

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 8, 1960
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
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 MRS. TRUMAN MORRIS, Austin Council of United Church Women.

Councilman White moved that the Minutes of the Meeting of September 1, 1960, be approved; and the Minutes of the Special Meeting of August 31, 1960, be approved with correction as noted by Councilman Bechtol. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Council had before it the application for a permit for a Filling Station at 35th and Scenic Drive. MR. JOHNNIE B. ROGERS, represented MR. TED WENDLANDT, owner of the property, and stated the application had been recommended by the various city departments; that the property had been "C" Commercial since 1938; and that people had had adequate notice of this zoning before they purchased and developed their property. He displayed pictures of the area, and discussed the various phases of the application. MR. DONALD THOMAS, 3901 Balcones Drive, represented MR. NORRIS PARKER, nearest property owner to the site, stating that adjacent property owners to the Wendlandt Tract had filed an application for zoning the property back to "A" Residence, and that the Wendlandt tract had been included for study by the Planning Commission in with the application. He pointed out the peculiar disadvantages of this property for the particular use--the grade of the property, the curb cuts injecting traffic into the wrong lane, the traffic hazards, the inadequacy of property for a filling station, that this would not be a service station, but only a gasoline station, and that there was no need for such in the neighborhood, as there were two closed stations near the area. Mr. Thomas discussed the zoning of the property.

At 11:00 A.M. Councilman Palmer moved that the meeting be opened for the zoning hearings that were advertised to be heard at 11:00 A.M. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman Bechtol then moved that the zoning hearings be recessed temporarily until the hearing on the Special Permit was finished. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Opposition to the filling station was expressed by MRS. LESTER REED who asked the Council to wait until the zoning was decided upon. MR. TOM BRADFIELD expressed opposition to the filling station as he stated there would not be the required off-street parking, set-backs, etc. MR. C. McGUIRE, Colorado Foothills, opposed the change, as experience had shown that when commercial zoning went into a top-level residential area, property began to depreciate. This year there had been an increase on the property evaluation. MR. W. L. LOGAN, 3212 West 35th Street objected, as this was in reality, a commercial encroachment upon a residential area. A property owner at 3900 Balcones Drive objected as there was no desire in the neighborhood for this type of business. MR. NORRIS PARKER objected as his property was the one to be most affected, and stated there was a motive other than establishing a filling station here. MR. C. W. CHANCE stated two large service stations near by had gone bankrupt, and this one would also. MR. HULAN BLACK, representing the University Presbyterian Church which owned property in the neighborhood, said the commercial development would depreciate the property. MR. JOHN FOCHT, Assistant Dean of College of Engineering, made a report on a traffic study he made of the area. MR. MILLARD RUUD, 3416 Foothills, opposed the filling station, as it did not serve a public interest. MR. JOHN BURNS expressed opposition to the commercial use in the residential neighborhood, stating he had purchased the adjoining lots to prevent commercial development. MR. DON THOMAS filed a brief. No action was taken by the Council, as some of the members wanted to examine the area again. Decision was to be made by next Thursday.

MR. HOYLE OSBORNE, Planning Director, reported that MR. BUFORD STEWART had asked him to present his request to withdraw the zoning application of H. C. RISCH on 427-531 Ben White Blvd., and 4001-03 South 1st Street, from "A" to "GR". Councilman Bechtol moved that the Council accept the withdrawal of the following zoning application:

H. C. RISCH	427-531 Ben White Blvd. 4001-03 So.1st Street	From "A" Residence To "GR" General Retail NOT Recommended by the Planning Commission
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The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Pursuant to published notice thereof the following zoning applications were publicly heard:

R. L. ROBERTS	3505-07 Interregional Highway	From "C" Commercial & "C-1" Commercial To "C-2" Commercial RECOMMENDED by the Planning Commission
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No opposition appeared. Councilman White moved that the change be granted to "C-2" Commercial. The motion, seconded by Councilman Bechtol, carried by the following vote:

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

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

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THOMAS ANDREW MAYES	1808-12 East 12th Street	From "C-1" Commercial To "C-2" Commercial RECOMMENDED by the Planning Commission
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Mr. Kenneth Lamkin represented the applicant. Councilman Palmer moved that the change be granted to "C-2" Commercial. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

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

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LEROY ELLETT	3717 Hollywood Avenue 1209-1211 East 38 $\frac{1}{2}$ Street	From "A" Residence To "B" Residence NOT Recommended by the Planning Commission
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Mr. Leroy Ellett represented himself. Councilman Palmer moved that the change be granted to "B" Residence. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, Perry, White, Mayor Miller
Noes: Councilman Bechtol (as it was a spot zone)

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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MODERN INDUSTRIAL
DEVELOPMENT CO.

9312-9760 F.M. Road
1325 (McNeil Road)

From "A" Residence
To "D" Industrial
RECOMMENDED by the
Planning Commission

Mr. Glen Lewis represented the applicant. The Mayor stated that refund contracts could not be made on anything except taxable properties; and on the rest of the subdivision where it brings in taxes and the subdivider puts in the utilities, he will have the same consideration as anyone else. Councilman Palmer moved that the change be granted to "D" Industrial. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "D" Industrial and the City Attorney was instructed to draw the necessary ordinance to cover.

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T. & N.O. RAILROAD
By R.V. Miller

4205-07 Interregional
Highway

From "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission

Mr. Miller represented the applicant. Councilman Palmer moved that the change be granted to "C" Commercial. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

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

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T. & N.O. RAILROAD
By R. V. Miller

6919-21 No. Lamar Blvd.
6967-71 Airport Blvd.

From "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission

Mr. Miller represented the applicant, stating he would be glad to comply with the Traffic Department recommendation made in this connection. Councilman Bechtol moved that the change be granted to "C" Commercial. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

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

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L. W. CARROLL

1127½-1129 3/4 Gunter St.

Additional Area
3601-3605 Goodwin Ave.
1131-1131 3/4 Gunter

From "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission

Mr. Trueman O'Quinn represented the applicant. Councilman Palmer moved that the change be granted to "C" Commercial subject to dedication of 10' for widening Gunter. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, White, Mayor Miller
Noes: Councilman Perry

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

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MARY BELL TURNER &
JACK TURNER
By Robert Sneed

1132-34 5/8 Airport Blvd.
1133-35½ Gunter Street
3600-06 Goodwin Avenue

From "A" Residence
To "C" Commercial
RECOMMENDED by the
Planning Commission

Mr. John Sellman represented the applicants. Councilman Palmer moved that the change be granted subject to the dedication of 10' for widening Gunter Street. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

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

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P. E. WORSHAM

Part 1

6000-06 Interregional Hwy
6007-11 Brooks Street

From "C" Commercial
To "C-1" Commercial
NOT Recommended by the
Planning Commission

Part 2

6017-6105 Middle Fiskville
Road; 800-822 & 801-827
Tirado Street
6014-18 Brooks Street

From "A" Residence 1st
Height & Area
To "C" Commercial 6th
NOT Recommended by the
Planning Commission

Part 3

824-26 Clayton Lane &
6000-06 Brooks Street

From "A" Residence 1st
Height & Area
To "C-1" Commercial 6th
Height & Area
NOT Recommended by the
Planning Commission

RECOMMENDED "C"
Commercial 6th Height
and Area by the
Planning Commission

Mr. P. E. Wortham represented himself. Mrs. Marion Ross expressed opposition to zoning Part 1 and Part 2, but favored zoning Part 3. Mr. Wortham withdrew Part 1 and Part 2. Councilman Palmer moved that the withdrawal on Parts 1 and 2 be accepted. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman Palmer moved that the change be granted to "C" Commercial 6th Height and Area on Part 3. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "C" Commercial 6th Height and Area for 824-26 Clayton Lane and 6000-06 Brooks Street and the City Attorney was instructed to draw the necessary ordinance to cover.

