

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 1, 1968  
10:00 A.M.

Council Chamber, City Hall

MAYOR AKIN and MR. ROBERT TINSTMAN were absent, as they were invited to the White House to participate in the signing of the Housing Urban Development Bill of 1968.

MAYOR PRO TEM LONG was absent as she was attending a meeting in Washington, D.C.

COUNCILMAN LaRUE Selected to Preside

Councilman Nichols moved to elect Councilman LaRue as Chairman to preside. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Nichols  
Noes: None  
Absent: Mayor Akin, Councilman Long

Councilman LaRue called the meeting to order, announcing the absence of the Mayor and Mayor Pro tem.

Invocation was delivered by REVEREND THOMAS LOFTIN, First Methodist Church.

Request from Legal Aid Society

COUNCILMAN LA RUE brought before the Council the request from the Legal Aid Society as follows:

"July 15, 1968

"Mr. Robert Tinstman  
City Manager  
City of Austin  
Municipal Building  
Austin, Texas 78701

"Dear Mr. Tinstman:

"In accordance with your suggestion to Mr. Woodrow Patterson and the writer last week, we have prepared a resume of the history and activities of the Legal Aid and Defender Society of Travis County and enclose five copies.

"You will note that under our financing arrangements with the local Community Action Agency, the Human Opportunities Corporation, we are required to contribute 20% of the cost of the program for the years 1967-1969, which amounts to \$21,000. in cash and an equal amount in services of lawyers and law students.

August 1, 1968

"Since the inception of the program the Commissioners Court has donated space in the Courthouse and printing and xeroxing for our operation which is valued at slightly over \$5,000.00 for the current year, making a total of \$7,500.00 as the County's contribution for the three years which will end May 1, 1969.

"We respectfully request the City to provide in its budget for a similar contribution in order that we may make up the \$21,000.00 necessary to be raised locally.

"We anticipate that in future years we will be able to obtain a grant from the United Fund to make up our local case contribution but until that is done we must rely upon interested citizens and local governmental agencies for help. If the City will match the Countys donation in this manner, we will be able to raise the balance of the \$21,000.00 from contributions of law firms and others. Since the lawyers are rendering free legal services and are taking usbstandard cases through Lawyer Referral in order that all residents of Travis County who need lawyers' services may have them, we feel that the lawyers should not be called upon to make the entire cash contribution as well although many of them will contribute.

"We respectfully request that this item be included in your current budget and the officers and directors of the Society will be pleased to appear before the Council at such time as may be designated to further this request.

"If there is any further date or information you desire, please call on us.

"Sincerely,

/s L. Hamilton Lowe  
EXECUTIVE DIRECTOR, LEGAL AID  
AND DEFENDER SOCIETY"

MR. DONALD THOMAS, President of the Legal Aid and Defenders' Society of Travis County, explained the joint effort of the community and the Travis County Bar Association to provide free legal services to under privileged persons who are unable to secure their full measure of legal advice or the rights that they have. The Travis County Bar Association has supported the Legal Aid Society to the utmost, and the Society has endeavored to provide a professional service to those in need of such service. The Society has the support of lawyers through the rendition of a considerable amount of free legal service; and of the County in providing facilities. This is the first time it has been necessary to call upon the City to participate in this public service. MR. HAMILTON LOWE reviewed the services being performed now and the manner in which the fees are set for those who have some ability to pay, explaining when clients could not pay a standard fee, the lawyers have taken those cases at substandard fees, and those cases amount to a third of the total referrals. The lawyers have not only supported this program, but several have made donations to enable the Society to meet its local financial requirements besides rendering the serivce. MR. LOWE asked that the City match what the County has appropriated--\$5,000 in services, space, etc., and a commitment of \$2,500 more, making \$7,500 to be contributed by the County by the end of the fiscal year. Mr. Low explained the government grant is made to the O.E.O. and in turn a contract is made with the Society to render services. The first year the locality was to contribute only 10% of the total amount, which could be accomplished by lawyers' giving free service and by the County's donations. The second year, and hereon, the contribution will be 20%, half of which would be in cash and half in services. The Bar will render over 1,000 hours of legal service, and the University law students will render

2,000 hours, which will make an in-kind contribution of \$15,000. In addition the County, by donating \$2,500 will contribute a total of \$17,500. The National Office would let them operate with \$11,000 cash contributions in addition to in-kind services. \$21,000 will have to be raised locally, part of which has been accomplished by donations. They were asking the City to participate on the same basis as that of the County.

