

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 7, 1963
10:00 A.M.

Council Chamber, City Hall

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

Roll call:

Present: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue
Absent: Mayor Palmer

Present also: Reuben Rountree, Jr., Acting City Manager; Doren R. Eskew, City Attorney; Robert A. Miles, Chief of Police

Invocation was delivered by DR. WILLIAM T. GIBBLE, University Christian Church.

Mayor Pro-tem LaRue welcomed a group of University of Texas students visiting the Council Meeting.

The Mayor Pro-tem announced that the Mayor and City Manager were in New York regarding bonds.

MR. JIM WILSON, Assistant City Manager, reported that at the request of the Council the Austin Fire Safety Board had made a study of the feasibility of an emergency reporting system for fire and police, and had recommended to the Council the adoption of the Bell System Telephone Reporting System. He stated the locations, the number of instruments, etc. had been firmed up and they were ready to enter into the contract with the Telephone Company for the installation of this system. There will be 192 stations covering all shopping centers and all schools, except the University of Texas who asked for 11 additional instruments to be put on their campus at their expense. He stated the key rate for Austin was 17¢ and of this 7¢ was charged for not having a reporting system. If the system is installed as planned it will reduce the key rate by 4¢, not receiving the full 7¢ as the instruments are not being installed at every point. The cost would be \$31,000 a year on the system, which includes both station rates and the line rental to each one of the instruments; and a one time installation cost of \$7,080. He said there would be a savings of \$55,304 to persons in Austin buying insurance. Equipment and locations have been approved by Mr. Hawley, State Insurance Board. Mr. W. L. Heaton, Fire Marshal, and Mr. Les Phares were present in the interest of the System. After discussion, Councilman Long 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 execute on behalf of the City of Austin an agreement with Southwestern Bell Telephone Company for the installation of an emergency telephone reporting system heretofore proposed by said Southwestern Bell Telephone Company.

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

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue

Noes: None

Absent: Mayor Palmer

On behalf of the Council, Councilman Shanks thanked the Fire Prevention Board, under the chairmanship of Mr. Les Phares, for all their diligent work and for the time and effort they put into this study.

Councilman Long moved that the Council proclaim November 22, 1963, as JOHN F. KENNEDY day in Austin. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue

Noes: None

Absent: Mayor Palmer

At 10:30 A.M. public hearing on paving the following streets was opened:

<u>Street</u>	<u>From</u>	<u>To</u>
Balcones Drive	Hancock Drive	Northland Drive
Clarkson Avenue	East 43rd Street	East 45th Street
Ellingson Lane	Red River Street	Bennett Avenue
Bengston Street	Tillery Street	Kay Street
Canterbury Street	Canadian Street	Pedernales Street
Diaz Street	Pedernales Street	Calles Street
Goodwin Avenue	Tillery Street	Airport Boulevard
Gunter Street	Lyons Road	Govalle Avenue
Kay Street	Tillery Street	Gunter Street
Kirk Avenue	Govalle Avenue	Airport Boulevard
Leona Street	East 13th Street	East 19th Street
San Saba Street	Webberville Road	East 10th Street
Vineland Drive	Giles Street	A point 465' south of SGL Giles Road
Willow Street	San Saba Street	Pleasant Valley Road
East 3rd Street	Pedernales Street	Linden Street
East 9th Street	Swenson Avenue	Northwestern Avenue
East 15th Street	Olander Street	Navasota Street
East 22nd Street	Chicon Street	Coletto Street

The City Attorney stated these hearings had been advertised in the

American-Statesman on October 26th, 27th and 28th. The Director of Public Works said these were voluntary paving programs and they would be paved with either an 8" or 10" base and 1½" hot mix. No persons appeared to be heard.