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W. E. BLONDAHL

1317-21 Oltorf Street
2300-2402 So. Interregional
Highway

From Interim "A" Residence 1st Height and Area
To "GR" General Retail 1st Height & Area
(As amended)
RECOMMENDED by the
Planning Commission

No opposition appeared. The Mayor asked those who wished to grant the change to "GR" General Retail 1st Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

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

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THOMAS G. MORENO 3814 Wadford Street
200-04 Dunlap Street

From "A" Residence
To "C-1" Commercial
NOT Recommended by the
Planning Commission

No opposition appeared. The Council postponed action as it wanted to make a personal inspection of the area.

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C. A. WEISE 2906-10 Red River
MRS. ALICE WEISE 2905-2913 Hampton Road

From "A" Residence
To "O" Office
NOT Recommended by the
Planning Commission
RECOMMENDED "O" Office
for lots on Red River,
and "B" Residence for
lots on Hampton Road
and additional property

The applicants and those representing them had to leave before the application was heard. MR. W. L. GARRARD preferred Doctors' Offices to indiscriminate zoning, but opposed the change of zoning. The Mayor asked if the neighbors would get together on this recommendation and see if they could get together. One property owner preferred doctors' offices to apartment houses filled with students. The Director of Planning stated this was a narrow street and the parking situation is a drastic one. Action was deferred until next week by the Council.

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TERRELL TIMMERMAN 5307 Link Avenue
By Robert J. Potts 5304-06 Avenue F

From "A" Residence
To "BB" Residence
RECOMMENDED by the
Planning Commission
and to include 5302
Avenue F & rear 5300-
5304 Avenue F

MR. POTTS represented the applicant, and showed plans of the proposed apartment. He stated the alley had never been opened, and later they would ask the Council to vacate it. Opposition was expressed by MRS. W. A. BURNETT and others, as the area was too small for a 4-unit apartment; that the area did not have access from Franklin; that the play area shown would be inadequate. The Council postponed action until it could make a personal inspection of the area.

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SOUTHERN OAKS REALTY CO. 2509-2511 So. Congress
(Rear)

From "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission

Mr. Robert Potts represented the applicants. The Planning Director

pointed out the necessity for a street in the area. Councilman Palmer moved that the zoning application be referred back to the Plan Commission for study as to whether the street property should be acquired, or if the subdivider should give the property as access to the subdivision. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

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ALEX WARREN	1511 North Loop Blvd.	From "A" Residence
By Richard T. Doyle	5219-5223 Jim Hogg Ave.	To "O" Office
		NOT Recommended by the Planning Commission

No action was taken, as it was postponed until next week giving Mr. Alex Warren an opportunity to withdraw.

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In connection with the industrial zoning of the MODERN INDUSTRIAL DEVELOPMENT CO., Mayor Miller stated that the industrial tracts that were coming in should be regulated as the residential subdivisions as far as street paving and other provisions were concerned. He stated also that the fiscal policy might have to be amended that there would be no refund contracts except on taxable properties.

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 advertise for bids on the sale of bonds of the City of Austin at 10:00 A.M., September 29, 1960, as follows:

Fire Station General Obligation Bonds, authorized at an election May 12, 1956	\$ 150,000.00
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Street, Bridges and Drainageways General Obligation Bonds, authorized at an election May 12, 1956	475,000.00
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Street, Bridges and Drainageways General Obligation Bonds, authorized at an election August 6, 1960	100,000.00
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Airport General Obligation Bonds, authorized at an election August 6, 1960	100,000.00
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Library General Obligation Bonds, authorized at an election August 6, 1960	75,000.00
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Recreation General Obligation Bonds,
authorized at an election August 6, 1960 100,000.00

General Obligation Bonds Total \$1,000,000.00

Electric Light and Power System Revenue
Bonds, authorized at an election August 6,
1960 \$1,800,000.00

