beginning at the point of intersection of the easterly prolongation of the south property line of Manor Road with a line 4 feet east of and parallel to the west property line of said PERSHING DRIVE;

THENCE, with said line 4 feet east of and parallel to the west property line of said PERSHING DRIVE in a southerly direction 178 feet to its point of intersection with a radial line of the curving west property line of PERSHING DRIVE;

THENCE, crossing said PERSHING DRIVE along said radial line to point of termination in a line 4 feet east of and parallel to the west property line of Redwood Avenue.

- (2) An underground telephone conduit in REDWOOD AVENUE, from a point 25 feet south of the intersection of the east property line of Pershing Drive with the west property line of said REDWOOD AVENUE in a northerly direction 28 feet; the centerline of which underground telephone conduit shall be 4 feet east of and parallel to the west property line of said REDWOOD AVENUE.

THAT the work and construction of said underground telephone conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

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 application of the Western Union of Austin, Texas, to construct and maintain the hereinafter described underground improvements:

No. 1 A Western Union underground conduit crossing



BRAZOS STREET, from the point of intersection of a line 43.62 feet north of and parallel to the centerline of East 3rd Street with a line 8.24 feet west of and parallel to the centerline of said BRAZOS STREET to the point of intersection of a line 39.70 feet north of and parallel to the centerline of East 3rd Street with a line 32.22 feet east of and parallel to the centerline of said BRAZOS STREET.

be and the same is hereby granted and the Director of Public Works 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 Western Union of Austin, Texas.

(4) The Western Union 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 maintenance of said improvements.

(5) That all backfill under street surfaces between existing or future proposed curbs and under driveways and alleys, shall be tamped with mechanical tampers in six (6) inch layers. Each layer shall be compacted to not less than 90 per cent of maximum density as determined by the Standard Method of Test for Compaction and Density of Soils, A.A.S.H.O. Designation T99-49.

(6) The City of Austin may revoke such permit for good cause after notice to the Western Union 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 Long, carried by the following vote:  
Ayes: Councilmen LaRue, Long, White, Mayor Palmer  
Noes: None  
Absent: Councilman Shanks

The City Manager submitted the following:

"October 17, 1966

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

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, October 14, 1966, at the

Office of the Director of the Water and Sewer Department for the installation of approximately 844 feet of 12-inch cast iron water mains in FARM MARKET ROAD 1325 FROM THE EAST PROPERTY LINE OF BALCONES RESEARCH CENTER EAST 99 FEET, NORTH 219 FEET, THENCE EAST 525 FEET. This project will provide adequate water supply to the Reichhold Chemicals, Incorporated on McNeil Road, and extension for a future tie to Water District No. 7 (Owned by City). The bids were publicly opened and read in the First Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
J. C. Evans Construction Co.	\$ 8,740.40	20
Walter Schmidt Construction Co.	9,200.40	20
Capitol City Utilities	9,330.60	15
Griffin Construction Company	9,589.00	25
Ford-Wehmeyer, Incorporated	9,644.00	12
A & P Construction Company	10,065.48	21
Bland Construction Company	10,385.20	30
Austin Engineering Company	13,840.40	25
City of Austin (Estimate)	9,664.00	--

"It is recommended that the contract be awarded to the J. C. Evans Construction Company on their low bid of \$8,740.40, with 20 working days.

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

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 14, 1966, for the installation of approximately 844 feet of 12-inch cast iron water mains in Farm Market Road 1325, from the east property line of Balcones Research Center East 99 feet, North 219 feet, thence East 525 feet; and,

WHEREAS, the bid of J. C. Evans Construction Company, in the sum of \$8,740.40, 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 J. C. Evans Construction Company, in the sum of \$8,740.40, 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 J. C. Evans Construction Company.

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

The City Manager submitted the following:

"October 17, 1966

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

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, October 14, 1966, at the Office of the Director of the Water and Sewer Department for the INSTALLATION OF APPROXIMATELY 6275 FEET OF 8-INCH AND 1465 FEET OF 6-INCH CAST IRON WATER MAINS IN THE LINCOLN GARDENS AND GREEN VALLEY AREA AND IN HAROLD COURT. This project is East of Webberville Road and will provide water to the existing homes in recorded subdivisions and to the East Austin Street and Bridge Yard. The bids were publicly opened and read in the First Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
J. C. Evans Construction Company	\$30,234.25	30
Capitol City Utilities	31,148.25	40
A & P Construction Company	31,398.20	30
Walter Schmidt Construction Company	33,474.75	40
Ford-Wehmeyer, Incorporated	33,943.75	45
Austin Engineering Company	35,230.25	35
Eland Construction Company	35,921.25	40
City of Austin (Estimate)	35,246.25	45

"It is recommended that the contract be awarded to the J. C. Evans Construction Company on their low bid of \$30,234.25 with 30 working days.

