

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 11, 1961
10:00 P.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Pro-tem Palmer presiding.

Roll call:

Present: Councilmen Bechtol, White, Mayor Pro-tem Palmer

Absent: Councilman Perry and Mayor Miller

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; S. Reuben Rountree, Jr., Director of Public Works; Bob Miles, Chief of Police

Invocation was delivered by REV. GENE RUTLEDGE, Koenig Lane Christian Church.

The Council stood in silence in memory of MR. EDGAR H. PERRY. The Mayor Pro-tem announced the Council had instructed the City Manager to lower the flag to half-mast until noon Friday, in honor of Mr. Perry.

Mayor Pro-tem Palmer announced that it was time to open bids on electrical equipment for Holly Street Power Station, Unit 2, and asked if there were any questions as to the specifications. There were no questions. Bids were opened on Contract 65 as follows:

TABULATION OF BIDS FOR CLOSED HEATERS
HOLLY STREET UNIT # 2
CONTRACT 65

| BIDDER | ALCO PRODUCTS CO. | GRISCOM-RUSSEL CO. | STRUTHERS-WELLS CO. | WESTINGHOUSE |
|----------|-------------------|--------------------|---------------------|--------------|
| BID BOND | YES | YES | YES | YES |
| ITEM I | | | | |
| CFWH 21 | \$16,700.00 | \$16,700.00 | \$16,695.00 | \$25,800.00 |
| ITEM II | | | | |
| CFWH 22 | \$12,160.00 | \$10,600.00 | \$10,424.00 | \$17,400.00 |

| BIDDER (cont.) | ALCO PRODUCTS CO. | GRISCOM-RUSSEL CO. | STRUTHERS-WELLS CO. | WESTING- HOUSE |
|---|-------------------|---|---------------------|-------------------|
| ITEM III CFWH 24 | \$21,600.00 | \$19,700.00 | \$26,471.00 | \$26,200.00 |
| ITEM IV CFWH 25 | \$23,980.00 | \$24,100.00 | \$31,598.00 | \$35,000.00 |
| ITEM V Field Repre- sentative Per Diem | \$ 100.00 | \$ 75.00 | \$ 60.00 | \$ 85.00 |
| ESCALATION | Firm | Firm 1 Yr. 0.6% per Mo. Begin 13 mo. 5% max. | Firm | Firm |
| DRAWINGS CAL. DAYS | 30 | 10 | 21 | 60 |
| DELIVERY CAL. DAYS | 700 | 270 | 180 | 660 or earlier |

Bids were opened on Contract 66 as follows:

TABULATION OF BIDS FOR DEAERATING HEATERS
HOLLY STREET UNIT # 2
CONTRACT 66

| BIDDER | A.M. LOCKETT CO. | ALLIS-CHALMERS | ALLIGER & SEARS |
|--|------------------|----------------|-----------------|
| BID BOND | YES | YES | YES |
| ITEM I DFWH 23 | \$27,352.00 | \$26,380.00 | \$28,392.00 |
| ITEM II Omit relief valve DFWH 23 <u>Deduct</u> | \$ 752.00 | \$ 1,012.00 | \$ 1,033.00 |
| ITEM III Omit level control & valve DFWH 23 <u>Deduct</u> | \$ 288.00 | \$ 310.00 | \$ 1,477.00 |
| ITEM IV Omit level indicator DFWH 23 <u>Deduct</u> | \$ 258.00 | \$ 354.00 | \$ 279.00 |

| BIDDER | A.M. LOCKETT CO. | ALLIS-CHALMERS | ALLIGER & SEARS |
|---|------------------|----------------|-------------------|
| ITEM V Omit overflow valve & control DFWH 23 Deduct | \$ 560.00 | \$ 739.00 | \$ 998.00 |
| ITEM VI Omit high & low level alarms <u>Deduct</u> | \$ 347.00 | \$ 260.00 | \$ 153.00 |
| ITEM VII Omit 1 press. indica- tor & 2 temp. indica- tor <u>Deduct</u> | \$ 105.00 | \$ 105.00 | \$ 76.00 |
| ITEM VIII Field Representation Per Diem | \$ 60.00 | \$ 64.00 | \$ 90.00 |
| DRAWINGS CAL. DAYS | 21 | 21 | 30 |
| DELIVERY CAL. DAYS | 210 | July 1, 1962 | 700 April 1963 |

MR. DON HIGGINS, BROWN & ROOT, Consulting Engineer, stated he was well pleased with the bids received, and said it would be necessary to cross-check the drawings and go thoroughly into all of the alternates and have a recommendation by next week. Mr. Higgins introduced MR. DON BOYD, Mechanical Project Engineer, who has been assigned to the Power Station to handle the detail work.

