

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 12, 1962
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen Armstrong, Perry, 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; Barent Rosen, Acting Chief of Police

Invocation was brought by DR. LEWIS SPEAKER, First English Lutheran Church.

MAYOR PALMER presented to the City Council and City of Austin a distinguished new citizen, MR. JOHN W. FOSTER DULLES, who had just recently moved here from Rio de Janerio. Mr. Dulles stated he was guided to Austin by the outward manifestations; but after knowing the Mayor and the City Council, he could understand why Austin was such a fine city.

MR. FRANK ERWIN said he would like to bring some information which would be of interest to the Council and which was of public benefit to the City, as pertained to the contract which the City entered into in April 1960, with Southern Union Gas Company to supply gas for the City Power Plant. He reviewed various provisions of this contract as pertained to the price limitations, ceiling, the status of the subsequent three five-year contracts after 1965; and also reviewed the provision which covered the Southern Union Gas Company's making a proposal to furnish gas for the new Power Plant for the next five year term. He pointed out Southern Union Gas Company had been notified of the addition of the 100 KW unit to the Holly Street Power Plant and had been asked to submit a proposal. Southern Union had 120 days to make this proposal; but a few days before that time expired, the Company asked for and received an additional two months' time. On June 26th, the Company made its proposal to the City. Mr. Erwin briefly reviewed portions of this proposal. Mr. Erwin stated he represented a group of clients who were prepared, able and willing to sell gas to the City at a price substantially lower than the price proposed by SOUTHERN UNION GAS COMPANY in any of its proposals, and next week this group would make a firm

proposal for a fixed price not only for the next two years, but for the next 20 years--a proposal that would save the City millions of dollars. He asked that the Council not take any action on the pending proposal until it had an opportunity to study his proposal. The Mayor thanked Mr. Erwin for coming over and said the Council was interested in obtaining the best possible contract for the City.

MR. JEROME SNEED representing MRS. BETH LUCAS in her request to vacate the Sabine Street Alley between 20 $\frac{1}{2}$ Street and 21st Street, stated all of the property owners in the block wanted the alley closed except two or three, particularly the owners of Lots 2 and 9 who have apartments on these inside lots and want the alley opened 126' to just south of Lots 3 and 4. Mr. Sneed stated the alley had never been opened, and the contour of the land prevented the alley from being opened without a tremendous expense to the City. The alley would serve no useful purpose to the general public, and the only purpose it would serve would be to furnish an entrance to the two apartment houses. He stated if it were not vacated, it should either be opened all the way through, or a cul de sac be required for a turn-table. MRS. IRVING SMITH stated the property owners had been told the Alley would never be opened; that they had lived there for a long time, and those who requested the opening did not live there, but owned rental property. She said there would be a drainage problem if the alley were opened and paved. The Council wanted to make a personal inspection of the alley. Later in the afternoon meeting it was decided that the people who wanted the alley opened should be notified that the Council is considering vacating the alley.

The Council greeted and welcomed MISSES JODY CRAMER and BARBARA KEEL, Civics Class McCallum High School, and GARY LOVE, Boy Scout, and his mother, MRS. RUSSELL LOVE.

MR. GARY BUTLER, University of Texas Student, asked permission to paint house numbers on curbs, and described his method of painting the numbers. The City Manager stated the curb space was used for marking areas with reference to no parking, etc., and should be reserved for that purpose. He pointed out some liability that might arise. After discussion, the Council took no action on this request.

Councilman Perry moved that the Minutes of the Meeting of July 5th, 1962, be approved. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING
THE USE MAP ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY
CODE OF 1954 AS FOLLOWS: (A) TRACT 1: A 27 ACRE TRACT
OF LAND, OUT OF AND A PART OF SHERRY DALE AND PLAZA
PLACE SUBDIVISIONS, LOCALLY KNOWN AS THE REAR OF

5904-6600 AIRPORT BOULEVARD, AND REAR OF 6201-6509 CHESTERFIELD AVENUE, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; (B) TRACT 2: 1.31 ACRES OF LAND OUT OF AND A PART OF PLAZA PLACE SUBDIVISION, LOCALLY KNOWN AS 5924-6600 AIRPORT BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; (C) TRACT 3: A 50 FOOT STRIP OF LAND SITUATED BETWEEN TRACT 1 ABOVE AND THE NORTH LINE OF SKYVIEW SUBDIVISION, LOCALLY KNOWN AS REAR OF 5900-5902 AIRPORT BOULEVARD AND THE REAR OF 100-306 EAST AND 100-302 WEST SKYVIEW ROAD, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; ALL OF SAID PROPERTY BEING LOCATED 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 rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer
Noes: None
Present but not voting: Councilman Perry

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 Armstrong, Shanks, White, Mayor Palmer
Noes: None
Present but not voting: Councilman Perry

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 Armstrong, Shanks, White, Mayor Palmer
Noes: None
Present but not voting: Councilman Perry

The Mayor announced that the ordinance had been finally passed.

