

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 12, 1963

10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by REVEREND JOHN C. TOWERY, First Congregational Church of Austin.

The Mayor announced that the Council would receive and open bids on the following equipment for Holly Street Power Station, Unit No. 3:

- a. 69 KV Substation, Contract 130.
- b. Circulating Water Pipes, Contract 111.
- c. Fuel Oil Heater, Contract 118.
- d. Miscellaneous Tanks, Contract 114.

Bids were received and opened for Contract No. 114, Miscellaneous Tanks and following is a tabulation of bids:

BIDDER	BID BOND	ITEM I ALL MISC. TANKS COVERED BY THIS CONTRACT COM- PLETE & ASSEM- BLED FOR EREC- TION BY OTHERS LESS ITEMS CWT- 31 & DWT-31	ITEM II MISC. TANKS CWT-31 & DWT-31; COMPLETELY FABRICATED, LINES & ERECTED ON PURCHAS- ER'S FOUNDATION AS SPECIFIED HEREIN	ESCALA- TION	DRAWINGS IN CAL. DAYS
CHICAGO BRIDGE & IRON COMPANY	\$10,000	No Bid	\$27,750*	-	1st quarter of 1965
GORBETT BROTHERS STEEL COMPANY	\$10,000	\$12,425	\$22,686	-	30 calendar as approved
GRAVER TANK & MANUFACTURING COMPANY	\$10,000	\$18,480	\$25,820	-	45

WYATT INDUS- TRIES, INC.	\$10,000	\$18,100	\$22,800	5%	24
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*Varies from Specifications.

Bids were referred to the Director of Electric Utilities and Consulting Engineers for analysis and evaluation.

Later in the meeting, the Council received a report of the tabulation from the Consulting Engineers, BROWN & ROOT, INC. as follows:

"December 12, 1963

"Mr. W. T. Williams, Jr.
City Manager
City of Austin
P. O. Box 1160
Austin, Texas

"Subject: Contract No. 114
Miscellaneous Tanks, Holly Street
Power Station, Unit No. 3

"Dear Mr. Williams:

"Brown & Root, Inc., has examined the bids opened by you at 10:00 A.M., December 12, 1963, in open council meeting for the Holly Street Power Station, Unit No. 3, Miscellaneous Tanks, Contract No. 114. Bids were submitted by the following:

Chicago Bridge & Iron
Gorbett Bros. Steel Co.
Graver Tank & Mfg. Co.
Wyatt Ind., Inc.

"On the basis of our review we recommend the awarding of the contract as follows:

"ITEM I: All miscellaneous tanks covered by this contract
complete and assembled for erection by others;
less Item CWT-31 and DWT-31.

"On the basis of the best bid and lowest firm price we recommend Gorbett Brothers Steel Company be awarded the contract for Item I for the sum of \$12,425.00.

"ITEM II: Miscellaneous tanks CWT-31 and DWT-31; completely
fabricated, lined and erected on Purchaser's founda-
tion as specified herein.

"On the basis of the best bid and lowest firm price, we recommend Gorbett Brothers Steel Company be awarded the contract for Item II for the sum of \$22,686.00.

"Very truly yours,
BROWN & ROOT, INC.
By: s/ D. V. Boyd
D. V. Boyd
APPROVED:
By: s/ D. C. Kinney
Director Electric Utility"

This recommendation was concurred in by Director of Electric Utilities and the City Manager. Councilman Shanks moved that the contract be awarded to GOR-BETT BROTHERS STEEL COMPANY for Item I as specified less Item CWT-31 and DWT-31, in the amount of \$12,425.00, and for Item II, CWT-31 and DWT-31 in the amount of \$22,686.00. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Bids were received and opened for Circulating Water Pipe for Holly Street Power Station, Unit No. 3, Contract No. 111, as follows:

<u>Bidder</u>	<u>Bid Bond</u>	<u>Item I Circulating Water Pipe</u>	<u>Escalation</u>	<u>Drawings In Cal. Days</u>
GIFFORD-HILL- AMERICAN, INC.	\$120,000	\$54,852.25	Firm	10

The bid was referred to the Director of Electric Utilities and Consulting Engineers for examination.

Later in the meeting, the Council received a report from BROWN & ROOT, INC., Consulting Engineers, as follows:

"December 12, 1963

"Mr. W. T. Williams, Jr.
City Manager
City of Austin
P. O. Box 1160
Austin, Texas

"Subject: Contract No. 111, Concrete
Circulating Water Pipe -
Holly Street Power Station
Unit No. 3

"Dear Mr. Williams:

"Brown & Root, Inc., has examined the bid opened by you at 10:00 A.M., December 12, 1963, in open council meeting for the Holly Street Power Station, Unit No. 3, Concrete Circulating Water Pipe, Contract No. 111.

"The bid submitted by Gifford Hill-American, Inc., is in accord with the specifications, and the unit prices used reflected the current market value.

"We recommend the contract be awarded to Gifford-Hill-American, Inc., for the lump sum of \$54,852.25.

"Very truly yours,
BROWN & ROOT, INC.
BY: s/ D. V. Boyd
D. V. Boyd

"APPROVED:

BY s/ D. C. Kinney
D. C. Kinney, Dir. Elec.
Utility"

The Director of Electric Utilities and the City Manager concurred in the recommendation. Councilman White moved the contract for Circulating Water Pipe (Contract No. 111) be awarded to GIFFORD-HILL-AMERICAN, INCORPORATED, in the lump sum of \$54,852.25. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Bids were received and opened for Contract No. 118, Fuel Oil Heater, for Holly Street Power Station, Unit No. 3 and following is a tabulation of bids:

BIDDER	BID BOND	ITEM I FUEL OIL HEATER FOH-31	ITEM II PER DIEM	ESCALATION	DRAWINGS IN CAL.DAYS
BLACK, SIVALS & BRYSON, INC.	\$10,000	\$19,740*	\$75.00 plus cost of transportation and lodging	10%	20
ALLIGER AND SEARS COMPANY INC.	\$10,000	\$22,870*	\$80.00 plus 10¢ per mile traveling	-	30

*Varies from Specifications

The bids were referred to the Director of Electric Utilities and Consulting Engineers for analysis and evaluation.

