

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 7, 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 REVEREND GARY BONNER, Highland Park Baptist Church.

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

MR. PARKS introduced MR. GEORGE SEAGERT, who in turn introduced his co-hosts, MR. MAC PETERSON, Stephen F. Austin Hotel, MR. CHUCK PARKS, Villa Capri, MR. WILLARD SAULS, Driskill Hotel, MR. CLYDE MALONE, Austin Transit Company and MR. F. W. VICKERS, City of Austin Municipal Auditorium. He reported this was one of their largest convention seasons Austin has had through 1966, 247 conventions are expected, with an anticipated attendance of over 122,000 people and \$7,000,000 of new money in Austin. Austin is now the 4th largest convention center in Texas. The most important item in building a convention center is the cooperation of outstanding Austin citizens, and honor is due those who have made major contributions to Austin's Convention Industry and four local citizens will receive special recognition. He invited the Council to attend this ceremony honoring those who have made such a significant contribution to Austin's multi-million dollar convention center, next Tuesday at 3:30 at the Driskill Hotel, to the First Convention Hall of Fame. The Mayor stated the city and citizens have demonstrated their gratefulness that Austin had been selected by the big associations and organizations. He thanked this committee for its efforts in securing so many conventions for Austin. He had heard favorable comments from the restaurant association on the beautiful auditorium and the assistance of Mr. Vickers and his staff.

July 7, 1966

The Council considered the contract with Austin Equal Citizenship Corporation. The Mayor listed the two changes made in the contract in discussing it the first time, that the Legal Counsel was taken off the Committee of five, and the five years' experience for his qualifications was deleted.

DR. BARCLAY reported a meeting of seven of the committee yesterday proposing a unanimous change, on page 5, paragraph v, pertaining to the authority of the Legal Counsel, which would put the committee more in a pattern of a grand jury than jury or a military court. Councilman LaRue found this most agreeable. Councilman LaRue moved that the suggested amendment be substituted for paragraph v, page 5. The motion was seconded by Councilman Long. Councilman Shanks asked the City Attorney how this would affect the Respondent. The City Attorney stated if the contract does not afford the Respondent the opportunity of having an attorney to pass upon the matters of law that are spelled out in paragraph v; and those matters of law are determined by non lawyers, this would be at variant with the purpose intended in that paragraph. The Respondent does not have recourse to the Courts. This means the findings of the committee based upon hearsay or other inadmissible evidence and witnesses not competent to testify would be final as far as the Respondent is concerned. Councilman Shanks said the Respondent had rights also, and he was in favor of giving the Respondent all the protection he could have. The finding of the committee is a finding of fact. No matter how incompetent the witness is; or how inadmissible the testimony, the finding of facts stands. There is no appeal from this finding. Dr. Barclay explained the attorney would be present and advise the committee that certain testimony was hearsay evidence and would clear legal matters with the committee; and if the committee were not allowed to hear everything the people wanted to say, they would not have a full picture. Councilman Shanks questioned the hearing of the incompetent and the illegal.

DR. BARCLAY explained the committee has already taken pains to be sure all kinds of citizens are involved besides these nine; and in getting outside citizens, they want to get a list of people who are willing to help in this matter, and the committee would not want to be under pressure from any group. It would like to be free to get the facts. Councilman Shanks commended this fine committee stating everybody had paid tribute to this committee, but this may not be the committee all the time.

JUDGE VIRGIL LOTT stated they would be interested in protecting the Respondent; but having heard this discussed this morning, he would have to agree unless the committee is careful to protect the Respondent at this point they will be vulnerable to attack, and he would feel that this question of admissible evidence and competence of witnesses should be ruled upon by some person with a legal background. Councilman LaRue stated their attorney would do this under any circumstance. Judge Lott stated it would not be a part of their written rules of procedure, and they would be vulnerable to that extent. Councilman LaRue stated the committee would not have to accept his ruling even under the wording as was given in the original contract. Mayor Palmer asked Judge Lott if this would weaken the procedure. Judge Lott stated he felt that it would from the legal aspect and the need to protect the Respondent by giving the final say to the people who are not trained legally. He said if they were not going to let the legal examiner do it then there would have to be brought in another attorney.

MR. PAUL BOLTON said he had his doubts about the section when they adopted it. If the committee had a lawyer who the committee thinks is deliberately holding back the evidence in some way, they would fire him and get a new lawyer.

July 7, 1966

On the other hand, this change proposed does not mean that the hearing committee is going to not follow the dictates of the attorney. Surely in 98 cases out of a 100 they would do what the lawyer advised.

MR. AMOS HEROLD asked when the sworn case was presented to the group, if the investigator made any contact with the Respondent. He had the impression they would not make any contact with him; and it seems when these sworn statements come in the attorney should investigate.

The City Attorney reviewed the amendment before the Council pointing out this was part of the contract that the Council agreed to change to eliminate the Legal Examiner as a member of the committee, and this language includes him as a member of the committee. The City Attorney suggested a slight rewording in the amendment to make it conform to the changes the Council had made the week previously, and the last sentence then would read "The Legal Examiner shall advise the committee upon admissibility of evidence, compliance with procedures, and competence of witnesses."