Mayor Pro-tem LaRue 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 OWNERS 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. (Balcones Drive)

The ordinance was read the first time and Councilman Long 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 Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

The ordinance was read the second time and Councilman Long 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 Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

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

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

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

Mayor Pro-tem LaRue 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 OWNERS 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 LEVING 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.
(Clarkson Avenue and Ellingson Lane)

The ordinance was read the first time and Councilman Long 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 Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

The ordinance was read the second time and Councilman Long 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 Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

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

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

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

Mayor Pro-tem LaRue 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 OWNERS 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. (Bengston Street and sundry other streets)

The ordinance was read the first time and Councilman Long 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 Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

The ordinance was read the second time and Councilman Long 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 Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

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

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the following described tract of land owned by the City of Austin, a municipal corporation situated in Travis County, Texas, be and the same is hereby set aside and dedicated for use as a public street and thoroughfare in the City of Austin, to be known as Duval Street, said tract being described as follows:

BEGINNING at an iron stake located at the southwest corner of Lot 11, Block 4, St. John's Home Addition in the City of Austin, Travis County, Texas, recorded in Book 4, Page 42, Plat Records of Travis County, Texas, said point being also on the north line of that certain 28.62 acre tract of land out of the James P. Wallace Survey conveyed to The Capital National Bank, Trustee by deed recorded in Book 1797, Page 517, Deed Records of Travis County, Texas;

THENCE, North 59° 30' West 50 feet to a point for the northwest corner of the tract herein described;

THENCE, South 30° 08' West 797.92 feet to a point on the north line of St. John's Avenue for the southwest corner of this tract;

THENCE, South 59° 07' West along the north line of St. John's Avenue a distance of 50 feet to the southeast corner of this tract;

THENCE, North 30° 08' West 797.92 feet to the place of beginning, said tract containing 0.916 acres of land, more or less.

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

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue

Noes: None

Absent: Mayor Palmer

Mayor Pro-tem LaRue introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST

THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OR TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.
(Blackson Avenue and sundry other streets)

The ordinance was read the first time and Councilman Long 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 Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

The ordinance was read the second time and Councilman Long 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 Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

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

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

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

The City Attorney stated since it was the desire of the Council to not only include Duval Street but to include Blackson Street also, they did not wait for a petition.

Mayor Pro-tem LaRue introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY

THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A. M. ON THE 21ST DAY OF NOVEMBER, 1963, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Chalmers Avenue and Sundry Other Streets)

The ordinance was read the first time and Councilman Long 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 Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

The ordinance was read the second time and Councilman Long 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 Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

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

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

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

The Acting City Manager submitted the following:

"November 7, 1963

"To the City Council
City of Austin, Texas

Re: Completion and Acceptance of Work Improving
Portions of Certain Streets in the City of
Austin Being Assessment Paving Contract
Number 63-A-3

"The work of improving portions of the following named streets in the City of

Austin, being Assessment Paving Contract Number 63-A-3, dated April 4, 1963, between the City of Austin and Werneburg Construction Company, has been performed and completed by Werneburg Construction Company in full compliance with the contract and the plans and specifications therein contained:

<u>Street</u>	<u>From</u>	<u>To</u>
Anthony Street	NPL Holly Street	SPL East 1st Street
Canterbury Street	EPL Comal Street	WPL Chicon Street
Concho Street	NPL East 7th Street	SPL East 8th Street
Garwood Street	EPL Pleasant Valley Road	WPL Tillery Street
Juniper Street	EPL Branch Street	WPL Navasota Street
Lydia Street	NPL East 11th Street	SGL Juniper Street
Morelos Street	EPL Webberville Road	NCL East 7th Street
Olive Street	EPL Curve Street	WPL Navasota Street
Salina Street	NPL East 11th Street	SGL Rosewood Avenue
Salina Street	NPL East 19th Street	SPL Manor Road
Washington Avenue	EPL Chicon Street	WPL Chestnut Avenue
East 8th Street	EPL Comal Street	WGL Chalmers Avenue
East 8th Street	EPL San Marcos Street	WPL Lydia Street
East 9th Street	EPL Chicon Street	WGL Swenson Avenue
West 16th Street	EPL San Antonio Street	WPL Guadalupe Street
West 17th Street	EPL San Antonio Street	WPL Guadalupe Street
East 20th Street	EPL Comal Street	WPL Chicon Street

"I have inspected, approved, and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, plans, and specifications referred to above.

