

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 29, 1961
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; Robert E. Beckham, Assistant Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by City Attorney DOREN R. ESKEW.

Councilman White moved that the Minutes of the Meeting of June 22, 1961, be approved as corrected. (To correct the spelling of the name of MR. EMORY THOMPSON) The motion, seconded by Councilman Armstrong, carried by the following vote:

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

MAYOR PALMER introduced MR. FRED CATTERALL, JR., as a guest of the Council, and explained at the suggestion of Councilman Armstrong, the Council would invite some of the citizens to sit in on the meetings. This week Mr. Catterall and Mr. J. R. Allen had been invited to attend the meeting. The Mayor read a letter from Mr. Allen. Mayor Palmer stated all meetings were open and the Council would like for the public to attend.

MAYOR PALMER introduced S. R. CHAKRABORTY, Regional Inspector of Factories for the Labor Department in India, who is visiting in certain cities in the United States. Mayor Palmer presented him a certificate making him an honorary citizen. Mr. Chakraborty stated he was impressed to see such clean streets, scenic beauty, and the cordial way he had been received here. He stated India was lucky to have the United States as its closest friend.

MAYOR PALMER announced a public hearing on the AUSTIN TRANSIT COMPANY'S request for modifications and extensions of routes, for an adjustment in the rate structure, and for authorization of the acquisition of air conditioned

busses had been scheduled for 10:30 A.M. MR. FRANK DENIUS, representing the Company, introduced MR. CLYDE MALONE, Manager; MR. A. V. GARDNER, President of the Transit Company Union; MR. JOHN DeLEON, MR. R. H. BUNNING, and MR. CECIL BARNES, employees of the Company. Mr. Malone went over the schedules in detail, covering "Passenger Revenue Comparison & Trend of 12 Months", "Rate Fare of Texas Cities", "Statement of Income" (May 1, 1960 thru April 30, 1961); "Detailed Operating Expenses" (May 1, 1960 thru April 30, 1961); "Schedule of Property as of April 30, 1961"; "Schedule of Taxes and Allocation As To Governmental Agencies for Period of 5-1-60 to 4-30-61"; "Gross Receipts Taxes Paid City of Austin June 1, 1955 to June 1, 1960"; and "Wage Increases".

Inquiry regarding increase in zone fare was made by one citizen. Mr. Denius answered that there would be no zone increase. The lady opposed the elimination of the weekly pass, stating several in her neighborhood would not be able to ride the bus as often. MR. C. T. JOHNSON opposed any rate increase, stating it aided inflation; it was not certain that the company was due an increase as the financial statements of the company in St. Louis had never been referred to the public. He suggested that an accountant be employed by the City to study the statements or that a C.P.A. audit the books to determine the exact financial position. Objections were expressed on the effects a rate increase or a transfer charge would have on needy families. Mayor Palmer stated the Council never granted a rate change just on request without determining all of the facts and obtaining all information; and that the Council would know if the facts are presented properly, and will take what has been submitted today and study it for whatever period of time needed. Inquiry was made by MR. BUFORD STEWART as to plans for extending a bus to the area south of South Lamar and west of the railroad track. Mr. Malone explained bus service was extended in that area for 12 months, and operated at a complete loss, but at this time a study is being made for service in Ford Village, and possibly by September he might have something to present.

MR. BOB LUSK favored retaining the weekly passes and suggested instead of increasing the base fare that the zone fare be increased, as the areas where there were zones were not carrying their fair share of the load with the 5¢ fare. He did not think the transfer charge request was justified, as one living at 3000 Guadalupe and working on East 11st Street would pay less than one living at 12th and Lamar and working on East 1st Street. The abuse of the transfer was noted and it was estimated one-third of the transfers issued are given away to someone else and one-third are never used by anyone. MR. A. V. GARDNER stated 50% of the transfers are wasted; and if a cost were put on them, this abuse would be stopped. He mentioned abuses of the weekly passes. MR. JOHN DeLEON stated the Company was due some relief, and stated the Sunday and night runs were made at a loss all of the time. Mr. DeLeon also stated many people living on the main line could come and go on one fare by way of transfer. MR. JOHN DAVIS, retired, objected to the increase, and objected to the statements made about transfer abuses. He expressed objections to the company's asking for raises every two years, stating they paid their drivers too much. He asked the Council to decide against this raise, as he lives on \$50.00 per month, and this raise would affect his transportation. A colored man inquired about bus service to Cedar Valley. Mr. Malone explained this situation in that the bus had to be taken off of the direct route; but the area was being served by the extension of the Govalle bus. Discussion was held on Sunday and night operations. Councilman Perry asked if figures could be brought in on these totals.