MAYOR PALMER asked JUDGE LOTT again if he felt this would weaken the contract. Judge Lott replied that any attorney that appears before this committee is going to question that point, and the committee will just have to come back and do something about it.

Roll call on Councilman LaRue's motion that Paragraph III be substituted for that in the original as corrected, showed the following vote:

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

Councilman Shanks made the following statement regarding his vote:

"In an effort to vote for civil rights for everybody, as civil rights do apply to everybody, I vote 'No'."

Councilman White made the following statement regarding his vote:

"I'd like to say this committee we have, which we all picked out and studied them, that we had all the confidence in the world in this committee, and I am quite sure in my own mind that everybody will get a square deal, and I vote 'aye'."

Councilman Long moved that the agreement be entered into as outlined and amended with the Austin Equal Citizenship Corporation. The motion, seconded by Councilman LaRue, carried by the following vote:

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

MR. PAUL BOLTON expressed regrets that this was not a unanimous vote (on the amendment). He wanted to assure the Council that they had every intention of protecting the rights of everybody. Councilman Shanks stated there might not be this fine committee in the future. The Mayor stated the Council was unanimous on the whole overall concept and the split vote was on the legal aspect. Dr. Barclay stated they would like to begin business August 1st. The Mayor expressed appreciation for their willingness to serve on this important

July 7, 1966

committee to the community life of our City. Dr. Barclay asked for help in getting a building.

At 10:30 A.M. the Mayor opened the hearing on annexing HIGHLAND HILLS NORTHWEST, SECTION 3. No one appeared to be heard. Councilman LaRue moved that the hearing be closed. The motion, seconded by Councilman White, carried by the following vote:

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

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 8.67 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY 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.  
(Highland Hills Northwest, Section 3)

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

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

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

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

Councilman White moved that the minutes of the meeting of June 23, 1966, be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

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

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 28.90 ACRES OF LAND OUT OF THE JAMES P. WALLACE SURVEY NUMBER 57 AND THE GEORGE W. DAVIS SURVEY 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

July 7, 1966

## ORDINANCE. (H. E. Butt tract)

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. 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 ordinance had been finally passed.

Mayor Palmer 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 9.10 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE S. Q. WHATLEY SURVEY 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. (Windsor Park Hills, Section 8)

Councilman LaRue moved that the ordinance be published in accordance with Article I, Section 6 of the Charter of the City of Austin and set for public hearing on July 21, 1966 at 10:30 A.M. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager submitted the following:

"July 1, 1966

"Mr. W. T. Williams, Jr., City Manager      Bids on 69 KV Substation Addition  
to Koenig Substation

"Bids were opened at 10:00 A.M., July 1, 1966, for the 69 Substation structure addition to Koenig Substation by the Purchasing Agent and sent to the Electric Department for evaluation and recommendation.  
The bids are tabulated below:

<u>VENDOR</u>	<u>BID PRICE</u>	<u>DELIVERY</u>
Priester-Mell Co.	\$18,200.00	20-22 Wks.
Graybar Electric Co.	\$16,736.76	20-24 Wks.
Westinghouse Electric Corp.	\$16,620.00	20 wks.
Techline, Inc.	\$14,405.00	14-16 Wks.

"All prices are firm, and all deliveries are satisfactory.

"I recommend that we accept the lowest bid of Techline, Inc., for the sum of \$14,405.00.

"D. C. Kinney, Director Electric Utility  
s/ D. C. Kinney"

July 7, 1966

Councilman Long offered the following resolution and moved its adoption:

## (RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 1, 1966, for the 69 KV Substation structure addition to Koenig Substation; and,

WHEREAS, the bid of Techline, Inc., in the sum of \$14,405.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Electric Utility of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Techline, Inc., in the sum of \$14,405.00, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Techline, Inc.

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

The City Manager submitted the following:

"July 5, 1966

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

Sealed Bids Opened at 2:00 P.M., Tuesday  
June 28, 1966 in Office of the Purchasing  
Agent. This Tabulation and Comparison of  
Bids Made by A. H. Ullrich, Director,  
Water and Sewage Treatment

SUBJECT: Bids for 21,000  
Gallon per minute  
Pumping Unit for  
Filter Plant No. 2

<u>Bidder</u>	<u>Bid Price</u>	<u>Guaranteed Efficiency</u>	<u>Evaluated Price</u>	<u>Shipment Calendar Days</u>	<u>Make of Pump</u>	<u>F.O.B.</u>
Southern Engine & Pump Company Houston, Texas	\$37,865.00	83.5%	<u>\$37,865.00</u>	200	Fairbanks- Morse	Austin
Layne Texas Company, Inc. Houston, Texas	\$30,947.00 400.00* <u>\$31,347.00</u>	79.1%	\$42,787.00	168	Layne and Bowler	Austin
Alliger & Sears Co., Inc. Houston, Texas	\$26,791.00 1,670.00/ <u>\$28,461.00</u>	76.86%	\$45,725.00	210	Layne and Bowler	Austin
Smith-Bradshaw Pump Co., Inc. Austin, Texas	\$36,763.00	79.8%	\$46,383.90	220	Byron- Jackson	Austin
Smith-Bradshaw Pump Co., Inc. Austin, Texas Alternate Bid	\$35,734.90	80.8%	\$42,754.90	220	Byron- Jackson	Austin

July 7, 1966

CITY OF AUSTIN, TEXAS

\*Bidder's base bid does not include services of Factory Engineer for supervising installation as specified. \$400.00 addition to bid price is estimated.

