

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 18, 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, Shanks, White, Mayor Palmer  
Absent: None

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

Invocation was delivered by REVEREND BILL C. CLARK, West Austin Baptist Church.

The Council greeted and welcomed BROTHER FRANCIS MELLO, and a group from the Politics Class, St. Edward's University.

"Uncle Jay" (Mr. Jay Hodgson) appearing for the LONGHORN HANDBALL ASSOCIATION, announced that on March 21st-27th, the National United States Handball Association Tournament would be held in Austin with players coming from all over the United States, Canada, Mexico, and Ireland. This will be the biggest event of the whole year in the world of handball. Besides the International Tournament there will be an Intercollegiate Tournament, bringing men from Universities and Colleges from all over the Nation to Austin. A clinic will be held for men and students. Because of the glass court, 1,000 spectators will be able to watch one match. He introduced MR. PETE TYSON, Handball Coach, and MR. DICK ROBERSON, President of the Longhorn Handball Club. Mr. Roberson introduced five of their players, who presented programs and tickets to the Council. Mayor Palmer, on behalf of the Council expressed appreciation for their invitation, and congratulated the group in bringing this International Tournament to Austin, as it is a fine tribute to the City.

MR. MAURICE QUIGLEY, President, Junior Chamber of Commerce, gave a progress report on their project of spearheading a drive to purchase a gift for the U.S.S. AUSTIN. MR. DEAN WHIFFEN explained that a City makes a gift for a Ship named in its honor and the Junior Chamber of Commerce proposes obtaining

donations from the Citizens of Austin to purchase a silver service for this purpose. The gift will be from the Citizens of Austin, and the amount needed was about \$1,500. About \$500 had been donated. Mayor Palmer expressed appreciation to the Jaycees for this undertaking, stating it was quite an honor to have a tremendous ship like the U.S.S. AUSTIN named after this City, and that all members of the crew are honorary citizens. Mayor Palmer said all of the citizens would be encouraged to contribute to this so the proper presentation could be made to the Captain and men of the U.S.S. AUSTIN. Mr. Whiffen stated the Navy League of Austin also was working on this project.

Councilman White moved that the Minutes of the Meeting of March 11, 1965, be approved. The motion, seconded by Councilman Shanks, carried by the following vote:

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

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 OR TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY. (Alexander Avenue and sundry other streets)

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

The Council had before it an ordinance authorizing the execution of a refund contract with W. H. BULLARD for the installation of water and sewer mains in GREENWOOD HILLS, SECTION 2. The City Manager reported this involved a subdivision on the south side of Austin near Williamson Creek, and the City was participating \$807.00 in the difference of an 8" line and 12" line.

Mayor Palmer introduced the following ordinance:

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

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

After discussion and explanation as to the reasons the street name was requested to be changed, and of the historical fame and interest in the unusual name, Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on maps or plats of Ridgewood Village, Section 1, a subdivision in the City of Austin, Travis County, Texas, a certain street is designated as Vance Lane; and,

WHEREAS, the map or plat of Ridgewood Village, Section 1 is of record in Book 6 at Page 59 and 162 of the Plat Records of Travis County, Texas; and,

WHEREAS, it is necessary in the public interest that the name of Vance Lane be changed to Sugar Shack Drive in order to facilitate the giving of directions for fire, police, and other emergency services and for the convenience of the public generally; Now, Therefore,

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

That the name of the following described street, designated as Vance Lane, as the same appears on the map or plat of Ridgewood Village, Section 1, a subdivision of record in Book 6 at Page 59 and 162 of the Plat Records of Travis County, Texas, be and the same is hereby changed to Sugar Shack Drive, said street so changed being described as follows:

0.132 of one acre of land, same being a portion of that certain street in the City of Austin, Travis County, Texas, known as Vance Lane, as shown on a map or plat of Ridgewood Village, Section 1, a subdivision of record in Book 6 at Page 59 of the Plat Records of Travis County, Texas, and also as shown on a map or plat amending part of Ridgewood Village, Section 1, of record in Book 6 at Page 162 of the Plat Records of Travis County, Texas; said 0.132 of one acre of land being more particularly described by metes and bounds as follows:

BEGINNING at a concrete monument at the northwest corner of Lot 2, said Ridgewood Village, Section 1, same being the southwest corner of the herein described tract of land, which point of beginning is the intersection of the south line of Vance Lane and the present corporate limit line of the City of Austin as adopted by the City Council of the City of Austin by ordinance dated November 13, 1952;

THENCE, with the said present corporate limit line of the City of Austin, North  $84^{\circ} 44'$  East 67.26 feet to a steel pin at the southwest corner of Lot 1, said Ridgewood Village, Section 1, same being the northwest corner of the herein described tract of land, which steel pin is on the north line of Vance Lane;

THENCE, with the said north line of Vance Lane, South  $47^{\circ} 15'$  East 55.50 feet to a steel pin at the point of curvature of a curve whose angle of intersection is  $90^{\circ} 00'$ , whose radius is 25.00 feet, and whose tangent distance is 25.00 feet;

THENCE, along said curve to the left an arc distance of 39.27 feet, the chord of which arc bears North  $87^{\circ} 45'$  East 35.36 feet to a steel pin at the point of tangency of said curve, for the northeast corner of the herein described tract of land, which point is in the west line of Ridgewood Road;

THENCE, with the said west line of Ridgewood Road, South  $43^{\circ} 16'$  West 100.42 feet to a steel pin at the point of curvature of a curve whose angle of intersection is  $90^{\circ} 00'$ , whose radius is 25.00 feet, and whose tangent distance is 25.00 feet, for the southeast corner of the herein described tract of land;

THENCE, along said curve to the left an arc distance of 39.27 feet, the chord of which arc bears North  $01^{\circ} 19'$  West 35.36 feet to a steel pin at the

At 10:30 A.M., Mayor Palmer opened the hearing on improving the following streets:

<u>STREET</u>	<u>FROM</u>	<u>TO</u>
Trinity Street	NPL East 10th Street	SGL East 11th Street
East 10th Street	EGL San Jacinto Street	WPL Trinity Street
Canion Street	WPL Guadalupe Street	WPL Shirley Avenue
Dale Drive	EPL Tisdale Drive	A point 134' east of EPL Gault Street
Evans Avenue	NPL East 53rd Street	SPL East 55th Street
Hammack Drive	WPL Burns Street	A point 168' east of WPL Burns Street
Mohle Drive	EGL Harris Boulevard	EGL Oakhurst Avenue
Oakhurst Avenue	SGL Mohle Drive	SPL West 29th Street
Shirley Avenue	A point 162' south of SPL Brentwood Street	SPL Gaylor Street
East 55th Street	EPL Duval Street	A point 125' east of EPL Evans Avenue

No one appeared to be heard. The City Attorney reported proper advertisements appeared in both newspapers on March 4th.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.  
(Trinity Street and East 10th Street)

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOT 2, BLOCK F, NORTEVALE, SECTION 3, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

MR. RUSSELL ROBERSON, Chairman of the local Red Cross Chapter, appeared stating in accordance with the recommendation of the Council that the City assist the Red Cross locate a building site, they were present requesting that the Red Cross be granted a lease of a 200' x 200' tract of land on Airport Boulevard facing east between Schieffer and Wilshire Boulevard. They would like to be

located as near Wilshire Boulevard as possible, as it is close to the bus line. The Director of Public Works displayed a plat of this area. The City Manager reported this property had been earmarked for sale at around \$10,000 an acre. The Mayor stated the Council would look at this site and discuss this with the administration, as it must be ascertained that along some of these main boulevards that with this mass transportation plan a 200' - 300' right of way may be needed. Councilman Long suggested land on 51st Street or on West 10th Street off of Lamar. Mayor Palmer did not favor any property on 51st Street being used where it would be near the Airport. As to the West 10th Street property, the City Manager reported the deeds restricted this property to park and right of way purposes. Mayor Palmer thanked the group, and stated the Council would look into this.