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

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 14, 1966, for the installation of approximately 6275 feet of 8-inch and 1465 feet of 6-inch cast iron water mains in the Lincoln Gardens and Green Valley Area and in Harold Court; and,

WHEREAS, the bid of J. C. Evans Construction Company, in the sum of \$30,234.25, 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:

October 20, 1966

That the bid of J. C. Evans Construction Company, in the sum of \$30,234.25, 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 J. C. Evans Construction Company.

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

The City Manager submitted the following:

"October 12, 1966

"TO: Mr. W. T. Williams, Jr., - City Manager

SUBJECT: Bids on Triple Circuit Steel Dead End Towers

"Bids were opened by the Purchasing Agent at 10:00 A.M., October 7, 1966, for two Triple Circuit Steel Dead End Towers to be used on the 69 KV circuits leaving McNeil Substation going south into the existing system. The bids were sent to the Electric Department for evaluation and recommendation and are tabulated below:

<u>VENDOR</u>	<u>BID PRICE</u>	<u>DELIVERY</u>
Electronic Specialty Company	\$23,880.00	150 Days
Kaufman Fabricators, Inc.	26,845.00	March 1967
Muskogee Iron Works	No Bid	
Graybar Electric Company	No Bid	
Universal Pole Bracket Corp.	No Bid	

"All prices are firm and deliveries satisfactory.

"I recommend that we accept the lowest and best bid of the Electronic Specialty Company (Anchor Metals Division) bid of \$23,880.00.

"FROM: D. C. Kinney - Dir. Electric Utility  
SIGNED: D. C. Kinney"

Councilman Long inquired about the bids, if they were evaluated, or was this the out right bid. The City Manager stated this was the raw bid. One bidder did not submit a bid as he had stopped manufacturing these items; and one said their delivery schedule was such they would not be able to supply the item within a reasonable time.

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 7, 1966, for two Triple Circuit Steel Dead End Towers to be used on the 69 KV circuits leaving McNeil Substation going south into the existing system; and,

WHEREAS, the bid of Electronic Specialty Company, in the sum of

\$23,880.00, 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 Electronic Specialty Company, in the sum of \$23,880.00, be and it 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 Electronic Specialty Company.

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

Discussion was held on trade of land, and deeding Lots 12 and 13, Block A, Manor Road Addition to Greater Austin Investment Corporation. The City Attorney reviewed the acquisition of Lot 13 at 4.8¢ a square foot, (\$396.50) purchased seven years ago as one of several tracts from the same owner, for the purpose of building PERSHING DRIVE. About half of Lot 11 is needed now, and the appraisal was 15¢ a square foot, which amount was offered Greater Austin Investment Corporation, but which they did not accept. They declined also an offer of purchase of the whole lot. They submitted a proposition of trading square foot for square foot for what was needed for the right of way; and for the remainder, they would pay the City's appraised price. They would be buying only 1989 square feet of land. Councilman Long suggested that the City purchase the entire lot; or the City could pick what it needed and pay the severance damages. Councilman LaRue asked if the City could protect itself in the future in situations such as this. The City Manager explained the State Law requires in eminent domain proceedings that the market value of the land taken be paid; and in addition that any severance damages be paid. After a very lengthy discussion, Councilman Long suggested that the Council go look at this on the ground.

Councilman Long moved that the City Manager be asked to have a study made of Pegram and Justin Lane at Burnet Road for the possibility of erecting a traffic signal light. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

COUNCILMAN LONG asked that the City Manager make a study or have brought in an ordinance that would require people hauling trash to the garbage dumps and sanitation fills to cover their trucks with a tarp or plastic cover or something in that nature. There is much talk about beautifying the city and highways; and the highways where there are these sanitary fills, particularly Highway 290 and Manor Road, and on the new thoroughfare, Ed Bluestein Boulevard, are littered with trash, garbage, boards, boxes, etc. Councilman Long moved that the City Manager be asked to look into the possibility of bringing in an ordinance to that effect. The motion lost for lack of a second. She said this would be a fine thing that Austin could do. The Mayor noted it would be hard to check to

see if the haulers were on the way to the fills; some haul articles away from the fills. The City Attorney reviewed three different provisions of the Code which cover this matter. He said the ordinance provided for side and end extensions or a tarpaulin or cover which would prevent the escaping, spilling, overflowing or discharging upon the street while in transit. (Chapter 29.5, 6 & 7) After discussion, Councilman Long moved that the City Manager be instructed to see that the Chief of Police intensifies his efforts in enforcing this law to the "nth" degree. The motion, seconded by Councilman LaRue, carried by the following vote:

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

COUNCILMAN LONG asked if it were feasible, when traffic tickets are given to teenagers having to do with infraction of rules such as running a red light or speeding, that a duplicate be sent to the parents if the teenager is 18 years or under. She cited cases where the teenagers would not appear in court as they should, not realizing if they did not, there might be a warrant for their arrest issued. She believed if the parents were aware of these tickets they could save themselves money in the future on their insurance. There are instances where the insurance could be doubled, and the parents were not aware of what is going on. She said it would be helpful to have the Chief of Police or the Court to issue a third ticket to the parents when a minor is issued a ticket on these infractions. The Police Chief stated the parents were being informed by the Court now. He also suggested the age be set at 17 years. Councilman Long stated this would be a very healthy thing to be done, and Austin might be cited for an award. Councilman LaRue pointed out this would be taking on additional responsibility, and the parents could say some had been notified while some had not; it would require additional clerks, additional stamps, and research. Councilman Long asked the Council to be thinking about this procedure.

The City Manager reported the Librarian needs to purchase a new bookmobile. The bookmobile is a unique piece of equipment, and there is one manufacturer specializing in bookmobiles and other special uses. Their equipment has been more satisfactory than any others the City ever had. The last time a bookmobile was purchased, specifications that could have been bid on by others were prepared, but the manufacturers did not see fit to change their method of construction and the Gerstenslager Company was the only one that manufactured bodies in accordance with the specifications and was the only bidder. Councilman LaRue inquired why it was necessary to require a custom built trailer. The City Manager explained the special design necessary for library needs. He stated other body manufacturers did not build bookmobiles as such, and there were no other specialists in this facility. The Gerstenslager Company is the only nationally recognized manufacturer of bookmobile bodies, the only firm which advertises it in the Library Journal, and it is continually doing research for bookmobile uses. The three bookmobile bodies and trailers the City has, have been purchased from the GERSTENSLAGER COMPANY and they have given outstanding and trouble free service. This company produces these in mass and other body companies do not try to compete with them. The City Manager stated bids would be taken, but they wanted to take them on these specifications, which do not exclude any manufacturer, but they are specifications which GERSTENSLAGER can meet. The Mayor reviewed this matter of several years back, stating the Council was determined to receive

another bid, and went to WARD BODY WORKS and others to see what could be built. When the bids were tabulated they were in excess of what could be purchased from GERSTENSLAGER. Much time and study were spent on this matter, he recalled. The City Manager said he wanted to acquaint the Council with the possibility of receiving only one bid, and to ask for their suggestions. Councilman White wanted to proceed with Miss Rice's suggestion. Mr. Dick Pettway, member of the Library Commission pointed out the immediate need and stated this bookmobile would enable them to add 4,000 more volumes. Councilman White moved that the City Manager be authorized to advertise for bids for a bookmobile for the Library. The motion, seconded by Councilman Long, carried by the following vote:

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

The City Manager submitted two requests for Parades. COLONEL MURPHY asked for a parade permit for All Veterans' Day, November 11, between 11:00 A.M. and 12:00, stating all safety regulations and Police Department instructions were being complied with. Councilman Long moved the permit be granted as requested. The motion, seconded by Councilman LaRue, carried by the following vote:

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

St. Edwards High School had asked for a vehicular parade permit from their High School, coming north on Congress to 6th Street; then east to Montopolis; then south on Montopolis to Ben White, and then easterly to Del Valle High School. They want a Police escort for this parade. The time is November 5, at 6:00 P.M. Councilman White moved to permit this Home Coming Parade as requested subject to clearance through the Police Department. The motion, seconded by Councilman Long, carried by the following vote:

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

The City Manager stated during the time the Shriners would like to advertise the Shrine Circus specified locations for banners will be occupied and they ask permission to install banners over Congress Avenue at 6th and at 10th Streets. After brief discussion, Councilman LaRue moved the Shriners be granted permission to have banners hung as requested on October 21st. The motion, seconded by Councilman White, carried by the following vote:

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

MAYOR PALMER asked that copies of the Cal Marshall and A. R. Sanstrom file regarding an amendment to the Austin Development Plan be provided the Council members before the hearing on November 3rd.