/Bidder's base bid not on unit as specified. Bidder's letter of bid transmittal gives \$1,670.00 addition for bid price of unit as specified.

"Comments: Purchase and installation of this proposed pumping unit is needed to keep pace with increasing water demands. If purchased now the unit should be ready for operation during the summer of 1967.

The proposed pumping unit is for pumping water from Lake Austin to Treatment Plant No. 2. It is planned to take bids later for a companion High Service pumping unit to pump treated water to the water distribution system.

Our estimate for this unit was \$32,000.00.

The 1966 budget provides funds for the purchase and installation of the subject pumping unit. Since it is too late for the delivery of the unit in fiscal year 1966, these funds will not be used in 1966. However, the proposed 1967 budget, if approved, will again provide the necessary funds.

"Comparison of bids: It is noted that while the Southern Engine & Pump Company bid is high, their guaranteed efficiency is sufficiently higher than that of the other bidders to make their evaluated price the lowest.

"Recommendation: It is my recommendation that the Southern Engine & Pump Company bid in the amount of \$37,865.00, on one 21,000 gallon per minute pumping unit, as specified, be accepted.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 28, 1966 for one 21,000 gallon per minute pumping unit for Filter Plant No. 2; and,

WHEREAS the bid of Southern Engine & Pump Company, in the sum of \$37,865.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director, Water and Sewage Treatment, 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 Southern Engine & Pump Company, in the sum of \$37,865.00, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Southern Engine & Pump Company.

July 7, 1966

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the City Manager, W. T. Williams, Jr., be and he is hereby authorized and directed to execute on behalf of the City of Austin that certain License Agreement dated June 16, 1966, with Southern Pacific Railroad Company for an eight-inch sanitary sewer pipe line crossing Southern Pacific Company's Austin-Illano railroad property at Engineer's Station 445/76 (Mile Post 9.93)

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

MR. RAYMOND SANDS submitted his request to buy property between his own and Ben White Boulevard and asked that an appraisal be set up for the price. It was pointed out an appraisal had been made. Councilman White stated he did not agree personally, as he thought it was too high. Mr. Sands was under the impression if he purchased this strip, he would have to dedicate it for sidewalk area. It was pointed out if the City needed this, it would not sell it. Mr. Sands wanted to zone his property and had withdrawn the request previously as it had met with neighborhood opposition, and he wanted to purchase the strip to have access to Ben White Boulevard and be able to build up to the property line. The City Attorney listed the appraised value per front foot for residential purposes on Ben White Boulevard. Councilman Long stated they had no intention of considering it as residential. The City Attorney explained the appraisal and the formula of enhancement of the value of the strip. After discussion and after Mr. Sands' expressing a willingness to pay the amount, Councilman Shanks moved to sell this little strip of land for \$500.00. The motion, seconded by Councilman Long, carried by the following vote:

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

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute a transfer and assignment of the following Special Assessment Certificate to Home Acceptance Corporation, to-wit:

Special Assessment Certificate No. 6402-2934-63-97(m) for the improvement of Walnut Avenue, such certificate evidencing the special assessment of the sum



of Two Hundred Two and 44/100 Dollars (\$202.44) for a portion of the cost of improving such street levied against all of Lot 6 and South 1.66 feet of Lot 5, Block 4, Second Henry Unit Addition of Outlot 31, Division "B", City of Austin, Travis County, Texas, being same property described in deed recorded in Volume 1421, Page 117 of the Plat Records of Travis County, Texas, and against the owners thereof, including Lewis B. Carter (Edward Thompson and Beulah Thompson, claimants), the apparent owners.

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

Mayor Palmer introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING TO PUBLIC TRAVEL THAT CERTAIN PORTION OF A STREET, LOCALLY KNOWN AS EAST 14TH STREET, WHICH EXTENDS FROM THE EAST LINE OF RED RIVER STREET IN AN EASTERLY DIRECTION TO THE WEST LINE OF SABINE STREET; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

MAYOR PALMER read a letter from Margaret Enswiler, Director of Education of Exceptional Children regarding housing for the Austin Volunteer Visual Aids, which had used the city owned property at 301 Nelray, leased to the pre school hearing center in 1956. This center was moved to Robert E. Lee School and the building was used by the Itinerant Speech Staff of the Austin Schools. With the new School Administration, the Speech Therapist will be brought in. Since the pre school hearing program is assured of having school facilities, and the Itinerant Therapist will not need the building after September, 1966, it would