MR. DENIUS summarized the request in that they were not asking for any decrease in service, were not criticizing any of their customers using passes

or transfers, that the airconditioning of busses, although some considered them a luxury, were not now being considered luxuries; that the problem is the competition of the automobiles. He stated the Austin Transit records were available to the Council and any additional information that it may require. Councilman Perry asked if figures could be obtained on how the airconditioning of busses has affected increases in different cities in Texas. Mr. Denius stated these figures would be obtained.

MR. JOE MANOR appeared to discuss the ambulance operations in Austin and to oppose any zoning for emergency calls routed through the Police Department. He outlined the requirements of the emergency calls-- (1) they must clear through the Police Department; (2) the speed limit was set at 10 miles above the posted speed limit; (3) calls received by the Police Department for ambulances not yet cleared, will be answered from the rotation list; and (4) the proposed zoning system, to which he was opposed and listed his reasons. He stated he would not object to the zoning for the emergency calls, but he feared the zoning would finally apply to all calls. Mayor Palmer asked if he would be willing to put the zoning on a trial basis and see how it worked out for two or three months; and if there were any complications in the system from the administrative standpoint, then the matter could be reviewed. Mr. Manor stated he would be willing to do whatever the Council thought was right, and suggested that a definite period be set. He stated the present system was working smoothly. The City Manager stated he would inform the Police Department regarding the calls to the Police Department for ambulances. MR. CHAS. L. VILLASENOR, Mission Funeral Home, stated he lost 80% of his calls under the clearance through the Police Department, and his competitors were clearing faster than he. He stated one firm owns three places, and they would have three zones against his one. He said he was not opposed to the zoning--he might get some of his 80% back, but he was not interested in an area where there was no population. He stated he believed he was located where they could get to the Expressway as quickly as the others. The Council discussed briefly the zoning. The City Manager stated he would not be able to put this into effect, if he worked something out, until there was unanimous agreement of the funeral directors. Mr. Manor was interested in the accident rate in the different areas. MR. BOB LONG, representing Mr. Manor, was interested in getting a copy of the areas. Mayor Palmer stated the plan would be tried on a 90 days basis; and when the Police Department and City Manager, along with the Directors, come up with some kind of suggestion, they would go along on that basis. It was decided that August 1st would be the effective date.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: A THROUGH TRACT OF LAND FRONTING 93.5 FEET ON THE NORTH RIGHT-OF-WAY LINE OF AIRPORT BOULEVARD AND 12.14 FEET ON THE EAST RIGHT-OF-WAY LINE OF INTERREGIONAL HIGHWAY AND 102 FEET ON THE SOUTH RIGHT-OF-WAY LINE OF FERNWOOD ROAD, BEGINNING AT A POINT 157.88 FEET EAST OF THE EAST RIGHT-OF-WAY LINE OF INTERREGIONAL HIGHWAY, LOCALLY KNOWN AS 4419

AIRPORT BOULEVARD AND 1201-1203 FERNWOOD ROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, FROM "A" RESIDENCE DISTRICT AND FIRST AND FIFTH HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; 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 Armstrong, carried by the following vote:

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

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 Armstrong, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

MR. ROBERT POTTS, Attorney for the opposition, inquired if action had been taken on their petition (Rogan B. Giles zoning at Airport Boulevard and Fernwood Road). It was stated the Council had disposed of the entire matter.

The Council recessed until 2:45 P.M.

RECESSED MEETING

2:45 P.M.

