

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 22, 1960
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Pro-tem Palmer presiding.

Roll call:

Present: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Absent: Mayor Miller

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 COUNCILMAN EDGAR PERRY.

Councilman White moved that the Minutes of the Meeting of December 8, 1960, be approved as corrected, pertaining to the paragraph on insurance. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

MAYOR PRO-TEM PALMER announced that honor was being bestowed upon MR. JOHN A. LUCKEY, who was retiring from the City today, after 46 years and eight months of service with the Fire Department, in which Department he had served as Hoseman, Captain, Assistant Chief, and District Chief; and had served in the Fire Training Division for the past 25 years, heading the division for the past 10 years. Mayor Pro-tem Palmer presented the Citation to Mr. Luckey. Councilman Bechtol said he would like to point out that there are so many fine employees working for the public, and the Fire Department is a credit to Austin for the reason it has had people like CHIEF LUCKEY conducting a training program. Councilman White told Mr. Luckey he had done a wonderful job, and wished him well in his retirement. Councilman Perry commended Chief Luckey on his training program. Mr. Luckey expressed appreciation for this honor which the City Council is bestowing on him and stated it had been a pleasure working for the City all of these years. Chief Dickerson commended Mr. Luckey on his public relation activities stating he was the Department's good-will ambassador. Assistant Director of Public Safety, JOHN WOODY commended him on his many years of good service.

Mayor Pro-tem Palmer announced that several months ago, Councilman White suggested that recognition be given to one who had served the City for a long period, and asked COUNCILMAN WHITE to award a plaque citing this appreciation. Councilman White awarded a plaque to MR. HUGO KUEHNE, stating that the Council wanted to express its appreciation for the many years of service he had given to the community on the Planning Commission and also on the Board of Adjustment, and commended Mr. Kuehne on the wonderful and excellent job he had performed. Each Council member and the Mayor Pro-tem expressed his thanks and appreciation to Mr. Kuehne. MESSRS. WYNNE GUSTAFSON, RONALD BYRAM, S. P. KINSER, HOWARD E. BRUNSON, EMIL SPILLMAN, DAVE BARROW, past and present members of the Planning Commission and DAVE SHIPWASH, member of the Board of Adjustment, spoke words of praise for Mr. Kuehne's services, as did members of the Planning Department, MR. HOYLE OSBORNE and MISS JEWELL OSBURN.

Mayor Pro-tem Palmer brought up the following ordinance for its third 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 "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT ON LOTS 13, 14, 15, 18 AND 19, J.K.P. McFALLS SUBDIVISION, LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS,

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

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer
Noes: Councilman Perry
Absent: Mayor Miller

The Mayor Pro-tem announced that the ordinance had been finally passed.

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Missouri-Pacific Railroad Company has granted permission for the City of Austin to install an 8-inch gravity flow sewer line across its railroad right-of-way at a point on the said Railroad's right-of-way approximately 10,172 feet east of the west line of the Decker Survey, measured along the said right-of-way, at Mile Post 182/01, subject to the execution of a Pipe Line License Agreement and the payment of a \$25.00 fee to cover license preparation, Now, Therefore,

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed on behalf of the City, to execute the Pipe Line License Agreement

with the Missouri-Pacific Railroad Company according to the terms and conditions of said Pipe Line License.

BE IT FURTHER RESOLVED:

That the City Clerk is hereby authorized and directed to keep this Resolution together with the attached Pipe Line License Agreement above described in the permanent files of the City of Austin without recording said Pipe Line License Agreement at length upon the Minutes of the City Council.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Director of Aviation was present to discuss a lease of a parcel of land 60'x120' for a hanger building for storage of aircraft--an open shed hanger instead of a T-hanger, which would be constructed at the lessee's expense, and will be leased at four cents per square foot per year. After discussion, 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 Manager be and he is hereby authorized and directed to enter into a lease and agreement on behalf of the City of Austin with Ragsdale Aviation, Inc., and Robert L. Ragsdale, dba Ragsdale Flying Service, in accordance with the terms and provisions of a certain contract exhibited to the City Council; and,

BE IT FURTHER RESOLVED:

That the City Clerk is hereby directed to file a copy of said lease and agreement in the permanent records of her office without recordation in the Minutes of the City Council.

