

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 30, 1965
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, White, Mayor Palmer

Absent: Councilman Shanks

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

Councilman Shanks absent as he was out of the City.

Invocation was delivered by MR. DOREN ESKEW, City Attorney.

Councilman LaRue moved that the Minutes of September 23, 1965, be approved. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

DR. VICTOR SUMNER, Good Neighbor Council, introduced Dr. Charles Dent, member of the Council's Committee on the Sister City, Belo Horizonte, who presented a communication from the City Officers of the City, stating "At this auspicious moment, of the affiliation between AUSTIN and BELO HORIZONTE, the PEOPLE TO PEOPLE PROGRAM of Belo Horizonte has the great pleasure of sending to you and the citizens of Austin, the warmest greetings and the best wishes for a sincere and lasting friendship between our two cities." The letter was signed by Mrs. Avany de Almeida, Executive President; Ruy Viriato Catao, 1st Vice-President; Jean Paul Gunther Mohr, 2nd. Vice President; Jose Greco, 3rd. Vice-President; Lourdes Beatriz Vaz de Mello, 1st. Secretary; Walter Jose de Carvalho, 2nd. Secretary and Francisco Meinberg, Treasurer. Dr. Dent introduced Bernardo Carlos Kamergorodski who read a letter stating through the Program, Belo Horizonte is connected to Austin as her Sister City, and accepts the

invitation as sent by MAYOR LESTER PALMER. The Mayor of Belo Horizonte has just passed a law that makes official the Sister City friendship between the two cities, meaning they will be connected by a general interest and it will make possible the knowledge of friendship between the two peoples. People of Belo Horizonte are being told of this fact to be sure that they will get acquainted with the people from Texas, that they have already in their hearts a very special place. When the President of the International Council of Good Neighbors comes to Belo Horizonte with a group from Austin their Mayor will give him the answer to the invitation to the Mayor of Austin and will give them a film, pictures, slides, etc., of Belo Horizonte. DR. SUMNER gave details about the trip to Brazil and South America stating departure from Austin would be on October 11th, and the group would return November 10th. He expressed hope that members from the Council would join the group, stating Councilman Shanks was to introduce a resolution that the Mayor and his wife be given a leave to go on this tour. Councilman LaRue stated since Mr. Shanks was not here, he would make this recommendation to the Mayor and Council and take it under advisement and get in touch with Dr. Sumner in the next few days. Mayor Palmer asked Dr. Sumner to assist in drafting the proper documents to be passed on to the Sister City. He said Austin was very fortunate to be in this People to People Program with Belo Horizonte; and on behalf of the Council and Citizens of Austin, he thanked Dr. Sumner and his committee for taking this project. Councilman Long stated Austin would be beautifully represented with the committee and people that are going on this tour. Councilman LaRue recalled the suggestion that one of Austin's streets be named "Belo Horizonte" which is a beautiful name. The Mayor stated this was a wonderful suggestion and the Council would keep this in mind.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY. (Bennett Avenue and various other streets)

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

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 15.6 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE THEODORE BISSEL 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.
(Fairmont Park, Section 1 and unplatted land)

Councilman IaRue 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 on October 14, 1965 at 10:30 A.M. The motion, seconded by Councilman White, carried by the following vote:

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

The Council had before it a resolution authorizing the partial release of the City's inundation right, and for issuance of Special Permit for building construction for Maurice Doke. The City Attorney explained in detail the City's owning the right to inundate and keep inundated all of this land; and that the grant under which the City obtained these rights, prohibits any use whatever of the property that would be inconsistent with the right of the City to inundate and perpetually keep inundated this land. Without releasing the City's ownership of that right it would be impossible for one to use the property. Councilman Long asked about the liability of flooding. The City Attorney explained

there was a release of all damages caused from flooding, seepage, or any other type of damage. The release the City Manager will execute will spell out that the only thing that is being done is authorizing them to do something inconsistent with the previous grant, and it does not release the developers of their obligation to indemnify and hold the City harmless or does not release them from any right the City owns. It constitutes a perpetual waiver and release of a property right which the City owns as a property right. After brief discussion, Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by grant of record in Book 643, page 104 of the Deed Records of Travis County, Texas, the City of Austin is the owner of the perpetual right, among others, to inundate and to keep inundated, a portion of certain lands conveyed by Viking Boat Dock, Inc. to Maurice Duke October 20, 1964 by deed of record in Volume 2864, page 301 of the Deed Records of Travis County, Texas; and,