At 2:45 P.M. the Council resumed its business.

Mayor 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. (Resurfacing Colorado, and sundry other streets)

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

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

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

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

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman Armstrong, 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.

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 23, 1961, for the furnishing of milk and cream to Brackenridge Hospital and Austin-Travis County T.B. Sanatorium for a period of twelve months, beginning July 1, 1961; and

WHEREAS, the bid of Oak Farms in the sum of \$17,519.26 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Oak Farms in the sum of \$17,519.26 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, is hereby authorized to execute a contract on behalf of the City with Oak Farms.

The motion, seconded by Councilman Perry, 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, bids were received by the City of Austin on June 20, 1961, for Alloy Steel Pipe for Holly Street Power Plant Unit No. 2; and,

WHEREAS, the bid of Capitol Pipe & Steel Products, Inc., for Items A-1, A-2, B-1 Alt. and B-2 Alt., in the total amount of \$33,303.99 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Electric Utility of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Capitol Pipe & Steel Products, Inc., for Items A-1, A-2, B-1 Alt. and B-2 Alt., in the total amount of \$33,303.99 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, is hereby authorized to enter into a contract on behalf of the City with Capitol Pipe & Steel Products, Inc.

The motion, seconded by Councilman Perry, 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, bids were received by the City of Austin on June 20, 1961, for Alloy Pipe Fittings for the Holly Street Power Plant Unit No. 2; and,

WHEREAS, the bid of Ohio Steel Foundry for the firm price of \$7,365.00 was the lowest and best bid therefor; and the acceptance of such bid has been recommended by the Director of Electric Utility of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Ohio Steel Foundry in the sum of \$7,365.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to enter into a contract on behalf of the City of Austin with Ohio Steel Foundry.

The motion, seconded by Councilman Perry, 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)

WHEREAS, bids were received by the City of Austin on June 27, 1961, for the alteration of committee rooms at the Municipal Auditorium; and,

WHEREAS, the base bid of Floyd Gibson in the sum of \$7,160.00 plus Alternate #1 for \$820.00, making a total of \$7,980.00, was the lowest and best bid therefor, and the acceptance of such total bid has been recommended by the Supervising Engineer, Construction Engineering Division, of the City of Austin, and by the Manager of the Auditorium; Now, Therefore,

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

That the total bid of Floyd Gibson in the sum of \$7,980.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to enter into a contract on behalf of the City with Floyd Gibson.

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)

WHEREAS, a certain easement, for public utility purposes, was granted across the west five (5.00) feet of Lot 8, Block F, as shown on a map or plat of Delwood 4 East, Section 4, said Delwood 4 East, Section 4 being a subdivision of a portion of the A. W. Canfield Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Delwood 4 East, Section 4 of record in Book 9 at page 100 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owners of said Lot 8, Block F, Delwood 4 East, Section 4, have requested the City Council to release said easement across the west five (5.00) feet of said lot; and,

WHEREAS, the City Council of the City of Austin has found and determined that such easement is not now needed and in the future will not be required; 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 of the following described easement, said easement being more particularly described as follows:

Being all of that certain easement across the west five (5.00) feet of Lot 8, Block F, as shown on a map or plat of Delwood 4 East, Section 4, said Delwood 4 East, Section 4 being a subdivision of a portion of the A. W. Canfield Survey in the City of

Austin, Travis County, Texas, according to a map or plat of said Delwood 4 East, Section 4 of record in Book 9 at page 100 of the Plat Records of Travis County, Texas.