Councilman White moved the Council approve the Minutes of the Meeting of May 4, 1961. The motion, seconded by Mayor Pro-tem Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Councilman Perry and Mayor Miller

MR. C. T. JOHNSON appeared before the Council in the interest of problems affecting the Civil Defense program, and asked that the Council instruct the City Attorney to work with the local State Senator and members of the State Legislature and amend the penal code of the State making it a felony to tamper with any Civil Defense Warning Device. The Mayor Pro-tem thanked Mr. Johnson, and stated the recent incidents were being investigated thoroughly.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by instrument dated December 27, 1946, of record in Volume 829

at page 333 of the Deed Records of Travis County, Texas, a drainage easement fifteen (15) feet in width was granted to the City of Austin, in, upon and across the east fifteen (15.00) feet of Lot 41, Tarrytown No. 4, said Tarrytown No. 4 being a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Tarrytown No. 4 of record in Book 4 at page 38 of the Plat Records of Travis County, Texas; and,

WHEREAS, the west five (5.00) feet of above described easement constitutes a cloud on the title to such property and the owner has requested the City Council to release such portion of said easement; and,

WHEREAS, the hereinafter described portion of the above described easement is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

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 to execute a release to all of its right, title and interest in and to the hereinafter described portion of the drainage easement as follows:

All of the west five (5.00) feet of that certain drainage easement fifteen (15.00) feet in width same being in, upon, and across the east fifteen (15.00) feet of Lot 41, Tarrytown No. 4, said Tarrytown No. 4 being a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Tarrytown No. 4, of record in Book 4 at page 38 of the Plat Records of Travis County, Texas, which certain drainage easement fifteen (15.00) feet in width was conveyed to the City of Austin by instrument dated December 27, 1946, of record in Volume 829 at page 333 of the Deed Records of Travis County, Texas.

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

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer

Noes: None

Absent: Councilman Perry and Mayor Miller

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin owns a tract of land consisting of one isolated residential lot which is bounded on both sides by private property in which A. G. Adams owns a one-half interest, John E. Harrison, Jr. owns a one-fourth interest and James P. Hart owns a one-fourth interest; and,

WHEREAS, the small size of this lot is such that its utilization for municipal purposes is impractical; and,

WHEREAS, the City Council of the City of Austin has found and determined that it is in the public interest that the hereinafter described surplus tract of City-owned land be sold to the owners of the adjoining property in order that sightly and economically sound use may be made of such lot; Now, Therefore,

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 to execute a warranty deed conveying the hereinafter described tract of land to A. G. Adams, John E. Harrison, Jr. and James P. Hart according to the above indicated interests; said tract being more particularly described as follows:

Lot 10, Block 3, Outlot 43, Division "D", in
the City of Austin, Travis County, Texas.

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

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer

Noes: None

Absent: Councilman Perry and Mayor Miller

Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING TO PUBLIC TRAVEL A PORTION OF COLE STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS: RETAINING AN EASEMENT, TEN (10.00) FEET IN WIDTH, FOR DRAINAGE PURPOSES; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer

Noes: None

Absent: Councilman Perry and Mayor Miller

COUNCILMAN BECHTOL announced that Open House for the Airport Terminal would be held on May 27 and 28, and that the Vice President of the United States, LYNDON B. JOHNSON, would be the main speaker. The Thunderbirds will fly out of Bergstrom field at 3:00 P.M. May 27th. The public is invited. There will be static displays and guided tours on Saturday. On Sunday, May 28th, the formal ceremonies will begin at 1:30 conclude at 2:30, and the speaker will be VICE PRESIDENT JOHNSON. COUNCILMAN BECHTOL announced additional activities that were scheduled. MAYOR PRO-TEM PALMER expressed appreciation to BERGSTROM FIELD personnel for its co-operation with the City in this particular activity and in all other matters.

The City Manager submitted the following:

"May 9, 1961

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

"Dear Mr. Williams:

"Sealed bids were received until 2:00 P.M., Tuesday, May 9, 1961 at the Office of the Director of Water and Sewer Department, for the construction of the Webberville Road, Mansell Avenue Service Area Sanitary Sewer Mains. The bids were opened in the Second Floor Conference Room of the Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

| <u>Firm</u> | <u>Amount</u> | <u>Working Days</u> |
|-------------------------------------|---------------|---------------------|
| Fairey-Simons Company, Incorporated | \$10,181.42 | 45 |
| Karl Wagner, Incorporated | 13,742.75 | 60 |
| Bland Construction Company | 13,840.05 | 60 |
| Walter W. Schmidt | 13,923.50 | 60 |
| Austin Engineering Company | 15,183.50 | 45 |
| J. R. Barnes Engineering Company | 16,849.00 | 75 |

"It is recommended that the contract be awarded to the Fairey-Simons Company, Inc. on their low bid of \$10,181.42 with 45 working days.

"Yours truly,

"s/ S. A. Garza, Superintendent
Sanitary Sewer Division

"s/ Albert R. Davis, 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 May 9, 1961 for the construction of the Webberville Road, Mansell Avenue Service Area Sanitary Sewer Mains; and

WHEREAS, the bid of Fairey-Simons Company, Inc., in the sum of \$10,181.42 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director, 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 Fairey-Simons Company, Inc. in the sum of \$10,181.42 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City with Fairey-Simons Company, Inc.

