

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 26, 1964
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

MR. CLARENCE FLOURNOY said the tax map of a tract of land he owns shows a dotted line indicating MORRIS STREET which is not dedicated and which does not exist. The developer of the adjoining subdivision uses this strip of land stating it is a dedicated street, and there is no record of there being a street at all. Mr. Fournoy has been paying taxes on it all the time. The City Attorney stated it could have been a draftsman's error. The Director of Water Utilities stated there was a sewer easement on $12\frac{1}{2}'$ of the old Lot 2 of Outlot B. The Mayor referred this to the City Manager to have the Legal Department and Utilities Departments check it out; and if there is no conflict, to bring in a recommendation next Thursday.

MR. STANLEY PETERMAN, President of South Austin Lions Club, reviewed plans for a "hike and bike" trail, or nature trail along a strip of city owned land beginning at East Live Oak Street, down the west side of Blunn Creek, going under the bridge where possible and crossing over the street where they cannot go under the bridge. The trail will continue to East Monroe. On the second phase, they plan to construct the trail on down to Riverside Drive. They plan to construct three foot bridges. The City Manager said he had a letter addressed to the Director of Recreation signed by Mr. Gilbreath making the same proposal. The Parks and Recreation Board recommends approval of this project. He explained there was a large sewer line to be constructed in Blunn Creek from East Riverside Drive to East Live Oak Street, and this will have to be worked out as to timing of the construction of the line, and the path. He pointed out also there was a matter to be cleared with the Schools, as the City had given the School permission to use the property west of the creek for playgrounds. Councilman White moved that after checking this with the School Board, that the South Austin Lions Club request be granted and that they build this project and that it be called the SOUTH AUSTIN LIONS BEN HOWELL MEMORIAL TRAIL, as they recommended. The motion, seconded by Councilman Long, carried by the following vote:

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

Mayor Palmer Commended the Lions Club for its action, stating this was a wonderful thing. He understood the Club was to bear the cost of building the trail. Councilman Long also noted this was a commendable effort, as it is real fine for people to come to the City with projects that add beauty and usefulness, without any cost to the City. Councilman LaRue added acts and thoughts such as these men were doing were things that made people glad they lived in Austin.

MR. BILL HOWARD appeared before the Council to pay tribute to citizens who shape the progress in the City, and announced the Recognition Dinner will be held Monday, April 6th at the Commodore Perry Hotel at 6:30 P.M. at which time MAYOR PALMER will discuss the City's cooperation in the industrial program. Mayor Palmer read a Proclamation designating April 1st-7th as "Salute to Austin Industry Week". Councilman Shanks moved that the Council join the Mayor in this Proclamation. The motion, seconded by Councilman LaRue, carried by the following vote:

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

MR. VOLMA OVERTON, President of the Austin Branch of the National Association for the Advancement of the Colored People, appeared before the Council asking that protective measures be invoked in the most sensitive area where people suffer most because of the color of their skin. He stated the N.A.A.C.P. had worked with other organizations, and were present when the Witherspoon Ordinance was presented. Since then the Council had appointed a Committee to study this problem on segregation in Austin, and the Committee brought forth a report and an ordinance, but it was rejected for obvious reasons, one being that a change in the City Charter would be required. In his discussion, Mr. Overton stated the ordinance which the Committee brought in was insufficient and inadequate for the times, and finally he stated he was against it. Mr. Overton said no decisions had been made on either of the two ordinances that had been submitted. He said the N.A.A.C.P. believed there was a strong need for a strong ordinance, and he distributed copies of an ordinance referred to as the "El Paso Ordinance" to the Council Members. He stressed there was no threat, but the N.A.A.C.P. had planned to be back next week, and stay until the "City Dads" of Austin give some relief from the humiliation of segregation. He discussed briefly the ordinance. He recommended this ordinance rather than having a Jacksonville, Florida - Atlanta or some other place, that it be considered immediately. Mayor Palmer asked if he, and the N.A.A.C.P. did not feel that the suggestion of the Committee would be adequate. Mr. Overton stated they had gone along with many of the plans, and thought they were a step in the right direction, but no step forward had been made. Councilman Shanks asked if he meant no progress had been made in the last six or seven months. Mr. Overton stated as far as the city ordinance was concerned it had not, and voluntary action would not work. Councilman LaRue stated last week a petition of approximately 3000 signatures was filed, stating specifically they were in favor of voluntary progress along these lines. Councilman Shanks discussed with Mr. Overton the N.A.A.C.P. on its local basis and on its universal level.

Councilman Long stated in looking at this ordinance, that she favored the type of action where a Human Relations Commission would be appointed, such as in the ordinance presented by Dr. Witherspoon. She favored that, over this Ordinance, as she said this was arbitrary and there was no one to report to, or to

look to, and it was not the best way to act in the best interest of the citizens of Austin, for their sake, or for the citizens as a whole, to pass an ordinance like the one just presented. She believed a Human Relations Committee was needed to work with these things, before people were taken into court, as there were many things and many discriminations other than those pointed out here. All over the country where there is progress, there are Human Relations Commissions working in conjunction with the Ordinance; and according to the research that Dr. Witherspoon and others had done, nearly all the cases were settled and weeded out and very few go to Court.

REV. WESLEY SIMS stated this situation had presented itself nation wide, and it seemed a shame the Capital City of Texas would be referred to as being unwilling to be fair to all of its citizens or to treat all of its citizens alike. He stated the citizens of Austin could be embarrassed with public demonstrations on these racial issues. He concluded by stating they were tired of being denied the privileges of citizens.

MAYOR PALMER made a statement that all members on the Council had announced publicly and otherwise, that they are opposed to discrimination. The only area of disagreement was a method of accomplishing integration. He pointed out the theaters, hotels and downtown restaurants were opened, and that facilities serving 85% of the public are now integrated. The Council recognizes the problem is not going to be settled by default, and the Council cares, and there are people in Austin that care and want to work out the problem. It is the ordinance route that so many are in disagreement. He pointed out the progress that had been made. Rev. Sims asked the Mayor to suggest a course of action for underprivileged people who would like to get action from the City Council. The Mayor challenged the statement that "nothing was gotten except under pressure", and stated there was no pressure brought on this Council to integrate every single public facility in the City of Austin that is paid for by taxpayers' money. The Mayor stated many of the ordinances are challenged in the Courts, and it might be the only way to prove it out and take it on up to the Supreme Court. He stated it could be settled if they would just do it in their own hearts and minds and attitudes, and not in the legislative halls. Most of this could be settled right within the Churches. He asked if they would keep the communications open between the N.A.A.C.P., between CORE, the Campus Inter-racial Committee, the Human Relations Committee, and not say this is something that the Council has refused to do. He pointed out the City Attorney had advised the Council one ordinance was unconstitutional in his judgment; and that Mr. Overton had asked the Council not to pass the other ordinance and did not want the Charter Amendment submitted to the people. The Mayor thanked the group for coming up, and pledged to keep the communications open so that they would understand what the Council was trying to do, and that the Council would understand what the groups were trying to do, and asked that they not say the Council had done nothing and would not do anything. He stated Mr. Overton and Rev. Sims and all can visit together on this and try to come up with some solution.

MRS. JOHN BARROW stated this was pertinent, and asked what can those that believe some kind of ordinance is needed do? She believed the majority of the people of the City wanted an ordinance. She suggested having an official commission to deal with these things, and her preference was the type of Commission in the "Witherspoon" recommendation. Councilman Long believed that something could be worked out that would be acceptable. The Mayor thanked Mr. Overton and Rev. Sims and the others for coming down and stated the Council would keep working on this.

The Mayor announced the zoning hearings advertised for 11:00 A.M. would now be opened.

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

ALMETA YETT, et al	504-506 West 33rd Street	From "A" Residence
By Robert Penn Fowler	505-507 West 34th Street	2nd Height & Area
	3301-3307 Guadalupe Street	To "B" Residence
		2nd Height & Area
		NOT Recommended by the
		Planning Commission

MR. GRADY CHANDLER, spokesman for 126 people in Aldridge Place asked that Aldridge Place be kept residential as it was by deed restrictions. He stated the deed restrictions had no time limit on them, and this particular zoning would be a spot zoning. Mr. Chandler stated they had filed a protest with 126 signatures with the Council. Councilman Shanks moved that the Council sustain the Planning Commission and Deny the change of zoning. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

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FRANK C. BARRON	1400 North Loop Boulevard	From "A" Residence
	5300-5302 Woodrow Avenue	To "O" Office
		NOT Recommended by the
		Planning Commission

MR. HORTON, 1308 Harriet Court, expressed opposition to this change in that there would be an increase in traffic. There are already available facilities for office use. The people want to live in this area, and went into all of this a year ago. He requested the Council to consider the recommendation of the Planning Commission. After discussion, Councilman Long moved that the Council uphold the recommendation of the Planning Commission and Deny the application for change of zoning. 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 change had been DENIED.

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ERNEST ELAM and	313-317 East 18th Street	From "B" Residence 2nd
P. FRANK LAKE	1706-1710 Trinity Street	Height & Area
By Vincent Nelson		To "C" Commercial 2nd
		Height & Area
		RECOMMENDED by the
		Planning Commission

No opposition appeared. Councilman Long moved that the change to "C" Commercial 2nd Height and Area be granted. 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 change had been granted to "C" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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AMERICAN FOUNDERS
LIFE INSURANCE CO.
By S. J. Maxwell

6931-7011 N. Interregional
Highway

From "A" Residence 1st
Height & Area and
"C" Commercial 6th
Height & Area
To "C" Commercial 5th
Height & Area
RECOMMENDED by the
Planning Commission

No opposition appeared. Councilman LaRue moved that the change to "C" Commercial 5th Height and Area be granted. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial 5th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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C. N. MARSH and
HERMAN F. HALL
By Sam R. Perry

Rear of 300 E. Riverside
Drive

From "D" Industrial 2nd
Height & Area
To "C-2" Commercial 2nd
Height & Area
RECOMMENDED by the
Planning Commission

No opposition appeared. Councilman LaRue moved that the change to "C-2" Commercial 2nd Height and Area be granted. 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 change had been granted to "C-2" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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LOUIS GAGE and
RICHARD L. HOUGH
By Robert C. Sneed

2103-2205 Anderson Lane

From "A" Residence and
"B" Residence
To "GR" General Retail
RECOMMENDED by the
Planning Commission

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

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

The Mayor 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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CROSS COUNTRY INN
OF AUSTIN
By Moton H. Crockett,
Jr.