Councilman White 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 that certain Pipe Line License with Missouri-Kansas-Texas Railroad Company which is dated June 14, 1962. Said Pipe Line License providing for the installation of a 24-inch sanitary sewer pipe line crossing said Railroad Company's premises at an angle of 69 degrees 36 minutes, more or less, measured to the right northerly from the centerline of said Railroad Company's San Antonio Subdivision Main Track at Mile Post 951.44, being main track valuation chaining station 2293+74.5 distant 118 feet, more or less,

measured easterly along the centerline of said main track from end Bridge U-951.40; said crossing is not within the right-of-way of an existing dedicated street in the City of Austin; and

BE IT FURTHER RESOLVED:

That the City Clerk is hereby directed to file a copy of said Pipe Line License in the permanent records of her office without recordation in the Minutes of the City Council.

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

Councilman Armstrong offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the erection of a boat pier to be maintained and operated for a period of three (3) years only on the property on the south part of Town Lake, the same being Lots 8-12, and a part of Lots 13-21, and River Park Addition, as described in the Travis County Deed Records and known as 1001 South Interregional Hwy., and hereby authorizes the said Gondolier Motel, through its agent, M. Z. Collins Construction Company, to construct, maintain and operate this boat pier for such period subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this boat pier after full compliance with all the provisions of this resolution. Said permission shall be held to be granted for such three (3) year period and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said Gondolier Motel, through its agent, M. Z. Collins Construction Company, has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
May 22, 1962

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

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application

of Gondolier Motel, through its agent, M. Z. Collins Construction Company, the property on the south part of Town Lake, the same being Lots 8-12, and a part of Lots 13-21, and River Park Addition, and locally known as 1001 South Inter-regional Hwy., as recorded in the Travis County Deed Records, for permission to construct and maintain a boat pier projecting out into the lake approximately 8 feet north of the north property line of the above described property. The construction details meeting all requirements, I recommend that if Gondolier Motel, through its agent, M. Z. Collins Construction Company, is granted his request by the City Council, that it be subject to the following conditions:

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,
s/ Dick T. Jordan
Building Official"

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

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 15.85 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.

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer brought up the following ordinance for its second 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 12.42 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.

Ordinance 1122

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer brought up the following ordinance for its second 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 13.99 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE ISAAC DECKER LEAGUE 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.

Ordinance 1123

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Councilman White introduced the following ordinance and moved that it be published in accordance with Article 1, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 5.73 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY NO. 15, 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.

Ordinance 1124

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

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 Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council: therefore,

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

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

- (1) A gas main in SHOAL CREEK BOULEVARD from a point 207 feet north of Skylark Drive northerly 685 feet; the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said SHOAL CREEK BOULEVARD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (2) A gas main in SILVERLEAF CIRCLE from Shoal Creek Boulevard easterly and curving southerly a total of 254 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line and 6.5 feet west of and parallel to the curving east and south property lines of said SILVERLEAF CIRCLE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (3) A gas main in SILVERWAY DRIVE from Shoal Creek Boulevard easterly 1185 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said SILVERWAY DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (4) A gas main in SILVERPLUME CIRCLE from Silverway Drive northerly and curving westerly a total of 338 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line and 6.5 feet south of and parallel to the curving north line of said SILVERPLUME CIRCLE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (5) A gas main in SILVERLEAF DRIVE from Great Northern Boulevard easterly to Shoal Creek Boulevard, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said SILVERLEAF DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (6) A gas main in YELLOW PINE TERRACE from Great Northern Boulevard to Silverleaf Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line and 6.5 feet west of and parallel to the east property line of said YELLOW PINE TERRACE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (7) A gas main in SILVERCREST CIRCLE from Silverway Drive northerly and curving westerly a total distance of 367 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line and 6.5 feet south of and parallel to the curving north property line of said SILVERCREST CIRCLE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (8) A gas main in GREENHAVEN DRIVE from a point 111.0 feet north of Cascade Drive northerly 699 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said GREENHAVEN DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (9) A gas main in RICHCREEK ROAD from Burnet Road westerly 1,367 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said RICHCREEK ROAD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (10) A gas main in SILVERCREST DRIVE from Richcreek Road northerly to Silverway Drive, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said SILVERCREST DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (11) A gas main in PINELEAF PLACE from Richcreek Road northerly to Spruceleaf Circle, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said PINELEAF PLACE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (12) A gas main in DAUGHERTY STREET from a point 117.0 feet north of Cascade Drive northerly to Spruceleaf Circle, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said DAUGHERTY STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (13) A gas main in SPRUCELEAF CIRCLE from Pineleaf Place easterly to Daugherty Street, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said SPRUCELEAF CIRCLE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (14) A gas main in EAST 53RD STREET from a point 136 feet west of Depew Avenue, westerly 65.0 feet, the centerline of which gas main shall be 9.0 feet south of and parallel to the north property line of said EAST 53RD STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The City Manager submitted the following:

"Sealed bids opened July 6, 1962 2:00 P.M.
Tabulated by: O.G. Brush, Purchasing Agent

"CITY OF AUSTIN BIDS FOR CHEMICALS - FILTER PLANTS SODIUM
HEXAMETAPHOSPHATE

Sodium Hexametaphosphate per City
Specifications Rail shipment

Quantity	60,000# car
McKesson Robbins	\$7,329.00
Mineral Products Div. Food Mach. Co.	No Bid - bidding Thru Distributors
Olin Chemical Company	\$7,321.00
Dixie Chemical Company	\$7,464.00
Thompson-Hayward Chem. Co.	\$7,321.00
Maintenance Engineering Company	\$7,062.00
Dearborn Chemical Co.	\$7,267.00
Last two Low Bids	
May 25, 1961 Dixie Chem.Co. (Rail)	\$7,464.00
Nov. 16, 1961 Maintenance Eng.Co.	\$7,152.00

"Sodium Hexametasphosphate is used in treatment of water at Filter Plant. This is approximately a six months supply. Last order placed in November 1961. This product was formerly produced under the patented name of "CALGON" and could be bid only by license. The patent expired in September 1961 - hence more competition and better price. Bids were sent to all in this area who could bid. Only firms not bidding were R. M. Hughes, Austin who stated he would not be competitive in quantities that large, Food Machinery Company and NALCO Chemical who bid through distributors.

"RECOMMENDATION: Recommend contract be awarded Maintenance Engineering Company for one 60,000 lb. car load as lowest and best bid at a total price of \$7,062.00.

"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 July 6, 1962, for the furnishing of one 60,000 Lb. car load of Sodium Hexametaphosphate, for use by the Filter Plants; and,

WHEREAS, the bid of Maintenance Engineering Company, in the sum of \$7,062.00, was the lowest bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Maintenance Engineering Company, in the sum of \$7,062.00 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 Maintenance Engineering Company.

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

The City Manager submitted the following:

"July 11, 1962

"MEMORANDUM TO: W. T. Williams, Jr., City Manager
 MEMORANDUM FROM: S. A. Garza, Sanitary Sewer Division

SUBJECT: Purchasing of Backhoes for the Water and Sewer Department
 (Two for the Sewer and one for Water)

"Bids were received in the office of the Purchasing Agent's Office until 2:00 P.M., June 25, 1962 for the procurement of three backhoe, loader, and tractor combination. Upon review of the specifications by Leo Neidt, Head Mechanic, Water and Sewer Department, Victor R. Schmidt, Jr., S. A. Garza and with advice of Mr. Doren Eskew, City Attorney, the following tabulation of bids is herewith submitted as having met the specifications.

<u>"Bidder</u>	<u>Amount</u>	<u>Shipping Date</u>
Tom Fairey Company	\$17,680.11	5 Days
Central Texas Equipment Company	18,772.80	15 Days
International Harvester	18,790.71	30-45 Days
Kramer Tractor and Implement Company	21,027.97	21 Days

"The following 3 bidders submitted bids which did not meet specifications in the following respects:

Travis County Equipment Company	\$16,824.75	30 Days
1. Digging depth of machine		
2. Angle of swing		
3. Capacity of the hydraulic pump		
Langford Equipment Company	\$17,187.00	15 Days
1. Digging depth of machine		
2. Capacity of the hydraulic pump		
Austin Truck and Trailer	\$17,634.00	30-45 Days
1. Digging depth of machine		
2. Angle of swing		
3. The bid was not signed		

"After studying these bids as carefully as possible, it is herewith recommended that Tom Fairey Company be awarded the contract for \$17,680.11.