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

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer

Noes: None

Absent: Councilman Perry and Mayor Miller

The City Manager submitted the following:

"Sealed bids opened 10:00 A.M., May 1, 1961

Tabulated by: H. C. Moore, Jr.,
Purchasing Agent
Brackenridge Hospital

CITY OF AUSTIN

BIDS ON

LAUNDRY WASHING MACHINES FOR BRACKENRIDGE HOSPITAL

| Bid # | Description | Quan. | Cleco Corp. Equ. Div. Dallas Tailor & Laundry | The Hydraxtor Company | Troy Laun. Machinery Division | American Laundry Mach. Co. |
|--------|---|-------|---|--------------------------|-------------------------------------|----------------------------------|
| B-6106 | Washers laundry capacity 400 lb. | 2 ea. | \$18,400.00 | \$14,458.00 | \$13,270.00 | \$13,302.00 |

"RECOMMENDATIONS:

"It is recommended that the low bid of Troy Laundry Machinery Division be accepted as the lowest and best bid.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 1, 1961, for the purchase of two washers, laundry capacity 400 lbs., to be installed in the Brackenridge Hospital; and,

WHEREAS, the bid of Troy Laundry Machinery Division, in the sum of \$13,270.00 therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of Brackenridge Hospital, and by the City Manager; Now, Therefore,

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

That the bid of Troy Laundry Machinery Division in the sum of \$13,270.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager, is hereby authorized to execute a contract on behalf of the City with Troy Laundry Machinery Division.

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

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer

Noes: None

Absent: Councilman Perry and Mayor Miller

Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE REPEALING ORDINANCE NO. 600114A, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH BRADFIELD-CUMMINS, INC.; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY; AUTHORIZING THE CITY MANAGER TO ENTER INTO A

CERTAIN CONTRACT WITH BRADFIELD-CUMMINS, INC.;
PROVIDING FOR THE APPROPRIATION OF MONEY PAID
TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND
DECLARING AN EMERGENCY.

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

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
Noes: None
Absent: Councilman Perry and Mayor Miller

Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY. (ANGELINA AND SUNDRY OTHER STREETS.)

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 Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
Noes: None
Absent: Councilman Perry and Mayor Miller

Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 21.11 OF THE AUSTIN CITY CODE OF 1954 RESTRICTING THE NOISE OF AMUSEMENT PARK DEVICES; AND DECLARING AN EMERGENCY. (90-2075)

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

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
Noes: None
Absent: Councilman Perry and Mayor Miller

Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN HEIGHT AND AREA AND CHANGING THE HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: FROM FIRST HEIGHT AND AREA DISTRICT TO SECOND HEIGHT AND AREA DISTRICT ON LOTS 6-8, BLOCK 3, SUNRISE ADDITION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
Noes: None
Absent: Councilman Perry and Mayor Miller

MRS. JOHN L. MARTIN

1601-1603 N. Congress From "B" Residence
100-02 East Sixteenth To "LR" Local Retail
Street

MR. JOE LUNDELL appeared in the interest of Mrs. John L. Martin's zoning application. The Director of Planning stated the question was whether or not the property use had been discontinued and was no longer a non-conforming use. He outlined the various uses from a filling station to office use, and stated a laundry pick-up station would not be permitted in an office use. The Building Inspector said his interpretation was the use of the property as "C" was lost, as the use went to a more restrictive zone as an office. The City Attorney stated it appeared that more information would be needed on the date the use was discontinued and what the nature of the zoning ordinance was at that time. The Mayor Pro-tem explained this location was in the Capitol Area Plan; however, it might be well to discuss this again with the Building Commission to determine whether or not this change would affect the value of this land; and if not, the zoning might be considered. The City Attorney suggested that the Council might like to change the zoning ordinance to permit a pick-up station in "O". The Mayor Pro-tem told Mr. Lundell the Council would continue to look into this zoning application and give him an answer.

The Council had before it the following zoning applications:

ADA B. TURNER

5200-02 Huisache
700-02 Zennia StreetFrom "A" Residence
To "O" Office
NOT Recommended

Councilman White moved that the Council approve the request from owner or agent to withdraw the application. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
Noes: None
Absent: Councilman Perry and Mayor Miller

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GEORGE H. WALKER

1804-08 W. 35th Street

From "B" Residence
To "LR" Local Retail
NOT Recommended

Councilman White moved that the Council approve the request from the owner or agent to withdraw the application. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
Noes: None
Absent: Councilman Perry and Mayor Miller

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EVERETT H. GIVENS

By Kenneth R. Lampkin

Rear of 1612 Greenwood
AvenueFrom "A" Residence
To "B" Residence

Councilman Bechtol moved that the zoning application be referred back to the Planning Commission for study and consideration of street dedication. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
Noes: None
Absent: Councilman Perry and Mayor Miller