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

Mayor Pro-tem LaRue introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING ANTHONY STREET AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY WERNEBURG CONSTRUCTION COMPANY, AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATED IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Long 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 Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

The ordinance was read the second time and Councilman Long 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 Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

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

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

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

Mayor Pro-Tem LaRue 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: THE EAST 57.5 FEET OF THE NORTH 150 FEET OF LOT 7, BLOCK 2, FREDERICKSBURG ROAD ACRES, LOCALLY KNOWN AS 2149 SOUTH LAMAR BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL 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 ordinance be passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Shanks, White, Mayor Pro-tem LaRue
Noes: Councilman Long
Absent: Mayor Palmer

Mayor Pro-tem LaRue 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: (A) LOTS 1, 2, 4 AND 5, BLOCK A, OUTLOT 30, DIVISION D, P. J. LAWLESS ADDITION; AND (B) LOT 3, BLOCK A, OUTLOT 30, DIVISION D, P. J. LAWLESS ADDITION, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED 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 first time and Councilman White moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Shanks, White, Mayor Pro-tem LaRue
Noes: Councilmen Long
Absent: Mayor Palmer

The Council took no action on the zoning ordinance covering the following:

LYNN W. STORM	910-1206 E. Oltorf Street	From Interim "A" Residence 1st Height & Area and "A" Residence 1st Height & Area
	915-1115 E. Live Oak Street	To "B" Residence 1st Height & Area

Councilman Long asked that this ordinance be held up as she would like to check and see if the considerations that were promised for the "C" Commercial zoning would prevail for the "B" Residence zoning. The Director of Planning was asked to contact Mr. Gibson Randle.

Pursuant to published notice thereof, at 10:45 A.M. public hearing on annexing OLTORF VILLAGE, SECTION 2 was opened. No one appeared to be heard. Mayor Pro-tem LaRue brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 9.77 ACRES OF LAND, 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.
(Oltorf Village Sec. 2)

The ordinance was read the first time and Councilman Long 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 Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

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

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

The Acting City Manager submitted the following:

"November 1, 1963

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

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M. Friday, November 1, 1963 at the Office of the Director of Water and Sewer Department, Municipal Building, Austin, Texas, for the CONSTRUCTION OF WATER AND SANITARY SEWER MAINS AND SALVAGING OF THE EXISTING WATER MAINS IN THE WINDSOR ROAD UNDERPASS. The bids were publicly opened and read in the Second Floor Conference Room, Municipal Building.

"The following is a tabulation of bids received:

<u>"FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
F and S Construction Company	\$39,090.10	35
Austin Engineering Company	41,793.60	40
Bland Construction Company	45,598.35	60
Walter W. Schmidt	45,783.96	63
Ford-Wehmeyer, Incorporated	56,193.30	65
City of Austin (Estimate)	45,305.80	

"It is recommended that the contract be awarded to the F and S Construction Company on their low bid of \$39,090.10 with 35 working days.

"Yours truly,
s/ Victor R. Schmidt, Jr.
Assistant Director Water and Sewer
Department
s/ Albert R. Davis, Director Water
and Sewer Department"

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 1, 1963, for the construction of water and sanitary sewer mains and salvaging of the existing water mains in the Windsor Road Underpass; and,

WHEREAS, the bid of F and S Construction Company, in the sum of \$39,090.10 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department 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 F and S Construction Company, in the sum of \$39,090.10, 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 F and S Construction Company.

