

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 15, 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; Robert A. Miles, Chief of Police

Invocation was given by MR. DAVID BARROW.

MR. JOE FERRONE, President of the Austin Real Estate Board, introduced the officers of the Board, MR. WILLARD CONNOLLY, and MR. P. E. WORSHAM, Vice Presidents; MR. JOHN WINDSOR, Executive Secretary; and MRS. RAYMOND L. MOORE, Secretary. Mr. Perrone offered the services of the Real Estate Board in any way it could be of help to the Council.

Councilman White moved that the Minutes of the Regular Meetings of February 1st and 8th (Correction in the February 8th Minutes noted by Councilman Perry) and of the Special Meeting of February 12th, 1962, be approved. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Mayor Palmer introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN

THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 1ST DAY OF MARCH, 1962, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Arroyo Seca and sundry other streets)

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, Shanks, White, Mayor Palmer
Noes: None

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

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: SEVEN (7) LOTS FRONTING

APPROXIMATELY 445 FEET ON THE NORTH RIGHT-OF-WAY LINE OF SANTA CLARA STREET; APPROXIMATELY 125 FEET ON THE EAST RIGHT-OF-WAY LINE OF HARDY DRIVE AND APPROXIMATELY 456 FEET ON THE SOUTH RIGHT-OF-WAY LINE OF JUSTIN LANE. SAME BEING LOTS 1 - 7, BLOCK 1, NORTHRIDGE TERRACE, SECTION 1. LOCALLY KNOWN AS 1902-1914 SANTA CLARA STREET; 1903-1915 JUSTIN LANE AND 6807-6809 HARDY DRIVE, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN 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, Perry, Shanks, White, Mayor Palmer
Noes: None

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

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

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

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

The Mayor announced the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN HEIGHT AND AREA AND CHANGING THE HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: ONE LOT FRONTING 150 FEET ON THE EAST RIGHT-OF-WAY LINE OF HARMON AVENUE, BEGINNING AT A POINT 450 FEET SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF EAST 49TH STREET, AND HAVING AN AVERAGE DEPTH OF 289 FEET. SAME BEING LOT 10, BLOCK V, RIDGETOP FOURTH ADDITION. LOCALLY KNOWN AS 4717-4721 HARMON AVENUE, FROM "O" OFFICE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN 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 Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer
Noes: 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 Armstrong, carried by the following vote:

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

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, Shanks, White, Mayor Palmer
Noes: Councilman Perry

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"Sealed bids opened at 2:00 P.M. Feb. 12, 1962
Tabulated by: O.G. Brush, Purchasing Agent

"CITY OF AUSTIN BIDS ON POLICE CARS

	Quan.	Smith Brothers	Capitol Chevrolet	Simmons Motors
4-Door Police Cars per City Specifications	49 ea.	\$107,112.04	\$142,705.64	\$103,390.00
Less Trade-in old Police cars	43 ea.	28,950.00	54,685.64	16,500.00
Net difference		<u>\$ 78,162.04</u>	\$ 88,020.00	\$ 86,890.00
Unit price bid		\$ 2,185.96	\$ 2,912.36	\$ 2,110.00
4-Door Sedan for Taxi Cab Division		\$ 2,185.96	\$ 2,912.36	\$ 2,110.00
Trade-in B-11 1953 Business Coupe		200.00	1,005.36	110.00
Net difference		\$ 1,985.96	<u>\$ 1,907.00</u>	\$ 2,000.00
Manufacturer		Plymouth	Chevrolet	Plymouth

"NOTE: Low bid of May 5, 1960 by Armstrong-Hohnson on 30 police cars with a trade-in on 27 used cars was \$2,389.00 each or total of \$71,670.00 with a trade-in of 22,975.00 or \$48,695.00 net difference. This gives a figure of \$1,602.00

each including trade-in. On the present low bid of Smith Brothers, the price including trade-in is \$1,595.14.