Later in the meeting, the Council received a report from the Consulting Engineers, BROWN & ROOT, INC., as follows:

"December 12, 1963

"Mr. W. T. Williams, Jr.
City Manager
City of Austin
P. O. Box 1160
Austin, Texas

"Subject: Contract No. 118, Fuel Oil Heater,
Holly Street Power Station, Unit
No. 3

"Dear Mr. Williams:

"Brown & Root, Inc., has examined the bids opened by you at 10:00 A.M., December 12, 1963, in open council meeting for the Holly Street Power Station, Unit No. 3, Fuel Oil Heater, Contract No. 118. Bids were submitted by the following:

"Black, Sivals & Bryson, Inc.	\$19,740.00
Alliger & Sears Co., Inc.	\$22,870.00

"Both of the above bids stated they were not in exact compliance with the specifications and contract documents. After review of the exceptions taken to the specifications by the above bidders, the following comments are submitted for your information:

BLACK, SIVALS & BRYSON, INC.

- (a) The Black, Sivals & Bryson, Inc., bid carries a 10 percent maximum escalation clause, making a total of \$21,714.00.
- (b) The equipment proposed was not functionally able to perform the work required by the specifications. Additional equipment required to meet the specifications could be furnished at an additional price without stating this price. The estimated cost of this equipment is \$1,500.00.

ALLIGER & SEARS CO., INC.

- (a) Review of this bid and the exception taken revealed only a technical deviation which will not affect the efficiency of the plant.

"On the basis of best bid and firm price we recommend that Alliger & Sears Company, Inc., be awarded the contract for Item I for the sum of \$22,870.00.

"Yours very truly,
BROWN & ROOT, INC.
BY: s/ D. V. Boyd
D. V. Boyd
APPROVED:
BY: s/ D. C. Kinney
D. C. Kinney, Director
Electric Utility"

This was also the recommendation of the Director of Electric Utilities and the City Manager. Councilman Shanks moved that Contract No. 118, Fuel Oil Heater, for Holly Street Power Station, Unit No. 3, be awarded to the lowest and best bidder in the sum of \$22,870.00. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Bids were received and opened for Contract No. 130, 69 KV Substation Additions, for Holly Street Power Station, Unit No. 3 and following is a tabulation of bids:

BIDDER	BID BOND	ITEM I MAIN SUBSTATION STRUCTURE ADDITIONS & ACCESSORIES AS SPECIFIED HEREIN WITH MAXIMUM TENSION OF 5000 LBS EACH IN PHASE, & STATIC WIRE	ESCALA- TION	DRAWINGS IN CAL. DAYS
ITE CIRCUIT BREAKER CO.	\$75,000	\$130,470*	-	45
PENNSYLVANIA TRANSFORMER	\$75,000	\$120,900	-	75
H. K, PORTER, INC.	\$75,000	\$150,566	-	35
SOUTHERN STATES INC.	\$75,000	\$125,645	10%	90
Alt. No. 1		\$124,300		
Alt. No. 2		\$121,530		
WESTINGHOUSE ELECTRIC	\$75,000	\$130,620	-	30

*Varies from Specifications.

The bids were referred to the Director of Electric Utilities and Consulting Engineers for analysis and evaluation.

Later in the meeting, the Consulting Engineers, BROWN & ROOT, INC., reported on the examination of the bids as follows:

"December 12, 1963

"Mr. W. T. Williams, Jr.
City Manager
City of Austin
P. O. Box 1160
Austin, Texas

"Subject: Contract No. 130 - 69 KV
Substation Additions, Holly
Street Power Sta., Unit No. 3

"Dear Mr. Williams:

"Brown & Root, Inc., have examined the bids opened by you at 10:00 A.M., December 12, 1963, in open council meeting on the Substation Addition, Contract No. 130, as submitted by Westinghouse Electric Corporation, Pennsylvania Transformer Division of McGraw-Edison Company, ITE Circuit Breaker Company, H. K. Porter Company and Southern States, Inc.

"On the basis of best bid and lowest price we recommend that the contract be awarded to Pennsylvania Transformer Division of McGraw-Edison Company for the total firm sum of \$120,900.00.

"Very truly yours,
BROWN & ROOT, INC.
BY: s/ K. R. Craig,
K. R. Craig, Electrical
Project Engineer
APPROVED:
BY: s/ D. C. Kinney
D. C. Kinney, Director
Electric Utility"

This was also the recommendation of the Director of Electric Utilities and the City Manager. Councilman Shanks moved that the Council award Contract No. 130 to PENNSYLVANIA TRANSFORMER Division of McGraw-Edison Company for 69 KV Substation Additions for Holly Street Power Station, Unit No. 3. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer announced it was 10:30 A.M., the time set to hear the appeal of the OPTIMIST CLUB OF SOUTH AUSTIN from the decision of the Solicitation Board. MR. BILL KEMP, Attorney, represented the Optimist Club of South Austin stating application for permit under the Solicitation Ordinance to raise funds for charitable purposes of assisting the welfare of young boys was denied basically on the grounds that the Solicitation Ordinance provides that the charity receive 75% of the funds contributed and that in this particular case there was a variation in that the club would receive 28% and the expenses would be 72%. He said in most cases the members would do the work themselves, but the membership of this particular club was unable to do the work themselves. The project was that Mr. Clyde Chesser, promoter, would contact merchants for advertisements in a safety manual to be distributed through all mail boxes at the Post Office. The City Attorney read Section 27.4 of the Solicitation Ordinance and explained the three provisions expressed. Mr. Kemp stated organizations received \$12,000 to \$15,000 which they would not receive otherwise for their charity purposes through this means. Councilman LaRue noted that the community would have contributed \$75,000. Councilman Shanks stated many of the merchants would rather make an outright donation to the charity than to buy advertising. After discussion, Councilman LaRue moved that the request for a solicitation permit be DENIED. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

MR. JESSE ROOT, JR., stated he was endeavoring to revive boxing in Austin and use the talent already available in the City. He wanted to use the Coliseum at a reduced rate of \$100 instead of the established rate of \$220 but said he could not follow the same policy as that of the wrestling promotion. He could not reserve the Coliseum every week but perhaps every third week. Mayor Palmer asked Mr. Root to submit information on his background and his definite plans, and if he would be in a position to work out an annual arrangement of paying for a certain number of weeks in advance. Councilman Long asked if he would have any objections to renting the Coliseum for a period of six months at two week intervals at a certain price and after that amount was reached pay the City 10% commission. After discussion, Mayor Palmer asked Mr. Root to submit his proposal to the City Manager, and he would present the Council with a recommendation.