WHEREAS, for a valuable consideration, the City Council has agreed to release and waive the City's perpetual inundation right to the extent (and only to the extent) described below for the purpose of allowing the construction and use of certain specified improvements thereon not consistent with the terms of the grant of record in Book 643, page 104 of the Deed Records of Travis County, Texas; and,

WHEREAS, Section 34.15 of the Austin City Code of 1954 prohibits construction of certain buildings above the waters of Lake Austin except where authorized by special permit; and,

WHEREAS, the City Council of the City of Austin has duly considered the application of Maurice Duke for such a special permit and has approved the issuance of a special permit upon certain specified conditions, which permit and which conditions are hereby set forth and formally approved; Now, Therefore,

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

1. That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute an instrument in writing, releasing and waiving the City's inundation right to the extent and for the purpose described herein without otherwise diminishing or impairing any of the City's rights or privileges; and,

2. That Maurice Duke be issued a special permit to construct the building described in the attached seven page document entitled "Preliminary Specifications for Lake Austin Towers, Scenic Drive and Enfield Road, Austin, Texas", upon the land in accordance with the map exhibited to the City Council and attached hereto; provided the entire structure shall be connected to the City of Austin sanitary sewer system in accordance with specifications approved by the Director of Water and Sewer Utilities of the City of Austin; that the first occupied floor of such building shall be placed at least 503.917 feet above mean sea level; and that the permit holder shall comply with the off-street parking regulations of the City of Austin and all other laws and regulations applicable; and,

3. That no fill shall be placed west of the west line of the following described tract:

BEGINNING at the southeast corner of that certain 0.128 acre tract of land described in a deed of correction dated May 31, 1939 of record in Volume

621, Page 222 of the Deed Records of Travis County, Texas, said point of beginning in the west line of Lake Austin Boulevard;

THENCE, North 60° 44' West approximately 142.6 feet;

THENCE, North 4° 32' East approximately 153.3 feet;

THENCE, North 65° 44' East approximately 63.3 feet to a point in the north line of this tract of land;

THENCE, with the north line of this tract South 60° 44' East approximately 110.56 feet;

THENCE, South 29° 42' West 61.01 feet to an iron pin;

THENCE, South 4° 43' West 141.99 feet to the place of beginning; and that no fill shall be placed at any point in the waters of Lake Austin until a contract and performance bond in the amount of \$5,000.00 or the actual cost of completion of said work, whichever is lesser, guaranteeing the removal of twice as much fill as is placed in Lake Austin shall have been filed with and approved by the City Attorney.

(Attached document)

"Preliminary Specifications for Lake Austin Towers Scenic Drive
at Enfield Road Austin, Texas

Maurice Duke & Associates Owner

Merle A. Simpson, Architect B-6 Commodore Perry Hotel Austin, Texas

Joe T. Strother Consulting Structural Engineer 2501 Van Buren
Houston, Texas

Frank W. Gerling Consulting Mechanical Engineer 311 East 14th Street
Austin, Texas

Albert Heptig Structural Design Associate 3400 Hulen Fort Worth, Texas

"Program

"Lake Austin Towers incorporates 72 apartment units in a highrise tower supported by a two-level, underground, parking garage and water-level boat docking facilities.

"The complex included 8 one bedroom, one bath units; 32 two bedroom, one bath units; 16 two bedroom, two bath units; 8 three bedroom, two bath units; a limited amount of commercial (office) space, and auxiliary related services.

"The site represents approximately 25,000 square feet above mean average shoreline of Lake Austin and extends well into the lake.