Rear of 6209-6213 U.S.
Highway 290 East

From "C" Commercial 6th
Height & Area
To "C-1" Commercial 6th
Height & Area
RECOMMENDED by the
Planning Commission

No opposition appeared. Councilman Shanks moved that the change to "C-1" Commercial 6th Height and Area be granted. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor announced that the change had been granted to "C-1" Commercial 6th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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MARGARET L. MOORE
and THOMAS J. MOORE
By Phil Mockford

3104-3106 Speedway
Additional Area:
3100-3102 Speedway
100-104 West 31st Street

From "A" Residence 1st
Height & Area
To "B" Residence 2nd
Height & Area
RECOMMENDED by the
Planning Commission

No opposition appeared. Councilman White moved that the change to "B" Residence 2nd Height and Area be granted. 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 change had been granted to "B" Residence 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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SHOAL CREST BAPTIST CHURCH, By Robert C. Sneed	3401-3405 Alamo Boulevard 1304-1312 West 34th Street	From "A" Residence To "C" Commercial NOT Recommended by the Planning Commission RECOMMENDED "GR" General Retail
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No opposition appeared. Councilman Shanks moved that the change to "GR" General Retail be granted as recommended by the Planning Commission. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor 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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CAL MARSHALL By John B. Selman	Tract 1: 1701-1807 Overhill Drive 4501-4511 East 19th Street 1800-1814 Springdale Road	From "A" Residence To "LR" Local Retail NOT Recommended by the Planning Commission RECOMMENDED "O" Office on 50' depth of Lots 4, 5, 6 & 7 on Springdale Road and 50' depth of Lots 7, 8, & 9 on Over- hill Drive and "LR" on remainder of Tract 1
	Tract 2: Rear of 1805 Overhill Drive	From "A" Residence To "C-1" Commercial RECOMMENDED by the Planning Commission

No opposition appeared. It was noted street dedications were to be made. Councilman White moved that the change be granted to "O" Office on 50' depth of Lots 4, 5, 6 and 7 on Springdale Road and 50' depth of Lots 7, 8 and 9 on Overhill Drive and the remainder of Tract 1 be changed to "LR" Local Retail; and the change be granted to "C-1" Commercial for Tract 2. 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 change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

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MONROE TERRILL
By Joe Perrone

817-823 East 7th Street
610-618 Brushy Street

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

MR. PERRONE, representing the applicant stated a drive-in grocery was planned for this site, and one of the needs of a drive-in operation is an off-premise permit. This will be a Town & Country Store. MR. BROOKS OAKLEY expressed opposition, stating during the past 12 years he had been in this area, he had found anything connected with beer was a detriment. He did not sell beer at his place; and if this off-premise permit is allowed, he would be accomodating the drive-in grocery customers at his place, and this would be damaging to his business. Opposition was expressed by Mr. Garza, 906 Josephine Street and a resident living at 902 East 7th Street. MRS. EDWIN SCHNEIDER was in favor of the change stating this was only a grocery store, and it would be selling beer to go. Councilman Shanks moved that the Council sustain the recommendation of the Planning Commission and grant the change to "C-1" Commercial 2nd Height and Area. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor announced that the change had been granted to "C-1" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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JACK ANDREWARTHA
By Oscar W. Holmes

Tract 1:
1210-1326 Barton Hills Dr.
2602-2612 Trailside Drive

From Interim "A" Residence 1st Height and Area
To "LR" Local Retail 1st Height & Area
RECOMMENDED by the
Planning Commission

Tract 2:
1004-1208 Barton Hills Dr.

From Interim "A" Residence 1st Height and Area
To "B" Residence 1st Height & Area
RECOMMENDED by the
Planning Commission

MRS. W. G. BULIAN made inquiry about the opening of a street for MR. ANDREWARTHA, stating she would have to pave in front of her place. The Director of Planning stated the street was not open on the ground but was dedicated and this is not scheduled in the Capital Improvement Plan yet. The Mayor asked MRS. BULIAN, after seeing the plans, if she objected. Mrs. Bulian said the City had promised to pay her for her property and then they said they did not need so much property and paid her a certain amount of money. They moved her water meter back 5' and had never paid her for it. This matter was turned over to the City Attorney to check. She said she would not object to the apartment house, but did not want to be required to pave the street. Councilman White moved that the change

to "LR" Local Retail 1st Height and Area for Tract 1 and to "B" Residence 1st Height and Area for Tract 2 be granted as recommended. 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 change had been granted to "LR" Local Retail 1st Height and Area for Tract 1 and to "B" Residence 1st Height and Area for Tract 2 and the City Attorney was instructed to draw the necessary ordinance to cover.

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PHILLIP CRAWFORD
By Rollie H. Lawrence

1406 Fortview Road

From "C" Commercial
To "C-1" Commercial
RECOMMENDED by the
Planning Commission

MR. LAWRENCE stated he had a grocery store and wanted a permit to sell off-premise beer. The store is his, although he leases the property from Mr. Crawford. Opposition was expressed by REV. COX in that zoning changed the whole character of the neighborhood. He stated if this location were changed, the restaurant across the street would be changed as the precedent would have been set. He had a question about the distance of this location from his church. Rev. Cox stated there should be a long range program, that people in buying property, would have a long time to know what their neighborhood would be. MR. WILLIE GAGE, owner of the property next door stated Mr. Lawrence had cleaned up the place, and he was for this change of zoning to permit him to sell beer to go. After discussion, Councilman Long moved to sustain the Planning Commission and grant the change to "C-1" Commercial. 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 change had been granted to "C-1" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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E. M. ROBINSON
By Robert C. Sneed

2113-2115 Goodrich
Avenue

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

MR. SNEED amended the application to request "B" Residential and stated Mr. Fred Wong, purchaser of the property, had filed a letter stating he will give 10' for the purpose of widening Goodrich Avenue. MRS. BISSILE, 1710 Valeria, objected, as there were no sidewalks, there was a group of retired people, and they do not want to sell their homes. She said Mr. Wong wanted to build these apartments and rent them for \$30.00 a month. Mr. Wong stated these apartments would rent from \$35.00 to \$110.00; they would be one bedroom or two bedrooms. MR. A. C. LONG, 1715 Valeria, expressed opposition to the change for apartments. The Mayor stated the letter of dedication had been filed. Councilman LaRue

moved that the request as amended to "B" Residence be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Not in Council Room when roll was called: Councilman Shanks

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

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CORA BELL BRIGGS and	1001-1003 East 10th Street	From "A" Residence 1st
CLIFFORD BRIGGS	907-911 San Marcos Street	Height & Area
By R. L. Wormley		To "B" Residence 2nd
		Height & Area
		NOT Recommended by the
		Planning Commission
		RECOMMENDED "B" Resi-
		dence 1st Height &
		Area

MR. WORMLEY stated "B" Residence 1st Height and Area would be acceptable but they preferred "B" Residence 2nd Height and Area. They want to build four two-bedroom units and four one-bedroom units on this tract of land. The Director of Planning stated 12 regular apartments could be constructed under the 2nd Height and Area. There would be no objections to his building eight units. The Mayor asked him if he would write a letter to that effect. Mr. Wormley stated he would. Councilman Shanks moved that the change to "B" Residence 2nd Height and Area be granted. The motion, seconded by Councilman White, carried by the following vote:

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

Noes: None

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

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THE SOUTHLAND	1604 Riverside Drive	From "A" Residence
CORPORATION		To "C-1" Commercial
By Charles Herring		NOT Recommended by the
		Planning Commission

MR. HERRING described the area, stating the majority of houses are vacant; and across the street hundreds of apartments are going up, and a tremendous project is planned to the north east. He displayed pictures of this undeveloped land showing a gully grown up with weeds and trash. He stated 7-Eleven Stores had a contract for this property. The east edge of this lot is the west edge of a dry precinct; and if the zoning is granted, the store would sell beer for off-premise consumption. Mr. Herring stated he had a letter from the 7-Eleven Stores that they would provide for the widening of Riverside Drive, although they do not know how much to give. The nearest grocery store to this apartment area is about

two miles away. Mr. Herring filed a letter from the 7-Eleven Stores offering 10' for right of way, and another letter from Lloyd Payne, owner of the property to the east on which Southland has an option. The City Attorney discussed briefly what portion of the precinct was in the city limits in 1935. After discussion, Councilman Shanks moved to override the Planning Commission and change the zoning from "A" Residence to "C-1" Commercial. 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 change had been granted to "C-1" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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HOWELL FINCH

1606 (1610) South Congress Avenue

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

MR. FINCH stated within three and a half blocks on either side, north and south, from this location, there are eight other establishments selling liquor or beer. His application was for a package store. The property has been on the market for five years, and he has had two offers--one for selling beer on-premises; the other for a package store. He preferred selling the property for a package store rather than for a tavern. Opposition was expressed by REV. GORDON BAYS, Pastor, Congress Avenue Baptist Church, in that this would not help the community; without the legal measurement, this would be too close to his church; and the church congregation opposed it. Mrs. C. R. Tidwell, 1602 Eva, lived within 300' of the property, and stated the home owners in the residential area are bitterly opposed to this change to "C-2" Commercial, as well as are those making up the 1550 membership of the Church. MR. JOE DACY expressed preference to a liquor store to having a "beer joint" at the location. The question of measuring the distance was raised, and explained by the City Attorney and Planning Director. MR. DAVIS was concerned because of the Deaf School Children's congregating at the Drug Store right next to this place over the week end and after 4:00 P.M. The Council decided to go look at the area, and decision was postponed.