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

Councilman Shanks 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 as a filling station site the property located at the southeast corner of Airport Boulevard and East 51st Street, which property fronts 88.10 feet on Airport Boulevard and 123.50 feet on East 51st Street and being known as a portion of Lots 1, 2, 3 and 4, Block D, Ridgetop Subdivision in the City of Austin, Travis County, Texas, and hereby authorizes the said Webb Oil Company to construct, maintain, and operate a drive-in gasoline filling Station and to construct curbs, ramps, and sidewalks in conjunction therewith subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans. The Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted 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, Traffic and Fire regulations; and the right of revocation is retained, if after hearing it is found by the City Council that the said Webb Oil Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"June 29, 1961

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

"Dear Sir:

"We, the undersigned, have considered the application of Webb Oil Company for permission to construct, maintain, and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the southeast corner of Airport Boulevard and East 51st Street, which property fronts 88.10 feet on Airport Boulevard and 123.50 feet on East 51st Street and being known as a portion of Lots 1, 2, 3 and 4, Block D, Ridgetop Subdivision in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Thomas J. Webb. We hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street, and furthermore, shall not create a nuisance to others in the neighborhood. It is understood that the disposal of such drainage shall be entirely the responsibility of the property owner. Any waste connection to a storm sewer which empties into an open drainageway shall be discontinued, if the waste becomes a nuisance or damages any property or rights of others in the vicinity of the open drainageway.

"We recommend that Webb Oil Company be granted permission to construct, maintain, and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line; correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways; building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used, and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street, or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc., and that all construction of the filling station improvements shall be in accordance with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 - H - 146.

"(5) That all filling station improvements, pump islands, drive-ways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan, hereto attached, which plan bears the Department of Public Works file number 2 - H - 1878.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - H - 1878 and shall be of the pre-moulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection, and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted,
s/ R. E. Beckham
Asst. Director of Public Works
s/ Dick T. Jordan
Building Official"

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

The Council had before it a petition filed by REV. PETER NOBLE, Pastor Saint Julia's Church asking priority rating in regards to flood control in Govalle. The Assistant Public Works Director, MR. BOB BECKHAM displayed a map showing the easements that were needed, and stated field notes were being typed up today and would be sent to the Law Department. MAYOR PALMER asked that the field notes be sent to the Law Department as soon as possible, and that they in turn get the owner down to sign the easements. Mr. Beckham explained the plans for draining the area. The City Manager stated it had been planned to divide the area into two projects--from main Boggy Creek to Govalle, and the other project north of Govalle. If the ditch is put in up to Govalle, the water will come into the ditch to the creek instead of overflowing the property. He stated almost all of the water north of 5th Street flows north across 7th Street to the creek; and it was hoped to develop a sewer line in Tillery up around 5th Street, and it would cause the area to be drained directly to the river and relieve the creek of the water. Mayor Palmer asked that the easements be secured as fast as possible and then the City can give the group a little relief.

Speaking of the overflowed area, Mayor Palmer commended the Police Department on the excellent job of getting the families evacuated from the flooded area, the week end of June 17th.

The Council discussed the purchase of 5365 creosoted poles of various sizes for a two year period. The Council decided to postpone this matter until later.

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 property situated on the south side of East 12th Street as a private gasoline plant consisting of a 10,000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by Southwestern Bell Telephone Co., and is Lots 5, 6, 7, & 8, Block 141, of the City of Austin, Travis County, Texas, and hereby authorizes the said Southwestern Bell Telephone Co., by their agent V. R. Wattinger Plbg. Co., to operate a private gasoline plant consisting of a 10,000 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated 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 operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, 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, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Southwestern Bell Telephone Co. has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
June 29, 1961

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

"Dear Sir:

"I, the undersigned, have considered the application of Southwestern Bell Telephone Company, by their agent, V. R. Wattinger Flbg. Co., for permission to operate a private gasoline plant consisting of a 10,000 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the south side of East 12th Street, which property is designated as Lots 5, 6, 7, & 8, Block 141, in the City of Austin, Travis County, Texas, and locally known as 705 E. 12th Street.

"This property is located in a "C" Commercial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.

"(3) That "No Smoking" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

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

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer
Noes: None
Not in Council Room when roll was called: Councilman Perry

The City Manager submitted a letter from MR. LOU COLLINS, of Donald E. Degnan Associates, Public Relations, New York, as follows:

"June 23, 1961

"Dear Mr. Williams:

"On June 30th, the mass holiday-vacation bound exodus will begin from your city.

