

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 1, 1966
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 VICTOR M. GOERTZ, Cristo Rey Catholic Church.

Pursuant to published notice thereof the following zoning applications were publicly heard:

LUCIAN DEAN	806-808 East 52nd Street	From "C" Commercial
By E. H. Smartt	(as amended)(east 40' of the lot)	To "C-2" Commercial
		RECOMMENDED by the Planning Commission

Councilman LaRue moved that the change be granted to "C-2" Commercial for the east 40' of the lot. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor announced that the change had been granted to "C-2" Commercial for the east 40' of the lot and the City Attorney was instructed to draw the necessary ordinance to cover.

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ODAS JUNG

704-710 Ben White Blvd.
712-808 Ben White Blvd.
705-809 Banister LaneFrom "A" Residence 1st
Height & Area
To "GR" General Retail
5th Height & Area
(as amended)RECOMMENDED by the
Planning Commission
as amended

MR. JOE JUNG stated the recommendation of the Planning Commission was acceptable. Councilman Long said he had agreed to give 10' of right of way. Councilman White moved that the change be granted to "GR" General Retail 5th Height and Area. The motion, seconded by Councilman Long, carried by the following vote:

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

The Mayor announced that the change had been granted to "GR" General Retail 5th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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M. B. PATTERSON
By Sterling Sasser,
Sr.

707 (709) West 7th Street

From "O" Office 2nd
Height & Area
To "GR" General Retail
2nd Height & Area
RECOMMENDED by the
Planning Commission

Councilman White moved that the change be granted to "GR" General Retail 2nd Height & Area. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Mayor announced that the change had been granted to "GR" General Retail 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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MARGARET HOLMES
By Joe F. Burke2717 Rio Grande Street
613-615 West 28th StreetFrom "B" Residence 2nd
Height & Area
To "LR" Local Retail
2nd Height & Area
NOT Recommended by the
Planning Commission
RECOMMENDED "O" Office
2nd Height & Area

MR. TOM GEE, representing the applicants, stated they live in the upper story of this structure and operate a small custom tailoring shop-- a

haberdashery. They remodeled an old home. Mr. Burke had understood this operation was to be considered a custom tailoring business, and no one had complained of the operation. Mr. Gee pointed out this location on Rio Grande and 28th was amidst "LR" Local Retail and commercial zones, and it would be a real hardship to put this small business out of operation, when no one objects. MR. JERRY RAISCH, at the bottom of the 28th Street hill, expressed objection; although the men had improved the place, the area is still residential. It was pointed out in Mr. Raisch's area there were rooming houses, fraternities and office buildings. Mr. Raisch said the traffic was already congested due to apartments. MR. JIM DANIEL emphasized this was a small operation, and hardly ever more than three or four cars would be involved in his operation. The Chief of Plan Administration said this location was in the area where the Council determines the number of off-street parking spaces. Councilman Shanks moved that the request be granted. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor announced that the change had been granted to "LR" Local Retail 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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TOM MOSES ATTAL 6735 Airport Boulevard
By Sneed and Vine (as amended)(10' x 60')

From "C" Commercial 1st
Height & Area
To "C" Commercial 2nd
Height & Area
RECOMMENDED by the
Planning Commission

Mayor Palmer read a petition, filed by Mr. and Mrs. R. W. Franke, and signed by 14 residents on Isabelle Drive, objecting to the zoning of the area 6701-6761 Airport Boulevard, and 401 Pampa Drive (Silverton Center) as the occupancy was to be a movie theatre, and to the traffic hazard that would result. MR. FOREST TROUTMAN, Sneed and Vine, represented the applicants, stating the request had been amended for a 10' x 60' area so that a sign could be erected on the theatre property. Councilman Long noted under the present zoning, a theatre could go in, and the people were under the impression the change of zoning was to permit the theatre. Councilman Shanks moved that the request be granted. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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TOM GUEDEA
By Rudy Cisneros

500-502 West Elizabeth
Street

From "A" Residence
To "C-2" Commercial
NOT Recommended by the
Planning Commission

MR. CISNEROS represented the applicant, stating Mr. Guedea had a house and a grocery store on the corner, and he wants to change the facilities for a club house for members of the community, and of the church, and to beautify the creek running through the area for a picnic area. Instead of "C-1" Commercial he would like to ask for "GR" General Retail, so to whatever groups he rents the facilities, they would be under the protection of the liquor laws. It will not be a lounge; just a meeting place for the community. It was pointed out he would need "C-2" Commercial if he plans to sell beer. Mr. Cisneros stated there would be a bar available to groups that rented it. His place would be open only on request. Councilman Shanks moved that the request be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman Long stated it was not good zoning.

The Mayor announced that the change had been granted to "C-2" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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MRS. ALMA MEINSCHER 1514-1516 West 5th Street
By A. S. Duncan 501-503 West Lynn Street

From "B" Residence 2nd
Height & Area
To "C" Commercial 2nd
Height & Area
RECOMMENDED by the
Planning Commission

The Chief of Plan Administration stated a 5' dedication on West 5th Street was necessary. He said the Planning Commission wanted to point out right of way needs to be provided on West Lynn; however, Mrs. Meinscher's property is not affected on that street. MR. SOL SMITH was interested in future widening on West Lynn Street. The Chief of Plan Administration stated 60' would be needed to construct 5th and 6th Streets as they relate to Missouri Pacific Boulevard. When the Eichelberger property was zoned across the street, it was thought then that consideration should be given to acquiring property. It was hoped to strip out one side. The Commission wanted to point out that consideration must be given to acquiring right of way through this area. Mr. Stevens estimated roughly that perhaps 10 additional feet would be needed from Mr. Smith's property, actually totalling 15'. The right of way on West Lynn does not apply to this zoning case, and the applicant is dedicating 5' on West 5th Street. Councilman LaRue moved that the change be granted. The motion, seconded by Councilman Long, carried by the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial 2nd Height & Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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MRS. O. L. ALBRIGHT 1312-1404 South Lamar
By Edward Horne Boulevard

From "A" Residence
To "C" Commercial
RECOMMENDED by the
Planning Commission

The Chief of Plan Administration explained the right of way needs as proposed in the Urban Transportation Plan, to bring the total width of Lamar up to 100'. From the subject property 10' will be needed to meet the Transportation Plan requirements. Mr. Horne representing the applicant said Mr. Buford Stewart's right of way was purchased by the City for a nominal sum, and he would be willing to furnish right of way at the same price. The Assistant City Attorney said Mr. Stewart's case was based on the subdivision plan, where the City paid for right of way over 70'. Mr. Horne said they would be glad to establish their building line 175' back at the present time. Councilman LaRue said a basis for this dedication would be that a great amount of traffic would be generated in this new development. Mr. Horne said they would leave this up to the Council. Councilman Long moved that "C" Commercial be granted. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor stated many times the type of establishment that goes on the land, necessitates additional right of way for the free movement of the general good of the public. On this basis where there is plenty of land, it would seem the owner would dedicate his part. Mr. Horne said he was not in a position to say today. The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover. The Mayor stated the ordinance would be brought in next week.