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ANDREW and JOSEPHINE VISCARDI,
By Robert C. Sneed

1202 West Lynn Street

From "C" Commercial
To "C-2" Commercial
NOT Recommended by the
Planning Commission

MR. SNEED stated this was a long established commercial area, and this application fits with the policy set by the Commission in that the creation of a "C-1" Commercial or "C-2" Commercial zone would be permitted in a well defined commercial area. This application was recommended against by the Planning Commission. Mr. Sneed stated the well established commercial area is there, this location would not create any more traffic nor any more parking. He stated this application was within all of the standards established by the people, by the

legislature, and by the principles of zoning set by this Council and Planning Commission. The moral issue could not be debated here, and he asked that the application be granted and the recommendation of the Planning Commission overruled. MR. HUB BECHTOL expressed definite opposition to this change, stating there were many churches within a three block area; the street is only 30' wide, and there is a traffic hazard at the present time. The door of the Church is outside the 300' but the property line is not. There is a large Latin American and Negro neighborhood, and a liquor store would be a definite disturbing element. Opposition was expressed also by REV. JAMES CARTER in that this is entirely too close to their Church, and this type of establishment is not necessary to their neighborhood. The Church people felt it is undersirable and completely unnecessary. Opposition was expressed by MRS. BARBARA SCHWAB in the interest of the children going to Matthews School and Pease School; and by MR. WAYNE AGEE, owner of the Laundromat on West Lynn, in the interest of traffic and parking. Mr. Sneed pointed out the sale of alcohol beverages was already in the area in between this particular property and the schools which the children would have to pass. One property owner would have no more right to the street than another. Rev. Carter stated "C-2" Commercial had never been in this area, and they did not want it there. The Council postponed decision.

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EDDIE SIMMONS

1205 Baylor Street

From "B" Residence 2nd
Height & Area
To "C" Commercial 2nd
Height & Area
NOT Recommended by the
Planning Commission

MR. SIMMONS stated an Architect had now been engaged to help draw plans, if this property could be changed to commercial, so that they could build something that would be equal if not better than the residences on the street and block the traffic to Baylor. He proposed to come down the property line with a buffer wall or fence or with whatever the residents might desire, and set back far enough from the street where he would put in a parking area. They proposed to have no entrance on Baylor Street. He stated he needed space to park their own 45 employees' cars and continue their business and expand the bodyshop so they could conform to their customers' needs and fulfill their duty to the Chrysler Corporation to repair Chrysler products. He stated they were going on with construction under "C", although they would rather do the other construction under this zoning change, as it would put them farther from the residential area. He planned to close up a half of a joint driveway, and to make the area look nicer. Strong opposition was expressed by MR. W. B. RANSOM, MRS. LOUISE BUNCH who had not been opposed to the zoning, but who protested the junk yard where there was supposed to be an area for employees parking. She stated she was going to sell her property, and she must oppose this change of zoning for the use for which it is being put now. The Mayor suggested leaving this area "B" and that would allow employee parking. Opposition to the "C" 2nd Height and Area zoning was expressed by MR. B. F. KNIPPA and MR. B. R. COLEMAN who believed Mr. Simmons could use the zoning as now established; by MRS. McANGUS, who complained about the noise from the shop; by MRS. BETTY EASTON, who did not want this body shop in the residential neighborhood; by MRS. PENNYBACKER, representing the retired people in the neighborhood, stating they had their investment in their homes, and did not want the value of their investments depreciated. She stated seven

people had asked her to speak for them. The Mayor announced the Council would make another on-site inspection of the whole area, and defer action at this time.

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M. K. HAGE, JR.
By Hub Bechtol

Tract 1:
807-809 (805) E. 32nd Street

From "A" Residence
To "O" Office
NOT Recommended by the
Planning Commission

Tract 2:
815-817 (813) E. 32nd Street

From "A" Residence
To "O" Office
RECOMMENDED by the
Planning Commission

Additional Area:
811-813 E. 32nd Street

From "A" Residence
To "O" Office
NOT Recommended by the
Planning Commission

MR. ROBERT SNEED represented the applicants stating this corner had been in a zoning upheaval in the past. MR. HAGE has acquired property along Red River since then as well as this corner lot as well as property along 32nd Street for doctors' offices and off-street parking. Mr. Sneed pointed out there was a need for doctors' offices particularly in this area with the expansion of St. David's Hospital. He believed this zoning was in keeping with the standards of development in the area; the lots he had examined have no restrictive covenants concerning use; and so far as widening Red River on 32nd Street, Mr. Hage is willing to do his part. MISS ANNIE MAY FORD stated she had been opposed to this zoning, but this had come down to her property, and she now requests that her property be included in the zoning change. MR. LARRY CRADDOCK was interested in the use of 32nd Street for an entrance way, and he explained the traffic inconveniences already existing on 32nd Street. He stated if this were zoned, he would suggest changing the whole thing from Red River to Duval. MR. LEROY RASCHKE, 803 East 32nd Street, speaking for himself and DR. S. W. BOHLS were in opposition. The Council deferred action until it could make an on-site inspection of the whole area once more.

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J. O. McCOY
By Don Buss

703-705 West 32nd Street

From "BB" Residence
1st Height & Area
To "BB" Residence
2nd Height & Area
NOT Recommended by the
Planning Commission

MR. BUSS represented the applicant stating this was in an area which the Planning Commission had studied and the zoning was established as "BB" 1st Height and Area. One property owner had been present at the hearing to express opposition, but Mr. Buss stated after she talked with Mr. McCoy about the plans she had no protest to the change to make. Mr. Buss said this change of zoning

would permit 15 efficiency units, but they want to construct only 10 and to provide ample parking. Councilman Long inquired about the off-street parking planned. Mr. Buss stated there was to be one space for each sleeping unit. The suggestion was offered that perhaps this development could be accomplished by a special permit. Discussion between the Planning Director and Building Official was held. The Mayor suggested that this action be postponed for further study with the Building Official.

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MR. RUSSELL FISH appeared before the Council stating his wife would like to make another donation to the City with reference to the Hike and Bike Trail Development. The original arrangement was subject to approval of the Director of Public Works, and that is agreeable. The only property they were concerned with is city property, park property, or property with easements for highway or streets. The Mayor stated it was known then the money will be made available when it is decided where the trail will be located and how far it will extend, etc. Mr. Fish stated they had developed this so far in three steps, and they are still going north. The Mayor wanted the Council to go out and walk this area of the proposed trail. Mr. Fish stated the original plan presented some 12 years ago was $9\frac{1}{2}$ miles long, and they were developing a little as they were able. He would like to get a general overall plan and work toward that. Councilman Long moved that the Council accept MR. and MRS. RUSSELL FISH'S contribution and to authorize this to go forward with haste and to thank them very much, expressing happiness that there were such citizens as they are to contribute to the well being and welfare of the people of Austin for their joys and pleasures. 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 3:00 P.M.

RECESSED MEETING

3:00 P.M.

At 3:00 P.M. the Council resumed its business. Councilman White absent.

MR. BILL YOUNGBLOOD, MR. VIC MATHIAS, MR. TOM PERKINS, MR. JOE WELLS, MR. BILL HOWARD and MR. DAN CROWLEY, President of the Chamber of Commerce, presented a program of the promotion of the Tourism industry (the third largest industry in the United States) on the statewide basis, emphasizing the necessity for Austin to develop this tourism industry here and pointing out that Austin was probably in the best position of any town in the United States to attract tourists. They outlined the program the Chamber of Commerce is carrying out to promote and attract the tourist industry to Austin, including advertising maps, accomodation directories, sound movies, special events focusing attention on the lakes program, sponsoring the Blue Bonnet Trail, participating in major boat and travel shows, advertising by highway signs, post cards, and producing brochures, etc. The Chamber of Commerce also initiated the Austin Festival, conducted with the help of the City. The Highway Department put out information that 12 million tourists visited Texas and spent \$532,000,000 in 1963, an increase of 21% over 1962, and of 12.8% in dollar volume spent by tourists. Mr. Youngblood discussed

goals, listing distribution of colored brochures to be distributed in hotels, motels, tourist information centers, and the Highway Department; bill board advertising campaigns; assistance with staffing the operation of tourist clinics and an education of the people as to the value of the tourist industry to the assets of Austin, where they are, and when they are open. Their clinics will begin in the latter part of April with those that come in contact with tourists. The fourth objective is the advertising campaign. It was brought out this program was presented with the voice of the community behind it through the 2400 active members of the Chamber of Commerce, and it is recognized this industry is a tremendous business asset. Austin was compared to Hyannis Port which had between 8 and 10 million more tourists than ever before. A film was shown on the "Frontier of Texas".

Listed in the presentation were amounts municipal governments were appropriating for assisting in Tourism--amounts ranging from \$11,000 to \$1,000,000 annually, which was not the total spent.

Mr. Youngblood specifically requested that the City of Austin participate with the Chamber of Commerce in this program. The Chamber of Commerce will continue to spend in excess of \$30,000 a year to develop this industry in Austin. He listed the cost of what he was asking the city to consider:

1. Tourist information brochures	\$5,000
2. Highway billboard signs	4,800
3. Operation of tourist information centers	5,000
4. Media advertising campaigns in select travel publications and newspapers	10,000
Round figures of about	25,000

This was the recommendation of the Board of the Chamber of Commerce to the Council with the request it participate in this program to make Austin the "Frontier Capitol of Texas" and to develop this "Tourism" as its largest industry.

Councilman Long inquired how this program could be explained and how it would affect in any way a school teacher on a salary, a state employee, and professional man.