"In the interest of public safety we ask you to consider issuing a proclamation to remind your citizens that automotive seat belts are now regarded as an important safety device, and you urge they be installed. We suggest you either declare a Safety Seat Belt Day or Week when you urge your fellow citizens to install seat belts in their autos.

"Over last July 4th weekend, some 442 individuals lost their lives in highway massacres across the nation. According to the National Safety Council not one of these persons was wearing a seat belt. It is estimated that more than 5,000 lives a year could be saved in auto fatalities by the use of seat belts.

"There is no panacea for careless or reckless driving. Because of the human element, lives will continue to be lost on the roads. Seat belts, however, are recognized as a powerful preventative for the appalling national highway death rate.

"We hope you will give favorable attention to this suggested seat belt proclamation which is attached.

"Sincerely yours,
s/ Lou Collins"

The City Manager stated the Municipal Building was getting weather stained on the exterior, and asked if the Council were ready to proceed on getting the building sandblasted and cleaned. He stated \$11,000 was included in this year's budget to do this work, and this included taking care of ceiling and painting the window frames. The Mayor stated that it should be certain it was going to be done before bids were taken.

MAYOR PALMER asked that the Planning Engineer bring in a report on the status of the application for annexation of Allandale Terrace, Section 2. The City Manager reviewed the matter briefly.

The City Manager submitted a letter addressed to the property owners on the streets included in the resurfacing program. After the matter was discussed, MAYOR PALMER stated to go ahead and mail the letters out and get the program started.

The Assistant City Manager submitted the request of the Junior Chamber of Commerce to place a wrecked car with a sign on it, "Do not let this happen to you" during the July 4th holidays near the bridge on South 1st Street. Councilman Armstrong moved that the Junior Chamber of Commerce be granted this permission. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Council set 2:30 P.M., July 13th as the time to hear MR. DON HILL, National Safety Council, present his report on the annual traffic inventory to the Council.

Councilman Armstrong 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 construction of an electric transmission line to extend from the City's Holly Street Power Station northerly to serve north-central Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of an easement for the placement of electric transmission and distribution lines together with the placement of necessary poles and down guys and including the right to trim trees which may interfere with the placement of such electric transmission and distribution lines; 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 of such easement; 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 such easement for said purposes in, upon and across the following described tract of land:

A strip of land six (6) feet in width, out of Lots No. 4, 5 and 6, Block 11, of Hyde Park Annex, a subdivision in the City of Austin, Travis County, Texas, as same appears of record in Book 2, Page 130, Plat Records of Travis County, Texas, the centerline of said strip being more particularly described by metes and bounds as follows:

BEGINNING at a point in the south line of the above described tract of land, said south line also being the north line of E. 46th Street and from which point of beginning the southeast corner of said tract bears S 59° 53' E 3 feet;

THENCE, following a line 3 feet from and parallel with the east line of said tract N 30° 07' E., a distance of 150 feet to point of termination in north line of said tract. (Marion T. Hill, et ux)

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)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the construction of an electric transmission line to extend from the City's Holly Street Power Station northerly to serve north-central Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of an easement for the placement of electric transmission and distribution lines together with the placement of necessary poles and down guys and including the right to trim trees which may interfere with the placement of such electric transmission and distribution lines; 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 of such easement; 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 such easement for said purposes in, upon and across the following described tract of land:

A strip of land five (5) feet in width, same being out of and a part of Lot 12, Block 11, of Hyde Park Annex, a subdivision in the City of Austin, Travis County, Texas, as same appears of record in Book 2, Page 130, Plat Records of Travis County, Texas, the centerline of said strip of land being more particularly described by metes and bounds as follows:

BEGINNING at a point in the north line of the above said Lot No. 12, said north line also being the south line of E. 47th Street, and from which point of beginning the northwest corner of said Lot No. 12 bears N 59° 45' W., 45.49 feet;

THENCE, N 82° 23' W, a distance of 49.02 feet more or less to point of termination in west line of said lot. (Jesse W. Eisman et ux)