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

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue

Noes: None

Absent: Mayor Palmer

The Acting City Manager submitted the following:

"November 5, 1963

"To: W. T. Williams, Jr., City Manager Subject: Assessment Paving Contract
No. 63-A-18

Following is a tabulation of the bids received at 10:00 A.M., Tuesday, November 5, 1963 for the construction of approximately thirty-three (33) blocks of pavement and accessories known as Assessment Paving Contract Number 63-A-18.

Lee Maners	<u>\$76,039.95</u>
J. W. Steelman, Inc.	\$85,796.13
Bowden & Associates, Inc.	\$93,988.15
Jack A. Miller	\$94,778.53
City's Estimate	\$80,753.45

I recommend that Lee Maners with their low bid of \$76,039.95 be awarded the contract for this project.

From: S. Reuben Rountree, Jr.
Director of Public Works

Signed: S. Reuben Rountree, Jr.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 5, 1963, for the construction of approximately thirty-three (33) blocks of pavement and accessories known as Assessment Paving Contract No. 63-A-18, and,

WHEREAS, the bid of Lee Maners, in the sum of \$76,039.95, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Lee Maners, in the sum of \$76,039.95, 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 Lee Maners.

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

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue

Noes: None

Absent: Mayor Palmer

The Council had before it the following zoning applications:

MARY BELLE C. HILL	1516-1562, 1600-1634	From "A" Residence
ET AL	State Highway No. 71	To "C-1" Commercial
By A. B. Beddow		NOT Recommended by the Planning Commission

Councilman Long moved that the Council allow the withdrawal of the zoning application. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

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LAWRENCE C. JOHNSON	3701 Harmon Avenue	From "A" Residence 1st
	(rear of)	Height & Area
	3518-3520 Interregional	To "C" Commercial 5th
	(rear of)	Height & Area
		NOT Recommended by the Planning Commission

Councilman Long moved that the Council allow the withdrawal of the zoning application. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

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

J. C. KING	5613 Adams Avenue	From "A" Residence
By Walter Carrington		To "C" Commercial
		RECOMMENDED by the Planning Commission

No opposition appeared. Councilman Long moved that the change to "C" Commercial be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

The Mayor Pro-tem 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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VILLA CAPRI ASSOCIATES, 2336 Interregional
LTD., MARTIN C. 907-909 East 23 $\frac{1}{2}$ Street
SCHWAZWALDER,
By William Kay Miller

From "C-1" Commercial
5th Height & Area
To "C-2" Commercial
5th Height & Area
RECOMMENDED by the
Planning Commission

No opposition appeared. Councilman Long moved that the change to "C-2" Commercial 5th Height & Area be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

The Mayor Pro-tem 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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F. J. BROCKMAN
By A. B. Shierlow

2300 Anderson Lane
7900-7902 Brockman Street

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

No opposition appeared. Councilman Long moved that the change to "C" Commercial be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

The Mayor Pro-tem 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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W. A. DARTER

713 West 38th Street

From "O" Office
To "GR" General Retail
RECOMMENDED by the
Planning Commission

No opposition appeared. Councilman Long moved that the change to "GR" General Retail be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

The Mayor Pro-tem announced that the change had been granted to "GR"

General Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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B. C. HAEHNEL	1142 $\frac{1}{2}$ -1148 Springdale Rd.	From "A" Residence
By Don E. Legge	1142-1142 3/8 Springdale	To "B" Residence
	Road (rear of)	NOT Recommended by the
	3701-3815 Oak Springs Rd.	Planning Commission

Mr. Don Legge appeared for the applicants. He stated this was a 17 acre tract and they proposed to build low rent multi-family housing project. He said there would be 2 and 3 bedroom apartments in attractive buildings with garden type surroundings and there was a lot of interest in these apartments. He stated they would provide the drainage, would grant easements along Tannehill Branch and would participate in the construction of the storm sewer. He said there were adequate schools and shopping centers in the vicinity for this housing project. Mr. Robert Penn Fowler stated no use could be made of this property until a short-form subdivision was filed, and they would dedicate 15' for Oak Springs and 10' for Springdale right-of-way, and would dedicate the easement. Mr. Hoyle Osborne, Director of Planning, said the drainage and right-of-way would be taken care of in the short-form subdivision. Councilman Long moved that the change to "B" Residence be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