Councilman White moved that the SOUTH AUSTIN OPTIMIST CLUB be granted permission to use the City property on South Lamar Boulevard south of Lamar bridge on the right hand side and adjacent to the Kash-Karry Store, beginning around December 1st, to sell Christmas Trees. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager announced plans and specifications for Fire Station No. 19, Balcones Drive south of Northland Drive, were on the table in the next room and they would like to proceed with advertising for bids. Councilman Long inquired about the personnel for this station. The City Manager stated the training period lasts about 30 days and the men would be employed at that time, and would be assigned among the various stations.

COUNCILMAN LONG inquired if there were experienced firemen coming in from other cities to join in the Austin Fire Department, and if they received any credit for their prior service. The City Manager stated there were limitations, since the Civil Service Law does not permit employment after a certain age; and when they get into real experience their age would not permit their being employed in another city. The City Manager discussed briefly the state law and the employment from the eligibility list developed in Austin from an examination. Councilman Long suggested a change in the state law where there might be an opening that an out of city person could fill in. Chief Miles said a trained Police Officer from Dallas was employed here, but he was required to go through the training course required for Austin.

Councilman Long moved the Council set the Council meeting for TUESDAY, NOVEMBER 22, 1966, because of Thanksgiving on November 24th. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager announced the October issue of Town and City had a program for the 54th Annual Conference of the Texas Municipal League, which will be held in Fort Worth. He said it was necessary to know as early as possible who may go, so the reservations could be confirmed. Mayor Palmer urged as many Council Members as possible to attend.

The City Manager reported on the matter Councilman Long had inquired about concerning a study of air pollution, stating that a considerable part of the cost which had been quoted and which was normally required, would be in the electric consumption. The Health Department takes this into consideration in places where facilities must be placed on private buildings, and the Public Agency pays the private owner either for the current or for the right to place the equipment on the structure. In Austin, fire stations and other public



facilities would be used. Meters would not be put on the motors, and the amount of electricity used would not be known. There would be a negligible amount consumed at a fire station for a month. The remainder of the cost could be absorbed. The City Health Officer had a position in his department that he has been unable to fill, so there will be some funds from this month for this one employee's time for a period of 30 days. Councilman Long moved that the City Manager be authorized to enter into a contract with the Pollution Control Board and other agencies to make a pollution air study. The motion, seconded by Councilman LaRue, carried by the following vote:

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

MAYOR PALMER announced shortly they would proclaim "CLEAN AIR WEEK".

The City Manager distributed copies of the Electric Utility Monthly Report for September.

The City Attorney stated a request had been received about leasing city property. He reviewed the purchase of a tract between Wahrenberger Street, 25th Street, and Oldham several months ago. The long range plan calls for bringing 25th or 26th Street around the north side of the campus to connect with the Interstate Highway as recommended in the Metropolitan Transportation Study. This thoroughfare would pass through this property. The request is from MR. JERRY RAISCH who wants to lease this tract, paying ground rent of \$150.00 a month. Mr. Raisch has undertaken the design of some luxury apartments which would comply with all fire, electrical, plumbing and other codes of the City. In addition the City would reserve the right to pass upon the architectural design of the structure. He has undertaken with some structural engineers to design the buildings so they could be removed economically at any time the City would need to possess the property. The City would amortize the cost of the land in ten years and taxes would be paid on the improvements. There are 10,390 square feet. Councilman White stated this was a good proposal. The Mayor stated the Council would want to look at the perspective to see if it fit into the neighborhood. Councilman Long moved that the City Manager be authorized to enter into a contract with Mr. Raisch for the Wahrenberger tract for \$150.00 a month, give him six months after construction, and thereafter 90 days notice to remove the structure; that it will be removed within the 90 day period; and that the Council review the plans. The motion, seconded by Councilman White, carried by the following vote:

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

MR. TRUEMAN O'QUINN announced the O. Henry House, 505 East 11th Street, is practically finished and that an open house is being planned and the Council will be invited. He described the interesting architecture and listed some of the mementos of O. Henry that are being displayed and gave a brief history of O. Henry.

October 20, 1966

There being no further business the Council adjourned about 12:00 noon subject to the call of the Mayor.

APPROVED

L. M. Palmer  
Mayor

ATTEST:

Elin Hooley  
City Clerk