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)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the widening, deepening and improving of an existing drainageway known as Waller Creek in the City of Austin, in order to provide for the free passage of storm water and in order to prevent flooding in the section of Waller Creek to the north of East 45th Street in 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, deepening and improving of the said existing drainageway known as Waller Creek in the area immediately to the north of East 45th Street; 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 an open ditch drainage easement for said purposes in, upon and across the following described tract of land:

2,276 square feet of land, same being out of and a part of Lot 13, Block 3, Hyde Park Annex, said Hyde Park Annex being a subdivision of a portion of the Thomas Gray Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Hyde Park Annex of record in Book 2 at page 130 of the Plat Records of Travis County, Texas, which Lot 13 was conveyed to Annie E. Worley by Warranty Deed dated December 1, 1953 of record in Volume 1414 at page 220 of the Deed Records of Travis County, Texas, said 2,276 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at the southeast corner of the herein described tract of land same being a point in the south line of Lot 13, Block 3, Hyde Park Annex, and from which point of beginning the southeast corner of said Lot 13 bears S 60° 00' E 8.00 feet;

THENCE, with the south line of said Lot 13 same being the south line of the herein described tract of land N 60° 00' W 45.57 feet to the southwest corner of the herein described tract of land;

THENCE, with the west line of the herein described tract of land N. 20° 55' E 18.23 feet to an angle point;

THENCE, N 25° 31' E 32.20 feet to the northwest corner of the herein described tract of land, same being a point in the north line of said Lot 13;

THENCE, with the north line of said Lot 13 same being the north line of the herein described tract of land S 60° 00' E 45.14 feet to the northeast corner of the herein described tract of land and from which point the northeast corner of said Lot 13 bears S 60° 00' E 14.00 feet;

THENCE, with the east line of the herein described tract of land S 25° 31' W 25.08 feet to an angle point;

THENCE, S 20° 55' W 25.32 feet to the point of beginning. (Annie E. Worley)

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)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the widening, deepening and improving of an existing drainageway known as Waller Creek in the City of Austin in order to provide for the free passage of storm water and in order to prevent flooding in the section of Waller Creek to the north of East 45th Street in 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, deepening and improving of the said existing drainageway known as Waller Creek in the area immediately to the north of East 45th Street; 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 an open ditch drainage easement for said purposes in, upon and across the following described tract of land:

In, upon and across the east forty-five (45.00) feet of Lot 15, Block 3, Hyde Park Annex, said Hyde Park Annex being a subdivision of a portion of the Thomas Gray Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Hyde Park Annex of record in Book 2 at page 130 of the Plat Records of Travis County, Texas, which Lot 15 was conveyed to J. L. Teague by Warranty Deed dated January 7, 1947 of record in Volume 838 at page 224 of the Deed Records of Travis County, Texas. (J. L. Teague, et ux)

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

The City Attorney made a report on some property belonging to Mr. S. B. Wingfield, stating he had a junk yard adjacent to a church. The Building Inspector had filed numerous complaints against him for violating the zoning ordinance, and his cases have been appealed to the County. He stated at one time it had been suggested to get relief by way of an injunction, and he wanted to acquaint the Council with the matter before he filed an injunction.

The City Attorney reported in March the City Manager presented the Council a recertification of the Urban Renewal Program. On the matter of the community program, the City Manager's letter to the Housing and Home Finance Agency in March was to the effect he had been asked to state what his view would be with respect to the timing that would be required to bring the Minimum Standards Ordinance up to an acceptable standard to what is recognized as a nation-wide standard. The City Attorney reviewed the Building Standards Ordinance passed in April 1956, creating a Building Standards Commission. He stated in 1952 a Minimum Standards Ordinance for houses and dwellings was adopted but it had no retroactive effect. The provisions of the ordinance would apply only to new structures, but not to any existing structure. The Building Standards Ordinance adopted in 1956 contained, "All building, or structures containing a dwelling unit which have any or all of the following defects or lack of facilities are declared substandard:...(2) Those hereafter constructed in violation of Section 14.17 of the Code..." The City Attorney stated this "hereafter" was knowingly inserted so that the building standards ordinance would not apply to any existing building but only to buildings thereafter constructed. He explained the emergency procedure and the non-emergency procedure. He stated the City Manager was asked to state for the purpose of the Agency when he estimated this situation would be made to apply to buildings not just new construction but existing construction. The best estimate he had was another four years, and the Agency says that is too long. After discussion, the Council agreed it would be all right with the Council that Mr. Williams advise that he had talked to the Council and that the Council had authorized him to state that for reasonable expectation that within one year steps would be taken on this matter.