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Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, at the time Garden Oaks, Section 1 was approved, the City of Austin was granted, by Wayne Burns, a ten (10.00) foot public utility easement across the northern portions of Lot 1 and Lot 19, Block A, and Lot 1, Block B, according to the subdivision plat approved by the City of Austin on August 26, 1959, and recorded in Plat Book 9, page 175 of the Plat Records of Travis County, Texas; and,

WHEREAS, the street improvements have been completed and all utilities have been installed to serve this subdivision, and no public utilities have been, and none will be, installed in the 10 foot easement in, upon and across Lots 1 and 19, Block A, and Lot 1, Block B, Garden Oaks, Section 1; and,

WHEREAS, said easements constitutes a cloud on the title to such property and the owner has requested the City Council to release said easements; and,

WHEREAS, the hereinafter described three easements are not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

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 to execute a release to all of its right, title and interest in and to the hereinafter described three easements of the public utility easements as follows:

Three (3) strips of land, each of the said three (3) strips of land being ten (10.00) feet in width; the strip of land hereinafter described as No. 1 being out of and a part of Lot 1, Block A, Garden Oaks, Section 1; the strip of land hereinafter described as No. 2 being out of and a part of Lot 19, Block A of said Garden Oaks Section 1; the strip of land hereinafter described as No. 3 being out of and a part of Lot 1, Block B of said Garden Oaks Section 1; said Garden Oaks Section 1 being a subdivision of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas according to a map or plat of said Garden Oaks Section 1 of record in Book 9 at page 175 of the Plat Records of Travis County, Texas; each of the said three (3) strips of land ten (10.00) feet in width are to be released from the public utilities easement provided on said map or plat of Garden Oaks Section 1, and each of the said three (3) strips of land being more particularly described as follows:

- (1) Being all of the north ten (10.00) feet of said Lot 1, Block A of Garden Oaks Section 1,
- (2) Being all of the north ten (10.00) feet of said Lot 19, Block A of Garden Oaks Section 1,
- (3) Being all of the north ten (10.00) feet of Lot 1, Block B of Garden Oaks Section 1.

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

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer

Noes: None

Absent: Councilman Perry and Mayor Miller

The City Attorney submitted an ordinance, prohibiting fishing from or loitering upon bridges or dams crossing the Colorado River, for discussion. Action was deferred until next week.

Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 33 OF THE AUSTIN CITY CODE OF 1954 TO REQUIRE VEHICLES TO BE PARKED WITHIN THE LIMIT LINES ALLOCATED FOR EACH VEHICLE ON CITY-OWNED PARKING LOTS; REGULATING PARKING TIME LIMITS ON CITY-OWNED PARKING LOTS; 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 Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
Noes: None
Absent: Councilman Perry and Mayor Miller

MAYOR PRO-TEM PALMER asked that the Traffic Engineer make a study of the sizes of the stalls.

Copies of a proposed ordinance regulating poultry processing, to become effective September 1, 1961, was passed to Council members for study. The City Attorney reviewed the ordinance and explained its provisions. The City Attorney read the following Memorandum from MR. HARGIS:

"May 8, 1961

"To: W. T. Williams, Jr., City Manager Subject: Proposed Poultry Inspection Ordinance

BACKGROUND

"Some time ago we investigated complaints concerning the quality of poultry sold in the City of Austin and called a meeting of the processors and distributors and discussed the possibility of poultry inspection or requiring a higher standard on the poultry sold. At that time the two major processors in Austin, Alvin East and A. E. Massengale, stated that they would like to go to Federal Inspection and were rebuilding their plants to meet federal inspection requirements. Some of the others acknowledged the need for inspection but felt that they would be unable to meet these requirements. Lomis Slaughter was the only one of the local processors who said his business was insufficient and that he would either buy poultry or continue to "custom kill" for the regular locker patrons, which would not be in violation. They suggested that we prepare an ordinance and give them an opportunity to discuss the provisions, which has been done.

POULTRY INSPECTION ORDINANCE

"An ordinance has been prepared using the Texas State Department of Health, Division of Veterinary Public Health Regulations Governing Poultry Inspection and the Bureau of Animal Industry's Minimum Poultry Sanitation Requirements as a basis. This has been adapted to Austin's needs and has been checked by the City Attorney's office. In brief, the ordinance will require a permit for a processor or wholesale or retail distributor of poultry in the city and limit the sale to (1) federal inspected and approved, (2) state inspected and approved, and (3) other city inspections where the type of inspection and the sanitation of the plant will meet our minimum standards. The ordinance as prepared has a section on definitions,

provides for the appointment of a veterinary inspector or poultry inspection service, determines operating procedures, establishes minimum standards for sanitation of the plant, and outlines the duties of the veterinary inspector.

"When the two local plants secure federal inspection, it will be on the same financial basis as the abattoir, where the salaries of the inspector would be from federal sources and the plants would be required to pay for overtime. They have both been assured that they can secure federal inspection. We could then appoint the chief veterinary inspector as our "Chief of Poultry Inspection Service" but at no salary from the City. He would be under the general supervision of the City Health Officer.

