MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 6, 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. JOHN TOWERY, Congregational Church.

MISS WHITLOW, a graduate of Austin High School, and of O. Henry Junior High, noted September 11th as being the 100th anniversary of O. Henry's birth, and listed the plans being made to observe this birthdate. She said Mr. TRUEMAN O'QUINN, an authority on O. Henry, was scheduled to speak to the Junior High School next Tuesday morning, and she and other graduates were donating the complete works of O. Henry to the Library. She asked the Council to proclaim Tuesday, September 11th, "O.Henry Day". Mr. O'Quinn gave a brief history of William Sidney Porter. Councilman Armstrong moved that the week of September 9th be proclaimed as "O. HENRY WEEK" with special commemoration of Tuesday, September 11th, which would have been his 100th birthday. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman White moved that the Minutes of the Meeting of August 30, 1962, be approved. The motion, seconded by Councilman Armstrong, carried by the following vote:

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

Pursuant to published notice thereof, at 10:30 A.M. Mayor Palmer announced that the public hearing on paving portions of the following streets was open:

Street	From	To
Caney Street	East 1st Street	East 3rd Street
Cotton Street	Comal Street	Navasota Street
Garden Street	Waller Street	Comal Street
Guadalupe Street	West 51st Street	North Loop
Maple Street	East 16th Street	East 19th Street
Mildred Street	East 1st Street	Holly Street
Navasota Street	East 1st Street	Haskell Street
Northwestern Avenue	Webberville Road	Rosewood Avenue
Onion Street	East 3rd Street	East 4th Street
Poquito Street	East 16th Street	East 19th Street
Riverview Street	Chalmers Avenue	Chicon Street
Robinson Avenue	211' S.of E.28th St.	East 30th Street
Santa Rosa Street	Canadian Street	Pedernales Street
Sol Wilson Avenue	Hargrave Street	222' N.of Euneva Street
Springdale Road	E. 12th Street	E. 19th Street
E. 3rd Street	Comal Street	Navasota Street
E. 18th Street	Chicon Street	Poquito Street
E. 28th Street	East Avenue	Dancy Street

There being no persons appearing, Councilman Shanks moved that the hearing be closed. The motion, seconded by Councilman White, carried by the following vote:

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

Mayor Palmer introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERE THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE

OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE. (Caney Street 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 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 that the ordinance had been finally passed.

MR. CHARLES N. AVERY, JR., submitted a letter to the Mayor and Council, appealing to the Council that it give consideration to the removal of the $20,000,000 restriction which it had imposed on prospective bidders for supplying gas requirements to the Power Plant for the 20 year period. He stated there may be some corporations that do not have a $20,000,000 structure, but that did have the know-how, gas reserves, and men of ability who could produce on this contract. He noted the L.C.R.A. had not imposed such a restriction on its bidders. The Mayor stated the Council would discuss this letter with the City Manager and City Attorney and give him an answer. The Mayor noted this requirement was less than 10% of what the contract would be.

At this point Councilman Perry left the Council Meeting for a brief absence.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by instrument dated August 9, 1935 of record in Volume 526 at page 131 of the Deed Records of Travis County, Texas, a certain drainage easement was granted in, upon and across Lot 5, Block 18 of the Christian and

Fellman Addition, a subdivision in the City of Austin, Travis County, Texas, according to a map or plat of said Christian and Fellman Addition of record in Book 1 at page 41 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of said property has requested the City Council of the City of Austin to release the hereinafter described easement; and,

WHEREAS, the City Council has determined that the hereinafter described easement is not now needed and will not be required in the future; Now, Therefore,

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

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described drainage easement, to-wit:

> All of that certain drainage easement which traverses Lot 5, Block 18 of the Christian and Fellman Addition, a subdivision in the City of Austin, Travis County, Texas, according to a map or plat of said Christian and Fellman Addition of record in Book 1 at page 41 of the Plat Records of Travis County, Texas, which drainage easement is described in an instrument dated August 9, 1935 of record in Volume 526 at page 131 of the Deed Records of Travis County, Texas.