"RECOMMENDATION: It is recommended that the low bid of Smith Brothers be accepted for the Police cars and the low bid of Capitol Chevrolet be accepted for the single unit for the Taxi Cab Division.

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

Councilman Armstrong offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 12, 1962, for the purchase of 49 4-Door cars for the Police Department and one 4-Door Sedan for the Taxicab Division; and,

WHEREAS, the bid of Smith Brothers in the sum of \$78,162.04 and 43 Trade-ins was the lowest and best bid for the 49 4-Door cars for the Police Department; and,

WHEREAS, the bid of Capitol Chevrolet Inc., in the sum of \$1,907.00 for the one 4-Door Sedan for the Taxicab Division, was the lowest and best bid therefor; and,

WHEREAS, the acceptance of such bids 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 Smith Brothers, in the sum of \$78,162.04 and 43 Trade-ins for 49 4-Door Cars for the Police Department, and the bid of Capitol Chevrolet Inc., in the sum of \$1,907.00 for one 4-Door Sedan for the Taxicab Division, be and the same are hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute contracts on behalf of the City with said companies.

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

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

Noes: None

The City Attorney stated very few people realized all of the sacrifices that are made by individuals who are willing to serve their fellowmen as members of the City Council. He said in this particular case it brings into bold relief an illustration of some of the sacrifices that individuals make who do serve; as in this case a member of the City Council, who in days gone by had the privilege of bidding on this contract, because he is a member of the Council does not have that privilege now which is a great sacrifice. The Mayor stated that was a fine observation. Councilman White stated Councilman Armstrong knew, and he knew and all the rest knew at the time they asked for this place, that they could not do business with the City. He stated there were a lot of things he could do, and the rest could do, and he thought more people knew that than one might think.

The City Manager submitted the following:

"Feb. 13, 1962

"TO: Honorable Mayor and Members of the City Council

SUBJECT: Bids for Asphalt Contract for Street and Bridge Division, Public Works.

"Sealed bids were opened at 10:00 A. M. Feb. 13, 1962 at the office of the Purchasing Agent for subject contracts.

"Bids were sent to all firms in the area who are able to bid. These were:

Humble Oil & Refining Company - Bid
 Texaco Inc. - Did not bid, stated they gave the City option
 to renew at bid prices of 1961 and they would
 still extend contract at these prices.
 Gulf States Asphalt Co. - Bid
 American Petrofina Co. - Bid
 Texas Emulsions - Bid
 Wright Asphalt Products - Bid received several hours after
 opening and not opened.
 Cosden Petroleum Co. - Bid
 Shell Oil Co. - Did not bid nor state reason why.

"Below is tabulation of bids received:

	Estimated Quantity	Unit Price	Total for Est. Quantity
<u>Texas Emulsion, Inc.</u>	250,000 gals.	.9080	\$24,500.00 (Net)
Bid on Emulsion only			
<u>Humble Oil & Refining Company</u>			
Emulsion	250,000 gals.	.1045	\$26,125.00 (Net)
RC - 2 Cut Back Asphalt	25,000 "	.1012	2,530.00 (Net)
AO Asphalt	200,000 "	.0912	18,240.00 (Net)
<u>American Petrofina Company of Texas</u>			
Emulsion	250,000 Gals.	.1043	\$26,075.00
Less 2%			521.40
Net			\$25,553.60
RC-2 Cut Back Asphalt	25,000 Gals.	.11	\$ 2,750.00
Less 2%			55.00
Net			\$ 2,695.00
CA Asphalt	200,000 gals.	.1050	\$21,000.00
Less 2%			420.00
Net			\$20,580.00
<u>Gulf States Asphalt Company</u>			
Emulsion	250,000 gals.	.1115	\$27,875.00
Less 1%			278.75
Net			\$27,526.25
RC-2 Cut Back Asphalt	25,000 gals.	.1130	\$ 2,825.00
Less 1%			28.25
Net			\$ 2,796.75
OA Asphalt	200,000 gals.	.0960	\$19,200.00
Less 1%			192.00
Net			\$19,008.00