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS the City Council of the City of Austin approved the sale of the hereinafter described tract of land to Robert H. Gravis and wife, Alice Gravis by motion passed November 14, 1963, subject however to certain conditions; and,

WHEREAS all of said conditions have now been met and Robert H. Gravis and wife, Alice Gravis are prepared to consummate this transaction, 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 to execute a warranty deed conveying the hereinafter described tract of land to Robert H. Gravis and wife, Alice Gravis for a consideration of \$8,500.00; said tract of land being more particularly described by metes and bounds as follows:

7640 square feet of land more or less, same being out of and a part of Lot 3, Block F of Ford Place, Number 1, a Subdivision of portion of the Isaac Decker League, in the City of Austin, Travis County, Texas, according to a map or plat of said Ford Place, Number 1, of record in Book 4 at page 265, of the Plat Records of Travis County, Texas, which Lot 3, Block F, Ford Place, Number 1, was conveyed by Charles Yarchak by warranty deed dated July 24, 1948, of record in Volume 912 at page 581 of the Deed Records of Travis County, Texas, which 7640 square feet of land more or less is more particularly described by metes and bounds as follows:

BEGINNING at the Northwest corner of said Lot 3, Block F, Ford Place, Number 1;

THENCE, with the North line of said Lot 3, in an Easterly direction to the Northeast corner of said Lot;

THENCE, with the East line of said Lot 3 in a Southerly direction 40 feet, more or less to an iron pin in the proposed North right of way line of South Belt Loop;

THENCE, with the proposed North right of way line of South Belt Loop North 59° 57' West to a point in the West line of said Lot 3, same being a point in the East line of Russell Drive;

THENCE, with the East line of Russell Drive, same being the West line of Lot 3 in a Northerly direction to the point of BEGINNING, being the same tract of land as was conveyed from Charles Yarchak and wife, Helen Yarchak to the City of Austin by deed dated April 30, 1953 and of record in Volume 2053, pages 25-26 of the Deed Records of Travis County, Texas.

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

MR. ROBERT SNEED, representing MR. FREDERICK EBY, JR., in his application for change of zoning at the rear of 4300-4506 Mount Bonnell Road from "A" Residence 1st Height and Area to "BB" Residence 1st Height and Area, read his letter requesting the Council to return the application to the Planning Commission for additional consideration and development of a general zoning plan for the shore area of Lake Austin; that the Council appoint a committee of interested citizens, including residents of the area opposing the application, to consult with the Planning Commission in the recommendation of a comprehensive zoning plan as has been previously performed in connection with Town Lake; and that the Council follow the recommendation of the Planning Commission and proceed with consideration of an amendment to the present Zoning Ordinance to permit cluster type apartments in "BB" Residential areas where the site plan is approved by the Planning Commission as is presently provided under "B" Residential zoning. The Mayor commented on the Committee stating the situation on Lake Austin differs from that on Town Lake in that the property on Lake Austin is privately owned and most of it is already developed, and he did not believe anything could be accomplished by a committee. He believed more could be accomplished by inviting the public to the meeting. The Planning Commission had been asked to study the zoning of the area. Councilman White stated he believed the matter could be handled just as well by not having a public committee. MR. CORWIN JOHNSON, opponent to the zoning change, stated it was his belief this study should be coordinated with the plan of the City, not just for the lake but for the City as a whole. Mayor Palmer asked him if it would be satisfactory to him just as long as he were properly notified and knew of the meeting where he could voice his opinion. Mr. Johnson said that would be satisfactory to him personally. The Director of Planning suggested that the Council discuss this matter with the Planning Commission. A petition was filed with approximately 35 signatures of residents in the vicinity of the Frederick Eby, Jr., tract located between Mount Bonnell Road and Lake Austin opposing any change in the zoning of this tract which would permit the construction of apartments. Finally, after discussion, Councilman Long moved that the zoning application of Frederick Eby, Jr., (rear of 4300-4506 Mount Bonnell Road, from "A" Residence 1st Height and Area to "BB" Residence 1st Height and Area) be referred back to the Planning Commission for a study of a general area, and that the study and drafting of an ordinance amending the Zoning Text (to permit cluster apartments in "BB" Residence where the site plan is approved by the Planning Commission) be continued, and that the people in the general area involved be notified when these public hearings will be held, and the possibility of the appointment of a citizens committee be considered further. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO
A CERTAIN CONTRACT WITH WAYNE BURNS COMPANY FOR THE
APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER
SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion,

seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH D. L. WELCH, JERRY WALLACE AND BOB BAILEY FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Council received the following:

"December 12, 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-4

"The work of improving portions of the following named streets in the City of Austin, being Assessment Paving Contract Number 63-A-4, dated May 16, 1963, between the City of Austin and Pat Canion Excavating Company, has been performed and completed by Pat Canion Excavating Company in full compliance with the contract and plans and specifications therein contained:

<u>Street</u>	<u>From</u>	<u>To</u>
Arroyo Seca	A point 160' south of SPL Justin Lane	A point 132' north of NPL St. Johns Avenue
Bailey Lane	SGL West 32nd Street	SPL West 34th Street
Baylor Street	SPL West 10th Street (East)	NPL West 11th Street
Lynndale Drive	A point 445' south of SPL West 51st Street	SPL West 51st Street
Meriden Lane	NGL West 7th Street	NPL West 10th Street
Oakland Avenue	NPL West 5th Street	SPL West 6th Street
Owen Avenue	NPL West 34th Street	A point 283' north of NPL West 34th Street
Shoal Creek Boulevard	West 31st Street	SGL West 34th Street
West Lynn Street	NPL Enfield Road	SGL Niles Road
West 31st Street	Shoal Creek Boulevard	WGL Lamar Boulevard
West 33rd Street	A point 240' west of WPL Bailey Lane	WPL Lamar Boulevard
West 39 $\frac{1}{2}$ Street	EPL Alice Avenue	WPL Lamar Boulevard
West 41st Street	EPL Alice Avenue	WPL Lamar Boulevard
West 42nd Street	EPL Shoalwood Avenue	EPL Burnet Road
West 42nd Street	EPL Avenue C	WPL Avenue D
West 49 $\frac{1}{2}$ Street	A point 286' west of WPL Grover Avenue	WPL Grover Avenue
West 51st Street	EPL Woodrow Avenue	WPL Grover Avenue

