

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 23, 1969  
9:00 A.M.

Council Chamber, City Hall

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The meeting was called to order with Mayor LaRue presiding.

Roll Call:

Present: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle,  
Mayor LaRue  
Absent: Councilman Price

Invocation was delivered by REVEREND REGINAL KING, Tarrytown Baptist Church.

MAYOR LaRUE announced that Councilman Price was absent as he was undergoing eye surgery at this time.

FINANCIAL STATEMENT APPROVED

Councilman Johnson moved that the Monthly Financial Statement for October be approved. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

ANNEXATION ORDINANCE HEARD AND PASSED  
THROUGH FIRST AND SECOND READINGS

MAYOR LaRUE announced it was 9:30 and opened the hearing on the scheduled annexation ordinance covering the following:

59.34 acres of land out of the John Applegate  
Survey - unplatted land. (requested by owner's  
representative)

No one appeared to be heard. Councilman Janes moved that the hearing be closed. The motion, seconded by Councilman MacCorkle, carried by the follow-

ing vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

Mayor LaRue introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 59.34 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APLEGATE 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.

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

#### FINAL PASSAGE OF ANNEXATION ORDINANCE

Mayor LaRue 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 ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 57.02 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT 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.

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

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: Councilman Gage  
Absent: Councilman Price

## ZONING ORDINANCES PASSED

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

THE EAST 68.6 FEET OF LOTS 17-20, BLOCK 17, HYDE PARK ADDITION, LOCALLY KNOWN AS 4300-4302 AVENUE H AND 306 EAST 43RD STREET, FROM "A" RESIDENCE AND FIRST HEIGHT AND AREA DISTRICT TO "G" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; 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 Janes moved that the rule be suspended and the ordinance be passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

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

Ayes: Councilman Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
LOT 1, BLOCK A, BREEZY HOLLOW SECTION #1, LOCALLY KNOWN AS 1521 KOENIG LANE; FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; 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 Gage moved that the rule be suspended and the ordinance be passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Mayor LaRue  
Noes: Councilman Johnson  
Absent: Councilman Price

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

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Mayor LaRue  
Noes: Councilman Johnson  
Absent: Councilman Price

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

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Mayor LaRue  
Noes: Councilman Johnson  
Absent: Councilman Price

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: A 9 ACRE TRACT OF LAND, MORE OR LESS, OUT OF THE ISAAC DECKER LEAGUE, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT, SAVE AND EXCEPT TRACT 2 BELOW;

TRACT 2: AN 0.75 OF ONE ACRE OF LAND, MORE OR LESS, OUT OF THE ISAAC DECKER LEAGUE, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; THE ABOVE TWO (2) TRACTS OF LAND BEING LOCALLY KNOWN AS 2623-2801 SOUTH CONGRESS AVENUE; 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 Gage moved that the rule be suspended and the ordinance be passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

#### AMENDMENT TO CODE

In order to study the proposed ordinance, the Council deferred until next week an ordinance amending Article III of Chapter 31 of the Austin City Code of 1967. (Dealing with abandoned vehicles)

#### SPACE ASSIGNMENT

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, University Village Limited has presented to the City Council tentative maps or plans showing the proposed construction of its underground electrical security facilities in the street in the City of Austin hereafter named, and said maps or plans have been considered by the City Council: therefore,

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

THAT University Village Limited be and the same is hereby permitted to lay and construct its underground electrical security facilities in and upon the following street;

- (1) An underground electrical security system crossing WEST 23rd STREET, from the south property line of said WEST 23rd STREET, northerly 75 feet; the centerline of which underground electrical security system shall be 44 feet east of and parallel to the east property line of Pearl Street.

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 University Village Limited of Austin, Texas.

(4) The University Village Limited 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 backfill 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 University Village Limited, 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 Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

The City Manager reported this was not an electrical installation, but a T. V. conduit and he recommended approval.

#### SPEED LIMITS

The Associate Director of Traffic and Transportation, Mr. John German, reported this was a transition between existing 60 MPH speed limit and the 30 MPH speed limit. The City Manager recommended the approval.

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum, reasonable and safe speed for the operation of vehicles at the following location is more than thirty (30) miles per hour; and,

WHEREAS, after said investigation, the City Council has found that the maximum, reasonable and safe speed for the operation of vehicles is forty-five (45) miles per hour at the following location:

ON STREET

Manchaca Road

FROM

Berkeley Avenue

TO

South city limits;

Now, Therefore,

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

That the City Clerk be authorized and instructed to record this finding in Section 21-42 of the Traffic Register.

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue

Noes: None

Absent: Councilman Price

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The Associate Director of Traffic and Transportation said this area on East Riverside Drive from Kirksey Drive, west to Parker Lane, was just annexed and the 40 MPH speed limit is recommended. The City Manager concurred in the recommendation.

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum, reasonable and safe speed for the operation of vehicles at the following locations is more than thirty (30) miles per hour; and,

WHEREAS, after said investigation, the City Council has found that the maximum, reasonable and safe speed for the operation of vehicles is forty (40) miles per hour at the following location:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
East Riverside Drive	Kirksey Drive	Parker Lane;

Now, Therefore,

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

That the City Clerk be authorized and instructed to record this finding in Section 21-42 of the Traffic Register.

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue

Noes: None

Absent: Councilman Price

#### CULVERT CONSTRUCTION

The City Manager stated the City had been participating in projects as this on a 52:48% basis, established long ago. In this event, the City's participation is \$16,560.00 of a total cost of \$34,000. Bids are taken by the developer, and the City is present at the opening of the bids. He reported having instructed the Public Works Department that the City would take the bids in the future, and the developer pay the money to the City. He recommended this particular one at this time, and the prices are firm. Councilman MacCorkle suggested reviewing the percentage. The City Manager agreed the percentage should be 50-50, as there would not be too much difference in the total amount.

Councilman Gage offered the following resolution and moved its

adoption:

(RESOLUTION)

WHEREAS, the owners of Allandale Estates Development Company have constructed three drainage culverts at a cost of \$34,500.00, pursuant to a subdivision plan, called Allandale Estates, Section 3, and have requested cost participation and cash settlement for the construction of said culverts; and,

WHEREAS, the owners have agreed to sell said culverts to the City for forty-eight percent of the actual construction costs thereof; and,

WHEREAS, said culverts are necessary to the good storm water and drainage control of the City of Austin; and,

WHEREAS, the City Manager and the Director of Public Works Department have recommended said cash purchase in the amount of forty-eight percent of actual construction costs thereof; Now, Therefore,

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

That Lynn H. Andrews, City Manager, be and he is hereby authorized to execute a purchase contract under the terms of which the City of Austin will acquire title to the above named culverts, from Allandale Estates Dev. Co., and to pay to said Allandale Estates Development Co. a sum not to exceed \$16,560.00.

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

#### EMINENT DOMAIN

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the widening and improvement of the intersection formed by U. S. Highway 183 (research Boulevard), Loop 275 (North Lamar Boulevard), and Anderson Lane, in the City of Austin, to provide for the free and safe flow of traffic in said area within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right-of-way to permit the widening and improvement of such intersection in the City of Austin; and,

WHEREAS, the City of Austin has negotiated with the owners of said land and has been unable to agree with such owners as to the fair cash market value thereof; Now, Therefore,



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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

Being 0.134 of one acre of land, more or less, out of and a part of Lots 8, 9, 10, 11, 12, 13, 14, 15, and 16, Block B, Northgate Addition Subdivision in Travis County, Texas, according to the Plat of said Subdivision, recorded in Book 3, Page 196, of the Plat Records of Travis County, Texas, and lying in the George W. Spear League, save and except 0.041 of one acre of land which is a part of that same tract conveyed from Katherine M. Joseph, et vir, to the State of Texas by deed dated July 24, 1937, and recorded in Volume 570, Page 260 of the Deed Records of Travis County, Texas, and 0.021 of one acre of land which is a part of that same tract conveyed from Albert A. Tisdale, et al, to the State of Texas by deed dated July, 1937, and recorded in Volume 570, Page 559, Deed Records of Travis County, Texas, said 0.134 of one acre of land, more or less, being more particularly described by metes and bounds as follows:

BEGINNING at a nail in the existing West right of way line of Loop 275, said point being the Southeast corner of the said Lot 8, and being 34.63 feet to the left of and at right angles to the proposed Engineer's left lane centerline station 137+15.74;

THENCE, N 62° 00' W, 17.18 feet with the South line of the said Lot 8 to a point on the proposed West right of way line of Loop 275, from which an iron pin at the Southwest corner of the said Lot 8 bears N 62° 00' W, at 120.82 feet;

THENCE, N 21° 43' E, 87.10 feet along the said proposed West right of way line to a point, same being 65.00 feet to the left of and at right angles to the proposed Engineer's left lane centerline station 138+00.00;

THENCE, continuing with the said proposed West right of way line N 24° 45' E at 139.07 feet to a point on the North line of the said Lot 16 and the South line of Taulbee Lane;

THENCE, S 62° 02' E, 31.90 feet along the said North line of Lot 16 and the said South line of Taulbee Lane to a point on the said existing West right of way line, same being the Northeast corner of the said Lot 16;

THENCE, S 27° 19' W, 225.45 feet with said existing West right of way line to the point of beginning.

All bearings and distances are based on Texas Plane Coordinate System, Central Zone (3).

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue

Noes: None

Absent: Councilman Price

## CASH SETTLEMENT

Councilman Gage offered the following resolution and moved its adoption:

## (RESOLUTION)

WHEREAS, the owner of Southern Oaks, Section 7, has installed as water approach main at a cost of \$2,487.19 and a sewer approach main at a cost of \$17,790.15 pursuant to a subdivision plan called Southern Oaks, Section 7, and has requested an 18%/82% cash settlement of the above amount in lieu of a refund contract; and,

WHEREAS, 82% of the aforementioned \$2,487.19 equals \$2,039.50 and 82% of the aforementioned \$17,790.15 equals \$14,587.92, which amount is agreed upon as the cash settlement value of said utility lines, in lieu of refund contract; and,

WHEREAS, the Deputy City Manager and the Director of Water and Waste Water Department have recommended said cash settlement in lieu of a refund contract; Now, Therefore,

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

That Dan H. Davidson, Deputy City Manager, be and he is hereby authorized and directed to execute a cash settlement under the terms of which the City of Austin shall acquire title to the above described mains, from Southern Oaks, Section 7, and to pay Nelson Puett the actual cost thereof not to exceed \$16,627.42. "

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

## CONTRACTS

The City Manager submitted the following:

" City of Austin, Bids for Contract to Furnish Milk and Cream Products to Brackenridge Hospital and Brackenridge Hospital East - Beginning approximately January 1, 1970.

	Net Amount 6 months contract	Net Amount 12 months contract
Borden Company	\$17,643.78	\$35,287.56
Oak Farms Dairies	18,956.50	37,913.00
Pure Milk Company	19,038.50	-----
Superior Dairies	18,800.21	37,600.42

" It is recommended that milk and cream products be awarded to the low bidder, Borden Company, for the 12 months contract in the amount of \$35,287.56.

Ben Tobias  
Administrator "

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 11, 1969, for the furnishing of milk and cream products to Brackenridge Hospital and Brackenridge Hospital East beginning approximately January 1, 1970, and;

WHEREAS, the bid of Borden Company, in the sum of \$35,287.56, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Hospital Administrator 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 Borden Company, in the sum of \$35,287.56, be and the same is hereby accepted, and that Lynn H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Borden Company. "

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

Ayes: Councilman Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

The City Manager submitted the following:

"

The Honorable Travis LaRue, Mayor  
and the City of Austin Council Members  
City of Austin  
P. O. Box 1088  
Austin, Texas 78767

CLOSED FEEDWATER HEATERS, CONTRACT 405  
HOLLY STREET POWER STATION, UNIT NO. 4  
OUR JOB ER-0255

Gentlemen:

Sealed proposals for providing the subject equipment were opened and publicly read by Mr. D. C. Kinney, Director of Electric Utility, City of Austin in the Electric Building Auditorium at 10:00 AM CST, December 5, 1969.

Proposals were received from Southwestern Engineering Company, Westinghouse

Electric Corp., Struthers Nuclear and Process Company, Yuba Heat Transfer Division and Baldwin-Lima-Hamilton Corp.

For your review and consideration we are attaching a tabulation of the bids received and an evaluation of same.

On the basis of the attached material, the lowest base-bid as well as lowest evaluated-bid, in complete accordance with the specifications, with no exceptions, firm price and satisfactory deliver, it is recommended that a contract be awarded to Southwestern Engineering Company for supplying Closed Feedwater Heaters, Contract 405, Bidding Unit No. 1, for the total lump sum of \$210,060.00.

Yours very truly,

BROWN & ROOT, INC.

D.V. Boyd

Encls. "

TABULATION OF BIDS

CONTRACT 405

CLOSED FEEDWATER HEATERS

HOLLY STREET POWER STATION UNIT #4  
CITY OF AUSTIN, TEXAS

A. TABULATION OF BIDS

Bids were received and opened 10:00 A.M., December 5, 1969. Bids were received from the following companies:

Southwestern Engineering Company ( SWECO )  
Struthers Nuclear and Process Company  
Westinghouse Electric Corporation  
Yuba Heat Transfer Division  
Baldwin-Lima-Hamilton ( B-L-H )

<u>Bidder</u>	<u>Item I</u> <u>All Heaters</u>	<u>Item II</u> <u>Per Diem Rate</u>	<u>Escalation</u>
SWECO	\$210,060	\$170 + \$230/Round Trip	Firm
Westinghouse	\$219,758	\$170 + Travel	Firm
Struthers	\$233,515	\$165	Firm
Yuba	\$237,191	\$225	Firm
B-L-H	\$280,366	\$135 + Travel	Firm

B. EXCEPTIONS TO SPECIFICATIONS

SWECO - None

Westinghouse -

Article B-11: Proposed to apply their standard warranty in lieu of that specified. Their Warranty is satisfactory.

Limitation of Liability: Since the Specification did not include this item, their standard was submitted. This clause is satisfactory.

Section C, Item I: Bid price does not include field supervision and instruction.

Article F-1-7: Construction does not conform with FHMA standards required by the Specifications.

Article F-1-10: Grit-blast cleaning would be performed on all heaters; Shot-blasting as required by Addendum No. 1 would be performed only at a substantial increase in price.

Struthers - None

Yuba - None

B-L-H - None

C. OPTIONS

SWECO - A "Significant price reduction" was offered if the amount of contract price retention as defined in Article B-24 is reduced from 15% to 5%. This reduction is defined as \$3,360.00 in SWECO letter dated December 8, 1969, a copy of which is enclosed for your files. It is suggested that this option be deferred until after award of contract and further study.

Westinghouse - None

- Struthers -
- a. Inclusion of relief valves as listed in proposal for price extra of \$3,840.00
  - b. Channel flow devices for Heaters CFWH-41, -42, and -43 for price extra of \$3,840.00 (\$1,280.00 each heater)
  - c. Alternate heater closure for Heater CFWH-46 for price extra of \$4,485.00.

We do not feel that any of these options should be evaluated as they are all additions for refinements and the Struthers basic bid meets the intent of the specifications.

Yuba - None

B-L-H - An alternate arrangement for Heater CFWH-43, utilizing U-tube construction in lieu of the straight-tube construction as specified, is offered for a price deduction of \$7,948.00.

Due to maintenance problems because of tube ruptures or leakages and replacement thereof, it is recommended that the straight tube design as specified be maintained and therefore this option should not be exercised.

### EVALUATION OF BIDS

#### CONTRACT 405

#### CLOSED FEEDWATER HEATERS

	<u>SWECO</u>	<u>Westinghouse</u>	<u>Struthers</u>	<u>Yuba</u>	<u>B-L-H</u>
Base Bid	\$210,060	\$219,758	\$233,515	\$237,191	\$280,366
Additional Cost of Technical Assistance	-0-	2,380	-0-	-0-	-0-
Escalation	-0-	-0-	-0-	-0-	-0-
Total Evaluated Bid	\$210,060 =====	\$222,138	\$233,515	\$237,191	\$280,366

#### Calculations for Evaluation (Art. B-27 )

##### a. Cost of Auxiliary Power

Auxiliary Power is not involved with this equipment per se. This value was listed only for standardization of specifications.

##### b. Installation Costs

A review of the attached proposal data indicates that the offering of the low Bidder appears to be of a lighter weight design in some respects (Heaters 41, 42 and 43) than that of the other companies. Upon being queried, SWECO was able to explain these differences engineering-wise and we are satisfied their equipment as proposed is in full accordance with the specifications.

SWECO did acknowledge they had erred in the listing of the proposed heater weights and suggested these be corrected as indicated in the attached telegram dated December 10, 1969. \*

None of the other proposal data indicates any appreciable physical differences that would warrant evaluation debits or credits with respect to installation costs.

With respect to the Westinghouse proposal, as pointed out under the

tabulation, they had not included the 14 days of field technical assistance and instruction as required by the specifications. We have therefore debited their bid by the following:

14 days x Westinghouse Daily Per Diem Rate (Bid Item II)

14 days x \$170/day = \$2,380.00

c. Escalation

Since all bids were quoted firm, this item is not evaluated.

\* (Telegram)

D\*

B R INC HOU A

SOWESTENGR LSA

LOS ANGELES, CALIFORNIA 12/10/69 4:00 PM

BROWN & ROOT

ATTN: D.V. BOYD

RE: OUR PROPOSAL FOR AUSTIN SPECIFICATION E-533.

PERCENT CLEANLINESS FACTORS ARE:

HEATER NUMBER	CONDENSING SECTION	DRAIN COOLER	DESUPER HEATER
41	87.5	77.6	
42	84.9	74.3	
43	82.8	74.6	
45	79.4	70.6	94.3
46	79.9	75.6	92.8

CORRECTIVE DRY WEIGHTS ARE:

HEATER NUMBER	WEIGHTS
41	25,000
42	20,500
43	17,500
45	25,000
46	51,000

AIR MAILING TECHNICAL PAPER ON TRANSFER RATES.

F.G. MARSH  
SOUTHWESTERN ENGINEERING CO. "

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 5, 1969, for the purchase of Closed Feedwater Heaters, Contract No. 405, Bidding Unit No. 1 to be used at Holly Street Power Station, Unit No. 4; and,

WHEREAS, the bid of Southwestern Engineering Company, in the sum of \$210,060.00, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Electric Utility 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 Southwestern Engineering Company, in the sum of \$210,060.00, be and the same is hereby accepted, and that Lynn H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Southwestern Engineering Co. "

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

Ayes: Councilman Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

The City Manager submitted the following:

" The Honorable Travis LaRue, Mayor  
and City of Austin Council Members  
City of Austin  
P. O. Box 1088  
Austin, Texas 78767

DEAERATING FEEDWATER HEATER, CONTRACT 406  
HOLLY STREET POWER STATION, UNIT NO. 4  
OUR JOB ER-0255

Gentlemen:

Sealed proposals for providing the subject equipment were opened and publicly read by Mr. D. C. Kinney, Director of Electric Utility, City of Austin in the Electric Building Auditorium at 10:00 AM CST, December 5, 1969.

Proposals were received from the Chicago Heater Co., Cochrane Division of the Crane Co. and the Graver Water Conditioning Company.

For your review and consideration we are attaching a tabulation of the bids received and an evaluation of same.



On the basis of the attached material, the lowest base bid as well as evaluated, in complete accordance with the specifications, with no exception, firm price and satisfactory delivery, it is recommended that a contract be awarded to the Chicago Heater Co. for supplying De-aerating Feedwater Heater Heater, Contract 406, Bidding Item No. 1 for the total lump sum of \$31,480.00.

Yours very truly,

BROWN & ROOT, INC.

D. V. Boyd

Encls. "

TABULATION OF BIDS

CONTRACT 406

DEAERATING FEEDWATER HEATER

HOLLY STREET POWER STATION UNIT #4  
CITY OF AUSTIN

Bid opened 10:00 AM, December 5, 1969

BIDDER	BIDDING ITEM #1 DEAERATOR	BIDDING ITEM #2 PER DIEM RATE	ESCALATION
Chicago	\$31,480	\$100	None
Cochrane	\$38,440	\$125 plus living and traveling expenses	8%
Graver	\$39,868	\$150 plus traveling expenses	25%

Exceptions to Specifications

Cochrane:

- (1) B-24 Terms of Payment -  
90% Net thirty (30) days  
10% Fifteen (15) days after final tests and acceptance but  
not later than one hundred eighty (180) days after delivery  
of equipment.
- (2) Section C, Item No. 1 -  
Total bid price does not include any technical assistance or  
field supervision.
- (3) F-1-11 Paragraph G, Field Service -  
Contract price does not include field supervision and instruction
- (4) F-2-3 Item I, Nozzles & Connections -  
If any reinforcing is required to withstand specified expansion  
stresses the cost of providing and applying same would be an  
extra over the original contract price.

Graver:

C-1 Item No. 1-

Total bid price does not include any equipment, material, special tools and accessories for the erection, instruction and commercial start-up of the Deaerator.

Chicago Heater Co.:

None

OptionsCochrane:

- (1) Relocation of storage tank supports near the end of the vessel.  
Deduct \$1,395.00.
- (2) Carbon steel tray enclosure in lieu of stainless steel.  
Deduct \$1,415.00.

We do not feel that either of these two changes will prove economical in the overall engineering design, thus no credit will be allowed for them.

Additions:All Bidders:

None "

EVALUATION OF BIDSCONTRACT 406DEAERATING FEEDWATER HEATER

	<u>Graver</u>	<u>Cochrane</u>	<u>Chicago</u>
Base Bid	\$39,868	\$38,440	\$31,480
Deductions	-0-	-0-	-0-
Additional Cost of Tech. Assistance	-0-	1,750	-0-
Escalation	9,967	3,075	-0-
Total Evaluated Bid	\$49,835	\$43,265	\$31,480

Calculations for Evaluation (Art. B-28)A. Cost of Auxiliary Power

Auxiliary power is not involved with this piece of equipment per se. This value was listed only for standardization of specifi-

cations.

B. Installation Costs

A review of the attached proposal data does not indicate any sufficient differences of a physical nature to warrant evaluation credits or debits.