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

MR. BLUMENTRITT inquiring about the hearing on paving Trinity and East 10th Streets, asked if this included paving 10th Street across the bridge. The City Manager reported this particular ordinance did not, as it had to do with assessing a few property owners and it was limited only to those particular properties. The project would involve paving all the way through. Mr. Blumentritt inquired into the status of opening East 9th Street. The Mayor reported there was a lot of work being done, but at this moment, nothing has been resolved, but negotiations are still under way.

MAYOR PALMER submitted a request of MR. BILL TERRY, Executive Director Austin Council for Retarded Children, for an appointment to appear before the Council to secure a long term lease with the City on property at 915 West 28 $\frac{1}{2}$  Street so they can arrange for a loan for a new building at the same location where they have been operating for a number of years. Councilman Long moved that the Council meet with this group at 11:00 A.M. on April 1, 1965. The motion, seconded by Councilman White, carried by the following vote:

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

MAYOR PALMER read a letter from MRS. HOWARD HAYDEN who would like to appear before the Council April 29th to present tickets to the LaGuna Gloria Annual Art Fiesta.

MAYOR PALMER read an announcement that opening ceremonies for Austin's First Downtown Motel Inn facility would be held 10:00 A.M., Friday, March 26th, and Austin Motel Development Inc. request the assistance of the Council at such ceremonies. Invitation to the Thursday evening preview will be mailed. The Mayor stated the Council would try to be at the opening ceremonies at 10:00 A.M., Friday, March 26th.

Councilman Long moved that MR. RICHARD BAKER be heard. The motion was seconded by Councilman White. Roll call showed a unanimous vote.

MR. BAKER reviewed the request of Mr. Walter Carrington through his engineer, concerning esplanades in his subdivision entrance. The request went through the Public Works and Traffic Departments and then to the Council with a recommendation against granting this on the liability and safety factors. He had reviewed a contract made with another developer, and listed three provisions: (1) the developer would maintain the esplanades until the development was completely sold out; (2) the developer would furnish the City with a \$200,000 liability policy; (3) that when the subdivision was sold out, the developer would advise the City which could take over the esplanade maintenance; or the neighbors could take over the maintenance; or the developer could tear out the structure and repave. Mr. Baker discussed the liability questions, mentioning a suit out of Houston. He described the plan of the widened entrance and the esplanade, and showed a diagram proposing increasing the right of way from 50' to 58'. Mr. Carrington feels the use of esplanades such as he proposes at three or four entrances would further enhance the value of the subdivision and the beauty as far as the City is concerned. Councilman Long asked if Mr. Carrington would be interested in entering into a perpetual care arrangement. Mr. Baker stated this would involve a lot of problems. Councilman Long stated the City would then have to maintain these over a period of years and that would be expensive. She inquired about the citizens who buy in the area, thinking they will have a lovely esplanade at the entrance of the subdivision; and after the subdivision is built up, the esplanade would be taken out, and asked if this were not deceptive. Mr. Baker stated it certainly was not the intent. Councilman Long anticipated the City would be expected to take care of them. She said this would not be just four esplanades, but dozens, and it would mean watering, trimming, mowing, planting, etc. The City Attorney stated he and Mr. Baker had never discussed any aspect of this first contract which was approved over the objections of the City Attorney. At that time, he had stated this was an uninsurable liability and that the City could not obtain insurance against the liability in Lloyds' or any other place; nor could the private owner likely obtain such insurance. The City's responsibility was nondelegable in this case, and there is a \$180,000 verdict rendered against the City of Houston in a case of a death of a person who was injured except the Houston case did not involve nearly as hazardous or dangerous situation. The differences in the esplanades planned in Mr. Carrington's subdivision and the one in Mr. Phillips was pointed out, in that the esplanade was set considerably back from the intersection; the street is wider and longer and more obvious. The City Attorney stated the City was unable to get the necessary insurance for a development as this, and he did not believe a subdivider could. Mr. Baker reported a special agent of a large company had advised the agent here that the insurance as well as the bond for protecting the City could be written. Mr. Baker stated the subdivision had been pending, and there were some problems to be worked out in the Planning Department. The Council wanted to take an on site look at this plan; and in the meantime Mr. Baker was to try to get a copy of an insurance policy to see if it would be adequate.