The City Attorney stated there had been two bills introduced in the Legislature that would have created Traffic Courts of Record that would have relieved the situation all over Texas with respect to the handling of Traffic cases. With accelerated demands for jury trials being made since the safety drivers insurance plan was put into effect, the City had been swamped with requests for jury trials. The City Manager stated the Legislature did not act on the bill, but it was more favorably received. He stated in the meantime the situation could be slightly improved with regard to jury trials. He said the law made no provision for the use of a jury-wheel and the system at present is a six-man "pick-up" jury. The Chief of Police explained the problems of this manner of selection. The City Attorney recommended making up a jury wheel the same way as in the County and District Courts, from the qualified voters and taxpayers, and follow practically the same procedure that the District Court, Sheriff and District Clerk follow. The City Attorney stated he wanted to submit this to the Council to see if it would like to have the procedure tried. He said it would give more dignity to the Traffic Court and more confidence

from the people. He said this would be put in effect. Councilman Shanks stated he was in favor of putting a little more dignity in our Corporation Court. Councilman Armstrong said for the good of the citizens of Austin, they should be given a better court system. MAYOR PALMER asked that publicity be given that this matter is being submitted to the Council for consideration. Then if there is any of the public that wants to complain about it the Council would know. He stated it ought to get in operation.

MR. BOB LUSK appeared again regarding the request for increased bus fares. The Mayor told him the Council would consider everything, and the Company would have to prove to the Council they are entitled to an increase, and it would ask for a lot of information. He stated the Council had done an excellent job of holding the bus fares down.

Mayor Palmer stated the Airport Committee had asked that it be dissolved. Councilman Armstrong asked that the Mayor write letters to the Committee, stating by Council action this committee had been abandoned, and thank them for the service.

Councilman Armstrong suggested that the Council authorize the Mayor to write DR. W. ASTOR KIRK and congratulate him on his appointment to Washington.

The Council received notice from the City Manager that the following zoning applications had been referred to the Planning Commission and set for public hearing before the Council on August 3, 1961:

SUE F. HUGHES	1211 North Loop Boulevard	From "A" Residence To "O" Office
F. J. BROCKMAN	7901-09 Burnet Road 2302-14 Anderson Lane	From "C" Commercial To "C-1" Commercial
BILLY ZIDELL	1915-17 East 19th Street 1806-10 Poquito Street	From "IR" Local Retail To "C" Commercial
RAY CORBIN	1109-1111 Anderson Lane	From "A" Residence To "GR" General Retail
MRS. CHARLES WOLF, Trustee By Glenn Garner	2408 South 1st Street	From "C" Commercial To "C-2" Commercial
MRS. ANNA STASSWENDER By C. B. Calahan, Jr.	5009 Bull Creek Road	From "A" Residence 1st Height & Area To "C" Commercial 2nd Height & Area
PHILLIP BASHARA & GEORGE L. ANDERSON	401-405 East 45th Street 4413-15 Avenue H	From "A" Residence To "C-1" Commercial
RICHARD G. AVENT	2401-07 Manor Road 2215-25 Maple Avenue	From "C" Commercial To "C-1" Commercial