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LINDEN JONES, SR., 3107-3117 West Avenue
By Conway Taylor 709-715 West 32nd Street
3106-3116 King Lane

From "BB" Residence 1st
Height & Area
To "B" Residence 2nd
Height & Area
NOT Recommended by the
Planning Commission

MR. CONWAY TAYLOR represented the applicant, reviewed the previous request which was withdrawn, and stated this application was for developing a 76 unit apartment hotel of only two stories in height. Excess of the required off street parking and a drive from West Avenue to King Lane will be provided. A general change of character has occurred in this neighborhood since the last area study five years ago. He distributed a sketch showing the major thoroughfares and an interchange at Guadalupe and 34th Street. The 57,000 square feet tract which they are asking to be rezoned, will be less than 200' from the interchange. He listed other big developments in the area, showing the character of the neighborhood had changed. The architect showed a sketch of the proposal and plot plan, swimming pool, and permanent care grounds. Opposition was expressed by MR. A. W. PENN that this tract is nowhere within 200' from 34th Street, or Guadalupe, and he knew nothing of the interchange planning. The neighborhood is not changing--the big thoroughfares, Guadalupe, and Lamar have been there for years; King Lane is 18 or 20'; West Avenue, 32nd Street are narrow. Mr. Penn said nothing new would warrant any change of character; this would be spot zoning at its worst, and he asked that this large apartment development be turned

down. MRS. C. T. BRAY stated in an area zoning, "BB" Residence was established; but zoning changes had been granted ever since. She objected to this big apartment development in the midst of a residential section. MR. A. W. PENN complained of cars parking on 32nd Street continuously, and reported many accidents at King and 32nd Streets; and 31st and West Avenue. MRS. McCALEB, owner of four apartments on King Lane said she was not entitled to enlarge on her apartments; but across the street, this person is asking for this density. She should be able to place 11 apartments on her lot, and thought the whole area should be zoned if one place were. DR. A. P. BROGAN, stated if this zoning were allowed he would have to move out. All over town people are buying little tracts and overcrowding them with apartments and heavy traffic. After discussion, and after a review by the Planning Director of the area study and rezoning, the Council decided to go look at the area, and try to make a decision next week.

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ANDREW & SYLVION
KIVLIN

2101-2107 West 7th Street
613-615 Upson Street
612-614 Atlanta Street

From "A" Residence 1st
Height & Area
To "B" Residence 2nd
Height & Area
NOT Recommended by the
Planning Commission

MR. ALVIS VANDYGRIFF represented the applicants, stating the request was for "B" Residence 2nd Height and Area and there was a misunderstanding on the number of units to be constructed. The area lies between two streets with no alleyway opened through. Since the Missouri Pacific Boulevard would come within the close proximity, the request for closing the alley has not been decided. Mr. Vandygriff said his clients planned to build only four units on each lot. The land has beautiful terrain with a creek running through. With the widening of 7th Street, this property would be opened for adequate development. His clients would agree to enter into a stipulation relative to the number of units. MRS. MARY OGDEN opposed the apartment zoning, as they wanted to build a home in the middle of their tract, and the apartment development would crowd the land, half of it being in the creek. MRS. BARBARA BOARDMAN, 611 Upson, said her home would face the rear of those apartments; the streets are exceedingly narrow and could not bear additional traffic. Mrs. Ogden and Mrs. Boardman would object even though there were a covenant restricting the number of apartments to four units on each lot. Mr. Vandygriff stated there would be four units on each tract and the alleyway between them. The Council postponed action until it could make an on site inspection of the area.

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"A" REALTY, INC.
By Sneed and Vine

Rear of 1902-1926
Barton Springs Road

From "A" Residence
To "C" Commercial
(as amended)
RECOMMENDED by the
Planning Commission
for only portion east of
existing dedicated right
of way

MR. FOREST TROUTMAN represented the applicant stating the application

had been amended; and since the recent amendment to the zoning ordinance regarding "C-1" Commercial, their request for "C-1" Commercial on the 150' on Barton Springs Road would be unnecessary, and they wanted the record to show that this area had been withdrawn. They would like to zone Tract 2 as shown on the map, east of any existing right of way, on which they say there is no right of way. Mr. Troutman said it was the City Attorney's position there is a road in there, and it is their position there is not. Mayor Palmer stated it had been always contended there was an existing road through there. Discussion was held on obtaining additional right of way for the thoroughfare. In answer to Councilman Shanks' inquiry as to how the ownership of the road was to be resolved, the Assistant City Attorney stated it would be resolved either by agreement or in court proceedings. Mr. Troutman stated there is a huge pecan tree in the center of where the alleged right of way is, and a huge bluff. He asked the Council to look at this property. Councilman Long moved that this matter be postponed until it is decided how much of the land is wanted, and how much belongs to the City, and that the City Administration be urged to hasten with this and not hold them up any length of time. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman LaRue moved that the minutes of the meeting of November 17, 1966, be approved. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager stated last week the lease of the Civil Air Patrol for space on the west side of the Airport in the vicinity of Ragsdale Terminal was discussed briefly. The Director of Aviation described the functions of the Civil Air Patrol, an authorized unit of the U.S. Air Force, particularly since World War II, C.A.P. furnishing the search and rescue of aircraft and persons; working with the Red Cross on emergency programs, and other community services. The Air Force will furnish a typical hangar type of building, located on a filled-in area which is suitable now for this use. The building will occupy 80' x 40' and parking will be available for about 20-30 cars. This acre tract will have easy access to the field. The lease is similar to the one approved for the C.A.P. sometime ago at \$1.00 a year. In that lease it was provided if the building was not started within one year, the lease would expire. The new lease would be similar except no fuel could be stored and the C.A.P. must go to one of the fixed base operators for fuel, or for major maintenance that might be required on their aircraft. He said he recommended this lease. The City Manager concurred in the recommendation. Councilman White moved that the City Manager be authorized to enter into a lease agreement with the Civil Air Patrol for a ten year period with two additional five year options. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Council had before it consideration of extension of the Texas National Guard Armory Board lease for an armory site at the Airport, east of the old Ragsdale hangar. The City Manager stated this lease was for a heliport. The Director of Aviation, Colonel Murphy, stated this would be a good development for the Airport, there is no other use for that building and he recommended that the lease be extended. The City Manager stated this was one of the leases where there was a limit on time of constructing, and the Texas National Guard wanted an extension of that time within which they could commence their building. This will be a \$1.00 a year lease. Mayor Palmer said this would be about a \$350,000 expenditure with a building and a sizable annual payroll, and the helicopters would be moved from Camp Mabry to the Airport. COLONEL MURPHY anticipated when this development is started on that side of the field there will be a considerable area that would be developed further with another fixed base operation. As to the helicopters, Colonel Murphy reported 173,000 operations in 1965, and in 1966 there will be about 190,000 with more next year. Councilman Long moved that the City Manager be authorized to enter into an extension of this agreement. The motion, seconded by Councilman LaRue, carried by the following vote:

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

MR. BOB BRIGHT introduced MR. DALE ELMORE, Roger Brothers Investments, in Beaumont, who propose to construct a major office building for International Business Machines Corporation on Lot 3, Outlot 11, Division E, fronting approximately 210' on Shoal Creek Boulevard near its intersection with North Lamar Boulevard. Mr. Elmore requested permission to prune, trim or remove vegetation from the Parkway between Shoal Creek and North Lamar Boulevard; and in return, Roger Brothers, through its resident Manager, Bob Bright, proposes to replace any removed foliage with low profile landscaping in keeping with the City's landscaping scheme. Councilman Long moved that this request be sent to the Parks and Recreation Department and Parks and Recreation Board and let them study it and recommend to the Council. The motion, seconded by Councilman LaRue, carried by the following vote:

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

MR. BILL HOLMAN, new Division Manager for the Telephone Company in Austin, asked the Council as of December 1, to amend the ordinance passed October 1959 covering certain miscellaneous charges involving moves, change and connect charges, and introducing a one time residence service charge of \$6.00. This would be an overall reduction of some \$24,000 annually to the citizens of Austin. In addition the color telephone will be reduced from \$7.50 to \$5.00; the special amplifier set will be reduced from \$1.25 - \$2.00 to \$1.00. He explained specific instances of the results of the reductions, in the initial installation of extra length cords, extra telephones, and other accessories, there would be no extra charge; however, after the installation if a request is made for some of the extra services, there would be. He pointed out there was nothing for services repairs. Mr. Holman explained by having one flat service charge, it would not only save the company money in administration, but would also save 98% of their customers money.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 591029-D PASSED
AND APPROVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN,
TEXAS, ON OCTOBER 29, 1959, PRESCRIBING RATES
AND CHARGES FOR LOCAL EXCHANGE TELEPHONE SERVICE
FURNISHED BY SOUTHWESTERN BELL TELEPHONE COMPANY.

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

MR. CHARLES HAMILTON, 6703 North Park Drive, noting stakes being driven at Northwest Park for another ball park, questioned having two ball parks so close together. He asked for further studies as to the traffic hazard if another ball park were provided there, as there is only one way to enter the ball park and one way to exit. Sometimes there are 150 cars entering the park; with another ball field the cars have no place to park except on Shoal Creek, and this will be a traffic hazard to the children at night. They are hoping there would be tennis courts, croquet courts, a putting green or any type of recreation other than a second ball park. After discussion, Councilman LaRue moved that the City Manager be asked to hold this until there could be a restudy made. The motion, seconded by Councilman Long, carried by the following vote:

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

The Council recessed.

RECESSED MEETING

2:30 P.M.

At 2:30 P.M. the Council resumed its business.

Absent: Councilman Shanks

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 purposes, in, upon and across Lots 8, 9 and 10, Resubdivision of Lots 2 and 3, Dolores Subdivision, a map or plat of said Dolores Subdivision being of record in Book 8 at Page 169 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 easement; and,

WHEREAS, the City Council has determined that the hereinafter described

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 public utility easement, to-wit:

The East five (5.00) feet of Lots 8, 9 and 10, Resubdivision of Lots 2 and 3, Dolores Subdivision, said Dolores Subdivision being a subdivision of a portion of Outlot 50, Division B, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas; a map or plat of said Dolores Subdivision being of record in Book 8 at Page 169 of the Plat Records of Travis County, Texas, and a map or plat of said resubdivision of Lots 2 and 3, Dolores Subdivision being of record in Book 10 at Page 14 of the Plat Records of Travis County, Texas; which East Five (5.00) feet of Lots 8, 9 and 10 are to be released from the public utilities easement provided for on said map or plat of a resubdivision of Lots 2 and 3, Dolores Subdivision.

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, a certain easement was granted to the City of Austin for drainage purposes in, upon and across a part of Cedar Valley Addition and Oak Lawn, Section Three, same being subdivisions of portions of the J. C. Tannehill League in the City of Austin, Travis County, Texas, according to a map or plat of said Cedar Valley Addition of record in Book 14 at Page 54 of the Plat Records of Travis County, Texas, and according to a map or plat of said Oak Lawn, Section Three, of record in Book 5 at Page 55 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 City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described drainage easement, to-wit:

0.11 of one acre of land, same being out of and a part of those certain tracts of land as shown on maps or plats of Cedar Valley Addition and Oak Lawn, Section Three, same being subdivisions of portions of the J. C. Tannehill League in the City of Austin, Travis County, Texas, according to a map or plat of said Cedar Valley Addition of record in Book 14 at Page 54 of the Plat Records of Travis County, Texas, and according to a map or plat of said Oak Lawn, Section Three, of record in Book 5 at Page 55 of the Plat Records of Travis County, Texas; said 0.11 of one acre of land being more particularly described by metes and bounds as follows:

BEGINNING at the most easterly corner of Lot 10, Block 5, said Cedar Valley Addition, same being the most northerly corner of Lot 13, which point of beginning is the most westerly corner of the herein described tract of land;

THENCE, S 53° 12' E 218.04 feet to a point in the west line of Lot 57, Block C, said Oak Lawn, Section Three, which point is a corner of the herein described tract of land;

THENCE, with the said west line of Lot 57, S 13° 52' E 31.40 feet to a point in the curving north line of Webberville Road, said curve having an intersection angle of 9° 10', a radius of 588.47 feet and a tangent distance of 47.18 feet, which point is the southwest corner of said Lot 57, same being the most easterly corner of the herein described tract of land;

THENCE, with the said curving north line of Webberville Road, along said curve to the left an arc distance of 94.15 feet, the chord of which arc bears S 71° 46' W 94.05 feet, to a point in the south line of the aforesaid Lot 13, Block 5, Cedar Valley Addition, which point is the most southerly corner of the herein described tract of land;

THENCE, with the said south line of Lot 13, in a northeasterly direction to the southeast corner of said Lot 13, which point is an interior ell corner of the herein described tract of land;

THENCE, with the northeast line of said Lot 13, in a northwesterly direction to the point of beginning.

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:

"November 22, 1966

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

Subject: Contract No. 66-C-15
Site Grading of the Park and
Playground

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, November 22, 1966, for the site grading of the Park and Playground within the Kealing

Subdivision, known as Contract No. 66-C-15.

"J. C. Evans Const. Co.	\$16,046.60
Frank Habecker	\$20,418.80
Ed H. Page	\$21,473.29
Pat Canion	\$22,588.52
C. H. Lester	\$23,318.72
Austin Paving Co.	\$33,292.80
Dean Const. Co., Inc.	\$36,276.80
City's Estimate	\$32,440.00

"I recommend that J. C. Evans Construction Company with their low bid of \$16,046.60 be awarded the contract for this project.

"From: S. Reuben Rountree, Jr.
Director of Public Works
Signed S. Reuben Rountree, Jr."