"Should it be necessary to use state inspection rather than federal, a fee could be set which would be paid by the processor to the City and the City would pay the Chief of Poultry Inspection.

"All processors outside the jurisdiction of Austin who make application to sell poultry in Austin would be required to pay the expense of a representative of the Health Department to see that the plant and inspection are the equal of ours.

"We do not feel that there will be any additional costs to the City of Austin except the publication of the ordinance. I believe that you will find that Mr. East and Mr. Massengale will support the ordinance and that the only other processor, Mr. Slaughter, will not be against it.

"s/ H. E. Hargis
Sanitary Engineer"

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin acquired certain property owned and held by Travis County Water Control & Improvement District No. One; and,

WHEREAS, one property owned by said Improvement District consisted of a tract of land conveyed to said Travis County Water Control & Improvement District No. One by Charles Wolf by deed dated January 2, 1940, and recorded in Volume 631, page 477, of the Deed Records of Travis County, Texas; and,

WHEREAS, said deed provided that the property should revert in fee simple to Charles Wolf in the event that Travis County Water Control & Improvement District No. One shall cease to use the property for the purpose of maintaining a water storage tank; and,

WHEREAS, such site has been abandoned as a water storage tank site by both Travis County Water Control & Improvement District No. One and the City of Austin; and,

WHEREAS, it is deemed to be desirable to establish the fact of abandonment of this tract of land and to remove all possible cloud from the title of the tract of land in question; Now, Therefore,

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

That the hereinafter described tract of land be and the same is hereby declared to be abandoned, vacated, and no longer used in any way as a water storage tank site; and,

BE IT FURTHER RESOLVED:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a quitclaim deed to Charles Wolf for the purpose of removing this possible cloud to the title to Charles Wolf; said tract of land being more particularly described as follows:

One Hundred Fifty Feet by One Hundred Fifty Feet
(150' x 150') out of Lot Seven (7), Block "D",
J. E. Bouldin, Original Grantee, the tract hereby conveyed being described by metes and bounds as follows:

BEGINNING on the south line of a 51.55 acres tract of land out of said Lot 7, Block "D", J. E. Bouldin, Original Grantee, belonging to Charles Wolf, which point of beginning is 150 feet westerly from the east line of said 51.55 acres tract on the east line of South First Street;

THENCE westerly along the south line of said 51.55 acres tract 150 feet to a point for the southwest corner of the tract of land hereby conveyed;

THENCE northerly parallel with South First Street 150 feet to a point for the northwest corner of this tract;

THENCE easterly parallel with the south line of said 51.55 acres tract 150 feet to a point for the northeast corner of this tract;

THENCE southerly parallel with South First Street 150 feet to the place of beginning.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
Noes: None
Absent: Councilman Perry and Mayor Miller

The Council again reviewed the list of guests for the opening of the Airport Terminal on May 27th and 28th.

The Council recessed at 1:00 P.M. to meet in the Auditorium at 2:00 P.M. for public hearing on the Austin Development Plan.

RECESSED MEETING

2:00 P.M.

At 2:00 P.M. the Council met in the Auditorium for public hearing on the Austin Development Plan.

MR. DAVID BARROW, Chairman of the Planning Commission, explained the Austin Development Plan stating there had been an effort to accentuate the good things Austin has and to protect the things that should be protected. The three main things he listed in the plan were the land use, circulation in the city, and public facilities. He stated the plan can be changed or adapted to changes in the city, and it is recommended that the plan be reviewed annually. Changes should be dictated by changes in the city that warrant them, and the plan should not be adopted with the view point that this is something that can be changed easily, or that it is flexible to the extent changes can be made when some want to do it. The over-all plan should be the influencing factor.

The Director of Planning distributed the land use map and explained it, discussing the public facilities, zoning, and commenting on the Central Business District. The Thoroughfare Plan Map and the Public Facilities Maps were distributed, and the Director of Planning reviewed each in detail.

The City Manager referred to the Text which had been mentioned during the explanation of the maps, and which spelled out the principle objectives and aims of the plan. He said the objectives and statements contained in the text are fundamental and would not be subject to any material change in the years to come. He stated certain phases in the text are worded in terms of recommendation; and when adopted by the Council as a plan, it would be restated as policy rather than recommendation. When the plan is adopted some changes in the wording of the text may be made, but the principles, criteria and standards that are set out will be substantially as they appear in the copies distributed today. The text, however, will be subject to continuous review. The possibility of change will be remote, but there may be some cases where errors were made that will be corrected, or some part of the plan which may be subject to change resulting from changed conditions. The maps themselves are supposed to depict a general plan. The lines on the circulation map do not mean these streets or roadways will be located exactly as shown, but the map shows a general plan for arrangement of the streets to serve the community. The maps very well illustrate the application of the principles and criteria and standards which are outlined in the text. The plan will be implemented by the building code, zoning ordinances, capitol improvement program, subdivision development and approval of plats. The City Manager suggested some statement should be placed on each of the maps as distributed today. With reference to the Land Use map, since it affects the use of land and zoning ordinances and zoning maps, he suggested that it be noted, "This is not a zoning map, but one which shows predominate use and will be implemented from time to time by the zoning ordinance and amendments to the zoning ordinance." As to the Circulation Map, he suggested a statement such as "This map shows general routes for major streets and thoroughfares, and it is intended to be accurate and will be adapted to changed conditions as they occur." On the Public Facilities Map such statement should be added that "This plan is a guide showing the application of the principles involved in the location of public facilities. The locations of the public facilities are general and will be based on density of population and the use of the land to be served." He stated the hearing was to get ideas and suggestions from those present, and his final recommendation to the Council would be made after he had an opportunity to review the suggestions and recommendations and study them and include them in the recommendation to the Council.