Mr. Youngblood stated they were familiar with the campaigns conducted by business men for the amendment submitted to the people and which passed overwhelmingly, urging the spending of public funds to advertise for tourists. It would help the economy, attracting investment dollars to create additional tourist attractions and create more jobs. Efforts put forth already have increased the influx of people in the lake areas and Austin, and they are building homes. It means more labor, more doctors, more teachers, more taxes paid. Councilman Long stated the cost per capita went up as the City grew, and she receives calls from many who feel with an influx of more people and more expenditure added that they, as retired people, would have to look for a smaller town to live in to stretch their budget. Mr. Bill Howard stated along with the advantages, young people would be provided with more opportunities. Mr. Youngblood stated this would take a selling program. Councilman LaRue discussed the campaign to bring in industries into the city and asked what justification would they have ignoring that to help in the tourism industry with tax dollars. The Mayor explained that many private utilities contributed amounts to the Chamber of

Commerce realizing as big industries came in or Convention industries, more utilities were consumed, and the utility revenue was increased. The City Attorney explained the Charter and City's being powerless to make a gift of funds either from tax money or from revenue funds. The matter was discussed quite in length. The Mayor inquired were there any of the four point program that maybe service of the city could be used in lieu of funds. It was stated that printing, and the normal city functions in connection with the information centers could be utilized. Mr. Youngblood stated they were anxious to get started with the pamphlets and bill boards. No action was taken by the Council.

MR. TOM PERKINS and MR. WARREN BEAMAN appeared regarding the Lagoon on Town Lake and the problem existing concerning their building and the boundary line. Aerial photographs and drawings of their building were examined. Mr. Perkins proposed to fill in up to the property line so that nothing would extend over on the sand beach area, and they could put in their fence. He requested additional property on Bogle Avenue, Anthony and Canadian; and if this property can be obtained and made a part of their lease, they could transfer the location of their concession building. He asked for an extension of their starting construction date due to the replanning of their building. The City Manager showed on the map the general plan of the scenic road to be constructed. The problems and developments were discussed at length. The Mayor pointed out the items of consideration--protecting the big out-fall line; the proposed street going through, permitting Mr. Perkins and Mr. Beaman to fill in enough on the Stroburb Tract to build a fence, and extending the lease a year on their building time. Mr. Perkins stated they anticipated April, 1965 as their opening date now. Councilman Shanks said these gentlemen were putting in risk capital; and if they came up a little late doing it, he would be in favor of this extension as well as acquiescing on some of the other things involved. Mayor Palmer stated the City Attorney, Director of Public Works, and City Manager could clear all of these items. The City Attorney stated they were now talking quite a bit on additional property and listed it. He asked if there were additional consideration that should be thought of in connection with the additional property that is being added to the lease. Councilman Shanks said the lease was on a percentage basis, and the additional land would make the percentage better. Mr. Beaman stated it would be more desirable if they could wait until the road is settled; and once it is established they would have something to work with. If this were in the near future, they would be agreeable to wait to get the work done properly. If it is a matter of another two years, the longer is the delay in helping the City and themselves. Discussion was held on the roadway as it would affect their property, and the City Manager showed the location of the road on the map. The City Attorney stated if they had Lots 5,4,3,2 and 1 and Anthony Street; Lots 10,9 and 7, all could be done then. Mr. Beaman stated it would be tremendous. The City Attorney stated it would be a great deal more valuable.

Mayor Palmer suggested the additional land should be discussed; the fence be permitted on the Stroburb Tract; and that no part of the sand beach reserve be used, that utilities, etc. be protected; and clearing with the City Manager on the roadway. He asked if it would be agreeable for them to come up next week at the City Manager's convenience and work out exactly what they wanted. The Council would know then what land it owned and did not own. He asked if the Council would agree with this. Councilman Long stated she thought it was all right, and would like to get it worked out one way or the other. She asked what the citizens would get out of this and how giving a concession to private

individuals would benefit the people. Councilman LaRue discussed risk capital, and expressed himself as favoring an extension of a year on the lease. Councilman Long moved that the City Manager be instructed to work out the details of the Tom Perkins and Warren Beaman project and bring back a recommendation. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Mayor Palmer

Noes: None

Absent: Councilman White

Not in Council Room when roll was called: Councilman Shanks

Councilman Long moved to have a resolution of appreciation for the 100 trees and shrubs which MRS. FAGAN DICKSON donated to the City of Austin, and expressing hope that by next spring there would be a lot of this beauty around the City, and that Mrs. Dickson be sent a copy of the Resolution. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Mayor Palmer

Noes: None

Absent: Councilman White

Not in Council Room when roll was called: Councilman Shanks

In this connection, Mayor Palmer asked the Recreation Director inform the Council as these gifts are made to the City so it could recognize each donor.

Councilman Long brought up the matter of the sign on the Ladies Rest Room Door, which resulted from her asking that this particular rest room be more or less reserved during Council Meetings. She had asked that the sign be removed, but noticed it had been replaced, and the newspapers had taken a picture of the sign and planned to run it in the paper. She said this rest room was a public facility, and she resented the sign's being placed there and the newspaper's making note of it. She had asked only for the courtesy of the rest room's being reserved during the Council Meetings.

Councilman Long moved that the Minutes of the Regular Meeting of March 5, 1964, and of the Special Meeting of March 18, 1964 (Meeting with Council's Committee to Study Human Relations needs in Austin) be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Mayor Palmer

Noes: None

Absent: Councilman White

Not in Council Room when roll was called: Councilman Shanks

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, an easement for public utilities and drainage purposes was granted the City of Austin in, upon and across 6089 square feet of land, same being out of and a part of that certain portion designated "Reserve" of A. D. Stenger Addition, a subdivision of a portion of the Henry P. Hill League in the

City of Austin, Travis County, Texas, according to a map or plat of said A. D. Stenger Addition of record in Book 5 at Page 99 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has requested the City Council of the City of Austin to release the above described easement for public utility and drainage purposes; and,

WHEREAS, the City Council has determined that 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 the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described public utility and drainage easement, to-wit:

6,089 square feet of land, same being out of and a part of that certain portion designated "Reserve" of A. D. Stenger Addition, a subdivision of a portion of the Henry P. Hill League in the City of Austin, Travis County, Texas, according to a map or plat of said A. D. Stenger Addition of record in Book 5 at page 99 of the Plat Records of Travis County, Texas; which 6,089 square feet of land is more particularly described by metes and bounds as follows:

BEGINNING at the most easterly corner of the herein described tract of land, same being a steel pin on the west line of Lot 16A of the Resubdivision of Lots 15 and 16, A. D. Stenger Addition, a subdivision of record in Book 17 at page 9 of the Plat Records of Travis County, Texas, which point of beginning is also in the north line of an existing public utilities and drainage easement, and from which point of beginning a steel pin at the most westerly corner of said Lot 16 A bears S 34° 52' W 51.98 feet;

THENCE, N 84° 43' W 120.78 feet to a point in the south line of the said existing public utilities and drainage easement;

THENCE, with the said south line of the existing public utilities and drainage easement, N 59° 18' W 64.79 feet to a point in the west line of the aforesaid "Reserve" portion of A. D. Stenger Addition, for the most westerly corner of the herein described tract of land, and from which point a concrete monument at the most westerly corner of said "Reserve" bears S 34° 52' W 78.02 feet;

THENCE, with the said west line of tract marked "Reserve" N 34° 52' E 51.98 feet to a point in the north line of the said existing public utilities and drainage easement;

THENCE, with the said north line of an existing public utilities and drainage easement, S 59° 18' E 170.10 feet to the point of beginning.

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

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: None

Absent: Councilman White

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, an electrical easement five (5.00) feet in width was granted the City of Austin by instrument of record in Volume 2179 at Page 271 of the Deed Records of Travis County, Texas; said strip of land being out of and a part of Lot 28, Stanhope Place, a subdivision of a portion of Outlot 5, Division C, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas; a map or plat of said Stanhope Place being of record in Book 4 at page 6 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of said premises has requested the City Council of the City of Austin to release the above described electrical easement; and,

WHEREAS, the City Council has determined that said easement in, upon and across the above described property 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 and directed to execute a release of the following described electrical easement, to-wit:

A strip of land five (5.00) feet in width, same being out of and a part of Lot 28, Stanhope Place, a subdivision of a portion of Outlot 5, Division C, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas; a map or plat of said Stanhope Place being of record in Book 4 at Page 6 of the Plat Records of Travis County, Texas; which strip of land is to be released from the Electrical Easement described in instrument of record in Volume 2179 at page 271 of the Deed Records of Travis County, Texas; the centerline of said strip of land being more particularly described as follows:

BEGINNING at a point in the south line of said Lot 28, same being the north line of East 31st Street, and from which point of beginning the south-east corner of said Lot 28 bears S 60° 38' E 38.50 feet;

THENCE, N 30° 15' E 40.00 feet to point of termination.

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

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: None

Absent: Councilman White

After hearing the Building Official's recommendation and discussion, Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there has been submitted to the Building Inspector, the application of Mr. B. J. Clark for a building permit together with a site plan dated March 25, 1964, meeting the requirements of Section 10-B 3 of the Zoning Ordinance of the City, for certain building establishment at 1302 Guadalupe, more particularly described in said application; and,

WHEREAS, it has been found and determined by the City Council of the City of Austin that, based upon the use of the premises for the purpose of erecting an office building (addition) the maximum number of parking spaces which will probably be used by employees and customers of such establishment, taking into account the loading facilities on the site, the public parking areas and street space available for parking in the vicinity, public safety, and free circulation of traffic both on and off the site, is fourteen (14) parking spaces; Now, Therefore,

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

That fourteen (14) spaces is an adequate number of parking spaces for the establishment shown on the site plan of Mr. B. J. Clark dated March 25, 1964, for use of the premises for the purpose of office building (addition).

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

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: None

Absent: Councilman White

After hearing the Building Official's recommendation and discussion, Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there has been submitted to the Building Inspector, the application of Mr. W. R. Coleman for a building permit together with a site plan dated March 25, 1964, meeting the requirements of Section 10-B, 3 of the Zoning Ordinance of the City, for certain building establishment at 801 Wahrenberger, more particularly described in said application; and,

WHEREAS, it has been found and determined by the City Council of the City of Austin that, based upon the use of the premises for the purpose of the erection of an apartment house the maximum number of parking spaces which will probably be used by employees and customers of such establishment, taking into account the loading facilities on the site, the public parking areas and street space available for parking in the vicinity, public safety, and free circulation of traffic both on and off the site, is fourteen (14) parking spaces; Now, Therefore,

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

That fourteen (14) spaces is an adequate number of parking spaces for the establishment shown on the site plan of Mr. W. R. Coleman dated March 25,

1964, for use of the premises for the purpose of apartment house.