The City Manager stated the schools would pay 25% of the cost, and the remainder would come from Recreation funds. In answer to Councilman White's inquiry, the City Manager said this was in an Urban Renewal area, but had to do with the grading of a park, and the City and Schools are paying the whole cost.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 22, 1966, for the site grading of the Park and Playground within the Kealing Subdivision, known as Contract No. 66-C-15; and,

WHEREAS, the bid of J. C. Evans Construction Company, in the sum of \$16,046.60, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of J. C. Evans Construction Company, in the sum of \$16,046.60, 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 LaRue, carried by the following vote:
Ayes: Councilmen LaRue, Long, Mayor Palmer
Noes: Councilman White
Absent: Councilman Shanks

The City Manager submitted the following:

"November 29, 1966

Subject: Assessment Paving Contract
No. 66-A-13

"Pat Canion Excavating Co.	\$113,973.01
Frank Habecker	\$114,382.72
Austin Paving Co.	\$115,926.06
Texas Bridge Co., Inc.	\$132,692.00
Ed H. Page	\$133,505.35

"From: S. Reuben Rountree, Jr.
Director of Public Works
Signed S. Reuben Rountree, Jr."

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

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, November 25, 1966, at the Office of the Director of the Water and Sewer Department for the INSTALLATION OF approximately 5115 feet of 48-inch, 1543 feet of 36-inch, and 35 feet of 15-inch CONCRETE SEWER PIPE IN EAST FIRST STREET FROM LEVANDER LOOP IN MONTOPO-LIS INTERCHANGE TO 230 feet west of Tillery Street. This project will utilize the full capacity of the Canterbury Lift Station which is a segment of the North Austin Primary Outfall Line. The bids were publicly opened and read in the City Council Chambers, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Austin Engineering Company	\$193,944.20	80
J. C. Evans Construction Company	213,783.60	90
Eland Construction Company	213,995.90	110
Ford-Wehmeyer, Inc.	217,294.10	130
John R. Hughes Construction Company	222,657.80	100
City of Austin (Estimate)	\$240,000.00	

"It is recommended that the contract be awarded to the Austin Engineering Com-pany on their low bid of \$193,944.20 with 80 working days.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 25, 1966, for the installation of approximately 5115 feet of 48-inch, 1543 feet of 36-inch, and 35 feet of 15-inch concrete sewer pipe in East First Street from Levander Loop in Montopolis Interchange to 230 feet west of Tillery Street; and,

WHEREAS, the bid of Austin Engineering Company, in the sum of \$193,944.20, 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 Austin Engineering Company, in the sum of \$193,944.20, 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 Austin Engineering Company.

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:

"November 29, 1966

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

SUBJECT: Bids for one (1) Twenty Six Foot Bookmobile for the Library.

"Sealed bids were opened in the office of the Purchasing Agent at 2:00 P.M. November 28, 1966 for one (1) Twenty Six Foot Bookmobile. Invitations to bid were advertised in the Library Journal on November 15, 1966 and sent to all known possible manufacturers of this type of equipment. We also sent the local truck dealers an invitation to bid on the chassis.

"The bids received are as follows:

<u>Bidder</u>	<u>Net Price</u> <u>#1 Base Bid-Complete Unit</u>	<u>Brand Name</u>
The Gerstenslager Company	\$22,463.37	Gerstenslager-International
Thomas F. Moroney Co.	22,462.58	Moroney-International
<u>#1A Alternate Bid-Body Only</u>		
The Gerstenslager Company	<u>\$17,727.03</u>	Gerstenslager
<u>#1B Alternate Bid-Chassis Only</u>		
The Gerstenslager Company	\$ 4,736.34	International, Del. to Ohio (Gerstenslager)
International Harvester Co.	\$ 4,431.00	International, Del. to Ohio (Gerstenslager)
<u>Lowest Combination of Body and Chassis</u>		
Gerstenslager	\$17,727.03	Gerstenslager
International Harvester Co.	\$ 4,431.00	International
	<u>\$22,158.03</u>	

"This tabulation is submitted with the apparent low bid by The Gerstenslager Company and International Harvester Company meeting the City of Austin specifications and conditions underscored."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 28, 1966, for one (1) Twenty-Six Foot Bookmobile; and,

WHEREAS, the bid of The Gerstenslager Company, in the sum of \$17,727.03 for body only, and the bid of International Harvester Company, in the sum of \$4,431.00 for chassis only, were the lowest and lowest bids therefor, and the acceptance of such bids has been recommended by the Purchasing Agent of the

December 1, 1966

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 The Gerstenslager Company and International Harvester Company, 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 LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

The City Manager submitted the following:

"November 30, 1966

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

FROM: A. H. Ullrich, Director
Water and Sewage Treatment

SUBJECT: Bids received at 10:00 A.M., Tuesday, November 29, 1966, at the City Council Room for Contract No. 2, 48-inch Raw Water Transmission Main, same being part of the Water Treatment Plant No. 3 project and part of the Department of Housing and Urban Development Project No. WS-5-44-0043.

"BID TABULATION:

"Attached hereto is the Bid Tabulation for bids taken at 10:00 A.M., Tuesday, November 29, 1966 for Contract No. 2, 48-inch Raw Water Transmission Main, a part of City of Austin Water Treatment Plant No. 3 project. The Bid Tabulation was made by Bryant-Curington Inc., Consulting Engineers. The bids have been checked by me and the Bid Tabulation has been found to be correct.

"RECOMMENDATION:

"It is my recommendation that the subject contract titled "Contract No. 2, 48-inch Raw Water Transmission Main" be awarded, subject to concurrence and approval by the *Department of Housing and Urban Development, to the John R. Hughes Construction Corp., Star Route A, Box 695, Austin, Texas on the basis of their low bid - all items less item 3, using steel pipe, in the amount of \$184,986.35.

"Also attached hereto is copy of a letter from Bryant-Curington Inc. in which they concur in this recommendation.

"Respectfully submitted,
s/ A. H. Ullrich
A. H. Ullrich

*United States"

December 1, 1966

"SUPPLEMENTARY DATA AND INFORMATION

"The subject contract is part of the proposed Water Treatment Plant No. 3 project, for which the Department of Housing and Urban Development has approved a grant in the amount of \$1,500,000.

"The subject contract is the first construction contract on which bids have been taken on the Water Treatment Plant No. 3 project. The timing of this contract is the most urgent because it includes the construction of a roadway to the site of the intake on Lake Austin which will serve the main treatment plant.

"Funds for the subject contract are included in the Capital Budget for Fiscal Year 1966-1967.

"The Consulting Engineers' estimate on the subject contract was \$239,000.

"The completion time specified for the subject contract is 120 calendar days.

"Respectfully,
s/ A. H. Ullrich
A. H. Ullrich"

"November 29, 1966

"Mr. Albert H. Ullrich
Director
Water and Waste Water Treatment
City of Austin
P. O. Box 1088
Austin, Texas 78767

"Re: Bids, Contract No. 2 48" Raw Water
Main City of Austin - Water HUD
Project WS-5-44-0043

"Dear Sir:

Attached hereto is the Bid Tabulation for bids taken 10:00 A.M., Tuesday, November 29, 1966, at the City Council Room for Contract No. 2, 48" Raw Water Main, City of Austin Water HUD Project No. WS-5-44-0043.

"The bids have been checked by this office for extension and addition and the total bid prices taken from the certified bid tabulation are as follows:

Contractor	Total Bid-All items less 3A (Concrete Steel Cylinder Pipe)	Total Bid-All items less 3 (Steel Pipe)
John R. Hughes Constr. Corp.	\$189,400.55	\$184,986.35 *
Ford-Wehmeyer Inc.	185,252.25	189,981.75
J.C. Evans Constr. Co. Inc.	207,208.60	225,180.70
Austin Engineering Co.	218,312.00	219,573.20
Eland Construction Co.	286,681.80	286,681.80

*It is our recommendation that the award be made on the basis of using steel pipe to the John R. Hughes Construction Corp., of Star Rt. A, Box 695, Austin, Texas.