July 7, 1966

be advantageous to have this property rented to the Austin Volunteer Visual Aids. The City Manager stated the Austin Pre School Hearing Center has no further need for the building, and it hopes the Council will permit the Austin Volunteer Visual Aids to use it. Councilman Long moved that the City Manager be authorized to lease this building under the same terms to the AUSTIN VOLUNTEER VISUAL AIDS. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager explained the program of seal coating to preserve the street paving as is done each summer on the older paved streets. The time has come to put a seal coat on Congress Avenue, and it will have to be done during the hottest months. Congress Avenue has not had this treatment in many years. An overlay was put down in 1955. The Director of Public Works, in answer to Councilman LaRue's inquiry, stated some experimenting was done between 5th and 9th Streets where the asphalt had correated. He explained the "trap-rock-cover" which is more skid resistant than what is on the Avenue now. He explained the complete work which would be done from Barton Springs Road to 11th Street, doing part of it on one Sunday and the other the next Sunday at a cost between \$9,500-\$10,000 and which will be done by City forces. He explained the Avenue would be prepared for this coating, but the material would not be laid until after the Aqua Festival. Councilman Shanks moved that the City Manager be authorized to proceed. The motion, seconded by Councilman White, carried by the following vote:

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

The City Attorney gave a report on the auctioning of furniture and structures, stating an auctioneer, MR. HARPER had been engaged. The desirability of having him also auction off the improvements as well as the furniture had been discussed. The City would have 24 hours to accept or reject the best bids. It was thought this auction might generate a wider interest, and Mr. Harper would be advertising on both the improvements and furnishings for July 13th. The structures will be the McCarty House, the Freund House, and the Miller House.

Councilman White inquired about Mrs. John Greene's property. It was stated this had not been settled as yet.

MAYOR PALMER read a letter from MR. PHILIP CREER, expressing appreciation for the opportunity to serve as a member of the Parks and Recreation Board. Also he read a letter from DR. JOHN BARCLAY expressing gratitude for the plaque and resolution adopted by the Council concerning his service at Brackenridge Hospital. He stated he had served some 16 years, was a patient, and had visited patients there, and he is convinced that Austin should be proud of its first class hospital, which still gives a personal touch to those who are patients.

The Mayor read a letter concerning the condition of Festival Beach during the 4th of July celebration. (Signed by MRS. LEONARD FRANKLIN) The Director of Public Works stated regarding litter, there were twelve containers on the beach.

July 7, 1966

The Mayor read a letter from a young boy suggesting setting an age limit on shooting fireworks, stating children under a certain age could not shoot fireworks. (Signed by Vaughn Kennedy, 13 years of age)

MAYOR PALMER stated the Council had two recommendations, one from the hospital and one from the City Manager concerning eligibility of indigent care patients at the hospital. The recommendations were as follows:

"June 23, 1966

"MEMORANDUM TO: The City Council

FROM: W. T. Williams, Jr., City Manager

SUBJECT: Recommendation on Proposed Clinic Scale

"A memorandum reporting action of the Hospital Advisory Board recommending a new eligibility scale for charity at Brackenridge is attached. The adoption of this scale would increase the number of persons and families who would be eligible for free hospital care.

"The schedules accompanying the recommendation indicate that the new scale would cause 8 additional patients per month to receive free care. The average stay of staff patients is 9.2 days, so the proposed scale would increase the free patient days by 73.6 per month. The per diem cost of hospitalization is now \$43.00. This indicates that the adoption of this proposed scale would cost the taxpayers an additional \$3,165.00 per month or \$37,987.00 per year.

"Without the adoption of this new scale, the allowances and adjustments made the first 8 months of the fiscal year, if continued at the same rate for the remainder of the year, will exceed the budgeted allowances and adjustments for the year by \$189,000.00. This is an added expense which is already facing the taxpayers. This unbudgeted deficit and the cost to the taxpayers would be increased by the proposed new scale.

"I cannot agree with the recommendations of the Board."

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

FROM: Ben Tobias, Administrator

SUBJECT: RECOMMENDATION ON PROPOSED CLINIC SCALE

"The following is extracted from the minutes of the Advisory Board of Trustees meeting dated May 27, 1966 as follows:

"4. Social Service Presentation - Mr. Tobias introduced Mrs. Marion Chapman, Director of Social Service, who discussed the operation of the Social Service Department. Mrs. Chapman said the function of Social Service Department is (1) validation of clinic cards after determination of eligibility, (2) handling of referral service not only from doctors but also meeting the needs of patients by directing them to the appropriate agencies for such help as is available, and (3) by following the requirements and use of

July 7, 1966

facilities as set by the Advisory Board of Trustees and City Council. Mrs. Chapman presented a report which shows that as of May 12, 1966 there were 2,026 families holding clinic cards which represented 7,911 individuals. She presented a recommended revision in the clinic scale which would change the minimum classification from \$79 monthly income to \$86 monthly income and the maximum allowable with twelve in the family from \$468 a month to \$509 a month. She stated that based upon the number rejected over the last twelve months this new scale would have allowed 130 new families to receive clinic eligibility which would represent 507 individuals and would possibly account for 148 additional clinic visits per month and 8 staff patients hospitalized. After discussion the Board took action on the new clinic scale proposal.