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

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

The City Manager submitted the following:

"September 4, 1962

"W. T. Williams, Jr., City Manager Assessment Paving Contract No.62-A-14

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, September 4, 1962, for the construction of approximately forty-eight (48) blocks of pavement and accessories known as Assessment Paving Contract Number 62-A-14, consisting of 23 units.

R. B. Bowden Construction Company	$126,817.87
Werneburg Construction Company	127,556.55
Allen, Heidt & Badgett, Inc.	131,147.42
Lee Maners	133,718.92
Giesen & Latson Construction Company, Inc.	140,199.28
Ed H. Page	143,038.20
City's Estimate	$134,942.09

"I recommend that R. B. Bowden Construction Company with their low bid of

$126,817.87 be awarded the contract for this project.

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

Councilman Armstrong offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 4, 1962, for the construction of approximately forty-eight (48) blocks of pavement and accessories known as Assessment Paving Contract Number 62-A-14, consisting of 23 units; and,

WHEREAS, the bid of R. B. Bowden Construction Company, in the sum of $126,817.87, was the lowest 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 R. B. Bowden Construction Company, in the sum of $126,817.87, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with R. B. Bowden Construction Company.

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

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there has been submitted to the Building Inspector, the application of Mr. Ed.Horn for a building permit together with a site plan dated September 6, 1962, meeting the requirements of Section 10-B, 3 of the Zoning Ordinance of the City, for certain building establishment at 211 West 17th Street, more particularly described in said application; and,

WHEREAS, it has been found and determined by the City Council of the City of Austin that, based upon the use of the premises for the purpose of an Apartment Hotel Building the maximum number of parking spaces which will probably be used by employees and customers of such establishment, taking into account the loading facilities on the site, the public parking areas and street space available for parking in the vicinity, public safety, and free circulation of traffic both on and off the site, is Thirty (30) parking spaces; Now, Therefore,

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

That Thirty (30) spaces is an adequate number of parking spaces for the

establishment shown on the site plan of Ed. Horn dated September 6, 1962, for use of the premises for the purpose of an Apartment Hotel.

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

The Council had before it the following zoning applications deferred from last week:

JAMES W. CROW By Trueman O'Quinn	917 Reinli Street	From "A" Residence 1st Height & Area To "C" Commercial 2nd Height & Area RECOMMENDED by the Planning Commission

Councilman Shanks moved that the change to "C" Commercial 2nd Height and Area be granted. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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ASSOCIATES, INC. By Trueman O'Quinn	901-905 Reinli Street	From "A" Residence 1st Height & Area To "C" Commercial 1st Height & Area RECOMMENDED by the Planning Commission

Councilman White moved that the change to "C" Commercial 1st Height and Area be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial 1st Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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51ST STREET CORPORATION By Gibson R. Randle	1014-1022 East 51st Street 5100-02 Interregional Highway	From "LR" Local Retail 1st Height & Area and 5th Height & Area To "C" Commercial 1st Height & Area and 5th Height & Area NOT Recommended by the Planning Commission

Mr. Trueman O'Quinn represented the applicants and reviewed previous zoning, and his files on the right-of-way question. The Mayor stated Mr. Randle had discussed the zoning with him, and it was thought there may have to be a short-form subdivision plat filed for development, and the Council would check to see what was required and vote on it next week.

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Councilman Armstrong moved that DOWN TOWN OPTIMIST CLUB be granted permission to sell Christmas Trees on Lamar and San Gabriel. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Armstrong offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the erection of a boat dock on the property owned by Warren M. Beaman II as described in the Travis County Deed Records and known as Abstract No. 21, Survey-1, Wilkinson-Sparks 1/4 League, Travis County, Bounded by Westlake Drive on the South and the South bank of Bee Creek on the North, and hereby authorizes the said Warren M. Beaman II to construct, maintain and operate this boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. 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, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said Warren M. Beaman II has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
September 6, 1962