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

Mayor Palmer introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING ARROYO SECA AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY PAT CANYON EXCAVATING COMPANY AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE. (Arroyo Seca and sundry other streets)

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

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

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council received the following:

"December 12, 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-5

"The work of improving portions of the following named streets in the City of Austin, being Assessment Paving Contract Number 63-A-5, dated May 30, 1963, between the City of Austin and Lee Maners, has been performed and completed by Lee Maners in full compliance with the contract and the plans and specifications therein contained:

<u>"Street</u>	<u>From</u>	<u>To</u>
Balcones Drive	NGL Hancock Drive	SGL Northland Drive
Parkcrest Drive	WGL Balcones Drive	SPL Highland Crest Drive
Woodland Avenue	EGL Oakwilde Lane	WPL South Interregional Highway
West 5th Street	WPL Campbell Street	WPL Lamar Boulevard

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

Mayor Palmer introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING BALCONES DRIVE AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY LEE MANERS AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.
(Balcones Drive and sundry other streets)

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

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

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Long inquired about plans regarding the City's reshaping the lawns on the properties of MRS. RUBY RAY & MR. MARTIN JOHNSON on 44th Street and Red River. The Director of Public Works reported the property had been back-sloped and that Mr. Johnson had some concrete stepping stones and asked if the Department would lay them from the curb back up the slope. The Director of Public Works stated they would do that, but he had heard nothing more. If Mr. Johnson gets the stone, it would be laid but not with mortar joints. The Mayor stated these owners were paid a sum sufficient to move their homes back, but they chose not to do it.

Mayor Palmer 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: (1) THE NORTH 94.5 FEET OF LOT 8, BLOCK N, DRIVING PARK ADDITION, FROM "C-1" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; (2) LOTS 6, 7 AND THE NORTH 52 FEET OF LOT 8, BLOCK 5, OUTLOT 26, DIVISION C, CHRISTIAN AND FELIMAN ADDITION, FROM "BB" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (3) A 4.9 ACRE INTERIOR TRACT OF LAND APPROXIMATELY 800 FEET EAST OF THE EAST RIGHT OF WAY LINE OF SOUTH INTERREGIONAL HIGHWAY, LOCALLY KNOWN AS 1710-1718 WOODWARD DRIVE, 1700-1710 DOYLE DRIVE AND 3401-3419 SAN MARINO DRIVE, FROM INTERIM-"A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; (4) A 1.976 ACRE TRACT OF LAND BEGINNING AT THE SOUTHWEST INTERSECTION OF RIVERSIDE DRIVE AND PARKER LANE, LOCALLY KNOWN AS 1713-1741 RIVERSIDE DRIVE, 1200-1216 PARKER LANE AND 1712-1738 LUPINE LANE, FROM "A" RESIDENCE DISTRICT AND "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT; (5) A TRACT OF LAND FRONTING 42 FEET ON THE NORTH RIGHT OF WAY LINE OF SAN JACINTO BOULEVARD, SAME BEING APPROXIMATELY 86 FEET WEST OF THE WEST RIGHT OF WAY LINE OF DUVAL STREET, LOCALLY KNOWN AS 2809 (2805) SAN JACINTO BOULEVARD, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; AND (6) (A) TRACT 1: A 1.23 ACRE TRACT OF LAND FRONTING 137 FEET ON THE EAST RIGHT OF WAY LINE OF PARKER LANE, BEGINNING 227 FEET SOUTH OF THE SOUTH RIGHT OF WAY LINE OF RIVERSIDE DRIVE, LOCALLY KNOWN AS 1303-1311 PARKER LANE, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (B) TRACT 2: A 7.06 ACRE TRACT OF LAND BEGINNING 165 FEET EAST OF THE EAST RIGHT OF WAY LINE OF PARKER LANE, LOCALLY KNOWN AS 1815-2015 REVERSIDE DRIVE AND 1213-1301 PARKER LANE, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND DISTRICT; TO "LR" LOCAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; (C) TRACT 3: A 0.93 ACRED TRACT OF LAND BEGINNING 1283 FEET EAST OF THE EAST RIGHT OF WAY LINE OF PARKER LANE, LOCALLY KNOWN AS 2021-2027 RIVERSIDE DRIVE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; ALL SAID PROPERTY BEING SITUATED IN 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 Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

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 LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

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 LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: (A) THE NORTH 64 FEET OF LOTS 5 AND 6, BLOCK 76, ORIGINAL CITY OF AUSTIN; AND (B) THE SOUTH ONE-HALF OF LOTS 5 AND 6, BLOCK 76 AND LOTS 7 AND 8, BLOCK 75, ORIGINAL CITY OF AUSTIN, FROM "O" OFFICE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING SITUATED IN 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 Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer
Noes: Councilman White

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 LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer
Noes: Councilman White

The ordinance was read the third time and Councilman Long moved that the

ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: Councilman White

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer made inquiry about the amendment to the ZONING TEXT regarding the electronics wholesale establishments in "GR" General Retail.