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

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: None

Absent: Councilman White

Councilman LaRue 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 of the City of Austin, be and he is hereby authorized and directed to execute and enter into on behalf of the City of Austin, a Mechanic's Lien Contract with May Flinn Bennett, et vir Sam J. Bennett, for the improvement of that certain parcel of land hereinafter more particularly described, by the paving of those portions of Avenue F and East 46th Street which adjoin and abut said parcel, to-wit:

South 36 feet of Lot 4, and all of Lots 5 & 6, Block 12,
Hyde Park Annex, an addition to the City of Austin, Travis
County, Texas, according to a map or plat of record in
Vol. 2, page 130 of the Plat Records of Travis County,
Texas.

AND BE IT FURTHER RESOLVED:

That the said W. T. Williams, Jr. be and he is hereby authorized and directed to execute a transfer and assignment of the above described Mechanic's Lien Contract and a promissory note of even date therewith executed by May Flinn Bennett, joined by her husband Sam J. Bennett, unto the American National Bank of Austin, Trustee, in consideration of the payment by the American National Bank, Trustee, of the full and total amount owing on the said Mechanic's Lien Contract and promissory note.

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

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: None

Absent: Councilman White

The City Manager submitted the following:

"Sealed bids opened March 17, 1964 9:00 am

Tabulated by: W. C. Moffett

Brackenridge Hospital

Purchasing Agent

"City of Austin Bids for Contract to Furnish Liquid Oxygen and Anesthesia Gases
to Brackenridge Hospital
Beginning April 1, 1964
(2 year contract)

	Texas Oxygen	Liquid Carbonic	Puritan Comp. Air	Linde Co.	N.C.G. Houston	Big Three Welding	Austin Oxygen	Ohio Chemical
TERMS:	1/2-10	Net-30	Net-15th	Net-10	Net-10	Net-30	Net-30	Net-30

SECTION I

Bulk Oxygen-2,500,000 cu.ft.	.00566	.0050	---	.00348	.00499	.00495	---	.00574
Total	\$14,150.	\$12,500.		\$8,700.	\$12,475.	\$12,375.		\$14,350.

SECTION II

1,200 cyl "K" Medical Oxygen	1.65	3.00	---	---	2.44	1.525	1.68	---
240 cyl "K" Compressed Air	2.44	3.00	---	---	2.44	2.00	2.44	---
4 cly "K" Medical Nitrogen	5.25	10.00	---	---	2.44	3.50	3.36	---
6 cyl "K" CO ₂	7.00	10.00	---	---	9.50	3.50	3.50	---
12 cyl "K" Mixture 96%-4%	6.80	10.00	"G" 7.25	---	10.25	6.50	7.80	---
12 cyl "K" Mixture 90%-10%	6.80	10.00	"G" 7.25	---	10.25	6.50	7.80	---
1,200 cyl "E" Nitrous Oxide	7.05	7.00	7.15	---	12.00	7.25	6.50	---
400 cyl "E" Oxygen	1.68	2.50	1.85	---	4.00	1.80	1.75	---
120 cyl "E" Ethylene	8.50	7.00	8.60	---	13.55	8.50	8.65	---
6 cyl "E" Mixture 95%-5%	3.00	10.00	4.00	---	6.25	3.50	4.00	---
12 cyl "E" Mixture 96%-4%	3.00	10.00	4.00	---	6.25	3.50	4.00	---
12 cyl "E" Mixture 97%-3%	3.00	10.00	4.00	---	6.25	3.50	4.00	---
48 cyl "D" CO ₂	3.50	2.50	2.75	---	4.10	3.50	2.50	---
480 cyl "B" Cyclopropane	31.00	27.50	30.45	---	42.50	31.00	29.50	---
30 pail (5 gal) Soda Sorb	14.00	15.00	12.00	---	---	14.00	13.50	---
Total	\$28,501.80	\$25,754.00		\$42,236.66	\$28,514.00	\$27,166.24		
		\$28,970.00						

"Present Contract Prices" at Same Quantities as Invitation

	Austin Oxygen	Linde Company
SECTION I		
Bulk Oxygen-2,500,000 cu.ft.	-----	.00645
Total		\$16,125.00

SECTION II		
1,200 cyl "K" Medical Oxygen	1.71	---
240 cyl "K" Compressed Air	2.44	---
4 cyl "K" Medical Nitrogen	6.75	---
6 cyl "K" CO ₂	7.00	---
12 cyl "K" Mixture 96%-4%	7.80	---
12 cyl "K" Mixture 90%-10%	7.80	---
1,200 cyl "E" Nitrous Oxide	7.50	---
400 cyl "E" Oxygen	2.00	---
120 cyl "E" Ethylene	8.75	---
6 cyl "E" Mixture 95%-5%	4.00	---
12 cyl "E" Mixture 96%-4%	4.00	---
12 cyl "E" Mixture 97%-3%	4.00	---
48 cyl "D" CO ₂	4.10	---
480 cyl "B" Cyclopropane	32.00	---
30 pail (5 gal) Soda Sorb	14.00	---
Total	\$29,840.60	

"REMARKS: This bid handled under newly prepared specifications. No complaints received either before or after bid opening.

"SECTION I: Low bid is made by Linde Company who has present contract. (Savings, \$7,425.00 over current contract). It should be noted that the price quoted is very low in this market for this size hospital.

"SECTION II: 1. Low bid is made by Austin Oxygen who has present contract. (Savings, \$2,674.00 over current contract).
2. Puritan bid not considered. Did not bid on complete Section II as required by specifications.

"RECOMMENDATION: Award bulk oxygen to Linde Company of Houston, Texas
Award anesthesia gases to Austin Oxygen Company of Austin, Texas.

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

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were taken by the City of Austin on March 17, 1964, for the furnishing of bulk oxygen and anesthetic gases for a two year period beginning April 1, 1964; and,

WHEREAS, the bid of Linde Company in the sum of \$3,700.00 for bulk oxygen was the lowest bid therefor; and,

WHEREAS, the bid of Austin Oxygen Company in the sum of \$27,166.24 for anesthetic gases was the lowest bid therefor; and,

WHEREAS, the acceptance of such bids has been recommended by the Purchasing Agent of Brackenridge Hospital and by the City Manager; Now, Therefore,

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

That the bids of Linde Company, in the sum of \$3,700.00 for bulk oxygen, and of Austin Oxygen Company, in the sum of \$27,166.24 for anesthetic gases, be and the same are hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin be and he is hereby authorized to execute contracts on behalf of the City with said companies.

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

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: None

Absent: Councilman White

The City Manager submitted the following:

"Sealed bids opened 2:00 P.M. March 17, 1964

Tabulated by: O.G.Brush, Purchasing Agent

"CITY OF AUSTIN BIDS FOR GASOLINE - OILS - GREASES - DIESEL FUEL, ETC.

<u>Description</u>	<u>Estimated Quantity</u>	<u>Continental Oil Company</u>	<u>Jack Ritter Oil Company</u>	<u>Humble Oil Company</u>	<u>Gulf Oil Corporation</u>
Gasoline					
Regular-Transport	825,000 gal.	\$86,330.48	\$84,480.00	\$89,026.25	\$83,676.04
Regular-Tankwagon	35,000 gal.	4,466.39	4,340.00	4,550.00	4,209.98
Net Total		\$90,796.87	\$88,820.00	\$93,576.25	\$87,886.02
		<u>Mobil Oil Company</u>	<u>Low Bids - March 8, 1963 using Present estimated quantities</u>		
		\$82,655.10	\$85,717.50 - Ritter		
		4,301.50	4,340.00 - Ritter		
		<u>\$86,956.60</u>	\$90,057.50 - Ritter		

Low Unit Price by Mobil for Regular-Transport this bid \$.100188 - Last bid \$.1039
Unit price by Mobil for Regular-Tankwagon this bid \$.1229 - Last bid \$.1240

<u>"Description"</u>	<u>Estimated Quantity</u>	<u>Continental Oil Company</u>	<u>Jack Ritter Oil Company</u>	<u>Humble Oil Company</u>	<u>Gulf Oil Corporation</u>
Gasoline Premium-Transport	200,000 gal.	\$23,938.20	\$24,580.00	\$25,542.00	\$24,472.80

Mobil Oil Company Low Bids - March 8, 1963 using present estimated quantities

\$23,799.60 \$24,580.00 - Ritter

Low Unit Price by Mobil for Premium-Transport this bid \$.118998 - Last Bid \$.1229

<u>Description</u>	<u>Estimated Quantity</u>	<u>Continental Oil Company</u>	<u>Jack Ritter Oil Company</u>	<u>Humble Oil Company</u>	<u>Gulf Oil Corporation</u>
Lubricating Oils & Greases Net Total		\$11,714.57	No Bid	\$10,389.43	\$9,183.87

Mobil Oil Company Low Bids - March 8, 1963 using present estimated quantities

\$9,984.75 \$9,993.55 - Gulf

<u>Description</u>	<u>Estimated Quantity</u>	<u>Continental Oil Company</u>	<u>Jack Ritter Oil Company</u>	<u>Humble Oil Company</u>	<u>Gulf Oil Corporation</u>
Diesel Fuel	60,000 gal.	\$6,396.00	\$6,180.00	\$6,144.00	\$6,150.00

Mobil Oil Company Low Bids - March 8, 1963 using present estimated quantities

\$6,108.00 \$6,180.00 - Ritter

Low Unit Price by Mobil for Diesel Fuel this bid \$.1018 - Last Bid \$.1030

<u>Description</u>	<u>Estimated Quantity</u>	<u>Continental Oil Company</u>	<u>Jack Ritter Oil Company</u>	<u>Humble Oil Company</u>	<u>Gulf Oil Corporation</u>
Naphtha (Bulk Solvent)	5,000 gal.	No Bid	No Bid	\$1,075.00	\$ 900.00

Mobil Oil Company Low Bids - March 8, 1963 using present estimated quantities

\$ 875.00 \$ 875.00 - Mobil

Low Unit price by Mobil for Naphtha this bid \$.175 - Last Bid \$.175

<u>Description</u>	<u>Estimated Quantity</u>	<u>Continental Oil Company</u>	<u>Jack Ritter Oil Company</u>	<u>Humble Oil Company</u>	<u>Gulf Oil Corporation</u>
Kerosene	20,000 gal.	\$2,350.00	No Bid	\$2,320.00	\$2,320.00

Mobil Oil Company Low Bids - March 8, 1963 using present estimated quantities

\$2,440.00 \$2,330.00 - Gulf

"Low Unit Price by Gulf & Humble for Kerosene this bid \$.1160 - Last Bid \$.1165

"NOTE: Total for all estimated products this bid \$129,243.07. For last bids taken March 17, 1963 using present estimated quantities, the total was \$133,449.80 or \$4,206.73 lower this bid. Award of kerosene to Gulf will involve less cost in accounting and bookkeeping because they are low bidder on lubricating oils and greases.