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

With reference to the purchasing of three backhoes for the Water and Sewer Departments, MR. DON LANGFORD, MR. JIM LAWRENCE, and others appeared regarding the specifications, and the requirement that the tractor weigh 4000 pounds. He stated his company had submitted two bids considerably lower than the one being considered, but their tractor weighed 3700 pounds. The tractor the TOM FAIREY COMPANY has proposed weighs 3240 or 3312 pounds. He discussed the specification covering the hydraulic pump which would pump 20 gallons per minute. He said his 18 gallon per minute pump would pump 20 gallons. He asked that the bids be thrown out and readvertised. Councilman Armstrong stated regardless of what was done with these bids, he would like to talk to the people about these specifications and get a common denominator that all manufacturers will meet. He also inquired why the bidders did not contact the Purchasing Agent or City Manager and ask for a revision of specifications before the bids were opened. He suggested that the specifications should include "shipping weight" when referring to the weights of equipment. The Mayor stated the Council would check on these items. MR. BOB BARTON, Travis County Equipment Company, suggested that the specifications be drawn up where all would know what they were bidding on, and that the City would stick to the specifications. He said his two bids did not meet every specification. MR. LANGFORD stated some purchases had been made where specifications were not met. The City Attorney asked for specific information on these, as to dates, and the specific equipment. After discussion, the Mayor stated the Council would look into these bids and specifications and before the contract were awarded, the Council would be sure it had all information. Later in the meeting, the Superintendent of the Sanitary Sewer Division, made a report on the specifications and how they were established, stating the specifications as followed in the past were used with three changes--one pertaining to the depth; one to the angle of swing, and one to the pump capacity. Finally, after discussion, Councilman Armstrong offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 25, 1962, for the purchase of three backhoes to be used by the Water and Sewer Department of the City of Austin; and,

WHEREAS, the bid of Tom Fairey Company, in the sum of \$17,680.11 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Superintendent of the Sanitary Sewer Division of the City of Austin; Now, Therefore,

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

That the bid of Tom Fairey Company, in the sum of \$17,680.11 be, and the same is hereby accepted, and that W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a contract, on behalf of the City, with Tom Fairey Company.

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

The Director of Public Works stated LORRAIN STREET between Windsor and Enfield Road was due to be paved. One property owner who had twin live-oak trees in the street asked if they could be saved, and he had been told on the permanent type of pavement, the street was cleared of trees. He and other property owners signed a petition that the street not be paved. The Council wanted to make a personal inspection of the street and area. Later in the meeting, the Mayor suggested that this street be eliminated from the paving and it could be added when Windsor Road is paved.

Councilman White inquired about the status of the trees on Rockmoor Avenue. The Director of Public Works made a report and had a map showing the location of the trees in the street and in the curb lines that would have to be removed. The Council wanted to make a personal inspection of this area.

The City Manager submitted a request from the Austin Aqua Festival to place a 31' house boat on Congress Avenue in front of the Austin Hotel from July 16th to August 11th. Action was deferred until the afternoon meeting for checking. Later in the meeting, Councilman Shanks moved that permission be granted to place the 31' house boat on Congress Avenue in front of the hotel. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer

Noes: None

MRS. GEORGE FRANCISCO discussed Brackenridge Hospital. She stated Dr. E. H. Givens had called several and told them he had never been treated better than he was at Brackenridge Hospital. She reported an incident of a little colored boy who had been moved to a different room and who had called for a particular Volunteer Worker. This particular member of the Auxiliary who was off duty at the time, came right on down to the Hospital to be with the little boy. She stated this volunteer worker was loved by the colored children as much as others, and she was attentive to them as she was to any others.

The City Attorney stated in connection with the matter of Brackenridge Hospital, it was suggested that a report be obtained from the Hospital in regard to admission records which are kept. He read the report in full, as follows:

"Brackenridge Hospital
July 10, 1962

"MEMO TO: Mr. Jim Wilson, Assistant City Manager
FROM: Waldo Hill, Assistant Administrator

SUBJECT: ADMISSION OF NEGRO PATIENTS

"The following is given in answer to your request concerning the petition presented to the City Council by negro citizens last week.

