

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 1, 1967

10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Akin presiding.  
Roll call

Present: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Absent: None

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

Invocation was delivered by REVEREND JAMES O. OGLESBY, University Christian Church.

MAYOR AKIN and the City Council Members welcomed and greeted LIEUTENANT SCOTT, Austin Police Department and the following cadets:

A. P. LAMME, JR.	JAMES M. McENTIRE	JAMES G. BLACK
DARRELL W. GAMBRELL	SAMUEL W. LOVE, JR.	ERNEST L. SHUGART
KENNETH R. MATHERS	CHARLES R. BARRETT	JAMES BROADUS
HENRY GONZALEZ	ROBERT L. JASEK	LYNDON HARPER

MAYOR AKIN reported that MR. CECIL PERKINS, who had requested to be heard on Percolation Tests in Perkins Valley Subdivision II, had called in asking that his name be removed from the Agenda, as his problem was in the process of being solved.

MAYOR AKIN read a letter from MAYOR and MRS. LESTER PAIMER, as follows:

"Dear Harry:

"Ethel and I have a deep feeling of satisfaction for the privilege and honor of having served for the past twelve years, as your Councilman and Mayor, the greatest of all being the many friends we have made and with whom we have been associated.

"It is impossible to translate into words the full measure of our appreciation for all of the things you have done and your participation in the wonderful gifts we received.

"It has been obvious, that there has always been a strong group of people like you, who gave support when needed, encouragement at the right time and who retained a genuine interest in the welfare of the City of Austin.

"We both hope to continue to serve our beloved City and we are grateful for your friendship."

The Council had before it an ordinance authorizing execution of a refund contract with LAUREL GROVE INCORPORATED, JERRY N. WALLACE, President, for the installation of water and sanitary sewer mains in Laurel Grove at Ianier, Section 1 and Section 2 in the amount of \$30,068.32. The City Manager stated this contract was in accordance with the Council's refund policy, and it involved participation of the City in running a 12" line where an 8" line would serve the subdivision. The City is participating \$3,771 cash. The 12" line was installed to serve beyond the subdivision, which is north of Peyton Gin Road, west of Lamar Boulevard, near Ianier School.

Mayor Akin introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER  
INTO A CERTAIN CONTRACT WITH LAUREL GROVE, INCORPORATED,  
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 Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, LaRue, Long, Nichols  
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 Nichols, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, LaRue, Long, Nichols  
Noes: None

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

Ayes: Mayor Akin, Councilmen Janes, LaRue, Long, Nichols  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Akin brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN  
BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXA-  
TION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF  
0.07 OF ONE ACRE OF LAND AND 3.85 ACRES OF LAND OUT  
OF THE T. J. CHAMBERS GRANT, AND 10.66 ACRES OF LAND  
OUT OF THE H. T. DAVIS SURVEY, THE PATRICK LUSK SUR-  
VEY, THE JOHN APPLIGATE SURVEY AND THE J. A. G. BROOKE  
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. (Northwest Hills, Mesa Oaks,  
Phase Three, and University Hills, Section Four, Phase  
Three)

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for anchor purposes out of and a part of Lot 21, Highland Hills Northwest, Section Two, a subdivision of a portion of the George W. Davis Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Highland Hills Northwest, Section Two, of record in Book 25 at Page 48 of the Plat Records of Travis County, Texas; and,

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

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

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

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described portion of said anchor easement, to-wit:

A strip of land five (5.00) feet in width, same being out of and a part of Lot 21, Highland Hills Northwest, Section Two, a Subdivision of a portion of the George W. Davis Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Highland Hills Northwest, Section Two, of record in Book 25 at Page 48 of the Plat Records of Travis County, Texas; which strip of land five (5.00) feet in width is more particularly described as follows:

BEGINNING at the intersection of the east line of an existing public utilities easement, same being a line five (5.00) feet east of and parallel to the west line of said Lot 21, Highland Hills Northwest, Section Two, and the easterly prolongation of the north line of Lot 7, Highland Hills Northwest, Section One, a subdivision of record in Book 22 at Page 29 of the Plat Records of Travis County, Texas;

THENCE, with the said easterly prolongation of the north line of Lot 7, S 60° 12' E 40.00 feet to point of termination.

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

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Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin, Councilman Janes  
Noes: None

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes in, upon and across a part of Lot 3, Rosewood Terrace, a resubdivision of Lot 1, R. A. Smith Subdivision, a subdivision of Outlot 60, Division B, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said R. A. Smith Subdivision of record in Book 1 at Page 37 of the Plat Records of Travis County, Texas and a map or plat of said Rosewood Terrace being of record in Book 10 at Page 3 of the Plat Records of Travis County, Texas; and,

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

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

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

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described portion of said public utility easement, to-wit:

Being all of the north five (5.00) feet of Lot 3, Rosewood Terrace, a resubdivision of Lot 1, R. A. Smith Subdivision, a subdivision of Outlot 60, Division B, 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 R. A. Smith Subdivision being of record in Book 1 at Page 37 of the Plat Records of Travis County, Texas and a map or plat of said Rosewood Terrace being of record in Book 10 at Page 3 of the Plat Records of Travis County, Texas.

The motion, seconded by Councilman Long, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin, Councilman Janes  
Noes: None

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain easements were granted to the City of Austin for public utility and drainage purposes in, upon and across parts of Lots 6, 7 and 8, Block W, Highland Park West, according to a map or plat of said Highland Park West of record in Book 4 at Page 299 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owners of the above described property have requested the City Council of the City of Austin to release the hereinafter described portions of said easements; and,

WHEREAS, the City Council has determined that the hereinafter described portions of said easements are 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 portions of said public utilities and drainage easements, to-wit:

Two (2) strips of land, the strip of land hereinafter described as Number One being out of and a part of Lots 7 and 8, Block W, Highland Park West, and containing 1,446 square feet of land, more or less; the strip of land hereinafter described as Number Two being ten (10.00) feet in width and being out of Lots 6 and 7, Block W, Highland Park West and containing 1,612 square feet of land, more or less, said Highland Park West being a subdivision of a portion of the Daniel J. Gilbert Survey, the C. J. Strother Survey and the Albert Silsbee Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Highland Park West of record in Book 4 at Page 299 of the Plat Records of Travis County, Texas; each of the said two (2) strips of land being more particularly described by metes and bounds as follows:

NUMBER 1: BEGINNING at the point of intersection of the west line of Crestway Drive with a line five (5.00) feet south of and parallel to the north line of said Lot 8, Block W, Highland Park West, same being the southeast corner of the herein described tract of land;

THENCE, with the said line five (5.00) feet south of and parallel to the north line of Lot 8, N 58° 14' W 109.74 feet to an angle point;

THENCE, N 50° 28' W, at 37.00 feet passing a point in the north line of said Lot 8, same being the south line of the aforesaid Lot 7, Block W, Highland Park West, in all a distance of 67.63 feet to a point in a line five (5.00) feet east of and parallel to the west line of said Lot 7 for the southwest corner of the herein described tract of land;

THENCE, with the said line five (5.00) feet east of and parallel to the west line of Lot 7, N 50° 12' E 0.90 of one foot to a point in a line five (5.00) feet north of and parallel to the south line of said Lot 7 for the northwest corner of the herein described tract of land;

THENCE, with the said line five (5.00) feet north of and parallel to the south line of Lot 7, S 58° 14' E 176.48 feet to a point in the aforesaid west line of Crestway Drive for the northeast corner of the herein described tract of land;

THENCE, with the said west line of Crestway Drive, S 31° 46' W, at 5.00 feet passing the southeast corner of said Lot 7, same being the northeast corner of said Lot 8, in all a distance of 10.00 feet to the point of beginning.

NUMBER 2: BEGINNING at the point of intersection of the curving west line of Crestway Drive with a line five (5.00) feet south of and parallel to the north line of the aforesaid Lot 7, Block W, Highland Park West, same being the southeast corner of the herein described tract of land;

THENCE, with the said line five (5.00) feet south of and parallel to the north line of Lot 7, in a westerly direction to a point in a line five (5.00) feet east of and parallel to the west line of said Lot 7 for the southwest corner of the herein described tract of land;

THENCE, with the said line five (5.00) feet east of and parallel to the west line of Lot 7, in a northerly direction to a point in the north line of said Lot 7, same being the south line of the aforesaid Lot 6, Block W, Highland Park West, said point also being a point in a line five (5.00) feet east of and parallel to the west line of said Lot 6;

THENCE, with the said line five (5.00) feet east of and parallel to the west line of Lot 6, in a northerly direction to a point in a line five (5.00) feet north of and parallel to the south line of said Lot 6 for the northwest corner of the herein described tract of land;

THENCE, with the said line five (5.00) feet north of and parallel to the south line of Lot 6, in an easterly direction to a point in the aforesaid curving west line of Crestway Drive for the northeast corner of the herein described tract of land;

THENCE, with the said curving west line of Crestway Drive in a southerly direction to the point of beginning.