Waterworks System Revenue Bonds,
authorized at an election August 6, 1960 1,375,000.00

Sewer System Revenue Bonds,
authorized at an election August 6, 1960 825,000.00

Revenue Bonds Total \$4,000,000.00

Advertisement for such bids shall be in the usual and customary form and shall be published at least once in The American Statesman, Austin, Texas, and in The Bond Buyer, New York, New York, and in addition shall be given such circulation as will invite attention to the proposed sale. The right shall be reserved to the City of Austin to reject any and all bids, and no bids which include supplemental coupons will be considered. Advertisements shall direct the filing of sealed bids to be opened by the City Council at a regular meeting held for such purpose in the City Hall at the time and date hereinbefore set forth.

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

Councilman White introduced the following ordinance and moved that it be published in accordance with Article 1, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF
CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN
AND THE ANNEXATION OF CERTAIN ADDITIONAL
TERRITORY CONSISTING OF 182 ACRES OF LAND
MORE OR LESS, SAME BEING OUT OF AND A PART OF
THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY,
TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES
ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY
LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS
STATED IN THE ORDINANCE.

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

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

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the property situated on the north side of Bolm Road as a private gasoline plant consisting of a 550 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by Brown Supply Company, and is unplatted acreage of the City of Austin, Travis County, Texas, and hereby authorizes the said Brown Supply Company to operate a private gasoline plant consisting of a 550 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council of the City of Austin that the said Brown Supply Company 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, 1960

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

"Dear Sir:

"I, the undersigned, have considered the application of Brown Supply Company for permission to operate a private gasoline plant consisting of a 550 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the north side of Bolm Road, which property is designated as unplatted acreage in the City of Austin, Travis County, Texas, and locally known as 4906 Bolm Road.

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

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

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

passage of traffic on either the sidewalk, street, or alley.

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

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

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

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Wilbur J. Ebach is the Contractor for the remodeling of a building located at 504 Congress Avenue and desires a portion of the sidewalk and street space abutting the north 23' of the south 26' of Lot 2, Block 55, of the Original City of Austin, Travis County, Texas, during the remodeling of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said Wilbur J. Ebach, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point in the southeast corner of the above described property; thence in an easterly direction and at right angles to the center line of Congress Avenue to a point 8 feet east of the west property line; thence in a northerly direction and parallel with the center line of Congress Avenue 23 feet to a point; thence in a westerly direction and at right angles to the center line of Congress Avenue to the northeast corner of the above described property!

2. THAT the above privileges and allotment of space are granted to the said Wilbur J. Ebach, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a 4 foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it

becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting systems for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than September 16, 1960.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractor's expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1,000) which shall protect, indemnify

and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

SECTION 1. That the certain agreement dated September 8, 1960 between the State of Texas and the City of Austin for the procurement of the right-of-way within the city limits of Austin for the proposed Austin Outer Belt Loop 111 from U.S. 290 South to U. S. 183 near Montopolis Bridge, be and the same is hereby approved and W. T. Williams, Jr., City Manager is hereby authorized to execute said agreement on behalf of the city and to transmit the same to the State of Texas for appropriate action.

SECTION 2. That this Resolution shall take effect immediately upon its passage.

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

The Council signed a proclamation proclaiming October 15-22, as AUSTIN ANTI-COMMUNISM WEEK.

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, September 13, 1960, will mark the one hundredth anniversary of the birth of General of the Armies John J. Pershing; and,

WHEREAS, the people of Austin, the capital of the great State of Texas, have ever been mindful of the need for a strong United States Army and have been appreciative of those who have given their service to this end; and,

WHEREAS, General Pershing was a great military leader whose whole life was devoted solely to the service of his country; and,

WHEREAS, he spent part of his distinguished career on duty in Texas in

command of the District of El Paso; and,

WHEREAS he fought on the Texas-Mexican border commanding the Punitive Expedition in 1916 and 1917; and,