"The design concept incorporates a "T" shape high-rise tower, partially built over the water and principally oriented to the west, southwest and north-northwest, to take fullest advantage of the scenic views of lower Lake Austin.

"Inherent in the program is the desire to create an aesthetically pleasing structure, with low density of building mass, adjacent to the Scenic Drive approach, allowing the green belt of the adjacent City Park to continue through this site. It is hoped that adjacent property owners to the south will be influenced to make aesthetic improvements to their properties thus maintaining as much of the beauty of the shoreline as possible.

"Structure

"The accompanying drawings indicate reinforced concrete structure supported on pier footings. Two options are being considered: One using drilled piers, and the other precast driven concrete piling--or combinations of these two systems.

"From this basic concrete frame will rise a total height of 90 feet above the high point of the property, adjacent to Scenic Drive, at the northeast corner of the site. The depth of the structure below this point will be approximately 20 feet.

"The parking garage will be contained by poured-in-place concrete floors and walls with the upper levels consisting of pre-cast, pre-stressed, channel glass with homogeneous, supporting, beam and column system.

"The vertical elements of structure are basically sheer-wall units rising to the full height of the building. Where exposed to the exterior of the building, these walls will be poured homogeneous with pre-cast form panels of exposed textured concrete having either applied or integral color.

"The floor systems in the vertical elements will be poured-in-place, post-tensioned, flat slabs. All connections with bearing walls and/or columns to be homogeneous wherever applicable. The concrete concept will constitute the basic framing elements and carry out the design program in all exposed wall masses.

"Allocation of Spaces

"The subdivision of space allocations will be accomplished with a metal-stud, dry-wall system throughout the entire interior and the exterior of the program.

"On the exterior of the building, all such subdivisions will be enveloped with vapor-ceiling, wired mesh and cement plaster surfacing with an oriental stucco finish coating.

"Interior subdivisions shall be developed by applying gypsum-board wall surfacing, either directly to the metal stud system or over approved sound-deadening board, where accoustical control requirements indicate.

"Where suspended ceilings are indicated, they shall likewise be accomplished by the dry-wall system and in areas where accoustical control is indicated, shall have a mineral accoustic unit ceiling applied directly by the contact method.

"The fenestration will consist of aluminum curtainwalls glazed with tinted, glare-reducing plate glass, with the spandrels being filled with insulated aluminum sandwich panels.

"Operating door unit-walls will be of a compatible system and all units will likewise be glazed with the tinted, glare-reducing plate glass.

"Interior Design Program

"Throughout the spaces to be leased, the floor coverings will consist alternately of sheet vinyl, ceramic mosaic tile, quarry tile, and carpeting in accordance with the program to be developed by the owner's interior design coordinator.

"Throughout these same spaces, alternate wall surfaces shall be used as the program indicates ranging from painted, textured gypsumboard, vinyl coated fabrics, ceramic tile, sheet plastics, to applied wood panels finished as the program indicates.

"Where exposed flat slab concrete floor plates are not concealed by suspended ceilings, these floor plates shall be either coated with textured paints, sprayed acoustic plaster or mineral acoustical tile applied by the contract method. The selection of these systems being left to the decisions based on cost and the interior design programming.

"It is anticipated that kitchen cabinetwork would be accomplished by one of two alternates; the first, a factory assembled appliance and storage unit of metal construction with selected finishes; the second, of mill-built, unitized components with set-in, or built-in appliances.

"All other cabinetwork and casework would be mill-built, primarily of wood construction with job-applied surfaces such as ceramic tile and/or formica.

"It is fairly anticipated that all primary door assemblies would be of the metal frame category with wood doors (fire-rated where required). All trim for interior openings would be optional, wood or metal as indicated by the interior design program and subject to the fire-safety program.

"Utilities

"Throughout the Towers in connection with the spaces to be leased shall be included the customary appliances and equipment compatible with the program concept.

"The kitchen appliances will be all electric and shall include cooking, baking, refrigerating and cleaning equipment and shall in most cases include both waste disposal units and dishwashing machinery. The sink units will be stainless steel.