The City Manager reviewed the matter of taking bids on a motor grader and the specifications describing such motor grader. The low bidder met all the specifications except one item concerning the frame which was to be a heavy duty frame which was to weigh not less than a certain number of pounds per foot of frame. The overall average of this particular unit met the average weight



throughout the length of the unit; but each foot does not average what was anticipated. The Director of Public Works had examined the machine and did not believe it would do the work for which it would have to be used. He wanted to recommend that the bids be rejected. Councilman LaRue moved that all the bids be rejected and that bids be readvertised. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The City Manager stated the Austin Housing Authority has a request with reference to the new high-rise apartment on Willow Street. The Director of Public Works reported that WILLOW STREET from Trinity to Neches and NECHES STREET from the north side of Trinity southerly had been vacated; but utility and drainage easements had been retained. The building will extend into the area vacated in Neches, and the Authority is asking that the easement in that portion of Neches be vacated. The other request was for permission for concrete rip rap along the bank of Waller Creek where it would be in Neches Street; and as long as the City requirements are met there would be no objections. After discussion, Councilman White moved that the Council grant the two requests. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Councilman Long voting for the motion with the statement she wanted the word passed on to these people that the next time they want something to write the Council ahead of time so it would know more about it, and she wanted them to know she did not appreciate not getting a letter on the subject matter when they sent one to everybody else-- the City Manager, the City Attorney, and the Planner; and they expect the Council to sit up here in a minute and say "O.K.". She asked that a copy of the Minutes be sent to the Austin Housing Authority.

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute that certain Pipe Line License with Missouri-Kansas-Texas Railroad Company which is dated February 15, 1965. Said Pipe Line License providing for the installation of one 10-inch asbestos cement pipe for ventilation air and three pipes, one being 10-inch cast iron, one 18-inch and one 30-inch concrete steel cylinder pipe for sewerage purposes and crossing said Railroad Company's premises at an angle of 64 degrees, more or less, measured to the left southeasterly tangent to curve, from the center line of said Railroad Company's Austin Subdivision main track at Mile Post 949.16, being main tract valuation chaining station 2173/45.3 distant 352.3 feet, more or less, measured southerly along the center line of said main track from the south end of Pile Trestle Br No. U-949.0, being valuation chaining station 2169/93 near Austin, Travis County, Texas, in accordance with the terms and provisions of a certain license agreement exhibited to the City Council; and

BE IT FURTHER RESOLVED:

That the City Clerk is hereby directed to file a copy of said license agreement in the permanent records of her office without recordation in the Minutes of the City Council.

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

Councilman Long inquired about the railroad spur running on the east side of town. It was stated the H & TC, T & NO and now the Southern Pacific are the owners. Councilman Long stated activity in the granite industry had been enlarged and there are two dangerous crossings--one at Delwood at the Academy Surplus, and the one at 38 $\frac{1}{2}$  Street. One of these is in the Cherrywood area behind Maplewood School. She had calls from people and another who almost ran into a freight train with flat cars. This train runs four times daily now. Councilman Long said she was mentioning this, putting the railroad on notice.

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 14.49 ACRES OF LAND OUT OF THE S. J. WHATLEY SURVEY, 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. (Windsor Park Hills, Section 7)

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 on April 1, 1965, at 10:30 A.M. The motion, seconded by Councilman White, carried by the following vote:

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

The Council recessed until 2:30 P.M.

RECESSED MEETING

2:30 P.M.

At 2:30 P.M. the Council resumed its business.

The Council held an organizational meeting with the Mount Bonnell Study Committee, all being present but one. Mayor Palmer expressed appreciation to the Committee for agreeing to serve on such a Committee as this.