Councilman LaRue 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, and set for public hearing at 10:30 A.M., January 2, 1964:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF (A) 0.29 OF ONE ACRE OF LAND OUT OF THE S. Q. WHATLEY SURVEY IN TRAVIS COUNTY, TEXAS, AND (B) 2.52 ACRES OF LAND OUT OF THE HENRY WARNELL SURVEY NO. 20 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. (Portions of Preswyck Hills, Section One and unplatted acres out of Henry Warnell Survey)

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a drainage easement twenty (20.00) feet in width was granted the City of Austin in, upon and across Lots 3,4 and 5, Block D, Williamson Subdivision, Section 2, a subdivision of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of record in Book 7 at page 179 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owners of said above described drainage easement have requested the City Council of the City of Austin to release the hereinafter described portion of said easement; and,

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

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized

to execute a release of the following described portion of said drainage easement, to-wit:

A strip of land twenty (20.00) feet in width same being out of and a part of Lots 3, 4 and 5, Block D, Williamson Subdivision, Section 2, a subdivision of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of record in Book 7 at Page 179 of the Plat Records of Travis County, Texas, which strip of land twenty (20.00) feet in width is to be released from the drainage easement provided on said map or plat of Williamson Subdivision, Section 2, save and except, however, those certain portions of said strip of land twenty (20.00) feet in width as contained in the following three (3) instruments:

(1) A drainage easement dated February 23, 1962 of record in Volume 2416 at page 34 of the Deed Records of Travis County, Texas;

(2) A drainage easement dated February 23, 1962 of record in Volume 2416 at page 37 of the Deed Records of Travis County, Texas;

(3) A drainage easement dated February 23, 1962 of record in Volume 2416, at page 41 of the Deed Records of Travis County, Texas.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
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 erection of a boat dock on the property owned by Dr. Melvin Jones as described in the Travis County Deed Records and known as a tract of land on the shore of Lake Austin, and hereby authorizes the said owner to construct, maintain and operate this boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said owner has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"December 10, 1963

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

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of Dr. Melvin Jones, abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road, as recorded in the Travis County Deed Records, for permission to construct and maintain a boat dock and house projecting out into the lake approximately thirty (30) feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Dr. Melvin Jones is granted his request by the City Council, that it be subject to the following conditions:

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

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

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

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

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

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

Mayor Palmer inquired about the plans for lowering Lake Austin and asked that the City Manager check with the Lower Colorado River Authority to determine whether or not they would consider it and to make a recommendation next Thursday.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 2(b) OF ORDINANCE NUMBER 631107D PASSED ON NOVEMBER 7, 1963 SO AS TO APPROVE THE CHANGES IN THE PLANS AND SPECIFICATIONS MADE BY THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF AUSTIN CHANGING THE WIDTH OF DUVAL STREET AND BLACKSON AVENUE FROM 30 FEET TO 40 FEET AND DECLARING AN EMERGENCY.

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 LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

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 LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer inquired about the time limit on the assessment date and stated the time should be 45 days from today. The City Attorney stated the letter should be made clear that this has to do with the entire project so that the property owners will know they do not have to come in with a part at one time and a part at another time; that the whole sum has to be paid 45 days from now.

Councilman Shanks 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 December 12, 1963, between the State of Texas and the City of Austin, for the installation, construction, existence, use, operation, and maintenance of certain highway traffic signal (s) at the location (s) shown on EXHIBIT 1, attached hereto and made a part hereof, in the City of Austin, be and the same is hereby approved, and W. T. Williams, Jr., City Manager is hereby authorized to execute said contract on behalf of said 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. (Exhibit 1 shown on following page)

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

EXHIBIT 1

LOCATION(S)