	Estimated Quantity	Unit Price	Total for Est. Quantity
<u>Cosden Petroleum Company</u>			
Emulsion	250,000 gals.	.11	\$27,500.00 (Net)
RC-2 Cut Back Asphalt	25,000 "	.11	\$ 2,750.00 (Net)
OA Asphalt	200,000 "	.11	\$22,000.00 (Net)

"The low bids are as follows:

<u>Texas Emulsion, Inc.</u>			
Emulsion	250,000 gals.	.0980	\$24,500.00 (Net)
<u>Humble Oil & Refining Company</u>			
RC-2 Cut Back Asphalt	25,000 gals.	.1012	\$ 2,530.00 (Net)
<u>Humble Oil & Refining Company</u>			
OA Asphalt	200,000 gals.	.0912	\$18,240.00 (Net)

"Listed is a tabulation of low bid as per contract with Texaco, Inc. during 1961.

1. Emulsion @ .1027 - less 2%
2. RC-2 Cut Back Asphalt @ .1036 - less 2%
3. OA Asphalt @ .0932 - less 2%

Bidding on quantities as listed in specifications for 1962, the totals would have been as follows:

250,000 @ .1027	\$25,675.00
Less 2%	513.50
Net	\$25,161.50
25,000 @ .1036	\$ 2,590.00
Less 2%	51.80
Net	\$ 2,538.20
200,000 @ .0932	\$18,640.00
Less 2%	372.80
Net	\$18,267.20

Total net of all for Texaco in 1961 - - - - - \$45,966.90

Total for 1962 all low bids combined - - - - - \$45,270.00

Net savings between 1961-1962 bids in 1961 with Texaco as compared to composite of 1962 bids totals \$ 696.90.

"RECOMMENDATION: It is recommended that low bids be accepted as follows:

Emulsion - Texas Emulsion Inc. of Austin
 RC-a Cut Back Asphalt - Humble Oil Refining Company
 OA Asphalt - Humble Oil & Refining Company

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

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 13, 1962, for the furnishing of 250,000 gallons of emulsion, 25,000 gallons of RC-2 Cut Back Asphalt and 200,000 gallons of AO Asphalt, to the Street and Bridge Division, Public Works Department; and,

WHEREAS, the bid of Texas Emulsion, Inc. of Austin, in the sum of \$24,500.00 was the lowest and best bid for 250,000 gallons of emulsion; and,

WHEREAS, the bids of Humble Oil & Refining Company, in the sum of \$2,530.00 for 25,000 gallons of RC-2 Cut Back Asphalt, and in the sum of \$18,240.00 for 200,000 gallons of OA Asphalt, were the lowest and best bids therefor; and,

WHEREAS, the acceptance of such bids 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 Texas Emulsion, Inc. of Austin, in the sum of \$24,500.00, and the bids of Humble Oil & Refining Company, in the sum of \$2,530.00 and in the sum of \$18,240.00, be and the same are hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute contracts on behalf of the City with said companies.

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

Councilman Perry expressed thanks to Councilman Shanks for bringing this bidding matter to the Council's attention, and realizing a \$670.00 savings.

The City Manager submitted the following:

"February 14, 1962

"W. T. Williams, Jr. City Manager

Assessment Paving Contract Number
62-A-1

"Following is a tabulation of the bids received at 10 A.M., Tuesday, February 13, 1962 for the construction of approximately fifty-nine blocks of pavement and accessories known as Assessment Paving Contract Number 62-A-1, consisting of 20 units.

Giesen & Latson Construction Company	\$159,391.53
J. W. Steelman, Inc.	167,757.80
City's Estimate	165,151.31

"I recommend that Giesen & Latson Construction Company with their low bid of \$159,391.53 be awarded the contract for this project.

"S. Reuben Rountree, Jr.
Director of Public Works"

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 13, 1962,

for the construction of approximately fifty-nine blocks of pavement and accessories known as Assessment Paving Contract Number 62-A-1, consisting of 20 units; and,

WHEREAS, the bid of Giesen & Latson Construction Company, in the sum of \$159,391.53, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Giesen & Latson Construction Company, in the sum of \$159,391.53, 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 execute a contract on behalf of the City with said Giesen & Latson Construction Company.

The motion, seconded by Councilman Armstrong, 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 CRUZ STREET, from Vargas Road easterly 933 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said CRUZ STREET.

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

- (2) A gas main in RICHARDINE AVENUE, from a point 245 feet south of Ledesma Road southerly 833 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said RICHARDINE AVENUE.

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

- (3) A gas main in GARLAND AVENUE, from Ortega Street to Chico Street, the centerline of which gas main shall be 14.00 feet west of and parallel to the east property line of said GARLAND AVENUE.

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

- (4) A gas main in GARLAND AVENUE, from Chico Street to Richardine Avenue, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said GARLAND AVENUE.

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

- (5) A gas main in EAST 19TH STREET, from Greenwood Avenue westerly 156 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said EAST 19TH STREET.

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

- (6) A gas main in BOSWELL LANE, from a point 61 feet south of Sweeney Lane southerly 152 feet, the centerline of which gas main shall be 8 feet west of and parallel to the east property line of said BOSWELL LANE.

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

MAYOR PALMER stated SOUTHERN UNION GAS COMPANY had filed with the City Manager a request for public hearing to discuss a gas rate increase. Councilman White moved that the public hearing on the Southern Union Gas Company proposal be set at 11:00 A.M. March 22nd. The motion, seconded by Councilman Armstrong, 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)

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 Ben White Boulevard and Russell Drive, which property fronts 191.00 feet on Ben White Boulevard and 70.00 feet on Russell Drive and being known as Lot 1, Block G, Ford Place #1 in the City of Austin, Travis County, Texas, and hereby authorizes the said Austin Super Service 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 Austin Super Service has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"February 15, 1962

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

"Dear Sir:

"We, the undersigned, have considered the application of Austin Super Service 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 Ben White Boulevard and Russell Drive, which property fronts 191.00 feet on Ben White Boulevard and 70.00 feet on Russell Drive and being known as Lot 1, Block G, Ford Place #1 in the City of Austin, Travis County, Texas, and the property upon which this

filling station is to be located is owned by Charles A. Rubiola, Louis W. Rubiola and Richard V. Mezzetti. We hereby advise the following conditions exist.

"The property upon which this filling station is to be located is designated as Local Retail 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 Austin Super Service 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 fillings station improvements, pump islands, driveways, 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-1954.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - H - 1954 and shall be of the premoulded 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/ S. Reuben Rountree, Jr.
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

Mayor Palmer read the following Resolution adopted by the AUSTIN ASSOCIATION OF HOME BUILDERS:

"WHEREAS, Austin has long enjoyed a substantial measure of self-government; and

"WHEREAS, the municipal officials of this city are firmly dedicated to the preservation of this right; and

"WHEREAS, it is the conviction of the Board of Directors of the Austin Association of Home Builders that the creation of a Department of Urban Affairs within the Executive Branch of the Federal government would tend to divest local officials of some control over local matters; and

"WHEREAS, it is the belief of the Board of Directors of the Austin Association of Home Builders that such a Department of Urban Affairs would not enhance the efficiency, stature, or position of our city; now therefore

"BE IT RESOLVED that the Board of Directors of the Austin Association of Home Builders herewith expresses its opposition to the creation of a United States Department of Urban Affairs; and

"BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to each member of the Congressional delegation from the State of Texas.

"UNANIMOUSLY ADOPTED on the 8th day of February, 1962.

"s/ Bob Connelly
President

"s/ Ken Zimmerman
Executive Secretary"

Councilman Armstrong inquired about the widening of the street off South First Street where there is contemplated a new hospital. The Director of Planning stated this property was across from the School for the Deaf, and there were two problems--the street widening and the zoning. This would come under a special permit. Councilman Armstrong asked if it were all under consideration, and the City Manager stated it was.

The Mayor and Council complimented the City Manager on setting up a chart showing the City Operating Budget.

The City Manager stated members of the Laguna Gloria Art Club had invited the Council to attend a luncheon with them. The Council set March 8th, 1962.

The Mayor announced that Friday, February 16th, 9:00 A.M. ten outstanding industrialist from Germany would fly into Austin, one of the five stops they will make in the United States.

The City Manager called attention to the Electric Utilities Report filed with the Council.

The City Manager reported that a letter from DR. C. P. BONER had been received, pertaining to work he had done at the Auditorium, and offering to proceed with further work on a consulting basis without charge. He stated he had written Dr. Boner expressing appreciation for his offer, and stating while it was not known how rapidly these improvements could be made, the Council appreciated the offer of consulting services, and asked that he outline in general terms what he thought could be done and the cost. Dr. Boner said he would be working with Mr. Vickers, and would give some estimates of the various items and the costs. The City Manager stated this study is in progress.

The City Manager reported he had a letter from MR. ARTHUR FEHR stating that two trees had been planted--one a pecan at the northwest corner of the building in the grassy area north and west of the dining room, and the other, a magnolia, planted in the patio at the entrance of the building. These trees were dedicated to MR. WALTER E. SEAHOLM, and MR. WM. S. DRAKE, Jr. (Airport)

The City Manager reported he had a copy of a letter addressed to the Council from MR. HARRY JOHNSON congratulating the Council on its fine work and the outcome of the recent election.

The City Manager reported he had a letter from MR. J. P. WHITMAN, JR., U. S. Department of Agriculture, Meat Inspection Division, stating the manpower problems had been temporarily solved and it may not be necessary to ask the City to reduce their operations. Councilman Armstrong asked if a study could be made to get these other slaughterers to bring their cattle in here, as the City might take care of their needs cheaper than these other cities can do it locally; have the private enterprise bring his cattle up here and pay us for our services.

The City Manager stated for many years the City has had problems on obtaining base maps for general planning and utility studies. The Planning Director and Director of Public Works had combined their ideas to see what could be done about obtaining a set of basic maps to serve the Planning, Utilities, Streets, Drainage. He explained the proposal from the International Mapping Service to make a base map that would cover the city together with the territory surrounding the city that falls within the scope of the City's planning. He pointed out the need in connection with checking out the subdivider's

plans. He said this Company had done the work on the Missouri Pacific Railroad Route, and the river. The Company will do the aerial photographing of 140 square miles, for \$1,675. They would give horizontal controls on each chart to identify property on the ground or on the maps, for \$4,025. He listed the costs of the Atlas sheets covering various parts of the city that cover 140 square miles. The Director of Public Works explained the contact prints and the negatives and a mosaic. The City Manager stated if developers had any need for certain sections, they could be provided at much less than the developers could obtain them. The Director of Planning showed the area which would be a 250 square mile area which would ultimately be needed on these maps. The City Manager recommended including this along with the proposal. The Director of Planning stated a great part of street and thoroughfare planning could be done in the office through the use of these maps, rather than by having field groups in the area; that the maps would be a great benefit in helping analyze the drainage areas; would help in water and sewer planning, and would save a minimum of \$5,000 in the tabulation and preparation of the land use data which will have to be done for the entire city. Finally, after much discussion, Councilman Shanks moved that the City Manager be authorized to enter into negotiations and purchase this service for the entire area. The motion, seconded by Councilman Perry, carried by the following vote:

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

The Mayor and Council greeted and welcomed a group from the Lions Club from Monterrey, Mexico, noting this was the largest club in the World, and stating it not only worked on city projects but raised money to pave roads and many other things. MR. CANTU brought greetings from the Mayor of Monterrey. He said the Club had built nine public schools and had given them to the City.

The Assistant City Manager stated he had been contacted to work out a date for DeMolay Day, and it had been suggested to set it for March 15th. The Mayor and Council approved this date.

The Assistant City Manager stated the study for a traffic light on 24th and San Gabriel was under way but not yet complete. This study was requested by the Federated Women's Club, and they had been notified that the study was being made.

The Assistant City Manager reported that the Council had received a letter about a Urban Renewal report that had not been filed with the agency in Fort Worth and stated it would be sent in either this week or early next week.

The Assistant City Manager, regarding a request for use of the new lake for a water safety school, reported this had been worked out, and the group will use the Westwood Country Club and use Lake Austin for the school.

Councilman Perry moved that the Election officials be paid the maximum allowed by law, \$1.00 per hour. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Councilman Shanks expressed appreciation to the League of Women's Voters for the very fine, unbiased method in which they presented the facts in the paper on the Election on the sale of the East 40 of the Old Country Club.

MR. JACK FLOYD was introduced as the Administrative Intern who has just joined the city personnel.

The City Attorney made a report on the necessity for filing a motion for new trial in the Hancock case, stating it was for the guidance and planning for acquiring land for public needs and in determining what temporary uses may be made of the land before the permanent plans could be developed; also subsequent disposition of surplus lands that had been acquired in connection with permanent plans. He stated it was necessary for the guidance for those entrusted with the responsibility to know what the limits of their responsibility were, and to clear any questions as to whether or not the action which had been taken might in any way cast a cloud on the title of any land the city may have sold in the last 25 years.

The Mayor read a letter from the Atomic Energy Commission informing the Council that the University of Texas had been granted a construction and operation permit on the Campus for a 10 kilowatt (thermal) TRIGA Mark I pool-type nuclear reactor. The letter was referred to the City Manager.

Mayor Palmer discussed the matter of taking part in the Sister City program, stating he had talked with Mr. Chambers in Washington. Belo Horizonte, Brazil, wanted to be a sister city to a city in Texas, and had asked for Austin. Councilman Perry stated he thought this should be accepted. The Mayor stated it was necessary to get some people in Austin interested and visit them; have them visit Austin, and extend to them the same hospitality as they extend to their visitors.

The Council recessed until 2:30 P.M.

RECESSED MEETING

2:30 P.M.

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

Mayor Palmer announced this meeting was to explore the possibility of determining what should be done with the bond requirements on master electricians

as well as the heating and air conditioning people that have restricted licenses. The ordinance provided \$1,000 bond on one and \$5,000 on the other. At the time the ordinance was adopted, this matter was discussed at length.

Present were MR. W. K. JENNINGS, JR., MR. HIRAM BROWN, MR. GROVER KENYAN, MR. VERNON LOFTIS, MR. JOE ATKINSON, JR., Members of the Electric Board; MR. ED GRIMMER, former member; also MR. DEXTER KINNEY, Director of Electric Utilities; and MR. CHARLES TEW, Electric Inspector. Present from the Heating and Air Conditioning Board were MR. JOE BOYER, MR. C. R. BROWNLEE, and MR. DICK JORDAN, Building Inspector. Present from the Plumbing Board were MR. JAMES C. MIDDLETON, MR. ROY THOMAS, MR. J. W. SCARBROUGH, MR. FRANK GERLING, MR. CLYDE C. DRAVEN, MR. ED BLOOMQUIST and MR. JOHN KAVANAUGH; also MR. GERALD FRY, Plumbing Inspector.

The Mayor inquired if after this time, there were any recommendations about this \$5,000 bond from the Electric Board. MR. DEXTER KINNEY, Chairman of the Board, stated an inquiry had been made as to whether or not a change could be made in the Electric Ordinance which would permit a bond of \$1,000 for the restricted master electricians who did not require a permit for the electric wiring. The Electrical Board referred this to the Legal Department, January 24, 1961, and the Legal Department reported back on February 28, 1961, that the Legal Department and City Council had discussed the amount of the bond for Master Electricians in detail when the Ordinance was adopted August 1960 and felt a \$5,000 bond should be minimum size for all Masters. Then the Electric Board after a lengthy discussion agreed and voted to leave the amount of the bond at \$5,000 as required in Section 9.33 for restricted and non restricted master electricians. MR. JOHN ALLEN, representing the appliance and repair industry, stated these people were neither master electricians nor master plumbers, but they hook up to gas mains or do any type of repairing on some structural units where there could be no damage done to the "set-in-place" plumbing or electrical system; yet these people are required to post a plumbing bond of \$1,000 and Electric bond of \$5,000. He said seldom would they work on equipment worth more than \$1,000. These people are asking to be regulated by both the Electrical and Plumbing Department as to requirements, etc. He stated theirs was not a true electric nor plumbing industry, but was an appliance industry working on something already in place.

MR. HIRAM BROWN, Member of the Electric Board, stated the joint bond would be satisfactory, and he could not see why they could not be under the same bond. MR. W. K. JENNINGS pointed out most of the fire hazards that were created by unauthorized people doing maintenance and repair service; that most of the master electricians do a pretty safe job of wiring and comply with the ordinance. The main thing, this bond is there to protect against fire hazards and most all damage is due to improper work or failure to correct improper work. Councilman Perry asked if the Board had a recommendation. The Electric Inspector, and Secretary to the Board, MR. CHARLES TEW, read the Minutes of the meetings of January 24th and February 28th, 1961. MR. ALLEN asked that their industry not be connected with the master electrician, but an appliance, repair and installation license be issued which would be both electrical and plumbing, and that they be put under the Heating and Air Conditioning Board, and a bond of \$1,000 be required for all of that. MR. HIRAM BROWN, made a motion that the bond for the restricted master electrician be reduced to \$1,000, but the motion lost for lack of a second. MR. GROVER KENYAN'S motion, the same as made on January 24, 1961, that the Board recommend to the City Council to amend Section 9.33 of the Code of the City of Austin, read, "The bond for restricted Master Electricians who are not required to obtain an electrical wiring permit be reduced to \$1,000."

seconded by Mr. Brown, carried by a unanimous vote of the Electrical Board.

The matter was discussed from different angles and on various types of work. One Board Member suggested that the three Boards get together and work some of these details out. The Mayor stated the question before the Council was this \$5,000 bond, and it was the general thinking that some parts of the ordinance might have to be amended. The City Attorney stated many meetings had been held by the Council, on this bond question. He stated his Department would have to check with the Board of Insurance Commissioners to get a bond like this approved. He explained the request was to cut the present bond from \$5,000 to \$1,000 and the \$1,000 liability be cut in half. Mr. Jennings stated they were talking about \$10.00. He said since the Air Conditioning Ordinance was new, and since the Electric Department works strictly under licenses and the plumbing works under state licenses, he thought there would be conflicts in trying to combine those two, and he believed it would be a mistake to go farther than their recommendation to the Council. MR. JORDAN, Building Inspector stated they were not having any trouble with the Heating and Air Conditioning Ordinance. The extension date to February 15, granted by the Board was discussed. The Mayor thanked the group for coming down, stating the ordinance would be brought in next week. He stated if the Boards felt there were some areas that needed to be studied, he would suggest that the boards get together and come in with a recommendation to the Council.

MR. DAVID BARROW, Chairman of the Planning Commission, explained the recommendation of the Planning Commission on the recommended Development Plan as it related to the proposed Greenwood Hills subdivision east of South Congress Avenue and south of St. Elmo Road. He stated one of the reasons for wanting to change the plan, if this whole area were restricted to industrial use, there would be a lot of property that would be static for an indefinite period; and that the change of this particular part would not interfere with the plan. He said this would be an industrial area that if properly planned would provide for residential area in the rear so that people working in the industrial part would have places to live. Mayor Palmer pointed out some of this was outside the city; also the people on the Interregional operate a junk yard, and there would be this residential area, and then fronting on the Interregional would be commercial or industrial. The City Manager stated this area was out of the city limits and there were no zoning controls. Members of the Council expressed interest in eliminating potential hazards, in providing some way for the people who purchased in this area to know they would be surrounded by industrial areas, and in the flooding areas. Mr. Barrow stated if the area were kept industrial, it may be idle for 25 years. The subdivider is all ready to go. The Director of Planning explained his proposed development stating part of the lots would be served by septic tanks. The City Manager stated arrangements should be made with the subdivider to have his mains in place anyway so that the pavement would not have to be cut. The Mayor stated the Planning Commission recommended that the Development Plan be amended so that this residential development could be approved. Finally, after more discussion, Councilman White moved that the Council go ahead and accept the recommendation. The motion, seconded by Councilman Shanks, carried by the following vote:

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

*Councilman Armstrong made the following statement regarding his vote:

"Industry should have a railroad trackage. You could not put a railroad down there. I was in hopes that that was going to make a good industrial location; but purely from the terrain and topography, I vote 'aye'."

Regarding the change on the development plan, the City Manager suggested that the maps should be changed, even though it had been made clear that the plan was flexible and was subject to change and that the use map did not necessarily indicate the zoning. Mr. Barrow stated he thought changing the map once a year would be sufficient.

The Director of Planning discussed planning of a northwest area above Bull Creek Road and to the west of Balcones Trail, as pertained to a proposed subdivision, Northwest Hills, Section 6. The proposal was to eliminate a thoroughfare section on the grounds the topography made it undesirable from a traffic standpoint and it was unnecessary. He stated he felt that the thoroughfare was necessary, and the alteration of the plan would bring up a number of questions on how the traffic would be handled. He displayed a map showing the thoroughfare layout and discussed his traffic calculations. He stated this was a secondary thoroughfare that would be for the people living in the area and carrying a limited amount of traffic which could not be anticipated. MR. DAVID BARROW said the crucial part is that the street is not 90' but 80'. The area in question is only 69', and the plan was approved, and the lots were sold. The Planning Department nor he did not notice the plan called for a 90' street. Mr. Barrow disagreed that this was needed for a boulevard. The Council wanted to make a personal inspection of the area and decided to do this next Wednesday.

Mayor Palmer made inquiry about the progress on the alternate route of the Missouri-Pacific Boulevard, stating it was necessary to start acquiring some right-of-way. The City Manager stated he had planned a meeting next week with MR. OSBORNE, MR. ROUNTREE and MR. KLAPPROTH.

The Mayor stated MR. ROD KENNEDY, K.H.F.I. would like to record on tape the Council meetings and sell the recordings to someone and put it on the air from 9:00 to 10:00 P.M. Finally after discussion, Councilman Shanks moved that the request be DENIED. 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 Council discussed briefly the utilities to the G.S.A.

The Assistant City Manager stated the Calvacade of Commerce wanted to give away 150 watt bulbs, and they will exchange them for a bulb of any size. The City Manager stated in Chicago, the Electric Utility furnished all of the light globes to all of their customers.

Mayor Palmer inquired about getting pictures of all Councilmen from Mayor Edwin N. Waller, and putting them around the Council Room. Councilman Shanks stated he was in favor of doing this.

The City Attorney stated MR. JOE TAYLOR probably would be calling the Council about his home and the City's substation located at the 10th and Blanco Fire Station. The Mayor stated the house had been appraised; and if Mr. Taylor wanted to sell it at the appraised price the City would have purchased it, but he wanted to be paid damages and to keep the house. The City Attorney stated the matter had been disposed of several times.

The City Manager stated when the Council agreed in the future the election officials would be paid the amount authorized under the law, he assumed it to be for the next time. The Mayor stated that was correct.

The Assistant City Manager stated with reference to a study he was making on the use of voting machines, that they had to be approved by the Secretary of State; that he had contacted Mr. Mathews of the League of Municipalities, and that he will talk with the County officials and will have a report to make in a few weeks.

There being no further business, the Council adjourned at 5:45 P.M., subject to the call of the Mayor.

APPROVED

For E. Palmer
Mayor

ATTEST:

Elin Hooley
City Clerk