"The bathroom facilities shall be compartmentalized and shall include tub/showers, flush-valve commodes, recessed counter lavatories, ventilation and heating equipment as required.

"In connection with the spaces to be leased, there will be primary laundry facilities located on the upper parking level and an alternate proposal shall provide secondary facilities on each floor, the option resting with the program and the owner's desires.

"The heating and cooling are covered under the mechanical systems.

"Mechanical Systems

"The original concept takes particular note of the proximity of the project to Lake Austin.

"The individual spaces shall be conditioned by the use of room conditioners, as required, and the distribution of cooling and heating will be primarily vertical from the lower level mechanical rooms with horizontal distribution within the confines of each floor. It is desired that each individual lease space have the optimum of climate control within a minimum of two such control zones being allocated to each leased space.

"Ventilation requirements will be handled vertically for kitchen and bath units and the introduction of tempered fresh air to the cooling-heating units will likewise be handled vertically. All such vertical distribution of ventilation and tempered air services will be properly safeguarded against fire.

"All appliances will be electrically powered and the power and lighting services will be served from a transformer services vault on the upper parking level distributed vertically throughout the structure with the option of floor-to-floor transformers on each floor.

"The sanitary system will be handled in a similar manner vertically and/or horizontally as the physical shape of the building dictates.

"All metering and major safety devices will be contained in a centralized location for protected, ready access from the exterior of the building.

"Auxiliary systems such as television, AM-FM systems, etc., shall be included at the owner's option."

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

The City Manager explained that a part of the Community Renewal Program concerned a contract for an economic and market analysis stating the scope of the work had been discussed previously by the Council and Mr. Hoffman. Final approval is necessary to get the work under way. The Director of Planning stated the Council had reviewed this on several occasions. On August 2, the Council adopted the revised amendatory application on the C.R.P. which was necessitated by private development and other programs involving the University, Capitol expansion and other expansions. He gave a break-down on this analysis as it would pertain to population, income groups, and the impact it would have in relationship to housing; and the overall economic base of the City and the future of that base as to government, education, and the role that various enterprises would play in the economic development of Austin. MR. HOFFMAN will be a consultant to the staff in the Population Study and Economic Base. The third aspect will be the new Housing Act. Mr. Hoffman will analyze the housing market in Austin and forecast the future housing market up to 1985. The Director of Planning explained the effects of the Highway Program which may mean a major relocation or displacement of many people.

According to the Planning Director the second segment would involve the commercial, industrial, and central business district analysis. That would be brought to the Council in about a month. The Mayor said the scope of this study would not include a detail study of the central business district.

"O. S. A. A. Percy A. N. W. Benny V. C. R. C. D.
Parson Greenhaw Danz Heyer Lawrence Pavlicek Lynch Johnson Perkins

1411
Hackberry

1178
Comal 31.62 31.00 10.00

1194
Angelina 18.71

1702 (R)
N. Y.

1800
Pennsylvania 36.61

D & R Farm W. L. Johnson

1154 Chicon 115.40 60.03

1709 Washington 6.53

1802 Washington 6.53

1153 Salina 7.53

1158 Salina 13.53

1309 Hackberry 3.53

1411 Hackberry 3.53

1178 Comal 32.53

1194 Angelina 5.53

1702 (R) N.Y. 3.53

1800 Pennsylvania 55.53

"The high bid on each house is underscored in red. Due to the fact that these structures are dilapidated and also the fact that it would cost this office several hundred dollars if we had to demolish them, it is recommended that these bids be accepted.

"If the bids are acceptable, the attached contracts should be signed by you and attested and returned to me in order that we may fulfill the contracts with the successful bidders.