MR. ED ST. JOHN, President of the Chamber of Commerce, read a resolution adopted by the Chamber of Commerce, commending the City in its far-sightedness in putting before the citizens this Austin Development Plan, and stating the Chamber of Commerce endorsed the principles of the plan and urged the citizens to attend the open meeting.

MRS. LANCASTER, President, League of Women Voters, stated the League was supporting the adoption of the Austin Development Plan for several reasons: (1) It is set up in the Charter; (2) Experience has given the Council, City Administration, and interested public confidence in the plan; and the three years' interim since the Commission presented the plan has shown it does provide for sound development; (3) The Plan provides adequate tools to see that land uses shall remain in proper balance for living, working shopping, and playing; (4) It may be a deciding factor to attract industry to Austin; (5) It will give the individual property owners more assurance in the use and development of his land; (6) It would allow for the flexibility which is necessary with the changing time; and (7) The Development Plan would be a great aid to the City Council in planning the City's facilities and would be a stabilizing force as it made its decisions. MRS. LANCASTER listed three recommendations of the League:

1. That adoption of the Plan proceed without further delay.
2. That the plan provide for a periodic review in the nature of annual public hearings.
3. That the zoning ordinance provide a more clear-cut zoning policy to implement the plan.

MAYOR PRO-TEM PALMER said during the three year interim it had been pointed out that even though the Plan had not been adopted officially, every capitol improvement made had been worked out in conjunction with the Austin Development Plan, and it is a big thing and has required a lot of study.

MR. TOM WILEY inquired as to the general land use, and asked if the City foresaw any need for subdividers to get information on population from the City in order to decide on the type of subdivision construction, and what income groups needed housing. Mr. Barrow stated this so far was left up to private enterprise. The Planning Director stated the Department had compiled information for a number of years, but it was now waiting for the final reports from the Bureau of Census; and from those, the Department will make an analysis of population characteristics in the community, and explained how his department could be helpful.

MR. W. T. WALKER inquired if statistics were available on the square footage in the central business district versus the shopping centers; if so, how do they compare. Mr. Osborne stated the data he had was about four years old now; but there were about two million square feet of commercial building area within the Central business district and three million outside the central business district. He believed this had been increased a million in the outlying areas which are developing very rapidly.

DR. E. J. LUND stated there were some general remarks regarding proposals of routes for the railroads, but the remarks were so general they did not disclose whether there had been any definite thinking on this matter. He made inquiry of what was being done about lowering Congress Avenue with respects to the railroad problem. He asked what was being done down town and on lower Congress Avenue and the river. Mayor Pro-tem Palmer stated the problem was of such scope it probably needed specific study and special handling of its own, and he said it would be necessary to recognize the financial implication of that type of plan. He said various estimates had been made, and he doubted if the people of Austin would want to vote a \$30 million dollar bond issue to remove the railroad. The Mayor Pro-tem said he would not want to hold up a plan 95% good and 5% needing further study. Dr. Lund stated if the railroad were removed, or put under ground, the tax values of the area would be increased sufficiently to take care of the cost of removing the railroads. The City Manager stated many of the businesses in the lower section of the central business district depended on the railroad for its use. If the railroads were moved, the uses of property from East Avenue to West Avenue would undergo material change. It was not known whether other uses could be made of the property that would not require railroad trackage. He said it was a big problem.

MRS. GEORGE FRANCISCO complimented the City in its cooperation with recreation programs and school programs, and cited the recreation center on Vargas Road where the Civitan provides help, the City Health Department has a Well Child Conference, and the Methodist Church maintains a kindergarden.

DR. E. K. BRACE stated although he was not authorized, he believed he could speak for the Parks and Recreation Board in expressing enthusiasm about the total Plan. He stated better school programs and better recreation programs could be maintained; and at the same time the taxpayers' money could be saved through close cooperation and planning with the Schools.

MRS. ALDEN DAVIS expressed interest in the "green spots". She said there were a number of them indicated; and anytime the Council felt there was any land not needed, it could be put in "green land."