However, in reviewing the Cochrane proposal we did note they had specifically excluded the technical assistance and instruction period of 14 days as required by the specifications. We have therefore debited their bid by the following:

14 days X Cochrane Daily Per Diem Rate (Bid Item II)

14 x \$125/day = \$1750

C. Escalation

The specification stated that the Bidder's escalation shall be applied against his bid in full. Therefore, the Graver and Cochrane bids were debited as follows:

Graver 39,868 x .25 = \$9,967

Cochrane 38,440 x .08 = \$3,075 "

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 5, 1969, for the purchase of Deaerating Feedwater Heaters, Contract No. 406, Bidding Unit No. 1, to be used at Holly Street Power Station, Unit No. 4; and,

WHEREAS, the bid of Chicago Heater Company, in the sum of \$31,480.00, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Electric Utility 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 Chicago Heater Company, in the sum of \$31,480.00, be and the same is hereby accepted, and that Lynn H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Chicago Heater Company.

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue

Noes: None

Absent: Councilman Price

The City Manager submitted the following:

December 23, 1969

" The Honorable Travis LaRue, Mayor  
and City of Austin Council Members  
City of Austin  
P. O. Box 1088  
Austin, Texas 78767

BOILER FEED PUMP SYSTEM, CONTRACT 407  
HOLLY STREET POWER STATION, UNIT NO. 4  
OUR JOB ER-0255

Gentlemen:

Sealed proposals for providing the subject equipment were opened and publicly read by Mr. D. C. Kinney, Director of Electric Utility, City of Austin in the Electric Building Auditorium at 10:00 A.M. CST, December 5, 1969.

Proposals were received from Allis-Chalmers Mfg. Co., Byron Jackson Pump Division of Borg-Warner Corp. and DeLaval Turbine, INC.

For your review and consideration we are attaching a tabulation of the bids received and an evaluation of same.

On the basis of the attached material, the lowest base-bid as well as lowest evaluated-bid, in complete accordance with the specifications, with no exceptions, firm price and satisfactory delivery, it is recommended that a contract be awarded to Allis-Chalmers Manufacturing Company for supplying the Boiler Feed Pump System and the Spare Rotating Inner Elements, Bidding Item No. 3, Contract 407, for the total lump sum of \$147,797.00.

Yours very truly,

BROWN & ROOT, INC.

D. V. Boyd

Encls. "

TABULATION OF BIDS

CONTRACT 407

BOILER FEED PUMP SYSTEM

HOLLY STREET POWER STATION UNIT #4

CITY OF AUSTIN

A. Tabulation of Bids

Bids opened 10:00 A.M., December 5, 1969

<u>ITEM NO.</u>	<u>BIDDER</u>		
	Allis-Chalmers Manuf. Co.	Byron Jackson Pump Co.	DeLaval Turbine Inc.
1, BIOLER FEED PUMP SYSTEM	\$115,197.00	\$125,508.00	\$136,375.00
2, SPARE PARTS	32,600.00	28,400.00	33,900.00
3, COMBINED BID FOR ITEMS 1 & 2	\$147,797.00	\$153,908.00	\$170,275.00
4, FIELD REPRESENTATIVE PER DIEM RATE	\$140 & \$430/ Trip	\$100	\$150 & \$300/ Trip
5, ESCALLATION	Firm	Firm	Firm

B. Exceptions to Specifications:

Allis-Chalmers:

Article F-6-3 - Since the A-C text facility is limited with regard to size and speed capabilities, they have quoted testing at reduced speeds with cold water.

The extrapolation of test data at one point, i. e. at reduced speeds and cold water, to all other performance points is simply a series of mathematical manipulations with well-established and well-proven empirical formulas.

Therefore, since the performance of the pump system is guaranteed at the maximum flow point, we feel that the testing at a lower speed is satisfactory and we recommend that this exception be allowed.

Byron Jackson

Article F-6-3 - BJ has quoted testing at, or greater than, the maximum rated speed, with curves drawn from extrapolated data at the lower speeds.

For the reasons explained in the A-C paragraph above, we feel that this is acceptable.

DeLaval:

Though DeLaval stated numerous clarifications of their bid with respect to the Specifications, no exceptions were taken. Their clarifications were in compliance with the intent of both the legal and engineering portions of the Specifications.

C. Options

(cont.)

Manufacturer	A-C	BJ	DeLaval
(b) Installation Costs	-0-	-0-	-0-
(c) Escalation	ALL BIDS QUOTED FIRM		
	<u>\$147,797.00</u>	<u>\$153,908.00</u>	<u>\$168,405.00</u>

Calculations for Evaluation(a) Auxiliary Power:

In order to obtain bids on only the most reliable, trouble-free pumps that are manufactured today, Brown & Root, Inc., when formulating the Specifications, limited the overall system efficiencies to an allowable range of 78% to 82% during Normal Continuous Operation (NCO). Please refer to Specification Articles F-2-2-h and F-6-2-c, repeated verbatim below for your reference:

F-2-2 BOILER FEED PUMPh. Internal Clearances

Contractor shall insure that adequate clearances are provided in pump design to accommodate maximum shaft deflections and prevent damage to pump on loss of suction head. Reliability during all conditions of operation is the major consideration and efficiency is of secondary importance. Only pumps within an efficiency range of 78% to 82% at the NCO condition will be acceptable. These efficiencies are based on cold water (70°F to 100°F) only. Within the above stated efficiency range, no evaluation will be made with respect to efficiency credits or debits when selecting the successful Bidder.

F-6-2 PERFORMANCE GUARANTEES

- c. Cold Water Efficiency(%) at design point and speed. Efficiency at NCO condition shall be within a range of 78% to 82%. As stated previously, no evaluation credit shall be given for efficiencies.

For a fixed pumping duty (i.e. fixed flowrate and differential head) the horsepower requirement is a direct function of the efficiency. Therefore, since we have stated that no efficiency credits or debits will be evaluated, the Auxiliary Power evaluation is not applicable.

(b) Installation Costs

A review of the attached proposal data does not indicate any sufficient differences of a physical nature to warrant evaluation credits or debits.

(c) Escalation

Allis-Chalmers: None

Byron Jackson:

Offered a deduct of \$11,400.00 for deleting the supply of the spare volute for the Main Pump and \$7,875.00 for deleting the supply of the spare impeller for the Booster Pump. In reviewing the offerings of the other bidders, we found that they have also included these items in their Base Bids. Therefore, we recommend that this option not be exercised, and negotiate the supply of these items with the successful bidder only.

DeLaval:

(1) Quoted a price addition of \$2,280.00 for continuously-lubricated couplings in lieu of the batch-lubricated couplings included in their proposal. Since the Specifications require the continuously-lubricated type, this must be added to their Base Bid for Items 1 and 3.

(2) Quoted a price reduction of \$4,150.00 for their standard test procedures in lieu of the procedures defined in the Specifications. This substitution is acceptable and this price should be deducted from the Base Bid for Items 1 and 3.

(3) Quoted a price reduction of \$4,550.00 for their standard Terms of Payment. It is recommended that this option not be exercised for the purpose of this evaluation, as the other manufacturers would possibly be able to quote price reductions for variations from the Terms of Payment and Warranty period as specified. "

# " EVALUATION OF BIDS

## CONTRACT 407

### BOILER FEED PUMP SYSTEM

On the basis of plant reliability and minimum outage time in the event of a breakdown due to pump wear and/or damage, Brown & Root, Inc. recommends that this contract be awarded on the basis of Bid Item No. 3 which includes spare parts. The following evaluation is on that basis.

#### Base Bid Adjustments:

Allis-Chalmers - None

Byron Jackson - None

DeLaval - Standard Tests: Deduct \$4,150.00

Continuous-Lube Oil Couplings: Add \$2,280.00

Total Adjustment: Deduct \$1,870.00

Manufacturer	A-C	BJ	DeLaval
Base Bid (Item No. 3)	\$147,797	\$153,908	\$170,275
Base Bid Adjustments	-0-	-0-	(-) 1,870
Evaluation Present Worth:			
(a) Auxiliary Power	-0-	-0-	-0-

Since all bids were quoted firm, this item is not evaluated. "

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 5, 1969, for the purchase of Boiler Feed Pump System, Contract No. 407, Bidding Unit No. 3, to be used at Holly Street Power Station, Unit No. 4; and,

WHEREAS, the bid of Allis-Chalmers Manufacturing Company, in the sum of \$147,797.00, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Electric Utility 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 Allis-Chalmers Manufacturing Company, in the sum of \$147,797.00, be and the same is hereby accepted, and that Lynn H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Allis-Chalmers Manufacturing Company. "

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

The City Manager submitted the following:

" To: F. D. Glenn - Purchasing Agent      Subject: Oil Circuit Breakers Inquiry #9203X

Bids received in response to the subject inquiry have been evaluated by the Electric Department per your request.

A review of the most recent prices paid by the City for oil circuit breakers similar to those in the subject order is given below:

<u>TYPE</u>	<u>YEAR</u>	<u>PRICE</u>
69 KV, 1200 amp, 3,500 MVA	1965	\$14,250
69 KV, 2000 amp, 5,000 MVA	1966	24,700
138 KV, 2000 amp, 10,000 MVA	1967	36,250

Based on the above prices with a 5% allowance for inflation, the Electric Department estimate for subject order was \$268,485.

Bids are tabulated on the attached sheet.

Payment is to be made from current funds, if available or authorized bond funds in the 1970 fiscal year and to be charged to 81135100 and 81136200 as will be specified in the requisitions.



The subject oil circuit breakers are to be installed as follows: Four at Kingsbery Substation, three at Harris Substation, two at the Holly Plant Switchyard, one at McNeil Substation, one at Koenig Lane Substation and one at Magnesium Substation.

The Electric Department recommends that the bid of the General Electric Company for twelve oil circuit breakers for a total price of \$215,900.00 be accepted.

c.c. D. C. Kinney - Director  
Electric Utility

E. C. Rummel - Transmission  
Engineer

From: R. L. Hancock  
Asst. Director Electric Utility "

" City of Austin  
Tabulation of Bids  
Oil Circuit Breaker

Sealed Bids were opened in the office  
of the Purchasing Agent at 10:00 A. M.,  
November 7, 1969.

Description	Quantity	General Electric Co.	Westinghouse Electric Corp.	Allis- Chalmers	McGraw- Edison
69KV 5000 MVA Oil Circuit Breaker, Spec. E-546	6 Ea.		(\$ 22,425.00) 134,550.00	(\$ 23,700.00) 142,200.00	(\$ 22,840.00) 137,040.00
69KV 3500 MVA Oil Circuit Breaker, Spec. E-548	3 Ea.		(\$ 11,995.00) 35,985.00	(\$ 11,780.00) 35,340.00	(\$ 11,700.00) 35,100.00
69KV, 3500 MVA Oil Circuit Breaker, Spec. E-549	2 Ea.		(\$ 12,330.00) 24,660.00	(\$ 11,780.00) 23,560.00	(\$ 11,860.00) 23,720.00
138KV, 10,000 MVA Oil Circuit Breaker, Spec. E-550	1 Ea.		\$ 29,400.00	\$ 31,200.00	\$ 30,740.00
Net Total		\$215,900.00	\$224,595.00	\$232,300.00	\$226,600.00

The City Manager reported there is a need for some of these curcuit breakers early. Should the strike against General Electric continue past February 1st, the contract would be let to General Electric based on the premise the City would be released so it could enter into a contract with another firm to furnish these certain circuit breakers. MR. KINNEY, Director of Electric Utilities, stated there were some 69KV breakers to be purchased for some substations by June 1st, and the specifications called for June 1st deliveries. Should

they go beyond the shipping date, 26 weeks, one substation would be in trouble, and this breaker needs to be installed before the summer load increases. He said the General Electric Company had assured moving up this particular breaker. However, the parts are not assembled due to the strike. The City Manager stated that reserving the right to contract with another firm, should G. E. not be able to make delivery on time, is being included in the contract; and with this provision, he would recommend the award be made to General Electric. Mr. Kinney stated new bids would have to be taken for the individual breaker needed earlier.

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 7, 1969, for the purchase of six (6) each 69 KV, 5000 MVA; three (3) each 69 KV 3500 MVA; two (2) each 69 KV, 3500 MVA; and one (1) 138 KV, 10,000 MVA Oil Circuit Breakers for use by the Electric Distribution Division: and,

WHEREAS, the bid of General Electric Company, in the sum of \$215,900.00, 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 General Electric Company, in the sum of \$215,900.00, be and the same is hereby accepted, and that Lynn H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with General Electric Company. "

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

APPROVAL OF PLAN FOR NEIGHBORHOOD DEVELOPMENT  
PROGRAM AND FEASIBILITY OF RELOCATION -  
BLACKSHEAR PROJECT

The City Council had before it consideration of approving the Plan presented by the Urban Renewal Agency for Neighborhood Development Program and feasibility of relocation; making certain findings with regard to slum clearance and redevelopment; and approving filing of application for financial assistance.

Councilman Johnson asked if the request for conversion of the Blackshear Project in to a Neighborhood Development Program were not funded in Washington, would there be an Urban Renewal project in force approved by this Council in the Blackshear area. MR. LEON LURIE, Executive Director, Urban Renewal, assured the Council all would be void. There is a grant reservation presently set aside for the Urban Renewal Project known as Blackshear. The City has the option to convert those funds over to the Neighborhood Development Program. If the Neighborhood Development Program is not approved, the Council

would not be approving an Urban Renewal Project for that area. The Council's formal procedure for this conversion was taken care of December 18th.

COUNCILMAN MacCORKLE inquired about the future of the program, should the Council decide they did not want to go farther with it, and what monetary disadvantages would that bring about. Mr. Lurie answered this was an unusual project financing plan, as the City's credits will be used to offset all of the City's costs, and it will not be committing itself for any cash. However, the City Council can cut off any project at any time. Where the City has in other projects agreed to take care of its 1/3 share in either cash or participation on streets, etc., there would be financial obligations. In this particular case of Blackshear he could not see where there could be any financial responsibility at any time on the City's part. In answer to Councilman Janes' inquiry, Mr. Lurie responded the three projects, University East, Brackenridge, and Blackshear, would be converted in one application. The University East project should be complete in about two years, and credits in this area will be used.

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, under the provisions of Title I of the Housing Act of 1949, as amended, the Secretary of the Department of Housing and Urban Development is authorized to provide financial assistance to Local Public Agencies for undertaking and carrying out urban renewal projects; and,

WHEREAS, it is provided in such act that contracts for financial aid thereunder shall require that the Urban Renewal Plan for the respective project area be approved by the Governing Body of the locality in which the project is situated and that such approval include findings by the Governing Body that: (1) The financial aid to be provided in the contract is necessary to enable the project to be undertaken in accordance with the Urban Renewal Plan; (2) The Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise; (3) The Urban Renewal Plan conforms to the general plan for the development of the locality as a whole, and (4) The Urban Renewal Plan gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan; and,

WHEREAS, the Urban Renewal Agency of the City of Austin, herein called the "Local Public Agency", has entered into a planning contract for financial assistance under such Act with the United States of America, acting by and through the Secretary of the Department of Housing and Urban Development, pursuant to which federal funds were proficed for the Urban Renewal Project, hereinafter called the "Project", identified as Blackshear Project, Tex R-95, and encompassing the area in the City of Austin, Texas, described in Exhibit "A" attached hereto and made a part hereof for all purposes; and,

WHEREAS, the Local Public Agency has applied for additional financial assistance under such Act and proposes to enter into an additional contract or contracts with the Department of Housing and Urban Development for the undertaking of, and for making available additional financial assistance for, the Project; and,

WHEREAS, the Local Public Agency has made detailed studies of the location, physical condition of structures, land use, environmental influences, and social, cultural, and economic conditions of the Project area and has determined that the area is a slum or blighted area and that it is detrimental and a menace to the safety, health, and welfare of the inhabitants and users thereof and of the locality at large, because of the existence of dilapidated structures, inadequate and poorly laid out streets, mixed land uses and inadequate recreational facilities, and the members of this Governing Body have been fully apprised by the Local Public Agency and are aware of these facts and conditions; and,

WHEREAS, there has been prepared and referred to the City Council of the City of Austin for review and approval, an Urban Renewal Plan for the project area consisting of 20 pages, one (1) appendix of pages, (and (3) pages of maps), supported by a resolution of the Local Public Agency approving said plan and recommending same to this Governing Body; and,

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the locality as a whole; and,

WHEREAS, the Planning Commission of the City of Austin has considered said Urban Renewal Plan as required by law and has submitted to this Governing Body its report and recommendations respecting the Urban Renewal Plan for the Project Area and has certified that the Urban Renewal Plan conforms to the general plan for the Locality as a whole, and this Governing Body has duly considered the report, recommendations and certification of the Planning Commission; and,

WHEREAS, said Urban Renewal Plan for the project area prescribes certain land uses for the project area and will require, among other things, changes in zoning, the vacating and removal of streets, alleys and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities; and,

WHEREAS, the Local Public Agency has prepared and submitted a program for the relocation of individuals and families that may be displaced as a result of carrying out the Project in accordance with said Urban Renewal Plan; and,

WHEREAS, there has also been presented to the Governing Body information and data respecting the relocation program which has been prepared by the Local Public Agency as a result of studies, surveys, and inspections in the Project area and the assembling and analysis of the data and information obtained from such studies, surveys, and inspections; and,

WHEREAS, the members of the Governing Body have general knowledge of the conditions prevailing in the Project area and of the availability of proper housing in the Locality for the relocation of individuals and families that may be displaced from the Project area, and, in the light of such knowledge of local housing conditions, have carefully considered and reviewed such proposals for relocation; and,

WHEREAS, on the 5th day of November, 1969, this Governing Body held a public hearing in accordance with the applicable law wherein the citizens of this Locality were invited to and did discuss and make recommendations regarding such Urban Renewal Plan for the Project area; and,

WHEREAS, it is necessary that the Governing Body take appropriate

official action respecting the relocation program and said Urban Renewal Plan for the Project, in conformity with the contract for financial assistance between the Local Public Agency and the United States of America, acting by and through the Secretary of the Department of Housing and Urban Development; and,

WHEREAS, the Governing Body is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with Federal financial assistance under Title I, including those prohibiting discrimination because of race, color, creed, or national origin; NOW, THEREFORE

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

1. That it is hereby found and determined that the Project is a slum and blighted area and qualifies as an eligible project area under Article 12691-3 of the Revised Civil Statutes of Texas.
2. That said Urban Renewal Plan for the Project aforementioned, having been duly reviewed and considered, is hereby approved, and the City Clerk is hereby directed to file said copy of the Urban Renewal Plan with the minutes of this meeting.
3. That it is hereby found and determined that the objectives of the Urban Renewal Plan cannot be achieved through more extensive rehabilitation of the Project Area.
4. That it is hereby found and determined that said Urban Renewal Plan for the Project Area conforms to the general plan of the Locality.
5. That it is hereby found and determined that the financial aid provided and to be provided pursuant to the contracts for Federal financial assistance pertaining to the Project is necessary to enable the project to be undertaken in accordance with the Urban Renewal Plan for the Project Area.
6. That it is hereby found and determined that, in addition to the elimination of slums and blight from the Urban Renewal Area, the undertaking of the Project in such area will further promote the public welfare and the proper development of the community (a) by making land in such area available for disposition, for uses in accordance with the Urban Renewal Plan, to Huston-Tillotson College and the Blackshear Elementary School, for redevelopment in accordance with the use or uses specified in the Plan, and (b) by providing through the redevelopment of the Urban Renewal Area in accordance with the Plan, a cohesive neighborhood environment compatible with the functions and needs of the City as a whole, and the Blackshear area in particular.
7. That it is hereby found and determined that the above mentioned Urban Renewal Plan for the Urban Renewal Area will afford maximum opportunity, consistent with the sound needs of the Locality as a whole, for the urban renewal of such Area by private enterprise.
8. That it is hereby found and determined that the Urban Renewal Plan for the Urban Renewal Area gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the plan.
9. That it is hereby found and determined that the program for the

proper relocation of individuals and families displaced in carrying out the Project in decent, safe, and sanitary dwellings in conformity with acceptable standards is feasible and can be reasonably and timely effected to permit the proper prosecution and completion of the Project; and that such dwellings or dwelling units available or to be made available to such displaced individuals and families are at least equal in number to the number of displaced individuals and families, are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of the displaced individuals and families in the Project Area, are available at rents or prices within the financial means of the displaced individuals and families, and are reasonably accessible to their places of employment.

10. That in order to implement and facilitate the effectuation of the Urban Renewal Plan hereby approved, it is found and determined that certain official action must be taken by this Body with reference, among other things, to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and, accordingly, this Body hereby (a) pledges its cooperation in helping to carry out such Urban Renewal Plan; (b) requests the various officials, departments, boards, and agencies of the City of Austin having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with said Urban Renewal Plan; and (c) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate said Urban Renewal Plan.