Councilman Nichols asked if they were requesting \$7,500 from the City. Mr. Lowe stated that was the same amount the County would have contributed in three years. Councilman Janes asked for a copy of that Budget which the Council might consider in the Budget sessions. Mr. Lowe said they were asking this only for this year, as it was hoped to provide this financing through the United Fund. Councilman Janes agreed this appeared to be more logically a function of the United Fund. In answer to Councilman LaRue's question as to the total amount of the grant, Mr. Lowe stated the Federal grant was \$109,989, and the locality had provided \$21,000, totaling \$121,000. The remainder is the in-kind contribution. This amount is slightly more than asked for last year. During the past two years, they had over 6,000 referrals; and of those, 5,000 people had been helped. Father GOERTZ, speaking particularly for the "Tenth Ward" area, and generally, stated the program had a value and should be continued. Mr. Lowe called attention to the letter JUDGE TOM REAVELY had sent. Councilman LaRue expressed appreciation for the contribution to the Community. He announced the Council would take this matter under advisement and discuss it at the next Budget Hearing.

#### Monthly Financial Report

Councilman Nichols moved to receive the Monthly Financial Report. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Nichols  
Noes: None  
Absent: Mayor Akin, Councilman Long

#### Bus Hearing Rescheduled

MR. BARR McCLELLAN, associated with the Law Firm representing the AUSTIN TRANSIT CORP., stated it was his understanding that MR. CHRYS DOUGHERTY and he were to get together and agree on some of the points to be considered. Due to the fact the Motor Carrier Seminar would be in session in Denver on August 22, and that most of the interested parties would be in attendance, Mr. McClellan suggested rescheduling the hearing after September 1st. Councilman Nichols moved to continue the Bus Hearing until 10:30 A.M., September 12. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Nichols, Janes, LaRue  
Noes: None  
Absent: Mayor Akin, Councilman Long

#### Zoning

Councilman LaRue 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: LOT 34 OF TWIN OAKS ADDITION SECTION 2, LOCALLY KNOWN AS 516-518 EAST OLTORF STREET AND 2311-2315 REBEL ROAD, FROM "LR" LOCAL RETAIL DISTRICT TO "C"

COMMERCIAL DISTRICT; SAID PROPERTY BEING LOCATED 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 Nichols moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Nichols  
Noes: None  
Absent: Mayor Akin, Councilman Long

Annexation Ordinance set for Hearing August 15, 1968

Councilman LaRue introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 4.03 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; 2.96 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; AND 15.32 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY; ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman Nichols moved that the ordinance be published in accordance with Article 1, Section 6, of the Charter of the City of Austin and set for public hearing at 10:30 A.M. August 15, 1968. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Nichols  
Noes: None  
Absent: Mayor Akin, Councilman Long

Easement Release

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes in, upon and across that certain portion of Lot 12, Morningside Addition, Section 2, a subdivision of a portion of the James P. Wallace Survey Number 57 in the City of Austin, Travis County, Texas, according to a map or plat of said Morningside Addition, Section 2, of record in Book 5 at Page 112 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 portion of said 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 Assistant to 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 easement, to-wit:

A strip of land five (5.00) feet in width, same being out of and a part of Lot 12, Morningside Addition, Section 2, a subdivision of a portion of the James P. Wallace Survey Number 57 in the City of Austin, Travis County, Texas, according to a map or plat of said Morningside Addition, Section 2, of record in Book 5 at Page 112 of the Plat Records of Travis County, Texas; which strip of land five (5.00) feet in width is more particularly described as follows:

BEING all of the north 106.64 feet of the west five (5.00) feet of said Lot 12, Morningside Addition, Section 2.

The motion, seconded by Councilman Janes, carried by the following vote:  
 Ayes: Councilmen Nichols, Janes, LaRue  
 Noes: None  
 Absent: Mayor Akin, Councilman Long

#### Contracts

The City Manager submitted the following:

"Date	"Requested By	"Department
July 29, 1968	B. J. Bonds	Purchasing

1. Item
  - A. Design, detailing and fabrication of two (2) each 130 Foot Special Tangent Galvanized Structural Steel Transmission Line Towers to Electronic Specialty Company - Net Total \$19,900.00.
2. For Electric Department
3. To be used for crossing of Decker Lake with two 138 KV transmission lines from the Decker Power Plant to Austrop Substation.
4. We have not previously purchased units of this size and type; however, the estimated cost for these two units was \$23,000.00.
5. The attached memorandum from Mr. R. L. Hancock recommends the award be made to Electronic Specialty Company."