MRS. EDITH P. SIMPSON Exec.Estate of John T. Patterson By Edgar E. Jackson	1300-04 West 19th Street 1900-02 and rear of 1904-06 Cliff Street	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area
VINCENT FARRO	604 West Johanna Street	From "A" Residence To "C" Commercial
L. C. PAGE	7600-7702 No.Interregion- al Highway 7701-7757 Northeast Drive	From "A" Residence & "C" Commercial 1st Height & Area To "C" Commercial 6th Height and Area
HARRY GOLDSTEIN By M. Lasky	5134-36 Burnet Road	From "C" Commercial To "C-2" Commercial
MRS. C.A. SCHUTZE By Marvin B. Braswell	1901-1909 Red River 600-04 East 19th Street	From "C" Commercial To "C-1" Commercial
FRANK R. RUNDELL	4312-4314 Avenue A 501-03 West 44th Street	From "A" Residence To "B" Residence
FRANK R. RUNDELL	2006-2008 E. 21st Street 2100-04 Alamo Street	From "A" Residence To "B" Residence
A. P. MONTGOMERY By Ted Wendlandt & Frank Knight	8330-8416 Burnet Road	From "A" Residence To "C" Commercial

The Council went into Executive Session.

EXECUTIVE MEETING

6:30 P.M.

The Council met in Executive Meeting and made appointments to various Boards and Commissions, which had vacancies or expired terms as follows:

PLANNING COMMISSION

MR. NOBLE DOSS (Vacancy created by resignation of MR. A. C. BRYANT)	Term to expire June 1, 1962
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BOARD OF ADJUSTMENT

MR. GAYNOR KENDALL, Reappointed	Term to expire Dec. 31, 1962
MR. COLEMAN GAY, Reappointed	Term to expire Dec. 31, 1962

NAVIGATION BOARD

MR. MARION FOWLER, Reappointed	Term to expire January 1, 1963
MR. A. N. McCALLUM, Reappointed	Term to expire January 1, 1963
MR. W.J. (BILL) MURRAY, Reappointed	Term to expire January 1, 1963
COLONEL J. M. BEALL, Reappointed	Term to expire January 1, 1963
MR. BILL GASTON, Appointed	Term to expire January 1, 1963
to vacancy on Board, due to	
Miss Lorraine Murray's	
moving out of the city	

PARK & RECREATION BOARD

MR. FRANK D. QUINN, Reappointed	Term to expire April 1, 1963
MR. VIC KORMEIER, Reappointed	Term to expire April 1, 1963
MRS. ALDEN DAVIS, Reappointed	Term to expire April 1, 1963
MR. NASH MORENO, Reappointed	Term to expire April 1, 1963
COLONEL ROY WARD, Reappointed	Term to expire April 1, 1963
MR. RUDY CISNEROS, Reappointed	Term to expire April 1, 1963

AUSTIN HOUSING AUTHORITY

Mayor Palmer to check and make appointment to term
expiring December 23, 1961

SOLICITATION BOARD

MR. GEORGE HALDEN, Reappointed	Term to expire November 5, 1962
MR. DON HOWARD, Reappointed	Term to expire November 5, 1962
MR. DAN MOODY, JR., Appointed	Term to expire November 5, 1962

AIR CONDITIONING, HEATING, VENTILATING COMMITTEEAUSTIN INSURANCE ASSOCIATION

MR. JOHN BARCLAY, vacancy due	Indefinite term
to death of MR. JAMES C.	
COCHRAN	

ARCHITECT

MR. PAT RILEY, vacancy due to	Indefinite term
Mr. Niggli's moving out of	
the City	

CIVIL DEFENSE COUNCIL

Status to be checked

ADVISORY HOSPITAL BOARD

MR. PAGE KEETON

Term to expire May 25, 1964

CIVIL SERVICE COMMISSION

(Confirmed City Manager's Appointments on the following)

MR. JOHN D. MILLER
MR. EDWARD ROBINSON

Term to expire May 6, 1963
Term to expire May 6, 1964

MR. CHARLES GREEN indicated he might not serve again. It was asked that he be contacted to make certain.

No change was made in the membership of the MOTION PICTURE BOARD, it being:

MR. CHARLES W. SHUBBERT
MR. CECIL KELSO

Appointed to serve until successor
is named

There being no further business, the Council adjourned at 7:10 P.M., subject to the call of the Mayor.

APPROVED

Lester E. Palmer
Mayor

ATTEST:

Eli Woods
City Clerk