"From: Dick T. Jordan
Building Official
Signed: Dick T. Jordan"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 27, 1965 for the sale of eleven (11) houses that Urban Renewal turned over to the City for disposal; and,

WHEREAS, the bid of Duncan and Rosen Farms in the sum of \$115.40 for house located at 1154 Chicon; the bids of N. W. Lawrence in the sum of \$50.00 for house located at 1709 Washington, and in the sum of \$75.00 for house located at 1158 Salina; the bids of August Heyer in the sum of \$18.81 for house located at 1802 Washington, and in the sum of \$18.71 for house located at 1194 Angelina; and the bids of Weldon Johnston in the sum of \$7.53 for house located at 1153 Salina, in the sum of \$3.53 for house located at 1309 Hackberry, in the sum of \$3.53 for house located at 1411 Hackberry, in the sum of \$32.53 for house located at 1178 Comal, in the sum of \$3.53 for house located at 1702 (R) New York, and in the sum of \$55.53 for house located at 1800 Pennsylvania, were the highest and best bids therefor, and the acceptance of such bids has been recommended by the Building Official 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 above bids 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 Duncan and Rosen Farms, N. W. Lawrence, August Heyer and Weldon Johnston.

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

Councilman LaRue moved that MR. C. T. JOHNSON be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

MR. JOHNSON requested an immediate City-wide reappraisal of undeveloped property values to balance out the inequities that exist between taxes paid by homeowners, business men, and those paid by owners of undeveloped property. It was his belief the home owners were carrying a disproportionate burden of city government expenses. The object of this appraisal would be to place on the City's tax roll undeveloped property at the reasonable cash market value. He said his interest was in the equalization of taxes and that undeveloped property should be taxed by the same yardstick used on other tracts at the fair cash market values. Different values are placed on some classes of property resulting in a gross injustice. He submitted for particular consideration tax certificates in support of his allegations, one showing five acres of land carried on the City tax rolls at an assessed valuation of only \$16,880. Mr. Johnson stated he understood the owner was asking \$150,000 for this property and had rejected \$125,000. Another specific case Mr. Johnson made was to the land opposite the five acres where one lot was assessed at \$11,710, another at \$10,140; and the third lot at \$8,150. He compared the total assessed valuations of these three lots to that of the five acres. He said in the addition in which he lives, lots are selling for

\$10,000 to \$50,000. He pointed out another situation where seven lots were carried at an assessed valuation of \$7,180, the same valuation as they were in 1951, and he was told the owner was asking \$50,000 for this property. Mr. Johnson stated he was very concerned about this land value situation. The Mayor thanked Mr. Johnson for his discussion and stated the Tax Department is very careful in trying to equalize taxes and trying to establish the fair market value; and over the town, after a study was made, it was found the City was fairly close to the market value. Councilman Long stated where inequities existed they should be corrected. She noted that last year there were many appeals not from home owners, but from property owners of undeveloped properties. She explained every four years a revaluation throughout certain sections of the City was made to keep the valuations current. Councilman Long moved that the City Manager have these pieces of property that have been brought to the Council's attention looked into and make a report. The motion, seconded by Councilman LaRue, carried by the following vote:

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

MR. W. R. COLEMAN, along with MR. KENNETH WALLACE appeared before the Council regarding their proposal for an excursion boat. Mr. Coleman displayed the plans they had presented to the Parks and Recreation Board which recommended their proposal. Councilman White inquired if this boat would be run by motors. Mr. Coleman stated they would be 45 H.P. Diesel engines. The engine noise would be less than the normal automobile engine. Councilman White inquired about the speed. Mr. Coleman stated the boat would operate very slowly, about two to five knots an hour. Councilman LaRue discussed the parking area, which was planned for only 59 cars. Mr. Coleman stated they would use pick-up points along the way, such as restaurants, the Auditorium, hotels, Festival Beach, etc. A home base for parking is necessary in order to accomodate chartered parties. They would want to dock at the Auditorium to pick up the convention crowds, at the present Gondolier docks, and other places. MAYOR PALMER stated this was the first time he had seen the plans and explained there were other areas they would have to explore--drafting a tentative lease agreement, and checking through the Traffic Department, etc. Mr. Coleman's timing was to be in operation next spring. The Mayor explained the Council could not give an exclusive right and there are other requests for this same type of operation. Mr. Coleman said he understood; and they had indicated twice that they would like to have an option if another boat were needed, and an area for another base. The Mayor stated the Council would look into this proposal and do more studying on it with the City Manager and his various departments.