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

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of Warren M. Beaman II, owner of property abutting on that part of Lake Austin lying downstream from the westerly extension of the south line of Windsor Road, the same being described as follows: Abstract No. 21, Survey-1, Wilkinson-Sparks 1/4 League, Travis County, Bounded by Westlake Drive on the south and the south bank of Bee Creek on the north, as recorded in the Travis County Deed Records; for permission to construct and maintain a boat dock projecting out into the lake approximately twenty-three (23) feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Warren M. Beaman II is granted his request by the City Council, that it be subject to the following conditions:

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

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

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

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

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

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

The City Manager reported that Mr. Eldridge had completed the specifications for the 48" raw water line from the intakes up to the Filter Plant No. 2, and the plans were on the table in the Mayor's Office. Councilman White moved

that the City Manager be authorized to advertise for bids on this 48" water line. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The City Manager stated he had a petition from some of the employees who work in the Tabulating Division and Accounting Department and who would like to acquire a Hi Fi system and pay for the cost of it and get music piped in. They want to do this at their own expense. Councilman Shanks moved that the City Manager be authorized to get estimates on the cost for the entire City Hall and another estimate covering just the tabulation room, and see if the Civil Defense would cover part of the expense. The motion, seconded by Councilman Armstrong, carried by the following vote:

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

COUNCILMAN PERRY entered the Council Meeting at this time.

Councilman White moved that dates to hear tax appeals be set as follows:

10:00 A.M. - October 1, 1962:

JOHN H. CHILES, JR. - 400 Lavaca
MAX SILBERSTEIN, By John F. Campbell - 2306 Guadalupe Street
CAPITOL AMUSEMENT CO., By J. P. Darrouzet - personal property
J. J. PICKLE - 2200 Rosewood (Nursing home)

10:00 A.M. - October 2, 1962:

ALLANDALE SHOPPING CENTER, By F. F. Knight
EAGLE PROPERTIES, INC., By L.H. Klaeveman - 6600-6800 blocks of Glindo Street south side,
and
GARDEN OAKS, also by L.H. Klaeveman - 3300 Block of South 3rd and 1000 block of Cardinal Lane
LOUIS A. JOSEPH, 1619-1621 East 1st Street
M. H. CROCKETT, By Rogan Giles - 150 E. Riverside
DELWOOD CENTER, INC., By Rogan Giles - 1300 E.38½ St.

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

The City Manager reported when the new tabulation equipment is in operation, a better job will be accomplished in getting out the utility bills. He stated the printing on the back of the IBM cards was expensive, but now, at no more cost,a return envelope can be provided and the bills be mailed out in envelopes bearing the printed information on them, the locations of the paying stations, etc. He displayed a sample of the two envelopes. The Council expressed approval.

The City Manager made a report on a traffic study he had requested on the angle parking in some of the down town area. After discussion, Councilman White moved to go from angle parking back to parallel parking on the following streets:

Street	From	To
East 11th Street	Brazos Street	Congress Avenue
West 10th Street	Congress Avenue	Colorado Street
East 9th Street	Brazos Street	Congress Avenue
West 8th Street	Congress Avenue	Colorado Street

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

The City Manager stated the Traffic Engineer had also suggested as the one-way street system is set on the east part, that parallel parking be established on San Jacinto in the 1400, 1500 and 1800 blocks. It was also suggested that this be done before school opens. Recommended was to change the parking to parallel parking on West 10th from Colorado to Lavaca; and on West 6th from Lamar to Baylor on the north side.

The City Manager made a report on the extension of one-way streets in the down town area stating it was recommended to extend the one-way patterns on the following:

Seventh and Eighth Streets to the East Service Road of the Expressway.
Ninth and Tenth Street to Trinity Street.
Trinity Street from E. 1st Street to San Jacinto (north of E. 19th Street) northbound.
San Jacinto from Trinity (north of E. 19th Street) to E. 1st Street, southbound.

Councilman Shanks moved that the City Manager be authorized to bring in a resolution putting this into effect. The motion, seconded by Councilman White, carried by the following vote:

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

The Director of Public Works stated he had a request to vacate an alley in the vicinity of the area north of 26½ Street near Waller Creek, and stated the request had been referred to the Planning Commission twice; and both times the Commission had recommended against the vacating of the alley. He said it was needed for drainage. The property owner keeps requesting that the alley be vacated although he has explained that it is not recommended that it be closed. The Mayor stated the Council would make a personal inspection of the area.