"VOTED: On motion of Dr. King, seconded by Mr. Diaz, the Board voted to recommend to the City Council the approval of the new clinic scale.

"Attached is a copy of the information presented along with the proposed clinic scale. Your consideration of this recommendation will be appreciated.

"s/ Ben Tobias  
Ben Tobias  
Administrator"

"May 24, 1966

#### BRACKENRIDGE HOSPITAL

"MEMO TO: Mr. Ben Tobias

FROM: Mrs. Marion P. Chapman, Director  
Social Service Department

RE: Statistical Report

"The Social Service Department completed a review and count of all of the index cards in force on May 12, 1966.

"I. Active family clinic cards by count: ----- Total 2,026

"II. Population of active family clinic cards:

1960 population Travis County 212,136

Latin	870	43%	12.3%
Negro	807	40%	12.7% (non-white)
Anglo	348	17%	75.
Oriental	1	-	-
	<u>2,026</u>	<u>100%</u>	<u>100%</u>

"III. A. Clinic cards issued by grade, A, B, C, and total of individuals covered by each grade of card.

A-----	5,188
B-----	908
C-----	1,815
Total -----	<u>7,911</u>

3.9 persons per family

"B. Additional information available reveals that of the 7,911 individuals having access to clinic, the following special areas were noted.

Clinic cards issued for 1 year	308 persons
Clinic cards issued for Nursing Home	50 "
Clinic cards for O.A.A.	249 "
Clinic cards issued N.H. and O.A.A.	43 "

"IV. Comparison:

	March 1965	August, 1965	May, 1966
Card Count	1,459	1,662	2,026
Nursing Home	54	43	50
O.A.A.	220	226	249
Individuals covered	not available	6,529	7,911

"s/ Marion Chapman  
Mrs. Marion P. Chapman"

"BRACKENRIDGE HOSPITAL  
AUSTIN, TEXAS

"May 25, 1966

"SCALE FOR CERTIFICATION FOR ELIGIBILITY

Number in Family	CARD A Monthly Income	CARD B* Monthly Income	CARD C* Monthly Income
1	0 - \$ 86	\$ 87 - \$ 98	\$ 99 - \$109
2	0 - 120	121 - 130	131 - 152
3	0 - 151	152 - 164	165 - 202
4	0 - 185	186 - 195	196 - 245
5	0 - 203	204 - 217	218 - 287
6	0 - 230	231 - 245	246 - 325
7	0 - 239	240 - 265	266 - 363
8	0 - 271	272 - 292	293 - 396
9	0 - 292	293 - 361	362 - 428
10	0 - 314	315 - 386	387 - 457
11	0 - 337	338 - 412	413 - 485
12	0 - 359	360 - 434	435 - 509

"Any family whose earnings are more than \$509.00 per month should get private medical care.

"CARD A - \$ .25 per clinic visit; Emergency Room charge \$2.00  
B - \$ .50 per clinic visit; Emergency Room charge \$5.00  
C - \$1.00 per clinic visit; Emergency Room charge \$5.00

"OB CARE - Flat Rate (Includes Pre and Post Natal Care)

"CARD B - \$35.00  
C - \$50.00

"Persons eligible under the above scale are eligible for free in-patient care except as indicated above." (proposed revision)

July 7, 1966

CITY OF AUSTIN, TEXAS

SUMMARY OF FAMILIES REJECTED BY SOCIAL SERVICE  
DURING TWELVE MONTHS (May 1965 - April 1966)

Number in Family	Number of Families	\$1-\$10	\$11-\$20	\$21-\$30	\$31-\$40	\$41-\$50	\$51-\$75	\$76-\$100	\$101-\$150	over \$150	%
1	99	15	14	13	4	2	13	14	16	8	16
2	180	19	20	19	17	10	22	25	22	26	28
3	93	6	9	15	10	7	16	7	11	12	15
4	85	5	7	8	9	8	15	11	8	14	13
5	67	5	8	3	6	5	15	6	10	9	11
6	38	1	5	5	2	2	2	2	7	12	6
7	27	2	2	2	3	3	7	5	1	2	4
8	11	-	-	2	1	1	-	3	4	-	2
9	11	1	1	1	1	-	-	2	-	5	2
10	12	2	-	3	1	1	2	1	1	1	2
11	4	-	1	-	-	-	1	-	1	1	1
12 and up	6	-	-	1	-	1	3	-	-	1	-
1. Total	633	56	67	72	54	40	96	76	81	91	100%
2. %		9%	11%	11%	9%	6%	15%	12%	13%	14%	
3.		56	53	17	3	1		(b) 344	(d) 54.3%		

4. 130 families or 20.5% of total rejections May 65 - April 66.