December 1, 1966

"Yours very truly,
BRYANT-CURINGTON INC.
s/ J. A. Franzetti
J. A. Franzetti"

"BID TABULATION CITY OF AUSTIN WATER HUD PROJECT WS-5-44-0043"
48 " RAW WATER MAIN Bid Opening 10:00 A.M. November 29, 1966

No.	Item	Quant.	Bidder		Bidder		Bidder	
			Hland Construction		Ford-Wehmeyer, Inc.		Austin Engineering	
			Co. P.O.Box 190		P.O.Box 4335		Co. 203 East River-	
			Austin, Texas		Austin, Texas		side Dr. Austin,	
			78767		78751		Texas 78704	
			Unit	Total	Unit	Total	Unit	Total
1	Clear & Grub	5 Ac.	\$860.00	\$4,300.00	\$150.00	\$ 750.00	\$300.00	\$1,500.00
2	Road Excav.	9300						
	& Emb.	SY	6.00	55,800.00	0.60	5,580.00	1.90	17,670.00
3	48" Conc.	3153						
	Steel Pipe	L.F.	51.60	162,694.80	43.25	136,367.25	48.00	151,344.00
3A	48" Steel	3153						
	Pipe	L.F.	51.60	162,694.80	44.75	141,096.75	48.40	152,605.20
4	Pre-Elast	3180						
	Trench	L.F.	10.85	34,503.00	4.00	12,720.00	5.60	17,808.00
5	Pre-Elast							
	Inspection	12 Ea.	130.00	1,560.00	100.00	1,200.00	50.00	600.00
6	Access M.H.	3 Ea.	400.00	1,200.00	300.00	900.00	300.00	900.00
7	3" Conduit	6,300						
		L.F.	1.85	11,655.00	2.10	13,230.00	1.80	11,340.00
8	4" Conduit	2,000						
		L.F.	2.15	4,300.00	2.90	5,800.00	3.20	6,400.00
9	Elec.							
	Handhole	7 Ea.	550.00	3,850.00	450.00	3,150.00	300.00	2,100.00
10	Elec.M.H.	2 Ea.	1,300.00	2,600.00	975.00	1,950.00	1,200.00	2,400.00
11	3/4"	3150						
	Water	L.F.	0.50	1,575.00	0.30	945.00	0.60	1,890.00
12	Concrete							
	(Blocking)	20 cy	25.00	500.00	25.00	500.00	30.00	600.00
13	Road	8800						
	Subgrade	SY	0.20	1,760.00	0.20	1,760.00	0.40	3,520.00
14	29"x18"	40						
	C.M. Pipe	LF	9.60	384.00	10.00	400.00	6.00	240.00
Total Bid, All Items								
Less 3A			\$286,681.80		\$185,252.25		\$218,312.00	
Total Bid, All Items								
Less 3			\$286,681.80		\$189,981.75		\$219,573.20	
Bid Security			5% Bid Bond		5% Bid Bond		5% Bid Bond	

			John R. Hughes Construction Corp. Star Rt. A.Box 695 Austin, Texas 78710		J. C. Evans Construction Co., Inc. P. O. Box 9027 Austin, Texas 78756	
No.	Item	Quant.	Unit	Total	Unit	Total
1	Clear & Grub	5 Ac.	\$	500.00	\$	300.00
2	Road Excav.	9300				
	& Emb.	SY		1.00 9,300.00	3.00	27,900.00
3	48" Conc.	3153				
	Steel Pipe	L.F.		42.85 135,106.05	43.70	137,786.10
3 A	48" Steel	3153				
	Pipe	L.F.		41.45 130,691.85	49.40	155,758.20
4	Pre-Elast	3180				
	Trench	L.F.		3.15 10,017.00	2.85	9,063.00
5	Pre-Elast					
	Inspection	12 Ea.	100.00	1,200.00	100.00	1,200.00
6	Access M.H.	3 Ea.	200.00	600.00	220.00	660.00
7	3" Conduit	6300 L.F.	2.00	12,600.00	2.10	13,230.00
8	4" Conduit	2000 L.F.	2.50	5,000.00	3.35	6,700.00
9	Elec.					
	Handhole	7 Ea.	600.00	4,200.00	420.00	2,940.00
10	Elec M.H.	2 Ea.	1,000.00	2,000.00	750.00	1,500.00
11	3/4" Water	3150 L.F.	1.25	3,937.50	0.45	1,417.50
12	Concrete					
	(Blocking)	20cy	25.00	500.00	25.00	500.00
13	Road	8800				
	Subgrade	SY	0.25	2,200.00	0.28	2,464.00
14	29" x 18"					
	C.M. Pipe	40 LF	6.00	240.00	8.70	348.00
Total Bid, All Items						
Less 3A				\$189,400.55		\$207,208.60
Total Bid, All Items						
Less 3				\$184,986.35		\$225,180.70
Bid Security				5% Bid Bond		5% Bid Bond

"We hereby certify that the attached tabulation represents a true and correct copy of the bid prices as shown by each proposal submitted at the bid opening date: November 29, 1966 By: s/ Chandler J. McCoy BRYANT-CURINGTON, INC. ENGINEERS Austin, Texas"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 29, 1966, for Contract No. 2, 48-inch Raw Water Transmission Main, same being part of the Water Treatment Plant No. 3 project and part of the Department of Housing and Urban Development Project No. WS-5-44-0043; and,

WHEREAS, the bid of John R. Hughes Construction Corp., in the sum of \$184,986.35, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewage Treatment of the City of Austin, and by the City Manager, subject, however, to the concurrence and approval by the United States Department of Housing and Urban Development;

Now, Therefore,

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

That the bid of John R. Hughes Construction Corp., in the sum of \$184,986.35, be and the same is hereby accepted, subject to the concurrence and approval by the United States Department of Housing and Urban Development, 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 John R. Hughes Construction Corp., after such concurrence and approval is received.

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

The Council had before it a refund contract with WALTER J. KASSUBA. The City Manager stated this was for participation in the culvert, the property owner paying part and the city participating. Councilman White moved that the City Manager be authorized to enter into a contract with Walter J. Kassuba for city participation in cost of oversized culvert in Elmont Drive and South Lakeshore Boulevard in the sum of \$10,637.00. 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, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum, reasonable and safe speed for the operation of vehicles at the following location is less than thirty (30) miles per hour on school days during the hours of 7:00 A.M. to 4:30 P.M. when pedestrians are present; and,

WHEREAS, after said investigation the City Council has found that the maximum, reasonable and safe speed for the operation of vehicles is twenty (20) miles per hour on such day and during such hours at the following locations:

ON STREET

FROM

TO

Ledesma Street

Richardine Street

Lott Avenue

Treadwell Boulevard

Hunt Trail

Bullard Drive

Now, Therefore,

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

That the City Clerk be authorized and instructed to record this finding in Section 33.39 of the Traffic Register.