1. Dr. Givens was a patient on our 6th floor and when he was ready to check out of the hospital he called Mr. Crandall's office, talking to me, and said that he wanted to express his appreciation for all the courtesies that had been extended to him and he had no complaints. On Friday the

6th, the day following the above mentioned City Council meeting, Dr. Givens called Mrs. Roberts, Director of Nursing Service, and said that he was very embarrassed by the incident before the City Council the day before and he was very sorry about the unfavorable publicity directed toward the hospital. He wanted to express his appreciation to Mrs. Roberts personally and to the nurses for the good nursing service they had given to him. He said the personnel seemed interested in the patients and did excellent work.

2. We have two nurseries for infants because the United States Public Health Service specifies that a hospital cannot have more than twenty babies in one nursery unit. In addition to the two nurseries we have a premature nursery with incubators so that babies born prematurely and those that are born outside the hospital are isolated. The hospital considers that each baby is a person who needs care and no regard is given to a difference in color or nationality and all babies are put side by side with no preference given.
3. The admission record has a place for stating the age, sex, religion, and nationality. We consider all of these important information in helping to meet the needs of the patient as well as furnishing statistical information. One bit of information is as valuable as another and it is customary in hospitals throughout the United States to record this type of information. We are told by members of the medical profession that there are diseases peculiar to various races of people and for medical research it is to the benefit of the patients to be able to discover peculiarities. We consider the information important enough to continue keeping on our records.
4. Assignment of rooms by the Admitting Office is based upon the patient's ability to pay and upon the availability of rooms. We have no unwritten rules to follow in regard to segregation. As long as a patient can pay his bill we try to furnish him with the accommodations that he requests. Until now we have had no complaints from negro patients that we do not receive from the white patients about the accommodations that they are assigned. The quality of Nursing care is the same in all areas except Intensive Nursing which is closer supervision with specialized equipment concentrated in one unit. The reason a patient comes to the hospital is to receive necessary nursing care and we believe they receive a high quality nursing care in all nursing units.

"s/ Waldo Hill
Waldo Hill
Assistant Administrator"

Councilman Perry asked that a copy of this report be sent to Mr. Arthur DeWitty.

The City Manager said last week inquiry had been made for a permit for MR. FAGAN DICKSON to use overflow effluent from the Oxidation Ponds, and that the Superintendent, Mr. Ullrich had made a report. He explained the operation, and stated he had gone over the entire property with Mr. Dickson and he thought Mr. Dickson was convinced it would not be profitable to even try to use the overflow. Mr. Ullrich discussed the 36" overflow line, and stated no obstruction could be placed in this line. Any overflow taken from the 36" line would have to be provided from a structure build underneath the line and the location is practically at the river before there is any place one could put any structures. There would have to be a pump from the area, and he did not look with favor on tampering with this 36" line. The City Manager pointed out the times there would be no overflow would be the times people wanted irrigation water the most. Councilman Perry asked for a copy of the report.

The City Manager reported there were approximately 76 acres of pasture along the portion of Hornsby Bend which is not flooded by the ponds, and there is a lease to MR. WILL PLATT for \$150.00 each six months or \$300 a year. He said Mr. Ullrich suggests that a new lease be made which covers all of the remaining undeveloped property at the \$300.00 a year. After discussion, Councilman Shanks moved that a contract be entered into for grazing rights for this land for \$150.00 every six months. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

MRS. LEON DOWN asked if the City, after the incident of fish dying in the river due to some waste being emptied into the river, ever considered having some ordinance to provide for the prevention of such a thing, to preserve the lives of people. The City Attorney and City Manager stated the State Laws covered this.

Mr. Trueman O'Quinn, representing Mr. C. L. Reeves, made inquiry about the opening of the alley between 24th and 25th Streets east of Lamar Boulevard. The Director of Public Works made a report, stating that most of the property owners were not agreeable to opening the alley and paving it at this time. Mr. O'Quinn asked that the matter be treated as a driveway, so that their nine tenants to the apartment house could have a way in and out of the parking area. Mr. O'Quinn suggested paving with asphalt. Mr. Reeves stated he would pave the alley from his lot to 25th Street if he could cross the neighbor's property next to him. The Council wanted to make an inspection on the ground. Later in the meeting the matter was under consideration again and the grade of the alley was discussed, as to whether there ever was a grade determined or not. The Mayor asked if there had been any indication that there would be a public hearing. It was brought out MR. SOL SMITH was interested in being heard, and he was asked to come before the Council. MR. SOL SMITH stated when the Fraternity first purchased the property on 25th and Longview, the City was requested to open the alley, but they were told it would be hazardous with the deep cut from the Fraternity down to 25th, and they were informed they could use the alleyway. They then terraced the entire side of the property and beautified it at great expense, and there is no opening into 25th Street. He had no objection of opening the alley from 24th up to his property; but not through the fraternity property into 25th Street, as this would be a very serious traffic hazard. He said they were using a "cut-through" when they built the Fraternity and this