MR. CHARLES BAREFIELD, Riverside Tackle and Bait, appeared before the Council stating the Parks and Recreation Board had recommended the excursion boat proposal because it was a public service. He asked the Council, when it looks at this area for the excursion boat, that it consider also his type of business being there too. The primary objections given to him as to his location was the appearance and the commercial aspect. If the excursion boat is going to be directly across the lake from him and be of a commercial nature he thought his operation should be considered also. The Mayor stated in the overall plan, there are areas shown for bait houses, but not in the exact area in which Mr. Barefield was located. Mr. Barefield stated on one plan there was a site shown about 200 yards from his present location about 100 yards east of the railroad bridge on the south side of the lake and another at Barton Creek.

The City Manager said October 7th had been set tentatively as the date for the sale of Revenue Bonds, and the Council had adopted a resolution authorizing him to proceed with the advertising for taking bids. Since that time the market has grown considerably worse from the City's point of view, and the interest costs would be higher than anticipated. He and the Finance Director had been consulting with the Fiscal Advisor, Mr. Decker Jackson and he read a letter from Mr. Jackson concerning the condition of the municipal bond market, and recommending that the sale of the 14 million dollar Revenue Bonds be postponed. If the market in January or February is not as good as it is today, Mr. Jackson recommended that the amount of bonds sold be around \$4,000,000. The City Manager read a memorandum from the Finance Director outlining the financing capabilities without the sale of those Bonds. He said it appears the financing can be carried out through February. Mr. Curtis Adrian would anticipate an interest rate of 3.39 now, which would amount to about \$400,000 more interest cost.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on September 2, 1965 the City Council adopted a Resolution authorizing and directing advertisement for bids on the sale of bonds of the City of Austin at 10:00 A.M., October 7, 1965 as follows:

Electric Light and Power System Revenue Bonds, authorized at an election August 6, 1960	\$ 8,700,000.00
Waterworks System Revenue Bonds, authorized at an election August 6, 1960	3,200,000.00
Sewer System Revenue Bonds, authorized at an election August 6, 1960	<u>2,100,000.00</u>
Revenue Bonds Total	\$14,000,000.00

WHEREAS, since September 2, 1965 certain changes have occurred in the bond market which raise doubt concerning the advisability of marketing such bonds on said date; Now, Therefore,

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

That the Resolution of September 2, 1965 calling for bids on the above described bonds be and the same is hereby rescinded, and the City Manager is authorized and directed to notify all known interested persons of the cancellation of such sale.

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

Mr. Jackson commented on his recommendation not to sell the bonds at this time. The Director of Finance stated not only Southwest of Dallas, but the Chase Manhattan Bank of New York, First National City Bank of New York, Bank of America and all of the major members of any bond buyer are of the same opinion that interest cost to the City would be approximately 3.40%. The Mayor expressed deep appreciation of the Financial Advisor, and Mr. Williams and the

City Administration that the City is not in a position where it would be compelled to sell and have to pay the price. He stated through good financial handling, the City is able to carry on financially for several months. He commended the City Manager on his scheduling.

The Assistant City Manager stated they had a request from Mrs. Margie Smitherman representing the Y-Teens at Travis High School, to place a school banner south of the Crest Hotel from October 11th to November 19th which is twice as long as they normally allow the banners to remain. Councilman Long inquired about the normal policy. The Assistant City Manager explained the policy which would allow the City Manager to approve non-commercial banners within the authorized policy, at three approved locations--1st and Congress, 5th and Congress, and 19th and Guadalupe. The banners would remain up only two weeks and there would be a \$35.00 fee. This matter was brought to the Council as their request was for a longer period. Councilman White moved that the request be granted for two weeks' period, and that the group choose the time. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman LaRue moved that MR. EDDIE JOSEPH be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

MR. JOSEPH stated his son was requesting a building permit at 1104 Fiesta for a subdivision close to Anderson High School. A house is being built at 1106 according to the height of the other houses in that area but his son now finds he must build at a 5'6" elevation. He asked that the height be 3'6". The Mayor stated after studying the flood area the Council set a requirement that would be above the high water mark. The Building Official stated this site was in the flood area of Boggy Creek, and that was the reason the elevation was required. The City Attorney stated an engineering study of the entire area with respect of eliminating flooding conditions had been made. Finally after discussion the Council wanted to make an on-site inspection of the area.