The motion, seconded by Councilman Long, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin, Councilman Janes  
Noes: None

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain easements were granted to the City of Austin for public utility purposes in, upon and across a portion of Lots 3 and 4, Block B, Townlake Plaza, said Townlake Plaza being a subdivision of a portion of the Santiago Del Valle Grant, in the City of Austin, Travis County, Texas, according to a map or plat of said Townlake Plaza of record in Book 18 at Page 38 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owners of the above described property have requested the City Council of the City of Austin to release the hereinafter described portions of said easements; and,

WHEREAS, the City Council has determined that the hereinafter described portions of said easements are 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

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authorized to execute a release of the following described portions of said public utilities easements, to-wit:

Two (2) strips of land, each of the said two (2) strips of land being five (5.00) feet in width; the strip of land hereinafter described as Number One being out of and a part of Lot 3, Block B, Townlake Plaza; the strip of land hereinafter described as Number Two being out of and a part of Lot 4, Block B, Townlake Plaza, said Townlake Plaza being a subdivision of a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, according to a map or plat of said Townlake Plaza of record in Book 18 at Page 38 of the Plat Records of Travis County, Texas; each of the said two (2) strips of land five (5.00) feet in width being more particularly described as follows:

NUMBER ONE: BEING all of the east five (5.00) feet of the north 336.32 feet of said Lot 3, Block B, Townlake Plaza.

NUMBER TWO: BEING all of the west five (5.00) feet of the north 336.32 feet of said Lot 4, Block B, Townlake Plaza.

The motion, seconded by Councilman Long, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin, Councilman Janes  
Noes: None

#### OFF STREET PARKING AT THE SOUTHWEST CORNER OF WEST 24TH & GUADALUPE

The City Manager stated this site was in the area where the Council fixed the number of off street parking spaces. This building would occupy the entire lot, providing no parking spaces. The Building Official made note that 36 parking spaces normally would be required. It was realized the structure was in the heart of the University area, and that most of the trade would be walk-in trade; but the Building Official's opinion was that some parking provisions should be made for employees. The City Attorney stated there were variety of businesses to lease this building. Councilman Long stated they should plan some parking facilities either by renting or leasing additional property, as she could not see how a permit could be granted without some parking spaces. Councilman Nichols agreed that some parking spaces should be furnished, particularly since the cleaning establishment would not have all walk-in trade. Councilman LaRue inquired about other off street parking required in this area. The City Manager stated for the new business on 23rd and Guadalupe, the Council required six or eight spaces in the rear of the building. After discussion, Councilman Long moved to refer this request back to the City Manager to have the Building Official work out some equitable number of parking spaces. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Long, Nichols, Mayor Akin, Councilmen Janes, LaRue  
Noes: None

Later in the meeting, MR. FRANK MONTGOMERY and MR. CROCKETT ENGLISH appeared in the interest of this permit. Mr. Montgomery stated they had redesigned the building, cutting off 5' for widening 24th Street. They have a commitment from five tenants. The enterprise would use student help, in all cases except for the supervisors. Mr. Montgomery stated there was an area off

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the alley for loading and unloading, which could be used for short term parking by two cars. They had tried to arrange with a large dormitory across the alley for parking space, but it is unknown whether or not they would have sufficient space. MR. MONTGOMERY was advised of the Building Official's recommendation that some parking be provided for employees, and that the Council had referred the request back to the Building Official to see if some arrangements could be worked out. MAYOR AKIN suggested that Mr. Montgomery contact the Building Official and see what could be worked out and come back before the Council.

In the afternoon session, MAYOR AKIN brought up the off street parking requirements for the building on 24th and Guadalupe. Mr. Montgomery and Mr. English had been in contact with the Building Official and had worked out an agreement. The City Manager read the recommendation from Mr. Dick Jordan, Building Official, stating that MR. FRANK MONTGOMERY had given him a letter, which was attached, showing proof he would provide six off street parking spaces for key personnel who occupy the building. It was Mr. Jordan's opinion that most of the employees working in the building would be students, with the exception of the managers of each shop, and he recommended that the request be granted.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there has been submitted to the Building Inspector, the application of Frank Montgomery & Crockett English for a building permit together with a site plan dated May 26, 1967 meeting the requirements of Section 10-B, 3 of the Zoning Ordinance of the City, for certain building establishment at West 24th Street & Guadalupe Street, 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 erection of a commercial building 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 six (6) parking spaces; Now, Therefore,

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

That six (6) spaces is an adequate number of parking spaces for the establishment shown on the site plan of Frank Montgomery & Crockett English dated May 26, 1967, for use of the premises for the purpose of erection of a commercial building.

The motion, seconded by Councilman LaRue, carried by the following vote:  
Ayes: Mayor Akin, Councilmen Janes, LaRue, Long, Nichols  
Noes: None

The City Manager submitted the following:

"May 26, 1967

"TO: Honorable Mayor and Members of the City Council

SUBJECT: Bids on twelve (12) 42" Valves for Water Distribution.



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"Sealed bids were opened in the office of the Purchasing Agent at 10:00 A.M. May 26, 1967 for twelve (12) 42" Valves for the Water Transmission Main from Water Filter Plant Number Three.

"The bids received are as follows:

<u>BIDDER</u>	<u>NET TOTAL</u>	<u>MANUFACTURER</u>
Henry Pratt Company	\$61,332.00	Henry Pratt
Rockwell Manufacturing Company	86,481.00	Rockwell
M & H Valve & Fittings Company	71,744.00	M & H
Austin Pipe & Supply Company	92,879.60	Ludlow-Rensselaer

"This tabulation is submitted with the apparent low bid meeting the City of Austin specifications and conditions underscored."

The City Manager stated these were valves to be used in the new water transmission line from the new water treatment plant at Tom Miller Dam into the South Austin water system.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 26, 1967, for the purchase of twelve (12) 42" Valves for the Water Transmission Main from Water Filter Plant Number Three; and

WHEREAS, the bid of Henry Pratt Company in the sum of \$61,332.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Henry Pratt Company in the sum of \$61,332.00, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Henry Pratt Company.

The motion, seconded by Councilman Nichols, carried by the following vote:  
Ayes: Councilmen Nichols, Mayor Akin, Councilmen Janes, LaRue, Long  
Noes: None

The City Manager submitted the following:

"May 24, 1967

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

"Dear Mr. Williams:

"Sealed bids for the ANDERSON LANE EASEMENT FROM STILLWOOD LANE EASEMENT TO

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BURNET ROAD SANITARY SEWER ~~were received~~ until 11:00 A.M., Wednesday, May 24, 1967, at the Office of the Director of the Water and Sewer Department for the installation of approximately 922 feet of 8-INCH CONCRETE SEWER PIPE for this project. The purpose of this installation is to provide sanitary sewer service to houses, apartments and commercial property in this area. The bids were publicly opened and read in the Council Room of the Municipal Building.

"The following is a tabulation of bids received:

<u>FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Eland Construction Company	\$8,722.70	30
Walter Schmidt Construction Co.	8,790.80	40
Ford-Wehmeyer, Inc.	9,336.80	50
City of Austin (Estimate)	5,511.25	--

"It is our recommendation that this contract be awarded to the Eland Construction Company on their low bid of \$8,722.70 with 30 working days.

"Yours truly,  
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 May 24, 1967, for the installation of approximately 922 feet of 8-inch concrete sewer pipe for the Anderson Lane Easement from Stillwood Lane Easement to Burnet Road Sanitary Sewer; and

WHEREAS, the bid of Eland Construction Company in the sum of \$8,722.70, 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 Eland Construction Company in the sum of \$8,722.70, 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 Eland Construction Company.

The motion, seconded by Councilman LaRue, carried by the following vote:  
Ayes: Mayor Akin, Councilmen Janes, LaRue, Long, Nichols  
Noes: None

The City Manager submitted the following:

"May 24, 1967

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

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Austin, Texas

"Dear Mr. Williams:

"Sealed bids for the INTERSTATE HIGHWAY NO. 35 and RUNDBERG LANE SANITARY SEWER PROJECT were received until 11:00 A.M., Wednesday, May 24, 1967, at the Office of the Director of the Water and Sewer Department for the installation of approximately 1,067 FEET OF 8-INCH SANITARY SEWER MAINS. The purpose of this project is to provide sanitary sewer service in the area North of Rundberg Lane. The bids were publicly opened and read in the Council Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Ford-Wehmeyer, Incorporated	\$11,135.90	50
Eland Construction Company	11,804.10	45
Walter Schmidt Construction Company	12,354.00	50
City of Austin (Estimate)	\$ 8,863.75	

"It is our recommendation that this contract be awarded to Ford-Wehmeyer, Incorporated on their low bid of \$11,135.90 with 50 working days.

"Yours truly,  
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 May 24, 1967, for the installation of approximately 1,067 feet of 8-inch Sanitary Sewer Mains for the Interstate Highway No. 35 and Rundberg Lane Sanitary Sewer Project; and

WHEREAS, the bid of Ford-Wehmeyer, Incorporated in the sum of \$11,135.90, 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 Ford-Wehmeyer, Incorporated in the sum of \$11,135.90, 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 Ford-Wehmeyer, Incorporated.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin

Noes: None

## REQUEST FOR REDUCTION OF CHARGE FOR NIGHT GAMES AT FOUR BALL FIELDS

MAYOR AKIN brought up for consideration the recommendation of the Parks and Recreation Board to reduce the charge for night games at Zaragosa, Downs, House Park and Butler Fields, from \$25.00 to \$10.00. Councilman Long had brought up this matter some time back reading a letter from DR. W. A. HIBBERT, JR. requesting relief. The City Manager had also a recommendation from the Recreation Director on which he did not concur.

Councilman Long moved that the recommendation be accepted. The motion was seconded by Councilman Nichols.

Discussion was held. Councilman Long stated these doctors and private people had been sponsoring the men's baseball team at Zaragosa Park, and it is good recreation for them. There is a charge of 50¢ admission, and this money goes for uniforms, bats and balls, etc., and it is insufficient to cover all the charges, plus the \$25.00 fee to pay for the use of Zaragosa Park. There is a \$25.00 fee at other Parks for Little League Games and other baseball games, and \$10.00 for day time use. With the new day light saving time, there would not be as much electricity used and there is just a \$10.00 charge for the over all usage of the parks for baseball. The recommendation was that the charge be dropped from \$25.00 to \$10.00 per night. Mayor Akin asked if an example were being set that would effect a reduction in all such fees. The City Manager reported this request came from a semi professional baseball team, and it is not Little League or Pony League. He read the memorandum from the Recreation Director, stating for years the City had operated under a policy of charging a service fee for the use of baseball fields for games scheduled outside of the Recreation Program; \$10.00 for a day game, and \$25.00 for night. When a team reserves the field for a special use, an admission fee is usually charged. The team is given authority to sell food and drinks and concession rights. The City has the responsibility for preparing the field, opening it and securing it. The difference in the rate is for the cost of using the lights. No charge is made the same team for practice sessions; no charge is made for league games in the Parks and Recreation Department program. He attached a schedule for the use of two fields in 1966. Recently a representative of a semi pro baseball team requested the use of House Park at a reduced rate or no fee basis. It seems most of the teams are having financial problems; however some of the games gain a following and draw a fair crowd, particularly on Sunday afternoon. People still like to watch a winner. Some team managers have asked for such use of the field that would virtually eliminate some of the teams. They would be willing to pay a little more for the team that draws a larger crowd. In this type of ball, a good pitcher or a good hitter will play for the manager who will pay him a little. Daylight saving time will cut the use of lights about 25%. The Recreation Director recommended that the fee for the use of House Park, Zaragosa, Downs and Butler Field be reduced to a straight \$10.00 fee for day or night games.

The City Manager stated the Little League and Pony Leagues were a part of the Recreation Department program. Councilman LaRue asked if the City broke even in maintenance of these games at \$10.00. The City Manager said they did not break even. The fee is for those who make a charge and those games which are not a part of the Recreation program. Councilman LaRue stated if they did not want to pay these fees, all they would have to do would be to open the games to the public, and it would be available to them at no cost. If they made a charge and handle this in a professional manner with the possibility of making a profit, this fee has been set up in part to help in maintaining the field. Councilman Long stated these were men who work and needed outside recreation.

They play outside teams and bring them into Austin. The City Manager reported his recommendation was that this would lead to the same sort of reduction in fees below the City's costs in other areas. Councilman Long urged the Council to vote for the reduction. Mayor Akin inquired about figures as to how these teams were coming out financially on their exhibitions. The City Manager read the letter Councilman Long submitted previously from Dr. Hibbert, stating nearly every game operated at a loss.

Councilman LaRue said the City was faced with the same situation on other facilities--the Coliseum, Auditorium, etc; and almost weekly there is an application from a very worthy group sponsoring a worthy cause asking reduction of fees. The situation has been taken care of by giving a reduction in fees to those who do not make charges. This is a principle involved with all of the City facilities and grave consideration should be given before a reduction is made to all professional groups who use the city's facilities at less cost than it would be to maintain the facilities. Councilman Janes offered a compromise that since the Daylight Savings Time had reduced the electrical fee, that the light charge be reduced to \$10.00. Councilman Long would not accept this suggestion. She wanted to see the fee for all of these fields reduced to \$10.00, and it would promote professional baseball, and may even help the professional team; it might bring in people from the outlying areas and help tourism. She thought the reduction in this fee would probably stimulate baseball. Councilman LaRue stated where City facilities were used for commercial or professional purposes, very definitely the cost of the operation should be recovered by the City. He would consider passing the reduced cost on to the individuals who are using the facilities for commercial purposes; but to make a reduction of this size down to nothing, would be a precedent for the rest of the City facilities. The principle has been established that those who use the City's facilities should pay for them.

Councilman Long's motion that the recommendation for the Parks and Recreation Board be accepted, lost by the following vote:

Ayes: Councilmen Nichols, Long

Noes: Mayor Akin, Councilmen Janes, LaRue

Councilman Nichols moved that the Council reduce the \$25.00 fee for the night games to \$20.00 and leave the day time fee at \$10.00. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, LaRue, Long, Nichols

Noes: None

Councilman Long stated regarding her vote, that this was better than the \$25.00.

. . . . .

Councilman Nichols had a letter dated May 30 from MR. LOUIS LAIBOVITZ regarding 29th and Rio Grande Streets which is a bottle neck for free movement of traffic. The City was ready to proceed with the widening of the 700 block of West 29th, from Rio Grande to Salado. Mr. Laibovitz, owner of properties adjoining the 29th Street frontage, wanted to negotiate with the City on purchasing the remainder of the property after the City's right of way is obtained. This widening would remove a hazardous condition. He referred to Minutes of

March 23 and February 27, 1964 and read the minutes whereby the Council voted that the City Manager be authorized to negotiate with Mr. Laibovitz for the part of the property needed at 29th and Rio Grande, southwest corner, on the basis discussed. The City Attorney said now the situation was just reversed; that initially Mr. Laibovitz was in a position to buy the entire property and sell the City the portion it needed for right of way on a square foot basis which would be very favorable to the City. Since that time he had been unable to buy the property. What he is requesting now is that the City purchase the property and sell him the remainder. If the City had the money, and if the property is available at a reasonable price, it would still be a satisfactory arrangement for the City. He agreed with Councilman Nichols that it was worth exploring further. The City Attorney reported that two weeks ago, the Council agreed to lift the prohibitions against building on a lot owned by Mr. McAdams west of this property, which would be a part of the same widening project. It is possible that widening in just this block would benefit rather than widening all the way to Lamar and it is worth exploring. Councilman Nichols moved that the various Departments concerned explore this matter and make a report back to the Council. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

#### EXTENSION OF MAHA WATER CORPORATION CONTRACT

The City Manager presented a matter involving a water system installed by Maha Water Supply Corporation in the Creedmoor-Maha Section of the County. The Corporation was created for the purpose of providing water to rural homes and rural facilities in the area. It is not the type of system the City would normally install, and was financed largely by Federal funds. The City entered into a contract to sell water to the Corporation at a given point of delivery in the vicinity of COLTON. The contract provided that the Corporation would have lines as shown on a map attached to the contract, and the Corporation would be authorized to sell water to the customers adjacent to those lines. They want to extend those lines to include additional customers, and the Corporation is asking for consent from the City to extend their lines to serve additional customers. He displayed a small sketch showing the extensions. The engineer is Mr. Roger Erickson, and he has authority to proceed with the extension as far as the Federal Government is concerned. The Director of Water Utilities, MR. SCHMIDT, says the extension of these lines and added customers would not place an undue burden on the City's distribution system. The City Attorney stated the Corporation had a storage reservoir, and the contract provides that they buy water from the City at off peak times for storage. Councilman Janes moved that the City comply with their request. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Nichols, Mayor Akin, Councilman Janes  
Noes: None  
Present but not voting: Councilman Long (as she has property that may be within this area)

.....

The City Manager reminded the Council of the formal opening of JAMES A. GARRISON PARK, Friday evening at 7:30 P.M.

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The City Manager had an invitation to the Council from the Urban Renewal Board to take a tour on June 17th, about 9:00 A.M. through the various Urban Renewal Projects. The Council preferred a week day. Mayor Akin would be out of the City on June 17. The City Manager said he would report back to the Board.

. . . . .

Councilman Long stated sometime ago she advocated that the City attempt to determine the City limit lines on the lake area, and asked the Council to go into this. She had a letter from MR. ROBERT OGDEN stating he has a geodimeter used for measuring distances. This instrument is used by the U.S. Coastal and Geodetic Firms throughout the country. Mr. Ogden says his geodimeter is available for local survey. Councilman Long asked that the Council study this and have the City Manager to study this and see what this survey could be made for. Perhaps some other type of survey would be adequate that may not cost as much. Councilman Janes asked for a little briefing as to the City limits in this connection. The City Manager stated many years ago the City limit line was established by act of the legislature around the City. Beginning at the dam it was to go up one shoreline and down the other a distance of 10 varas from the water line as it existed in 1914. Ten varas ( $33 \frac{1}{3}$ " in a vara) would not be a great distance, but the question is where was the water's edge in 1914. This has been explored and it was tried to determine from the elevations of the spillway of the dam as it existed in 1914 what that would be. They thought they knew what the elevation of the dam spillway was at that time, but were not certain. If the exact elevation could be identified with certainty, and the elevation under the surface that resulted, then they could determine where the water's edge could have been in 1914, provided they could assume there had been no change in the water's edge since 1914. They could only tell now what the water's edge would be if there were the same elevation. Later, the City by Charter amendment (Home Rule) amended the charter to provide for a city limit line along the shore of 504.9 above mean sea level. In 1953, the Charter was amended again to provide that the City limit line should be as established by the Legislature and by subsequent amendments by ordinance of the City Council. It appears the 504.9 contour interval, which was set as a city limit line in 1928 was rejected in 1953, and reverted to the City limit line established by the Legislature, because no ordinance of the City has ever attempted to change that legislative act.

The Council could adopt an ordinance to fix the City limit line wherever it wished, taking into consideration there is another incorporated town adjacent to the City, and there might be the necessity of some agreement between the two cities as to the boundary. Other than that, the City limit line can be established wherever the Council sees fit to establish it, by annexation or disannexation. Councilman Long said she was not talking about annexation; that she would like to establish the original line that has always been the City limit line. If they get into annexation, they might come in under the new law where there may be a problem of providing sewer services immediately; whereas the City would not be subject to that provision if it were defined what was in the City limit now, and that was why she wanted it established by a measurement.

In answer to Councilman Janes' inquiry about the elevation in 1914, the City Manager explained the 1914 dam was five feet lower than the present one, and the old waters' edge is submerged by several feet of water. The City limit line as fixed at that time would have been 10 varas horizontally from that presently submerged shore. Councilman Long referred the letter she had received

from Mr. Ogden to the City Manager.

Councilman Long asked that the City Manager be instructed to study a means of finding the City limit lines and make a recommendation to the Council; also that he explore the use of instruments for measuring, and bring in some recommendation on the cost; and that he try to measure the 1914 elevation and find out where this is, if possible, and that the Council set the line. If there is some doubt whether or not it complies with the 1914 Legislative Act, then this line could be set where the City thinks it is and the Legislature could be asked to validate it. The City Attorney stated the Legislature now has no authority over that. Councilman Nichols and Councilman Long stated there could be a report on how to determine the line without annexing.

Councilman Nichols and the City Attorney discussed a zoning case recently before the Planning Commission, in which the applicant claimed they were in the city limits. The City Attorney stated this was one of the few places where the line could not be missed more than an inch or two whether the 10 varas or 504.9 were used at that particular location; and at this site, it is a coincidence because of some landmarks existing there. Councilman Janes asked about the urgency of this matter. Councilman Long pointed out it was for control, and there were a number of properties out there on the Lake that should be on the tax rolls, and there was no reason for their not being there. Councilman Janes stated as far as taxes entered in, it would appear to him the matter of 10 varas from the 1914 water line would not include very many capital improvements, and some of the property would actually be under the water. If it is important, the Council could by ordinance annex whatever it wanted to and incur some obligations on the City's part.

Mayor Akin stated Councilman Long's motion called for a study of the matter and the City Manager could bring in the alternatives and the Consideration, and they could be followed or take them up again when there was more time.

Councilman Long moved that the City Manager be asked to bring in recommendations for a survey as well as a study of how is the best way to do it, or if establishing this line should be by annexation, and that the Council so act. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Long, Nichols, Mayor Akin, Councilmen Janes, LaRue  
Noes: None

11:30 A.M. - CONSIDERATION OF INCREASE IN SERVICE CHARGES  
AT BRACKENRIDGE HOSPITAL AND APPROPRIATION OF FUNDS FOR  
NURSES' SALARIES.

Councilman Long opposed increasing room rates at Brackenridge Hospital as she thought there was unspent money in the budget at the present time allocated for salaries that could be used until the budget comes into effect in October. Councilman Janes expressed his desire to try to make each part of the City Services as far as possible pay its share of the burden.

Councilman Janes moved that the recommendation of the Hospital Board be accepted. Councilman LaRue seconded the motion.

Councilman Nichols asked if there were no funds available to pay the nurses' increase. The City Manager stated no funds were budgeted nor appropriated. He reported at the Hospital, there is a \$184,000 deficiency below what



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was anticipated in revenues. There is \$32,000 less expenditure; but there is no revenue produced at the Hospital that could pay this increase. He explained the cash position in the general government as being better off by \$24,000; however, he had recommended to whatever extent the position of the General Government is improved over what was estimated, the custom of the city had been to reduce the budgeted transfer, because the budgeted transfer exceeds properly what should be transferred to serve as contingencies. In answer to Councilman Nichols' inquiry, the City Manager stated the estimated gross revenue of the Utility system was \$26,493,500, and the transfer was \$5,935,000 about 22.4%. The seven months' forecast was right on the line. It does not amount to 7/12, as more revenue is produced during the summer months. He briefly explained the monthly allotment program whereby the revenue forecast is set up by month and this forecast is based on past experience. The City Manager stated no transfer was made until the general fund money was depleted.

Councilman Nichols asked for the percentage transferred from the Utility Fund annually for the past seven years. Figures were given as follows:

1961-62	\$4,253,335	24.78% *
1962-63	4,200,027	20.85%
1963-64	4,493,400	20.29%
1964-65	4,450,000	19.22%
1965-66	4,955,000	20.06%
1966-67	current	

\*The City Manager stated the City had just lost its Aa rating, and it was trying to improve its position to get it back.

Brief discussion was held on budget preparation, taking into account contingencies, and the transfer from the Utility Fund. The City Manager stated the actual transfer has been less than the budget transfer. He explained the budgeting procedure where there was not heavy spending at the end of the fiscal year, as the Departments are encouraged where they underspend to turn their funds back and have it reappropriated next year. The Councils of the City have not indicated to the Departments if they were frugal and turned back their funds that they would be cut back the next year because of that; and generally, the Departments do underspend their budgets.

Councilman Nichols wanted an explanation on the Meadow Brook Housing item. The City Manager stated this was the Intensive Code Enforcement that was to be conducted by the Building Official. The application was submitted to the Federal Government, and approval has not been received. The greater part of the funds come from the Federal Government, and there has been no money expended.

The Council had before it the following:

"May 18, 1967

"TO: City Council  
FROM: Advisory Board of Trustees, Brackenridge Hospital  
SUBJECT: NURSES' SALARIES

"The Board of Trustees has been studying nursing pay for some time. Competitive salaries in Austin in particular Houston and Dallas, have been surveyed. A

special meeting of the Board of Trustees was held on Thursday, May 18th, at 2:00 p.m. for the purpose of further considering the nurse situation. After lengthy discussion with questions and answers, the following recommendations which were unanimously passed are respectfully submitted to the City Council.

- "1. Because of the critical situation existing in the employment of Registered Nurse Anesthetists at Brackenridge Hospital it is recommended that the Wage and Salary Ordinance of the City of Austin dated July 12, 1951, be amended immediately to provide a salary range of \$724 to \$903 per month for Registered Nurse Anesthetists.
- "2. Realizing the acute competition which exists in the employment of Registered Nurses for Brackenridge Hospital it is recommended that the City of Austin starting salary for Registered Nurses effective June 1st, 1967 be \$455 per month and beginning with the budget year starting October 1, 1967, to increase this starting amount to \$512, also for the 3 to 11 shift professional nurses only, increase the differential from 1 hour premium pay to 1 1/2 hours premium pay. Unless a more suitable way be devised, to accomplish this, we recommend that the Wage and Salary Ordinance of the City of Austin dated July 12, 1951, be amended to provide for employment of any qualified persons in acute positions in any appropriate step within the authorized classification salary range.
- "3. In order to offset the increased expense to the Hospital, we recommend the following Daily Service Charge and other rate adjustments effective June 1, 1967:

Daily Service Charge	Patient		Rate From	Rate To	Per Day Increase	4 Month Increase
	Days 90%	No. Beds				
Private	1,208	11	\$19.00	\$24.00	\$ 5.00	\$ 6,040
	1,098	10	\$19.00	\$25.00	\$ 6.00	\$ 5,490
	3,843	35	\$23.00	\$28.00	\$ 5.00	\$ 19,215
	1,537	14	\$25.00	\$28.00	\$ 3.00	\$ 7,685
	<u>7,686</u>	<u>70</u>				<u>\$ 38,430</u>
Semi-Private Wards	12,956	118	\$17.50	\$24.00	\$ 6.50	\$ 84,214
	2,965	27	\$12.00	\$18.00	\$ 6.00	\$ 17,790
	1,098	10	\$12.00	\$24.00	\$12.00	\$ 13,176
	<u>24,705</u>	<u>225</u>				<u>\$153,610</u>
Nursery	3,665		\$15.00	\$17.00	\$ 2.00	\$ 7,330
Delivery Room						
Normal	614		\$45.00	\$60.00	\$15.00	\$ 9,210
Induction	108		\$50.00	\$65.00	\$15.00	\$ 1,620
Operating Room						
Basic Time	2,911		\$30.00	\$40.00	\$10.00	\$ 29,110
Open Heart	2		\$45.00	\$60.00	\$15.00	\$ 30
Emergency Room	8,725		\$ 5.00	\$ 7.00	\$ 2.00	\$ 17,450
Anesthesia						
Materials (Max)	1,436		\$20.00	\$30.00	\$10.00	\$ 14,360
Total						\$232,720

## "TUBERCULOSIS HOSPITAL

"Daily Service Charge	Patient Days 90%	No. Beds	Rate From	Rate To	Per Day Increase	4 month Increase
	1,220	45	\$14.00	\$19.00	\$ 5.00	<u>\$ 6,100</u>

s/ John D. Simpson  
John D. Simpson  
Chairman  
Advisory Board of Trustees"

Mayor Akin stated there had been a motion and a second that the Council accept the recommendation of the Hospital Board in regard to raising the room rents in order to provide the additional salary for nurses at Brackenridge and the T.B. Sanatorium. Councilman Long stated room rates at other hospitals would be lower than what Brackenridge's would be and pointed out some special cases. Mayor Akin recalled the proposed increase for nurses and other salaries were very substantial in nature; and according to study and research by the Hospital Advisory Board, and in consultation with the staff at the Hospital, these rate changes are necessary to finance the substantial pay raises and he was in favor of accepting the recommendation of the Hospital Board. Councilman LaRue pointed out that the Federal Government was participating more in Medicare and Medicaid; and if the room rent is not increased, the government will not participate in this increased cost of operation, and the taxpayers will have to make up the difference. If the rates are increased, the government will pay its pro rata share.

Councilman Long reported that Mr. Tobias had said with these new rates he would open up 10 of the 20 rooms that are now closed, and more money would be forthcoming than is anticipated. Councilman Long stated that a review of the group hospitalization insurance should be made immediately; as the present plan is inadequate and not enough is being paid toward the illnesses. She believed a group policy could be obtained that would be more advantageous probably at the same rate, and this should be studied and other companies be given an opportunity to come in and see if they could provide a better policy. The City Manager reported a recent study had been made, and he would be happy to review that at any time. It is recognized the schedule was established when the cost of hospitalization was considerably less than now. The City pays the whole cost of premiums and it attempts to improve the benefits. The question arises if the City should continue to accept the full cost or should part be paid by the employee. Councilman Long said a better policy could be obtained if it were made competitive. The City Manager explained the participating premium and a brief discussion was held. MAYOR AKIN suggested since the Council had expressed the intention to pursue a reevaluation of the whole wage and classification system in its entirety, the matter of fringe benefits might come under the heading of the restudy. He said the Council had some names from the City Manager of firms which were considered eligible to pursue such a study. Councilman Long stated it would be wise to let the insurance companies know the Council is interested in a change. The City Manager reported there was an Employee Insurance Committee which has worked with a number of insurance companies within the last 18 months.

Roll call on Councilman Janes' motion that the Council accept the recommendation of the Hospital Board in regard to raising the room rents in order

to provide the additional salary for nurses at Brackenridge and the T. B. Sanatorium, showed the following vote:

Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, LaRue  
Noes: Councilman Long

Mayor Akin introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 660915-G  
TO APPROPRIATE FUNDS FOR INCREASING PAY OF  
NURSES; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Nichols 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: Mayor Akin, Councilmen Janes, LaRue, Nichols  
Noes: Councilman Long\*

The ordinance was read the second time and Councilman Nichols 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: Mayor Akin, Councilmen Janes, LaRue, Nichols  
Noes: Councilman Long

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

Ayes: Mayor Akin, Councilmen Janes, LaRue, Nichols  
Noes: Councilman Long

\*Councilman Long voting against the motion stating this has the effect of raising the Hospital rates.

MR. GROVER SHAUNTY, Mental Health and Mental Retardation Center, mentioned the recommendation which the Council received from the Board regarding the Psychiatric Unit at Brackenridge Hospital, that Brackenridge Hospital at this time not commit beds for psychiatric patients but continue providing emergency service to patients regardless of medical or surgical conditions as an unrestricted hospital; that the emergency services for psychiatric patients continue to be handled and referred to Holy Cross, St. Judes and the Austin State Hospital; and that the Council authorize developing detailed plans for Phase 1B so that needed community services can be incorporated in the Hospital facilities. The plan for the community included utilization of the existing psychiatric beds at Holy Cross, St. Judes, and the Austin State Hospital.

The Mental Health and Mental Retardation Board will accept the decision of Brackenridge Staff and Board in the recommendation that it proposed, and the Mental Health and Mental Retardation Board will proceed with its planning to develop an appropriate community pattern of services, keeping in mind the future role of Brackenridge Hospital as it expands to incorporate psychiatric services.

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Brackenridge Hospital would continue to provide emergency services as it has always done, but it could not provide the in-patient holding unit, and those patients would be transferred directly to another community hospital. Councilman Long stated the Booz-Allen Report set out that Brackenridge Hospital should handle emergency cases of all kinds including psychiatric cases. There is now a psychiatric clinic there, and she asked if this would be continued. In accepting the Hospital Board recommendation, Councilman Long wanted to be sure it did not change the existing policy. The City Manager stated that generally the recommendation was that no change be made in the present operation. Following is the recommendation:

"TO: City Council of Austin  
FROM: John D. Simpson, Chairman, Advisory Board of Trustees  
SUBJECT: RECOMMENDATION REGARDING MENTAL HEALTH SERVICES AT  
BRACKENRIDGE HOSPITAL

"At the regular Advisory Board of Trustees meeting of Brackenridge Hospital on Friday, May 26, 1967, the attached recommendation for Mental Health Services at Brackenridge Hospital was discussed.

"Those Board members present were: Jack Adams, Jess Allman, J. J. Seabrook, C. B. Smith, R. O. Swearingen, M.D., Paul Tovar, and the undersigned. Absent were: J. C. Evans and W. K. Miller.

"The basic recommendation is:

'Because of the previously outlined points and concerns, it is my recommendation 1) that at this time Brackenridge Hospital not commit beds for psychiatric patients but continue providing emergency service to all patients regardless of medical or surgical condition as an 'unrestricted hospital'; 2) that the emergency service for psychiatric problems continue to be handled by referral to Holy Cross and St. Judes Hospitals and the Austin State Hospital when necessary as this can be worked out satisfactorily with the authorities at these hospitals; 3) that plans be initiated by the City Council authorization to proceed on developing the detail plans for Phase 1 B of the hospitals master plan so that construction can be accomplished to relieve space in the existing Brackenridge Hospital so that needed community services can be incorporated in the hospital facilities; and 4) that action be taken on the Hospital Board's recommendation for increased rates so that funds will be available to recruit personnel to staff existing and future services.'

"After discussing this recommendation the following motion was made:

'On motion of Mr. Allman, seconded by Mr. Smith, the Board voted to approve the recommendation of Mr. Tobias.' There was one dissenting vote.

"As requested, this recommendation is submitted to the Council for your action.

"s/ John D. Simpson  
John D. Simpson  
Chairman"

Councilman Long moved to adopt the recommendation of the Hospital Advisory

Board with the clarification that the Hospital not change its pattern of service and continuing the services as have been available in the past. (Clinic) The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

Councilman LaRue was assured that Holy Cross and St. Judes could handle the cases under the application which they had made.

The Council recessed until 2:30 P.M.

RECESSED MEETING

2:30 P.M.

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

Councilman Nichols said in an earlier statement it was listed that 1960-1961 was the year the bond rating was lost; and it was 61-62 that 24.78% was transferred from the Utility Fund. The City Manager stated prior to that a higher percentage had been withdrawn; and in September 1960 the rating had just been reduced, and they were trying to gain it back. It was actually during 60-61 that the rating was reduced, and they began to build back the rating, and submitted the data to the Rating Houses which they would accept. The Aa rating was reestablished in 1963. Councilman Nichols wanted read into the records the names of the Council Members at the time the rating actually dropped. It was reported that the Aa rating was lost in September 1960, and the members of the Council were MAYOR TOM MILLER, MR. EDGAR PERRY, MR. BEN WHITE, MR. LESTER PALMER, and MR. HUB BECHTOL. Councilman Nichols asked that this information be made a part of the record. He asked when the rating was regained. The City Manager stated the rating was restored by Moodys and by Standard and Poor based on the evidence submitted to them in May, 1962. Councilman Nichols stated in 1961-1962, the last year in which the City had its poor bond rating, there was 24.78% withdrawn from the Utility Fund. He wanted the names of the Council Members at that time to be a part of the record, and it was stated they were MR. BOB ARMSTRONG, MR. BEN WHITE, MR. LOUIS SHANKS, MR. EDGAR PERRY and MAYOR LESTER PALMER.

#### FIESTA GARDENS

MAYOR AKIN on behalf of the Council stated everyone regretted the confusion and misunderstanding surrounding the discussion about Fiesta Gardens; and that it was not the Council's desire to repudiate any past City Government's bargaining entered into in the way of lease; if the City has commitments to Fiesta Gardens, it will honor them. He pointed out the City Council was wholeheartedly in favor of attracting tourism and doing everything possible and appropriate to do so. The original lease in its operation by private corporation was in the interest of an enterprise for profit, and the City has no partnership. It is simply a lessor or landlord position.

MR. RICHARD BAKER stated some of the misunderstanding was by no action of Fiesta Gardens. Because of the problems inherent, in trying to obtain

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additional capital, Fiesta Gardens did contact the Council, and he did not want anyone to think that the Council was trying to pressure the Fiesta Gardens to come to the Council to either reacquire the lease or take any other action. It was a voluntary act on the part of Fiesta Gardens. He stated the City was not trying to acquire the properties under the lease terms. He reviewed the meeting of last week where it was suggested by some members of the Council that Fiesta Gardens should pursue its activities to acquire additional finances to continue the operation. The principles looked at the situation that if the City wanted to take the property back, Fiesta Gardens had given them a price. Fiesta Gardens has the opportunity to continue the operation of the property in accordance with the lease. The Mayor said this statement would help clarify any misunderstanding that might have developed by hearsay or publicity.

MAYOR AKIN welcomed representatives from the Parks and Recreation Board. The Chairman, MRS. FAGAN DICKSON, introduced MR. PHILLIP CREER, MR. HOWARD BARR, and MR. IRVIN RAVEL, who had compiled a report for the Council as they had understood the instructions. She read the report as follows:

"REPORT OF PARK AND RECREATION BOARD TO CITY COUNCIL  
Thursday, June 2, 1967

"SUBJECT: FIESTA GARDENS

"A Committee of the Park and Recreation Board inspected the properties of Fiesta Garden last Friday afternoon.

"We were attempting to appraise the facilities there in order to determine how they could be fitted into the Park and Recreation program.

"Several ideas were exchanged. We discussed various types of shows which could utilize the bleachers. One, for instance, the Aqua Festival performance that now takes place on Town Lake could possibly be accommodated in the lagoon with some advantages.

"We believe that the restaurant building could be put to use primarily for party rental or group meetings. It could possibly serve in lieu of a structure on adjacent Holly Beach.

"We all agreed that the garden area and green house were very pretty, but that they would be difficult to utilize to any economic advantage, and that gardening and care taking requirements would be an expense that would have to be realistically budgeted. We do believe that Fiesta Gardens as it is now is incompatible with the plans for the adjacent areas of Town Lake.

"If this area is recovered by the City and properly planned several persistent problems can be solved. One, the problem of parking. The Fiesta Gardens lease requires that space be provided for 500 cars. This will always cause difficulty and it is, in our opinion, a misuse of public land.

"Another benefit would be gained if the fence were removed from around Fiesta Gardens. The Berkman tract would become integrated into the main park area and related to the lake and the lagoon. This would make the application for Federal funds for open land which is pending in Washington, more supportable and better justify the use of the Park and Recreation Bond money which is committed for this purchase.

"We have not been advised if the purchase money is to come from Park and Recreation funds. If this is the case, we would need considerably more time to

appraise the exact assets we would buy and determine how we could utilize them.

"Obviously, we would not have invested public funds in these particular improvements and so we believe that their value to us would have to be based on their use appraisal, rather than on replacement cost. We do not think that we could turn this project, as it is, into a sudden success and we will need time to consider its ultimate potential as a tourist attraction if that use still seems feasible after the lease is terminated.

"If the Council is considering the use of Park and Recreation funds for purchase money, we need to point out that this property is not designated as Park property. It is like other Town Lake areas that are included in the adopted plan for Town Lake but which have not been committed to the policies which govern Park areas. We would need a clear policy statement as to just what jurisdiction we would have over the management and further development of this area in order to justify Park and Recreation funds being spent there.

"So, in summary - we think that this leased area would best serve the long range interests of Austin if it were returned to the City and fitted into the plans for Town Lake.

"As to ways and means to accomplish this, if we are expected to be more specific in our recommendations, we will need additional time and more counciling from the City Administration and the City Council."

Councilman LaRue asked if it were the consideration of the Parks and Recreation Board that they might operate this in the same manner that it is now being operated. Mrs. Dickson stated without more thorough analysis, she would doubt it.

MR. BAKER expressed appreciation to the Board for its time and cooperation. The principles of Fiesta Gardens feel strongly that the projections that have been set forth for these facilities will be met. They believe in 1968, Fiesta Gardens can draw as high as 400,000 tourists. FIESTA GARDENS ask one of two things. They are willing to invest more in their program, but they would like an indication from the Council that in the event the Council does not feel it wants to reacquire the property, then Fiesta Gardens will proceed and continue their operations in the same format, adding some additional facilities. Time is important. Fiesta Gardens is working daily on this project. The attendance exceeds what it did last year. Gross revenues are far in excess of last year. They are not as concerned about the City's acquiring the property from the standpoint of the money Fiesta Gardens had invested as they are interested from the standpoint that they feel the City is concerned that a mistake had been made and that it would be in the interest of the City to reacquire the property. This had been evidenced by a number of people in the City. MR. BAKER speaking for Aquatic Gardens, holders of the lease, said they could operate under the lease. Councilman Nichols stated there is too much difference in what the lessee believes to be the worth of the lease and what the City values it, and he thought Fiesta Gardens should go ahead and operate the lease. Mr. Baker stated if the Council expressed this decision, he would carry that word back to the lessees and they could go ahead with their plans. If it is realized as a tourist attraction, it could be a successful operation bringing in 400,000 people a year, this would mean \$1,000,000 tourist revenue to the City.

COUNCILMAN JANES looked at this as a very simple situation, stating there was a proposal from the Fiesta Gardens to sell to the City for \$250,000, but he



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was not in a position to agree to give that much for it. The other alternative is that they continue to operate under the terms of the lease; and to him that seemed to be a very rational solution. Councilman LaRue agreed. He was interested in the road and he inquired about one of the prerequisites which was a road, and which had been under consideration for some time. The Director of Public Works had a map of a survey on the ground of existing earth road ways passing through, water line, and boundary on the north side of the sand beach reserve and the Fire Marshal's Office. Mr. Sheffield has a copy in which he is using for a schematic design; however, there has been no detailed design. Plans can be readied in ample time to develop the road in the next fiscal year. Councilman Long stated the Council had voted a road there, that they wanted a road running along the north ridge and also a bridge there, and the bridge is now being drawn. When it will be built is up to the Administration. The City Manager said it would be easy to get it ready by October. There is a question if the only road to be built is the one along the north boundary of Festival Beach, or is there to be one that runs between the north boundary and the river. Councilman Long stated this road was for the convenience of all the people that use Town Lake. There are two accesses to Festival Beach and Fiesta Gardens. The City Manager pointed out two roadways on Festival Beach, one going down the middle, and one on top of the hill. The one on the hill would not necessarily be a park road. The idea now is to put a road on the north boundary which would serve other property than the park and it would not be a park road. Councilman Nichols read a portion of Mr. Gaston's letter stating some arrangements should have been made so that the primary access route to the Gardens would not be blocked during the 16 all important tourist week ends. MR. BAKER said the principles of Fiesta Gardens would like the park road paved as was discussed with the Council in 1966. He stated when Festival Beach was used for one purpose such as boat races, the road was roped off and no one could get through - citizens - people going to Fiesta Gardens, or those trying to get down to that end of the beach. It was stated this road was blocked through the Aqua Festival times, ski shows, boat shows and the access was through a gate where admissions were collected. MRS. DICKSON stated the only road shown on their plans that ran along the property line adjacent to the Fish Hatchery, as far north as they could keep it out of the park. The City Manager stated the road north of the Gardens would in some instances front property which was not park property. It would be on the boundary of the sand beach property. The improvements probably should be paid for by funds other than park funds. It was brought out the new school would use grounds on the north boundary of the road also. Councilman Janes stated he too intended to honor any obligation of any prior Council; but at this point, he saw no necessity of building a bridge over the Lagoon. If this Council were not obligated for this bridge, he would like an opportunity to review it again.

MAYOR AKIN asked about the commitment to furnish the 500 parking spaces. The City Manager reported the lease provided that parking be on the south or west sides. To take care of the present parking requirements there had been a loop drive developed between the Lagoon and the river, and parking is on the grass area. The lessees came up with a proposal showing an expensive parking lot type of development. The Council, Recreation Department, Recreation Board, and the City Manager were in accord that it would not be well to have all of that asphalt on that area. There is a question of locating the parking elsewhere. Until this were worked out, the temporary parking development was provided. Mr. Baker stated the Fiesta Gardens group would work with the City in every way possible. They knew when parking was needed it would be provided through the Council, City Manager, Parks and Recreation Department and principles of Fiesta Gardens, and some satisfactory solution reached. Parking could be arranged on any side, and spaces would need to be acquired as the demands

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require. The City Manager stated the lease provided that the area south to the river would be kept open to the public and not fenced in. Mayor Akin asked about the availability of land on the west side usable for parking. The City Attorney reported there was some land which would require improvements, grading and filling, and perhaps a small drain, before it could be used for parking. This property was purchased from MR. BRIENT and MR. McCANDLESS and there is some sand beach reserve. Mr. Baker saw no reason to fence off any parking lot that was to be provided, as it would be an expensive item and would serve no purpose. Councilman Nichols pointed out it would increase the area covered by the lease, and he wanted to bring it out so there would be a clear understanding whether or not the parking lot would be a part of the lease. He stated that area could be fenced in and then used to extend the gardens. Mr. Baker said it was not included in the lease, and it would not be the intent to use the area for anything other than for parking. MRS. DICKSON inquired if the land west of the tract were being purchased for parking areas for Fiesta Gardens or for park area. Open space funds were discussed. The City Manager stated there was no open space grant approved for that area; therefore no land had been purchased with open space funds.

The Director of Public Works displayed a map. The City Manager pointed out the existing roads, tracts under discussion, and the road going north from the Fire Marshal's building. Councilman LaRue noted the map showed generally the northern route. Discussion was held on property purchased by open space funds and the uses of open space lands. It was pointed out none of this property was paid for by open space funds. The City Attorney stated there was nothing in the act to prohibit vehicles from parking on such land; not paving. If the City permitted a paved area for an exclusive use of any one, that would not be prohibited under the open space act.

The City Manager pointed to the roadway on the north sand beach reserve, north of the Fire Marshal's property, and swinging south to cross the channel. He showed the area in which a parking lot was indicated, east of Chicon. No purchases have been made recently because the application for open space funds has been pending. The area west of Chicon would be bisected by the roadway if developed this way. He stated he was not certain if the Council had made a decision. The lower route was the one that was intended to be developed; and if this is the one to be developed it would not be a park roadway. MR. HOWARD BARR said the map prepared by MR. OSBORNE showed the road to be used by general traffic, whereas the road running south of Fiesta Gardens was to be the parkway road. Councilman Long agreed stating this road would join the two beaches by the bridge crossing the Lagoon. Councilman Nichols asked about the development should the old "fish hatchery" be purchased. The City Manager stated if all property adjacent to the road were in use on both sides as park land, devoted solely to recreation use, it would be equivalent to a park road; but this road is proposed to extend beyond the park to the extent it would be more like the farm to market road through Zilker Park. There would be the question as to whether the cost of it should be borne by Parks funds or by Street and Bridge funds. Mrs. Dickson said the Parks Board recommended this road to be one of very low speed for its entire length and that it not be designed to be an arterial road. The ones who drew up the Master Plan emphasized that they did not want the lake cut off by any arterial, or fast moving traffic. Councilman LaRue said the Council had agreed it was to be a park road and by design it would be a park road and not a means of getting from one point to another.

The City Manager stated he wanted to clarify this matter, as there seemed to be some confusion. He said there was a hearing before the Council dealing

with the Master Plan, and his recollection was that the roadway from the Inter-regional Highway easterly in the vicinity of Chicon was to be arterial or secondary thoroughfare which would be developed as a city street with curb and gutter. Councilman Long stated it was voted that this would be only a park road, and it was not found necessary to change the Master Plan. They wanted to make it a park road, one to get to and from, crossing a 30' bridge across the Lagoon. The City Manager stated the Transportation Plan had a secondary thoroughfare. Councilman LaRue stated the Planning Director's opinion was if the road continued on to the north to Chicon Street, it would not be a change in the master plan. If the Master Plan were supplemented by setting the road down crossing the Lagoon, they would not change the Master Plan.

The City Manager asked if the Council wanted them to develop a double penetration asphalt surface from Interstate 35 easterly along the general route to Chicon Street at the present time. Councilman Long said they wanted a park road from Interstate 35 all the way down along the northern perimeter coming down south of the Fire Marshal's Office and joining up to Chicon and also crossing the Lagoon. Councilman LaRue said this was the consensus of the Council but that would not mean it was the consensus of this Council. MR. BARR said the consensus was to run that road north of the Fire Prevention Building in order to keep as much park land between it and the Lake as possible. Mayor Akin asked what width this road would be to be compatible with a park road. It was answered about 24 or 25' wide. The Mayor asked if this would serve the purposes of the Fiesta Gardens enterprise. Mr. Baker said this would be most satisfactory.

Councilman Long did not think the whole area should be cut off when these special events are held down there. It is not good to cut off all traffic except for a special event.

Councilman Janes asked if the northern road presently existing were suitable to the Council. The Recreation Director stated he would like to get his schematic in, and make a recommendation. Mayor Akin asked if it would be agreeable with the Parks and Recreation Board and staff to get together with the City Manager and his department and come up with a road plan that would best suit the purpose and everybody concerned.

Councilman LaRue moved that the Parks and Recreation Board and staff meet with the City Manager and his Department and come up with a plan that would best suit the purpose and everyone concerned. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

Mayor Akin said Fiesta Gardens might want to seek financing from other sources and as he read the lease, the City had no control or responsibility for the type and calibre of improvements. He understood additional attractions might be incorporated into the new plans. It was pointed out a transfer of the lease would necessitate the approval of the City. Mr. Baker reviewed the activities of the Aquatic Garden, stating any additions would be a part of the use. As an example he said a cave, a waterfall and rock displays had been added. In answer to Councilman Long's question about the entrance to Fiesta Gardens, Mr. Baker stated if the parking were located on the east side, the entrance would be moved to the east side. If parking is provided on the west side the entrance would be moved there. He said they had tried to keep the Council advised from time to

time. Councilman Long asked if Mr. Baker knew of any member of a former Council or of this Council who had ever done anything destructive towards Fiesta Gardens. Mr. Baker knew of no individual who had gone out with any intent to do this. It had been reflected that there may have been some damage to Fiesta Gardens as a result of sentiment over a proposal based on a lease similar to Fiesta Gardens'. Councilman Long said this was public sentiment. She said she personally had tried to support this project since its being. She had gone to Fiesta Gardens every time she had been invited as a Council Member, to show that she would do what she could to help. It is a beautiful place. She said as long as it was under lease she did not see why it could not get along with the City.

Mayor Akin said the Council was up to the point of rejecting the offer of the Fiesta Gardens. He asked Mr. Baker if this offer was their best offer. Mr. Baker said he had no authority to discuss any other figure. Councilman Nichols asked if Mr. Baker had written the original lease. Mr. Baker stated the original lease as written was a pretty thorough cooperative effort. It was negotiated at a City Council meeting, and he and the Legal Department and several others had worked up the lease with the advice and consultation of the Council. Councilman Nichols asked Mr. Baker if he were aware they were highly vulnerable in this area in which they are building, as the City may determine it wants a portion of the property for a road. Mr. Baker stated the lease provided that the City had a right to give 12 months' notice and the principles were aware of this, and he would not believe they would build in that particular area. They had attempted to set back as far as they could, so there would be no conflict with the right of way.

COUNCILMAN NICHOLS reemphasized the point Councilman Long had brought up, stating there had been much criticism about this Council in recent days and about other people not cooperating with Fiesta Gardens. Mr. Baker said to the best of his knowledge he did not believe this condition existed.

Mr. Baker said on behalf of the Gardens, whatever the decision of the Council is, it could be if the City selects not to purchase the lease that Fiesta Gardens can be made into a tourist attraction that the Council and citizens of the City could not only be proud of, but that under the terms of the lease, that Fiesta Gardens could render substantial revenue to the City.

Councilman LaRue moved that the Council not accept the offer to sell Fiesta Gardens to the City as No. 1; and as No. 2, that the Council wish them well. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin, Councilman Janes  
Noes: None

MR. BAKER expressed appreciation for Council action and for its good wishes.

#### ROADS IN FESTIVAL BEACH AREA

COUNCILMAN JANES brought up at this time discussion of roads in the Festival Beach Area. The City Manager stated the map before the Council was initialed by Councilman LaRue and it was displayed before the Council. Councilman LaRue said in his opinion this map indicated the consensus of what would be expected--that it was to be a park road by design. Councilman Long wanted to

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see the schematic brought before the Council. Councilman Nichols suggested that the Parks Board and Director of Public Works get together and say this is where they would like to see the road go. The Recreation Director noted this initialed drawing was by his Department, but without engineering advice to see how it would fit the topography. The City Manager pointed out a drive into an area indicating that would be a parking lot. MRS. DICKSON stated the application that went to Washington for this land, did not indicate that it be used in any manner for parking--but for open picnic open area adjacent to east and south of open land used for park purposes.

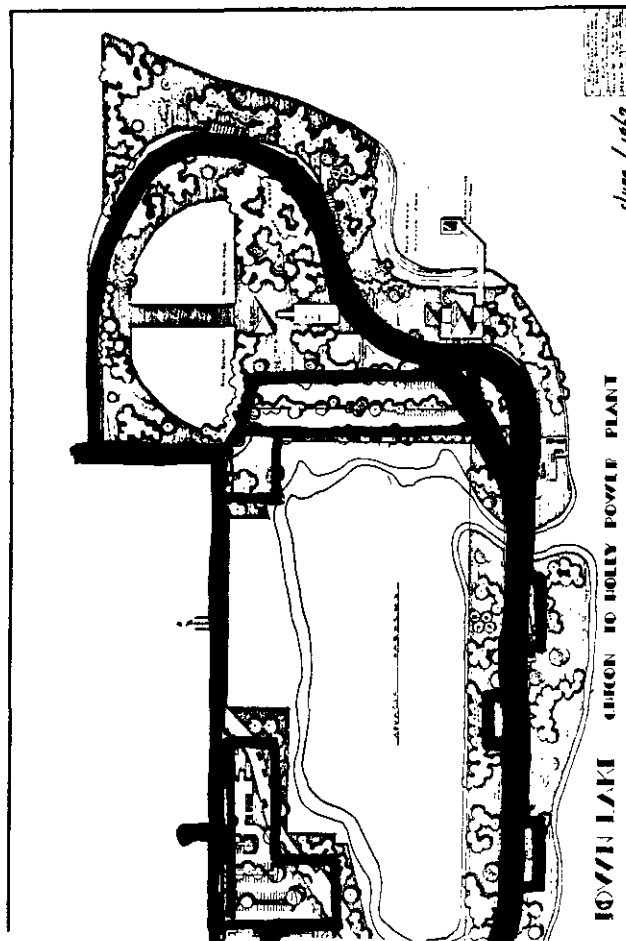
The City Manager recommended that they begin with the development of a roadway, double penetration of 24-26' wide with no curb and gutter from Interstate 35, running along this general route all the way to Chicon Street as it is now located; and at least for the present, limit the development to that. The road could not be extended through, as there are some houses not yet acquired in the vicinity. Councilman Nichols said he did not care about the extension to the north; that they were defeating their purpose and falling prey to an idea if they begin at Interstate 35 and go to Fiesta Gardens, they were in effect building a road for them. He said in his opinion, the Council should plan this road as they had planned it and cross the Lagoon the way it was designed. The City Manager reported the engineers had been employed to design a bridge. He did not know if the location for the bridge had been located as yet; and for that reason, it might be well to delay the development of a road that would dead-end at the Lagoon. Councilman Janes stated everybody agreed that a paved road was needed not only down by Fiesta Gardens but also Festival Beach.

Councilman Janes moved to construct a park type road, light type, single or double asphalt penetration road from Interstate Highway 35 along the general route described by the City Manager on the map initialed by Travis LaRue, to connect with the present paved loop at the south east end. The motion, seconded by Councilman LaRue, carried by the following vote:

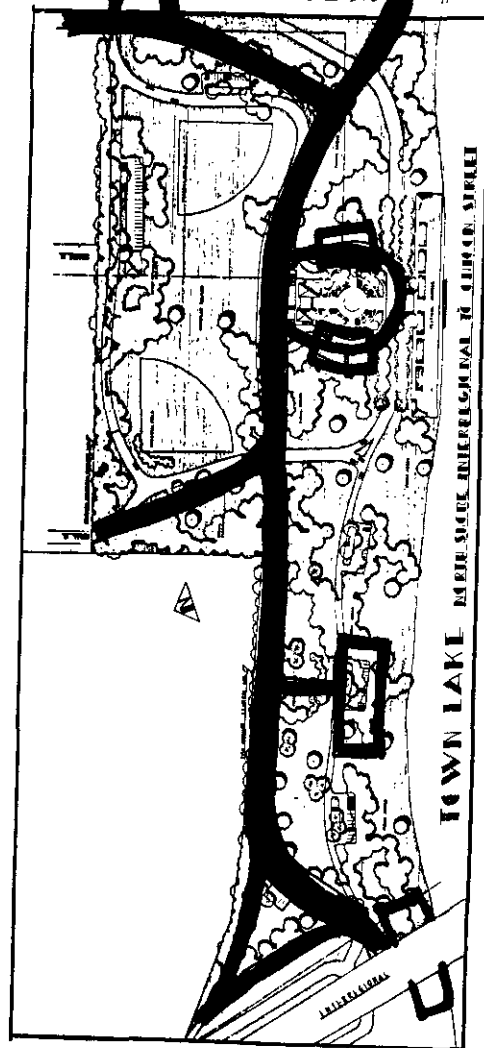
Ayes: Councilmen Long, Nichols, Mayor Akin, Councilmen Janes, LaRue  
Noes: None

The City Manager stated this road would begin at Interstate 35 running along south of the fish hatchery, north of the Fire Marshal's Office swinging to the south to the point where it connects at the present time with the loop road. He pointed out the portion of the road which would be delayed at the present time.