improvised road was made by the builders, and the City said they did not want to open the alley, and the Fraternity closed it and terraced it. The Mayor inquired if the grade was way down from what it is now. Mr. Smith stated it was not, except that they put on some more fill and levelled the lot. Mr. Smith stated he nor the Fraternity would be interested in paying for the paving of the alley should it be opened. He stated the fill was evidently in the alley as they had to drive up in the car; but they put a hard surface on the area and packed it down so it could be used for parking and they terraced the 25th Street side. After discussion Mr. Reeves asked Mr. Smith if he would buy the property from him. Mr. Smith stated he would consider it, and discuss it with the New York Office of the Fraternity, and give him an answer by next week. The Council suggested they get together on the land transaction; and if not, the Council would make a decision next Thursday.

The City Manager reviewed the discussions on the Origin and Destination Survey and stated funds were set up for the City's portion of the survey, the State to pay a half. Later the Highway Department had written that they did not have the funds and raised some question as to whether they wanted to proceed with the study. A Minute Order has been received from the Highway Commission in which they state they are now ready to proceed with the study and have authorized it be made contingent on the City's paying its portion of the cost. All they want is a letter indicating the City is ready to proceed; then a contract could be made and financed in the next fiscal year. The City Manager pointed out the importance of this survey. He stated the City's part would be \$42,500, and in addition to what is already on hand for this survey, it will be necessary to budget \$18,000 more. Letter from the Texas Highway Department and Minute Order Number 51404 are as follows:

"Austin, Texas
June 1, 1962

"Travis County
Origin-Destination Survey for Metropolitan Austin Area

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

"Dear Mr. Williams:

"The attached copy of Commission Minute Order No. 51404, dated May 30, 1962, indicates that our State Highway Commission has complied with a request recently made by the City of Austin to the Texas Highway Department to conduct an Origin-Destination Survey in this Austin area and in accordance with current policies regarding this matter.

"You will further note that this Commission authority is conditioned on the City of Austin agreeing to certain things and if your City Council will take this necessary action in agreeing to the conditions of this Commission Minute Order No. 51404, dated May 30, 1962, we will shortly forward to you a contract to be executed between our two agencies.

"Sincerely yours,
s/ Ed Bluestein
District Engineer"

"MINUTE ORDER

"WHEREAS, IN TRAVIS COUNTY, The City of Austin has requested State participation in an internal and external Origin-Destination Survey in order to provide information upon which the routing and design of Freeways, Expressways, and Arterial Streets within the metropolitan area of Austin may be better established; and

"WHEREAS, it is the established practice of the Texas Highway Department to undertake such surveys when the cities participate in the cost of such work;

"NOW, THEREFORE, IT IS ORDERED, that the request of the City of Austin be granted subject to the following conditions:

- "1. That the cost of the survey, estimated at Eighty Five Thousand Dollars (\$85,000.00), be borne equally between the City of Austin and the Texas Highway Department.
- "2. That the City of Austin shall make available for use of the survey an amount of Forty Two Thousand Five Hundred Dollars (\$42,500.00) and that a like amount shall be made available by the Texas Highway Department from approved Highway Planning Survey projects.
- "3. That the City of Austin and the Texas Highway Department shall participate equally in field surveys, analysis of the findings and the prepared report, and that any over-run or underrun of the estimated cost shall be equalized between the City of Austin and the Texas Highway Department.

"IT IS FURTHER ORDERED that the State Highway Engineer be authorized to enter into contract with the City of Austin for the proposed work subject to the above outlined conditions, such contract setting out in detail the extent of the work and establishing practical operating and financial arrangements.