Note:

1. Total
  - a. sub-total of overscales \$1 to \$50
  - b. sub-total of overscales \$51 and up
2. Percentage of each group by overscale column to total families rejected.
  - c. percentage of overscales \$1 to \$50
  - d. percentage of overscales \$51 and up
3. Sub-total of families which would be eligible for clinic.
4. Total of those who would be eligible for clinic under proposed eligibility scale increase.
5. The grand total of 130 families
 

3.9	average members per clinic family
507	individuals for clinic care
or 148	more clinic visits per month
or 8	more staff patients hospitalized per MD

July 7, 1966

Councilman Shanks stated it was his suggestion last week that the Hospital Board be given the benefit of the figures and information that the City Manager had and get a new report on the matter. The Chairman, MR. JOHN SIMPSON, said he did not know about it nor had time to study it; and in view of this, Councilman Shanks said they should have this information and make a restudy of it. Councilman LaRue stated he had spoken to Mr. Simpson, and his impression was it was Mr. Simpson's feeling at the time that this would not affect the overall operation to any great extent because a lot of this shows up in the unpaid accounts. Councilman LaRue stated they had a recommendation from the staff and the Board to the effect this should be done. MAYOR PALMER stated everyone on the Council as well as all of the citizens want everyone who is in need of hospitalization to have it; but the Council had set up eligibility requirements sometime back when there were abuses made of the clinic cards; and when the survey was made, MR. STEINLI, Consultant recommended this particular eligibility schedule. Councilman Long stated the Hospital Administration seemed to know what was going on, and a lot of this is written off anyway, and it was just a bookkeeping item. The City Manager said some of the bad debt is never collected, but if it were written off before it were collected it would never be collected.

Statistics showed the indigent care load at the hospital consumed about one third of the City taxes, and there were 7200 eligible at this time, and the proposal would increase this by about 500. Mayor Palmer inquired about the cost. The City Manager stated \$1,450,000 was budgeted for this year, and it appears the cost will run about \$190,000 more than that without any adjustment. After discussion, Councilman Long moved that the Hospital Board recommendation be accepted. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman Shanks made the following statement regarding his vote:

"I am going to vote against it because I would like to restudy on the figures the City Manager gave them so they can make a more comprehensive and intelligent vote, and I vote 'no'."

Mayor Palmer made the following statement regarding his vote:

"I vote 'no' and I will state again that it has always been our earnest desire that everyone who is in dire need would receive attention at the hospital; but to enlarge on the indigent care load by some 500, this cannot do anything but add to the overall costs of public health, and I vote 'no'."

Miss Jean Buske (about 11 years old) stated if the real spirit of the 4th of July was felt, it would be necessary to shoot fireworks to celebrate, and it is something to enjoy. If fireworks are outlawed, she asked why not outlaw the smoking of cigarettes. She expressed her preference of fireworks as being sparklers, the little cones, etc. The Mayor stated all angles had been considered when the ordinance was passed; and if she would check with the State Board she would find many fires were started by fireworks, and many youngsters were injured by fireworks. Councilman Shanks stated Austin was one of the last major cities in Texas to put this ordinance into effect. Councilman Long stated

July 7, 1966

she and Councilman White had voted against the ordinance.

The Council recessed until 2:30 P.M.

## RECESSED MEETING

2:15 P.M.

At 2:15 P.M. the Council reconvened.

The Council had before it for consideration the following zoning applications deferred from last week:

NORMA MAURINE	410 Park Lane	From "A" Residence 1st
CANTWELL	Rear of 408 Park Lane	Height & Area
By Wayne Walden	Additional Area	To "B" Residence 2nd
	412-414 Park Lane	Height & Area
	1404-1414 Newning Avenue	NOT Recommended by the
		Planning Commission

Councilman Shanks moved that the change to "B" Residence 2nd Height and Area be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

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

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

- - - - -

AUSTIN METER SERVICE	2111-2113 Shoalmont	From "A" Residence
By Tommy Smith	Drive	To "C" Commercial
		Amended to "C" Commercial for rear of 2111-2113 Shoalmont Drive & "O" Office for 2111-13 Shoalmont Drive (E.70' of Lot 8)
		RECOMMENDED by the Planning Commission as amended

Councilman LaRue moved that the change to "C" Commercial for the rear of 2111-2113 Shoalmont Drive and to "O" Office for 2111-2113 Shoalmont Drive be granted. 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 "C" Commercial



July 7, 1966

for the rear of 2111-2113 Shoalmont Drive and to "O" Office for 2111-2113 Shoalmont Drive and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

KIRK WILLIAMSON  
By Paul D. Jones

509-513 Pecan Grove  
1414-1418 Sunset Lane

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

Councilman Shanks moved that the change to "B" Residence 2nd Height and Area be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

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

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

- - - - -

MRS. MARIE SHIERLOW  
By Charles Shierlow

1504-1512 East Side  
Drive

From "A" Residence  
To "B" Residence  
NOT Recommended by the  
Planning Commission

Councilman Shanks moved that the change to "B" Residence be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Mayor announced that the change had been granted to "B" residence and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

TRUMAN H. MONTANDON

301 East 38th Street  
3705-3709 Grooms Street

From "A" Residence  
To "O" Office  
NOT Recommended by the  
Planning Commission

Councilman Long moved that the zoning application be sent back to the Planning Commission for an area study. The motion, seconded by Councilman LaRue, carried by the following vote:

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

July 7, 1966

MAYOR PALMER announced it was time to hear the Swimming Pool Ordinance and the Pest Control Ordinance. The Swimming Pool Ordinance was brought up first for consideration. MR. DON BUTLER, Assistant City Attorney, reviewed the ordinance. MR. S. A. GARZA, Chairman of the Citizens Committee, listed the members of the committee, MR. JOHN COATS, who is out of town today, MESSRS GUITON MORGAN, VICTOR SCHMIDT, DICK JORDAN, ALBERT ULLRICH, GEORGE WARREN, and HERBERT HARGIS with the Health Department. Mr. Garza stated they compiled a group of ordinances, reviewed them, and came up with very conservative and minimum rules for swimming pools and perhaps that is why there is not much controversial opinions. Everyone seemed to be in conformity. It was pointed out public pools were exempt. In answer to Councilman Shanks' question, the Assistant City Attorney stated the "Department Store Swimming Pools" that are placed in a back yard, have a recirculating system, and some are large and deep, and are covered by the ordinance. It would also be necessary to have a permit to erect these. The building fee is 1 1/4¢ per square foot.

MR. JACK ANDREWARTHA, President of the Austin Home Builders Association, stated the association had studied all the aspects of this ordinance and heartily endorsed it. MR. JAMES EICHELBERGER, Austin Apartment House Association, of which Mr. John Coats is a member, had no objections. He commended everybody who worked on this and commended the City Officials for their work on their own time.

MR. KRUEGER was interested in "dumping" the water. It was stated this was controlled by this ordinance. Mr. Krueger asked if anything were added to water in the swimming pools. The Recreation Director stated the public swimming pools had chlorine added.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING THE AUSTIN CITY CODE OF 1954 BY ADDING THERETO A NEW CHAPTER PERTAINING TO THE REGULATION OF SWIMMING POOLS AND WADING POOLS, DESIGNATED CHAPTER 44; DEFINING TERMS; REQUIRING BUILDING PERMITS; REQUIRING PERMITS TO OPERATE; PROVIDING STANDARDS OF OPERATION; PERMITTING EXPERIMENTAL INSTALLATIONS; DECLARING UNSANITARY POOLS TO BE A PUBLIC NUISANCE; PROVIDING THAT VIOLATION SHALL BE A MISDEMEANOR AND FOR ENFORCEMENT OF ITS PROVISIONS.

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

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

Councilman Shanks congratulated the committee for bringing in a short fine ordinance that everyone can understand.

The Council considered the proposed Pest Control Ordinance. MR. STERLING SASSER, Chairman, MR. S. A. GARZA, MR. GEORGE WARREN, MR. VIC SCHMIDT, MR. ALBERT ULLRICH were the members of the committee that worked on this subject along with

July 7, 1966

MR. LYLE E. PETERSON and MR. HERBERT HARGIS, Health Department. MR. DON BUTLER, Assistant City Attorney, reviewed this ordinance, pointing out it covered General Pest Control Permits, and Horticulture Pest Control Permits. The ordinance provided for a pest control advisory committee, four persons engaged in this business, a City employee, and one other person to advise the Health Officer on how this is to be administered, with staggering terms of two years each. Fees are set at \$25.00 for the firm permit; and \$5.00 for the pest control operators. He pointed out a unique provision was that each firm has someone who can provide the Poison Control Center as to what the firm had been using.

MR. SASSER stated the people in this business were most helpful and co-operative in trying to write this ordinance, and he expressed appreciation to the City employees for the many hours they put in on this ordinance. MR. ROBERT DILLARD, Operator, stated the Pest Control operators were 100% in favor of this ordinance as it is written, and they would like to see it read and passed. Councilman Long asked if there were more than 35 operators. MR. ROBERT DILLARD stated there were more than that, but they were classed as "fly-by-night" operators, and there are not 35 bona fide operators in Austin; perhaps 12 or 14 companies.

MR. HANK DUNLOP, Better Business Bureau, not representing the Pest Control Companies, stated this was a good ordinance. He wanted to speak on the economic health of the community, stating it was good to protect these legitimate businesses, as there are many fine men who are operating honestly and ethically, and they try to protect those people. He discussed the issuance of and cancellation of permits, suggesting great care be taken as to whom would be issued permits, and that each firm be checked out thoroughly. He felt they could eliminate the "fly-by-night" people. MR. HAROLD BUSH stated that was a good point.

Councilman Long wanted the ordinance passed through its first reading and held over a week to give the general public a chance to think about it. Councilman Shanks stated this ordinance seemed to come under the emergency rule, and had been worked out by the operators themselves, and no one would say this was not good for the public in its entirety. The rules of ethics have been so violated he would like to have it passed today.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING THE AUSTIN CITY CODE OF 1954  
BY ADDING THERETO A NEW CHAPTER REGULATING PEST  
CONTROL FIRMS AND OPERATORS, DESIGNATED CHAPTER 45;  
AND DECLARING AN EMERGENCY.

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

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

The Mayor stated he would like to see the ordinance when it is finally passed be effective immediately. Mr. Hargis said it would take some time to get the paper work done, and he suggested making it effective 30 days after passage. The Mayor said if there were some unethical operators in the City, they were going to be very busy during that time. Mr. Dunlop stated there has never been a situation on illegal pest control operators' coming into Austin since January as there has been this year.