"CITY OF AUSTIN  
 TABULATION OF BIDS  
 130 FOOT SPECIAL TANGENT GALVANIZED  
 STRUCTURAL STEEL TRANSMISSION LINE TOWERS

"Sealed bids were opened in the office of the Purchasing Agent at 10:00 A.M.

"July 26, 1968 for design, detailing and fabrication of two (2) each 130 Foot Special Tangent Galvanized Structural Steel Transmission Line Towers for the Electric Department.

<u>"Bidder</u>	<u>Unit Price</u>	<u>Net Total</u>
Kaufman Fabricators, Inc.	\$11,770.00	\$23,540.00
Electronic Specialty Company	9,950.00	19,900.00
Flint Steel Corporation	10,288.00	20,576.00"

In answer to Councilman Janes' inquiry, the Purchasing Agent, MR. BILL BONDS, reported that these two transmission towers would go directly across Decker Lake. There will be a substation, and these lines will tie into the L.C.R.A. south of Decker Lake. The L.C.R.A. is installing their lines to meet these.

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 26, 1968, for the design, detailing and fabrication of two (2) each 130 Foot Special Tangent Galvanized Structural Steel Transmission Line Towers for the Electric Department; and,

WHEREAS, the bid of Electronic Specialty Company, in the sum of \$19,900.00, 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 Electronic Specialty Company, in the sum of \$19,900.00, be and the same is hereby accepted, and that R. M. Tinstman, 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 Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Nichols

Noes: None

Absent: Mayor Akin, Councilman Long

The City Manager submitted the following:

<u>"Date</u>	<u>Requested By</u>	<u>"Department</u>
July 29, 1968	B. J. Bonds	Purchasing

1. Item

A. Equipment, material and labor for installation of one (1) 180 degree and one (1) 90 degree High Level Voice Sound and Remote Controlled Emergency Warning Stations to Southwest Sound and Electronics, Inc. -  
Net Total \$7,366.30

2. For Civil Defense.

3. (a) 180 degree unit to be installed on Cambridge Tower Apartment Building.  
(b) 90 degree unit to be installed on John H. Reagan State Office Building.

4. "We have not purchased these exact units previously for price comparison; however, the total estimated cost of this project was \$7,500.00. The City of Austin will receive matching funds from the Federal Financial Assistance Program of one-half of the total cost.
5. The attached memorandum from Col. W. A. Kengla recommends the award be made to Southwest Sound and Electronics, Inc."

"CITY OF AUSTIN  
TABULATION OF BIDS  
HIGH LEVEL VOICE SOUND AND REMOTE CONTROLLED  
WARNING STATIONS

"Sealed bids were opened in the office of the Purchasing Agent at 2:00 P.M. July 26, 1968 for all equipment, material and labor for the installation of one (1) 180 degree and one (1) 90 degree High Level Voice Sound and Remote Controlled Emergency Warning Stations for the Department of Civil Defense. Invitations to bid were sent to sixteen prospective bidders and advertised in the Austin-American Statesman on July 7 and July 14, 1968.

The only bid received is as follows:

<u>"Bidder</u>	<u>"Net Total</u>
Southwest Sound and Electronics, Inc.	\$7,366.30"

Councilman Janes asked how many invitations to bid were sent out. Colonel Kengla, Civil Defense, stated 16 invitations were mailed. Only one company can make the equipment and install the complete system. In answer to Councilman Janes' inquiry, Colonel Kengla replied the specifications were not restricted. He said a bulletin describing the system and its entire requirements had been promulgated and furnished to the 18 companies. He explained this was a very advanced system, and this firm is the nearest local distributor. Councilman Janes was concerned over the specifications being too restrictive. Colonel Kengla reported no company had made a system as complete as this, and test proven and found to be adequate all over the World. No one manufactures a complete system. Different parts would have to be obtained from various manufacturers.

Councilman Janes offered the following resolution and moved its adoption, and asked that all possibilities to make the specifications a little more pliable be exhausted:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 26, 1968, for the purchase of all equipment, material and labor for the installation of one (1) 180 degree and one (1) 90 degree High Level Voice Sound and Remote Controlled Emergency Warning Stations for the Department of Civil Defense; and,

WHEREAS, the bid of Southwest Sound and Electronics, Inc., in the sum of \$7,366.30, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Southwest Sound and Electronics, Inc., in the sum

of \$7,366.30, be and the same is hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Southwest Sound and Electronics, Inc.