Councilman White moved that the City Manager be authorized to dispose of the obsolete equipment at the old Power Plant. The motion, seconded by Councilman Armstrong, carried by the following vote:

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

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOTS 1-11, BLOCK B, AND LOTS 1-13, BLOCK C, DELWOOD TERRACE, SECTION 1, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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, Mayor Palmer
Noes: Councilman White

The ordinance was read the second time andCouncilman 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, Mayor Palmer
Noes: Councilman White

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, Mayor Palmer
Noes: Councilman White

The Mayor announced that the ordinance had been finally passed.

The Mayor announced invitations to the Council as follows:

Soft Ball Game, September 7th, on Butler Diamond, for benefit of Cystic Fibrosis, issued by KNOW and KTBC

Fourth U.S. Army Area conference, 8:00 A.M., Summer House, Terrace, on November 5, 1962.

County Treasurers Conference - September 25, 1962 - 9:00 A.M., Austin Hotel
Air Defense Command invitation to visit headquarters in Colorado.
Automobile Manufacturers Association - October 23rd-24th.
New Ice Skating Rink opening - September 14th, 8:00 P.M.
Portland Cement Association Meeting - September 11th, 6:30 P.M. Viceroy Room, Commodore Perry Hotel.

The Director of Planning reviewed the following zoning file pending since 1959:

FRANK BARRON	4905-5033 Manor Road	From "A" Residence To "C" Commercial

It was recommended "GR" General Retail when the subdivision with the dedication of East 51st Street had been completed. He asked if the application should be reheard, or continued. The Mayor asked that he discuss this with the Planning Commission and report back.

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Councilman Armstrong reported a request for the change of name of Oltorf Street to LaPrell. It was pointed out it would not be advisable to change the name of this big thoroughfare, unless 100% of the people asked for it.

Councilman Armstrong reported a drainage problem on the property of Mr. Kingsbury on Parkway. Mr. Kingsbury believed with just a little work this could be corrected. The matter was referred to the City Manager.

Councilman Armstrong stated Mrs. Ludwig, 701 East 24th Street, made a complaint about the garbage collector's denting the garbage can lid.

Councilman Armstrong reported a request for a traffic light at South 1st and West Mary. He reported the stop signs had been changed on Riverside Drive and Interregional, and this had helped out greatly.

Councilman Perry inquired about the policy of the City when police cars are involved in wrecks, and referred to a particular instance where a police car collided with a car parked at the curb, and quite a bit of damage was done to this man's car. The Mayor explained the City's position, and stated the Police Officer might have carried personal insurance.

Councilman Armstrong reported an incident that would come under "Public Relations", stating a gentleman was putting in a heavier air conditioning unit, and the young lady at the City Hall who was talking to him told him he could not turn it on until he paid an additional deposit. He asked if he could mail his check, and he was told he would have to bring it in, as that was what the book said. The gentleman is willing to pay.

Councilman Perry 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 creation of an east-west thoroughfare to connect West 38th Street, West 35th Street, and Bull Creek Road in the vicinity of the point at which West 38th Street crosses Shoal Creek, in order to provide for the free and safe flow of traffic in the indicated area within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right-of-way to permit the creation of the indicated thoroughfare section; and,

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

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

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

> Being all of those certain three (3) tracts of land out of and a part of Block 18, Glen-Ridge, said Glen-Ridge being a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Glen-Ridge of record in Book 1 at Page 65 of the Plat Records of Travis County, Texas; which certain three (3) tracts of land were conveyed to Billy McElroy, et ux, by warranty deed dated August 28, 1950, of record in Volume 1101 at page 283 of the Deed Records of Travis County, Texas. (Billy McElroy, et ux)

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

Councilman Perry 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 creation of an east-west thoroughfare to connect West 38th Street, West 35th Street, and Bull Creek Road in the vicinity of the point at which West 38th Street crosses Shoal Creek, in order to provide for the free and safe flow of traffic in the indicated area within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right-of-way to permit the creation of the indicated thoroughfare section; and,