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, after an engineering and traffic investigation, the City Council has found that the free flow and expeditious handling of traffic under conditions existing at the locations described below require that traffic upon such streets move only in a one-way direction, such locations and streets being described as follows:

<u>STREET</u>	<u>FROM - TO</u>	<u>DIRECTION OF ONE-WAY MOVEMENT</u>
East Frontage Road of Interstate Hwy. 35	U.S. 183 - Braker Lane	Northbound
West Frontage Road of Interstate Hwy. 35	Braker Lane - U. S. 183	Southbound

Now, Therefore,

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

That the City Clerk be and she is hereby authorized and directed to record this finding in Section 33.38 of the Traffic Register.

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 offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the City Manager be and he is hereby authorized and directed to enter into a Pipe Line License, on behalf of the City of Austin, with Missouri Pacific Railroad Company for the installation of an 8-inch cast iron sanitary sewer main crossing under tracks and right of way at Treadwell Street (at E.C.S. 9642/90, 1870.5 feet north of Mile Post 181), Travis County, Texas, in accordance with the terms and provisions of a certain Pipe Line License exhibited to the City Council; and,

BE IT FURTHER RESOLVED:

That the City Clerk is hereby directed to file a copy of said Pipe Line

License in the permanent records of her office without recordation in the Minutes of the City Council.

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 introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOT 1, BLOCK 4 OF THE PLEASANT GROVE ADDITION, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA 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 firsttime 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 Long 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 Capital Cable Company, Incorporated, of Austin,

Texas, to construct and maintain the hereinafter described underground improvements:

An underground coaxial signal conduit to be installed within a twelve (12.00) inch wide space assignment which is described for convenience in three (3) parts, the centerline of which twelve (12.00) inch wide space assignment is described as follows:

No. 1 An underground coaxial signal conduit crossing LAVACA STREET, from a point in the east property line of said LAVACA STREET westerly 14.5 feet; the centerline of which underground coaxial signal conduit shall be 5 feet north of and parallel to the north property line of West 11th Street.

No. 2 An underground coaxial signal conduit in LAVACA STREET, from a point 5 feet north of the north property line of West 11th Street northerly 151 feet; the centerline of which underground coaxial signal conduit shall be 14.5 feet west of and parallel to the east property line of said LAVACA STREET.

No. 3 An underground coaxial signal conduit in LAVACA STREET, from a point 156 feet north of the north property line of West 11th Street and 14.5 feet west of the east property line of said LAVACA STREET northerly to a point 3 feet north of the easterly prolongation of the south property line of West 11th Street Alley and 2 feet west of the east property line of said LAVACA 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 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 Capital Cable Company, Incorporated, of Austin, Texas.

(4) The Capital Cable Company, Incorporated, 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 percent 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 Capital Cable Company, Incorporated, 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 LaRue, carried by the following vote:
Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

The City Manager explained this space assignment permits them to install their TV cable in a ditch the City is making where one of its emergency warning lines will be installed.

Councilman Long 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 duct line in SABINE STREET, from the north property line of East 13th Street to a point 9.5 feet south of the south property line of East 14th Street; the centerline of which underground telephone duct line shall be 11.5 feet east of and parallel to the west property line of said SABINE STREET.
- (2) An underground telephone duct line crossing SABINE STREET, from a point 11.5 feet east of the west property line of said SABINE STREET easterly 15.8 feet to the center of a proposed 4' x 6' x 4' manhole; the centerline of which underground telephone duct line shall be 9.5 feet south of and parallel to the south property line of East 14th Street.
- (3) An underground telephone duct line in SABINE STREET, from the south property line of East 15th Street Alley southerly to a point 10 feet north of the south property line of East 15th Street; the centerline of which underground telephone duct line shall be 12 feet east of and

parallel to the west property line of said SABINE STREET.

- (4) An underground telephone duct line in EAST 15th STREET, from a point 12 feet east of the southerly prolongation of the west property line of Sabine Street easterly 130 feet to an existing manhole; the centerline of which underground telephone duct line shall be 10 feet north of and parallel to the south property line of said EAST 15th STREET.

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

The City Manager reported receipt of a letter from the Highway Department stating the Commission had changed its policy with reference to the maintenance and operation of highway safety lighting. Under the other policy, the State did not pay the electric bill or do the maintenance; but under the new policy they do. There are only two locations involved--one at U.S. 183 and F.M. 1325 (The McNeil Road) and the other at the Bergstrom Interchange at Ben White Boulevard and Lockhart Highway. The Highway Department will pick up the maintenance and operation, and pay for the electricity they use. Councilman White offered the following resolution and moved its adoption:

A RESOLUTION APPROVING THE AGREEMENT DATED
DECEMBER 1, 1966 BETWEEN THE STATE OF TEXAS AND THE CITY OF AUSTIN FOR THE
INSTALLATION, CONSTRUCTION, EXISTENCE, USE, OPERATION AND MAINTENANCE OF A
HIGHWAY SAFETY LIGHTING SYSTEM AT THE INTERSECTION OF U. S. 183 AND F.M.
1325 AND AT BERGSTROM INTERCHANGE IN THE CITY OF AUSTIN; AND PROVIDING FOR
THE EXECUTION OF SAID AGREEMENT.

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

SECTION 1. That the certain agreement dated December 1, 1966 between the State of Texas and the City of Austin for the installation, construction, existence, use, operation and maintenance of certain highway safety lighting system located at the intersection of U. S. 183 and F. M. 1325 and at Bergstrom Interchange in the City of Austin be, and the same is, hereby approved; and that W. T. Williams, Jr., City Manager, is hereby authorized to execute said agreement on behalf of the City of Austin and to transmit the same to the State of Texas for appropriate action.

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 inquired about the safety signal over the railroad track at East 19th Street as well as those at 45th and at Koenig Lane. The Director of Public Works reported the railroad company is working on those gates, etc., to go in on Anderson Lane, Koenig Lane and on East 12th Street, but not at East 19th, where there now is a swinging signal. Those three crossings will have gates similar to the crossing at Ohlen Road and the company is getting ready to install them.

Mayor Palmer brought up the L.C.R.A. contract, stating there were one or two changes that had been requested. The City Manager stated copies of the revisions had been sent to the Council, and he reviewed briefly the termination section as has been noted by Councilman LaRue and read the reworded section which provided that either party may terminate the agreement at any time after December 31, 2007, by giving the other party three years' prior written notice. Mayor Palmer stated the Council would go into this at a later date. The City Manager asked for any suggestion the Council might have. MR. KRUEGER was interested in the L.C.R.A.'s right to raise the level of the lake. The City Manager stated the lease provides the level in Lake Austin shall be kept fairly constant; however, the L.C.R.A. can fluctuate the level of the lake about 5'.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION AUTHORIZING EXECUTION OF GRANT AGREEMENT)

WHEREAS, the City of Austin, Texas, organized and existing under and by virtue of the laws of the State of Texas (herein called the "Applicant"), has heretofore submitted an application to the United States of America, acting by and through the Secretary of Housing and Urban Development (herein called "Government"), for a grant under Section 702 of the Housing and Urban Development Act of 1965, for the purposes designated in said application, and,

WHEREAS, the Government has approved the said application subject to certain conditions and has submitted to the Applicant a certain Grant Agreement dated as of November 23, 1966 (herein called the "Grant Agreement"), for approval and execution by the Applicant, which said Grant Agreement is satisfactory,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of the Applicant that the said Grant Agreement, a copy of which is attached hereto, be and the same is hereby approved. The City Manager is hereby authorized and directed to execute the said Grant Agreement in the name and on behalf of the Applicant, in as many counterparts as may be necessary, and the City Clerk is hereby authorized and directed to affix or impress the official seal of the Applicant thereon and to attest the same. The proper officer is directed to forward the said executed counterparts of the said Grant Agreement to the Government, together with such other documents evidencing the approval and authorization to execute the same as may be required by the Government.