MRS. ROSE LANCASTER inquired about the exclusion of any mention of the limited purpose annexation. The City Attorney explained the legal aspects of this. He then read from the Charter the provision pertaining to the Master Plan.

MR. ROSSY stated the Planning Commission had done a wonderful job on this Development Plan.

MR. VIC MATHIAS, Chamber of Commerce, quoted a statement that Austin in the next 20 years would probably grow as much as it had in the last 120 years, or 1000 years, and that indicated a great need for planning. He said many committees of the Chamber of Commerce had been studying the needs of planning, value and cost

of planning, and they urged the Council to go into this planning. The savings to the people will far off-set the original cost of this Master Plan.

MR. E. A. GATHRIGHT inquired about the building program of the State in back of the Capitol. He did not believe any plans had been made for providing for parking areas; and at the present time the area is congested. Mayor Pro-tem Palmer stated he had asked the Governor if the Legislature had officially adopted the Capitol Plan; but it had not adopted the Plan as such, but the area encompassed in the overall Capitol Plan had been determined. He stated the Council recognized the lack of off-street parking situation in the governmental buildings, and he believed with close cooperation with State agencies that some solution could be worked out.

The Mayor Pro-tem thanked the group for attending this hearing.

The Council returned to the Council Room at the City Hall to continue the meeting.

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

RESOLUTION OF THE CITY OF AUSTIN, TEXAS APPROVING THE PREPARATION OF A COMMUNITY RENEWAL PROGRAM FOR THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS AND THE FILING OF AN APPLICATION FOR A FEDERAL GRANT TO ASSIST IN FINANCING ITS PREPARATION.

WHEREAS, under Title I of the Housing Act of 1949, as amended, the Housing and Home Finance Administrator is authorized to make grants for the preparation or completion of Community Renewal Programs; and

WHEREAS, it is desirable and in the public interest that the City of Austin prepare a Community Renewal Program for the City of Austin, situated in the County of Travis, and State of Texas; and

WHEREAS, it is recognized that the Federal contract for a grant to assist in the preparation of the Community Renewal Program will require, among other things, that: (1) the City of Austin shall prepare the Community Renewal Program with all practicable dispatch; (2) the Community Renewal Program shall conform to the general plan of the locality as a whole; (3) the provision of the locality's share of the cost of preparation of the Community Renewal Program; and (4) other local obligations and responsibilities in connection with the preparation of the Community Renewal Program: Now, Therefore,

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

SECTION 1. That the preparation of the Community Renewal Program referred to above by the City of Austin is hereby approved.

SECTION 2. That the financial assistance under Title I of the Housing Act of 1949,

as amended, referred to above, is required to enable the City of Austin to finance the preparation of the Community Renewal Program.

SECTION 3. That it is fully cognizant of the obligation and responsibilities that are imposed by a Federal contract for a grant to assist in the preparation of a Community Renewal Program, that the City of Austin is obligated to provide its one-third (1/3) share of the total cost of the preparation of the community Renewal Program through available funds, services or both, the total value of which shall not exceed \$16,495.00, and it is the sense of this body that such obligations can and will be fulfilled.

SECTION 4. That the filing of an application by the City of Austin for a grant under Title I of the Housing Act of 1949, as amended, in an amount not to exceed \$32,990.00 to assist in financing the preparation of a Community Renewal Program for this locality is hereby authorized and approved.

SECTION 5. Authority is granted to the officers and duly appointed agents of the Local Public Agency to send to the Housing and Home Finance Agency certified copies of this and such further documents or proofs in connection with the application for community renewal program grant as may be requested by the Government.

The motion, seconded by Mayor Pro-tem Palmer, carried by the following vote:
Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
Noes: None
Absent: Councilman Perry and Mayor Miller

Councilman White made the following statement concerning his vote:

"I will vote for this to keep it alive, but I am not for Urban Renewal."

The City Manager stated the Monthly Report on Electric Utilities had been sent to the Council.

The City Manager explained options that were taken on Boiler and Boiler Feed pumps. The bids included motors, and certain deductions were made if the company did not furnish the motors. The City Manager read the following recommendation from the Director of Electric Utilities:

"April 5, 1961

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

"Option approval on Fan & Fan Motor
and Pump Motors

"We have included the following equipment in contracts issued for Holly Street Unit No. 2:

BOILER - CONTRACT NO. 64

| | |
|-----------------------------------|-----------|
| 2 Forced Draft Fans @ ----- | \$ 30,458 |
| 2 Forced Draft Fan Motors @ ----- | 29,946 |

BOILER FEED PUMPS - CONTRACT NO. 63

| | |
|-----------------------------------|-----------|
| 2 Boiler Feed Pump Motors @ ----- | \$ 35,650 |
| TOTAL ----- | \$ 96,054 |

"We have an outstanding option with Westinghouse for the above equipment that could be exercised and added to Contract No. 62 at the following prices:

| | |
|-----------------------------------|---------------|
| 2 Forced Draft Fans @ ----- | \$ 26,292 |
| 2 Forced Draft Fan Motors @ ----- | 22,554 |
| 2 Boiler Feed Pump Motors @ ----- | <u>33,580</u> |
| TOTAL | \$ 82,426 |

"The equipment shown above with corresponding prices is an exact duplicate of that furnished on Number I Unit at Holly Street Power Plant. Therefore, the Boiler Company and Boiler Feed Pump Company agree for the City to buy this equipment direct from the Manufacturer without any change in engineering.

