

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 15, 1969  
10:00 A.M.

Council Chamber, City Hall

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The meeting was called to order with Mayor Akin presiding.

Roll Call:

Present: Mayor Akin, Councilmen LaRue, Long, Nichols  
Absent: Councilman Janes

Present also: R. M. Tinstman, City Manager; Glenn Brown, City Attorney

MAYOR AKIN welcomed the citizens present.

Invocation was delivered by REVEREND CHARLES STEWART, Kinney Avenue Baptist Church.

MAYOR AKIN expressed appreciation to REVEREND STEWART for this service on this particular day. He also expressed appreciation for the splendid show of interest in the City Government by the presence of so many. The Inauguration of any new Council is a significant occasion. The Mayor stated it had been an honor and privilege to attempt to serve the City; and the interest, the support and cooperation of the citizens have been deeply appreciated; and on behalf of his Colleagues, he wished the incoming Council the greatest success in building this City to still greater heights of achievement. As citizens they would always stand ready to be of assistance in any way appropriate.

COUNCILMAN LONG expressed her appreciation of the citizens in thier support of her for the past years, and she congratulated the new members coming on the Council, and she felt certain they would like their support as well as that of the present Council, and they certainly had her support.

COUNCILMAN NICHOLS stated it had been a pleasure and privilege to serve as part of this government and serve the people of Austin. He wished the new Council well, and they shall have his support.

COUNCILMAN LaRUE, speaking for those who remained, (Councilman Janes out of the United States on a business trip) said there is always a certain amount of nostalgia involved in an ending and a beginning, and his feelings are involved with those who are finishing their present service to the City, and his good wishes go with them. He expressed appreciation to those who were leaving. He had served with them for a total of ten years, and this day was one of mixed emotions, and his good wishes to with the retiring Council members.

MAYOR AKIN introduced Honorable JOE GREENHILL, Associate Justice of the Supreme Court.

JUDGE GREENHILL administered the Oath of Office to Honorable JOE ATKISON, JR., Honorable LES GAGE, Honorable JAY L. JOHNSON, Honorable TRAVIS LaRUE, Honorable STUART MacCORKLE and Honorable D. R. PRICE, as follows:

THE STATE OF TEXAS     I

COUNTY OF TRAVIS     I

I, do solemnly swear that I will faithfully execute the duties of the office of Councilman of the City of Austin, of the State of Texas, and will to the best of my ability preserve, protect and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute, any money, or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected. So help me God.

s/ D. R. Price  
D. R. Price, Councilman Place 1

s/ Jay Johnson  
Jay Johnson, Councilman, Place 2

s/ Travis LaRue  
Travis LaRue, Councilman, Place 4

s/ Stuart A. MacCorkle  
Stuart A. MacCorkle, Councilman, Place 5

s/ Joe A. Atkison, Jr.  
Joe Allen Atkison, Jr., Councilman, Place 6

s/ Les Gage  
Les Gage, Councilman, Place 7

SWORN TO BEFORE ME by D. R. Price, Jay Johnson, Travis LaRue, Stuart A. MacCorkle, Joe Allen Atkison, Jr., and Les Gage, on this the 15th Day of May, 1969, A.D.

s/ Joe Greenhill  
Joe Greenhill, Justice  
Supreme Court of Texas

(Seal Supreme Court of the State  
of Texas)

Each Council member took his seat at the Council table.

Councilman Johnson moved to elect DR. STUART MacCORKLE to serve as the temporary Chairman. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, LaRue, MacCorkle, Price

Noes: None

Councilman MacCorkle greeted the crowd, stating this Council represents all Austin and pledges its support in attempting to make this even a better City. The first order of business is that of organizing, and electing a Mayor and a Mayor Pro tem.

Councilman Gage moved the nomination of Councilman TRAVIS LaRUE for Mayor. the motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price

Noes: None

Present but not voting: Councilman LaRue

Absent: Councilman Janes

Chairman MacCorkle relinquished the Chair to MAYOR LaRUE, who expressed his appreciation to his Colleagues.