"RECOMMENDATION: Recommend all gasoline, diesel fuel and naphtha be awarded to Mobil Oil Company

Recommend all lubricating oils and greases and kerosene be awarded to Gulf Oil Corp.

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

Councilman Shanks offered the following resolution and moved its adoption

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 17, 1964, for the furnishing of gasoline, oils, greases, diesel fuel, naptha and kerosene; and,

WHEREAS, the bids of Mobil Oil Company in the sum of \$110,756.20 for all gasoline, in the sum of \$6,108.00 for diesel fuel, and in the sum of \$875.00 for naptha, were the lowest and best bids therefor; and,

WHEREAS, the bids of Gulf Oil Corporation in the sum of \$9,183.87 for lubricating oils and greases, and in the sum of \$2,320.00 for kerosene, were the lowest and best bids therefor; and,

WHEREAS, the acceptance of such bids have 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 bids of Mobil Oil Company in the sum of \$110,756.20 for gasoline, in the sum of \$6,108.00 for diesel fuel, and in the sum of \$875.00 for naptha; and that the bids of Gulf Oil Corporation in the sum of \$9,183.87 for lubricating oils and greases, and in the sum of \$2,320.00 for kerosene, be and the same are hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute contracts on behalf of the City with said companies.

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

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: None

Absent: Councilman White

The City Manager submitted the following:

"March 24, 1964

"TO: Honorable Mayor and Members of City Council

SUBJECT: Bids for Hydraulic Dump Trailer - Filter Plant

"Bids were received in the office of the Purchasing Agent at 10:00 A.M. February 28, 1964 for one (1) Tandem Hydraulic Dump Trailer for the Filter Plant.

"This trailer will be used to haul water softening plant sludge from Filter Plant No. 2 to disposal. The City's estimated cost of this unit was \$7,500.00.

"These bids are as follows:

	<u>MODEL</u>	<u>NET PRICE</u>
Fontaine Truck & Equipment Co.	L H K T	\$ 6,065.22
Fruehauf Trailer Company	DB4-ND	\$6,675.00
Hobbs Trailer Company	T F T*Special	\$6,995.00
Commercial Body Corp.	Galion X L	\$7,300.00

"RECOMMENDATION: It is recommended that the award be made to Fontaine Truck & Equipment Company for \$6,065.22 as the lowest and best bid.

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 28, 1964, for one (1) tandem hydraulic dump trailer for the Filter Plant; and,

WHEREAS, the bid of Fontaine Truck & Equipment Company in the sum of \$6,065.22 was the lowest and best bid therefore, 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 Fontaine Truck & Equipment Company in the sum of \$6,065.22 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Fontaine Truck & Equipment Company.

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

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: None

Absent: Councilman White

The City Manager submitted the following:

"March 23, 1964

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

"Dear Mr. Williams,

"Sealed bids were received until Friday, March 20, 1964, at the Office of the

Director of the Water and Sewer Department, for the CONSTRUCTION OF AN 18 AND 15-INCH SANITARY SEWER MAIN IN BLUNN CREEK FROM EAST RIVERSIDE DRIVE TO EAST LIVE OAK STREET. This line will reinforce the existing 8-inch sewer line serving the Industrial Area along Ben White Boulevard, also Sherwood Oaks Subdivision Sections 1-2-3-4, and Oltorf Village, Sections 1 and 2. The bids were publicly opened and read in the Second Floor Conference Room of the Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
H and M Construction Company, Inc.	\$ 94,706.27	60
Austin Engineering Company	102,941.75	100
Fairey-Simons Company, Inc.	129,490.35	175
Bland Construction Company	157,661.75	190
Walter W. Schmidt	161,032.55	200
City of Austin - Estimate	109,000.00	

"It is recommended that the contract be awarded to H and M Construction Company, Inc. on their low bid of \$94,706.27, with 60 working days.

"Yours truly,
s/ Rodger H. White
Rodger White, Acting Superintendent
Sanitary Sewer Division
s/ Victor R. Schmidt, Jr.
Victor R. Schmidt, Jr., Director
Water and Sewer Department"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 20, 1964 for the construction of an 18 and 15-inch sanitary sewer main in Blunn Creek from East Riverside Drive to East Live Oak Street; and,

WHEREAS, the bid of H and M Construction Company, Inc. in the amount of \$94,706.27 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 H and M Construction Company, Inc. in the sum of \$94,706.27 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 H and M Construction Company, Inc.

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

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: None

Absent: Councilman White

Councilman Long moved that a hearing be set at 11:00 A.M., April 2, 1964, on the following zoning application at the request of the applicant:

51ST STREET CORPORATION	1014-1022 East 51st St.	From "IR" Local Retail
	5100-5102 Interregional	1st & 5th Height
	Highway	and Area
		To "C" Commercial 1st
		& 5th Height and
		Area
		NOT Recommended by the
		Planning Commission

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

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: None

Absent: Councilman White

The City Manager submitted the following:

"March 23, 1964

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

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, March 13, 1964, at the Office of the Director of the Water and Sewer Department for the CONSTRUCTION OF A 12-INCH CAST IRON WATER MAIN IN WOODWARD STREET, FROM SOUTH CONGRESS AVENUE TO THE INTERSTATE HIGHWAY 35. The purpose of this project is to reinforce the water system serving the I. R. S. Regional Building, St. Edwards Heights Subdivision, Santa Monica Park, Subdivision and Mt. Carmel Hospital. The bids were publicly opened and read in the Second Floor Conference Room of the Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
R-B Construction Company, Inc., Marshall, Texas	\$46,833.89	40
Bland Construction Company, Inc.	48,826.55	30
Superior Utilities	49,591.44	30
Austin Engineering Company	50,134.00	40
Walter W. Schmidt	55,812.20	70
Fairey-Simons Company, Inc.	56,227.20	--
Ford-Wehmeyer, Inc.	58,258.40	60
City of Austin - Estimate	45,992.45	--

"It is recommended that the Contract be awarded to the R-B Construction Company, Inc. on their low bid of \$46,833.89, with 40 working days.

"Yours truly,
William K. Hunkler, Jr., Acting Super-
intendent Water Distribution System
Victor R. Schmidt, Jr., Director
Water and Sewer Department"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 13, 1964 for the construction of a 12-inch cast iron water main in Woodward Street, from South Congress Avenue to the Interstate Highway 35; and,

WHEREAS, the bid of R-B Construction Company, Inc., Marshall, Texas, in the sum of \$46,833.89 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 R-B Construction Company, Inc. in the sum of \$46,833.89 be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with R-B Construction Company, Inc.

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

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: None

Absent: Councilman White

Mayor Palmer introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 24.67 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE, 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.
(Community of Fairview, Section 1)

The City Manager stated this subdivision was in Water District No. 5; and to date, the City had not negotiated for the purchase of this district. There is a statement on the plat that says this area does lie within the Water District and would be subject to both water district taxes and city taxes. He had a letter from the Water District giving consent for the City to serve this section with water. Councilman Long moved that the ordinance 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., April 9th, 1964. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: None

Absent: Councilman White

The City Manager had a letter from MR. A. D. STENGER'S office, recalling in 1953 the City made a refund contract with him on a subdivision in Ridgewood Village, Section 1, which had 44 lots. Since the water lines were not able to serve 44 lots, the City contracted with him that he would develop only 22 lots. Just recently this contract was released. The refund contract was the usual 10 year contract at that time. The ten year period expired, and left Mr. Stenger \$775.39 unpaid on the refund contract. He believed at the time the arrangement was made, neither he nor the City anticipated it would be over 10 years before it would be released from the restriction. For that reason he feels he should be entitled to the unpaid balance. The City Manager stated Mr. Stenger had a contract; and in this particular case it did not work out to where he was completely reimbursed. There may be other cases of contracts' not working out. The City Manager stated if this were renegotiated, it would set a precedent. After a lengthy discussion, Councilman Long moved that the Council decline the request for renegotiations on this contract. The motion, seconded by Councilman LaRue, carried by the following vote:

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

In line with this Councilman Long stated it had occurred to her on these refund contracts at three percent interest, the City could find the money to help finance tourism if it could be worked out, and if it would do away with the 3% interest. There will be growth and the developers will have to build a lot more houses and that would be absorbed in no time at all with all of these dollars coming in. She thought it would be a helpful thing by taking off the 3% interest as it amounts to around \$250,000 a year. The City Manager discussed the financing of the utility investments, and the percentage, the combined water and sewer systems make on the investment and the percentage of investment in amortization costs. He stated information was being gathered on this now.