(\$1,500,000 grant for Water Treatment Plant No. 3 and accessories.)

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 brought up the following ordinance for its third reading:

AN ORDINANCE AMENDING CHAPTER 31 OF THE AUSTIN CITY CODE OF 1954 PERTAINING TO TAXICABS AND OTHER VEHICLES FOR HIRE BY ADDING THERETO A NEW ARTICLE TO BE DESIGNATED ARTICLE IV PERTAINING TO LIMOUSINES AND TOURING VEHICLES, AND BY MAKING OTHER CHANGES NECESSARY TO MAKE SUCH CHAPTER 31 CONSISTENT WITH SAID NEW ARTICLE IV; AND DECLARING AN EMERGENCY.

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.

MAYOR PALMER stated the Council Members received financial information on the Yellow Cab and the Checker Cab and suggested that the other taxi cab companies be reminded to file data on their respective companies. Councilman Long asked that someone figure what the return of investment of \$294,000 would be with the increase.

Councilman White stated after restudying the ordinance passed last week prohibiting execution of fraudulent certificate of emergency for Sunday purchases and after receiving many calls and letters, that he felt he had voted wrong on the ordinance. He said he did vote for this law, but he wanted the public to know that right now, he was not for it as there were many families where both husband and wife work six days a week and use Sundays to get their supplies, and now they can not do this. He had not thought about that along this line; and if he were to vote on it again and had a third party to go with him, he would vote this afternoon to repeal the ordinance. He did not believe it could be enforced.

Councilman White stated the First Baptist Church had made an offer on that 9th Street proposition, and they want to know something. They gave a price, had received no answer and are waiting for an offer. Something will have to be done if the street is opened within the next 30 or 40 days as they are going to be ready to go to work. Mayor Palmer recalled that the Council had instructed the City Manager to notify the First Baptist Church that their offer was rejected. Councilman White stated their offer was too high; but the church is now looking for an offer from the City. He said they were going to have to move out or go to court. The City Attorney reported since that time, a letter had been received from the church acknowledging the fact that the street will be going through and they are making their plans accordingly. The City Attorney pointed out the street was only partly closed--not entirely vacated as utility easements were retained, and utility lines could go underground or overhead. Councilman White said the Council should give the City Manager some price to offer. Councilman LaRue suggested it might be wise for the City

to make a counteroffer. Mayor Palmer gave a historical background, stating the church, their engineers and architects had been asked to explore the possibility of bridging over the street as the Post Office had done, and he had hoped they could design their building to span the street and leave it open to the general public. The City Manager stated the Church had invited the Council to review their architects' plans, and the then constituted Council reviewed them and asked the architects to modify their plan to provide for building over or under the street. The City Attorney said there had been a number of negotiations, and asked that the Council permit them to continue the negotiations which are under way. Councilman White said the people wanted an offer, and he had told the church people their offer of \$265,000 was too much, and the Council had rejected it. He said they want to get started on their building in January. The City Attorney reported the church recognizes the street is going through and they made their plans accordingly. Councilman White stated the church people were going to go to the court over this and he would like to see it settled out of court.

Councilman Long brought up the Sunday Blue Laws, stating if there were any to repeal that ordinance she would like to do it, and asked how it was to be enforced. The City Manager stated an effort was made to enforce all laws and that many people recognize ordinances as authority and comply with them voluntarily. A similar ordinance apparently met such a reaction in Houston. Voluntary compliance is what is depended on for any ordinance. Councilman Long asked if this ordinance is so badly received by the general public and people in the outlying areas who come here on the week ends to shop that they are not going to abide by it, that all of the police officers are going to be pulled off their jobs of protecting the City to enforce this law. Citizens would like to exercise their due rights to purchase something on Sunday if they want to. The City Manager answered emphasis should be given to this ordinance the same as any other. The Mayor stated it is important to enforce the law. Councilman Long stated the police were being taken off their regular jobs of protecting the general public to enforce an ordinance which she said was not good for the general public, but good for only a few merchants who do not want anybody else to open on Sunday. The City Manager pointed out this ordinance is not a Sunday Closing Ordinance; the State law deals with Sunday closing and not this ordinance. Councilman Long said the general public's right is taken away from them if they bought anything on Sunday, and if they buy anything on that list, they were in violation of that law. The City Attorney stated the ordinance made it unlawful to provide a false certificate. Councilman White asked about a test case. Councilman Long stated she was not proposing any. Councilman Long moved that the ordinance be repealed. The motion, seconded by Councilman White, showed a tie vote as follows:

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

COUNCILMAN LaRUE reported on a meeting of the Audubon Society two weeks ago to which the Council was invited. MR. HARDY HOLLERS, Attorney, MR. PHILIP CREER, Architect, MRS. FAGAN DICKSON and Parks and Recreation Department Heads were on the program. One of the topics of conversation was Mount Bonnell, and questions were brought up to the effect if a County Park were brought into the City limits, who would take responsibility for the maintenance and care of the park and to whom does the park belong. He said he had visited unofficially

with some of the members of the Commissioners Court, and he had the impression the Commissioners would look favorably upon a discussion of this, with perhaps something being done. The Mayor recalled a delegation from the Chamber of Commerce suggested that the County make some capital improvements and that the City do some maintenance. They were supposed to visit with the Commissioners to work out something but had not reported back. The City Attorney, in answer to the Mayor's inquiry, stated this was a dedicated public park by a deed to the County. It was stated many counties maintained parks in the cities, and some do all the street paving. Councilman Long moved that COUNCILMAN LaRUE be authorized to make a study and contact the County Commissioners Court on the status of this Park and confer with the Parks and Recreation Department and the Board and report back to the Council. 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 in discussion on the motion, stated Councilman LaRue should have the feeling of the pulse of the Council. He asked if the Council would prefer that the County take it, maintain it, operate it and keep it in good repair and good shape at their expense; or would it prefer that the County give it to the City. Councilman LaRue stated this was something the County owned. Councilman Long stated the Council ought to have an idea of whether or not the Parks and Recreation could maintain it. Councilman LaRue noted the motion did not include any action, but only a report back to the Council.

Mr. Kruger reported the stone monument with the legend of the origin of this Park had been vandalized.