WHEREAS, his leadership during World War I should always be remembered; and,

WHEREAS, by joint resolution approved June 1, 1960, the Congress has requested the President of the United States to proclaim September 13, 1960, as a day upon which all Americans should pay honor and respect to General Pershing and the men who served under him; and,

WHEREAS the people of Austin desire a lasting local commemoration which will be an ever-present reminder; Now, Therefore;

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

That September 13, 1960, be proclaimed as General of the Armies John J. Pershing Centennial Day, and that the people of Austin thereby commemorate not only the great General whose name is honored, but also the many brave men who served under him and are today living among us, and,

BE IT FURTHER RESOLVED:

That the great new southwest-northeast thoroughfare to be constructed for the convenience of the innumerable future generations from all over the earth who shall travel to and from Austin's new Municipal Airport Terminal, be named:

"Pershing Drive"

in lasting love and honor of the great General and his brave men.

IN WITNESS WHEREOF, I hereto set my hand and cause the Seal of the City of Austin to be affixed.

DONE in the City of Austin, this 8th day of September in the year 1960.

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

The City Manager submitted the recommendation of the Director of Aviation regarding taking bids for the equipment for the restaurant at the Airport Terminal. It was the desire to have someone with quick repair service available. The City Attorney stated this could be handled through the specifications. Councilman Palmer suggested that bids be taken with the three suppliers--the two Austin firms and the San Antonio firm. Councilman White moved that bids be taken with the Austin Restaurant Supply Company, Inc., and General Hotel Supply Company, and the Company in San Antonio. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The City Manager called attention to the Status of Water and Sanitary Sewer Contracts as of September 1, 1960 Report.

The Council had before it the following:

"August 12, 1960

"Mr. William T. Williams, Jr.,
City Manager
City Hall
Austin, Texas

"Dear Bill:

"Claud Boothman recently has had conversations with you, Doren Eskew and Joe Huffman with respect to the City engaging our services as market attorneys in the approval of each future installment sale of the presently voted but unissued tax and revenue bonds of the City of Austin.

"As requested by you we confirm the offer we made and which we understand is desirable and acceptable to all those above named. The arrangement agreed upon was:

"That for a fee of \$0.35 per bond, payable only after each bond delivery, we will perform all functions usually performed by approving market attorneys and in addition will assist and advise with the City Manager and City Attorney in the preparation of the bond authorizing proceedings, supporting certificates and final delivery papers. Also we are to receive reimbursement of actual travel expenses incurred by us on behalf of the City in having a member of our firm present on the occasion of the bond deliveries.

"We believe the foregoing accurately reflects the arrangements heretofore discussed and will be pleased to receive your advice that they are formally accepted.

"Cordially yours
s/ Dumas, Huguenin and Boothman"

Councilman Bechtol moved that DUMAS, HUGUENIN and BOOTHMAN be appointed as market attorneys of the presently voted and unissued tax and revenue bonds upon the basis outlined in their letter of August 12, 1960. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Council discussed the request of the SHRINE for permission to construct a retaining structure along the lake side owned by them. After discussion Councilman Palmer moved that the permission be granted under condition that they must coordinate their plans to fit in with the City Plans and when the Director of Public Works does the work he plans when the lake is lowered again. The motion, seconded by Councilman Bechtol, carried by the following vote:

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

Councilman Bechtol 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 and directed to enter into a mutual agreement between the City of Austin and the Austin Independent School District, in accordance with the terms and provisions of a certain mutual agreement, a copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said agreement without recordation in the Minutes of the City Council. (Pertaining to the utility rates)

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

Councilman Bechtol made inquiry of status of the contract between the city and the schools regarding the leasing of the base ball field, and asked the City Attorney to look into this matter.

Councilman Bechtol moved that the Council adjourn. The motion, seconded by Councilman White, carried by the following vote:

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

The Council adjourned at 3:00 P.M., subject to the call of the Mayor.

APPROVED _____

Mayor

ATTEST:



City Clerk