The City Manager called attention to a petition from the Fire Prevention Department and a copy of the list of names from the Fire Department in regard to Social Security. Councilman Long stated they were supposed to have sent to the Council a petition of 200 names petitioning the Council for Social Security. The City Manager said this had not been received by him--just a copy of the signatures. Mayor Palmer reported on a meeting with the Pension Committee of the Firemen's Pension Fund, consisting of Mr. Thomas D. Pinckney, Mr. Steen Smith, Mr. Lyndon A. Troxell, Mr. Norman Barker, Mr. Franklin Raymond, Secretary and Mrs. Doren Eskew, stating it was his impression from their discussion that at the time the petition was circulated, everyone who signed it was supposed to have made the statement, "I am not particularly for Social Security, but I do not want to deprive anyone who wants Social Security to have it." In that light they signed the petition. The firemen feel strongly at this moment when they are in the midst of revising the pension system, that until such time it is straightened out, they would not ask that the Council urge the Congressmen or Senators to take any action on it; and it was also their doubt if the Congressmen would take any action on it unless it was endorsed by the Fire Fighters Association in the next convention. The Mayor discussed an option of whether a city would participate in Social Security for firemen or not. The City Manager explained the law under which the employees are now covered; that before it could be effective in any city, the Council would have to vote to provide to match the employee's contribution; and the employees would have to vote to participate, in addition to whatever retirement system they then had. If that

failed, that particular group would not be members of the Social Security system. He stated the enactment of a law by Congress would still require the vote by the local group agreeing that they would like to have Social Security in addition to the retirement system which they now have. If it failed, they would not have Social Security. Councilman Long said the firemen were now supporting the idea that they be allowed to vote, and each individual fireman that does not want to participate would not. It does not depend on a majority, but just those that vote themselves out can stay out; but from here on in the future, all firemen would be covered. The City would be in a position of paying into a Social Security fund for some firemen and not for some others. The Mayor pointed out the firemen are contributing 7.5% to the Pension System to make it actuarially sound. To go into Social Security, they would pay 3 5/8%, totaling 11 1/8%. The Mayor asked the following:

- (1) Would the Council, regardless of what Social Security goes to, require a certain number of firemen who wanted Social Security before the Council would approve it, or would it approve it at all?
- (2) Would the Council ask for a majority?
- (3) City employees, in the present set-up, contribute 7 5/8% and the City matches that figure. That is 1/8% more than is being matched on the firemen. They ask if the City would contribute the additional 1/8 of 1%.

The City Manager stated the City matched only what the other City employees pay in. The Chief of Police stated the Bill includes firemen, but in addition to the National provisions, there has to be State enabling provisions. The State Enabling Act covers only policemen in cities under 250,000. That would include Austin. The State law would have to be amended before the firemen could vote on it. Councilman Long stated the reason firemen should support it, and the reason they are vacillating in doubt is if it should come to a vote here, was there are many smaller cities that have no pension plan, and they need to get under Social Security. As long as the Fire Fighters continue to fight this thing, in Congress, they are depriving a lot of people of Social Security. She suggested that they should go ahead and vote for it, but they would not necessarily have to participate. The City Manager stated that was the basis on which the firemen signed the petition. The Mayor said the firemen who signed the petition did so with the idea in mind that they did not want to deprive others, but they did not want it locally until they got their pension system straightened out. The Mayor inquired if it should come to a vote here, what number would the Council require, or if it would require a majority of the firemen who say they wanted Social Security. Councilman Long stated that was the law. Councilman Shanks asked if this meant there would be the retirement and Social Security too? The City Manager stated not unless the Council also agreed to it. The Mayor asked about the 11 1/8%. Councilman Long said the Council would have to be fair with all City employees. This would not be fair, because 11 1/8% would be paid to the firemen for their retirement; and to the rest of the employees, the amount would be 7 5/8%. She said she would rather carry some kind of insurance policy for these people that are on these vital jobs. It would be less expensive, and they would be better protected. The Mayor asked if the firemen wanted to combine what they had plus Social Security and it went to 11 1/8%, did the Council feel the City should match that high. Councilman Shanks stated it should not, as that would be 3 3/4% higher than is being contributed to the other employees. Councilman Long stated the Council would have to be fair and equal to

other employees. The Mayor said the firemen were trying so hard to get their system in good shape, and he wanted to work hard with them to help them accomplish this. Their system would be the only one in the State of Texas that would have a pension system that was actuarially sound. Councilman Long suggested if the firemen wanted to get under Social Security and voted it, that it could be adjusted to their pension system, and the payment would be the same as made for the other City employees, but they probably would not want to do that; but if they supported this, maybe in the future they could get under Social Security and still have their pension system. The Council held a lengthy discussion. Councilman Shanks said this probably should be postponed until the Council received the petition from the firemen. The Mayor stated the City's contribution to the other employees is $7\frac{5}{8}\%$, and the firemen $7\frac{1}{2}\%$. He asked if the Council would agree without matching by the firemen to put $\frac{1}{8}$ of 1% more into their system. Councilman Long stated they should do like other City employees; put the $\frac{1}{8}$ in and the City pay $\frac{1}{8}$ so that it would be fair and equitable. The Mayor asked if the firemen wanted to assess themselves another $\frac{1}{8}$, would she be willing to do this, but unless they do, the Council would not? Councilman Long said that would get things out of balance. The Council took no action at this time.

The City Manager referred to a letter from the Community Council, as follows:

"March 25, 1964

"The Honorable Lester Palmer, Mayor
City Council of Austin
The City of Austin
Austin, Texas

"Dear Mayor Palmer:

"The Board of Directors of the Community Council of Austin and Travis County has given tentative approval to the establishment of a permanent health and hospital needs committee and we appreciate the assistance the City of Austin has given. Attached is a memorandum covering the organization of that committee.

"The Community Council is aware that such a committee can be effective only if it keeps the study data up to date. It will ask the committee at its first meeting to recommend a way to finance this cost.

"We would also urge the City Council to adopt in principal the report and initiate immediate action on those recommendations in the report which rest within the jurisdiction of the City Council of Austin.

"Sincerely,
s/ Tom G. Brown, Jr.
Tom G. Brown, Jr.
President"

The City Manager also read an excerpt from the Minutes of the Board of Trustees of the Hospital Advisory Board stating it had "voted to approve the survey report and recommendations and to ask the City Council to make a quick decision concerning the site for the hospital. The Board went on record favoring the present site, but said that they would listen to other proposals in regard to a site if such were presented." After a detailed discussion, Councilman Long moved that the Medical Staff at Brackenridge Hospital be requested to give their recommendation on the recommendation of the Community Council as to the location of Brackenridge Hospital. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Attorney discussed a lease of the north 40' of the building located on City-owned property on 45th and Duval Street. The lease expired, and they have been holding over and paying the same rent. The lessee is asking for a three year lease. His recommendation was to see if she wanted to continue on a month to month basis under the same arrangements as it was not certain how long it would be before additional changes at the intersection of 45th and Duval Street will be necessary. There are possibilities for a good long-term lease, or for the sale of the property. Councilman LaRue moved that the City Manager be requested to try to negotiate the tenant-at-will proposition and operate on the month to month basis. The motion, seconded by Councilman Long, carried by the following vote:

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

Councilman Long stated at this intersection, not to consider taking that jog out of there would be a horrible mistake. It ought to be made into a wide intersection there, as it is one of the main thoroughfares. The City Manager stated the street would have to be widened, and he suggested holding the property and certainly reserving a certain amount under any permanent improvements that are made, for whatever right of way may be needed.

The City Manager stated there was an offer for property which lies in the Glen Oaks area. The City Attorney said this house and lot could be purchased now for the balance due on it (2,000). The 50' x 157' property is on Walnut Avenue, backing up to Boggy Creek. The City Manager stated the Council approved a plan to have a plan for the Glen Oaks Project. The Mayor stated the Council would go look at this.

The Council discussed the acquisition of the Roy Miller property, a four acre tract with a house on Anchor Lane and Manor Road. The City Attorney stated the price Mr. Miller was asking for the property sounded high to him. The City Manager said that someday the City would acquire it. The City Attorney recommended that the City Manager be authorized to negotiate; and if necessary to acquire by eminent domain. Councilman Long suggested turning down the offer. The Council discussed this, but took no action.

The City Attorney stated in connection with the C. B. SMITH lease at 3rd and Lamar Street, Mr. Smith suggested that he be required to move the buildings that will be placed on the property before cancellation of the lease if the City needs them removed; or at the end of the lease he wants the right to remove them. The understanding of the Council was that the buildings would remain on the premises and revert to the City, but that does not suit Mr. Smith. The proposed lease is for ten years with two five year options, with a step-up rental of \$50.00 a month at the end of ten years, and an additional \$25.00 per month for the last five years. The Council discussed this, but took no action.

The Mayor asked for a report of the Oswald Wolf property in connection with the opening of East 2nd Street. Councilman Long stated she understood an appraiser had been engaged. The City Attorney said he had not started the appraisal yet. The Mayor asked if he could be rushed up a bit.

Councilman Long reported dumping on City property on Lamar and 31st Street. The City Attorney did not believe this went as far back as the City property. He stated the day the Council went out there, the question was whether to ask the people to move the dirt or leave it, and no decision was made. The Mayor stated as long as it is not known what is to be done on 29th Street that the city hold on to all the land the city owns in this vicinity. The City Attorney stated action could be taken to prohibit their putting dirt on the city property. Councilman Long stated it would be all right as long as they did not use it and think it was theirs and try to build on it.

Councilman Long stated Dr. Easten Nelson had asked if she would hasten along the project on 18th and Trinity, where there is a sliver of city owned property there that joins his property. He stated the offer was received, and the City thought it was a good offer, but there was a question that the Planning Director had made about the possibility of the City's wanting a little bit more of the property. He would like to have this resolved if possible so that he could purchase this property and go on with some plans he has. This is on the north side of 18th Street and east side of Trinity Street. The City Attorney stated this matter had not been resolved yet. The Mayor reminded that Trinity was going to be the main "going-home" street. The City Attorney stated it was going to be difficult to know what the ultimate design of the street was going to be until after the Post Office is finished and the traffic starts flowing through. He said the Traffic Engineer would be asked to check on this also. Councilman Long asked that this be hastened along.

The City Attorney stated the Council authorized the City Manager to negotiate for the property north of 15th Street -- the W. T. Caswell property consisting of three lots. This property had been offered to the City for \$50,000 but there was now a signed contract for \$49,750.00. Councilman LaRue moved that the purchase be authorized. The motion, seconded by Councilman Long, carried by the following vote:

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

The City Manager stated funds were set up in the budget for actuarial services but all of those funds would not be needed for actuarial services for the regular retirement system this year. If agreeable with the Council, some of these funds could be used for the actuarial services in connection with the Firemen's Retirement System. After explanation by the Mayor and discussion, Councilman Long moved to pay \$800.00 to the actuary for the Firemen's Relief and Pension System Actuarial Study. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Mayor stated the Firemen had \$1200 and the total amount of the study was \$2,000.