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller
Not in Council Room when vote was taken: Councilman Bechtol

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin, by motion duly passed on November 10, 1960, authorized W. T. Williams, Jr., City Manager, to execute a deed conveying the city-owned tract immediately to the south of Dr. Senter's property on the Interregional Highway to Dr. Senter, the adjoining owner, for the sum of \$13,000.00; and,

WHEREAS, such conveyance has been duly made, at the request of Dr. Senter, to E. H. Wainwright, for the sum of \$13,000.00; and,

WHEREAS, in the interest of making the record of this transaction clear as it will appear in the Deed Records of Travis County, Texas, it is desirable that the City Council of the City of Austin confirm its action of November 10, 1960 and describe with more particularity the tract of land to be conveyed by W. T. Williams, Jr., Now, Therefore,

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

That, W. T. Williams, Jr. be in all ways and manners confirmed in his sale of the hereinafter described tract of land to E. H. Wainwright in accordance with authorization granted by the City Council November 10, 1960, said tract of land mentioned in said motion of November 10, 1960 being more particularly described as follows:

19,060 square feet of land, said 19,060 square feet of land being out of and a part of that certain portion of Block T, Ridgetop Fourth Addition, a subdivision of a portion of the James P. Wallace Survey No. 57 in the City of Austin, Travis County, Texas, according to a map or plat of said Ridgetop Fourth Addition of record in Book 3 at page 46 of the Plat Records of Travis County, Texas, said 19,060 square feet of land being out of and a part of that certain tract of land which was conveyed to the City of Austin, Travis County, Texas by Warranty Deed dated August 4, 1948 of record in Volume 915 at page 419 of the Deed Records, Travis County, Texas, said 19,060 square feet of land being more particularly described by metes and bounds as follows:

Beginning at an iron stake at the southeast corner of the herein described tract of land, same being on the west right-of-way line of the Interregional Highway and from which point of beginning the point of intersection of the north line of East 49th Street with the said west right-of-way line of Interregional Highway bears South 30° 15' West 123.84 feet;

THENCE along the south line of the herein described tract of land same being the south line of the City of Austin tract of land, North 60° 31' West 190.60 feet to an iron stake, same being at the southwest corner of the said City of Austin tract of land and at the southwest corner of the herein described tract of land;

THENCE, along the west line of the said City of Austin tract of land, North 30° 15' East 100.00 feet to an iron stake at the northwest corner of the said City of Austin tract of land, same being the northwest corner of the herein described tract of land;

THENCE, along the north line of the said City of Austin tract of land, South 60° 31' East 190.60 feet to an iron stake at the northeast corner of the herein described tract of land same being on the west right-of-way line of the Interregional Highway;

THENCE, with the west right-of-way line of the Interregional Highway

South 30° 15' West 100.00 feet to the point of beginning.

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

Ayes: Councilmen Perry, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

Not in Council Room when vote was taken: Councilman Bechtol

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 the erection of a boat dock on the property leased by Mr. P. P. Cooper the same being a one acre of the Fritz Hughs tract owned by L.C.R.A., as listed in the Travis County Deed Records, and hereby authorizes the said P. P. Cooper to construct, maintain, and operate the 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 revocations is retained if, after hearing, it is found by the City Council that the said P. P. Cooper has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
December 22, 1960

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

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of P. P. Cooper, lessee of the property abutting on that part of Lake Austin lying upstream from the Westerly extension of the south line of Windsor Road, and being just below the low water bridge near Mansfield Dam, the same being a part of the Fritz Hughs tract and owned by L.C.R.A. as recorded in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out in the lake approximately six (6) feet beyond the normal high water level. The construction details meeting all requirements, I recommend the if Mr. P. P. Cooper 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 of 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 Inspector"