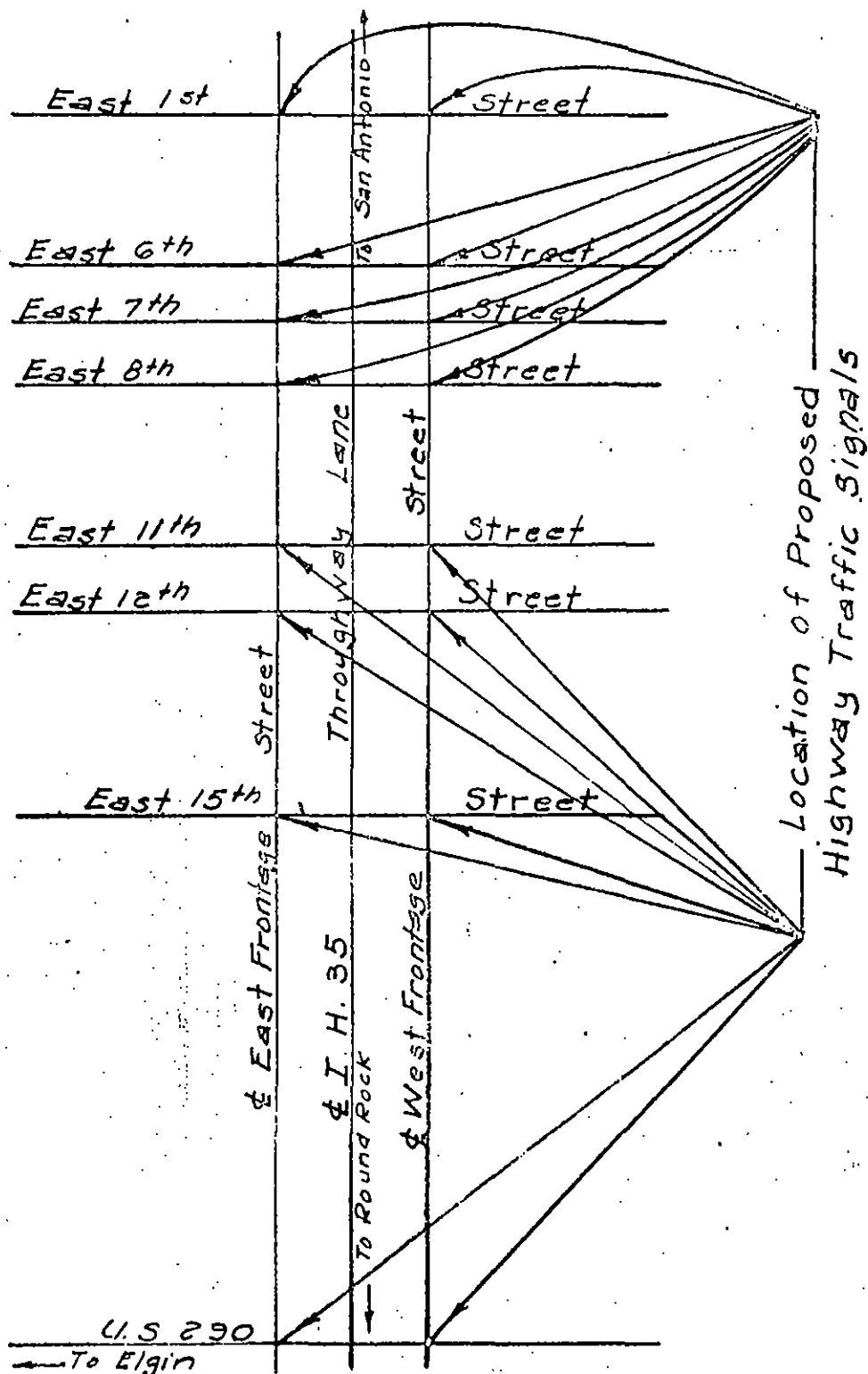
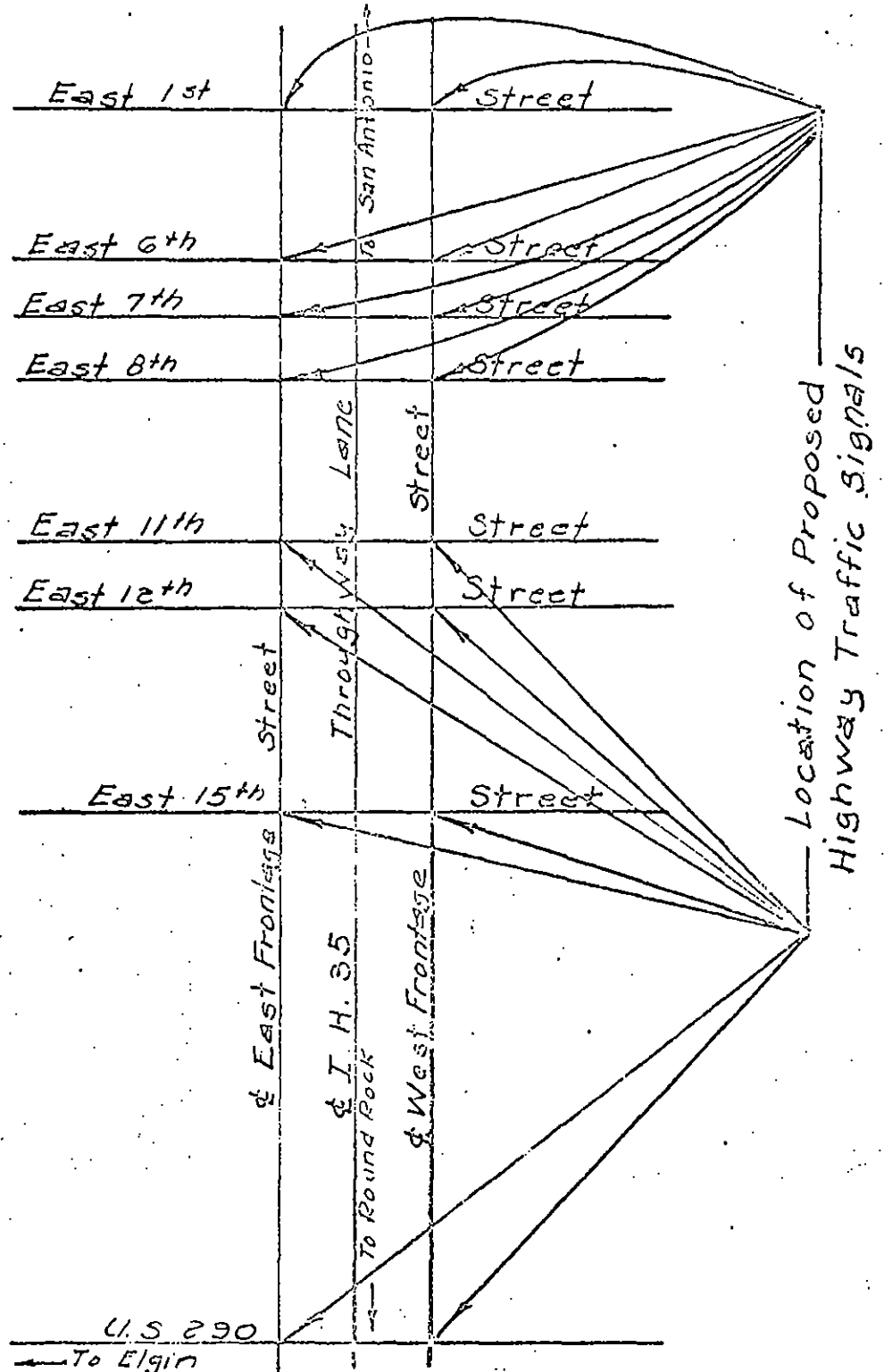
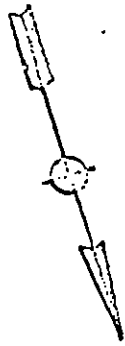


EXHIBIT 1

LOCATION(S)



MR. BUFORD STEWART appeared regarding the final reading of the ordinance annexing WESTERN TRAILS, SECTION EIGHT. The City Attorney stated he had not received the copy of the letter which Mr. Stewart said Sunset Valley had in the mail and in which they made an agreement that they had no objections to the City of Austin's annexing this particular property. He stated that would not resolve the question of whether or not they had entered into an agreement with the City as provided by the new statute. The City Manager explained another contract could be drawn to cover only this particular piece of property. The City Attorney said there was nothing to prohibit the Council from annexing the property today but that would not solve the problem, that there would have to be some formal action taken by the Council of Sunset Valley. The Mayor brought up the following ordinance for its third 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 12.705 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES TRAMMEL SURVEY NO. 4, 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.
(Western Trails, Section 8)

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Shanks moved that the Council accept the proposal of BROWN & ROOT, INC., for engineering services for the new power plant. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman White moved that the Council accept Mr. Fred Wong's request to withdraw the following zoning application:

FRED WONG	2102 Goodrich Street	From "A" Residence
		To "B" Residence .
		NOT Recommended by the
		Planning Commission

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

The Council recessed until 2:00 P.M.

RECESSED MEETING

2:00 P.M.

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

MR. CLYDE MALONE, Austin Transit Corporation submitted a letter dated December 9, 1963, setting out the amount of the total investment in property, real, personal and mixed, used in providing local transit service in Austin, as follows:

"December 9, 1963

"The Honorable Mayor and Members of the City Council
Municipal Building
Austin, Texas

"Dear Sirs and Madam:

"The purpose of this letter is to supplement the application of Austin Transit Corporation dated November 14, 1963 for a rate adjustment.