11. That additional financial assistance under the provisions of Title I of the Housing Act of 1949, as amended, is necessary to enable the land in the Project Area to be renewed in accordance with the Urban Renewal Plan for the Project Area, and, accordingly, the filing by the Local Public Agency of an application or applications for such financial assistance under said Title I is hereby approved. "

" EXHIBIT A

The Blackshear Urban Renewal Project Tex. R-95 is situated in the City of Austin, Travis County, State of Texas, and is bounded and described as follows:

Beginning at the intersection of the south right of way line of Rosewood Avenue and the east right of way line of Chicon Street, said point also being the northwest corner of Block 1, Outlot 62, Division B, a partition of the M. L. Jones Estate, of the City of Austin, Texas;

Thence S 23° - 07' W along the east right of way line of Chicon Street a distance of 1459 feet to its intersection with the south right of way line of East Eleventh Street;

Thence N. 66° - 45' W along the south right of way line of East Eleventh Street a distance of 717 feet to its intersection with the East right of way line of Chalmers Avenue;

Thence S 23° - 15' W along the east right of way line of Chalmers Avenue a distance of 1396 feet to its intersection with the south right of way line of East Seventh Street;

Thence N 66° - 45' W along the south right of way line of East Seventh Street a distance of 700 feet to its intersection with the west right of way line of Comal Street;

Thence N 23° - 15' E along the west right of way line of Comal Street a distance of 1388 feet to its intersection with the south right of way line of East Eleventh Street;

Thence N 66° - 45' W along the south right of way line of East Eleventh Street a distance of 996 feet to its intersection with the north right of way line of Rosewood Avenue extended;

Thence N 81° - 00' E along the north right of way line of Rosewood Avenue a distance of 822 feet to a point, said point also being the southeast corner of Lot 19, Block 5 of Outlot 56, Division B out of the George Robertson Subdivision, of the City of Austin, Texas;

Thence S 09° - 00' E a distance of 60 feet to a point in the south right of way line of Rosewood Avenue;

Thence N 81° - 00' E along the south right of way line of Rosewood Avenue a distance of 2003 feet to its intersection with the east right of way line of Chicon Street, said point being the point of beginning, and containing 61.4 acres, more or less. "

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue

Noes: None

Absent: Councilman Price

The Urban Renewal Plan mentioned in the above resolution is as follows:

" URBAN RENEWAL PLAN  
BLACKSHEAR AREA

AUSTIN, TEXAS

December 9, 1969

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  - a. Clearance and Redevelopment
  - b. Rehabilitation and Conservation
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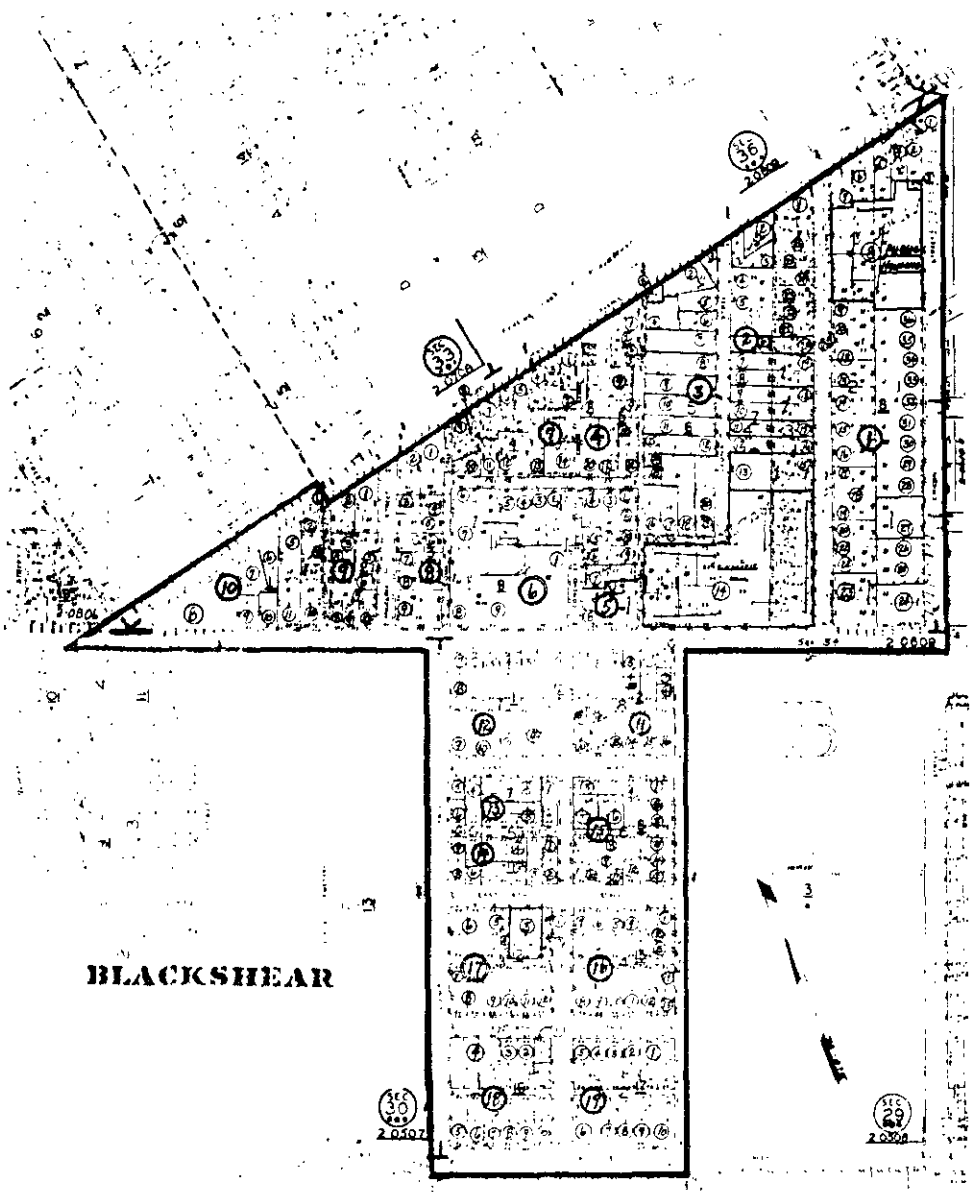
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B. <u>DESCRIPTION OF PROJECT</u>	
1. <u>Boundaries of Urban Renewal Area.</u>	
a. Project Boundary Map: The Project Boundary Map is Exhibit URP-1, which shows the boundary of the project area on a plat reflecting legal descriptions of the lots and blocks involved.	
b. Legal Description: The Blackshear Urban Renewal Project Tex. R-95 is situated in the City of Austin, Travis County, State of Texas, and is bounded and described as follows:	
Beginning at the intersection of the south right of way line of Rosewood Avenue and the east right of way line of Chicon Street, said point also being the northwest corner of Block I, Outlot 62, Division	





BLACKSHEAR

LEGEND

- PROJECT BOUNDARY
- CONCHO
- STREET NAME
- STREET R.O.W. DIMENSION
- BLOCK OUTLINE
- BLOCK NUMBER
- LOT NUMBER
- LOT DIMENSION

BLACKSHEAR  
AUSTIN URBAN RENEWAL  
BOUNDARY MAP

URRP 1 - ND 1

AGENCY - AUSTIN TRAVIS COUNTY TEXAS  
DRAWING SCALE IN FEET  
TEXAS  
MAY 1955

B, a partition of the M. L. Jones Estate, of the City of Austin, Texas;

Thence S 23° - 07' W along the east right of way line of Chicon Street a distance of 1459 feet to its intersection with the south right of way line of East Eleventh Street;

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Thence S 09° - 00' E a distance of 60 feet to a point in the south right of way line of Rosewood Avenue;

Thence N 81° - 00' E along the south right of way line of Rosewood Avenue a distance of 2003 feet to its intersection with the east right of way line of Chicon Street, said point being the point of beginning, and containing 61.4 acres, more or less.

2. Urban Renewal Plan Objectives. The Blackshear Urban Renewal Project will be undertaken and carried out by the Urban Renewal Agency of the City of Austin, Texas. The principal activity will be clearance and redevelopment in order to remove a blighted and decadent area in a residential core of the city. The objectives of the Urban Renewal Plan are as follows:

To acquire and clear those areas blighted with dilapidated and deteriorated structures.

The elimination of blighting influences in the project area consisting of incompatible land uses and land use relationships, inadequate street layout, excessive dwelling unit densities, overcrowding of structures on the land, and irregular and substandard subdivision of the land, all of which together have contributed to the general economic decline of the project area.

The conservation of certain properties suitable for retention in the project area and consistent with the land use proposals.

The removal of impediments to the land disposition and development, and the achievement of land use changes so as to provide the maximum possibilities of revitalization of a key residential area.

The disposition of property subject to certain restrictions necessary to prevent the continuance or spread of blighting conditions. The provision for the redevelopment of the area in accordance with the Urban Renewal Plan approved by the City Council of the City of Austin, to include such necessary facilities as:

Improved recreational facilities

An expanded area for educational use

Expanded areas for institutional or special purpose uses

An improved residential area.

The provision of these facilities in a manner consistent with the social and economic needs of the residents of the area.

The provision of a substantial number of housing units of low or moderate cost on land to be disposed of for residential purposes.

3. Types of Proposed Renewal Actions. The Blackshear Urban Renewal Project is a combination project involving clearance and redevelopment, and also rehabilitation and conservation areas. These areas are shown on Exhibit URP-111, "Land Acquisition Plan," and the actions to be taken in each area are generally described as follows:

- a. Clearance and Redevelopment: Clearance and redevelopment activities include the acquisition of structures, land and other properties, the clearance of undesired structures and the disposition of land for redevelopment as stipulated in Section C.2. hereof.

Clearance and redevelopment activities will be confined to the areas shown on Exhibit URP-111. Spot clearance and redevelopment will occur in the conservation areas which constitute the remaining project area land not shown in clearance sections.

- b. Rehabilitation and Conservation: Rehabilitation and conservation activities involve the protection of all standard properties in such areas except where such standard property is in conflict with the improvement proposals of the Plan. The owners of properties which are feasible of rehabilitation will be required to make such improvements to their property to bring such property up to a standard compatible with the objectives of the Plan.

- c. Public Improvements. Each property in the entire Urban Renewal area will be adequately served with the following improvements:

- (1) Streets. New streets will be constructed and existing streets widened or reconstructed in a logical and orderly manner to achieve the results depicted in the "Land Use Plan" Map, Exhibit URP-11. All streets will be paved with permanent paving with curb and gutter and sidewalks.

C.B.  
PROPERTY TO BE ACQUIRED  
A.B.  
PROPERTY NOT TO BE ACQUIRED

# LAND ACQUISITION LEGEND

## MAP LEGEND

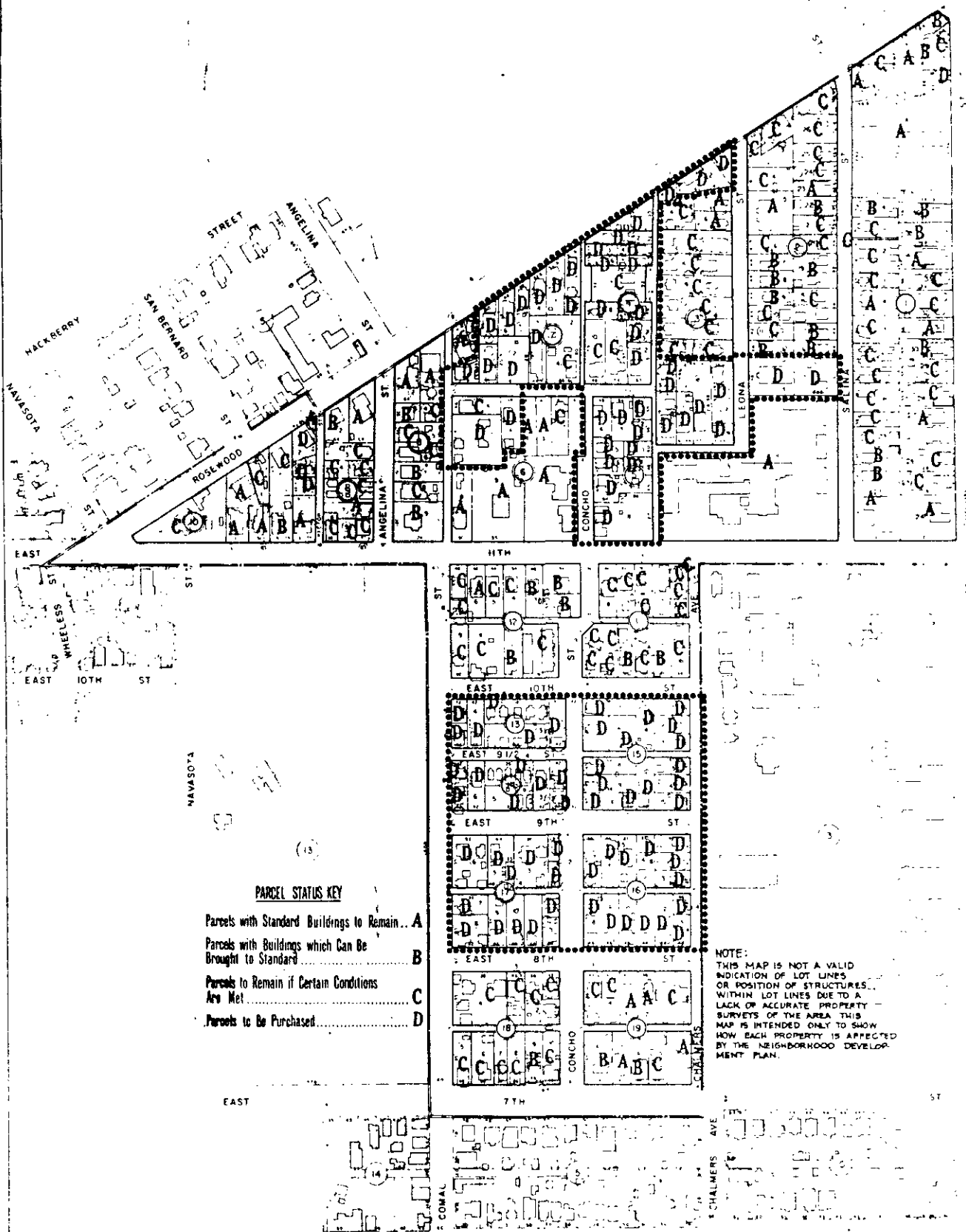
- PROJECT BOUNDARY
- BLOCK OUTLINE
- PARCEL NUMBER
- STREET NAME
- STREET ROW DIMENSION
- VACANT PARCEL
- CLEARANCE AREA
- BOUNDARY

# BLACKSHEAR

AUSTIN URBAN RENEWAL AGENCY · AUSTIN TRAVIS COUNTY TEXAS  
LAND ACQUISITION PLAN

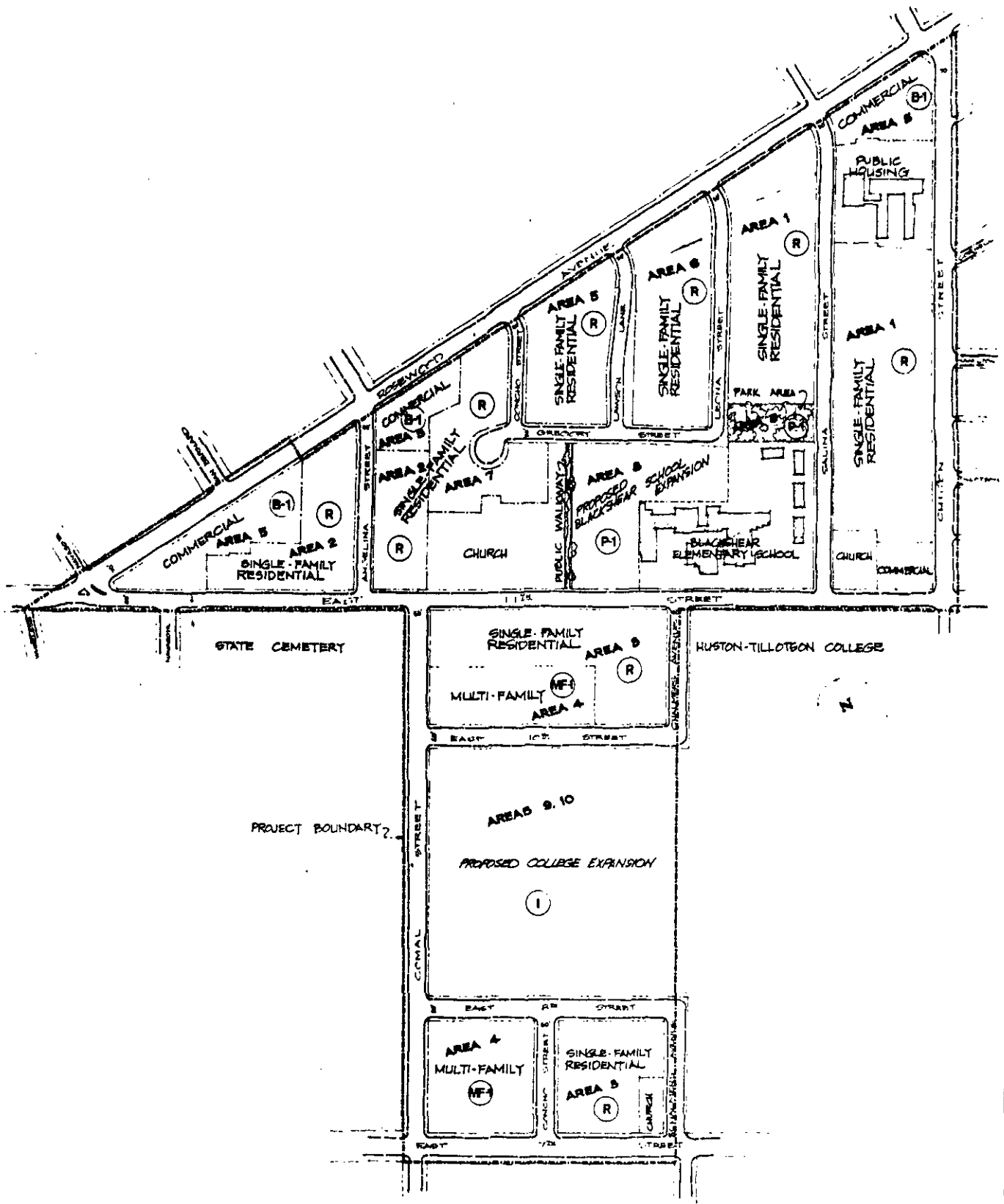
URP 3 - ND 3

PROJECT NUMBER TEX R-95



- LAND USE KEY**
- (R) SINGLE-FAMILY RESIDENTIAL
  - (MF) MULTI-FAMILY
  - (C) COMMERCIAL
  - (P) PUBLIC

- LEGEND**
- PROJECT BOUNDARY
  - BLACK OUTLINE
  - PINCH OUTLINE
  - ORIG LINE



# **BLACKSHEAR** **AUSTIN URBAN RENEWAL** **LAND USE PLAN**

- (2) Public Open Space. Attractively landscaped pedestrian walkways and public open spaces will be provided and maintained within public rights of way and on public property as indicated on the "Land Use Plan" Map, Exhibit URP-11.
- (3) Utilities. Project activities include the placing of underground and overhead utility lines within the new street lines and public easements and in the abandonment, removal, relocation, addition, reconstruction or other improvement of all existing utilities wherever necessary within existing or widened street lines or easements to be established. Whenever existing utilities are adequate in accordance with the Urban Renewal Plan, they shall be retained. Utilities systems to be adjusted include storm drainage, sanitary sewer, water distribution, gas distribution, electrical distribution and telephone system.
- (4) Street Lighting. The replacement and modernization of the present street lighting system to conform to the new street plan and to meet the general and specific needs of the renewal area are proposed.
- (5) Traffic Light System. The replacement and modernization of the present traffic lighting system to conform to the new street plan and to meet the general and specific needs of the renewal area are proposed.

C. LAND USE PLAN:

The "Land Use Plan" consists of the Land Use Plan Map contained in Exhibit URP-II (described in subsection C.1.) and in the "Land Use Provisions and Building Requirements" (contained in subsection C.2.).

1. Land Use Plan Map showing:

- a. Thoroughfare and street rights-of-way.
- b. All other public uses and, as required, institutional or special purpose uses.
- c. Land uses not covered by C.1.a. and C.1.b.

2. Land Use Provisions and Building Requirements:

- a. Permitted Land Uses. The following land uses shall be permitted in the land use districts shown on the Land Use Plan, Exhibit URP-11.
  - (1) R-Residential District. In the R-Residential District no building or land shall be used except for the following uses:
    - (a) One-family dwellings
    - (b) Two family dwellings
    - (c) Town houses (single family) (special permit)
    - (d) Public parks and recreational facilities
    - (e) Churches
    - (f) Accessory uses customary to home occupation such as dressmaking, seamstress, tailoring, millinery

when engaged in by members of the resident family and employing not more than one person not a member of the resident family, but not including beauty culture, barbering or appliance repairing.

(2) MF-I-Multi-Family Low Density Residential District.

In the MF-I District no building or land shall be used and no building hereafter shall be erected or structurally altered unless otherwise provided in this plan except for one or more of the following uses:

- (a) Apartment Houses
- (b) Churches
- (c) Accessory uses customary to home occupation as permitted in R-Residential District.

(3) P-I - Public. In the P-I District no building or land shall be used and no building hereafter shall be erected or structurally altered unless otherwise provided in this plan except for one or more of the following uses:

- (a) Landscaped public open space
- (b) Public Parks and recreational facilities
- (c) Public school facilities

(4) B-I - General Business District. In the B-I District no building or land shall be used and no building hereafter shall be erected or structurally altered unless otherwise provided in this plan except for one or more of the following uses:

- (a) Offices for the conduct of professional or semiprofessional occupations
- (b) Rental library, book, stationery, stamp or coin collection shop
- (c) Shops for gifts, glass, china, fabric, art objects including antiques, or retail florists
- (d) Prescription pharmacy, dental or medical laboratory.
- (e) Community buildings, art galleries, religious, philanthropic, educational or charity institutions
- (f) Dental and Medical clinics
- (g) Barber shop, beauty shop and any other personal service shop
- (h) Cafe, cafeteria and restaurant in a building.
- (i) Camera shop and photographic supply shop
- (j) Cleaning and pressing shop
- (k) Drug store, soda fountain, candy and tobacco shop
- (l) Gasoline service station
- (m) Grocery store
- (n) Jewelry and optical goods
- (o) Meat market (sales only)
- (p) Pickup station for the receiving and delivering of articles to be dyed or laundered but no actual work to be done on the premises
- (q) Shoe repair shop
- (r) Variety store

- (s) Washateria or self-service laundry
  - (t) Wearing apparel shop
- (5) I - Institutional District. In the I District no building or land shall be used and no building hereafter shall be erected or structurally altered unless otherwise provided in this plan except for one or more of the following uses:
- (a) Private schools with curriculum similar to public elementary and secondary schools
  - (b) Churches, colleges, universities and related uses
  - (c) Dormitories, fraternity houses, sorority houses and club houses of which the primary use is for everyday living accommodations for members thereof, or as meeting places for organizations officially recognized by a college or university.
- (6) No nonconforming uses shall be permitted in the project area other than those specifically outlined and delineated under the special regulations and restrictions for each use district as outlined in Section C.2.b.
- (7) In all residential use districts, including the R and MF - I districts, it is contemplated that this Plan will permit and encourage all applicable forms of low and moderate cost housing. The disposition of property for residential reuse shall be subject to the stated objective of this Plan in Section B.2 which pledges the provision of a substantial number of housing units of low and moderate cost.
- b. Additional Regulations. The following regulations and restrictions are hereby declared to be in the public interest and necessary to carry out the purposes of the Texas Urban Renewal Law and shall be covenants running with the land and shall be fully binding, unless otherwise provided in this Plan, on all persons, institutions, political subdivisions, and all others owning or acquiring property in the Urban Renewal Area described in this Plan, whether acquired by descent, devise, purchase, or otherwise; and every person or body, by the acceptance or retention of title to any tract, parcel, or lot within the Blackshear Urban Renewal Area shall thereby agree to abide by and fully perform said regulations and restrictions and such covenants shall be in full force and effect and binding on all land in the Urban Renewal Area to the extent and for the period of time provided in this Plan.
- (1) The General Regulations and Restrictions, applying to all land within the Urban Renewal Area described by this Plan, being covenants running with the land, are as follows:
- (a) The land uses as shown on the Land Use Plan, Exhibit URP - II, as described in Section C.2.a. (1) through (6) of this Plan are hereby designated as the only uses which will be permitted on the land within the boundaries of the Urban Renewal Area designated by this Plan. Changes in land uses shall be made only in accordance with the provisions for the amendment of this Plan as set forth herein and in the Texas Urban Renewal Law.