"Minute Number 51404
Date Passed May 30, 62"

Councilman Shanks moved that the City Manager be instructed to write the Highway Commission that it is the intent to cooperate with them on an Origin and Destination Survey. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Council brought up the zoning application of JOE J. JOSEPH, by LINDY L. BOYD, at 1621 West 6th Street and 507-511 Campbell Street, regarding change of zone to permit the day nursery. The Mayor asked that the Attorney, ROBERT SNEED, be contacted that the Council is ready to dispose of this and ask him if he will be ready to hear this at the earliest possible date.

The City Manager called attention to the Paving Summary filed with the Council. The Council discussed the paving of Windsor Road, and asked the City Manager to have Mr. Moore get this worked up and started.

The City Manager displayed a map showing exempt property of the City and showing whether it was State, County, School, City, Federal Government property or University property. He pointed out that more than half of the property in Austin was exempt from taxation. It was decided that the legend show the ownership, the color code, number of acres, percentage of total tax exempt value, and total valuation. The Mayor stated this map was just what the Council wanted, and he suggested that it be hung in the Council Chamber.

The City Manager read a letter from the General Services Administration regarding invitation to bid on an Automatic Data Processing Center, and said he had a copy of the pre-invitation notice. He stated discussions held on this center were based on the assumption the property would be annexed; and in connection with the sewer services, the people were told there were no established rates for sewer service outside the city limits, and they said they thought the center should be in the city.

The City Manager read a letter from the Department of Health, Education, and Welfare, regarding the Cuban refugee status, and asking the City to cooperate to the greatest extent possible.

The Assistant City Manager stated the Manager of the Auditorium had another inquiry for renting the COLISEUM for wrestling. The proposal was to rent it every Thursday night at \$100.00 a night, payable three weeks in advance and keeping current. The promotor is MR. LEO GARIBALDI. The Assistant City Manager listed his qualifications and references. Councilman Armstrong moved that the Manager of the Auditorium be authorized to work this arrangement out with MR. GARIBALDI at the stated price. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer

Noes: None

Not in Council Room when the roll was called: Councilman Perry

Due to the arrival of the FALCONS from the Air Force Academy, and special services commencing at 9:30 A.M., Thursday, July 19th, Councilman White moved that the Regular Council Meeting be set to start at 11:00 A.M., July 19th, instead of 10:00 A.M. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer

Noes: None

The Council greeted and welcomed MR. ALFRED PHARES, Director of Planning, Ontario, Canada.

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a man's history may well record this as being one of man's most perilous times because of the threats to our basic freedom and that of the Free World; and,

WHEREAS, the 4130th Strategic Wing of the Strategic Air Command is one of those units charged with the task of deterring threats to our freedom; and,

WHEREAS, the Commanding Officer of the 4130th Strategic Wing is faced with the monumental responsibility of keeping his combat forces prepared for instant action and at the same time maintaining cooperative civilian support; and,

WHEREAS, Colonel William W. Wilcox, U. S. Air Force as Commanding Officer of the 4130th Strategic Wing superbly fulfilled both these responsibilities as evidenced by his leadership in guiding the Bergstrom Air Force Base United Fund Drive to its goal; by his membership and activity in local civic organizations; and especially through his concerted efforts to acquaint the public with the facts concerning sonic booms, those sometimes shocking, but always necessary sounds of security; and,

WHEREAS, Colonel Wilcox exemplifies the most desirable qualities of those to whom the proud motto "Peace is our Profession" is more than just a phrase, but is in fact a way of life; Now, Therefore,

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

That a page be set apart in the official minutes of the City Council upon which shall be spread this Resolution, and that this expression of the gratitude of the people of the City of Austin for a job well done be presented to Colonel William W. Wilcox, U. S. Air Force.

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

The Council recessed until 3:00 P.M.

RECESSED MEETING

3:00 P.M.

At 3:00 P.M. the Council resumed its business.

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the widening and improving of Highway 183 in the vicinity of Montopolis Bridge by the construction of an additional bridge in order to provide for the free and safe flow of traffic in the indicated area within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right-of-way to permit the widening and improving of said section of Highway; and,

WHEREAS, the City of Austin has negotiated with the owners of said tract of land and has been unable to agree with such owners as to the fair cash market value thereof; Now, Therefore,

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners and lienholders, a suit in eminent domain to acquire title for said purposes to the following described tract of land:

0.610 of one acre of land, same being out of and a part of that certain tract of land out of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, which was conveyed to B. S. Kilgore et ux Dora Tennessee Kilgore by Warranty Deed dated January 15, 1935 of record in Volume 523 at Page 270 of the Deed Records of Travis County, Texas, said 0.610 of one acre of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake at the point of intersection of the proposed west right of way line of U. S. Highway No. 183 with the south line as fenced of the said Kilgore tract of land, same being the north line of Lot 1 of Mohle Addition, a subdivision of record in Book 4 at Page 315 of the Plat Records of Travis County, Texas, and from which point of beginning a concrete monument at the southwest corner of the said Kilgore tract of land, same being the northwest corner of the said Lot 1, bears S 60° 24' W 78.12 feet;

THENCE, with the proposed west right of way line of U. S. Highway No. 183, same being the west line of the herein described tract of land, N 33° 59' W 189.62 feet to a point in the north line as fenced of the said Kilgore tract of land, and from which point an iron stake at the northwest corner of the said Kilgore tract of land bears S 59° 54' W 123.28 feet;

THENCE, with the north line as fenced of the said Kilgore tract of land N 59° 54' E 146.96 feet to a point in the present west right of way line of U. S. Highway No. 183;

THENCE, with the present west right of way line of U. S. Highway No. 183, same being the east line of the herein described tract of land, S 29° 51' E 190.35 feet to a concrete monument at the southeast corner of the herein described tract of land, and being the northeast corner as fenced of the said Lot 1;

THENCE, with the north line as fenced of the said Lot 1, same being the south line of the said Kilgore tract of land, S 60° 24' W 133.25 feet to the point of beginning.

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Council discussed the ~~naming~~ of East Avenue or Interregional Highway INTERSTATE 35. The Mayor stated this would be considered next Thursday.

The Council scheduled an Executive Session at 4:00 P.M.

The City Attorney made a report on school lands offered the City, giving the school's appraisal, and the City's appraisal. The tracts were the H. S. Gullett Tract, 21.59 acres; an area north of Capitol Plaza, 12½ acres; the tract north of Cumberland Road, 11.55 acres; the Old Pecan Springs site, 2.4 acres. He stated no appraisal was given on the fifth tract which the City had indicated it was interested in buying. That tract was close to the Airport between 19th and Manor Road. He listed the total asking price, and the City's appraisal, stating there was \$28,000 difference. He said he wanted to report this to the Council.

Councilman Armstrong inquired about the supply of gravel from Buda, and asked about the classification of that of Dr. McElhenney's. The Director of Public Works stated Dr. McElhenney's had not been checked yet.

A letter from the Pastor of the First Mexican Baptist Church regarding classification of the Latin American people, stating they were of the Caucasian race of which the white race is a member.

The City Manager read a copy of a letter to Honorable Homer Thornberry from Major General Thomas S. Bishop, regarding locating a Texas Army National Guard Aircraft shop-hangar on the Municipal Airport.

The Mayor read a letter from the Jaycees thanking the City for its participation in the July 4th Celebration; and a card from MRS. ETHEL BARROW

congratulating the Council.

The City Attorney stated he had checked with members of the Board of Adjustment regarding an amendment to the Zoning ordinance to provide for alternate members to be called upon by the Mayor or the City Manager in the event the regular members of the Board of Adjustment could not serve. He said he would prepare an ordinance providing for two alternates.

The City Manager brought up some items of legislation he suggested discussing with the legislators. The Mayor suggested finding a convenient time next week to go over these with Senator Herring.

The City Manager reported he had a call from MR. E. W. JACKSON. He said a group of people were interested in improvements to Huston Tillotson College, and he was inquiring about Urban Renewal, as they had some housing projects they were proposing in connection with the Huston Tillotson improvement. The City Manager explained at this time it was a matter of getting the Board appointed.

The City Attorney reviewed a matter of buying right-of-way for the Inter-regional Highway from MR. OSWALD WOLF and the contract providing if the Council by resolution determined the property left over from the right-of-way was not needed for public purposes at a certain time, Mr. Wolf would have the privilege of buying it back at the same price per square foot. He said the Council concluded that it not only ought to keep the property but acquire property to the south and west and connect with the city-owned property along the Interregional. The City Attorney stated he had been in contact with Mr. Jerome Sneed, Attorney for Mr. Wolf; and besides a proposition offered by Mr. Wolf, regarding dedicating the property as park property, was a request for settling on the paving on West 12th Street. He stated he would like to report to Mr. Sneed that he had discussed the matter with the Council.

There being no further business, the Council adjourned at 7:00 P.M., subject to the call of the Mayor.

APPROVED

L. E. Palmer
Mayor

ATTEST:

Edna Hooley
City Clerk