MAYOR LaRUE announced nominations for Mayor Pro tem were now in order.

Councilman Johnson moved that in the following order, DR. STUART MacCORKLE, MR. D. R. PRICE, MR. JOE ATKISON, MR. RALPH JANES, MR. JAY JOHNSON, AND MR. LES GAGE shall serve as Mayor Pro tem for a period of four months through the duration of this two year term. The motion, seconded by Councilman ATKISON, carried by the following vote:

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

Noes: None

Absent: Councilman Janes

MAYOR LaRUE recognized individuals in the Council Chamber, stating the Council was aware of the obligation to carry on the baton that has been handed to them by some of their predecessors--MR. BEN WHITE, former Mayor TAYLOR GLASS, former Councilmen TED THOMPSON and BOB ARMSTRONG. Had they not carried on as they did, Austin would not be the wonderful City it is today.

MR. JOE ATKISON thanked all who were present this day and all the people who had made this possible. He introduced his Mother, MRS. JOE ATKISON, SR., his wife, ANITA; his sister, MRS. WELDON WRIGHT, and a very close friend, MR. LOUIS TABBIS, and his store manager, MR. CLIFFORD POTTS.

COUNCILMAN GAGE pledged to all to work hard and do his best. He introduced his Mother, MRS. LOUIE GAGE. His father was taken ill just before the meeting convened and could not be present. He presented his wife and three children, Kyle, Cameron, and Georganne; his Mother and Father in law, Mr. and Mrs. Don McIver, and his sister in law, Barbara. Mr. and Mrs. Don McIver, Jr., and MRS. THEO BUTLER, his father's Secretary. He recognized MR. LEWIS KING, General Schupp, Assistant Adjutant General for the Army National Guard of Texas.

COUNCILMAN PRICE expressed pleasure of being here, and stated all were his special friends. He said many were working for him never knowing who he was until he was elected. He stated he intended to work his full heart out for everyone.

COUNCILMAN MacCORKLE expressed happiness to be back and was deeply grateful for a lot of hard work by a lot of good people. Nothing was more sobering in a man's life and community than to go through a municipal election. He expressed his appreciation to the News Media, as he believed that was why Austin had a greater voter turn-out proportionately than did San Antonio or Dallas. There was a lot of interest. Especially did Television and Radio create a lot of voter interest, and he expressed hope they would not forsake this Council in months ahead. Dr. MacCorkle introduced his wife, Lucille. He said as he looked

over the crowd this morning, he was deeply grateful for the friends he had. He especially recognized former Mayor Taylor Glass.

COUNCILMAN JAY JOHNSON mentioned those to whom he was indebted and deeply appreciative, and to those in the room and those who could not get inside. He welcomed all to return to the City Hall often, and make their wants known, so that this Council could represent them well. This Council is sensitive to what they have expressed, and he promised a hard working Council. He introduced his Motion; his Father J. L. JOHNSON, SR., and his wife, MARLENE. Introduced also was MR. BOB FINLEY, his Campaign Manager; and a close friend, MR. JACK LAWLER, and MR. ED HAMILTON.

MAYOR LaRUE introduced his wife, MADELEINE; his daughter, SUSAN; and his brother, WILMER. To all the others, he expressed their deep consideration for making it possible for this Council to serve. MAYOR LaRUE stated a few minutes might be taken up at this time to look into the future; and sometimes, looking into the future one could better define and see more clearly by delving into the past. By looking at the problems that faced the incoming Councils many years ago, this Council might better determine and place in proper perspective the problems that beset it today. The City of Austin is approximately 130 years old. In going back into the early Texas History as well as that of Austin, he found that the Commission, approximately 130 years ago was faced with the problem of constructing the first Capitol, and building log cabins along Congress Avenue. At that time they had riders going up and down Congress with rifles protecting the individuals building the log cabins. Looking at that now in retrospect, Austin finds its problems of today are smaller.