Map on following page.



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TOWN LAKE INTERSECTION OF CHURCH STREET

Councilman Nichols moved that the City Manager be instructed to proceed with acquiring that property known as the Fish Hatchery. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Nichols, Janes, LaRue, Long, Mayor Akin  
Noes: None

. . . . .

The City Manager reported that Mr. Lurie, Urban Renewal, had been advised that the Council would prefer a week day for the tour of the projects, and he asked if the Council could make the tour during the week of June 19th. Councilman LaRue asked if this date could be determined next week.

. . . . .

Councilman LaRue noted the Council had an invitation from the University Kiwanis Club for lunch, June 14, Villa Capri.

. . . . .

Councilman Long moved that MESSRS. WILFORD TURNER, TED MEYER and JOHN HARRISON, SR. be appointed to the Board of Equalization for the year June 1, 1967 to June 1, 1968. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, LaRue, Long, Nichols  
Noes: None

. . . . .

MAYOR AKIN read an invitation from the Advertising Club to attend a luncheon on June 6th, to hear a speaker on the HemisFair to be held in San Antonio April 6 - October 6, 1968, on "What the HemisFair of 1968 Means to Austin."

#### APPOINTMENT OF AUDITORS

Councilman Nichols stated in his opinion the Auditors of the City should be changed. Councilman Nichols moved that the selection of auditors for the fiscal year beginning October 1, 1967 be made at this time, and that this same firm should be employed to assist this Council at its direction for any services that they may require between now and October 1, 1967. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

Later in the meeting after Executive Session, Councilman Nichols moved that the Council select as Auditors for the Fiscal year beginning October 1, 1967, the firm of SUBLETTE, RAMSEY, RAMSEY and FEHR; that they shall be paid \$15,000 annually for this audit, and that this same firm shall be employed to assist the

Council at its direction for any services that they might require between now and October 1, 1967, at the rate of \$10.00 an hour for the hours employed. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, LaRue, Long  
Noes: None

. . . . .

The Council went into Executive Session at 4:40 P.M.

At 5:20 P.M. the Council came back in Regular Session.

#### BOARD APPOINTMENTS

MAYOR AKIN announced the Council would like to report appointments arrived at in Executive Session.

Councilman Long moved that the Council appoint the following on the Parks and Recreation Board for two year terms extending to April 1, 1969:

MRS. ALDEN DAVIS  
MR. IRVING RAVEL  
MRS. J. H. MEANS  
DR. ROSS A. MAXWELL  
MR. RAMIRO DIAZ

The motion, seconded by Councilman Nichols, carried by the following vote:  
Ayes: Mayor Akin, Councilmen Janes, LaRue, Long, Nichols  
Noes: None

Councilman Nichols moved that the Council appoint the following to the Hospital Advisory Board for a three year term extending to May 25, 1970:

DR. S. H. DRYDEN  
MR. WM. K. MILLER  
MR. PAGE KEETON  
MRS. J. M. HOLLOWAY

The motion, seconded by Councilman Long, carried by the following vote:  
Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

Councilman Long moved that the Council reappoint MR. HENRY HOLMAN to the Building Code Board of Appeals for a term extending to June 11, 1972. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin, Councilman Janes  
Noes: None

Councilman Nichols moved that the Council appoint the following to the Planning Commission for terms extending to June 1, 1969:



MR. ROBERT B. SMITH  
MR. HIRAM BROWN  
MRS. LYNITA NAUGHTON  
MR. SAM DUNNAM III  
DR. WILLIAM HAZARD

The motion, seconded by Councilman Long, carried by the following vote:  
Ayes: Councilmen Long, Nichols, Mayor Akin, Councilmen Janes, LaRue  
Noes: None

. . . . .

The City Manager reported that COUNCILMAN JANES had inquired about the status of the negotiations or dealings with MR. FRANK HOAGLAND regarding the mobile home zoning case. The Planning Director had three meetings with Mr. Hoagland and no final solution has been resolved. Mr. Hoagland is attempting to acquire additional land.

. . . . .

The City Manager stated they would like to begin meeting with the Council for discussing the Budget.

#### BOARDS

Councilman Janes asked if there were any delineation of responsibility and duties required of the various Boards. The City Manager reported there was an ordinance creating the Parks and Recreation Board, setting out responsibilities, duties, etc. The Zoning Ordinance, the City Charter, and State Law spell out the responsibility of the Planning Commission. The responsibilities of the Board of Equalization are defined very definitely in the Charter. There is a general declaration, but not a lot of detail, as to the Hospital Advisory Board's responsibility in the ordinance setting up that Board. In addition to the matter of the actual formal responsibilities as declared in the ordinance, the City Manager said it would be appropriate if the Council wishes to call those Boards in and discuss with them its philosophy, ideas, and how the Council would like for them to do business and handle other matters not spelled out in the ordinance.

Councilman Janes stated his inquiry was made on an impression of there being a certain amount of confusion and he felt the Department Heads were being mistreated by not being given the definition of duties and to whom they should be responsible. By law and by Charter the operation is the City Manager's responsibility delegated to the Department Heads. He asked about the Hospital Board's authority. The City Manager explained its function was to advise the City Council. The Council is to look to the City Manager and staff for advice, and also look to the Advisory Board for advice. General discussion was held on Advisory Boards. Councilman Janes stated the particular Department Head is to cooperate with the Boards so that they could make their investigations, but the Department Head is responsible directly to the City Manager. The City Attorney stated generally speaking a Department Head acts or appoints someone to act as Secretary to these advisory Boards, and the departments would be aware of what the Board may need in the way of information and reports.

## BUDGET PREPARATION

MAYOR AKIN asked about the procedure proposed about the budget making. The City Manager explained under the Charter, the City Manager prepares a proposed budget and submits to the Council, by certain dead lines. His work has to be completed in a form that can be filed at least 30 days before the adoption which has to be no later than September 27th. The custom had been to prepare working papers for the Department Heads to work them up. Those are processed and requests for expenditures, and estimated revenues are checked to see if they are in balance. This year, he would suggest reviewing with the Council what the Departments would likely do with no guidance from the Council and then see what the Council would like to emphasize this year, and if the City were conducting the programs the Council wanted done, or if others should be added; so when the Department Heads are given their assignments, they could come up with more nearly what the Council would like. Mayor Akin said this was certainly a proper approach, as budget making should begin in a philosophical analysis placing projects and programs in order of priorities, and it would not necessarily parallel what had been done in previous years. The Department Heads could proceed on the basis of past operations. The present Council may want to make a departure to attach a different order or priority. The City Manager said the five year operating program pretty well outlines what the projections of the present operations would be next year. This could be reviewed, and decide if the emphasis were in the right places as the Council goes through the operating program; and if not, discussions could be held on changing the activities and priorities. He explained the five year Capital Improvement Program generally, stating it is developed as a guide. In years where there are bond elections, the five year Capital Improvement program is then current and is used as a basis of a bond program. Councilman LaRue suggested going into this before the middle of June. The things the City Manager wanted to ask the Council's suggestions on was whether or not there was sufficient park maintenance, adequate recreation program, or whether there are other activities to be added; if there are services to be rendered that are not now being rendered; are there activities that should be participated in, etc. Councilman Long stated that was good.

MAYOR AKIN suggested that the newly appointed auditing firm be brought into these discussions on the Budget to familiarize themselves with the budget and advise the Council on possible improvement of accounting procedures, reporting forms, or other matters. This would be within the meaning of their employment and that they could be authorized to call upon the City Manager or any Department for whatever help in getting the background to make their recommendations. Councilmen Long and Nichols agreed that the Auditors should be called into these particular meetings. Councilman LaRue stated at \$10.00 an hour, they could run up a substantial amount of expense not budgeted at this time. Councilman Janes suggested there be an organizational meeting with the City Manager first without getting into the minute details of the Budget. The City Manager stated there would be several meetings, and the first meeting should be to acquaint the Council with the five year operating program and the rules-- Charter Provision, State Law, etc.

Councilman Long moved that in theory to adopt the practice of bringing in the auditors for aid and assistance when the Council is studying and drawing up the budget from time to time. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, LaRue, Long  
Noes: None

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MAYOR AKIN stated he would notify the Auditors of their appointment and of this practice of calling on them during the budget sessions from time to time.

The Council went into Executive Session.

The Council returned to the Regular Council Session.

Councilman Nichols moved that HARDY HOLLERS be appointed Attorney to assist the City Attorney in a suit now pending before the Courts having to do about suits over noise in the Airport area. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Mayor Akin, Councilmen Janes, LaRue, Long, Nichols  
Noes: None

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The Council adjourned at 6:00 P.M.

APPROVED

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
asst. City Clerk