Mayor Palmer stated the Council had a request from Corporation Court Judge McFarlin that he be permitted to take a week of his vacation. Councilman LaRue moved that MR. VIRGIL LOTT be appointed for this interim period to serve from Monday through Friday as Judge of the Corporation Court. The motion, seconded by Councilman Long, carried by the following vote:

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

Councilman Long moved that the tax appeals be set as follows:

2:30 P.M. October 14th, 1965

Chariot Inn - Mr. A. L. Hill - 7300 Interregional Highway
Penthouse - Mr. Marvin A. Bergstrom - 401 West 13th Street
Cambridge Tower - Mr. Wayne B. Swearingen - 1801 Lavaca Street
Mr. George S. Nalle - 618 $\frac{1}{2}$ Congress Avenue
906 Congress Avenue
908 Congress Avenue

2:30 P.M. October 21st, 1965

Mrs. Julius F. Franki - 10.75 acres - 600 South First Street
Mr. W. B. White - 4003 Jefferson
Mr. W. P. Holloway - 1109 East 4th Street - 1111 East 4th Street
Mr. H. M. Oetting - 1300 Lavaca Street
Mr. F. F. Knight representing Dorothy E. Wagner - 407 South Congress
Mr. Robert Mueller representing Mr. George T. Ramsey, Texan Hotel -
125 West 7th Street
Mr. Douglass D. Hearne representing Mr. C. H. Taylor, Jr., Chateaux
de Ville - 200 Crockett Street
Mr. R. E. LeMond, D. C. - 407 West 7th Street - LeMond Apartments

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

The City Manager reported the Superintendent of Water Treatment finds it necessary to enlarge the operators' room at the Water Treatment Plant No. 1. It is in a critical area so far as Town Lake is concerned. He suggested that the Council along with Mr. Ullrich and the Construction Engineer, drive by and look at what they have in mind. The City Manager stated this would be a permanent improvement of the building. The Council agreed to go by the Plant this date.

Mayor Palmer read an invitation from the Economy Furniture Company to have lunch and visit their plant on October 18th, 10:30 A.M. The Mayor stated the Council would accept the invitation and try to be present.

Councilman LaRue noted the letter from Vice Admiral CHARLES K. DUNCAN regarding the USS AUSTIN (LPD-4) visit to Houston, tentatively on October 26, through November 1, 1965. The Mayor stated they were trying to firm up the dates, and the Navy League is making contacts with the proper and interested officials. The Mayor asked the Council to keep this in mind and all would plan to go to Houston.

After discussion, Councilman LaRue moved that the request of the First Church of Christ Scientist for a reserved parking space in the 1000 block of Congress Avenue be DENIED. The motion, seconded by Councilman White, carried

by the following vote:

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

The Mayor read a letter from Mrs. Willis Browning regarding injury she sustained on the sidewalk in the 17th block of Red River Street and asked that this walk be repaired. The City Manager reported this matter had been sent to the Departments for checking.

Mayor Palmer read a letter from Mrs. Raymond Craig requesting a stop sign, light, or school guard, or a sign indicating school children are crossing at Parkwood Road and Airport Boulevard. Councilman Long moved that the request be referred to the Traffic Engineer, and also a copy to the Police Chief, and that a report be brought back to the Council. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager stated this is a highway, and it may take a little longer to get a report as clearance through the Highway Department must be obtained.

The Mayor called attention to the invitation from DR. ALBERT KLEIMAN to attend a presentation of awards to outstanding Firemen and Policemen by B'Nai B'Rith Town Hall, Hancock Center, Tuesday, October 19, at 8:00 P.M.

