

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 21, 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 delivered by REV. CHARLES R. McCALL, First Church of the Nazarene.

COUNCILMAN ARMSTRONG noted that anything that brought national attention to Austin was good for the City, and the fact that the instruments that controlled the flight of Astronaut John H. Glenn, Jr., were made here in Austin, the INDUSTRIAL INSTRUMENT CORPORATION should be complimented.

The Council cancelled its 2:30 P.M. meeting with the representatives of the appliance installation and repair industry, after checking with the Attorney representing them.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE REPEALING ORDINANCE NO. 610202-A ENTITLED "AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH NASH PHILLIPS-COPUS; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY." WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON FEBRUARY 2, 1961, AND IS OF RECORD IN ORDINANCE BOOK 61 OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN.

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 White, 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 White, 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 White, 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 AUTHORIZING THE CITY MANAGER TO ENTER
INTO A CERTAIN CONTRACT WITH AUSTIN DEVELOPMENT
COMPANY, LTD. FOR THE APPROPRIATION OF MONEY PAID
TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND
DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the 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

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

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

The Mayor announced that the ordinance had been finally passed.

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 SAN JACINTO STREET from East 8th Street southerly 127 feet, the centerline of which gas main shall be 9 feet west of and parallel to the east property line of said SAN JACINTO STREET.

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

- (2) A gas main in LYONS ROAD from Tillery Street westerly 138 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said LYONS ROAD.

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

- (3) A gas main in SHIRLEY AVENUE from Brentwood Street southerly 34 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said SHIRLEY AVENUE.

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

- (4) A gas main in DELONEY STREET from a point 297 feet north of East 16th Street northerly 698 feet, the centerline of which gas main shall be 20 feet west of and parallel to the east property line of DELONEY STREET.

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

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or

working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three(3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

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

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

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

No action was taken on the ordinance to vacate BOULEVARD VIEW from West 25th Street to West 26th Street, as the Council wanted to make a personal inspection of the area.

The City Manager submitted the following:

"February 20, 1962

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

MEMORANDUM FROM: S. A. Garza, Superintendent, Sanitary Sewer Division

SUBJECT: Little Walnut Creek, Section II - U. S. 290 to Cameron Road
Sanitary Sewer

- "1. This project is almost entirely within the creek channel of Little Walnut Creek from U. S. 290 (Manor Highway) to Cameron Road.
- "2. The probable cost of materials and fixtures that will go into this job will be about \$80,000.00. The three major items in materials where the City could save the 2% state sales tax would be in the pipe, concrete encasement, and grout backfill. These three items would amount to approximately \$77,000.00.
- "3. The estimated probable cost to the City for handling if the City elected to buy these materials would be approximately \$300.00.
- "4. The major items that the City would be electing to purchase in this project are bulky and used almost immediately on the job, therefore theft may be considered as none.
- "5. There are no other apparent materials or fixtures whereby the City could realize savings or losses if it elected to furnish same.

"6. It is herewith recommended that the Contractor furnish all necessary materials and fixtures with the exception of three major items, these being concrete pipe, concrete encasement, and grout backfill which will be furnished by the City of Austin for this specific project.

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

"February 16, 1962

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

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, February 16, 1962 at the Office of the Director of the Water and Sewer Department for the installation of a 30-inch concrete sewer main in Little Walnut Creek, Section II, from U. S. Highway 290 to Cameron Road. The bids were publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>"Firm</u>	<u>Amount</u>	<u>Working Days</u>
J. R. Barnes Engineering Company	\$175,284.60	180
Karl Wagner, Incorporated	184,454.00	160
Capitol City Utilities	192,146.10	275
Bland Construction Company	192,845.40	160
Austin Engineering Company	193,741.50	190
Plymouth Products, Waco, Texas	203,668.50	150

"It is recommended that the contract be awarded to J. R. Barnes Engineering Company on their low bid of \$175,284.60 with 180 working days.

"Yours truly,
s/ S. A. Garza, Superintendent
Sanitary Sewer Division
s/ Albert R. Davis, Director
Water and Sewer Department"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin for the installation of a 30-inch concrete sewer main in Little Walnut Creek, Section II, from U. S. Highway 290 to Cameron Road; and,

WHEREAS, the bid of J. R. Barnes Engineering Company, in the sum of \$175,284.60 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of the Water and Sewer Department, and by the City Manager; Now, Therefore,

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

That the bid of J. R. Barnes Engineering Company, in the sum of \$175,284.60 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 J. R. Barnes Engineering Company.

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

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

Noes: None

MR. ROBERT SNEED appeared regarding the proposal of the South West Optimist Club to build another soft ball park for the City in exchange of the one the City is now operating, and the South West Optimist Club to sponsor a Senior League under their Little League program on the present location of the City soft ball park. The City Manager stated the Recreation Department opposed very definitely this proposal, as they used it under the Recreation program, and there is no place to relocate this field. The Director of Recreation stated no other area was large enough for relocating this soft ball diamond; and the tract of land under discussion was going to be a drainage ditch. The Director of Public Works made a report on the drainage problem and the proposal to take care of it by using the area in question as a drainage ditch. The City Manager stated not only was the Recreation Department opposed to relocation of its soft-ball park, but the Recreation Board likewise recommended against it. He stated it was suggested that the Senior League field be located somewhere else in Zilker Park rather than on the old soft-ball diamond, and displayed a sketch showing a location. (The proposed location is close to the bridge across Barton Creek where there is some filling being done, near the old Boy Scout Club Hut and the old Sunken Garden). The City Manager read the recommendation of the Parks Board, made at its special meeting on February 20th, recommending the Senior League Field be constructed on the proposed site east of the Club Hut and north of Robert E. Lee Road, and setting out certain conditions. He stated the Recreation Board was not acquainted with the fact there will be a drainage ditch there. The Director of Recreation discussed a site west of the present Harvey Williams Field, stating the Department could not move its soft ball field over there as there would be split maintenance cost and some engineering problems. He stated if Mr. Sneed wanted to use this area, some engineering would have to be done in the construction to protect the existing field. MR. SNEED stated if they located on the site west of the Harvey Williams Field, they would have to build two complete fields, which would be a real financial strain. The City Manager stated funds were not available for construction of the drainage ditch right now; and he did not know if the investment made on improvements on this location would be such that there would be a big loss if the Optimist Club were required to move them in two or three years. The Council decided to look at the areas.

The City Manager stated the Parks and Recreation Board also recommended that a study be made of the various Junior Baseball programs now operating, and that some policy be formulated to bring about better coordination of effort in the boys baseball program and to insure that all the leagues operate on a sound financial basis. The Director of Recreation stated he wanted to discuss this matter with the Council later.

The City Manager submitted a request from the AUSTIN CIVITAN CLUB, made through the Recreation Department to use the Municipal Golf Course for a Women's Professional Golf Association Tournament, June 7-10, 1962. He stated the Recreation Director had pointed out they would have to pay for extra police patrol needed to handle the traffic, and that the area around the clubhouse would not be available to them for concession purposes, and that any concession they might wish to place would have to be somewhere other than at the Clubhouse, or on the Number 1 or Number 10 tee; that the City would want additional public liability insurance. The City Manager stated the City would lose three or four hundred dollars in revenue, but the Recreation Director stated he believed this activity would generate interest in golf, and that the Civitan Club had been very cooperative in making donations to the recreation programs, and that he would recommend that they be granted the use of the Municipal Golf Course for this tournament. It was brought out the course would be tied up only four hours during the day, and that this tournament was on a national level. Mayor Palmer inquired about free plan tournaments. The City Manager stated they had a number that were crowding out the golfers. The Director of Recreation stated he had a set of policies he wanted to discuss with the Council concerning tournaments and fees. Councilman Perry stated he believed most of the golfers would be observing something big like this rather than playing. Finally after discussion, Councilman Shanks moved that the recommendation of the Recreation Director be accepted and the WOMEN'S PROFESSIONAL GOLF ASSOCIATION be granted permission to use the Golf Course for their tournament. The motion, seconded by Councilman White, carried by the following vote:

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

Mayor Palmer asked that proper publicity be given to this.

The City Manager stated from time to time in conversation with MR. IRBY CARRUTH, Superintendent of Austin Public Schools, that Mr. Carruth had pointed out there were several school sites outside the City limits. In December he had written asking that the following school sites be brought inside the city limits: PORTER JUNIOR HIGH SCHOOL, LANIER SENIOR-JUNIOR HIGH SCHOOL, and the JOHNSTON HIGH SCHOOL. On other occasions Mr. Carruth had mentioned the other sites. The reason for wanting to be annexed is due to their being penalized on their insurance rates by being outside the city limits. The City Manager stated he had a report on each of the School sites, which he wanted to discuss:

JOHNSTON HIGH SCHOOL (Gardner Road and Mayhall Drive). The City Manager stated the proposed annexation would include about 30 acres, and 15 acres of privately owned property between the School and the existing city limits. It would be possible to annex along the road only, but it would not be practical. Of the privately owned property, most of it is undeveloped with the exception of garages or storage houses. He discussed street development stating out of 6400 lineal feet, 3,400 had double penetration asphalt and the remainder was gravel. The Schools had always paid their part of the paving costs, but the City Manager pointed out the problem in this area would be due to lack of development.

The Mayor stated he would like to see the Schools ask the City to consider annexation before they constructed their buildings, and to try to work out their street patterns, utilities, etc. He stated on each site, the City should know the probable cost involved. He asked if the Schools would agree to pay the full cost of the road. The City Manager recommended that Johnston High School be annexed, as there would not be any immediate request for expenditures of money; and when the area were developed the developers would be required to do their part.

LANIER JUNIOR HIGH SCHOOL. It was stated the annexation would be only the school site itself, as the access street, Doris Drive, is already in the City. The City Manager stated the annexation of Lanier Terrace would give access to the south and stated plans included another roadway across the railroad tract to tie into Ohlen Drive. The City Manager stated there were no objections to annexing this tract, as future development would give better access.

PORTER JUNIOR HIGH SCHOOL, Prather Lane. The City Manager stated this would include 17.5 acres of the school site, and 4.5 acres in the adjacent streets. There are 2,000 lineal feet of streets with 50' right-of-way, and 1600 lineal feet with 60' right-of-way. The streets are gravel and asphalt surface. He stated access to the site was limited and should be improved by extension of Pack Saddle Pass from BenWhite Boulevard north to the property. The Mayor stated the area in the back of the school is finding itself flooded since the school has been built.

The City Manager stated mention was made of annexing PEARCE JUNIOR HIGH SCHOOL, FANNY ANDREWS ELEMENTARY SCHOOL, PECAN SPRINGS ELEMENTARY SCHOOL, GULLETT, and LUCY REED, which will come in with the subdivision. The City Manager stated it was his recommendation to go ahead with the annexation, as the problem of street paving is existing now, and the problem of access streets would not be accentuated by annexation. Councilman Shanks stated the Council should have a meeting with the School Board and point out the City's problems to the Board and Administration. Councilman Armstrong suggested postponing any action on these annexation requests until after a meeting is held with the School Officials.

The City Manager reported he had a letter from MR. GEORGE RIGGIN announcing that MR. CHARLES A. MEYERS would be in Austin on the Distributive Education Program and there would be a small gathering Thursday, February 22, at 6:00 P.M. Driskill Hotel.

The City Manager stated he had two letters from SOUTHERN UNION GAS COMPANY, one stating the gas shortage which developed (from January 9th to 13th) was a result of force majeure, and the gas company had no liability for failure to deliver gas; and the other letter stating that the adjustment in price would be made. (Copy of letters on file under POWER PLANT - Gas)

The City Manager stated he had a letter from the Chamber of Commerce concerning the Aircade for Citizenship action, on March 8th from 9:25 A.M. until 3:30 P.M. It was noted that Austin was one of the few stops that the Aircade is making, and the Council should reset its regular meeting on that date. The Mayor set the Council meeting for March 7th instead of March 8th.

The City Manager stated he had a letter from MR. IRBY CARRUTH, Austin Public School, stating the Administration, faculty, and Trustees of the Austin Public Schools, were inviting the City to participate in the Fourth B.I.E. Day, Tuesday, March 6th.

The City Manager stated the contract with MR. KEN WALLACE, Concessionnaire for operating pedal boats in the mouth of Barton Creek will expire on June 23rd. He stated after the contract was made last year, the Wendlandts wanted to bid on it, and the City Manager inquired if bids should be taken this year. The recommendation of the Director of Recreation was that a new contract be negotiated with the present operator at the rate of 25% of the gross receipts. The City Manager stated the operation brought in \$572.35 last season, which was 20% of the gross receipts. After discussion, the Council decided to let them submit a proposal.

The Assistant City Manager stated he had a report from the Traffic Engineer on the request for a traffic light at 24th and San Gabriel. The Mayor asked that he mail a copy of this report to the ladies at the Federated Women's Club who made the request, and explain what the recommendation of the Traffic Department is.

The City Attorney stated he had an opportunity to clear up part of a drainage problem by exchanging a very small piece of ground which has been acquired for \$200.00, with an adjoining land owner, ESTEVAN VALDEZ and wife. Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a deed on behalf of the City of Austin, conveying to Estevan Valdez and wife, Delores B. Valdez, the following described property, to-wit:

Being all of Lot 2, Block 1, Lincoln Gardens, Section One, said Lincoln Gardens, Section One being a subdivision of a portion of the J. C. Tannehill League in the City of Austin, Travis County, Texas, according to a map or plat of said Lincoln Gardens, Section One of record in Book 5 at page 4 of the Plat Records of Travis County, Texas; which Lot 2, Block 1, Lincoln Gardens, Section One, was conveyed by Monroe Clark, et ux to the City of Austin by Warranty Deed dated February 15, 1962 of record in Volume 2414 at pages 139-141 of the Deed Records of Travis County, Texas.

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

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

The City Attorney stated he had a unique request in that a property owner who has a place of business on a very busy down-town street had proposed to cut a niche in the wall large enough to install soft drink vending machines, so that the vending machines will be on private property, but the people passing by would have to stop using the sidewalks. The Health Inspector and Building Inspector state this would create several problems. The City Manager stated requests similar to this had been made many times right after the War and had been turned down. The City Attorney stated the gentleman had applied for a building permit and had been turned down. No action was taken by the Council.

The Mayor read a letter from MR. DAVID BURPEE, President W. Atlee Burpee Company, commending the City and expressing his pleasure of visiting in Austin.

The Mayor read a letter from Col. Bob Langford at Bergstrom Airfield, stating they were having a special Vendors' Day program, Wednesday, March 7th, to honor the local business men and to further the cordial relations between the base and the City, and to acquaint them with the needs of the Base, and to become better acquainted with the personnel at the base. Colonel Langford extended an invitation to a luncheon at 12:00 P.M. at the base.

The Council referred two letters, one from MRS. BARBARA ROBINSON, and the other from MRS. V. W. BITTLE, suggesting a name for the new lake, to the Town Lake Study Committee.

The City Manager stated the Council had declared the necessity to pave Trinity and 10th Street which are adjacent to the new post office site. Nothing was done about 9th Street, as it was not decided whether or not it would be closed or the grade changed. This declaration of necessity to pave creates a lien against the abutting property for the costs of paving. The Title companies have contacted the City about the costs of paving. The property owner needs to know how much they will have to pay. The Director of Public Works stated for a 60' street or commercial street, the cost would be \$4.69 per front foot for curb gutter and paving and he recommended that the \$4.69 per front foot be charged for the property on either side of East 10th Street and also on Trinity Street. The Council agreed.

The City Manager stated 9th Street would remain open and would be partially bridged by the Post Office Building, and the grade of 9th Street as it exists will be lowered at the east end. Since the City had committed itself to G.S.A. to lower the grade on Trinity from 9th to 10th, the First Baptist Church should be notified of that so their plans could be made accordingly.

The Council received notice from the City Manager that the following zoning applications had been referred to the Planning Commission and were set for hearing before the City Council on March 29, 1962:

AUSTEX DEVELOPMENT CO. By Marvin Turner Engineers	5728-5810 & 5731-5813 Wellington Drive 2000-2006 & 2001-2007 Dexmoor Drive 5800-5810 & 5801-5805 Belmoor Drive 2000-2010 & 2001-2019 Cheshire Drive	From "A" Residence To "BB" Residence
RALPH T. PARKER, Owner H.C. CARTER, JR. & PAUL R. BRANDT, Purchasers	2207-2211 Richcreek	From "A" Residence To "B" Residence
MARION EDWARDS, LAWRENCE F. HARBESON, THELMA MURPHY AND JULIA I. REED EST.	3507-3707 Cedar Street 106-110 West 35th Street	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area
HARRY M. GILSTRAP	905 East 41st Street	From "O" Office To "C-1" Commercial
HOWARD PIERSON ESTATE, WILLIAM H. PIERSON, Guardian, By Frank Douglass	Rear of 102-108 E. North Loop	From "BB" Residence To "C" Commercial
MRS. ANTONIA B. TREVINO & LOUIS SILBERSTEIN	615 East 12th Street 1112-1116 Sabine	From "B" Residence 2nd Height & Area To "C" Commercial 2nd Height & Area
THOMAS B. BEATTY, By Byron Fullerton	1009-1017 East 11th Street	From "C" Commercial 2nd Height & Area To "C-1" Commercial 2nd Height & Area
P. E. WORSHAM	801-805 Tirado Street	From "A" Residence 6th Height & Area To "C" Commercial 6th Height & Area
W.S. BIRDWELL, JR., J. J. PICKLE and ROBERT MUELLER	609-613 East 12th Street	From "B" Residence 2nd Height & Area To "C" Commercial 2nd Height & Area
THOMAS BLACK, Trustee By Reuben Kogut	1813 (1809) Guadalupe Rear of 317-319 West 19th Street	From "C-1" Commercial 3rd Height & Area To "C-2" Commercial 3rd Height & Area

W. B. HOUSTON
By Dan Priest

2800 Nueces Street
600-602 West 28th Street

From "B" Residence
3rd Height & Area
To "O" Office 3rd
Height & Area

MARTIN L. ANDERSON
By John C. Truehardt &
John P. Cavileer, Jr.

1007-1009 East 40th
Street

From "A" Residence
To "O" Office

PARK L. MYERS

5100-5102 Duval
406 East 51st Street

From "C" Commercial
To "C-1" Commercial

MONTANDON & PIHLGREN CO., 313 East 16th Street
By Arthur E. Pihlgren

From "B" Residence
2nd Height & Area
To "O" Office 2nd
Height & Area

N. O. POPE
By Arthur Pihlgren

2107 Holly Street

From "A" Residence
To "C-1" Commercial

There being no further business, the Council adjourned at 12:30 P.M.,
subject to the call of the Mayor.

APPROVED

L. E. Palmer
Mayor

ATTEST:

Elaine Hooley
City Clerk