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The City Manager discussed a refund contract in Sherwood Oaks, concerning the pavement of East Side Drive through the subdivision, and stated the refund contract covered only installation of water mains and sanitary sewer mains. He stated no notice had been given that the subdivider was about to pave, and the required procedures were not complied with. Referring to a plat, the City Attorney pointed out the area as a private drive and not a public street. After discussion, Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH SOUTHERN OAKS DEVELOPMENT COMPANY; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY. (Water and sanitary sewer mains in Sherwood Oaks, Sections 1 and 2)

The ordinance was read the first time and Councilman Bechtol 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 Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The ordinance was read the second time and Councilman Bechtol 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 Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

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

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Mayor Pro-tem announced that the ordinance had been finally passed.

Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH NELSON PUETT; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY. (Water and sanitary sewer mains in South Terrace Addition)

The ordinance was read the first time and Councilman Bechtol 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 Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The ordinance was read the second time and Councilman Bechtol 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 Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

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

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Mayor Pro-tem announced that the ordinance had been finally passed.

Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE VACATING AND CLOSING TO PUBLIC TRAVEL THAT PORTION OF DeVERNE STREET LYING WEST OF RAE DELL STREET; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE 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 Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

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 Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

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

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Mayor Pro-tem announced that the ordinance had been finally passed.

Action was postponed on awarding contract to GERSTENLAGER COMPANY of Wooster, Ohio, for one Mobile Book Trailer for Library. (\$13,082.75)

Councilman White offered the following resolution and moved its adoption:
(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 19, 1960, for the furnishing of milk and cream to Brackenridge Hospital and Austin-Travis County T. B. Sanatorium; and,

WHEREAS, the bid of Oak Farms Dairies in the sum of \$11,599.64 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Oak Farms Dairies in the sum of \$11,599.64 be, and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Oak Farms Dairies.

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The City Manager announced that bids for ice cream and sherbert and for bread and rolls had been taken, and each contract was in small amounts which did not require Council action. LILLY FRESH had the low bid for ice cream and sherbert at \$2,900 for six months, and RAINBOW had the low bid for bread and rolls at \$1,800 for six months.

Pursuant to published notice thereof a public hearing on change of ZONING TEXT to add a new provision in Section 4, so as to allow beauty shops in "A" Residence District as permitted accessory use subject to certain conditions, was held. MR. DAVID BARROW, Chairman of the Planning Commission, submitted the recommended change, and explained the many phases involved in locating beauty parlors. The Director of Planning reviewed points considered by the Planning Department. Opposition was expressed to the change by MRS. MILLARD RUUD, President, League of Women's Voters, MRS. GEORGE FRANCISCO, MRS. HELEN MITCHELL, members of the League; by MR. BUFORD SPEIR, Speirs Beauty Shops; MRS. KILGORE on Shoalcrest; MRS. GOINS on 38th Street, who was under the impression an application had been made for a beauty parlor in the home on 38th and Duval; MRS. JAMES LANCASTER, Pasadena Drive; MRS. DeFORD, MRS. WAGGONER, and MRS. LEBOWITZ. After much discussion Mayor Pro-tem Palmer introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 BY ADDING A NEW PROVISION IN SECTION 4, "A" RESIDENCE DISTRICT, TO BE DESIGNATED SUBPARAGRAPH (1) OF PARAGRAPH 10, SO AS TO ALLOW BEAUTY SHOPS IN "A" RESIDENCE DISTRICT AS A PERMITTED ACCESSORY USE UNDER CERTAIN CONDITIONS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Perry 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 Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

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 Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

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 Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Mayor Pro-tem announced that the ordinance had been finally passed.