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

Ayes: Councilmen LaRue, Nichols, Janes

Noes: None

Absent: Mayor Akin, Councilman Long

#### Building Permit in Town Lake Area

The Associate City Manager, Mr. GENE HIGGINS, submitted the request of STEAK ISLAND for a permit to enlarge their present structure at 600 East Riverside Drive, located within five hundred feet of Town Lake. The Building Official reported they wanted to add 1500 square feet; and their location's being within the 500' of Town Lake, it was the desire of the Council to pass on these permits. The Building Official described the plans stating the building materials would be the same as used on the present building. He recommended that this permit be granted with the provision in the Council's approval, that the same floor elevation be maintained as approved for the first structure. The parking facilities will not be affected, and the owner has made arrangements to use the parking facilities of the Office Building to the west at night, and the Office Building group would use their parking facilities in the daytime. Councilman Nichols moved that the permit be granted subject to the floor elevation remaining constant as with the other. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilman Nichols, Janes, LaRue

Noes: None

Absent: Mayor Akin, Councilman Long

#### Refund Contracts - First Reading

Councilman LaRue introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ASSISTANT TO THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH MORTGAGE INVESTMENT CORPORATION, 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 Nichols moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Nichols

Noes: None

Absent: Mayor Akin, Councilman Long

Councilman LaRue introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ASSISTANT TO THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH NORTH AUSTIN ENTERPRISES, INC., 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 Nichols moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilman LaRue, Nichols, Janes  
Noes: None  
Absent: Mayor Akin, Councilman Long

#### Parade Permits

Councilman Nichols moved to approve the following parade permit:

Austin Aqua Festival PET PARADE - From 7:45 to 7:55 P.M., August 2, 1968

The motion, seconded by Councilman Janes, carried by the following vote:  
Ayes: Councilmen LaRue, Nichols, Janes  
Noes: None  
Absent: Mayor Akin, Councilman Long

Councilman Nichols moved to approve the following parade permit:

Austin Aqua Festival LAND PARADE - From 7:45 to 9:00 P.M., August 2, 1968

The motion, seconded by Councilman Janes, carried by the following vote:  
Ayes: Councilmen Janes, LaRue, Nichols  
Noes: None  
Absent: Mayor Akin, Councilman Long

Councilman Nichols moved to approve the following parade permit:

Austin Aqua Festival WATER PARADE - From 8:15 P.M. to 11:00 P.M., August 9, 1968

The motion, seconded by Councilman Janes, carried by the following vote:  
Ayes: Councilmen Nichols, Janes, LaRue  
Noes: None  
Absent: Mayor Akin, Councilman Long

#### Complaint

MR. HARRY ULIT appeared before the Council regarding a paving assessment which he had paid in full, and later received a bill. He had reported this error to the Tax Department. The Attorney in the Tax Department reported this statement had been sent out inadvertently, and an apology had been extended to Mr. Ulit. Councilman LaRue expressed regrets for Mr. Ulit's inconvenience, and apologized on behalf of the Council.

. . . . .

MR. KRUEGER understood some one had requested a permit to sell beer in Pease Park. The City Attorney reported no request for a permit to sell beer had been filed. Mr. Krueger discussed briefly possible deed restrictions on the property purchased from the Pease estate.

#### Acquisition of Property for MoPac Boulevard

Councilman Nichols moved to authorize the purchase of 1900 Townes Lane

at the average of the appraisals. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Nichols  
Noes: None  
Absent: Mayor Akin, Councilman Long

Consideration of Offer to Purchase Property Continued

Councilman Nichols moved that consideration of the offer to purchase two 25' strips of land at 5512 Martin Avenue and 702 East 55th Street to continued until next week. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen LaRue, Nichols, Janes  
Noes: None  
Absent: Mayor Akin, Councilman Long

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

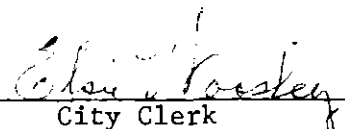
Ayes: Nichols, Janes, LaRue  
Noes: None  
Absent: Mayor Akin, Councilman Long

The Council adjourned at 10:53 A.M.

APPROVED

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk