

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 5, 1968  
10:00 A.M.

Council Chamber, City Hall

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The meeting was called to order with Mayor Akin presiding.

Roll Call:

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

Invocation was delivered by REVEREND RALPH HESS, Lutheran Chaplin.

DIRECTORY OF COMMUNITY SERVICES

Councilman Nichols moved the Council note receipt of this directory and express gratitude to those who were so dilligent in preparing it.

Mr. Vic Eilers spoke for Mr. Bill Youngblood, and introduced others present from the Community Council. He presented the Directory of Community Services, a joint venture of the Council and Community Council to prepare a listing of the community resources. Copies would be made available to the various agencies. Through this means the different agencies will have information of the organizations and can work together to meet the needs of the citizens. Mayor Akin, in thanking Mr. Eilers, Mr. Youngblood, and Mrs. McQueen, observed the precision in cataloging the information and expressed appreciation for the service of the Community Council.

The motion, seconded by Councilman Janes', carried by the following vote:

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

ANNEXATION HEARINGS

It being 10:30, Mayor Akin announced the Council would now begin the hearings on annexation ordinances scheduled for this time.

The City Manager announced the Council had been furnished with small maps along with data and information relating to the various properties. The first group listed has been requested by the property owners or their representatives. Others listed have involve only right of way or public property, certain "islands" which are surrounded by incorporated areas of Austin; Model Neighborhood area, etc. The Director of Planning, Mr. Hoyle Osborne, pointed out each area on a large map, gave physical data on each property, availability of utilities and city services; pointed out advantages of annexation, and noted some problems occurring in some of the annexed and unannexed hearing. An opportunity to be heard was given to all interested parties. Messrs. Darrozet, David Barrow, Forest Pearson, Arthur York, Hale for E. C. McClure; Bob Armstrong, Dick Baker, representing Woodward Manufacturing Company; Harold Martinson, Karl Waggoner, J. R. Barnes, Mr. E. Carpenter, Executive Vice-President, Texas L. B. Gas Association; Joe Crow, Bill Davidson, Mr. Wolf, Mr. Wilhoit, W. G. Paul, Mrs. John E. Rotel, Messrs. Eldredge Morry, Charles Nivens, Tom Gee, representing Brown School; Arthur Fehr, Mr. Everest, and others spoke regarding their properties. The Council intensely reviewed each property in line with the hearing, and information presented.

On Councilman Long's motion, the Council heard the cases and passed ordinances through their first and second readings as follows:

434.11 acres of land out of the James Burleson and Philip McElroy Leagues - TRAVIS STATE SCHOOL.

45.67 acres of land out of the T. J. Chambers Grant and the George W. Davis Survey - proposed HIGHLAND HILLS, SECTION NINE, PHASE TWO, and unplatted land.

13.51 acres of land out of the George W. Davis Survey - proposed NORTHWEST HILLS, MESA OAKS, PHASE 5-B.

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

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

On Councilman Long's motion, the Council passed an ordinance through its first and second readings as follows:

27.42 acres of land out of the William Cannon League and the Santiago Del Valle Grant - BATTLE BEND SPRINGS, SECTION ONE.

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

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

On Councilman LaRue's motion, the Council passed the following ordinances through their first and second readings:

35.19 acres of land out of the Theodore Bissel League - proposed WHISPERING OAKS, SECTION ONE, and two unplatted tracts.

3.44 acres of land, same being out of and a part of the J. C. Tannehill League - an unplatted tract and a portion of Manor Road.

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

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

On Councilman Janes' motion, the Council instructed the Staff to redraw all of the following parcels in separate ordinances:

- (1) Right of Way or Public Property:
  - (a) 4.13 acres of land out of the Henry P. Hill League and the Charles Riddle Survey - Fredericksburg Road.
  - (b) 64.29 acres of land out of the James P. Wallace Survey No. 18 - U. S. Highway 183.
  - (c) 36.84 acres of land out of the Santiago Del Valle Grant portions of East Riverside Drive and unplatted land.
  - (d) 16.65 acres of land out of the J. C. Tannehill League School site and unplatted land.
  - (e) 186.71 acres of land out of the James P. Wallace Survey No. 57, and J. C. Tannehill League and the J. A. G. Brooks, Willis Avery, John Applegait & H. T. Davis Surveys - portions of Loop 111, F.M. Road 3015 U. S. Highway 290, Ed Bluestein Boulevard and unplatted tracts.

The motion, seconded by Councilman Nichols', carried by the following vote:

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

- (2) "Islands" (areas surrounded by city):
  - (a) 267.67 acres of land out of the Isaac Decker League and the Santiago Del Valle Grant - Assumption Cemetery, portion of Woodward Street, subdivisions and unplatted tracts.
  - (b) 63.89 acres of land out of the James Mitchell & James P. Wallace #18 Surveys - unplatted land and portion of Cima Serena Drive.
  - (c) 45.65 acres of land out of the George W. Davis Survey - unplatted land and a portion of Peyton Gin Road.
  - (d) 103.08 acres of land out of the John Applegate & James P. Wallace #57 Surveys - unplatted land and portion of W. Rundberg Lane, Lamar Boulevard & E. Powell Lane.

## (3) Model Neighborhood Areas:

- (a) 166.02 acres of land out of the Santiago Del Valle Grant - portion of Vargas Road, East Riverside Drive, East Ben White Boulevard, and unplatted land.
- (b) 77.02 acres of land out of the Santiago Del Valle Grant - Valdez Street, Hergotz Lane and unplatted land.

## (4) Other:

- (a) 221.86 acres of land out of the Isaac Decker and William Cannon Leagues - portions of Stassney Lane, South Congress Avenue, Wasson Road, subdivisions, and unplatted land.

Councilman Long moved the Council instruct the City Manager to bring in an ordinance leaving out the portion of the Brown School except for that portion on Stassney Lane. The Brown Schools were under construction.

150.21 acres of land out of the Wm. Cannon League - Stassney Lane, Oasis Village, School tracts and unplatted land.

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

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

Noes: None

Councilman LaRue present but not voting.

#### ANNEXATION CONTINUED

Mayor Akin relinquished the chair, disqualifying himself as he had an interest in the property stating his organization would enjoy the privilege of being in the City of Austin; however, to make theirs an isolated annexation, and leave the rest of it unprotected and available for any type of development would not accomplish the purposes of their business, so if the Council cannot see the way to make the annexation as presented, then Mayor Akin would request the Council to leave theirs out of the annexation as well.

Councilman Janes disqualified himself as he had property in the area.

Mayor Pro Tem Long presided.

Councilman Long suggested, the Council continue the hearing on the following annexation ordinance until they could personally go and take a look at the property:

141.08 acres of land out of and a part of the Santiago Del Valle Grant and the Isaac Decker League - unplatted land.

## WITHDRAWAL OF ZONING APPLICATION

Councilman Nichols moved the Council permit the withdrawal of the following zoning application:

GLEN RAGLAND, ET AL  
By C. C. Cook

306-308 W. 45th St.  
4501-4503, 4509-  
4511 and  
4502-4506 Ave. B

From "A" 1st H&A  
To "B" 2nd H&A  
NOT Recommended

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

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

Noes: None

Present But Not Voting: Councilman Long

## ZONING ORDINANCES PASSED

Councilman Long moved the Council pass the following zoning ordinance through all three readings: Councilman Long moved the Council pass the following ordinance through its first reading and the rule suspended requiring the reading on three separate days:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:

- (1) THE NORTH 65' OF LOTS 1-4, BLOCK 1, POST ROAD ADDITION, LOCALLY KNOWN AS 3716-3718 SOUTH CONGRESS AVENUE, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT;
  - (2) LOT 2, SAVE AND EXCEPT, THE NORTH 47' BY THE EAST 75' OF BLOCK 11, WARD ADDITION, LOCALLY KNOWN AS 3701 SPEEDWAY AND 100-104 EAST 37TH STREET, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT;
  - (3) A 3.3 ACRE TRACT OF LAND, LOCALLY KNOWN AS 4900-4912 SPRINGDALE ROAD, FROM "GR" GENERAL RETAIL DISTRICT TO "B" RESIDENCE DISTRICT;
  - (4) A 15,246 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1102 BLANCO STREET, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;
  - (5) LOTS 26-30, BLOCK 4, HYDE PARK ADDITION, LOCALLY KNOWN AS 4408-4412 AVENUE F, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;
  - (6) LOTS 23-25, BLOCK 7, HYDE PARK ADDITION, LOCALLY KNOWN AS 4406-4408 AVENUE C, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;
  - (7) A 744 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 7518-7520 NORTH LAMAR BOULEVARD, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT;
  - (8) A 2.90 ACRE TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 301-501 U. S. HIGHWAY 183 (ANDERSON LANE), FROM FIFTH HEIGHT AND AREA DISTRICT TO THIRD HEIGHT AND AREA DISTRICT;
- ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

The Mayor announced the ordinance had been finally passed.

#### IMPROVEMENT OF LAW ENFORCEMENT

The City Manager submitted the following:

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

#### "Improvement of Law Enforcement

"Gentlemen and Mrs. Long:

"This is pursuant to the unanimous action of the City Council during their meeting on September 23, 1968, at which time this office was instructed to proceed with a study in cooperation with the Chief of Police as to how law enforcement might be improved in our community.

"Immediately following this Council action, various individuals and organizations were requested to consider this matter and to contribute comments and suggestions as to those items that might be included in a comprehensive program to improve law enforcement and to reduce crime. Those contacted included every member of the Police Department, the District Attorney, the County Attorney, the members of the Civil Service Commission, the Texas Department of Public Safety, a federal agency, a private foundation, plus certain other municipal police departments. Various comments and suggestions were received, both as to those items for inclusion as well as items not recommended for consideration.

"There is no one simple answer to the question for improving law enforcement in this or any community; - there are no easy solutions to the problems involved in reducing crime. The Cause of crime lies within our society, and eliminating the cause of destructive and anti-social behavior is the most effective way of reducing crime and thereby alleviating the need for improved law enforcement.

"The major conclusion that may be drawn is that a balanced and positive program should be carried out with particular emphasis: (1) on our society which in itself generates the need for law enforcement; (2) on the techniques of law enforcement, including increased effectiveness of equipment and related technology; (3) on the quality and capabilities of the individuals comprising the police force, rather than the number of such individuals.

#### "RECOMMENDATIONS

"The following should be considered as supplemental to the recently adopted budget for the current fiscal year which includes increases in Police personnel, and should also be considered as supplemental to the new classification-pay plan which will result in essential pay increases, particularly to law enforcement personnel.

"The following are recommended for consideration:

#### "A. Community Participation. -

1. The previous program of "Crime Stop" should be reactivated or some similar effort made throughout the community. To expand the participation, representatives of every private citizens' organization in the community should be invited to send an appropriate representative to attend a meeting to be arranged within the very near future. These representatives would serve as liaison individuals between the municipal Police Department and the remainder of the community.

The effort has particular significance if law enforcement is to be improved in our community; -

"The police cannot be expected to do the impossible -- to maintain law and order, and at the same time pacify all dissident elements-- to contain and repress the swelling discontent which inevitably results from unfair treatment and unkept promises. To saddle the police with this added burden which is properly the responsibility of the whole community is both unfair and unrealistic."\*

2. Owners of property and facilities should be encouraged to make those properties less vulnerable to burglary and thefts. Such efforts should include the installation on a private basis of "night-watchmen" lighting, and other alarms, cameras and modern surveillance equipment.
3. Increased emphasis on positive or preventive community activities such as public recreation, public library services, police sponsored youth athletic activities, etc.

#### "B. Crime Prevention - Reduction. -

A concentrated effort should be made with respect to "First offenders", who are usually young persons in the general age span from 14 to 24 and not infrequently from low income and / or minority group families and

neighborhoods. A service program including rehavilitation and educational efforts would have high "impact" value, particularly if current or ex-offenders would be utilized in discussion groups with other young people through the school system and youth organizations of all types.

"Consideration should also be given to the drafting and passage of a City ordinance with an accompanying educational campaign as to measures and devices useful in the protection of automobiles. Auto theft constitutes a significant portion of Police workload responsibilities and similar efforts elsewhere have been significantly successful.

"Cognizance of the fact that a high proportion of assaultive behavior in in our community and elsewhere occurs among relatives, "friends", or at least acquaintances, and awareness of this history should be useful in identifying and coping with the aggressive conduct which results in criminal acts.

"C. City Organization. -

1. Continued and expanded emphasis should be given to street and alley lighting, including "area saturation" lighting in particular areas of the community.
2. In an effort to promote more effective administration of justice, it is recommended that a new position of "Chief Prosecuting Attorney" be established in the Legal Staff with an appropriate salary.. This position would be filled by an attorney experienced in criminal law who would devote his entire time to assisting law enforcement efforts, to coordinating supervision, and insuring the adequate prosecution of caeses in the Corporation Courts, as well as coordinating and assisting in prosecution as appropriate in other courts.
3. It is recommended that a committee be established to investigate and evaluate the desirability of establishing a new position of "Director of Public Safety" to insure increased emphasis on coordinated law enforcement and related public safety activities.

"D. Police Operation - Activities. -

1. Organization - Personnel - Staffing. - Prompt consideration should be given to : (a) the establishment and filling of a postion of "Deputy Chief-Operations"; (b) handling of all animal calls, including dog-bite cases, by civilian rather than commissioned uniformed officer personnel; (c) the expansion of the "buddy" system to the point that a reliable auxiliary force would be available should emergency situations develop and justify the use of such personnel.

Further, an effort should be made to amend the State statues for the purpose of raising the maximum age limit for Police personnel from 35 years to 40 years in an effort to facilitat eht recruiting and employment of military personnel with prior police or security experience. An effort should also be made for police personnel, on an on-duty basis, to spend time in various neighborhoods in an "out-reach" effort in conjunction with the new Police Community Relations program.



Finally, it is recommended that a study committee be established with appropriate representatives upon it to review further such matters as internal communication, organization, security, special services, etc.

2. Equipment - Facilities. - It is recommended that all Police patrol cars be conspicuously marked, including top-mounted rotating red lights, with a public address siren system, and distinctive painting such as green or blue on white. Similarly, the utilization of two-wheel motorcycles to supplement existing three-wheel motorcycles should be carefully considered and investigated as to the benefits to be derived from increased flexibility in operations, etc.

The use of helicopters in police work in other communities has demonstrated its effectiveness in recent months, and utilization of helicopter equipment on a trial basis is recommended subject to consideration of leasing, purchasing, or contracting with other governmental agencies, and the related cost benefit factors.

Headquarters facilities are urgently in need of expansion; and the distinction between the Corporation Court and the Police Department should be made more evident to the general public.

The uniforms of the Police personnel, as well as clothing allowances, should be reviewed, including a representative committee of Police personnel at all levels to formulate recommendations for improvements in uniforms, individual equipment, etc.

3. Training. - In-service training should be increased and made mandatory even to the detriment of patrol services during a brief period of time during each year. Instruction in Spanish should also be included in such training.

More advanced training for supervisory and more experienced personnel should also be made available, both within the Police Department and also at other training institutions.

It would also be desirable to initiate a program of orientation for wives of new officers to enable them to understand and accept more readily the duties of their husbands.

The development, construction, and operation of a Public Safety Training Academy to be jointly used by the Police and Fire Departments with adequate physical training facilities is also recommended.

4. Technology - Records. - The standing committee should be expanded to periodically review new technological developments, adequacy and significance of records, and such sophisticated equipment as remote control cameras, etc.

"Appreciation is expressed to those who have contributed to this report and its preparation.

"The City Council is encouraged to review the above recommendations, to request such additional information as you may desire, and to formally adopt as appropriate the above recommendations for subsequent implementation by the City administrative Staff.

Councilman Nichols moved the Council accept the report on the Improvement of Law Enforcement, and asked that it be put on the agenda next week.

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

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

Noes: None

#### PAPER STORAGE

Councilman Long moved the Council pass the following ordinance:

AN ORDINANCE AMENDING ENUMERATION 41 OF SECTION 9 OF CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 PERTAINING TO THE STORAGE OF BAILING OF SCRAP PAPER, IRON, BOTTLES, RAGS OR JUNK; AND DECLARING AN EMERGENCY.

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

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

Noes: None

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

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

Noes: None

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

#### ANNEXATION SET FOR HEARING, DECEMBER 19, 1968

Councilman Janes moved the Council introduce, order published, and set for public hearing at 10:30 A.M., December 19, 1968, ordinances annexing the following:

- (1) 0.18 acre of land out of the John Applegate Survey-a portion of the resubdivision of Lots 1 through 8, Block H. QUAIL CREEK SECTION TWO. (Requested by representative for owner)

- (2) 18.73 acres of land out of the Theodore Bissel League - proposed CHERRY CREEK SECTION FOUR.  
(Requested by representative for owner)
- (3) 9.86 acres of land out of the J. C. Tannehill League - a portion of a proposed subdivision to be known as JAIN LANE ADDITION and unplatted land. (Partially requested)

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

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

#### INAUGURATION PARADE

Councilman Long moved the Council accept the request for an Inauguration Parade on January 21, 1969, 2:30 P.M. to 4:30 P.M., north on Congress Avenue from 1st Street to 11th Street.

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

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

#### DEDICATION OF A PORTION OF CAMERON ROAD

Councilman Long moved the Council adopt a resolution dedicating a portion of City-owned property at the southwest corner of Cameron Road and U. S. Highway 290 a street for public purposes.

#### (RESOLUTION)

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

That the following described tract of land owned by the City of Austin, a municipal corporation situated in Travis County, Texas, be and the same is hereby set aside and dedicated for use as a public street and through fare in the City of Austin, said tract being described as follows:

3,817 a square feet of land, same being out of and a part of the remaining portion of that certain 3.93 acre tract of land out of the James P. Wallace Survey Number 57 in the City of Austin, Travis County, Texas, which 3.93 acre tract of land was conveyed to the City of Austin, a municipal corporation, by warranty deed dated May 15, 1965, of record in Volume 2966 at page 775 of the Deed Record of Travis County, Texas; said 3,817 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the south line of the said city of Austin tract of land with the proposed west line of Cameron Road, same being a line fifty (50.00) feet west of and parallel to the centerline of Cameron Road

as established by the Department of Public Works of the City of Austin, which point of beginning is the most westerly corner of the herein described tract of land, and from which point of beginning the most easterly corner of Church Addition, a subdivision of record in Book 18 at Page 40 of the Plat Records of Travis County, Texas, bears S 44° 42' W 476.56 feet;

THENCE, with said proposed west line of Cameron Road, N 44° 42' E 197.34 feet to a point in the most southerly west line of that certain 1.799 acre of tract of land conveying to the State of Texas, for right-of-way purposes, by warranty deed dated May 23, 1967, of record in Volume 3299 at Page 2010 of the Deed Records of Travis County, Texas, for the most northerly corner of the herein described tract of land;

THENCE, with said most southerly west line of the State of Texas tract of land, S 15° 41' E 24.70 feet to a point in the present west line of Cameron Road, same being the east line of the aforesaid City of Austin tract of land, for the most easterly corner of the herein described tract of land;

THENCE, with said present west line of Cameron Road, S 44° 52' W 185.20 feet to the southeast corner of the said City of Austin tract of land, same being the most southerly corner of the herein described tract of land;

THENCE, with the aforesaid south line of the City of Austin tract of land N 45° 08' W 20.93 feet to the point of beginning.

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

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

#### CONTRACT

Councilman LaRue moved the Council pass the resolution establishing a contract to White's Mines for Aggregate for Surface Treatment in the following:

#### (RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 27, 1968, for estimated requirement (8,000 tons) of Aggregate for Surface Treatment for a period of twelve (12) months beginning from the date of notification of award; and,

WHEREAS, the bid of White's Mines, in the sum of \$35,040.00, 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 White's Mines, in the sum of \$35,040.00, be and the same is hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with White's Mines.

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

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

#### SALE OF HOUSES

Councilman Long moved the Council adopt a resolution awarding the sale of houses as follows:

#### (RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 25, 1968, for the sale of nine (9) houses that Urban Renewal had turned over to the City for disposal; and,

WHEREAS, the bids of Joe Tenorio, Sr. in the sum of \$57.00 for the house located at 2511 East 12th Street, in the sum of \$53.00 for the house located at 1120 Midway, and in the sum of \$6.00 for the house located at 2602 Walter; the bid of Franklin Tatsch in the sum of \$29.25 for the house located at 2204 Martha; the bids of G. W. Kelly in the sum of \$35.00 for the house located at 902 Midway and in the sum of \$100.00 for the house located at 1004 Stokes; and the bid of August Hoyer in the sum of \$31.85 for the house located at 2350 Washington, were the highest and best bids therefor, and the acceptance of such bids has been recommended by the Building Official of the City of Austin, and by the City Manager; Now, Therefore,

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

That the above enumerated bids of Joe Tenorio, Sr., Fritz Otto, Franklin Tatsch, G. W. Kelly and August Hoyer, be and the same are hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute contracts on behalf of the City with the said named parties.

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

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

#### WITHDRAWAL OF TAX APPEAL

Councilman Long moved the Council accept the request for the withdrawal of the Tax Appeal for the Southshore Apartments. The motion, seconded by Councilman LaRue, carried by the following vote:

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

#### TAX APPEALS SET FOR HEARING

Councilman LaRue, moved the Council set the hearing of Tax Appeals by Mr. Fred A. Buas and Mr. J. J. McKetta, for 10:30 A.M. December 19, 1968.

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

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

#### SPACE ASSIGNMENTS

Councilman Long moved the Council adopt the following resolution designating public right of way space for telephone utility as follows:

#### (RESOLUTION)

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

That the application of the southwestern Bell Telephone Company, of Austin, Texas, to construct and maintain the hereinafter described underground improvements;

- (1) An underground telephone duct line in INTERREGIONAL HIGHWAY, from the point of intersection of a line 20.00 feet east of and parallel to the west right-of-way line of the INTERREGIONAL HIGHWAY and a line 3.00 feet north of and parallel to the south property line of east Oltorf Street, to the point of intersection of a line 38.00 feet east of and parallel to the west right-of-way line of the said INTERREGIONAL HIGHWAY and a line of the said 72.00 feet south of and parallel to the line of west Oltorf Street; which point is at the west entrance to an existing utility tunnel under the said INTERREGIONAL HIGHWAY.
- (2) An underground telephone duct line in the east frontage street of the INTERREGIONAL HIGHWAY, from a point 212 feet south of the centerline of East Live Oak Street, northerly 140 feet; the centerline of which underground telephone duct line shall be 6 feet west of and parallel to the east property line of said INTERREGIONAL HIGHWAY.

- (3) An underground telephone duct line in INTERREGIONAL HIGHWAY, and EAST LIVE OAK STREET, from the point of intersection of a line 6 feet west of the east property line of said INTERREGIONAL HIGHWAY and 73 feet south of the monument line of said EAST LIVE OAK STREET, northerly and easterly to the point of intersection of a line 8 feet south of the monument line of said EAST LIVE OAK STREET and 600 feet west of the centerline of Greenfield Parkway.
- (4) An underground telephone duct line in EAST LIVE OAK STREET, from a point 600 feet west of the centerline of Greenfield Parkway, easterly to Parker Lane; the centerline of which underground telephone duct line shall be 15 feet south of and parallel to the monument line of said EAST LIVE OAK STREET.
- (5) An underground telephone duct line in PARKER LANE, from East Live Oak Street, northerly to a point 228 feet south of the centerline of which underground telephone duct line shall be 15 feet west of and parallel to the east property line of said PARKER LANE.
- (6) An underground telephone duct line in PARKER LANE, from a point 228 feet south of the centerline of Wind Oak Drive, northerly to East Riverside Drive; the centerline of which underground telephone duct line shall be 45 feet east of and parallel to the west property line of said PARKER LANE.

be and the same is hereby granted and the Director of Public Works is hereby authorized to issue a permit for the construction of such improvements, said grant and permit to be subject to the following conditions:

- (1) The improvements shall be constructed and maintained in compliance with all ordinances relating thereto.
- (2) The permit shall be issued and accepted subject to all reasonable police, traffic, fire and health regulation as the City of Austin, now existing or hereafter adopted.
- (3) The repair or relocation of any and all utilities in the vicinity necessitated by the laying of these improvements shall be done at the expense of the Southwestern Bell Telephone Company of Austin, Texas.

(4) The Southwestern Bell Telephone Company of Austin, Texas, will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the construction or maintenance of said improvements.

(5) That all back fill under street surfaces between existing or future proposed curbs and under driveways and alleys, shall be tamped with mechanical tampers in six (6) inch layers. Each layer shall be compacted to not less than 90 per cent of maximum density as determined by the Standard Method of Test for Compaction and Density of Soils, A.A.S.H.O. Designation T99-49.

(6) The City of Austin may revoke such permit for good cause after notice to the Southwestern Bell Telephone Company, in Austin, and hearing thereon, and upon such revocation the owner of such improvements will remove the same and pay all costs and expenses attendant therewith.

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

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

#### AUSTIN GOLF ASSOCIATION RE: UPCOMING PRO-AMATEUR GOLF TOURNAMENT

Mr. Bill Gainer, representing the Austin Golf Association, stated Austin, this following weekend would host the first Austin Invitational Pro-amateur Golf Championship, the first opportunity of ever bringing the touring professional golfers and the top amateur golf players from all over the country to Austin, and Austin was to be datelined. They had received cooperation from all concerned, and the best of consideration from the Recreation Department. This being the first time for this endeavor, the Association will not operate at a break even point; but the fact they lose money this time would not be a deterrent to continuing these projects in the future. He asked the City to waive its right, or its share of the concession enterprise that will be conducted during the tournament for this first time. He was confident that in the future it would not be necessary to ask this again. If they came up with a success and were able to pay the City for the concession enterprise and still end up with a profit, they would be agreeable to withholding only a small part for the financing of next year's tournament, and placing the remainder in escrow for use by the Recreation Department on capital improvements on any of the golfing facilities in the City. Councilman LaRue, noted it took a considerable amount of money for cleaning the course after the tournament, and perhaps some concession as far as the clean-up is concerned could be worked out. The City Manager did not recommend the clean-up consideration, as there is the problem of how much work is normal, or unusual, and how much rehabilitation is necessary. He would consider this on the basis of a first year exception with no percent being made rather than getting into the cost of the cleanup. Councilman Janes and Nichols said this large tournament would be good for the City. On Councilman Janes' motion, Councilman Nichols' second, the Council accepted the proposal. (That if the Association makes a profit and does not lose money, then they immediately pay the City its proper share of the concession, plus, if they did make some money, then after holding out a small portion, approximately \$1,000 to pre-finance next year's tournament, that money would be placed in escrow to be used by the Recreation Department for other golf facilities in the City.) Councilman LaRue stated requests comparable to this were received over and over, and would



be a precedent insofar as other applicants were concerned, in making contributions of the taxpayer's facilities to a particular organization without the permission of the taxpayer himself. He suggested that this should be underwritten by contributions of citizens particularly interested in this type of activity. Many charitable organizations are turned down in their attempts to raise money. Roll Call on the motion showed 3 to w vote, Councilmen Long and LaRue voting against the motion.

#### PUBLIC HEARING ON BRACKENRIDGE URBAN RENEWAL PLAN

Mr. Dick Lillie, Director of Planning, described the area, pointing out five land use districts--parks, public, residential, office and retail commercial. The commercial districts have been recommended to be changed to permit higher buildings to be constructed. He pointed out those areas on the map. The present plan has a 90' height area, but the Staff, after researching the project plan again, has recommended that this height be increased to 200' for several reasons:

1. Location of project in proximity to downtown area and to the capital complex.
2. The relationship of these areas that are bordered by the public areas, and the public re-use area which will permit 200' in height.
3. Plans have been received from several developers for high rise construction within the project; also zoning applications have been approved--including the Austin Independent School District Block on the corner of 12th and Trinity.

The Urban Renewal Board, on October 8, agreed this change would permit sound economic development within the project, and the Planning Commission recommended to the Council that the building height limits be amended from 90' to 200'. The streets in the project area are planned to be of adequate width to handle the traffic. Mr. Leon Lurie, Urban Renewal Executor, was of the opinion the property would be better utilized with the additional height limitation to which they can build. No one appeared in opposition. The Council, on Councilman Nichols suggestion considered the zoning.

Councilman Nichols moved the Council vote that the "B" 2nd H&A District in Brackenridge Urban Renewal Project be amended to permit 200' in height, and that the hearing be closed at this point.

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

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

Noes: None

Present But Not Voting: Councilman LaRue

#### RECOGNITION OF MOST REVEREND LOUIS J. REICHTER, BISHOP

Mr. John Selman presented this distinguished citizen of Austin before the Council as he will have finished his 50th year as a Priest in the Catholic Church on December 6th. Most Reverend Louis J. Reichter, has served as Bishop of Austin for 20 years. Mayor Akin designated Friday, December 8, 1968, as BISHOP REICHTER DAY in Austin. The proclamation set out the attributes of Bishop Reichter's leadership in the spiritual needs of the City, hospitals, schools, and others.

CONTRACT WITH HORNER & SHIFRIN, INC. -  
FEASIBILITY STUDY OF CROSS-TOWN UTILITY TUNNEL

MR. VICTOR SCHMIDT, Director of Water and Waste Water Utilities brought up for discussion the feasibility study of the proposed cross-town utility tunnel, and had invited MR. ERWIN E. BLASS, President of Horner & Shifrin Consulting Engineers, St. Louis, to come before the Council. MR. BLASS qualified his firm and engineers, stating their operation was founded in 1933, and their work is related almost entirely to sewer design and construction. Their 32 professional engineers are registered in various states, and their top echelon had been with the firm for 20 years or more. He described their most recent tunnel projects including design and construction, one being for the metropolitan St. Louis School District. They did about 12 miles of tunnel design, and about 90% of the tunnel is already in place. Construction started about four years ago, and has proceeded pretty well on schedule. Their feasibility report estimated the project to amount to \$95,000,000, but will be constructed at about \$80,000,000 or \$85,000,000. The project was to abate polluting the Mississippi River. The feasibility study determines the most economical of alternate plans available.

The advantage of a tunnel project results on ability to cross ridge lines watershed lines, shorten the length of the sewer necessary; and by using the rock-mole the amount of concrete lining is reduced to a minimum, there will be no dynamiting of rock, and tunnelling operations do not disturb streets or buildings. In St. Louis the tunnel depth maximum was about 110', but it could be 210' or 510', according to the physical characteristics of the area. No additional cost would be imposed on the project--only the cost of moving materials that had been excavated a greater depth.

MR. BLASS explained the objective of the plan would be to produce the most economical plan of a sewerage system for Austin. In their planning, and after reviewing determinations of population projection and flow quantities related to the population productions, they would work up a tentative design of the most direct tunnel route; and from that route they would plan to pick up the total flow from each one of the trunk sewers down the many valleys, like Dry Creek, Taylor Branch, Johnson Creek, etc. They would make a detailed study of the existing sewers down the valley to determine the flow remaining after the interception has been made and the capacity of those sewers to take the additional flow. He listed alternates that could be investigated--the tunnel line might be moved southwardly to intercept some of the main trunk sewers farther down stream, or investigate other possibilities. Their objective would be to produce the most economical plan. General discussion was held by the Council members and Mr. Blass. Councilman LaRue moved the Council authorize the City Manager to enter into a contract with HORNER & SHIFRIN, INC. for feasibility study of the cross-town utility tunnel (Phase I), and the cost of this survey must not exceed \$78,000 without subsequent approval by the Council, and incorporating the revisions and amendments as recommended by the Director of Water and Sewer, with standard termination clause and that the study be projected to the year 2000.

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

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

CONTINUED HEARING ON RATE ADJUSTMENT FOR  
AUSTIN TRANSIT CORP.

At 2:30 P.M. Mayor Akin opened the continued public hearing on the Rate Adjustment for Austin Transit Corporation. Additional information was distributed to the Council. Mr. Barr McClellan represented Austin Transit. Councilman Long asked what the rate of return on their investment would be, should the rate for which they were asking would be provided. Mr. McClellan reported about 6%.

Mr. Hilgers, representing the Human Opportunities Corporation as President, pointed out the wage scale of those in disadvantaged areas also were affected by inflation, and the bus increase would hit them hard. The ability of the people paying for this transportation is not increasing at the same rate, as the Bus Company's using the replacement costs as a measure of profit. Mr. Hilgers said he had not seen the financial statements and figures that had been submitted. Mr. Hilgers pointed out the monthly ticket for school children would be more sensible than the rate increase; also with a rate increase they should improve the service. Councilman LaRue asked why the private bus out in the poverty area had been taken out of operation. He pointed out certain areas of the City which were completely without bus service. Mr. Hilgers said they could not justify the cost of it.

Mayor Akin, noting this was a continued hearing rather than a rehearing, stated that information should begin from where it was left off last week, instead of covering the same points as covered November 26. On a net profit on operations, the net profit was less than 3%; a net profit on the projected increases would be supposedly 8% plus, which would enable the company to gradually add the improved equipment, service and new routes.

MRS. ANGIE GUERRERO complained about the attitudes of the drivers, and busses' not running on time. She did not mind the increase if the service could be improved and the busses arrive on time. MR. BARNETT reported the bus service at Montopolis (private) charged an exorbitant rate as far as those people were concerned. He suggested a subsidy.

MR. JORGE GUERRA, supporting the GI Forum of Austin, likewise was concerned about the school rates for families with several school children; and welfare checks will not be increased. MISS ELAINE DOHERTY called attention to the unpaved streets without sidewalks on which the children had to walk and cross, as they would be deprived of bus transportation if the fare were increases. Mrs. Doherty said South Austin had the same problem that East Austin had as far as increased fares are concerned for the children of the poor. As to purchasing monthly passes of \$5.00, a family with three children would have an outlay of \$15.00, which would be a hardship.

COUNCILMAN LARUE asked about the area requiring additional service. Mr. Malone said this was between Airport and 12th, and Springdale Road and 12th. School busses come down Springdale Road to Johnston High; however, the rest of the area had no streets that the bus could travel from Springdale to Ortega and return. Even if the street were developed, he was not certain a bus would actually be justified out there. As to the St. John's area, the Transit Company had tried servicing this on two different occasions. There are no street problems--just not enough people to justify a bus. MRS. RUTH D. SMITH spoke on the ticket fare for the children as not being feasible.

The City Attorney, Mr. Eskew, stated there were three different things to consider--a zone rate, a transfer rate and the regular rate. If the adult fare is 25 cents, the children's rate could not be 15 cents.

On Councilman Long's motion, Councilman Janes' second the Council closed the hearing to take it under advisement.

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

Noes: None

#### STATUS OF O. K. AUTO PARTS' LOCATION

The City Manager stated the Council was aware there had been an ordinance passed requiring fencing with respect to junk yard operation, with a grace period for compliance, and the affected parties were advised of the ordinance and given time to comply.

The Chief Building Official has been proceeding with the enforcement of the ordinance, complaints have been filed, and fines levied. This particular case evidently had some history relating to it, involving previous zoning considerations and verbal understandings which is described in the report available to the Council. Councilman Long explained that when they were planning the widening and paving of South 2nd Street, O. K. Auto Parts was occupying the whole area, as a non-conforming use, and there was an understanding with the Council that they would be allowed to finish out their five year lease. In the meantime O. K. Auto Parts had purchased property adjacent to a school. The Austin Housing Authority offered to purchase the property. The PTA and people in the area complained about having a used car junk yard across from the school. The O. K. Auto Parts plan to close down within three years, and there will be no junk yard there or in Govalle. They want to continue, and they were supposed to check with the people in there to see how they felt about letting the junk yard remain for the duration of the contract if it were properly fenced and cleaned up, rather than have it possibly moved over to the other area. The question was the owners had perhaps a short time to remain in this location and did not want to fence it according to the ordinance for a short term. Otherwise, they would move the operation to the new location, and perhaps sell it to another dealer who would continue the operation next to the school. Mayor Akin reported Mrs. Trousdale had talked to Mrs. Long and to him, and written a proposal. He asked her to give the Council an opportunity to discuss it among themselves. The City Manager and Building Inspector should have had a copy of the letter also. She submitted a trading proposal that they be given an opportunity for about five years to keep this location, and then retire. In return for this, they would comply with the fencing requirements. After discussion, the Council continued this proposal until next week.

#### SUPPLEMENTAL AGREEMENT WITH MISSOURI PACIFIC RAILROAD

The City Manager, Mr. Tinstman, explained the supplemental provision, concerning the amount of participation on structures on the Missouri-Pacific Boulevard north of Northland Drive. The Highway Department, as well as the Railroad Company, is seeking assurance as to whose responsibility it is to provide the funds. The Railroad Company's belief is since they donated the right of way, they normally would not be expected to participate. The City Attorney explained the original proposition. The Highway Department will pay full cost

of one grade crossing, instead of allocating part of it to the Railroad Company. There will be two existing structures for which the Railroad Company would be assessed under the present policy of the Bureau of Public Roads and the State Highway Department, amounting to about \$73,000. The City Manager stated the Highway Department wants to know, in writing, who is going to come up with the 10% on the two crossings where normally there would be participation by a railroad. He suggested that further research be done on this, and asked the Council to continue this matter until next week.

#### CONTRACT WITH SCHOOL ON TAX COLLECTING AND ASSESSING

Councilman Nichols stated he was informed that these people in the Austin Independent School district--Manchaca-Oak Hill--plan appealing to the School Board or Council about their tax assessments. The City Attorney stated legally, the time for appeal had passed. Councilman Nichols stated the City, not the School Board, was being criticized over this tax matter. The City Attorney reviewed the contract the City entered into with the Austin Independent School District, originally in 1955, and renewal from year to year. The contract provides the City tax the properties in the district the same as those within the City.

#### AUDITORIUM PROCEDURES

Councilman Long inquired about the charge for the use of the auditorium facilities for public recreation activities, as the City had always supported these activities. The City Manager replied they were supported directly and indirectly. He explained this procedure between the Recreation Director and Auditorium Manager, that where the auditorium or the coliseum would be reserved, for a considerable number of people, that sufficient period ahead of time be made for the facilities; then the Auditorium Manager would not lease the auditorium for out of town conferences or other events. The memorandum sets out the procedure that that will be used through the Recreation Director in behalf of certain community organizations, particularly for Auditorium uses. The City Manager explained also the bookkeeping, which is an internal matter. This procedure will give the Auditorium Manager a firm schedule, and better record of what it costs to maintain the scheduled events, with no adverse effect on any of the people using the Auditorium.

#### COMPLAINT ON BILLING CHANGE

Councilman Long reported a letter from Mr. Horace Barnhart concerning the utility billing date. The Associate City Manager, Mr. Higgins, had a report from the Water and Light Department, stating this came under the demand meter schedule, and brief discussion was held.

#### HIGHWAY SAFETY ACT - GRANT

Councilman Long inquired about the grant that Fort Worth had received. The Associated City Manager, Mr. Gene Higgins, stated this came under a phase of the Highway Safety Act, whereby there were 20 cities considered. This is a

\$344,000 Federal program administered through the State. Had they used the money for ambulance services, there would not have been enough to go around. Three cities were selected--one large city in a metropolitan area, and two smaller cities--Fort Worth; Killeen near an Army Base; and Texarkana a major thoroughfare on the border. Funds probably would be available for other programs such as Public Safety Patrol, which might include police, fire and ambulance, but no money has been allocated yet. No more applications for ambulance grants are being accepted. Councilman LaRue noted San Marcos and Hayes County had contributed \$24,000 for the operation of ambulances in San Marcos.

#### PROPERTY - JUNIPER STREET

Councilman Long inquired about property being sold on Juniper Street. The City Attorney reported this was a remnant of property not usable as a separate tract, and there were three adjoining property owners to whose property this tract could be added to make it usable. The three property owners have been presented maps, shown the use of the property and how it could enhance the usability of each separate tract. Bids are being taken and a report will be forthcoming next week on the bids received.

#### UTILITY CONNECTION AT 6200 - 6211 MANOR ROAD

Councilman Long asked for a check of utility connections at 6200-6211 Manor Road--Walter Carrington's development. This is a little apartment complex and the gas is not being connected. The City Manager stated he would check into this.

#### REPORT ON RODENT CONTROL PROGRAM

The City Manager had submitted a report on a community-wide comprehensive program for the eradication and control of various species of rats, elimination of rat harborage, and education of homeowners and tenants emphasizing refuse storage, sanitation procedures and prevention of entrance by rats into the home. This program would concentrate on those areas identified as having definite rodent problems--Booker T. Washington Housing project, Govalle-Boggy Creek, Waller Creek, Montopolis and Shoal Creek areas, and certain problem areas in the northern part of the City. The cost of this program would be approximately \$64,552.00. There are several alternates, and combinations of programs which could be undertaken. The program submitted by the City-County Health Department is a broader, and a more comprehensive community-wide program, and would have a continuous effect. The proposals submitted by two commercial companies are pin-pointed toward specific areas, on a per block or project basis. There is obviously a considerable difference as to the cost. There was Federal aid allocated but it had not been appropriated. It was noted the City's comprehensive program would be \$64,000 against a monthly maintenance charge of a private exterminator of \$410.00.

DR. CLIFF PRICE, Chairman of the Child and Family Welfare Committee of the Human Opportunities Corporation, expressed concern over this rodent problem and stressed educational aspects, rat-proofing, and basic sanitation. He stated the H.O.C. would like to join with the City undertaking setting up the program through the neighborhood centers. Councilman LaRue stated it is the City's re-

sponsibility to supervise the leadership and education; and it has recognized engineers. He cited the fire prevention program as an example. Attention was called to the Orkin report anticipating coverage of a considerable area in the City. Councilman LaRue suggested making some additions to this, and there would be a far more effective and immediate solution. The Council deferred further discussion until the following week, hoping in the meantime the Health Department could do more on the education program and that more debris could be picked up from these areas.

The Council went into a brief executive session.

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

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

The Council adjourned at 3:35 P.M.

APPROVED

  
Mayor

ATTEST:

  
Asst. City Clerk