Mayor Palmer stated there were 3.71 acres of Mount Bonnell given as a Park by the Covert family, and 1.85 acres given by the Barrow family, totalling about 5 $\frac{1}{2}$  acres of land, atop Mount Bonnell which will remain a park. He wanted no one to be misled in thinking the old Mount Bonnell Park would be affected. Other property adjacent and almost surrounding the park is privately owned. In

developing a plan to subdivide 38.7 acres the developer submitted a plan to the Planning Commission with a suggestion that a portion of the Mount Bonnell Road be moved east about 40' putting it below the bluff. At that distance the sight of the lake and the view would be lost. Recently much interest has been shown in what might happen to the area around Mount Bonnell, which is a definite part of Austin, a historical site, and a site used on Tourist Information and Chamber of Commerce information. About two months ago the Planning Commission recommended that the City look into the possibility of acquiring approximately 14 acres west of the road from Mount Bonnell south to Muck's Slough.

Some groups and individuals recommended that the City acquire all of the acreage; some recommended as the Planning Commission did, that only the portion west of the road be acquired; some indicated 200' south of the present park would be sufficient to protect the mountain itself. Various estimates of the amount of money necessary have been made.

The Mayor pointed out the main thing the Council would like for this Committee to do is to determine how the public's interest will best be served by using the amount of money required to buy this from the subdivider, or work out with the subdivider some way to acquire the necessary distance down from the mountain to protect the park, at perhaps no cost to the City; or permitting the subdivider to develop his property, keeping in mind the five acres that make up Mount Bonnell is already park property. Mayor Palmer stated the attitude and feeling of the present owners of the land is 100% cooperative; and they will work with the City any way they can.

The Director of Planning reported in 1963 Mr. Connolly and a group submitted a preliminary plan for Mount Bonnell Terrace of about 38-40 acres. He had for distribution to the committee the most current plan Mr. Connolly had submitted. The Covert Estate had dedicated a 60' right of way for the roadway. There may be some question if the right of way coincided with the actual road location, and this may be something the Committee may feel is desirable to find more details as to the exact location of the right of way, and the exact location of the proposed relocation. The Planning Director displayed a model of the Mount Bonnell Area, and explained a map along with the model. He stated the Director of Public Works and Director of Water and Sewer Utilities would have some information on the land and that which is under the water, all of which may have some bearing on the Committee's study.

The Mayor pointed out that an engineering study had revealed a possible need for an easement from the property owners for the City to tunnel under the mountain in order to serve the upstream area with sewer lines. The Director of Water and Sewer showed on the map the approximate area where the tunnel was scheduled to go, stating at one point it will be about 125' deep. The Mayor discussed an easement that deep along with financing problems.

Mayor Palmer discussed the title to the land of Lake Austin stating the land went almost to the middle of the lake. At the bottom of Mount Bonnell, the one consideration the property owners would want the City to keep in mind, is they would like to have the privilege of filling in on the lake. The City Council has been very careful about this. The City Manager stated the Eby (or Stevenson) property was the only piece of property on Lake Austin that had no easement on it at the time the 1890 dam was completed and the lake was formed. The City was sued for damages for flooding. The final solution to the law suit was the property owner was given the right to fill against flooding in exchange for settlement of the law suit. Mayor Palmer stated Mr. Connolly apparently was

The Council went into Executive Session to appoint Election Officials for the General Election, April 3, 1965.

Election Officials for Precincts Nos. 121, 122, 124, 125, 126, 127, 129, 131, 136, 221, 222, 224, 226, 227, 230, 231, 232, 233, 235, 240, 241, 321, 322, 323, 421, 422 and 423 were named in order that notifications could be sent.

The City Manager reported that the following zoning applications had been referred to the Planning Commission for recommendation and had been set for public hearing at 10:00 A.M. on April 22, 1965:

WALTER BOHN & MRS. ADDIE SMOTHERS, By Dr. Albert Kleiman	3401-3405 Kerbey Lane 1510-1512 West 34th Street	From "A" Residence To "O" Office
RAYMOND R. SANDS ET UX	2109 Ivy Trail	From "A" Residence To "LR" Local Retail
JOHN OATES	707-711 Bruning Avenue 5206-5208 Eilers Avenue	From "LR" Local Retail To "C" Commercial
AUSTIN CORPORATION By David Barrow, Jr.	3801-3813 Dry Creek Road 3800-3816 Bull Creek Road	From Interim "A" Resi- dence 1st Height & Area To "LR" Local Retail 1st Height & Area
CHARLES T. BROWNE	96 East Ave. (Interregional) 711-715 Driskill Street	From "C" Commercial 2nd Height & Area To "C-1" Commercial 2nd Height & Area
BALCONES BUILDING CORPORATION, By Edwin H. Golden	3021-3013 Lamar Blvd. 907 West 31st Street Additional Area 3009 North Lamar Blvd.	From "BB" Residence 5th Height & Area To "C" Commercial 5th Height & Area
ROBERT K. MEYER By John O. Raney	128-300 Alpine Road Additional Area 120-126 Alpine Road	From "A" Residence To "B" Residence
CHARLES D. PEAVY, M. D.	3701-3711 Manchaca Road	From "A" Residence To "O" Office
EDDIE SIMMONS	1112-1122 Lamar Blvd. 1001-1007 West 12th Street Additional Area 1100-1110 Lamar Blvd. 1000-1006 West 11th Street	From "C" Commercial 1st Height & Area To "C" Commercial 5th Height & Area
MRS. DONALD D. JAMES By Charles Granger	902 Rio Grande Street Additional Area 900 Rio Grande Street 700-704 West 9th Street	From "B" Residence 2nd Height & Area To "O" Office 2nd Height & Area

BLACK, INC., By  
Robert Penn Fowler

202 East 33rd Street  
Additional Area  
200 East 33rd Street  
3301-3305 Helms

From "A" Residence  
To "BB" Residence

MARY HOUSTON  
By Arthur E. Pihlgren

2400-2402 Lake Austin Blvd.  
500-504 Deep Eddy Avenue

From "A" Residence  
To "LR" Local Retail

M. K. HAGE, JR.  
& AUSTIN DOCTORS  
BLDG., By Robert C.  
Sneed

3500-3712 McDonald Avenue  
1201-1311 West 38th Street  
1200-1304 West 37th Street  
1201-1305 West 37th Street  
1200-1308 West 35th Street  
3501-3703 Alamo Street  
3506-3712 Bailey Lane  
Additional Area  
1300-1304 West 35th Street  
3500-3504 Bailey Lane

From "O" Office 3rd  
Height & Area  
To "O" Office 4th  
Height & Area

M. E. JOHNSON

905 East 48 $\frac{1}{2}$  Street

From "A" Residence  
To "C" Commercial

DON McELWREATH

2604-2612 Wilson Street

From "A" Residence  
To "B" Residence

N. J. WONSLEY  
By J. M. Patterson,  
Jr.

Tract 1  
100-724 Anderson Lane  
Tract 2  
7800-8000 Interregional  
Highway

From "A" Residence 1st  
Height & Area &  
"C" Commercial 6th  
Height & Area  
To "C" Commercial 6th  
Height & Area

DANIEL A. STORM  
By Bob J. Bailey

4003-4005 Red River Street

From "A" Residence 1st  
Height & Area  
To "B" Residence 2nd  
Height & Area

NASH PHILLIPS &  
CLYDE COPUS, JR.  
By Bryant-Curington,  
Inc.

Tract 1  
4809-5009 Manchaca Road

From "A" Residence  
To "B" Residence

Tract 2  
5005-5007 Manchaca Road

From "A" Residence  
To "O" Office

Tract 3  
4911-5003 Manchaca Road

From "A" Residence 1st  
Height & Area  
To "LR" Local Retail 6th  
Height & Area

There being no further business, the Council adjourned subject to the call of the Mayor.

APPROVED

*Lowell E. Palmer*  
Mayor

ATTEST:

*Edna Moody*  
City Clerk