Mayor Palmer read a letter from MR. HARMON J. HODGES, Executive Director, Housing Authority, enclosing a check in the amount of \$26,026.59 as payment in lieu of Taxes from the Housing Authority of the City of Austin for 1964.

Councilman Long noticed from an article in the paper that people on the poverty level, according to the statement, cannot afford to live in the Housing Project because the rents are too high. \$70.00 a month was mentioned, but whether that was a minimum or maximum, she did not know. Councilman Long suggested that the City should look into this and see why these rents are so high. After discussion, Councilman Long moved that the Council ask for a meeting with the Housing Authority at an early date to discuss with them the rents and asked that the Mayor check with the Housing Authority President, for clarification of policy and how the City can fit into it. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager reported that the following zoning applications had been referred to the Planning Commission and set for public hearing before the City Council on November 4, 1965:

L. C. JOHNSON	Rear of 3700 North Interregional Highway	From "A" Residence 5th Height & Area To "C" Commercial 5th Height & Area
ROGER HEWITT By Calvin W. Jayroe	600 Denson Drive 6200-6202 Guadalupe St.	From "A" Residence To "O" Office
KERRY G. MERRITT By Robert C. Sneed	1508-1510 Sunnyvale St. 1304 Summit Street	From "A" Residence To "BB" Residence
E. O. QUINN	9001 East Drive (8913-9001)	From "A" Residence To "B" Residence
MRS. CHARLIE TOD ARMSTRONG, By Marvin Braswell	1212 Parkway 1213-1215 Baylor Street	From "B" Residence 2nd Height & Area To "C-1" Commercial 2nd Height & Area
C. G. JONES	2114 Shoalmont Drive	From "A" Residence To "O" Office
ROSA B. COOPER By Mike Arnn	2102 East 12th Street	From "A" Residence To "C" Commercial
SUN-TEX INDUSTRIES, INC. By Charles Sandahl, Jr.	106 Pedernales Street	From "A" Residence To "C" Commercial
MARVIN A. BERGSTROM	1905-1909 Waterston Street	From "A" Residence To "C" Commercial
MRS. OLLIE ISAAC By Marvin Braswell	904 East 49th Street	From "A" Residence To "C-1" Commercial
H. M. HARDY & AUSTEX DEVELOPMENT CO., LTD, By Don McElwreath	5710-5804 Manor Road	From "A" Residence and "O" Office To "IR" Local Retail
LOUIS BERRON	6601-6603 Felix 901 Vargas Road	From "A" Residence To "GR" General Retail
W. T. SHELTON By Jerry Perlitz & Carter Christie	3708 Kerbey Lane	From "A" Residence To "IR" Local Retail
WALTER WENDLANDT	Rear of 502 East 51st Street Rear of 5102-5104 Evans Rear of 5109-5117 Bruning	From "C" Commercial To "C-1" Commercial

MISS LORENA JONES By Cecil D. Perkins	3804-3810 South Second Street	From "A" Residence To "B" Residence
WILLIS D. BIBBS	1301 Chicon Street 1900-1902 East 13th Street	From "A" Residence To "LR" Local Retail
RAY CORBIN, et al By Jay B. Wilkins, Jr.	7814-7816 Watson Street 1101-1103 Anderson Lane 1109-1215 Anderson Lane 7813 Gault Street	From "A" Residence To "GR" General Retail
DR. WALTER GOODALL By Robert C. McCreary	123 East 9th Street 822 Brazos Street	From "C" Commercial To "C-2" Commercial
CARRINGTON'S UNI- VERSITY HILLS By Johnson & Baker	3203-3301 Rockhurst Lane 3202-3208 Rockhurst Lane 3203-3301 Susquehanna Lane	From Interim "A" Residence 1st Height & Area To "BB" Residence 1st Height & Area

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

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

The Council adjourned at 12:00 noon subject to the call of the Mayor.

APPROVED Lytle E. Palmer
Mayor

ATTEST:
Edna Husley
City Clerk