Councilman Bechtol moved that the Planning Commission be instructed to study a change to a more restricted zone of "AA", and that it also be requested to make a study of all the "B" Zoning which has been made since November 6, 1958 for the purpose of placing beauty shops in a residence and that each case be considered separately and rolled back to "A" if possible. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White*, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller

*Councilman White made the following statement concerning his vote:
 "I will vote 'aye', but the question remains in my mind whether or not this should be done."

MAYOR PRO-TEM PALMER thanked the Planning Commission for its time and efforts in coming up with these recommendations that are in the interest of the City.

MR. DAVID BARROW mentioned that the pending list had nothing on it concerning the Austin Development Plan. Mayor Pro-tem Palmer suggested that the Planning Commission study several phases that it felt was ready and recommend them, and those phases would be taken under consideration. He stated that in all of the bond issues voted, and all that is being done is done with the guidance of the development plan.

The Council had before it an ordinance to be read the second time, changing the zoning of the property of TOMMIE CRAIG, 108 West Live Oak Street from "A" Residence to "B" Residence, the change having been requested to permit a beauty parlor in a home. Since the zoning text had just been changed to permit beauty parlors in "A" Residence, subject to certain conditions, Councilman Bechtol moved that the Council reconsider the vote by which the zoning change was granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller

Councilman Bechtol moved that after further consideration and due deliberation, the Zoning application be denied. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller

The Council recessed at 1:00 P.M. until 2:00 P.M.

RECESSED MEETING

2:00 P.M.

At 2:00 P.M., the Council resumed its business.

The Council had before it a letter from the Government Services Administration dated December 16, 1960. Councilman Bechtol suggested that the City Manager, the Director of Public Works, and the Mayor Pro-tem draft an answer, and call the other Council Members and read the letter to them. Councilmen Perry and White agreed.

The City Manager reviewed the status of Urban Renewal as it now stands in the Courts. He stated the Federal funds now on hand to keep the City qualified for 221 are about to run out. He discussed again the Community Renewal Plan study which could be agreed upon and keep the program alive for 18 months or two years. He outlined the study as one that would define the areas that were considered areas where conservation and rehabilitation were needed; one that would give an idea of approximate cost of doing the work; one which would develop information that would be used in contacting the people in the specific neighborhoods to see if they wanted to undertake the program or not. The City Manager said the Community Renewal plans are considered to be for a 10 year program; and that the Federal Government stands ready to participate. The estimated cost of the whole project is around \$39,000, \$26,000 being paid by the Federal Government and \$13,000 by the City. He recommended that it would be well to go on and work out the contract with the Urban Renewal people and pursue this study. He stated also, the program would be kept alive during the period of litigation, so that there would be no problem with continued F.H.A. approval or relocation under 220 and 221. He explained the action a while back had to do with the workable program--compilation of copies of the building code, zoning ordinance, etc. The City Manager pointed out another advantage which the Community Renewal Plan presented; that once the plan has been prepared and approved, if the Urban Renewal is deferred for a long time, credit for the money which the City had spent in the areas after the plan was adopted could be given. Councilman Bechtol moved that the City Manager be authorized to enter into this agreement. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, Mayor Pro-tem Palmer
Noes: Councilman White
Absent: Mayor Miller

The City Manager discussed again the fire insurance coverage. Councilman Bechtol stated the matter meant saving 20% of all, or 10% on 1/4, and the Association would do whatever the Council wanted to do; but out of good conscience, it came up and said it could save the City some money by putting the whole business on a 20% deviation. Finally, after detailed discussion, Councilman White moved that the City Manager be authorized to cancel the present fire and extended coverage insurance policy on short rate and to insure the City's properties for fire and extended coverage under a staggered plan under which one-fifth of the property insured would be subject to renewal each year during the next five years in the Fidelity and Guaranty Insurance Underwriters, Inc., under their 20% deviation below manual rates. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Perry*, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller
Not in Council Room when vote was taken: Councilman Bechtol

*Councilman Perry made the following statement regarding his vote:
"I deeply regret that we are going to take 20% of our coverage away from an Austin Insurance Company, but I am not sufficiently qualified in insurance matters to be capable of forming a proper judgment on this matter; and therefore, I will accept the recommendation of the City Manager and vote 'aye'.