The Mayor Pro-tem 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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CHESTER & MARY	811-817 W. Live Oak St.	From "A" Residence and
KOOCK	811-817 & 901 W. Live	"IR" Local Retail
By J. Malcolm Robinson	Oak Street (rear of)	To "C-1" Commercial
	2201-2203 South 4th St.	NOT Recommended by the
		Planning Commission
		Condition

Mr. Robinson appeared for the applicants. He stated they had submitted revised field notes to the Planning Department. No opposition appeared. Councilman Long moved that the Council grant the change to "C-1" Commercial for the restaurant and an area of 50 feet around the periphery of the building as set out in the revised field notes. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

The Mayor Pro-tem announced that the change had been granted to "C-1"

Commercial for the restaurant and an area of 50 feet around the periphery of the building and the City Attorney was instructed to draw the necessary ordinance to cover.

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SPUR LAND COMPANY
By Allen Russell

1601-1629, 1701-1743
E. Live Oak Street
1631-1647 E. Live Oak
Street (rear of)
2301-2321 S. Inter-
regional Highway

From "A" Residence 1st
Height & Area
To "GR" General Retail
5th Height & Area
(As Amended)
NOT Recommended by the
Planning Commission

Mr. Allen Russell and Mr. Joe Gilbreth appeared for the applicant. Mr. Gilbreth stated this was not recommended by the Planning Commission because the street right-of-way for Parker Lane was not dedicated and they could not dedicate all of the right-of-way as they did not own all of the property. After consultation with Mr. Perry, owner of the property in question, as to the cost of paving, Mr. Perry stated they would give their part of the right-of-way. Mr. Vincent Nelson, Reverend Herbert Johnson and Mrs. Doris Anderson, members of the Prince of Peace Lutheran Church, 1635 E. Live Oak Street, opposed the change. They asked for 100' buffer zone around the church, as they did not want commercial backing up to the church. Mr. Nelson filed a petition with approximately 75 signatures opposing the change. He stated this would be a spot zone. Discussion of the sale of property adjacent to the church was held. Mayor Pro-tem LaRue said the Council would go by and look at the property and study this. No action was taken.

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LINDEN JONES
By Richard Baker

3107-3117 West Avenue
709-715 W. 32nd Street

From "BB" Residence
To "B" Residence
NOT Recommended by the
Planning Commission

Mr. Richard Baker appeared for the applicant. He stated construction of apartments was planned and this change of zoning was requested so as to permit the building of 38 units instead of 28. He said $1\frac{1}{2}$ off-street parking spaces were being provided per unit; and parking would be from King Lane and no parking would be visible from 32nd Street or West Avenue. Mr. Parker C. Folse, Jr., the apartment developer, stated he had a contract to purchase the land and the apartments would be architecturally designed in line with the neighborhood. Mr. A. W. Penn and Mrs. C. T. Gray spoke in opposition to the change, stating that this was a spot zone, that it would increase the traffic and King Lane is an unpaved alley. Mrs. Gray spoke also for Dr. Hollander who opposed this change. Brief discussion of the provisions in the new zoning ordinance was held. No action was taken as the Council wanted to look at the property.

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NASH PHILLIPS

1426-1652, 1742-1926
U. S. Highway 290 (or
State Highway 20)
Additional Area:
1654-1740 U. S. Highway
290 (or State Highway
20)

From "A" Residence 1st
Height & Area
To "GR" General Retail
6th Height & Area
RECOMMENDED by the
Planning Commission

Mr. Nash Phillips appeared in his own behalf. Discussion of the right-of-way was held. 80' of the property would be substracted for the right-of-way and Mr. Eskew, City Attorney, stated the City was ready to buy this right-of-way. Mr. and Mrs. E. P. Christopher appeared in opposition to this change. Mr. E.H. Smartt, representing Mr. and Mrs. Patton, spoke in favor of the change. No action was taken as the Council wanted to look at the property.