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

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

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

> Being all of Lots 11, 12 and 13, Block 16, Glen-Ridge, said Glen-Ridge being a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Glen-Ridge of record in Book 1 at page 65 of the Plat Records of Travis County, Texas; which Lots 11, 12, and 13, Block 16, Glen-Ridge, were conveyed to Hugo Leipziger-Pearce, et ux, by warranty deed dated January 24, 1957 of record in Volume 1785 at page 543 of the Deed Records of Travis County, Texas. (Hugo Leipziger-Pearce, et ux)

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

Councilman Perry 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 creation of an east-west thoroughfare to connect West 38th Street, West 35th Street, and Bull Creek Road in the vicinity of the point at which West 38th Street crosses Shoal Creek, in order to provide for the free and safe flow of traffic in the indicated area within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right-of-way to permit the creation of the indicated thoroughfare section; and,

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

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

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

> Being all of Lot 10, Jefferson Street Addition, said Jefferson Street Addition being a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Jefferson Street Addition of record

in Volume 530 at page 234 of the Deed Records of Travis County, Texas; which Lot 10, together with other property, was conveyed to Chester Williams, et ux, by warranty deed dated December 28, 1936 of record in Volume 554 at page 343 of the Deed Records of Travis County, Texas. (Chester Williams, et ux)

The motion, seconded by Councilman White, 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)

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

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

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

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

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

Being all of those certain two (2) tracts of land out of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, which were conveyed to Paul J. Willhoite by those certain deeds which are respectively, (1) Dated July 13, 1943 of record in Volume 721 at Page 383 of the Deed Records of Travis Connty, Texas; and (2) Dated August 29, 1946 of record in Volume 896 at Page 366 of the Deed Records of Travis County, Texas; said two (2) tracts shown as Lots 4 and 5, Block 1 on the map or plat of Mohle Addition, a subdivision plat which is of record in Book 4, Page 315 of the Plat Records of Travis County, Texas, references to which deeds and plat are here made for all purposes. (Paul J. Willhoite)

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

Mayor Palmer brought up the following ordinance for its second reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT ON LOTS 7 AND 8, OUTLOT 46, DIVISION "E", LOCALLY KNOWN AS 1509-1511 COLORADO STREET AND 107-111 WEST 16TH STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the second time and Councilman Perry 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 Perry 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.

The Council recessed until 2:30 P.M.

RECESSED MEETING 2:30 P.M.

The Council resumed its business at 2:30 P.M.

MAYOR PALMER stated the Council wanted to discuss the intravenous equipment with DR. ROBERT MORRISON, Chief of Staff at Brackenridge Hospital, and DR. R. O. SWEARINGEN. He said there were some reports recommending that a change be made in this equipment; but before cancelling out a contract with a major concern the Council wanted to hear from the Doctors. Dr. Morrison and Dr. Swearingen discussed the matter and their report in detail. In conclusion, Councilman Perry asked that Dr. Swearingen put on the bottom of the report, "We the undersigned request that the City of Austin cancel the contract it has with American Sterilizer Company and put this out on bids to the three companies mentioned which would be acceptable to the staff at the hospital", and signed by the people who made this report, by the Executive Committee, Chief of Staff, and by other members of the Medical Staff.

The City Manager stated if he could get a list of products that are acceptable to the staff, the Council could review them. It would be beneficial if possible to get a dozen manufacturers which any of their drugs would be acceptable, and then bids could be taken from these dozen manufacturers for a year's supply of drugs and the doctors would have a type of product that would be satisfactory to them.

The Mayor stated after the Council receives the signatures, it will again ask Mr. Wilson and Mr. Eskew to check into the contract; and have a conference with The American Sterilizer Company and American Hospital Supply Corporation.