The Council discussed a boundary line agreement with Maufrais Brothers. The City Manager stated that Mr. Maufrais was concerned about keeping Old South First Street opened, and wanted all the assurance that could be given that it would not be vacated or abandoned. He said he believed the street was needed. The City Attorney stated there was a big parking lot in there and it might be desired to put a driveway under the bridge and bring it out over Old South 1st Street. After discussion, Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to notify C. B. Maufrais, Henry L. Maufrais, and Lee W. Maufrais, in writing that insofar as the incumbent City Council may legally do so it has determined that old South 1st Street shall always be kept open and maintained for public use between its intersection with new South 1st Street and the Colorado River, as a convenient and necessary means of ingress and egress by the public to and from the Colorado River and certain other properties of the City to which the general public may be invited.

The motion, seconded by Councilman Bechtol, carried by the following vote:
Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, W. T. Williams, Jr., City Manager, has been heretofore authorized and directed by the City Council to enter into certain boundary line agreements with: (a) C. B. Maufrais, Henry L. Maufrais, and Lee W. Maufrais; (b) Walter C. Moore, Jr.; and (c) Electrical Workers Local 520; and,

WHEREAS, said City Manager has executed certain instruments pursuant to said instructions; Now, Therefore,

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

That the City Council ratify and confirm the action of W. T. Williams, Jr., City Manager, in executing those three certain agreements on the property described in each of the attached copies of "Boundary Line Agreement, Partition Deed, and Overflow Easement", which the City Clerk is hereby directed to file for permanent record in her office without recordation at length thereof in the Minutes of the City Council.

The motion, seconded by Councilman Bechtol, carried by the following vote:
 Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller

The City Manager read a letter from HONORABLE HOMER THORNBERRY about Colonel Wallace.

The City Manager submitted the following:

"December 1, 1960

"Mr. D. C. Kinney

Street Lighting Materials for Airport

"The purchasing agent received and opened bids for street lighting material at 2:00 P.M. November 28, 1960. Total price for the materials were as follows:

<u>"BIDDER</u>	<u>PRICE</u>	<u>DELIVERY</u>
Walter Tips Co.	\$14,898.00	Stock to 4 wks.
Priester Supply Co.	15,637.15	Stock to 4 wks.
Sterett Supply Co.	15,529.00	Stock to 4 wks.
Line Material Industries	15,578.32	Stock to 4 wks.
Graybar	15,260.00	Stock to 4 wks.

"I recommend that the low bid of the Walter Tips Company in the amount of the lump sum of \$14,898.00 be accepted.

"APPROVED:

s/ D. C. Kinney, Director Electric Utility

"APPROVED:

s/ W. T. Williams, Jr., City Manager

Paul A. Conrad"