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CHARLES & WALTER
WENDLANDT

500-504 E. 51st Street
5100-5104 Evans Avenue
503-507 Bruning Avenue

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

No one appeared for the applicants. Mr. E. T. Hamilton filed a petition with approximately 22 signatures opposing this change. Mr. James Robbins spoke opposing the change, stating he was against the selling of beer in this area, that it would endanger lives and it was not necessary. The Council took no action as it wanted to go look at the property.

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ETHEL GIBSON
STANDIFER

5100-5202 Bolm Road
1101A-1107A Shady Lane

From "A" Residence
To "D" Industrial
NOT Recommended by the
Planning Commission

Mr. James Gibson represented the applicant. He stated the reason this change was not recommended by the Planning Commission was because of the streets and Mrs. Standifer had written a letter offering to dedicate 10' off the south side and 10' off the west side of her property for the widening of Bolm Road and Shady Lane. The Director of Planning stated this change is in conflict with the Master Plan and the request to change the Master Plan would be heard next Thursday. Mr. Hood appeared for the change. The Council postponed action until next Thursday.

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NAOMI WASSEL
By Joe Gilbreth

1601-03 Taylor Gaines
1601-09 Summit Street

From "A" Residence
To "B" Residence
NOT Recommended by the
Planning Commission

Mr. Gilbreth appeared for the applicant and stated Mrs. Wassel had requested that the application be withdrawn as there was too much opposition. It was brought out that the applicant wanted to withdraw and then refile and there

was opposition to this. Councilman Shanks moved that the request to withdraw the application be denied. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

The Council then held the public hearing. Mr. Gilbreth represented Mrs. Wassel, stating the Wassels were elderly and wanted to sell the property. He said this property was 200 feet from the Interregional Highway and they were afraid since the property along the Highway was zoned commercial this property would become a buffer zone. Mr. Cecil D. Glass was spokesman for a large group opposing this change. He stated this was a residential area and people had built their homes there because of the environment and they did not want any change. He stated they were opposed to apartments in this neighborhood of homes, and he felt their property would be devalued if this change was granted. He filed a letter from Mr. Harry P. Burleigh opposing the change and urging the Council to reject the proposed change. Mrs. W. Tighe O'Neal, Jr. spoke opposing the change. Councilman White moved that the change be denied. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

The Mayor Pro-tem announced that the change had been DENIED.

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Mayor Pro-tem LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: A TRACT OF LAND FRONTING 50 FEET ALONG THE NORTH RIGHT OF WAY LINE OF WEST 38TH STREET; 50 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF WEST 38 $\frac{1}{2}$ STREET, LOCALLY KNOWN AS 202 WEST 38TH STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

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 Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

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 Long, Shanks, White, Mayor Pro-tem LaRue
Noes: None
Absent: Mayor Palmer

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

MR. REUBEN ROUNTREE, Acting City Manager, announced that a public hearing had been set for 10:45 A.M., November 14th to amend the Austin Development Plan (in connection with the Ethel Gibson Stanifer zoning application at 5100-5202 Bolm Road and 1101A-1107A Shady Lane).


The Acting City Manager announced that bids would be opened for the Holly Street Power Station at 10:00 A.M. December 12, 1963, on the following:

69 KV Sub-Station, Contract 130
Circulating Water Pipes, Contract 111
Fuel Oil Heater, Contract 118
Miscellaneous Tanks, Contract 114.

(To be opened in the Council Room)

There being no further business the Council adjourned at 2:00 P.M., subject to the call of the Mayor.

APPROVED


Mayor Pro-tem

ATTEST:


Assistant City Clerk