"Simultaneous with the filing of the application, we submitted to you certain information with respect to the Austin Transit franchise, our financial statement for the period ending June 30, 1963 and for the three-month period ending September 30, 1963. Other information was submitted, including a schedule of the operating fleet (motor bus coaches) used by Austin Transit in supplying local bus service to the City of Austin pursuant to its franchise.

"The present depreciated book value of the rolling fleet as of July 1, 1963, is \$773,789.43. If the entire fleet of buses were replaced with new equipment, the value of these buses would be substantially in excess of the above figure even after making allowances for physical depreciation, the point being that our depreciated book value of \$773,789.43 is representative of the fair value of this property. All of this property is devoted to service in Austin.

"In addition to the motor buses, operating fleet, Austin Transit uses in its business two cars and one pickup. These automobiles are used by the manager, supervisors and for maintenance purposes. These vehicles have an estimated value of \$2,500.00.

"Austin Transit Corp. acquired, in 1955, the property located at 1315 West 5th St. in the City of Austin, comprising approximately 3 1/4 acres. This property is essential to the operation of the bus system in that it serves as a home base for the parking of the operating fleet while not in use, and shop and office facilities. The company maintains no office in Austin except at the West 5th St. location. The real estate has been appraised previously for financing purposes at prices ranging from \$125,000 to \$165,000. Recently we have built new buildings, including office and shop facilities and other necessary improvements. Book value of these buildings and land is \$164,282. In order to repair and maintain the operating fleet, we have shop repair tools and equipment, maintenance equipment, cleaning and washing equipment and, of course, the parts and supplies necessary to maintain the fleet in operation. The value of this equipment, along with the real estate and improvements, would in our opinion conservatively be \$214,198.

"As you know, lastly, we must maintain some working capital plus prepaid expenses, etc. However, these amounts are not included in the above valuations

mentioned. Therefore, our total investment in property, real, personal and mixed, used in providing local transit service in Austin is, in our opinion, a minimum of \$987,987.00.

"Should additional information be desired, we shall be happy to supply it to the Council

"Thanking you for your cooperation, I remain

"Yours very truly,
AUSTIN TRANSIT CORP.
s/ C. R. Malone
C. R. Malone Manager"

Councilman LaRue stated in last week's discussion he was concerned about the losses of any riders, and he was interested in giving thought to increasing the number of customers rather than assuming that a loss of 5% of the riders would be the usual thing in a rate change. He wanted to be sure no riders would be lost through price increases. He listed figures showing this 5% loss to be \$45,000, stating that much additional revenue would have to be added. Mr. Malone stated the 5% loss shown comes from only the token users, and comprises 60% of the total revenue. He estimated \$26,311 instead of the \$45,000. He anticipated no loss in the cash fare customers. Councilman LaRue discussed in detail his proposal to not to do away with the token fare, and thus lose 5% of the customers which would mean some \$26,000 loss and which loss ultimately would have to be made up by the other riders. Instead, he would recommend that the 2% gross receipts tax be eliminated, which would give new revenue of \$18,000 plus \$22,000 charge for transfers, giving a total of \$40,000 additional. He stated if the token fare is eliminated, and a loss of 5% of the riders occurs, that only speeds up the time when the City would have to take over the company, and it has no desire to do so. Councilman LaRue said it was a legal responsibility of the Council to see that the Company had a fair return on their investment, and that the Council was incorrect in discussing that a certain amount of gross receipts should be returned to the company as a basis of establishing rates. He said this would be a precedent. The Council and Mr. Malone went into this matter also in detail, comparing the operations with other utilities, and also with the "Operation ratio" method used by all transit companies in regard to rates. Councilman Long stated she also was opposed to doing away with the token and charging for the transfer, and she thought the City would have to subsidize the operation. Councilman Shanks stated he was opposed to doing away with the gross receipts tax. Mayor Palmer stated the Company would be adding customers when the Internal Revenue Service was in full operation, and the St. Elmo underpass was completed. After a lengthy study of the matter, Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED:
"AN ORDINANCE PRESCRIBING FARES AND CHARGES COLLECTIBLE,
BEGINNING THE 1ST DAY OF JULY 1947, BY EVERY PERSON,
FIRM AND CORPORATION MAINTAINING AND OPERATING WITHIN
THE CITY OF AUSTIN A BUS SYSTEM FOR LOCAL TRANSPORTATION
OF PASSENGERS FOR HIRE USING OR OPERATING UNDER A PUBLIC
FRANCHISE; PRESCRIBING PAYMENTS TO THE CITY OF AUSTIN,
BASED UPON GROSS ANNUAL RECEIPTS FROM OPERATIONS, BY

EVERY PERSON, FIRM AND CORPORATION MAINTAINING AND OPERATING WITHIN THE CITY OF AUSTIN A BUS SYSTEM; FIXING TIMES FOR SUCH PAYMENTS; AND DECLARING AN EMERGENCY." WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN JUNE 26, 1947, AND IS RECORDED IN BOOK "M", PAGES 523-524, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 1 THEREOF PRESCRIBING RATES FOR THE TRANSPORTATION OF PASSENGERS FOR HIRE BY BUS WITHIN THE CITY OF AUSTIN.

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 Palmer
Noes: Councilmen LaRue, Long

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE RENEWING AND EXTENDING THE FRANCHISE OF THE AUSTIN STREET RAILWAY COMPANY TO OPERATE STREET CARS UPON THE STREETS AND AVENUES OF THE CITY OF AUSTIN AND REQUIRING THE SUBSTITUTION OF BUSES ON ALL STREETS ON WHICH STREET CARS ARE NOW OPERATED; AND REPEALING ALL ORDINANCES IN CONFLICT HERewith," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON THE 12TH DAY OF OCTOBER, 1939 AND IS RECORDED AT LENGTH IN ORDINANCE BOOK "K", PAGES 566-567 INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 4 OF SAID ORDINANCE OF OCTOBER 12, 1939.

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 Long, Shanks, White, Mayor Palmer
Noes: Councilman LaRue

Councilman Shanks moved that FIRST BAPTIST CHURCH be granted permission to close Colorado on the side of the Church in front of the Governor's Mansion for the purpose of Christmas caroling. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

It was stated the Governor's Office had been checked and it gave its permission.