The City Manager discussed bids taken on November 28th on lighting material and equipment for street lighting of the parking lot at the Airport and lighting Manor Road from that parking lot west to the part of Manor Road presently lighted. He pointed out the difference in these lights and others, stating the maintenance of this type would be simpler. Councilman White moved that the low bid of WALTER TIPS COMPANY at \$14,898.00 be accepted. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The City Manager gave a resume on bids received December 14, 1960, for fire trucks both on delivery at Austin, or delivery at the factory to be driven down by Austin fire personnel. The low bid for the aerial truck was from La France, but he was high on the pumper trucks, and later said a \$5,000 error had been made and asked to withdraw his bid on the aerial truck. PETER PIRSCH bid on five pieces of equipment and was low on the pumpers, but was higher than the others on the aerial truck. The City Manager stated Peter Pirsch provided for a \$1,407 discount if at the time the chassis were received by the Company it would be paid for then--that is \$1,407 off the total Pirsch bid. On that basis Peter Pirsch would be low on five pieces of equipment. The City Manager reported that Peter Pirsch had bid on International and General Motor chassis. The City Manager stated that MR. BOB ARMSTRONG stated he had not had notice of the bid-taking until it was too late for him to communicate with the factory to see if a factory concession on the price would be made; and when he quoted a price to HOWE, it was without taking into account the factory discount which he thought he could get on the Ford chassis. The City Manager stated in negotiating with the low bidder, he found that by using Ford chassis there would be a \$2,500 savings. Councilman White inquired if Ford had ever been used here, and the City Manager replied that it had not, but other cities had used the equipment and it had proven satisfactory. In checking back with the International Company to see if they would match the Ford price, Peter Pirsch reported that the International representative said the price he had quoted was their rock-bottom price. Councilman White asked if these people would stand behind the Ford Chassis. The City Manager cited an experience with the Company before, and replied that they had been found to be willing to go beyond their contract to give good service. Councilman White moved that the Council accept the bid from PETER PIRSCH using the Ford trucks instead of the International. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The City Manager submitted the wording for two plaques to be placed at the Airport Terminal. The Council indicated the smaller plaque was surplus and should not be placed in the terminal. Councilman White suggested that the names of MR. JOE HUFFMAN and MR. DOREN ESKEW be included on the other plaque. Councilman Bechtol suggested that the names of the Council preceding this one should be included.

The City Manager read a letter from MR. CARL G. TAYLOR, Missouri Pacific Railroad Company, dated December 16, 1960, regarding the status of draft of contract concerning the right-of-way for the Missouri Pacific Boulevard, stating the contract attorneys have not made the progress on drafting this contract as expected, and they indicated they would endeavor to get it in such shape for submission to the City as quickly as possible after the first of the year.

The City Manager read a letter from J. L. HIXON, Manager--Generation, Transmission & Auxiliaries Sales, South Texas District, GENERAL ELECTRIC COMPANY, stating the General Electric Company was pleased with the handling of the bids for the 100-MW Turbine-Generator No. 2, and congratulating MAYOR PRO-TEM PALMER on the fine procedure in the opening of the bids.

Regarding the esplanade on Mullen Drive, Councilman White moved to accept the recommendation of the Public Works Director, subject to the subdivi-der's posting a bond and getting a letter of agreement from MR. FRED MORSE. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-Tem Palmer
 Noes: None
 Absent: Mayor Miller

The Director of Public Works made a report on the various requests of Dr. Givens regarding opening certain streets, stating to open and pave East 11th Street would mean a street of 29% grade, and a cost of \$850.00. Bryan St. would be a street with 30% grade, and the cost of improving this street would be \$1800. He did not recommend opening Water Street, it would come into Bryan Street and would make a bad intersection. He outlined how SWENSON STREET could be tied into Poquito at a very little cost. He said New York could be opened at a cost of about \$2,000. As to 17th and 18th Streets, on the Maple Street easement, the Director of Public Works stated as soon as easements were secured, a contract would be let on two culverts and for the cleaning out of the channel. This is in the Budget. Mayor Pro-tem Palmer suggested that the Council make a tour of these places and talk to Dr. Givens next Thursday.

The Director of Public Works made inquiry about the possibility of annexing some property, which was a proposed subdivision on the west side of Balcones Trail and north of Spicewood Springs Road, and was not in the water district. He stated MR. D. L. WELSH had an option to purchase the property and wanted to know if the City would annex it when he is ready to bring it in. It was reported there would not be any sewer problems, as lines would be available. MAYOR PRO-TEM PALMER stated that Mr. Welsh could be told that subject to certain things' being worked out, the property would be annexed. Councilman Bechtol said as far as he was concerned, he would have to take a look at the area; although he saw no objections, he would be reluctant to take any area in until it could be served. Councilman White stated he was not in favor of taking action on this. The Director of Public Works said that Mr. Welsh had to exercise his option on the purchase next week, and it may be six or eight months before he asked for annexation. The City Attorney stated that owners of the property north of this on up to Highway 183, were coming in to ask for immediate annexation. Councilman White asked that the matter be put off to see what happens.