July 7, 1966

Mayor Palmer stated the Council would have to go into Executive Session at its earliest convenience and try to appoint its Advisory Committee. He thanked the group of operators for their hard work and help.

MR. JACK ANDREWARTHA announced the PARADE OF HOMES north of the City limit line on Interregional Highway 35 beginning next Saturday. There will be 14 completely furnished homes.

The City Manager reported that the following zoning applications had been referred to the Planning Commission and set for public hearing before the City Council on August 11, 1966:

HOMART DEVELOPMENT CO.	370 Hancock Center	From "GR" General Retail To "C-1" Commercial
T. A. MAYES	1111 Myrtle Street 1160-1168 Navasota Street 1110-1114 Juniper Street	From "B" Residence 2nd Height & Area To "C" Commercial 2nd Height & Area
BILL MILBURN By Richard Sherk	1403 Ashwood Road	From "A" Residence To "B" Residence
LILLIAN B. ADAMS & DR. RALEIGH ROSS By Marvin Braswell	231-609 West Powell Lane 221-231 Wonsley Drive 8018-8030 Purnell Drive	From "A" Residence & "C" Commercial To "C" Commercial
RICHARD HOOPER	5504 Bennett Avenue	From "A" Residence To "B" Residence
VANCE FOX & FLOYD L. RAYMOND	4403-4405 Red River St. 901-905 Ellingson Lane	From "A" Residence To "O" Office
MRS. M. K. McANGUS	611 Trinity Street (607 Trinity Street)	From "C" Commercial 4th Height & Area To "C-1" Commercial 4th Height & Area
DANA POWELL & E. J. SIMPSON	505-507 Riverside Drive	From "B" Residence 2nd Height & Area To "O" Office 2nd Height & Area
ESTHER N. CROW, ET AL By Richard Baker	1810-1814 West 35th Street	From "LR" Local Retail 1st Height & Area To "LR" Local Retail 2nd Height & Area
MRS. DARLINE CHANDLER	813 East 13th Street	From "B" Residence 2nd Height & Area To "LR" Local Retail 2nd Height & Area

July 7, 1966

FRANK BARRON	1118-1306 Atkinson Road Rear of 6900-7108 Cameron Road	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area
FRANK BARRON	1118-1120 St. Johns Avenue 1200 St. Johns Avenue 7201 Canyon Drive 7200 Canyon Drive	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area
H. E. BUTT, ET AL By Tom Curtis	Rear of 800-1114 Anderson Lane 1116-1214 Anderson Lane Rear of 1216-1228 Anderson Lane 1230-1232 Anderson Lane 1215-1301 Dale Drive 7906-8172 U.S. Highway 183	From "A" Residence 1st Height & Area and Interim "A" Residence 1st Height & Area and "C" Commercial 6th Height & Area To "C" Commercial 1st Height & Area
JOHN W. CROSLIN By L. C. Reese	7313-7325 North Lamar Boulevard 7401-7409 North Lamar Boulevard	From "A" Residence To "C" Commercial
HELEN M. WEBSTER By M. H. Crockett, Jr.	5105 Duval Street	From "A" Residence To "C" Commercial for Tract 1 and 2 and "C-1" Commercial for Tract 3
JOEL L. ALDRIDGE, JR. By Austin Home Finders	5209 Martin Avenue	From "A" Residence To "O" Office
FRED W. MITCHON & HELEN M. MITCHON By Julian B. Thomas	4217-4227 Burnet Road	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area
FRANCES GERDES	708 West 23rd Street	From "B" Residence 1st Height & Area To "LR" Local Retail 3rd Height & Area
H. G. LINSOMB	3405-3601 Lyons Road	From "D" Industrial 3rd Height & Area To "A" Residence 1st Height & Area
MRS. JULIUS F. FRANKI	614-628 South 1st Street Rear of 700-800 South 1st Street	From "A" Residence To "B" Residence

July 7, 1966

W. R. REID & W. L.  
MAYFIELD,  
By Bryant Curington,  
Inc.

Five Tracts  
8600-8608, 8616-8632  
8714-8738, 8800-8932  
Balcones Drive  
3501-3735 Old Burnet  
Road

From Interim "A"  
Residence 1st Height  
& Area  
To "C" Commercial 1st  
Height & Area

PAUL F. PAULSEN  
By John D. Barton

2915-2917 Red River  
Street

From "O" Office  
To "LR" Local Retail

CAL MARSHALL  
By John Selman

1901-1907 Airport  
Boulevard  
3200-3234 East 19th  
Street  
1900-1918 Tillery Street

From "A" Residence  
To "GR" General Retail

T. S. BARNES ESTATE  
By Richard Baker

4631-4703 Manor Road

From "A" Residence  
To "B" Residence

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

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

The Council adjourned about 3:15 P.M. subject to the call of the Mayor.

APPROVED

*Richard E. Palmer*  
Mayor

ATTEST:

*Oliver H. Wooley*  
City Clerk