The Council had before it the following:

"December 4, 1963

"TO: Honorable Mayor and Members of the City Council

SUBJECT: Bids for furnishing and installing Draperies for City Auditorium

"Bids were received in the office of the Purchasing Agent at 10:00 A.M. December 3, 1963 for furnishing and installing draperies for City Auditorium.

"Invitation to bid was sent to all known interested bidders and advertised in the Austin American for two weeks.

"The tabulation of these bids are as follows:

	Base Bid	Alternate Bid
The Abel Stationers - Austin	\$10,118.00	\$11,026.00
Titche-Goettinger Company - Dallas	12,800.00	14,500.00
Paul's Draperies, Inc. - Austin	12,141.00	13,082.56
Don A. Ridley Interiors - Houston	7,725.00	8,450.00
Dismukes Blind & Drapery Company - Austin	9,418.00	9,892.00
Frances Duff Inc. - Austin	10,600.00	12,100.00
The Abel Stationers - Austin		
Alternate Bid #1	10,078.00	10,986.00
Alternate Bid #2	9,269.00	10,176.00

"It is recommended that the award be made to Don A. Ridley Interiors of Houston, Texas on the alternate low bid in the amount of \$8,450.00. The alternate bid includes the installation of new track which will add much to the appearance of the drapery job. The present track is very large and allows the draw ropes to be exposed and drape down into the line of vision.

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

The City Manager had a report on the drapery bid. Councilman Shanks had checked into the matter and found the firm to be a reputable and capable firm. Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 3, 1963, for furnishing and installing draperies for City Auditorium; and,

WHEREAS, the bid of Don A. Ridley Interiors of Houston, in the sum of \$8,450.00, 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 Don A. Ridley Interiors of Houston, in the sum of \$8,450.00, 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 Don A. Ridley Interiors of Houston.

The motion, seconded by Councilman LaRue, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White
Noes: None
Not in Council Room when the roll was called: Mayor Palmer

The City Manager reported receipt of a copy of a letter addressed to the Mayor from MR. TOM BROWN, President of the Austin-Travis County Community Council, in which he offered the service of the Community Council to aid in whatever way it could in the Community Renewal Program. The Director of Planning outlined some programs in which the Community Council was studying--day nurseries, the hospital study, a relocation of families when public facilities went in. Fifty to seventy-five houses have been cleared out for University expansion, and thirty or forty houses have been moved for the Capitol area expansion. Three hundred people had been dislocated from the Capitol area. He stated it was hoped in January that there would be an official Community Renewal Program in effect after the first of the year, and the Community Council could be answered. The Mayor stated that he would contact the Community Council and thank it for its offer, and tell it the City would be calling on it when the need developed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain sanitary sewer and drainage easement was reserved and dedicated to the public on a map or plat of Paxton Subdivision, according to a map or plat of said Paxton Subdivision of record in Book 5, page 129, of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the following described property has requested that said sanitary sewer and drainage easement be released by the City Council of the City of Austin; and,

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

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

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

A tract of land being out of and a part of Lots 8 and 9 of Paxton Subdivision, a resubdivision of a portion of Reservoir Heights, a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Reservoir Heights of record in Book 3, page 8, Plat Records of Travis County, Texas, a map or plat of said Paxton Subdivision being of record in Book 5, page 129 of the Plat Records of Travis County, Texas; and being more particularly described by metes and bounds as follows:

BEGINNING at a point on the south line of Lot 8 of said Paxton Subdivision, and from which point of beginning the southeast corner of said Lot 8 bears S 59° 20' E 10.00 feet;

THENCE, following a line 10.00 feet westerly from and parallel to the east line of said Lot 8, N 29° 45' E 177.25 feet to a point;

THENCE, following a line 20.00 feet southerly from and parallel to the north line of Lots 8 and 7, S 59° 20' E 20.00 feet to a point;

THENCE, following a line 10.00 feet easterly from and parallel to the west line of Lot 9, S 29° 45' W 177.25 feet to a point on the south line of said Lot 9;

THENCE, with the south line of said Lots 9 and 8, N 59° 20' W 20.00 feet to the point of beginning.

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

The City Manager stated the Director of Public Works wants to take bids on a front end loader and he is anxious to secure a machine with the operator's compartment in the back rather than forward for safety reasons. The Director of Public Works stated there were three machines - Caterpillar, International and Eimco. The Director of Public Works pointed out the hazards and recent incidents of accidents, and stated it was requested that machines be called for where the operator's compartment would be at the rear of the machine. The City Manager also discussed this operation and maintenance in detail. The Mayor stated it was agreed that these specifications could be incorporated.

The City Manager stated the City Attorney had a report to make on rural fire protection. The City Attorney reported that one of the provisions for obtaining favorable insurance rates for those adjoining or near the city limits had to do with providing publicly owned fire hydrants. At the present time the City now controls the fire hydrants on Industrial Boulevard (Water District No. 4), but there is no advantage to the insured if the City does not have a written commitment permitting its equipment to go outside the city limits. Representatives from the Fire Department, Law Department, and the City Manager's Office have visited with the County Commissioners several times regarding an agreement with the County that would permit the City's equipment to be used outside the City limits. When the equipment leaves the city limits it loses its government immunity, and the City is extremely reluctant to send equipment outside the city limits. The only thing to be done is to continue to ask the County that the City is willing to contract with the county and will do so and extend the Government immunity of the City to that point. The City Attorney stated a basis of compensation had been worked out on an hourly amount. He stated the City did not propose county wide coverage, but only in specific nearby area. The Council decided to meet with the Commissioners--possibly invite them to lunch at some time.

The City Manager called attention to the Electrical Utility Monthly Progress Report for November 1963.

The City Manager called attention to the Street Paving Report Summary for November.

Decision on appointment of members of the Board of Adjustment was deferred until the following week.

Mayor Palmer inquired about the "no parking" in alleys, with particular reference to the alley between West 6th and West 7th Streets, and Lamar and Baylor. He had a complaint from MR. JOHN REED that parking in this alley made it impossible for him to get in or out. The Director of Public Works was asked to check this.

Councilman White reported several complaints on parking or double parking on Lavaca at the Post Office. It was pointed out this perhaps was a seasonal occurrence, in that at this time there is a line of cars waiting turns to get to the Courtesy Mail box on 6th Street.

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


Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Council adjourned at 3:50 P.M. subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:


City Clerk