Councilman Bechtol 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 an East-West thoroughfare to connect North Lamar Boulevard with Interstate 35 along the general location of

Anderson Lane and in order to provide for the free and safe flow of East-West traffic between the indicated roads 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 Anderson Lane, to be known as Highway 183, Loop 275; 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:

1.415 acre tract of land, more or less, same being out of and a part of that certain original 34.83 acres of land out of the James P. Wallace Survey No. 57, Abstract No. 789 in Travis County, Texas, which original 34.83 acres of land were conveyed to Jack C. Adams, Trustee by deed dated November 1, 1957, of record in Volume 1921, page 424, Deed Records of Travis County, Texas, said 1.415 acre tract of land is more particularly described by metes and bounds as follows:

BEGINNING at the south corner of the present 13.0 acre tract of land, said corner being the point of intersection of the northeast right-of-way line of present Anderson Lane and the northwest right-of-way line of present Purnell Street, said point also being on the centerline of the proposed location of U. S. Highway 183 at Survey Station 403/47.6 thereof;

THENCE North 59° 38' West 616.6 feet along the southwest line of said present 13.0 acre tract same being the northeast line of present Anderson Lane to a point for the most southerly west corner of said 13.0 acre tract said point being 0.2 feet right of Survey Station 397/31.0 of the proposed location of said U. S. Highway 183;

THENCE North 31° 33' East along a northwest line of said 13.0 acre tract same being the southeast line of adjoining Brentwood Church of Christ 1.0 acre tract at 0.2 feet Survey Station 397/31.0 of said proposed U. S. Highway 183 continuing same bearing in all 100.2 feet to a point 100.0 feet left of Survey Station 397/33.1 from which point the east corner of said Brentwood Church of Christ 1.0 acre tract bears North 31° 38' East 74.25 feet;

THENCE South 59° 37' East 614.5 feet, 100.0 feet from and parallel to the centerline of the proposed location of U. S. Highway 183, to a point in the southeast line of said 13.0 acre tract same being the northwest right-of-way line of Purnell Street, said point also being 320.0 feet South 30° 23' West of the P. C. of a curve in the west right-of-way line of Purnell Street;

THENCE South 30° 23' West 100.0 feet along the southeast line of said 13.0 acre tract to the point of beginning.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Council had before it the matter of purchasing Longhorn-Chisholm Plaques at \$60.00 for one, \$55.00 each for two, and \$50.00 each for three. Councilman Bechtol moved that the City Manager be authorized to purchase three Longhorn-Chisholm Trail plaques to be installed on each end of the new Dam and the third to be presented to MR. WALTER LONG in appreciation of his long services to the history of Austin. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

Mayor Pro-tem Palmer submitted the request of Mr. Trueman O'Quinn representing SHOPPERS WORLD. He said Mr. O'Quinn listed the 1959 value at \$141,710, and the 1960 value at \$179,130, a difference of \$37,420. He said Mr. O'Quinn inquired if the Council would split the difference and cut off \$18,710, and leave the value of the inventory at \$133,100 and Furniture and Fixtures at \$27,320, totalling \$160,420. The Council made no change in its action regarding the tax appeal of SHOPPERS WORLD.

There being no further business, Councilman Bechtol moved that the Council adjourn. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
Noes: None
Absent: Mayor Miller

The Council adjourned at 4:00 P.M., subject to the call of the Mayor.

APPROVED

R. E. Palmer
Mayor Pro-tem

ATTEST:

E. J. Anderson
City Clerk