The City Manager said he had a note with reference to specifications on trucks. Specifications had been set up and bids were asked for on additional sanitation trucks, and it was suggested by one dealer that better bids could be obtained if separate bids were taken on bodies and on trucks, instead of taking bids from the body manufacturer on the body and truck. The City Manager pointed out two problems: (1) Since the body manufacturers are located in different parts of the country, if bids are taken on trucks, the truck manufacturers have to be informed where the trucks will have to be delivered, and there will be involved different freight rates. (2) Since the body manufacturer has some different costs involved to adapt the body to different types of trucks, the body manufacturer has to be informed as to what truck is going to be used. The only way that two sets of bids could be taken simultaneously would be to set up columns where each bidder on bodies would bid a price he would charge to put it on any of the various types of trucks, and on the truck proposition, the manufacturer would bid the trucks on the basis of the price of the truck delivered to the body manufacturers in these various cities. In addition there could be provided an alternate type of bidding on a combined unit. The Council discussed this and informally expressed approval of this recommendation.

The City Attorney pointed out on a map the property on Arlington which was necessary to be acquired for the Mo-Pac Boulevard, and listed the price for which it could be purchased. Councilman LaRue moved that the City Manager be instructed to acquire the property at 406 Arlington. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Mayor Palmer inquired about the parking at the Ambassador Apartments at 407 West 18th Street. He read a letter requesting two-way parking zones at 407 West 18th Street. The letter was referred to the Traffic Engineer.

Mayor Palmer read a request from MR. JOHN W. WASHINGTON that something be done with East 10th Street and a bridge built across Waller Creek. The City Manager stated this request along with another one last week had been referred

to the Traffic Engineer. The Mayor stated with the underpass, the Council better consider getting 9th Street opened. The Director of Public Works stated it would be their recommendation that both 9th and 10th Streets be opened.

The City Manager stated the private detective proposed ordinance was sent to the Council so that it would have an opportunity to become familiar with it. The Mayor stated this had been pending a long time.

The Director of Public Works described a diversion channel to be made in Barton Springs where it is necessary to divert the water to prevent it from getting down in the pool. A channel will be made along Robert E. Lee Road and the water will be converted back to Barton Creek just below the rock gardens. He pointed out on a map two drainage areas, one from a subdivision off Barton Hills Drive, and the other from Bluebonnet Lane south of Zilker School. Pipe will be in part of the channel; the rest would be open channel. He showed location where pipe would be installed and two driveways to be made. Access to the ball diamonds would be eliminated. The Channel will have a 2 to 1 slope, and will be anywhere from 6-10' wide, and the depth will vary all along Robert E. Lee Road. A petition opposing this channel signed by 31 people living back in Barton Hills had been received by him. The drainage ditch installed by the subdivider on Barton Parkway had not been satisfactory, and the City had to line it. The City Manager described diversion channel proposed here, as having a slope on each side and being planted in grass and mowed. The Mayor asked if there would be complaints about using so much of the park for this. The City Manager pointed out on the map where the Planning Department says a 90' right of way through the area is needed; and when that time comes, the area now occupied by the ditch will be in the street. At that time the ditch will have to be enclosed. The City Manager pointed out the necessity of having this channel, to divert the drainage from the swimming pool; as everytime there is a rain, the pool gets filled with mud and debris, and it costs from \$5,000 to \$10,000 to clean the pool. What is proposed here would cost \$27,000. Councilman Long, referring to the petition from the Barton Hills group objecting to the channel fearing it would be unsightly along Robert E. Lee Road, asked how much of the roadway was there that would not be in the park and likely would not be maintained. The City Manager stated it was all in the park. Councilman LaRue stated he would be in favor of going ahead with the \$27,000; and he noted a statement in the petition that this channel would be a hazard to the children. He said a slope of two to one would not be bad. Councilman Long stated people had called her and asked for a public hearing on this. The Director of Public Works stated they were ready to write the specifications and advertise it on April 5th. Councilman Long asked if the group could be talked with and shown the map and the plan explained. The Director of Public Works stated he would be glad to call Mrs. Lloyd W. Sanders. Mayor Palmer suggested calling her and Mr. Jack Andrewartha.

The Director of Public Works discussed the next resurfacing program, stating there are 62 blocks of streets mostly in the area joining the downtown section. Discussed were streets adjoining State properties, the School for the Deaf a \$2,800 expenditure, and property on Burnet Road from 45th to 49th Streets, a cost of about \$800-\$1,000. He stated these were the State properties that would be in the resurfacing of South Congress Avenue from Barton Springs Road to Oltorf, and of Burnet Road, now set up from 49th Street to White Horse Trail, but which should go from 45th Street. He described the

storm sewer work to be done in South Congress, by his Department. Discussion was held on the State participation in paving in front of its properties. Councilman Long suggested that the School for the Deaf be asked to pay it, or the Texas Education Agency, or the State Highway Department. The Director of Public Works stated the School and Education Agency had been approached, but they had no appropriation. In the overlay program, Guadalupe and 51st Streets and other streets would be included. Mayor Palmer asked if he could include San Jacinto and Trinity in this program. The Director of Public Works stated he would; and in addition, Colorado as two of the spur tracks will be taken out. The other streets will be as follows:

Guadalupe Street	From 16th Street to 19th Street
Nueces Street	From 2nd Street to 3rd Street
Nueces Street	From 4th Street to 6th Street
Rio Grande Street	From 5th Street to 6th Street
San Antonio Street	From 3rd Street to 7th Street
San Jacinto Street	From 1st Street to 3rd Street and From 4th Street to 5th Street
West Avenue	From 5th Street to 6th Street
West 2nd Street	From Congress Avenue to Nueces Street
West 9th Street	From San Antonio Street to Lavaca Street
West 11th Street	From San Antonio Street to Lavaca Street

The Director of Public Works stated this was the summer schedule, and if it were approved, they could start on the field work next week.

Councilman Shanks inquired about 11th Street from Lamar Boulevard to the Creek. Councilman Long asked about the paving of Red River Street from 41st Street to 38 $\frac{1}{2}$ Street. The Director of Public Works stated this would be done with city forces. He described the work to be done on this section, including a gismo curb.

Councilman LaRue moved that the City Manager be authorized to proceed on the overlay program with due diligence. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Director of Public Works asked what should be done on Congress Avenue and Burnet Road with regard to the State property. Councilman Shanks asked that Senator Herring be contacted. The Director of Public Works stated they could explore this further. The Mayor stated under the charter, new inch and a half hot mix is considered a capital improvement and not maintenance, and this is a capital improvement.

The Director of Public Works reported on the improvement of 19th Street, stating this would be done during the summer. He made a general report on paving, stating there was only one more group of streets on which they had petitions. Then the streets to be brought in will be areas on which there are no petitions, but which require increased maintenance cost. Councilman Long stated there was one petition being worked on in the 900 block of Peacock Lane.

Mayor Palmer read a letter from the Wilson Finance Company regarding a loan and past due balance of one of the city employees. The letter was referred to the City Manager.

The Mayor read another letter from Mr. Ernest Goldstein asking that since 45th Street was closed, if his property is going to be needed. The City Attorney stated he had talked to Mr. Goldstein's lawyer yesterday. The City Manager stated Professor Goldstein was never told the City would need any part of it. The plan showed 45th Street running into Horse Shoe Bend, and he did not want the traffic in front of his house. The Mayor asked that Professor Goldstein be given an answer as he wanted to do some improvements. The City Attorney stated he had told his lawyer yesterday, and he was to get in touch with Professor Goldstein.

Councilman LaRue stated the Council had informally agreed to furnish the land for Toomey Road if the property owners along the south side would pave it. Mr. Peoples had checked with all of the property owners along the south side, and they were agreeable to paying one-half the cost. Mr. Peoples and Mr. Peel were agreeable to paying all of the cost along the south side, as well as the north side adjoining the city property. He asked if the Council would be agreeable to take care of the curb and gutter along the north side and let the property owners on the south side take care of the curb and gutter on the south side and the paving. Mr. Peoples had agreed to underwrite the rest of the north side. After discussion, Councilman Long moved that the City undertake the paving of the curbs and gutters on the north side and dedicate the right of way if the rest of the property owners will pave the street. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Mayor Palmer

Noes: None

Absent: Councilman White

Not in Council Room when roll was called: Councilman Shanks

The City Manager asked if this freed the Building Official to release the building permit. Councilman LaRue stated Mr. Peoples would underwrite the cost of paving except the curb and gutter. The Director of Public Works stated he would have estimates on the paving costs by Monday.

Councilman LaRue reported on the Balcones property and traffic problem. DR. E. D. BENNETT had been asked if it would be satisfactory to him if the City took no responsibility whatsoever and undertook to excavate two or three feet of his property line, or until it hit rock, and Dr. Bennett said it would be; and if it required a retaining wall, he would put one in. He was asked if this corrected the situation if he would be satisfied, and Dr. Bennett stated he would. Dr. Bennett would also give the City permission to go on his property, if necessary, and he would hold the City harmless from any damages to his property, trees, etc. The Mayor asked if a legal document would be drawn to protect the City's interest. Councilman LaRue said the estimated cost of correcting the situation would be about \$275.00. Councilman LaRue moved subject to Dr. Bennett's holding the City harmless from any damages whatsoever and if a

retaining wall is necessary that it be done at the owner's expense, if the rock is hit, that the City go no further to excavate and correct the situation on the west side of the 4500 Block of Balcones Drive. (Bennett Property) The motion, seconded by Councilman Long, carried by the following vote:

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

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

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

The Council adjourned at 9:00 P.M., subject to the call of the Mayor.

APPROVED

Lester E. Palmer
Mayor

ATTEST:

Elin Norley
City Clerk