Councilman Shanks moved that the tentative tax rate for 1962 be set as follows:

General Government - $ .81
Debt Service - .34

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

The Council received notice from the City Manager that the following zoning applications had been referred to the Planning Commission and set for hearing before the City Council on October 11, 1962:

MRS. CLYDIA BROWNING	501 Montopolis Drive 6301-05 El Mirando St.	From "A" Residence To "GR" General Retail
ALLANDALE HOMESITES, INC. By W.W. Patterson	7418-7548 Burnet Road 2401-15 & 2400-14 Richcreek	From "A" Residence 1st Height & Area and Interim "A" Residence 1st Height & Area and "C" Commercial 6th Height & Area To "C" Commercial 6th Height & Area
NORTHTOWNE COMPANY, Lawson Ridgeway By Conway Taylor	8108-22 Burnet Road	From "A" Residence To "C" Commercial
R. GRAHAM WILSON	1108 West 22nd Street	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area
JAMES KITCHEL, et al	4401,4403,4407 Russell Drive 1701-05 W.Ben White Boulevard	From "O" Office and "LR" Local Retail To "GR" General Retail
MARY WADSWORTH	7105-7107 Bethun Avenue	From "A" Residence To "C-2" Commercial
THOMAS W. MALONE	1211-1215 E.52nd Street	From "A" Residence To "BB" Residence
DR. DAN M. QUEEN By Dan Priest	4904-06 Interregional Highway	From "A" Residence To "C" Commercial

CHESTER C. BURATTI	500 East 8th Street 801-05 Neches Street	From "B" Residence To "C" Commercial
FRIEN E. GATLIFF	2317-2319 Forest Avenue 204-206 West Oltorf St.	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area
ROLLINS MARTIN	4703 East 12th Street	From "C" Commercial To "C-2" Commercial
MARY JABOUR By Arthur Jabour	3207-3211 East Avenue	From "A" Residence To "C" Commercial
HOWARD ONSTOT, et al By C. T. Uselton	200-206, 302-304, & 308-312 West 38th St.	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area
MACE B. THURMAN	1607-09 Interregional Highway	From "C" Commercial To "C-1" Commercial
C. B. MAUFRAIS	131-143 South 1st Street	From "D" Industrial To "C-1" Commercial
EVERETT D. BOHLS By Mrs. Freddy Wells	1918 Rosewood 1150½-1152½ Poquito	From "C" Commercial To "C-1" Commercial
FRANK C. BARRON & L. S. LANDRUM	5300-5304 Woodrow Ave. 1400 North Loop Blvd.	From "A" Residence To "GR" General Retail
THEO P. MEYER, JR.	4204-4212 Red River	From "A" Residence To "C" Commercial
JAMES H. HAWLEY & STEPHEN K. HAWLEY	904 West Avenue	From "B" Residence To "O" Office
BURKE MATTHEWS	209-215 North Loop Boulevard	From "C" Commercial To "C-1" Commercial
T. A. KIRK By Isom H. Hale & Associates	Tract 1 7539-7549 North Lamar 721-731 Morrow Street	From "B" Residence 2nd Height & Area To "C-1" Commercial 1st Height & Area
	Tract 2 7513-27 North Lamar	From "B" Residence 2nd Height & Area To "C" Commercial 1st Height & Area
WAYNE BURNS COMPANY By Isom H. Hale & Associates	7504-7548 Guadalupe 601-719 Morrow Street	From "B" Residence 2nd Height & Area To "A" Residence 1st Height & Area

There being no further business the Council adjourned subject to the call of the Mayor.

APPROVED Austin E. Palmer
Mayor

ATTEST:

Elsie Moosley
City Clerk

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF AUSTIN:

Notice is hereby given that a Special Meeting of the City Council of the City ofAustin will be held on the 11th day of September, 1962, at the Municipal Building, Eighth and Colorado, in Austin, Texas, at 10:00 A.M. for the purpose of holding a public hearing on the Budget for the fiscal year 1962-1963 (October 1, 1962 - September 30, 1963)

s/ Elsie Woosley
City Clerk

s/ Lester E. Palmer
Mayor
City of Austin, Texas

ATTEST:

s/ Elsie Woosley
City Clerk

CONSENT TO MEETING

We, the undersigned members of the City Council, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said City Council shall meet at the time and place therein named, and for the purpose therein stated.

s/ Edgar Perry

s/ R. C. Armstrong

s/ Louis F. Shanks

s/ Ben White