MAYOR PALMER submitted a petition filed by MR. A. F. WHITE requesting a traffic count be made and action taken to have traffic lights installed at South 1st and West Mary Streets. Councilman Long moved that the City Manager be asked to send this petition to the Traffic and Transportation Department and ask for a report. 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 stated the matter of the taxi cab fares was pending while the Council was awaiting further information.

The City Manager reported the investigation asked for concerning an individual's running a bus service from Bergstrom Field was not completed, and a report would be made on that next week. Councilman White inquired if this bus service would be in conflict with the existing franchise. It was stated it would not; and one of the matters being checked out was whether or not the bus company might be interested in making this Bergstrom run.

About trees that might be dying on City property, the City Manager reported the Horticulturist who was to look into this matter was in the hospital

and he did not have the report at this time. What needs to be done to care for the trees on leased property possibly could be incorporated in future contracts.

The Director of Public Works gave a tentative report on the request of the AUSTIN BRAVES, listing \$350.00 for replacing boards in the grandstand; and \$500.00 for the scoreboard and other items. For two new club houses, \$25,000 was estimated. The Director of Public Works had told MR. MORRIS if this were the last year of the lease, that the officials should work out something definite with the City. Mayor Palmer suggested that the officials come to Austin and discuss their plans. The City Manager suggested that there be some understanding so that plans could be made not for one year, but for the future. Mayor Palmer said the City would want to do ordinary maintenance; but to completely build a new facility was something else. Councilman LaRue suggested securing information on amount of paid admissions the club had. The Director of Public Works stated about 30-35% admissions were from out of town.

MAYOR PALMER stated the Council last week voted that the Committee headed by former Councilman Armstrong, be added to the City's Traffic Committee. There was a citizens committee, but it was never officially appointed by the Council. Councilman Long stated it was her intent that this committee be designated as the Council's official safety committee. The Mayor stated that the Council understood that the names listed on the report would constitute the Council's appointed Safety Committee. Councilman Long moved that the terms of this Safety Committee run two years from November 22nd, 1966. 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 read a petition requesting street lights for the Mission Hills Area. Councilman Long moved that this petition be referred to the City Manager to see what can be done about getting street lights in that area. 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 read a letter from the Mental Health and Mental Retardation Center requesting funds for finishing its planning stage and getting ready to offer services to Austin and Travis County. The Assistant to the City Manager, MR. HARRY FRAZIER, reported the request was for \$12,000 from three areas, and there was budgeted \$4,000 for office expense at the City's part. Councilman LaRue moved to make these funds available to them since it is already budgeted. The motion, seconded by Councilman Long, carried by the following vote:

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

The Mayor said the thought behind this was the City would try to help the center get started, and it might lead to a State Office here. Councilman

Long stated the City could not be committed for office help from now on.

Councilman Long brought up for discussion the condition of old Oakwood Cemetery, which does not have perpetual care, stating it used to be kept better than it is now, and asking if anything could be done without going into perpetual care. The City Manager stated certain people put up money to provide for care of their areas. Councilman Long reported the outlying areas were not being kept. Councilman LaRue said he had inquired about this some six weeks ago, and understood there was a semi-annual or annual clean up. The Director of Public Works stated the Parks Division came in about twice a year and cleared this part of the cemetery. The City Manager was studying the possibility of those who owned lots in this cemetery getting together and forming a little group, put up some funds or arrange for monthly payments into a fund, which would take care of the individual lots and the areas in between. He personally was going to start on such arrangements in the area in Oakwood in which his family had lots. He suggested if this could be done, the narrow roads could be made into walkways, and the wider ones could be surfaced.

MAYOR PALMER read a letter from MR. RALPH O. WILLIAMS, Business Manager, Austin State Hospital, commending the unusually kind and considerate action of the Brackenridge Hospital Staff on their accomodating and comforting some 20 or more relatives and friends of the Slaughter family whose four children were involved in an automobile accident, three of them not surviving. He expressed thanks to all members of the Council for providing and supporting the administrative management necessary to create a most commendable hospital atmosphere.

MAYOR PALMER read a letter from MR. J. D. JOHNSON, Executive Vice President and General Manager, Fort Worth Star Telegram, and a member of the Dallas-Fort Worth Regional Airport Board, expressing thanks to the Council for support of Amendment No. 2 in the recent election. He also read a letter from MAYOR ERIC JOHNSON, Dallas, thanking the Council for its support of the amendment.

MAYOR PALMER read a letter from FELIX GARRET stating the Texas Flag stood in the office of Commander of the 12th Air Police Squadron who is from Abilene, Texas and stating this flag would remain in this unit until the people of South Viet Nam are free from tyrants and terrorists.

The City Attorney stated there was a lot fronting 82' on the south side of Ben White Boulevard extending back 154' on one side and on the other about 150' and it is useable as a separate parcel of land. The Council had viewed the property, fixed a price of \$4,800 and offered it to a property owner, who declined it. Councilman Long moved that this be included to be received by sealed bids in the next sale. 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 noted the Council was to meet with the Parks and Recreation Board next week, December 8th at 2:30 P.M.

The City Manager reported that the following zoning applications had been referred to the Planning Commission for recommendation and had been set for public hearing at 10:00 A.M. on January 5, 1967:

L. H. GROSS, Senior Trust Officer, By Marvin Braswell	3011 & 3008 Stratford Drive Rear of 3004-3006 Stratford Drive Rear of 101 Canyon Circle East Rear of 100-102 Canyon Circle West	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area
W. T. BENNETT	3905-3909 Manchaca Road	From "A" Residence To "O" Office
MRS. RUBY B. RAY & MARTIN E. JOHNSON By Doris French & L. A. Atkinson	4211-4213 Red River Street 901-903 East 43rd Street	From "A" Residence To "GR" General Retail
W. H. BULLARD	2806-2816 White Rock Drive 6101-6129 Bullard Drive	From Interim "A" Residence 1st Height & Area To "B" Residence 1st Height & Area
W. O. SMITH By Travis M. Boykin	2200 Anderson Lane (2202 Anderson Lane)	From "A" Residence To "GR" General Retail
CECIL LEE BRIGGS	Tract 1 5511-5513 Guadalupe Street 503 West 56th Street Tract 2 5507-5509 Guadalupe Street 503 West 55½ Street	From "A" Residence To "B" Residence
VANCE FOX	7029-7043 U.S. Highway 290 East	From "GR" General Retail To "C" Commercial
JAKE SILBERSTEIN	2011-2013 Airport Boulevard	From "C" Commercial To "C-2" Commercial
POWELL & WOOLSEY ESTATE, By Bobby R. McCratic	2006-2008 South Congress Avenue	From "C" Commercial 2nd Height & Area To "C-2" Commercial 2nd Height & Area
TEXAS CONFERENCE ASSOCIATION OF SEVENTH-DAY ADVENTISTS, By Marvin Braswell	101-213 Northeast Drive	From "A" Residence To "GR" General Retail
AGATHA McDONALD By Thomas T. Smith	706 Denson Drive	From "B" Residence To "C" Commercial

TERRELL TIMMERMANN

5420 Middle Fiskville Road
705-711 East 55th StreetFrom "A" Residence
To "C" Commercial

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

The Council adjourned at 4:30 P.M. subject to the call of the Mayor.

APPROVED



Mayor

ATTEST:

City Clerk