"Considering all phases of duplicate units (same spare parts) and good performance I recommend that the City of Austin take advantage of this savings of \$13,628 and enter change orders on the affected contracts.

"APPROVED:

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

"D. C. Kinney, Director Elec. Utility"

The City Manager stated this was his recommendation also. Councilman Bechtol moved that the Council approve the purchase of this equipment through exercising the options as recommended by the City Manager. The motion, seconded by Councilman White, carried by the following vote:

| | |
|---------|---|
| Ayes: | Councilmen Bechtol, White, Mayor Pro-tem Palmer |
| Noes: | None |
| Absent: | Councilman Perry and Mayor Miller |

The City Manager read the following recommendation from the Electric Utility Department regarding the purchase of a 69 KV Oil Circuit Breaker, stating it would be necessary to purchase this before the end of the current fiscal year.

"April 27, 1961

"Mr. D. C. Kinney, Dir. Elec. Utly.

69 KV Oil Circuit Breaker

"In order to feed Pedernales Substation independent of the Holly-Seaholm tie-line we will require one additional circuit breaker before the end of the current fiscal year. Due to savings made on the earlier purchase of circuit breakers and other station equipment in this fiscal year and sales of small obsolete breakers to LCRA, there are sufficient funds available in the budget. At the

present time the electrical equipment market has stabilized considerably, and it would be to our advantage to purchase this required breaker by extension of our previous order, provided we can induce Federal Pacific to accept an order for an additional breaker at a price quoted on the last purchase.

"All circuit breakers in the Holly Street Station are Federal Pacific and we would much prefer this make breaker because of spare parts, appearance and uniformity of foundations.

"I recommend that we secure authorization to add one more circuit breaker to our last order to Federal Pacific. The price of this breaker on the last order was \$19,300.00.

"APPROVED:

"D. C. Kinney, Dir. Elec. Utly.

"APPROVED:

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

"Paul A. Conrad, Supt. Elec. Engrs."

Councilman White moved the City Manager be authorized to add one more circuit breaker to the last order to FEDERAL PACIFIC COMPANY. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
Noes: None
Absent: Councilman Perry and Mayor Miller

Mayor Pro-tem Palmer made inquiry about the Missouri-Pacific Tract Survey off of Thornton Road. The Director of Public Works stated the field notes were just now being completed, and they would get them to the Legal Department right away.*

The City Attorney stated the contract with the ZILKER PARK EAGLE required that insurance be carried by a company authorized to do business in Texas; however, no company in Texas could carry this coverage at the rates the insurance commission will allow. He read a letter received from the Zilker Park Eagle Railroad, asking the City to amend its contract to permit placing the insurance with Lloyds. The City Attorney stated he would not recommend that the contract be amended to that effect. Mayor Pro-tem Palmer suggested that the contract not be amended, but that the Railroad Company be asked to submit companies that will write the insurance until someone acceptable to the City is obtained.

*(In connection with zoning application by TRUEMAN O'QUINN representing H. G. LINS-COMB, 2519-2707 Thornton Road, and ROY F. BEAL, 2317-2409 Thornton Road, from "A" to "C")

The City Attorney stated he had been presented with an insurance policy from HIGHLAND LAKES BOAT CLUB for the water show scheduled for May 20-21. The policy provides for the same amount that the Civitan Club provided--\$50/100,000; however, the Civitan Club added \$25,000 for property damage which was not called for. This policy presented is \$50/100,000 by U.S.F. & G. After discussion, Councilman Bechtol moved that the HIGHLAND LAKES BOAT CLUB be required to carry liability insurance in the amount of \$50,000 each person, \$100,000 each accident, and \$25,000 property damage. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
Noes: None
Absent: Councilman Perry and Mayor Miller

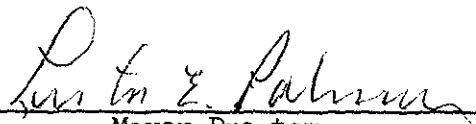
The City Manager discussed job classification.

Councilman Bechtol moved the Council recess until 10:00 A.M., Monday, May 15, 1961. The motion, seconded by Councilman White, carried by the following vote:

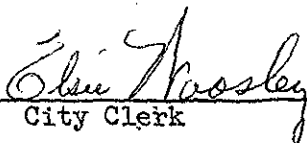
Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
Noes: None
Absent: Councilman Perry and Mayor Miller

The Council recessed at 5:40 P.M.

APPROVED


Mayor Pro-tem

ATTEST:


City Clerk