- (b) The improvement, development, and use of the land within the project area and the rehabilitation, construction, and reconstruction of buildings and other improvements on such land shall conform to these regulations and restrictions and to all other applicable laws, codes, ordinances, and other legal regulations which relate to the utilization of land and the improvements thereon. Where a conflict may exist or develop between the regulations and restrictions adopted herein and other applicable legal regulations, then the more restrictive regulations shall control. Invalidation of any one or any part of these regulations and restrictions by judgement or court order shall in no wise affect any of the other regulations or restrictions or other parts thereof, and the remaining regulations and restrictions shall continue in full force and effect.
- (c) The Urban Renewal Agency of the City of Austin, Texas, acting by and through its Executive Director, or other duly authorized representative, or, in the event such Agency shall become nonexistent or changed in any way, then the successors or assigns of the Urban Renewal Agency shall administer the applicable provisions of this Plan and shall review and approve all land division or subdivision plans and all site improvement and building plans before any construction or work is commenced within the Urban Renewal Area. Such review and approval, however, shall not relieve any such builder or subdivider from the necessity of obtaining the review and approval of other applicable and legally authorized bodies such as the City Planning Commission or the Building Official of the City of Austin. No building shall be erected or placed on any tract, parcel, or lot, in the Urban Renewal Area, nor shall any existing structure be altered, until the building plans and specifications and a plot or site plan have been submitted to and approved in writing by the Urban Renewal Agency. No division or subdivision of any land within the Project Area shall be made until a proposal, prepared in sufficient detail to clearly indicate the extent of such division or subdivision of land, has been submitted to and approved in writing by the Urban Renewal Agency.
- (d) No tract, parcel, or lot, or any building or part thereof shall ever be restricted in any way in the sale, lease, or occupancy thereof because of race, color, creed, or national origin.
- (e) No oil well drilling or any commercial mining operations of any kind shall be permitted upon any land within the Urban Renewal Area described by this Plan.
- (f) No fence, wall or hedge shall be erected or allowed to grow nearer to any side street right of way line than ten (10) feet, nor nearer to any front property line than twenty-five (25) feet, within the Urban Re-

newal Area described by this Plan, nor shall any trees, shrubs or man-made object be permitted to grow or be erected in such a manner as to restrict or obstruct the vision of motorists traveling on the public streets, particularly on corner lots where two streets intersect.

(g) These Regulations and Restrictions shall be enforceable as provided in Section C.2.c. hereof.

(2) Special Regulations and Restrictions. For each use district described in Section C.2.a. (I) through (6), there are hereby established Special Regulations and Restrictions which shall be construed as covenants running with the land, and which shall be in addition to the General Regulations and Restrictions heretofore enumerated. Such Special Regulations and Restrictions are as follows:

(a) Special Regulations and Restrictions applicable to the R District. This district includes areas in the Project where new construction is to take place as well as areas where existing structures are to remain.

1. All tracts, parcels or lots shall be used only for one of those purposes enumerated in Section C.2.a. (1) of this Plan.
2. All single tracts, parcels or lots on which new construction for one-family or two-family dwellings is to be carried out after the date of the filing for record of this Plan shall be restricted to only one detached structure not to exceed two (2) stories in height for each tract, parcel or lot. Where one or more adjoining parcels or lots are to be developed through the construction of Town Houses, each development parcel shall be restricted to only one detached structure for use for residential purposes, such structure not to exceed two (2) stories in height. Each dwelling unit provided therein shall be for individual ownership but provision may be made in detached structures for parking or common facilities such as laundry or storage.
3. There are structures scheduled to remain in the project area which require rehabilitation. Such structures shall be brought into conformance with the property rehabilitation standards attached as an appendix to this Urban Renewal Plan.
4. Easements for public utilities shall be reserved as indicated on the Land Use Plan, "Exhibit URP-II," and as required to adequately serve the area with proper services. No buildings, pavement or any other structures or improvements shall be built or

maintained within the area of such easements; provided, however, that this restriction shall not prevent the construction of a fence as otherwise permitted by these Special Regulations and Restrictions across such easement, so long as such fence does not interfere with the use of such easement for public utility purposes.

5. No trade or profession of any character shall be carried on upon any lot in this district nor shall anything be done thereon which may be or become an annoyance to the neighborhood.
6. No tract, parcel or lot shall be used or maintained as a rubbish dumping ground. Trash, garbage, or other waste shall not be kept except in sanitary containers. All containers for the storage of disposal of such material shall be kept in a clean and sanitary condition.
7. No trailer, tent, shack, garage apartment, stable or barn shall be placed, erected, or permitted to remain on any tract, parcel or lot, nor shall any structure of temporary character be used at any time as a residence. No building or structure of any type may be moved onto any tract, parcel or lot within the Urban Renewal Area without prior authorization by the Urban Renewal Agency. All relocation of structures shall be bound by the rehabilitation requirements of this Plan and shall conform thereto.
8. No dwelling shall be erected or placed on any lot having less than the following dimensions and area:

a.	Lot Area:	<u>Interior Lot</u>	<u>Corner Lot</u>
	One Family	5,750 S. F.	6,900 S. F.
	Two Family	7,000 S. F.	7,000 S. F.
	Town House	3,500 S. F.	5,000 S. F.
b.	Lot Width:	<u>Interior Lot</u>	<u>Corner Lot</u>
	One Family	50 feet	60 feet
	Two Family	60 feet	70 feet
	Town House	35 feet	50 feet

The minimum lot width must be provided at the building setback line and at all points for a distance of fifty feet to the rear of the building line.

9. No new building or structure of any kind shall be located on any of said lots nearer than fifteen (15) feet from the side street line, nor nearer than twenty-five (25) feet from the front lot line.

No building shall be located nearer than fifteen (15) feet from the rear lot line. For the purpose of this Plan, eaves, steps and open porches shall not be considered as a part of a building; provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon any other lot.

In interior lots the total width of side yards shall be not less than thirty percent (30%) of the total width of the lot except that the total width or side yards shall not be required to be more than fifteen (15) feet and that the least side yard shall not be less than five (5) feet wide.

10. No sign of any kind shall be displayed to the public view on any of said lots except one professional sign of not more than five (5) square feet advertizing the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period, provided said builder's signs are approved in writing by the Urban Renewal Agency.
11. No animals, livestock or poultry of any kind shall be raised, bred, or kept on any of said lots, except that dogs, cats, or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purpose.
12. Provision shall be made on each lot to park within the perimeter of such lot at least one passenger vehicle per dwelling unit. Driveways between the public street and parking areas or garage entrances, as well as the parking areas themselves, shall be of hard-surface all-weather construction.
13. Each dwelling unit shall be of double wall construction and shall contain not less than one bedroom, one three-piece bathroom, a kitchen with sink, and at least one other habitable room.
14. Exterior wall covering shall be of a generally accepted low-maintenance material such as impregnated western cedar, brick or cement asbestos siding. Exterior wall covering materials such as sheet metal, asphalt, or corrugated iron shall not be permitted.
15. Nonconforming uses herein identified and presently existing in this use district may be continued provided no structural alterations are made on such

building or such use otherwise expanded. Said non-conforming uses allowed to remain are the apartment houses located at 1126 - 1/2 Chicon (Parcel 1 - 31), 1124 A & B and 1126 Salina (Parcel 2 - 18). The Commercial use at 1616 East 7th Street (Parcel 19-07) would also be allowed to remain. Should such uses be discontinued or the terms of these regulations be violated, any further use of said land shall be in conformity with the provisions of this Plan.

16. These Special Regulations and Restrictions shall be enforceable in accordance with Section C.2.c. hereof.

(b) Special Regulations and Restrictions applicable to the MF-I District. This district is limited to areas of the Project where only new construction of apartment houses or churches is to take place on redeveloped land as well as areas where existing structures are to remain.

1. All tracts or parcels situated in this district shall be used only for the construction of apartment houses (as herein defined) or churches specifically excluding the construction of that class of facility called an "apartment hotel" as defined by the zoning ordinance of the City of Austin.
2. By the term "apartment house" is meant a building used as the home of three families or households living independently of each other in separate dwelling units, each equipped for the preparation of food.
3. Each dwelling unit, same being a separate one-family area, shall have at least one bedroom, one three-piece bathroom, a kitchen with sink, and at least one other habitable room.
4. No building having a height in excess of forty-five (45) feet shall be erected or placed on any tract or parcel within this district.
5. The exterior of all buildings constructed in this district shall be of all masonry construction. No building, structure or sign of any type may be moved on any tract or parcel; provided, however, that after a written consent is given by the Urban Renewal Agency, permanent signs may be erected showing the name of the structure; and provided further, however, that temporary construction buildings and other construction facilities and needs may be located and maintained on the site while construction is in progress.
6. Easements for public utilities shall be reserved on

all property as indicated on the Land Use Plan, "Exhibit URP-II," and as required to adequately serve all areas with proper service. No buildings, pavement, or any other structures or improvements shall be built or maintained within the area of such easement which would restrict the use of such easement for public utility purposes.

7. Hard-surfaced off-street parking shall be provided according to the following schedule for apartment usage:

Efficiency Apartment	1 Space
One Bedroom Apartment	1 - 1/2 Spaces
Two Bedroom Apartment	2 Spaces
Each Additional Bedroom	1/2 Space

On any tract used as a church site there shall be provided on the land occupied by the church not less than one hard-surfaced off-street parking space for each four hundred (400) square feet of gross floor area in the church building.

8. The minimum setback line for buildings from any property line in the R-district shall be twenty-five (25) feet.
9. A minimum of five percent (5%) of the total area of each parcel shall be devoted to landscaped and planted areas.
10. These Special Regulations and Restrictions shall be enforceable in accordance with Section C.2.c. hereof.

- (c) Special Restrictions and Regulations applicable to the P-I District. No buildings or structures shall be built or maintained in this district other than those used for recreational or public school purposes.

1. Should any of the publicly-owned and operated facilities permitted by Section C.2.a. (4) to be constructed or operated within this district be terminated or abandoned by the City of Austin or Austin Independent School District, then the land formerly occupied by such public use shall thereafter be restricted to the uses enumerated for the R-Residential District.
2. Underground utilities may be installed or maintained within the limits of these parcels as required to adequately serve all areas of the project or adjoining property. No improvements shall be built or maintained within the area of such parcels which would restrict the proper installation or mainten-

ance of such public utilities.

3. These Special Regulations and Restrictions shall be enforceable in accordance with Section C.2.c. hereof.

(d) Special Regulations and Restrictions Applicable to B-I District.

1. All tracts or parcels shall be used only for those purposes specified in Section C.2.a. (4) hereof.
2. No tract designated B-I on Exhibit URP-II shall be subdivided without first obtaining the written approval of the Urban Renewal Agency.
3. All buildings constructed in this district shall be of masonry construction and shall not exceed thirty-five (35) feet in height.
4. All buildings constructed in this district shall be set back from any street right of way line, not less than twenty-five (25) feet and shall be set back from any property line other than a street right of way line not less than five (5) feet.
5. Hard-surfaced off-street parking shall be provided on-site in the following ratio: one (1) off-street parking space for each two hundred (200) square feet of gross floor area in the building.
6. Easements for public utilities shall be reserved on all property as indicated on the I and Use Plan, "Exhibit URP-II," and as required to adequately serve all areas with proper services. No buildings, pavement, or any other structures or improvements shall be built or maintained within the area of such easement for public utility purposes.
7. Adequate loading and unloading space shall be provided to each using entity wholly on the premises.
8. Signs within this use district shall be integrated with the architectural design of the structure which they identify and shall not be permitted to project above the roof of the structure on which they are mounted nor shall they project beyond the face of the building more than twenty-four (24) inches. The maximum size of signs in this use district shall be limited to twenty-four (24) square feet in area. Flashing signal type signs which cast a light beam will not be permitted. A maximum of one (1) sign for each separately owned and/or leased business shall be permitted and it shall pertain to and serve the identification of the establishment only. The final design and

exact location of signs in this use district shall be subject to final approval by the Urban Renewal Agency.

9. Points of access and extent of curb cuts to parcels shall be subject to review and approval by the Urban Renewal Agency and the Traffic Engineering Department of the City of Austin prior to the commencement of any building construction for this use district.
  10. Nonconforming uses herein identified and presently existing in this use district may be continued providing no structural alterations are made therein on such building or such use otherwise expanded. Said nonconforming uses allowed to remain are the single family residential structures at 1815 Rosewood (Parcel 1-04), 1801 Rosewood (Parcel 1-7), 1223 Rosewood (Parcel 10-6), 1209 Rosewood (Parcel 10-8), and 1211 Rosewood (Parcel 10-8), and the multi-family structure at 1809 Rosewood (Parcel 1-5). Should such uses be discontinued or the terms of these regulations violated, then any further use of said land shall be in conformity with the provisions of this Plan.
  11. These Special Regulations and Restrictions shall be enforceable in accordance with Section C.2.c. hereof.
- (e) Special Regulations and Restrictions applicable to the I District. This district includes areas in the project where new construction is to take place.
1. All tracts, parcels or lots shall be used only for one of those purposes enumerated in Section C.2.a. (5) of this Plan.
  2. The exterior of all buildings constructed in this district shall be of all masonry construction. No building having a height in excess of seventy-five (75) feet shall be erected or placed on any tract or parcel within this district. Where proposed buildings exceed forty-five (45) feet in height, structures shall be set back from all lot lines not less than one (1) foot for each foot of such building height exceeding forty-five (45) feet.
  3. The minimum set back line for buildings from any property line shall be twenty-five (25) feet.
  4. Easements for public utilities shall be reserved on all property as indicated on the Land Use Plan, "Exhibit URP-II," and as required to adequately serve all areas with proper service. No buildings, pavement or any other structure or improvements shall be built or maintained within the area of such easements which would restrict the use of such easements for public utility purposes.



5. A minimum of five percent (5%) of the total area of the parcels shall be devoted to landscaped and planted areas.
6. For public or private educational usage, hard-surfaced off-street parking spaces shall be provided at the following ratios:

One space for each ten (10) seats for student and faculty usage or one space for each four hundred (400) square feet of gross floor area, whichever is less and one space for each two persons which the establishment is designed to house.

For church usage, one hard-surfaced off-street parking space shall be provided for each four hundred (400) square feet of gross floor area of the structure.

For hospital or clinical usage, one hard-surfaced off-street parking space shall be provided for each four (4) employees; one off-street parking space for each four (4) patient beds; and one off-street parking space for each staff doctor shall be provided.

7. For private or parochial schools or day nurseries, all buildings and land usage shall meet the applicable provisions of the Zoning Ordinance of the City of Austin and the minimum requirements of the State Department of Public Welfare.
8. No building, structure or sign of any type may be moved on any tract or parcel; provided, however, that after written consent is given by the Urban Renewal Agency, permanent signs may be erected showing the name of the structure, and provided further, however, that temporary construction buildings and other construction facilities and needs may be located and maintained on the site while construction is in progress.
9. These Special Regulations and Restrictions shall be enforceable in accordance with Section C.2.c. hereof.

- c. Duration and Enforcement of Regulations and Restrictions. All regulations restricting land use and the General and Special Regulations and Restrictions provided for in this Plan shall become effective immediately upon the filing of this Plan for record in the Deed Records of Travis County, Texas.

All land use restrictions and the General and Special Regulations and Restrictions heretofore enumerated shall be construed

as covenants running with the land and shall be fully binding upon all persons and others owning or acquiring property in the Blackshear Urban Renewal Project Area, whether by descent, devise, purchase, or otherwise; and any person or others by the acceptance or retention of title to any tract, parcel, or lot within the Project Area shall thereby agree and covenant to abide by and fully perform all regulations and covenants herein.

If any person or persons shall violate or attempt to violate any of the General Regulations and Restrictions set forth in Section c.2.b. (1) hereof, it shall be lawful for any other person or persons owning any property within the Blackshear Project, or the Urban Renewal Agency or its successor, or the City of Austin, or, in the case of General Restriction No. (d) (nondiscrimination), the United States of America, to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate such Restrictions, to prevent him or them from so doing, or to correct such violation.

If any person or persons shall violate or attempt to violate any of the Special Regulations and Restrictions established herein for specified districts, it shall be lawful for the Urban Renewal Agency, or its successor, or any person or persons owning property within the district in which such violation is existing or threatened, and which latter persons are bound by the same restrictions being violated or threatened with violation, to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate such Restrictions to prevent or correct such violation.

These regulations and restrictions shall be binding until January 1, 2000. During the month of January, 2000, said General Regulations and Restrictions may be amended by a three-fourths majority vote of the then property owners within the Project Boundary, and the Special Regulations and Restrictions may be amended by a three-fourths majority vote of the then property owners in the district covered by such Special Regulations and Restrictions. However, if no amendment occurs, the Regulations and Restrictions shall be automatically extended for successive periods of ten (10) years; at the end of each ten (10) year period, they may be amended during the month of January as provided above. At the time of any amendment vote, each owner shall have one vote; joint owners shall have only one vote between them; each separate tract, parcel, or lot shall be entitled to one vote.

- d. Applicability of Regulations and Restrictions to Real Property Not To Be Acquired. All properties within the Blackshear Urban Renewal Project Boundaries are subject to acquisition and purchase by the Urban Renewal Agency of the City of Austin in order to assure the accomplishment of the objectives of this Plan. Provisions are made, however, for the present owners to retain ownership of land if said land can be used in accordance with the Urban Renewal Plan and the owner agrees in writing to so use his land.

All of the General and Special Regulations and Restrictions, as well as the land use restrictions, are binding on all lands within the Project Boundaries regardless of whether such lands are acquired by the Urban Renewal Agency.

#### D. PROJECT PROPOSALS

##### 1. Land Acquisition.

###### a. Identification of Real Property to be Acquired:

- (1) All real property in the Project Area proposed to be acquired for clearance and redevelopment is shown on "Land Acquisition Plan," Exhibit URP-III. This exhibit shows those areas indicated for total clearance and redevelopment, as well as those properties in the conservation area to be acquired for spot clearance of structures substandard to a degree warranting clearance. In addition, street rights-of-way will be acquired as necessary to carry out the Urban Renewal Plan proposals.
- (2) All public facilities to be provided within the Project Area are shown on Exhibit URP-II, "Land Use Plan."
- (3) In the Conservation section, as shown on Exhibit URP-III, "Land Acquisition Plan," those properties scheduled for acquisition include only those properties needed for rights of way and for resubdividing purposes necessary for obtaining the objectives of the Plan, and those properties necessary for acquisition to provide for spot clearance of structures structurally substandard to a degree warranting clearance.

Under the provisions of this section, the Agency may acquire a lesser interest in property than the fee simple, which lesser interest may include acquisition of one or more structures but excluding the land or some interest therein where the acquisition of such lesser interest will serve the objectives of this Plan and where its requirements for redevelopment are otherwise met.

- b. Special Conditions Under Which Properties Not Designated For Acquisition May Be Acquired. Properties not designated for acquisition may be acquired by the Urban Renewal Agency if the respective owners thereof do not voluntarily comply with the requirements and controls contained in this Plan.
- c. Special Conditions Under Which Properties Designated For Acquisition May Be Excluded From Acquisition. Properties designated for acquisition may be excluded from acquisition where it is determined by the Urban Renewal Agency that the purposes of the Plan may be achieved without such acquisition.

2. Rehabilitation and Conservation. Properties are currently included for retention in the Urban Renewal Area wherein rehabilitation of existing structures will be required; consequently, property rehabi-

litigation standards have been included in the Plan. The owners of such properties which are feasible of rehabilitation will be required to make such improvements to their property to bring such property up to a standard compatible with the objectives of the Plan.

3. Proposals to Provide Low and Moderate Cost Housing. It is the intent of the Urban Renewal Agency to develop proposals to provide a substantial number of housing units of low and moderate cost on land to be disposed of for residential purposes.

Thus the LPA will employ those sections of the Housing Act of 1949 as amended through 1969 which provide programs for the construction of low and moderate income housing to the fullest extent feasible. These are sections 221 (d) (3), 221 (h), 235, 236, and any additional programs hereafter.

4. Redeveloper's Obligations. Each redeveloper of land in the project area will be obligated by means of appropriate covenants running with the land to devote the land to uses specified in the Urban Renewal Agency of the City of Austin. Since it is the purpose of the regulations and controls specified in this Plan to assure the renewal of the area in conformity with the objectives of the Urban Renewal Plan, it will be, therefore, the obligation of all the developers not only to comply with these controls but also to familiarize themselves with the overall Urban Renewal Plan and to prepare development proposals which are in harmony with the objectives of the Plan. All such proposals will be subject to review and approval by the Urban Renewal Agency of the City of Austin prior to land disposition and prior to commencement of construction. Thus, the LPA will reserve the right in land disposition to insure that an appropriate portion of the housing redeveloped on residential land will be made available at a sales price or rental that low and moderate income persons and families can afford. The redeveloper will not be permitted to dispose of property until the improvements are completed without prior written consent of the Urban Renewal Agency of the City of Austin, which consent will not be granted except under conditions that will prevent speculation and protect the interest of the City of Austin and the Urban Renewal Agency. No land shall be disposed of to a redeveloper who would prohibit the sale, lease or occupancy of land purchased in the project because of race, color, creed, or national origin.

Anyone redeveloping property in the project area shall keep all buildings, improvements, equipment, machinery and walkways constructed erected, installed or located in the project area in good and safe condition, structurally and otherwise.

5. Underground Utility Lines. With the exception of the electric distribution facilities, street lighting system and telephone system, all utility distribution lines, whether public or private, shall be placed underground.

#### E. STATE AND LOCAL REQUIREMENTS:

The elements of the Urban Renewal Plan satisfy all pertinent requirements of state and local laws.

F. PROCEDURE FOR CHANGES IN APPROVED PLAN:

The Urban Renewal Plan may be modified or amended at any time; provided, however, that if any proposed modification should affect the street layout, land use, public utilities, zoning, open space, or density, then such modification shall not be made until it has been submitted to the Planning Commission of the City of Austin, and a report rendered thereon to the City Council within thirty (30) days after receipt of such modifications by the Commission. Upon receipt of such recommendations from the Planning Commission, or if no recommendations are received within said thirty (30) days, then without recommendation, the City Council shall conduct a public hearing thereon after giving notice as required by law, following which hearing the Council may approve or reject such proposed amendment, and provided further, however, that if such modification occurs after the sale or lease by the Urban Renewal Agency of real property within the project area, such modification shall be subject to such rights at law or in equity as a lessee or purchaser or his successors in interest may be entitled to assert."

PROPERTY  
REHABILITATION  
STANDARDS  
for

BLACKSHEAR URBAN RENEWAL PROJECT TEX R-95

One through Eleven Living Units

URBAN RENEWAL AGENCY  
OF THE CITY OF  
AUSTIN, TEXAS

APPENDIX I

" INTRODUCTORY STATEMENT

PURPOSE AND INTENT

These Minimum Property Standards for Urban Renewal Rehabilitation have been developed to provide on a national basis the minimum design and construction standards of the FHA, for the rehabilitation of houses located in urban renewal areas containing from one through eleven living units. It is intended that these standards be in the spirit of as well as aid in carrying out the objectives of urban renewal programs for neglected and run-down residential properties. By these objectives is sought the physical, social and economical regeneration of neighborhoods which have, in general, deteriorated seriously.

In the strictest sense, these MPS are not a standard in and of themselves, but rather a guide for deriving and establishing a set of rehabilitation standards for a specific urban renewal area. They are directed toward the determining of the appropriate level of rehabilitation to be required for all individual properties in an area; which, on the one hand, will be sufficiently high (when combined with public improvements and other actions to be taken) to give promise of restoring the economic and social health of the area and, on the other hand, sufficiently low to keep the costs of improvements within the reach of the present residents. This is a difficult problem. To find the proper standards for each individual urban rehabilitation area will take careful study and the exercise of considerable imagination and flexibility.

The objective is not the creation of neighborhoods that necessarily compare well in design and construction with new neighborhoods. Likewise, these MPS recognize the vast differences that exist among urban renewal areas. The quality and condition of existing houses vary widely from one location to another and frequently within a single area.

#### CHARACTERISTICS OF THESE STANDARDS

These Minimum Property Standards are significantly different from standards for new construction. This is necessary because most buildings in urban renewal areas were built long before FHA came into existence and by very different construction requirements and living customs. Many of these houses were built for a single family but have now been subdivided to accommodate two or more families. Thus, while satisfactory for one family by former patterns of living, these houses have now become sub-standard because of overcrowding and lack of sanitary and other conditions as well as lack of maintenance.

The many advances in building technology of the past generation which are now incorporated in new construction, being unknown at an earlier period, have never been included in older houses. Examples of this, among many, are the use of insulation, modern heating and cooling methods and easily installed new interior and exterior finishing materials. Therefore, these standards, in general, are lower than those that apply to new construction. They have a built-in flexibility that permits judgment to be used by the local FHA insuring office in applying these provisions to each urban renewal area. However, there is a level of physical, social and economic conditions below which standards for rehabilitation should not be countenanced. The standards established for an area should result in a general upgrading and improvement of dwelling accommodations. The aim is to restore the area to a sound condition as to its economic life and its suitability for residential and other uses. Any limitation of FHA standards to local code requirements is not intended, and should not be considered.

Due to the novelty and difficulty of establishing realistic and practical rehabilitation standards in urban renewal areas, and because of the flexibility required, the new FHA MPS take a two-sided approach.

The first side of the approach is the establishment of a minimum level below which it is not appropriate for FHA to provide assistance in any area. This minimum permissible level of physical improvement to properties in rehabilitation areas relates to such commonly accepted housing essentials as protection to health and safety, appropriate plumbing facilities, reasonable privacy and the general soundness and weather resistance of the structure. These are matters which are generally dealt with by local housing codes, and the minimum level set forth in the FHA MPS for Urban Renewal Rehabilitation approximates those established by

the generally recognized model housing codes. Items reflecting this minimum or mandatory level are expressed in the MPS in such terms as "shall be", "provide", etc. (While the general minimum is intended to be mandatory in all areas, it is recognized that varying local conditions may require some adaptation or interpretation even here. Therefore, the MPS set forth certain conditions under which the mandatory items may be modified. Any modification of the mandatory items which is general in nature and applies to all or a number of structures in the area, must be submitted to FHA headquarters for approval. Modifications which are not general or repetitive, but apply only to individual structures may be made locally by FHA as the applications for loan insurance for the particular structures are processed.)

The second side of the approach taken to standard setting in the FHA MPS for Urban Renewal Rehabilitation relates to the identification of a number of physical improvements which are recommended but for which no mandatory level is established. These items are expressed in such terms as "in general," "should be," "if possible," "it is recommended that," etc. For these items the decision on the level to be achieved should, for each individual area, be based on the physical conditions which are found, the requirements of the market, and degree of improvement the incomes of the occupants will, in general, support. When a decision has been reached on the flexible items as to the level which is both necessary and supportable for a given urban renewal area, the conditionality should be removed and the level determined upon should become a "shall" in the standards adopted for a particular area.

Some decision should be made locally on all the flexible items. The degree of flexibility which can reasonably be employed will vary depending on the nature of the item being considered. For example, ceiling height is a flexible item. This is designed to make it possible to deal with varying local conditions. Yet it is obvious that some ceiling height should be specified in the standards for the area and that the heights established should be sufficient to assure reasonable livability. To establish a five foot ceiling height as the standard for a particular area would clearly be an abuse of the flexibility provided in the MPS for this item. On the other hand, other recommended items deal with matters less essential than ceiling heights. On such matters as lot coverage, for example, more flexibility can reasonably be exercised--if physical conditions require and market conditions permit--without jeopardizing the essential objectives or providing decent, safe and sanitary living accommodations. Other flexible items are of a nature that they might be omitted entirely, if conditions justify. For example, there is a provision that all public entrance space should have natural light provided by an opening equal to 10 percent of the floor area. If conditions require, and sufficient artificial light is provided, it might be quite reasonable to drop this requirement entirely.

Thus, the process of determining a rehabilitation standard for a particular urban renewal area consists of (1) the application and adaption of all the minimum or mandatory items to that area, and (2) the determination of the specific level for the flexible items which should become requirements for the particular area, based on careful consideration of the income of the occupants and market and the physical conditions found. Using the FHA MPS as the guide, it will be possible, therefore, in differing local conditions, to develop standards for different areas which differ greatly one from the other.

#### HOW THESE STANDARDS ARE TO BE USED

These MPS are intended to be used locally in the following ways:

1. As criteria and technical information in the preliminary planning and development work of establishing an urban renewal area. They are a vital element in determining the feasibility and possible success of the entire undertaking.
2. As a yardstick, to measure the level of standards appropriate in different neighborhoods. The local FHA insuring office should determine, wherever possible, those items for a particular area that logically can be required to be higher than these minimum standards, and how much higher.

In doing so, local offices should give careful consideration to the following factors:

- a) The income and rent paying abilities of the residents;
  - b) The tastes, habits, and living standards of the residents of the neighborhood and surrounding areas;
  - c) The marketability of properties and the conditions necessary to induce normal financing into the area; and
  - d) The likelihood of permanence of the physical and social improvements.
3. As the basis used by the FHA, in close collaboration with URA and the local public agency, from which specific FHA - "Rehabilitation Requirements" and URA - "Property Rehabilitation Standards" for each individual urban renewal area are written and agreed upon. In the development of these local documents, the FHA field offices and the LPA's are expected to use these MPS for urban renewal rehabilitation with thoughtful consideration of the serious purpose to which they are directed -- the economic and social improvement of run-down but salvable residential areas. Also, constructive use is expected to be made of the flexibility and discretion contained in these minimum property standards. For the particular urban renewal area, the resultant specific local standards will then constitute the working agreement between the FHA, URA, and the LPA, and supplement local codes and regulations. Once established these standards should be applicable to all typical houses in the area without further negotiation and interpretation.

#### APPLICATION

These Minimum Rehabilitation Standards apply only to existing residential properties containing one through eleven living units in Blackshear Tex. R-95.

These rehabilitation standards are confined in their application to the individual property within its property lines. They are not concerned with improvements off the site except for the provision of streets for access and circulation, and for essential services and facilities.

#### CHAPTER I

#### DEFINITIONS



R100 GENERAL

R100-1 Abbreviations, terms, phrases, and words and their derivatives used in these Property Rehabilitation Standards shall have the meanings given in this section.

R100-2 The terms defined herein apply only to these Property Rehabilitation Standards and may differ in some respects from definitions prepared for local building codes or for other purposes. Wherever possible, the meaning in common use in the residential construction field is used.

R101 DEFINITIONS

Accessory Building: A secondary building, the use of which is incidental to that of the main building and which is located on the same plot.

Addition: Any construction which increases the size of a building or adds to the building such as a porch or an attached garage or carport.

Alley: A service way providing a secondary public means of access to abutting properties.

Alteration: Construction which may change the floor plan, structural parts, mechanical equipment or location of openings but which does not increase the size of the building.

Area:

Building Area: The total ground area of each building and accessory building but not including uncovered entrance platform, terraces, and steps.

Floor Area: The total area of all stories or floors finished as living accommodations. This area includes bays and dormers but does not include space in garages or carports or in attics. Measurements are taken to the outside of exterior walls.

Attic: Accessible space between top of uppermost ceiling and underside of roof. Inaccessible spaces are considered structural cavities.

Basement: A space of full story height below the first floor which is not designed or used primarily for year-round living accommodations. (See definition of First Story for below-grade space which is primarily used for habitable rooms.)

Basementless Space (Crawl Space): An unfinished, accessible space below the first floor which is usually less than full story height.

Bearing: That portion of a beam, truss, or other structural member that rests on the supports.

Building Line: A line established by law or agreement usually parallel to property line, beyond which a structure may not extend. This generally does not apply to uncovered entrance platforms,

terraces and steps.

Carport: A roofed space having at least one side open to the weather, primarily designed or used for motor vehicles.

Cellar: That space of a building which is partly or entirely below grade having more than half of its clear height below the average grade of the adjoining ground.

Construction Classifications: A classification of buildings into types of construction which is based upon the fire resistance of walls, floors, roofs, ceilings and other elements.

Type 1, Exterior Protected Construction: That type of construction in which the exterior walls are of noncombustible construction having a fire resistance rating as specified and which are structurally stable under fire conditions and in which the interior structural members and roof are wholly or partly of combustible construction. Type 1 construction is divided into two subtypes as follows:

Type 1a: Exterior protected construction in which the interior exitways, columns, beams and bearing walls are noncombustible in combination with the floor system, roof construction and nonload bearing partitions of combustible construction.

Type 2b: Exterior protected construction in which the interior structural members are of protected combustible materials, or of heavy timber unprotected construction.

Type 2, Wood Frame Construction: That type of construction in which the exterior walls, partitions, floors, roof and other structural members are wholly or partly of wood or other combustible materials.

Crawl Space: Same as Basementless Space.

Dampproofing: A treatment of a surface or structure which retards the passage of water. See Waterproofing.

Driveway: A private way for the use of vehicles and pedestrians.

Dwelling: A building designed or used as the living quarters for one or more families.

Detached: A dwelling which is completely surrounded by permanent open spaces.

Semi-detached: A dwelling, one side wall of which is a party or lot line wall.

Dwelling Unit: See Living Unit.

Easement: A vested or acquired right to use land other than as a tenant, for a specific purpose, such right being held by someone

other than the owner who holds title to the land.

Exit: A way to get from the interior of a building or structure to the outside at grade level. A secondary exit may, under certain conditions, provide only emergency egress to an adjacent building or roof, from which safe travel can be made to grade level.

Family: One or more persons occupying a single living unit. Such persons do not have to be related by birth or marriage to constitute a family unit.

Fire Area: The floor area of a story of a building within exterior walls, party walls, fire walls or any combination thereof.

Fire-Proof: An obsolete term meaning fire-resistive. Usually used with Type 1 construction.

Fire Resistance: That property of construction assemblies, which under fire conditions, prevents or retards the passage of excessive heat, hot gases or flames.

Fire-resistance Ratings: Time in hours or fractional parts thereof that a material, construction or assembly will withstand fire exposure.

Fire Resistive: That quality of materials and assemblies to resist fire and prevent its spread.

Fire Retardant Lumber: Wood so treated by a recognized impregnation process so as to reduce its combustibility.

Fire Separation: A construction of specified fire resistance separating parts of a building horizontally or vertically as required.

Firestopping: A barrier within concealed spaces which is effective against spread of flames or hot gases.

Flame-resistant: That property of a material which is flame resistant by nature or has been made so by an accepted method.

Flame Spread: The propagation of flame over a surface.

Flashing: Sheet metal or other impervious material used in roof and wall construction to protect a building from seepage of water.

Floor: See Story.

Foundation: Construction, below or partly below grade, which provides support for exterior walls or other structural parts of the building.

Garage: A building or enclosure primarily designed or used for motor vehicles.

Attached: A garage having all or part of one or more walls common to the dwelling or to a covered porch attached to the dwelling.

Detached: A garage which is completely surrounded by open space. A garage connected to the dwelling by an uncovered terrace is designed as a detached garage.

Built-in: A garage located within the exterior walls of a dwelling.

Grade, finish: The top surface elevation of lawns, walks, drives, or other improved surfaces after completion of construction or grading operations.

Gradient: The slope, or rate of increase or decrease in elevation of a surface, road or pipe, usually expressed in percent.

Habitable Room: See Room.

Height, Building: Vertical distance measured from curb or grade level, whichever is the higher, to the highest level of a flat roof or to the average height of a pitched roof, excluding penthouse or other roof appendages occupying less than 30 percent of the roof area. Where a height limitation is set forth in stories, such height shall include each full story as defined therein.

Joists: A series of floor, roof or ceiling framing members spaced not more than 30 inches o. c. Members supporting roofs having slopes over 3 in 12 are not defined as roof joists. See Rafter.

Kitchen: Space, 40 sq. ft. or more in area, used for cooking and preparation of food.

Kitchenette: Space, less than 40 sq. ft. in area, used for cooking and preparation of food.

Living Unit: A dwelling or portion thereof, providing complete living facilities for one family, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Living Unit, Acceptable: A living unit complying with all applicable planning standards.

Loads:

Design: Total load which a structure is designed to sustain safely.

Dead: The weight of all permanent construction in a building.

Live: The weight of all moving and variable loads that may be placed on or in a building such as snow, wind, occupancy, etc.

Lot: A parcel of land that is described by reference to a recorded plat or by metes and bounds.

Corner Lot: A lot abutting upon two or more streets at their intersection.

Interior Lot: A lot bounded by a street on one side only.

Double-fronted Lot: An interior lot bounded by a street on front and back.

Lot Coverage: That percentage of the plot area covered by the building area.

Lot Line: A line bounding the lot as described in the title to the property.

New Construction: Defined as new additions to an existing building which enlarges the floor area or height of the building.

Noncombustible: Material or a combination of materials which will not ignite or support combustion at a temperature of 1,382 degrees F. during a 5 minute exposure.

Party Wall: See Wall.

Plat: A map, plan or chart of a city, town, section or subdivision, indicating the location and boundaries of individual properties.

Plot: A parcel of land consisting of one or more lots or portions thereof, which is described by reference to a recorded plat or by metes and bounds.

Property: A lot or plot, including all buildings and improvements thereon.

Property Line: A recorded boundary of a plot.

PRS: Property Rehabilitation Standards.

Rafters: A series of roof framing members, spaced not more than 30 inches o. c. in roofs having slopes over 3 in 12. Members supporting roofs having slopes 3 in 12 or less are defined as roof joists.

Rehabilitation: The restoration of one or more dwellings to a satisfactorily improved physical condition, and which overcomes the deterioration of a property or properties, and aids in the improvement of its neighborhood.

Repair: To restore to a sound and acceptable state of operation, serviceability or appearance. Repairs shall be expected to last approximately as long as would the replacement by new items.

Replace: To remove an existing item or portion of a system, and to construct or install a new item of similar or improved quality as the existing item when new. Replacement will ordinarily take place where the item is incapable of repair or where repair would be more costly.

Rooms:

Habitable Room: A space used for living, sleeping, eating or

cooking, or combinations thereof, but not including bathrooms, toilet compartments, closets, halls, storage rooms, laundry and utility rooms, basement recreation rooms and similar spaces.

Combined Rooms: Two or more adjacent habitable spaces which by their relationship, planning and openness permit their common use.

Shall: Indicates that which is required.

Space Heater (room heater): A self-contained above-the-floor device for furnishing heated air, through openings in its casing, directly into the space in which the device is located or immediately adjacent to it. The device may be a free-standing or recessed in a wall or partition.

Story: That portion of a building between a floor and the next floor above.

First Story (First floor): The lowermost story that has at least half its total floor area designed for and finished as living accommodations. For the purpose of determining this area, the area of halls, closets, and stairs is included. The area of storage, utility or heating rooms or spaces is not included. The location of the first story as defined herein is based upon the use of the space rather than on the location of entrance doors or the finished grade.

Half Story: A story finished as living accommodations located wholly or partly within the roof frame and having a floor area at least half as large as the story below. Space with less than 4 feet clear headroom shall not be considered as floor area.

Top Story: The story between the uppermost floor and the ceiling or roof above.

Street: A public or private way which affords principal means of vehicular access to properties which abut thereon.

Ventilation:

Mechanical: Supply and removal of air by power-driven devices.

Natural: Ventilation by openings to outside air through windows, doors or other openings.

Walls:

Bearing Wall: A wall which supports any vertical load in addition to its own weight.

## CHAPTER II

### GENERAL ACCEPTABILITY CRITERIA

R200

GENERAL

These general acceptability criteria apply to all existing one through eleven living unit properties in the Blackshear Tex R-95 Project.

R201

LOCAL CODES AND REGULATIONS

R201-1

These standards, while setting forth basic objectives and provisions specifically related to rehabilitation, shall not be construed as relieving the property owner or his builder of his responsibility for compliance with local ordinances, codes and regulations including established requirements of a health or other authority having jurisdiction.

R201-2

Where the local code, regulation or requirement permits lower standards than required herein, these Property Rehabilitation Standards shall apply.

R202

SERVICE AND FACILITIES

R202-1

Utilities shall be independent for each property without dependence upon other properties.

R202-2

Independent facilities shall be provided for each living unit except that common facilities such as laundry and storage space or heating may be provided for each property.

R202-3

Each building and each living unit within the building shall contain provisions for each of the following:

- a. A continuing supply of safe potable water.
- b. Sanitary facilities and a safe method of sewage disposal.
- c. Heating adequate for healthful and comfortable living conditions.
- d. Domestic hot water.
- e. Electricity for lighting and for electrical equipment used in the dwelling.
- f. Provisions for the removal of trash and garbage and its sanitary storage pending removal.

R203

ACCESS

R203-1

Access to the Property

R203-1.1

Each property shall be provided with vehicular access to and from the property at all times by an abutting public or private street. Private streets shall be protected by a permanent easement.

R203-1.2

In isolated cases, properties having no vehicular access but having permanent pedestrian access at least 5 ft. wide by easement or held in fee simple, may be acceptable, provided vehicular parking is permanently available nearby. Likewise, small groupings of properties not having direct vehicular access may be acceptable where there are convenient and permanently available parking bays. In either of these variations there must be judged to be continued market acceptance of the variation.

R203-2

Access to the Building

Walks and steps shall be provided for convenient all weather access to the structure constructed so as to provide safety, reasonable durability and economy of maintenance.

R203-3      Access to Each Living Unit

Access to each living unit shall be provided without passing through any other living unit.

R203-4      Access to Rear Yard

R203-4.1      Access to the rear yard from each living unit is recommended. However, such access is not acceptable where it is dependent upon passage through another living unit.

R203-4.2      Each building shall be provided with access to the rear yard. This access for a detached dwelling shall be directly from a street.

R204      TYPES OF ACCEPTABLE DWELLINGS

R204-1      Types of acceptable dwellings are: Detached, semi-detached, dwellings. Each type may contain one through eleven living units.

R204-2      A semi-detached dwelling shall be separated from an adjoining dwelling or dwellings by a party or lot line wall extending the full height of the building. See paragraph R502-1.1.

R204-3      Method of Determining Number of Living Units

R204-3.1      Each dwelling or portions thereof providing complete living facilities for one family shall be counted as a living unit. To be acceptable, however, all living units shall comply with these Property Rehabilitation Standards.

R204-3.2      A room or group of rooms, containing complete living facilities, such as an apartment of a janitor, caretaker or servant shall be counted as a separate living unit.

R205      PARTIAL NON-RESIDENTIAL USE

R205-1      Any non-residential use of the property shall be subordinate to its residential use and character. For properties of one through four living units, the extent of this non-residential use shall not exceed 25 percent of the total floor area.

R205-2      For one or two story structures in properties not exceeding four living units, where the percentage of total dwellings in the neighborhood having non-residential space included is small, and the use is considered harmonious and architecturally compatible, a higher percentage of non-residential space (than provided in R205-1), may be permitted up to but not exceeding 50 percent of the total floor area.

R205-3      For properties which include five or more living units, the maximum space devoted to non-residential use shall not exceed 20 percent of the gross floor area devoted to residential use. The gross floor area includes corridors, stairs, elevators, lobbies, etc. Laundry,



garage space for tenants up to a ratio of one space per living unit, all storage for the residential and commercial tenants, or project storage and other service spaces are not considered in area computations.

R205-4 A property, any portion of which is designed or used for non-residential purposes, is not acceptable if the type or extent of the non-residential use is inharmonious with the residential character of the property for family occupancy. (1)

R206 DILAPIDATED OR BLIGHTED STRUCTURES

All dilapidated portions of existing properties, or blighted structures, which are not economically repairable shall be removed. Also, see paragraph R407 for exterior appurtenances.

R207 VARIATIONS TO STANDARDS

R207-1 A variation to mandatory provisions contained herein may be permitted for specific cases only, when the variation attains the stated objectives contained herein and when one or more of the following conditions justify the variation:

- a. Topography of the site is such that full compliance is impossible or impracticable.
- b. Long established local practices and customs in the area assure continued market acceptance of the variation.
- c. Design and planning of the specific property offers improved or compensating features providing equivalent desirability and utility.

(1) An inharmonious use is one which by its unresidential appearance, excessive noise or odor, lack of sanitation, or unwholesome influence on people adversely affects the neighborhood in which it is located.

CHAPTER III

SITE CRITERIA

R300 OBJECTIVE

The individual site under consideration shall be appropriate to the neighborhood in which it is located and not have characteristics which will induce or perpetuate neighborhood blight or obsolescence.

R301 OPEN SPACE

Every dwelling shall have yard space of such size and so planned as to permit convenient access for maintenance adequate light and ventilation of rooms and spaces, and reasonable privacy. There shall be adequate open space for laundry drying, gardening, landscaping and outdoor living. The open space may be at the rear, front, or one of the side yard areas.

R302 LOT COVERAGE

The maximum area of the individual dwelling plot which shall be covered by the building or buildings are as given below:

a. Detached dwelling:

- (1) Interior lot coverage - 45 percent
- (2) Corner lot coverage - 50 percent

b. Semi-detached dwelling:

- (1) Interior lot coverage - 55 percent
- (2) Corner lot coverage - 60 percent

The building area includes the total ground area of each building and accessory buildings but does not include the area of uncovered entrance platforms, terraces and steps.

R303

PARKING

As a neighborhood planning guide, facilities available for street and "on site" parking and garage storage in the neighborhood should total, in general, not less than a ratio of 1 car space per dwelling in single family house neighborhoods. Where it is contemplated that there will be more than one living unit per dwelling in a majority of the houses, the parking and garage ratio should be not less than .75 per living unit within the neighborhood. Street parking space may be included in this calculation only to the extent that it is not likely to be prohibited in the future by municipal authorities.

R304

YARDS

Yard dimensions shall generally provide for at least the following:

- a. Front yard, 10 feet (1).
- b. Side yard, 5 feet (1).
- c. Rear yard, 15 feet.

R305

SITE IMPROVEMENTS

The open space of each property shall provide (a) for the immediate diversion of water away from buildings and disposal from the lot, (b) prevent soil saturation detrimental to structures and lot use, and (c) where needed, appropriate paved walks, parking areas, drive-ways, exterior steps and landscaping.

- (1) Where local zoning ordinances permit less yard dimension than is recommended here, it may be considered acceptable for existing houses, but not for new construction.

CHAPTER IV

BUILDING PLANNING

R400

OBJECTIVE

To assure a living unit which provides for a healthful environment and complete living facilities arranged and equipped to assure

suitable and desirable living conditions comensurate with the type and quality of the property under consideration.

R401 SPACE STANDARDS

R401-1 Objective

To provide each living unit with space necessarily to provide suitable living, sleeping, cooking and dining accommodations, storage, laundry and sanitary facilities; also, to provide space of such size and dimensions so as to permit placement of furniture and essential equipment.

R401-2 General

R401-2.1 For existing work, dimensions for interior spaces are based upon measurements taken between finished floor, wall, ceiling or partition surfaces.

R401-2.2 The area occupied by a stair or by closets shall not be included in the determination of required room area.

R401-2.3 Habitable rooms in basements or below grade intended for year-round occupancy shall comply with building planning standards in the same manner as rooms above grade. See R402.

R401-3 Minimum Room Sizes

Room sizes shown in Schedule below shall be the minimum permitted for any subdividing of existing spaces, or for the construction of any new rooms. Unremodeled existing rooms, where considered adequate in size and arrangement for the intended function, may be acceptable if not more than 10 percent smaller than the minimums given in the following schedule.

SCHEDULE

Name of Space (1)	Minimum Area (sq. ft.) (2)		Lease Dimension (3)
	1 & 2 BR LU	3 or more BR LU	
LR	140	150	10'-0"
DR	80	100	7'-8"
K	50	60	3'-0" (4)
K'ette	20	NP	3'-4"
BR	70	70	7'-0"
Total BR	1BR, 100 2BR, 170	3BR, 240 4BR, 340	1st BR of each LU=8'-0"
OHR (6)	70	70	7'-0"
LR-DA	160	180	(9)
LR-DR	200	220	(9)
LR-DA-K (7)	210	240	(9)
K-DA (7)	80	100	(9)
K-DR (7)	120	140	(9)
K'ette-DA (7)	60	80	(9)
LR-DA-BR (8)	220	---	(9)
LR-BR (8)	190	---	(9)

## NOTES

## (1) Abbreviations

LU= Living Unit  
LR= Living Room  
DR= Dining Room  
DA= Dining Area  
K= Kitchen

K'ette= Kitchenette  
BR= Bedroom  
OHR= Other Habitable Room  
NP= Not Permitted

- (2) Minor variations to these areas may be permitted when existing partitions preclude compliance.
- (3) Lease dimensions shown shall apply for 90 percent of the required room area. Minor variations to these dimensions may be permitted when existing partitions preclude compliance.
- (4) Clear passage space.
- (5) Permitted in LU of O-BR or 1 BR only.
- (6) An Other Habitable Room (OHR) shall meet all requirements for habitable rooms, have a closet of approximately 6 sq. ft., and shall have a means of complete separation from other rooms.
- (7) The combining of a Kitchen or Kitchenette with a Bedroom in a single room shall not be permitted. The designation of K in combination with other spaces may be considered either as a Kitchen or Kitchenette.
- (8) Permitted only in Living Unit having no separate Bedroom.
- (9) Lease dimension of appropriate room function applies.

R401-4 Ceiling Heights

The minimum ceiling heights for habitable rooms, bathrooms and halls shall be as follows:

## R401-4.1 Habitable Rooms

- a. Average height for required room, 7 ft. - 6 in.
- b. Floor area with less than 4 ft. clear headroom not to be included in required room area.

## R401-4.2 Bathrooms, toilet compartments, utility rooms, etc., 6 ft. - 8 in. clear.

## R401-4.3 Halls, 6 ft. - 8 in. clear.

R401-5 Privacy and Arrangement

- R401-5.1 A degree of privacy shall be provided commensurate with suitable living conditions by means of the proper location of exterior openings to exterior conditions, and by the interior arrangement of rooms, parti-

cularly with reference to access to bathrooms from bedrooms.

R401-5.2 Access to all parts of a living unit shall be possible without passing through a public hall.

R401-5.3 Every water closet, bathtub or shower of a living unit shall be installed in a bathroom or toilet compartment which will afford privacy to the occupant.

R401-5.4 A bathroom location is not acceptable if it is used as a passageway to a habitable room, hall, basement or to the exterior. Also the only access to a single bathroom is not acceptable through a bedroom in living units having more than one bedroom.

R401-5.5 A bathroom shall not be separated from all bedrooms of a living unit by locating it a full story above or below the bedrooms.

R401-5.6 A bedroom shall not be used as the only means of access to another bedroom or habitable room.

R401-6 Kitchen Facilities

R401-6.1 Each living unit shall have a specific kitchen space, which contains a sink with counter work space and having hot and cold running water, and adequate space for installing cooking and refrigeration equipment, and for the storage of cooking utensils.

R401-6.2 Minimum areas and dimensions of kitchen storage space shall generally be as follows:

- a. Total shelving in wall and base cabinets - 30 sq. ft.
- b. Drawer area - 5 sq. ft.
- c. Usable storage shelving in cooking range, pantry or under sink may be counted in the total shelving needed.

R401-7 Bath Facilities

Complete bathing and sanitary facilities shall be provided within each living unit consisting of a water-closet, a tub or shower, and a lavatory. Provide an adequate supply of hot water to the tub or shower stall and lavatory, and cold water to all fixtures. Arrangement of fixtures shall provide for the comfortable use of each fixture and permit at least a 90° door swing. Wall space shall be available for a mirror or medicine cabinet and for towel bars. Bathtub shall be not less than 4 ft. 6 in. long, and if a square tub 4 ft. minimum. Shower, if provided, shall have a least dimension not less than 30 inches.

R401-8 Space for Laundry Facilities

Provide adequate space for laundry trays or equipment in either of the following locations:

- a. Within each living unit having two or more bedrooms, and located in the kitchen or other suitable service space, or
- b. In basement, cellar or other suitable public space within the building for the use of all occupants.

R401-9 Closets

R401-9.1 Clothes closet space shall be provided within each living unit on the basis of approximately 12 sq. ft. for the first BR plus 6 sq. ft. for each additional BR. The space provided should be, if possible, divided into separate closets serving each bedroom and having one closet located so as to open directly off of a hall or living or dining room. None of the minimum clothes closet space shall be located within the kitchen.

R401-9.2 Where separate closets for each existing bedroom are not possible, a closet elsewhere within the living unit may be acceptable provided the minimum area is obtained and is reasonably accessible to the bedroom.

R401-9.3 Clothes closets shall have a shelf and rod.

R401-9.4 Within each living unit, total shelf area or built-in drawer space of at least 8 sq. ft. shall be provided for linens. This space shall be appropriately increased for living units having 3 or 4 bedrooms.

R401-10 General Storage

Each living unit shall have a designated closet or other suitable space within the unit or locked space elsewhere within the building or other structure on the property, conveniently accessible, for general storage. The minimum volume of general storage space for each living unit shall be 100 cu. ft. and shall be appropriately increased for 3 or 4 bedroom living units.

R402 LIGHT AND VENTILATIONR402-1 Objective

To provide a healthful environment and an acceptable degree of comfort within all rooms and hallways of the dwelling, by having sufficient light and ventilation, and by the provision of natural ventilation of structural spaces to minimize conditions conducive to decay and deterioration.

R402-2 Habitable Rooms

R402-2.1 All habitable rooms, except kitchens, shall have natural light, provided by means of windows, glazed doors, or skylights. A glass area of at least 10 percent of the floor area shall be provided for new or remodeled rooms, or other spaces. Existing rooms not disturbed in the rehabilitation shall have a glass area not appreciably below a total of 10 percent of the floor area.

R402-2.2 An acceptable means of natural ventilation shall exist or be provided for all habitable spaces, except that for kitchens a mechanical ventilation system may be substituted. A ventilation area of 4 percent of the floor area of the space shall be provided.

R402-2.3 Artificial light shall be provided and so distributed as to assure

healthful and sanitary conditions in all rooms or spaces. See R906, Chapter IX.

R402-2.4 An interior room not having its own source of natural light and ventilation is acceptable only where the room is adjacent to an outside room which has adequate natural light and ventilation, calculated on the basis of the combined floor area of the two rooms, and where the separating wall between the two rooms has a clear horizontal opening approximately 6 feet wide. The interior room shall not be a bedroom.

R402-3 Kitchens

R402-3.1 Artificial light shall be provided, and distributed so as to give effective illumination throughout.

R402-3.2 Ventilation shall be provided by natural means in amounts as calculated for habitable rooms and not less than 3 sq. ft., or by mechanical ventilation in accordance with paragraph R 902, Chapter IX. Chapter IX. Where a Kitchen is not separated from the Living Room by partitions and door or permanent screen, provide mechanical ventilation for the Kitchen.

R402-4 Bathrooms and Toilet Compartments

R402-4.1 Artificial light shall be provided.

R402-4.2 Ventilation shall be provided by natural means in amounts as calculated for habitable rooms and not less than 1-1/2 sq. ft., or by mechanical ventilation in accordance with paragraph R902. or by gravity-type ventilation equipped with a wind-driven roof ventilator above the roof level.

R402-5 Public Spaces

R402-5.1 General

Adequate artificial light shall be provided for all public spaces.

R402-5.2 Public Entrance Spaces to Building

- a. All public entrance space shall have natural light provided by window, doorway or equivalent glass area of a least 10 percent of the floor area.
- b. Either natural ventilation of at least 4 percent of floor area or mechanical ventilation shall be provided.

R402-5.3 Public Hallways and Stairways

- a. Public hallways and unenclosed stairways shall be provided with either natural ventilation (at least 4 percent of floor area) or mechanical ventilation.
- b. Where dependence is placed upon natural light for daytime use of hallways or unenclosed stairways, windows, skylights or the equivalent shall be provided containing at least 10 sq. ft. of glass area, or its equivalent, for each floor so served.

- c. Enclosed stairways shall be ventilated by a mechanical or gravity system to provide approximately 4 air changes per hour.

R402-6 Habitable Rooms of Living Units Below Grade

For habitable rooms below grade, the depth of the finish floor below its adjacent outside grade level shall not exceed 4 ft. -0 inches. Natural light and ventilation standards for habitable rooms above grade shall apply.

R402-7 Ventilation of Utility Spaces

Utility spaces which contain heat producing, air conditioning and other equipment shall be ventilated to the outer air, and air from such spaces shall not be recirculated to other parts of the building.

R402-8 Ventilation of Structural Spaces

- R402-8.1 Natural ventilation of spaces such as attics and enclosed basementless spaces shall be provided by openings of sufficient size to overcome dampness and minimize the effect of conditions conducive to decay and deterioration of the structure, and to prevent excessive heat in attics.

- R402-8.2 All exterior ventilation openings shall be effectively and appropriately screened.

R403 DOORS AND ACCESS OPENINGS

R403-1 Objective

To provide openings adequate in size to admit furniture and equipment to all spaces and to permit inspection for repair and maintenance.

R403-2 Exterior Doors

- R403-2.1 Existing doors in sound condition and to remain shall approximate in size the following, and the minimum size of new doors installed in new openings shall be:

	<u>Width</u>	<u>Height</u>
a. Main entrance door	3'0" (1)	6'6"
b. Service doors	2'6"	6'6"
c. Garage doors, 1 car	8'0"	6'4" Clear Opening
d. Garage doors, 2 car	12'0"	6'4" Clear Opening

(1) Where serving 5 or more living units = 3'4" Min.

- R403-2.2 Where new doors are installed in acceptable existing door openings, the doors shall approximate the sizes given above.

- R403-2.3 Exterior doors shall have operable locks.

R403-3 Interior Doors

- R403-3.1 Provide a door for each opening to a bedroom, bathroom or toilet compartment. Doors to bathrooms and toilet compartments shall be hinged or sliding and shall have locks.



R403-3.2 Existing doors in sound condition and to remain shall approximate in size the following, and minimum size of new doors installed in new openings shall be:

- a. Habitable rooms, 2 ft. -6 in. wide.
- b. Bathrooms, toilet compartments and closets other than linen and broom, 2 ft. -0 in. wide.
- c. Service stair doors, 2 ft. -6 in. wide.
- d. Cased openings, 2 ft. -6 in. wide.
- e. To public stairway enclosures, single door = 3 ft. -0 in. wide; double door = 2 ft. -4 in. wide.
- f. Height of all interior doors, 6 ft. -6 in.

R403-3.3 Where new doors are installed in acceptable existing openings, the doors shall approximate the sizes given above.

R403-4 Attic and Basementless Spaces

Access to attics or basementless spaces shall be provided by means of conveniently located scuttles, disappearing or permanently installed stairway. For attic and basementless spaces, the minimum access opening shall be 14 x 22 inches. However, if either are to contain mechanical equipment, the access opening shall be of sufficient size to permit the removal and replacement of the equipment.

R404 STAIRWAYS

R404-1 Objective

To assure that all stairways provide safety of ascent and descent, and an arrangement of stairs and landings which have adequate headroom and space for the passage of furniture and equipment.

R404-2 Reference shall be made in all stairway planning to provisions given in Chapter V of this PRS.

- a. Existing stairways in sound condition to remain, or to be repaired, shall not be dangerously or to any serious extent below the minimum standards as to rise and run of steps, headroom, obstructions, stair width, landings, or railing protection.
- b. New stairways to be constructed shall comply with the provisions of the Local Building Code.

R405 HALLWAYS

R405-1 General

Hallways shall provide adequate, safe and unobstructed circulation from living units or other spaces to various means of exit.

R405-2 Distance of Travel

Where a required stairway is not enclosed and is open to a hallway, the maximum distance of travel from the entrance door of any living unit to the stairway should not exceed 20 ft. Where the stairway is enclosed, this distance should not exceed 30 ft.

R405-3     Width

Hallways providing access to stairways and serving more than one family shall be not less than 3 ft. -6 in. wide.

R406     ELEVATORS

R406-1     The provision of an elevator is recommended for buildings having four stories above grade level and containing more than two living units per floor. Where a building has five or more stories above grade and contains two or more living units per floor, an elevator shall be provided.

R406-2     See Chapter V, R502-2.1 for related provisions.

R407     EXTERIOR APPURTENANCES

All exterior appurtenances or accessory structures which serve no useful purpose, or those in a deteriorated condition which are not economically repairable, shall be removed. Such structures include porches, terraces, entrance platforms, garages, carports, walls, fences, miscellaneous sheds. Where a structure is needed for utility or privacy and the existing one requires removal, it shall be replaced with a structure that appropriately serves the dwelling.

## CHAPTER V

FIRE PROTECTIONR500     OBJECTIVE

To assure a high degree of safety to life and property preservation for the dwelling, by the separation of living units and the use of materials which will retard the spread of fire and prevent the passage of flame, smoke and hot gases through open or concealed spaces within the building, and by providing exits which will permit persons to leave the building with safety.

R501     EXITS

R501-1     Each one or two family dwelling and each living unit in multi-family properties shall have at least one exit, which is a doorway, protected passageway or stairway, providing unobstructed travel directly to the outside of the building at street or grade level. In addition, there shall be a suitable and separate secondary exit from each living unit by means of a doorway, stairway, protected passageway, or openable window.

R501-2     Access to either required exit shall not necessitate passage through another living unit, nor shall either exit be subject to locking by any device which would impede or prohibit ready egress.

R501-3     Where the secondary exit is by means of an openable window, the opening shall be at least 5 sq. ft. in area with a minimum dimension of 20 inches. The bottom of the opening, or sill height, shall not be more than 3 ft. 6 in. above the floor. Where storm windows, screens or

burglar guards are used, these shall be readily openable from the inside.

- R501-4 Every below grade living unit shall have direct and convenient access to the outside of the building at grade level.

R502 INTERIOR FIRE PROTECTION

R502-1 Walls, Floor, and Ceiling Construction

- R502-1.1 Existing wall, floor and ceiling construction separating living units or separating a living unit from a public hallway, other than party or lot line walls, shall be constructed so that at least 1/2 hr. fire resistance rating is provided.

- R502-1.2 Where such existing construction is to be disturbed by new openings or stripped down, and where new walls, floors or ceilings are planned, the fire resistance rating shall be not less than 1/2 hr.

- R502-1.3 The underside of all flights of wood stairs to remain, if exposed, shall be covered with a noncombustible material. Existing plaster in this location which is in good condition may remain.

R502-2 Enclosure of Vertical Openings

- R502-2.1 The enclosing walls of an elevator shaft shall be of noncombustible materials having not less than a 2-hr. fire resistance rating. Other vertical openings requiring enclosure shall be of materials and fire resistance rating appropriate to provide adequate fire safety.

- R502-2.2 For properties containing more than four living units, stairways from the first floor, leading to below-grade open space or rooms containing heating equipment shall be enclosed with partitions providing at least a 1-hr. fire resistance rating. This enclosure shall include all space beneath the stair. A self-closing door shall be provided at the bottom of the stairway conforming to Underwriters' Laboratories, Inc., Class C classification.

R502-3 Storage Space

Storage space located on the same floor as the house heater shall be at least 18 ft. away from the heater, or if closer, shall be separated from it by a noncombustible floor to ceiling partition.

R503 EXTERIOR FIRE PROTECTION

R503-1 Distance Separation

An existing residence less than 6 ft. distance from an adjoining building where the exterior walls of both have a combustible finish material shall have a noncombustible exterior finish material added, to the wall so located, or replace the existing exterior wall finish with noncombustible materials.

R503-2 Exterior Stairways

- R503-2.1 An exterior stairway conforming to the design requirements of interior

stairways may be acceptable as a required exit. See R404.

R503-2.2 Where an exterior stairway is used in place of a required interior stairway, it shall be self-supporting and constructed of noncombustible materials.

R503-3 Roof Covering

R503-3.1 Buildings of from One through Four Living Units

New roof coverings contemplated shall provide a fire retardance equivalent to a Class C roof according to classification of U. L. except for the following additional provision. Where the roof area of the property is greater than 4000 sq. ft., or is without separation from adjacent properties by an adequate distance or by a continuous parapet wall, the requirements of Class A or Class B roofing of U. L. shall apply.

CHAPTER VI

MATERIALS AND PRODUCTS

R600 OBJECTIVE

To provide materials of such kind and quality which will assure that the dwelling will provide: (a) appropriate structural strength, (b) adequate resistance to weather and moisture, and (c) reasonable durability and economy of maintenance.

CHAPTER VII

CONSTRUCTION

R700 OBJECTIVE

To assure that the construction of the dwelling will provide: (a) sufficient structural strength and rigidity, (b) adequate protection from corrosion, decay, insects and other destructive forces, (c) necessary resistance to the elements, (d) reasonable durability and economy of maintenance, and (e) acceptable quality of workmanship.

R701 STRUCTURAL SOUNDNESS

All structural components of the dwelling shall be in sound condition and considered serviceable for the expected useful life of the rehabilitated building. Sagging of floors, fireplaces, partitions or stairs, and bulging of exterior walls shall be restored as near as practical to an acceptably level or plumb position: and supported or braced so as to prevent a reoccurrence of these conditions. Stair railings shall be rigid. Individual structural members in a seriously deteriorated condition shall be replaced. Loose jointing of structural members shall be restored to original rigidity.

R702 EXTERIOR WALLS

R702-1 General

Exterior walls shall provide safe and adequate support for all loads upon them. Serious defects shall be repaired and cracks effectively sealed.

R702-2      Masonry Walls

Masonry walls, either solid or veneer, shall prevent the entrance of water or excessive moisture.

R702-3      Basement and Foundation Walls

R702-3.1      Exterior basement and foundation walls shall prevent the entrance of water or moisture into a basement or crawl space area. Cracks in the walls shall be effectively sealed, and loose or defective mortar joints shall be replaced. Where necessary, the interior or exterior face of the walls shall be dampproofed by bituminous coating and cement parging.

R702-3.2      Any deficiencies in proper grading or paving adjacent to the building shall be corrected, to assure surface drainage away from basement walls.

R703      FLOOR CONSTRUCTION

R703-1      General

All floor construction components shall provide safe and adequate support for all intended or likely loads and shall eliminate objectionable vibration.

R703-2      Basement or Cellar Floors

The floor of all basement or cellar furnace rooms, or basements containing habitable space, shall be paved in an acceptable manner, except under the following condition. Where the basement or cellar has existing wood floor construction over a crawl space and is in a sound, undamaged condition, it may remain provided the crawl space is adequately vented, and height permitting, an acceptable ground cover material is installed on the ground in the crawl space.

R704      CHIMNEYS AND VENTS

Chimneys and vents shall be structurally safe, durable, smoketight and capable of withstanding the action of flue gasses.

R705      PROTECTION FROM RODENTS, TERMITES OR OTHER INFESTATION

Each dwelling and all exterior appurtenances on the premises shall be adequately protected against rodents, termites or other vermine infestation. An existing building where found to have defects which will permit the entrance into the structure of rodents, termites or other vermin shall be corrected by appropriate preventive measures.

R705-1      Inspection

A careful inspection shall be made of the dwelling and other structures on each property for evidence of actual or potential infestation.

R705-2 Preventive Measures

A number of preventive and protective measures against the several forms of infestation are:

- a. Windows or other openings near grade to have snug-fitting screens;
- b. Exterior doors to fit tightly and be flashed at sill;
- c. Openings of pipes or ducts through floors or walls to have tight fitting collars;
- d. Cracks and crevices in foundations and above ground walls effectively sealed by pointing with mortar, and holes filled with materials appropriate to adjacent work;
- e. Provision of curtain wall below grade and supplementary to the foundations;
- f. Locating sidewalks, driveways or other impervious horizontal surfaces flush against the foundation;
- g. Cracked or broken shingles or decayed wood surfaces shall be replaced and joints caulked;
- h. Appropriate soil poisoning treatment adjacent to foundations and within hollow masonry foundations, and treatment of soil in enclosed spaces.
- i. Apply the precautions or corrective actions recommended by bonded exterminators.

## CHAPTER VIII

EXTERIOR AND INTERIOR FINISHESR800 OBJECTIVE

The use of exterior and interior finishes of the dwelling that will assure against the entrance or penetration of moisture and extremes of temperature; protect from damage by decay, corrosion, insects and other destructive elements; and provide reasonable durability and economy of maintenance.

R801 EXTERIOR WALLS

Repairs to existing siding, stucco, or other exterior wall finish method shall use standards for new work as a guide.

R802 ROOF COVERING

All roofs shall have a suitable covering free of holes, cracks or excessively worn surfaces which will prevent the entrance of moisture into the structure and provide reasonable durability. See R503-3.

R803 GUTTERS AND DOWNSPOUTS

Each dwelling shall have a controlled method of disposal of water from roofs where necessary to prevent damage to the property, and avoid causing an unsightly appearance of walls and windows where adequate roof overhangs are not provided.

R804 FLASHING

All critical joints in exterior roof and wall construction shall be protected by sheet metal or other suitable flashing material to prevent the entrance of water.

R805      WINDOWS, DOORS AND OTHER OPENINGS

R805-1      Existing windows and doors, including its hardware, shall operate satisfactorily and give evidence of continuing acceptable service. Trim and the sash or door needing restoration shall be guided by the following:

1. Repair, if work can be done in place;
2. Replace, if the entire component needs to be removed in order to restore;
3. Refinish, if only the surface needs work in order to restore to new condition.

R805-2      Screens shall be provided for all windows, doors and other openings.

R805-3      Existing screens, and storm sash shall be in suitable condition to serve the intended purposes.

R806      INTERIOR WALL AND CEILING FINISH

All interior walls and ceilings of rooms and hallways shall provide (a) a suitable base for decorative finish, (b) a waterproof and hard surface in spaces subject to moisture, and (c) there shall not be noticeable surface irregularities or cracking.

R807      FINISH FLOORS

R807-1      General

Finish floors shall be appropriate for the use of the space and provide reasonable durability and economy of maintenance.

R807-2      Kitchen and Bathroom Floors

Floors in kitchens and bathrooms shall be of a durable, waterproof, non-absorptive material, such as asphalt, vinyl-asbestos, vinyl-plastic, rubber or ceramic tiles, terrazo or linoleum, Wood finish flooring for these rooms is not acceptable.

R807-3      Habitable Rooms (other than Kitchen)

Finish floors in habitable rooms shall be wood flooring or a resilient tile or sheet material. Concrete as a finish floor should be used only under special conditions. Carpeting over a suitable underlayment is also acceptable.

R807-4      Public Hallways and Entrance Spaces

R807-4.1      In hallways, wood, a resilient flooring or carpeting are appropriate finish flooring materials. Noise control shall be considered in making selection.

R807-4.2 In public entrance spaces, ceramic tile, terrazzo or concrete are appropriate, in addition to floorings named under R807-4.1. A finish flooring that is resistant to water and dirt shall be given special consideration in these locations.

R808 PAINTING AND DECORATION

R808-1 Where needed, a protective and decorative finish coating shall provide, (a) adequate resistance to weathering, (b) protection of finish surfaces from moisture or corrosion, (c) an attractive appearance, and (d) reasonable durability.

R808-2 Where painted surfaces are in good condition and it is apparent that painting maintenance has taken place and the property is between such painting periods, and where the rehabilitation will not disturb that part of the building, painting and redecoration is not required.

CHAPTER IX

MECHANICAL EQUIPMENT

R900 OBJECTIVE

To provide mechanical equipment for the building and its living units that will appropriately meet the needs of the intended occupants and be of a quality and condition which will assure: (a) safety of operation, (b) adequate capacity for its intended use, (c) protection from moisture, corrosion or other destructive elements, (d) reasonable quietness of operation, and (e) reasonable durability and economy of maintenance.

R901 GENERAL

R901-1 See R202 Service and Facilities, for mechanical equipment. Also see R402-7 Ventilation of Utility Spaces.

R902 MECHANICAL VENTILATION AND AIR CONDITIONING

R902-1 Where mechanical ventilation is required for Kitchens, Bathrooms, or Toilet Compartments, the installation of new equipment shall be in accordance with the Building Code for the City of Austin.

R902-2 Where summer air conditioning is to be included, whether a central system or packaged room or zonal air conditioners, follow the provisions of the Building Code of the City of Austin.

R903 HEATING

R903-1 Each property shall be provided with a centralized heating facility, or appropriate and sufficient individual space heaters, capable of maintaining a temperature of at least 70 degrees F. when the outside temperature is at the design temperature, in all habitable rooms, bath and toilet rooms, hallways, basement and recreation rooms. All heating devices or equipment shall have an appropriate recognized approval for safety and performance, or shall be so determined by proper authority.



R903-2 No open-flame radiant type space heaters shall be permitted, unless determined locally for one and two family detached dwellings only to be the predominant method of providing heat for dwellings.

R903-3 Unvented space heaters shall not be permitted except for existing equipment, and only for one and two family detached dwellings.

R903-4 Appropriate clearances around all room or space heaters shall be provided, and the floor shall be protected in an acceptable manner. (1)

R903-5 Where space heaters are the sole source of heat, a sufficient number of heaters shall be provided to accomplish the objective.

R904 DOMESTIC WATER HEATING AND STORAGE

R904-1 Capacities

Each building, or living unit within a building, shall have domestic water heating and storage equipment in serviceable condition supplying hot water in quantities equivalent to the table below:

<u>Number Living Units Served</u>	<u>Storage Capacity In Gallons</u>	<u>Heating Capacity</u>
		<u>Gal. per hour 100° F. Rise</u>
1	20	20
2	30	30
3	40	35
4	50	40
5	60	45
6	70	50
7	80	55
8	90	65
9	100	70
10	110	80
11	120	95

Where replacement by new equipment is needed, the water heating equipment shall be automatic. Where electric water heaters are used, appropriate additional storage capacity shall be provided to compensate for low heating capacity.

R904-2 Capacities - Tankless Type

Instantaneous water heaters rated in gallons per minute - 100° F. Rise shall be at least equivalent to the following:

1 Living Unit Served	-	2.75 G.P.M.
2 " " "	-	5.00 G.P.M.
3 " " "	-	7.75 G.P.M.
4 " " "	-	10.00 G.P.M.
5 " " "	-	12.75 G.P.M.
6 " " "	-	15.00 G.P.M.
7 " " "	-	17.75 G.P.M.
8 " " "	-	20.00 G.P.M.
9 " " "	-	22.75 G.P.M.
10 " " "	-	25.00 G.P.M.
11 " " "	-	27.75 G.P.M.

R904-3     Prohibited Locations

No water heater shall be installed in any room used or designed to be used for sleeping purposes. No gas or oil fired water heater shall be located in a bathroom, clothes closet, under any stairway, or in a confined space with access only to the above locations.

R904-4     Venting

All fuel burning water heaters shall be connected to a U. S. Class "B" vent leading to the exterior.

R905     PLUMBINGR905-1     General

The plumbing system and its appurtenances for each dwelling shall provide satisfactory water supply, drainage venting and operation of fixtures.

R905-2     Required Fixtures

For required plumbing fixtures see paragraphs R401-6 to R401-8, Chapter IV.

R905-3     New Plumbing Work

Where changes or additions are made to existing plumbing, the provisions of local applicable codes shall be used as a guide.

R905-4     Condition of Existing Plumbing

Plumbing systems including building sewers shall operate free of fouling and clogging, and not have cross connections which permit contamination of water supply piping or back-siphonage between fixtures.

R906     ELECTRICALR906-1     General

All habitable rooms and other appropriate spaces in each dwelling shall be provided with electric service by a system of wiring and equipment to safely supply electrical energy for proper illumination, and for the appropriate location and use of appliances or other equipment.

R906-2     Existing Wiring and Equipment

Existing wiring and electric equipment to remain shall be determined to be in good and serviceable condition, and installed so as not to be a potential source of electrical hazard, or ignition of combustible materials. Replacement of existing wiring and equipment shall be made where these conditions are not fulfilled. Existing electrical facilities where considered inadequate shall be increased to fulfill the intent of paragraph R906-1.

R906-3     New Electrical Work

Appropriate provisions of the National Electrical Code shall be used as a guide for design layout and installation of electrical work in new construction. Not less than two general lighting circuits (15 amp.) and one appliance circuit (20 amp.) shall be provided for each living unit. Heavy duty equipment shall have individual branch circuits, as required to comply with the National Electrical Code.

## APPENDIX A

### REQUIRED EXHIBITS

#### A-1 GENERAL

The submission of exhibits under rehabilitation projects of existing properties is intended to be sufficiently flexible to provide all needed information according to the extent and nature of the work proposed for the particular project.

#### A-2 EXHIBITS TO BE SUBMITTED

The application shall be accompanied by duplicate copies of the following required exhibits:

1. Survey (When required by the FHA field office)

A recent survey showing the boundaries of the property, existing structures, easements, etc.

2. Plot Plan

Where any addition to or removal of a structure is proposed, a plot plan is required, giving appropriate dimensions of changes.

3. Other Drawings

a. Where any physical change, addition or removal is proposed, 1/4-inch scale drawings of floor plans, elevations, and sections together with pertinent details are required. These drawings shall show existing work, new work, and work to be removed, with appropriate notes and dimensions.

b. Where there is no physical change, addition or removal proposed, the "Other Drawings", called for under 3a are not required, provided the work to be performed is adequately described in the specifications.

4. Outline Specifications

a. For Properties of from One through Four Living Units, a brief narrative of the work to be done, accompanied by a completed FHA Form 2005, "Description of Materials".

b. For Properties of Five through Eleven Living Units, a brief narrative of the work to be done, accompanied by a completed FHA Form 2435, "Outline Specifications".

### 5. Contractor's Bid

A contractor's firm bid is required, unless the employment of a contractor is not intended; in which case a detailed estimate should be provided.

A-3

### INSPECTION

Each property shall be inspected during construction. The FHA shall decide and state on the commitment, the number of inspections based upon the nature and extent of improvements proposed. FHA shall be notified when the work has progressed to prescribed stages. Work shall not start prior to acceptance of the property for mortgage insurance. "

### RESOLUTION MAKING FINDINGS REGARDING SLUM CLEARANCE AND REDEVELOPMENT - BLACKSHEAR AREA

COUNCILMAN MacCorkle inquired who determined whether or not the structures were habitable. Mr. Lurie reported that during the planning of the project, inspections were made of the structures, inside and out, by professional engineers, and professional architects, the decisions being made on the amount of money to repair the structures, keeping in mind there is an economic line to be drawn. If a structure can be rehabilitated, it could be left in the area, and money would be provided for that purpose, or if the owner could fix it up, he would do so with his own funds. Not every structure will be demolished; some will be rehabilitated.

Councilman Gage offered the following resolution and moved its adoption:

### (RESOLUTION)

WHEREAS, the City of Austin has adopted an Urban Renewal Plan concerning an area known as the "Blackshear Project"; and,

WHEREAS, there is included in such Plan, as adopted by this Governing Body, an area designated for clearance and redevelopment; and,

WHEREAS, within such clearance and redevelopment area, rehabilitation without clearance would be impractical, infeasible and ineffective in that at least 50% of the structures in this area are dilapidated beyond the point of feasible rehabilitation, and there are parcels in such area that do not have access to open streets, there is an overcrowding of structures on the land, the streets are congested, unsafe and insufficient to carry the traffic, and there is a mixed use of structures and a serious lack of recreational facilities in such area; NOW, THEREFORE,

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

1. That it is necessary as set out in the Blackshear Urban Renewal Plan that the slum clearance and redevelopment section be cleared and redeveloped and not rehabilitated, and in this connection the Council finds as follows:

a. There are parcels in the area that do not have access to streets.

- b. There is an overly high density of usage.
- c. There are streets that are congested, unsafe and insufficient to carry the traffic.
- d. There is a mixed use of structures in the area.
- e. There is a serious lack of recreational facilities.
- f. There are at least 50% of the structures in the clearance and redevelopment area that are in a dilapidated condition beyond the point of feasible rehabilitation.

2. The Council finds that rehabilitation of the area without clearance would be impractical, infeasible and ineffective. "

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, under Title I of the Housing Act of 1949, as amended (Title I), the Secretary of Housing and Urban Development is authorized to extend financial assistance to local public agencies in the elimination and prevention of the spread of their slums and urban blight through undertakings and activities carried out under a Neighborhood Development Program; and,

WHEREAS, the Urban Renewal Agency of the City of Austin has prepared and submitted a proposed Neighborhood Development Program converting Blackshear Urban Renewal Project No. Tex. R-95 to the Neighborhood Development Program, and annual increment thereof covering this urban renewal area; said proposed program and annual increment having been duly reviewed and considered; and,

WHEREAS, the City Council of the City of Austin, Texas, deems it in the best interest of the City of Austin that the Blackshear Urban Renewal Project No. Tex. R-95 be converted to the Neighborhood Development Program:

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN TEXAS:

1. That the Blackshear Urban Renewal Project No. Tex. R-95 be converted to the Neighborhood Development Program.

2. That the Neighborhood Development Program and annual increment are hereby approved. The City Clerk is hereby directed to file a copy of said program and annual increment with the minutes of this meeting.

3. That it is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal activities with Federal financial assistance under Title I, including those relating to (a) the relocation of

site occupants, (b) the provision of local grants-in-aid, and (c) the prohibition of discrimination because of race, color, creed, or national origin.

4. That the Urban Renewal Agency of the City of Austin is authorized to file an application for financial assistance to carry out the Neighborhood Development Program and the annual increment thereof.

5. That the Blackshear Project is intended to be placed in the NDP along with the Brackenridge Project No. Tex R-94 and the Kealing Project Tex R-20 heretofore converted to NDP. "

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor  
LaRue  
Noes: None  
Absent: Councilman Price

Copies of the program and increment following this sheet.

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has submitted to the Planning Commission for review and recommendation, the Blackshear Urban Renewal Plan in accordance with the Urban Renewal Law, Article 1269L-3, V.T.C.S.; and,

WHEREAS, the Planning Commission at a special session of December 18, 1969, reviewed the Plan with a view toward making a recommendation to the City Council thereon; and,

WHEREAS, upon such review the Planning Commission found that, as submitted to it, the Blackshear Urban Renewal Plan was in conformity with the general plan for the development of the City as a whole or with the Austin Development Plan of the City of Austin; NOW, THEREFORE,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF AUSTIN:

That the Blackshear Urban Renewal Plan conforms to the general plan for the development of the City as a whole and with the Austin Development Plan of the City of Austin, and that an executed copy of this resolution be filed with the City Clerk. "

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor  
LaRue  
Noes: None  
Absent: Councilman Price

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
NEIGHBORHOOD DEVELOPMENT PROGRAM

LOCALITY

Austin, Texas

PROGRAM NUMBER

Tex. A-11

## ACTIVITY PROGRAM SUMMARY

INSTRUCTIONS: Submit one copy in each binder.

ACTION YEAR: FROM October 1, 1970 TO October 1, 1971

ACTIVITY CLASSIFICATION	ACTIVITY UNITS				COSTS (\$000)			
	PRIOR YEAR ACTUAL (1)	CURRENT YEAR ACTUAL & ESTIMATE (2)	ACTION YEAR ESTIMATE (3)	RESERVATION YEAR ESTIMATE (4)	PRIOR YEAR ACTUAL (5)	CURRENT YEAR ACTUAL & ESTIMATE (6)	ACTION YEAR ESTIMATE (7)	RESERVATION YEAR ESTIMATE (8)
1. REAL ESTATE ACQUISITION (Parcels)								
Residential	163	44	88	66	1,484	539	2,055	1,573
Commercial	55	13	15	11	1,175	795	773	912
Industrial	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Institutional	2	5	-0-	1	214	273	-0-	38
Total	220	62	103	78	2,873	1,607	2,828	2,523
Staff Services (Man/Years)	-	-	-	-	-	-	-	-
Contract Services	XXX	XXX	XXX	XXX	-	-	-	-
2. PROPERTY MANAGEMENT (Rental Units Under Management)								
Beginning of Period	185	20	34	40	XXX	XXX	XXX	XXX
Additions During Period	92	64	96	96	XXX	XXX	XXX	XXX
Vacates During Period	257	50	90	110	XXX	XXX	XXX	XXX
End of Period	20	34	40	26	XXX	XXX	XXX	XXX
Average Under Management	-	-	-	-	-	-	-	-
Staff Services (Man/Years)	XXX	XXX	XXX	XXX	-	-	-	-
Contract Services	-	-	-	-	-	-	-	-
3. RELOCATION								
Families	153	45	67	63	XXX	XXX	XXX	XXX
Individuals	89	25	48	45	XXX	XXX	XXX	XXX
Business Concerns	36	15	13	19	XXX	XXX	XXX	XXX
Total	278	85	128	127	XXX	XXX	XXX	XXX
Staff Services (Man/Years)	-	-	-	-	-	-	-	-
Contract Services	XXX	XXX	XXX	XXX	-	-	-	-

ACTIVITY CLASSIFICATION	ACTIVITY UNITS				COSTS (\$000)			
	PRIOR YEAR ACTUAL (1)	CURRENT YEAR ACTUAL & ESTIMATE (2)	ACTION YEAR ESTIMATE (3)	RESERVATION YEAR ESTIMATE (4)	PRIOR YEAR ACTUAL (5)	CURRENT YEAR ACTUAL & ESTIMATE (6)	ACTION YEAR ESTIMATE (7)	RESERVATION YEAR ESTIMATE (8)
4. DEMOLITION (Structures)								
Residential	-	-	-	-	-	-	-	-
Nonresidential	-	-	-	-	-	-	-	-
Total	5	80	127	91	3	72	66	63
Staff Services (Man/Years)	-	-	-	-	-	-	-	-
Contract Services	XXX	XXX	XXX	XXX	-	-	-	-
5. SITE IMPROVEMENTS								
Item 1	XXX	XXX	XXX	XXX	36	-0-	-0-	-0-
Staff Services (Man/Years)	-	-	-	-	-	-	-	-
Contract Services	XXX	XXX	XXX	XXX	-	-	-	-
6. LAND MARKETING (Sq. Ft.)								
Low-Rent Public Housing*	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Moderate Cost Housing*	231,784	10,660	121,700	115,079	87	3	36	28
Other Housing*	364,025	82,013	20,851	-0-	68	59	47	-0-
Commercial*	-0-	83,401	14,242	12,953	-0-	233	27	7
Institutional*	692,624	1,074,466	857,153	631,326	206	2,502	1,607	1,069
Total*	1,288,433	1,250,540	1,013,946	759,358	361	2,797	1,717	1,104
Staff Services (Man/Years)	-	-	-	-	-	-	-	-
Contract Services	XXX	XXX	XXX	XXX	-	-	-	-
7. REHABILITATION (Structures)								
Rehabilitation to PRS 1/	48	2	22	10	XXX	XXX	XXX	XXX
Rehabilitation to Code Standards	-	-	-	-	XXX	XXX	XXX	XXX
Total	48	2	22	10	XXX	XXX	XXX	XXX
Rehabilitation Grants	18	-	17	5	27	-0-	60	18
Rehabilitation Loans	7	1	-0-	-0-	19	-0-	-0-	-0-
Staff Services (Man/Years)	-	-	-	-	-	-	-	-
Contract Services	XXX	XXX	XXX	XXX	-	-	-	-

\*Columns (1) through (8) are actual and estimated land disposition proceeds.

HUD-Wash., D. C.

1/ Property Rehabilitation Standards



ND-201 (b) Narrative Statement Covering the Following Functional Categories:

1. Planning and programming activities.

Thirteen Thousand Dollars (\$13,000) is included within the Expenditures Budget to cover the cost of programming activities within the NDP area.

Activities during the action year within the Kealing Area are disposition of all property owned by the Local Public Agency, completion of all rehabilitation, and continuation of the improvements in the Kealing Park and Playground. The remainder of park improvements should be completed during the reservation year and should virtually complete proposals for the Kealing Area set forth in the Kealing Application for Loan and Grant.

Activities within the Brackenridge Area include acquisition of most of the property north of East 51st Street by the end of fiscal year 1971-72 and acquisition of the remainder of the property north of East 15th by the end of fiscal year 1972-73. Relocation, demolition, and disposition are planned to enable the Agency to dispose of right-of-way needed for Interstate 35 to the Texas Highway Department during the action year. Activities are also scheduled to enable the Agency to dispose of about one-half of the land designated for sale to the University during fiscal year 1972-73 and the other half to be sold during fiscal year 1973-74. The major part of project improvements will be done during fiscal year 1973-74, and the remainder will be done during fiscal year 1974-75.

Acquisition within the Blackshear Area will be scheduled to acquire only those properties during the first two years from those who have notified the Agency that they wish to sell their property. The rest of acquisition will be scheduled for the next eight years as shown in the relocation plan. The rehabilitation of structures is scheduled to take place during the first three years.

ND-201 2. Real Estate Acquisition Activities

No real estate acquisition activities are planned or anticipated in the Kealing Area during either the action or reservation years.

Sixty-Seven parcels consisting of approximately 550,115 square feet and costing approximately \$2,552,400 would be purchased during the action year in the Brackenridge Area. Thirty-six parcels consisting of approximately 205,217 square feet and costing approximately \$275,200 will be purchased during the action year in the Blackshear Area.

Total acquisition scheduled during the action year within all areas of the NDP is 103 parcels consisting of approximately 755,332 square feet and costing approximately \$2,827,600. Forty-seven parcels consisting of approximately 389,608 square feet and costing

approximately \$2,284,700 will be purchased during the reservation year in the Brackenridge Area. Thirty-one parcels consisting of approximately 168,549 square feet and costing approximately \$238,400.00 are scheduled for purchase during the reservation year in the Blackshear Area.

Total acquisition scheduled during the reservation year for all NDP areas is 78 parcels consisting of approximately 558,157 square feet and costing approximately \$2,523,100.00.

Remaining parcels in the Brackenridge Area will be purchased during fiscal years 1971-72, 1972-73, and 1973-74.

Remaining parcels in the Blackshear Area will be purchased over a ten year period through fiscal year 1979-80.

NDP-201

### 3. Property Management Activities

There are no property management activities to be carried out within the Kealing Area during either the action or reservation years.

Property Management Activities within the Brackenridge Area consist of 85 units on 67 parcels to be purchased by the Agency during the action year. Of these 85 units, 32 are owner-occupied, 42 are tenant-occupied, and 11 are businesses.

Property Management Activities within the Blackshear during the action year consist of approximately 43 units on 36 parcels to be acquired by the Agency. Of these 43 units, 18 are owner-occupied, 23 are tenant-occupied, and 2 are businesses. Total property management load within all areas for the action year is 65 tenant-occupied units and 13 business-occupied units. The 65-tenant-occupied units will be on the rent roll for an average of 2.5 months. The 13 business-occupied units will be on the tax roll for an average of four months.

During the reservation year, 83 units on 47 parcels will be purchased by the Agency within the Brackenridge Area. Of these 83 units, 27 are owner-occupied, 39 are tenant-occupied, and 17 are business-occupied. The tenant-occupied and business-occupied units are expected to be on the rent rolls for approximately the same length of time as those on the rent rolls within the action year. Forty-four units on 31 parcels will be purchased by the Agency within the Blackshear Area during the reservation year. Of these 44 units, 20 are owner-occupied, 22 are tenant-occupied, and 2 are business-occupied.

Total management load within all areas for the reservation year is 61 tenant-occupied units and 19 business-occupied units.

ND-201

### 4. Relocation Activities

No Relocation Activities are planned for the Kealing Area during either the action or reservation years.

Within the Brackenridge Area, 41 families, 33 individuals and 11 businesses will enter the work-load during the action year.

Within the Blackshear Area, 26 families, 15 individuals and 2 businesses will enter the work-load during the action year.

All of these displacees will be relocated during the action year.

Within the Brackenridge Area, 30 families, 36 individuals and 17 businesses will enter the work-load during the reservation year.

Within the Blackshear Area, 33 families, 9 individuals and 2 businesses will enter the work-load during the reservation year.

All of these displacees will be relocated during the reservation year.

ND-201

#### 5. Demolition and Site Clearance Activities

No demolition and site clearance activities are planned for the Kealing Area during the action or reservation years.

Seventy-eight structures on 67 parcels containing approximately 119,600 square feet of floor space will be purchased during the action year. Approximately all these buildings will be demolished during the action year as Item 1 cost.

In the Blackshear Area, 49 structures on 36 parcels containing approximately 42,968 square feet of floor space will be purchased by the Agency during the action year.

During the reservation year, 56 structures on 47 parcels containing approximately 115,900 square feet of floor space will be purchased by the Agency within the Brackenridge Area. Thirty-five structures on 31 parcels containing approximately 38,911 square feet of floor space will be purchased by the Agency during the reservation year within the Blackshear Area.

Approximately all of these buildings will be demolished during the reservation year as Item 1 cost. There will also be about \$5,000 in water disconnection and relocation, and \$5,000 in electric distribution, removal and relocation by the City of Austin as Item 2 cost in the Brackenridge Area; and, about \$1,000 in water disconnection and relocation and \$1,000 in electric distribution, removal, and relocation by the City of Austin as Item 2 cost within the Blackshear Area.

ND-201

#### 6. Project Improvement Activities

No project improvement activities are planned for the Kealing Area during either the action or reservation years except for supporting facilities in the Kealing Park and Playground.

No project improvements are planned for the Brackenridge Area during the action or reservation years.

No project improvements activities are planned for the Blackshear Area during the action or reservation years.

#### 7. Land marketing activities

No land marketing activities are planned for the Kealing Area during either the action or reservation years.

In the Brackenridge Area during the action year, one (1) parcel containing 45,464 square feet is to be sold to the Texas Highway Department for approximately \$179,200.00, leaving approximately 1,897,119 square feet of undisposed land valued at approximately \$4,056,759. In the Brackenridge Area during the reservation year, no land is to be sold; the inventory of undisposed land will have increased to 2,422,522 square feet valued at approximately \$5,115,741.

In the Blackshear Area during the action year, no land is to be sold making a land inventory in this Area of 218,585 square feet valued at approximately \$58,429. Also no land is to be sold during the reservation; the inventory of undisposed land will be increased by 188,491 square feet valued at approximately \$45,283.

The total land inventory for the NDP Area at the end of the action year will be approximately 2,033,243 square feet valued at approximately \$4,115,188, and at the end of the reservation year will be approximately 2,792,501 square feet valued at approximately \$5,219,453.

#### 8. Rehabilitation Activities

The only rehabilitation activities planned within the Kealing Area during the action year are a rehabilitation of a church and parsonage which must be done with Section 312 Loan. Since there are only these two structures to be rehabilitated, there are no rehabilitation activities planned for the Kealing Area during the reservation year. At least five of the ten structures to be rehabilitated in the Brackenridge Area will be completed in the action year. The other five buildings will be rehabilitated during the reservation year.

Within the Blackshear Area during the action year, 17 structures are to be rehabilitated. Five structures are scheduled for rehabilitation within the Blackshear area during the reservation year.

#### 9. Activities of LPA and/or other local agencies in providing supporting facilities

The City of Austin intends to place approximately \$10,000 of improvements in the Kealing Park and Playground in the Kealing Area during the action year.

Approximately \$15,000 will be spent on improvements in the Park during the reservation year.

The Brackenridge Hospital is under construction in the Brackenridge Area. There are no supporting facilities planned for in the Area during the action year or the reservation year.

REFUND CONTRACT AND CASH SETTLEMENT  
BAKER, JONES & CROW - LAS PLAZAS

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH BAKER, JONES & CROW COMPANY - WILLARD BAKER, TRUSTEE, 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 Gage moved that the rule be suspended and the ordinance be passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

The Mayor announced that the ordinance had been finally passed.

Cash Settlement

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the owners of Las Plazas, Sections 1 and 2, have installed a sewer approach main at a cost of \$7,150.00 pursuant to a subdivision plan called Las Plazas, Sections 1 and 2, and have requested an 18%/82% cash settlement of the above amount in lieu of a refund contract; and,

WHEREAS 82% of the aforementioned \$7,150.00 equals \$5,863.00 which amount is agreed upon as the cash settlement value of said utility lines, in lieu of refund contract; and,

WHEREAS, the Deputy City Manager and the Director of Water and Waste Water Department have recommended said cash settlement in lieu of a refund contract; Now, Therefore,

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

That Dan H. Davidson, Deputy City Manager, be and he is hereby authorized and directed to execute a cash settlement contract under the terms of which the City of Austin shall acquire title to the above described main from Las Plazas, Sections 1 and 2, and to pay to Baker, Jones & Crow Company - Willard Baker, Trustee, the actual cost thereof not to exceed \$5,863.00. "

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

NEW CLINIC RATES AT BRACKENRIDGE HOSPITAL

The Council had before it the following recommendation:

" Brackenridge Hospital  
December 16, 1969

MEMO TO: Mr. Lynn H. Andrews, City Manager  
SUBJECT: RECOMMENDED NEW CLINIC SCALE

The attached comparison of the existing clinic scale and the proposed changes for approval are submitted.

At the Advisory Board of Trustees meeting held September 26, 1969, the revised scale was approved and recommended to the City Council for their approval:

"On motion of Mr. Simpson, seconded by Mr. Allman, the Board voted to recommend adoption of the proposed Clinic Scale and base any future changes on the Consumer Price Index."

This proposed scale relates to the OEO Poverty Scale for 1969 as provided by Mr. Carroll Coffee, Director of the Community Action Program.

It is hoped that this scale will be approved. It is less expensive for the hospital to care for patients in the Out-Patient Department than it is to have them admitted to the hospital as emergency patients.

If any additional information can be provided please let me know.

(Sgd)  
Ben Tobias  
Administrator

BT:sm

Enc: Eligibility Scale for Clinic

Brackenridge Hospital  
Austin, Texas

December 15, 1969

Scale for Certification of Eligibility Effective November 1, 1969 (1)  
Out-Patient Department Only

Number in Family	CARD A Monthly Income		CARD B Monthly Income		CARD C Monthly Income	
	Now & Proposed	Now    Proposed	Now    Proposed	Now    Proposed	Now    Proposed	Now    Proposed
1		0-\$ 94 0-\$110	\$ 95-\$107	\$111-\$133	\$108-\$119	\$134-upward
2		0-\$131 0-\$146	\$132-\$142	\$147-\$175	\$143-\$165	\$176-upward
3		0-\$164 0-\$184	\$165-\$178	\$185-\$217	\$179-\$220	\$218-upward
4		0-\$201 0-\$218	\$202-\$212	\$219-\$275	\$213-\$267	\$276-upward
5		0-\$221 0-\$243	\$222-\$236	\$244-\$325	\$237-\$312	\$328-upward
6		0-\$250 0-\$274	\$251-\$267	\$275-\$367	\$268-\$354	\$368-upward
7		0-\$260 0-\$297	\$261-\$288	\$298-\$408	\$289-\$395	\$409-upward
8		0-\$295 0-\$327	\$296-\$318	\$328-\$450	\$319-\$431	\$451-upward
9		0-\$318 0-\$404	\$319-\$393	\$405-\$492	\$394-\$466	\$493-upward
10		0-\$342 0-\$432	\$343-\$420	\$433-\$533	\$421-\$497	\$534-upward
11		0-\$367 0-\$447	\$368-\$448	\$448-\$575	\$449-\$528	\$576-upward
12		0-\$391 0-\$476	\$392-\$472	\$476-\$617	\$473-\$554	\$618-upward

(1) Approved by the City Council, October 31, 1968

NOW

(Any exceptions to this eligibility scale are made by Hospital Administration.)

A hospital patient for the treatment follow-up in the Out-Patient Department as ordered by the Intern or Resident is to be charged \$7.00.

Any family whose earnings are more than \$554.00 per month should get private medical care.

NOW

CARD A - pays \$.25 per clinic visit, and Emergency Room charge \$2.00 per person.

CARD B - pays \$.50 per clinic visit, and Emergency Room charge \$5.00 per person.

(2) NOTE: The "C" Card is for exceptional cases determined by judgment of the Social Service Director and Hospital Administration.

A hospital patient for the treatment follow-up in the Out-Patient Department as ordered by the Intern or Resident is to be charged full charges after issuance of a "C" card.

Any family whose earnings are more than \$617.00 per month should get private medical care.

PROPOSED

CARD A - pays \$.25 per clinic visit, and Emergency Room charge \$5.00 per person.

CARD B - pays \$1.00 per clinic visit and Emergency Room charge \$5.00 per person.

CARD C - pays \$1.00 per clinic visit, and Emergency Room charge \$5.00 per person.

An approved Medicare or Medicaid Card is accepted in lieu of the 25¢, 50¢, or \$1.00 clinic fee.

OBSTETRICAL CARE - FLAT RATE

(Includes Pre and Post Natal Care)

A Card - \$ -0-  
B Card - \$35.00  
C Card - \$50.00

Persons eligible under the above scale are eligible for in-patient care without charge above third party coverage.

(Cards for minors have been issued to parents even though living outside of home, and minors' income has been calculated toward total family income.)

(Parents were previously asked to accompany minors who had children of their own.)

CARD C - Pay full hospital charges

An approved Medicare or Medicaid Card is accepted in lieu of the clinic fee.

OBSTETRICAL CARE - NO CHARGE

(Includes Pre and Post Natal Care)

A Card - \$ -0-  
B Card - \$ -0-  
C Card - \$ Full Charges

Persons eligible under the above scale are eligible for in-patient care without charge above third party coverage. Those with "C" Cards will pay full charges.

Minors living outside the family may be issued separate clinic cards with eligible established on their own income.

Minors with children of their own may get their parents consent for them to authorize clinic care without an accompanying adult. "

The City Manager recommended the proposed clinic rates, stating this would be in keeping with the present inflation trends, and would meet the inflated dollar value. The Hospital Administrator, Mr. Ben Tobias, reviewed the various rates in detail, explaining particularly the significance of the "C" card, as it applied to an emergency case requiring "follow-up" treatment in the Out Patient Department whereby the patient could return to the Hospital, for the follow-up treatment, but would pay the full charges. He said based on the JOHN STEINLE (Hospital consultant in 1961) recommendation, the Hospital Administration had tried to review this scale annually, and had tried to bring the base up to the OEO Poverty scale. Councilman MacCorkle discussed the procedures at the Hospital on establishing eligibility for these various cards.

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the new clinic scale recommended by the Advisory Board of Trustees for Brackenridge Hospital be adopted by the City Council as the scale for certification of eligibility of those wishing to have clinic cards, in accordance with the terms and provisions of that recommendation exhibited to the



City Council and attached hereto as Exhibit "A"; and,

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

That the City Clerk is hereby directed to file a copy of the new clinic scale in the permanent records of her office. "

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor  
LaRue  
Noes: None  
Absent: Councilman Price

#### SALE OF IMPROVEMENTS

Councilman Janes' offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 16, 1969 for the sale of City-owned capital assets; and,

WHEREAS, the bids of Bradford and Ross Construction in the sum of \$105.00 for the house located at 511 Arlington Street, in the sum of \$507.00 for the house located at 1900 West 7th Street, and in the sum of \$200.00 for the house located at 2807-A Oakmont Boulevard; the bid of Sara E. Campbell in the sum of \$1,825.00 for the house located at 1801 Northwood Road; and the bid of Roy A. Butler in the sum of \$1,109.00 for the house located at 2104 Winsted Lane, were the highest and best bids therefor, and the acceptance of such bids has been recommended by the Director of Public Works 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 Bradford and Ross Construction, Sara E. Campbell and Roy A. Butler, be and the same are hereby accepted, and that Lynn H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute contracts on behalf of the City with said named parties. "

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor  
LaRue  
Noes: None  
Absent: Councilman Price

#### SALE OF HOUSES TURNED OVER TO CITY FROM URBAN RENEWAL

Councilman Gage offered the following resolution and moved its adoption:

## (RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 15, 1969, for the sale of nine (9) houses that Urban Renewal had turned over to the City for disposal; and,

WHEREAS, the bid of G. Zieschang in the sum of \$905.00 for the house located at 2809 East 11th Street to be moved; the bids of Walt Collins in the sum of \$250.00 for the house located at 2305 East 12th Street to be moved and in the sum of \$225.00 for the house located at 708 Nile Street to be moved; the bid of Mrs. C. R. Smith in the sum of \$340.00 for the house located at 1185 Chestnut to be moved; the bids of A. Heyer in the sum of \$27.85 for the house located at 3006 Conway to be demolished, in the sum of \$22.10 for the house located at 2901 Hargrave to be demolished and in the sum of \$37.60 for the house located at 705 Nile to be demolished, and the bid of C. R. Gilpin in the sum of \$40.00 for the house located at 904 Stokes to be demolished, 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 G. Zieschang, Walt Collins, Mrs. C. R. Smith, L. McDonald, A. Heyer and C. R. Gilpin be and the same are hereby accepted, and that Lynn H. Andrews, City Manager of the City of Austin be and he is hereby authorized to execute contracts on behalf of the City with said named parties. "

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

## COUNCIL OF GOVERNMENTS

MAYOR LaRUE noted in the evening paper there was an indication the LaGrange City Council is taking steps to upgrade housing conditions, and has filed a formal application for membership in the Capital Area Council of Governments headquartered in Austin. "Joining the Capital Area Council of Governments will provide the City with cooperative information, planning and other assistance centered around local government," said the Mayor of LaGrange. Ten central Texas counties and incorporated cities therein form the Capital Area Council of Governments make-up. This is an indication that some of the outlying areas could be obtained. The area must be contiguous. Lying between the LaGrange area and the City of Austin is Bastrop County. He stated he had assistance in getting the Bastrop Commissioners' Court to take some affirmative action. If the Travis County Commissioners' Court accepted the theory and the idea, the organization could be formed more quickly. He asked if the Council members would take an opportunity and visit with the Commissioners' Court and the County Judge and pursue this, the Council of Governments would be a reality more quickly.

AMENDMENT TO SECTION 21-6  
COMPLIANCE WITH LAWFUL ORDERS OF POLICE OFFICERS

MAYOR LaRUE referred to a Law Department Memo dated December 4, with reference to the Council's request for clarification of what turned out to be Section 21-6 -- Lawful Orders of Police Officers. The Mayor read the last paragraph on page 3, "The Austin Ordinance is limited to the orders given by officers in connection with traffic or pedestrians on the public streets which seems to narrow the ordinance much more than might be desired." This ordinance could be broadened to read as follows:

"No person shall willfully fail or refuse to comply with any lawful order or direction of a Police Officer or obstruct, prevent, or interfere in any manner with the Chief of Police or any Police Officer in the lawful discharge of his duty."

The Mayor stated, with the Council's permission, he would like to ask the City Manager to bring in a recommended amendment to Section 21-6. The City Manager stated the Attorney would draw such an amendment.

LIBRARY GIFT

The City Manager, Mr. Andrews, announced a gift had been given to the Austin Public Library -- a collection of photographic prints. There were two reasons for bringing this matter to the Council:

- (1) Authorization of the Council to accept the gift.
- (2) To determine how the Council would like to handle gifts of this nature in the future, and how they should be recognized.

MR. EARL HOLT, Librarian, stated they had been trying to get a collection of photographs for over two years. There are over 13,000 in this group. MR. RUSSELL CHALBERG, owner of Ellison Photo Studios, has generously donated these to the Library. There are some quite valuable to the Library, and they had placed a value of \$6.00 on each of 1750 of those. A value of \$2.00 each on about 4600, and a value of \$.50 each on about 7,000 had been determined. There are about 100 circuit negatives on which they placed a value of \$8.00 a piece. The total value of the gift to the Library, was placed at \$24,000. Mr. Chalberg was agreeable to the established value and had presented the gift last November. The City Manager recommended acceptance of this gift. He suggested the Council might consider how these gifts might be accepted and acknowledged.

Councilman Gage moved that the Council accept this gift from MR. CHALBERG, and express sincere and deep appreciation to him for the collection, as it is a superb collection. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
Noes: None  
Absent: Councilman Price

COUNCILMAN JANES noted that the City was not establishing a value on this collection, by this action, but was accepting the gift. Mr. Holt said much research was done on placing a value on such a gift, and discussions were held with those in the University and State Libraries. He was told the best person to place such a value was the recipient. Councilman MacCorkle stated there were several collections in the City that might go to the Austin Library, that people on the Staff are well aware of. He hoped others would become interested, as these collections are something that add to the Library.

## MO-PAC BOULEVARD RIGHT-OF-WAY

Councilman Johnson moved that the Council approve the following land acquisition for Mo-Pac Boulevard right-of-way:

1308 Newfield Lane

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue

Noes: None

Absent: Councilman Price

Councilman MacCorkle moved that the Council approve the following land acquisition for Mo-Pac Boulevard right-of-way:

1404 Newfield Lane

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Mayor LaRue

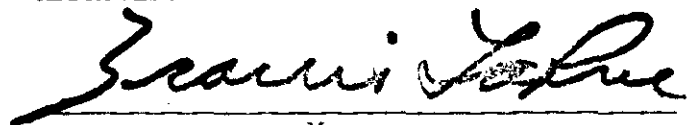
Noes: None

Absent: Councilman Price

MAYOR LaRUE, on behalf of the Council, and personally, expressed appreciation for the favors of the Staff in the past, and wished the staff a MERRY and HAPPY CHRISTMAS.

The Council adjourned at 11:20 A.M.

APPROVED:

  
Mayor

ATTESTED:

  
Asst. City Clerk