The incoming Council six years ago was faced with insurmountable problems, one of which had been in existence over 100 years. This was segregation. The Council did not hesitate in 1963, a year before the passage of the Civil Rights Act of 1964, to dig into this problem and attempt to eliminate, or at least alleviate it. At that time there were the problems of no places to eat, or sleep; no places of amusement, or other things that every individual is entitled to. This problem has certainly not been overcome completely; it is with us, and will probably be as long as there are people on this earth. The progress made in that field in a short six years of time, considering the fact that this had been in existence over 100 years, would certainly speak well of this community. This probably is the basis for the hopes and projections again for the future, and that is the continued support and the remarkable understanding of this community.

Another problem faced an incoming Council in 1963 was a City of some 190,000 people with a great scarcity of job opportunities for the people who lived in this community. At that time in 1961 there was a documentary film made by KTBC-TV, and the narrator was Dan Love. (He will have to get equal time now with KHFI). This was to the effect and the title was, "The Man Who Left Town". This was the portrayal of an individual young man who had come to the University of Texas, married and had children; was graduated and was a very valuable asset to any community. He wanted to stay in this community, but he could find no opportunity for employment. He left! Perhaps the greatest problems facing the Council at that time was the scarcity and lack of jobs. We were told over and over again that our children were growing up and must leave because there were no opportunities for them to remain here.

Mayor LaRue gave an example of the situation as it existed and as it has progressed. The percentage of employment is a very graphic explanation of the progress that has been made in the City of Austin. In 1963, the percentage of

unemployment was 3.9%; in 1964, 3.4%; 1965, 3.1%; 1966, 2.6%; 1967, 2.1%; 1968, 1.9%; and in 1969, 1.5%. This is perhaps the lowest percentage of unemployment in the State of Texas, and perhaps in the United States. All can see the progress that has been made by the Council members who sit up here and serve the people to the best of their ability. Mayor LaRue stated the reason he brought these things out this morning was not to point out the things that had not been done, or the things that are to be done, but to show what has been done and to point out again that this Council can and will take care of the problems that face all the cities in the United States. He said he had an opportunity to visit with the fellow Council members during the campaign and since, and he wanted to assure everyone that they are individuals of qualification, good will, determination, confidence, and that this Council will become known as a Council by the things that this Council has accomplished.

MAYOR LaRue expressed to JUDGE JOE GREENHILL deep appreciation for coming to the formal Ceremony this morning and giving this Council the wonderful start that he did.

Representatives from the Aqua Festival were recognized. MR. JACK POLK, Austin Aqua Festival, stated this organization pledges its untiring efforts in letting the entire Nation know what a great place Austin is to live, to work and to play. Soon they will announce the largest and best Aqua Festival to date. He presented Dutchess ANN PITTMAN; Executive Director, REX HATCH, and Commodore BILL DISMUKES. Mr. Dismukes commissioned each Council an Honorary Commodore, noting Mayor LaRue and Councilman Janes already had their Commissions.

The Council recognized and expressed appreciation of the Honor Guard who was in attendance at the Inaugural.

Appreciation was expressed to MISS CAROLYN BARKLEY, Parks Department, for the decorations.

The Council then recessed until 2:00 P.M. at which time it would go into Regular Session.

RECESSED MEETING

2:00 P.M.

The Council reconvened at 2:00 P.M.

MAYOR LaRUE called the first business session of the New Council to order and welcomed the group present in the Council Chamber.

Councilman JANES was absent as he was out of the City on business.

ANNEXATION ORDINANCE  
FINAL PASSAGE

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 0.36 OF ONE ACRE OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT AND 0.987 OF ONE ACRE OF LAND, SAME BEING OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE; ALL OF THE ABOVE LAND BEING

SITUATED 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 Atkison, carried by the following vote:

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

ZONING ORDINANCES  
FINAL PASSAGE

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 39 OF THE AUSTIN CITY  
CODE OF 1954 AS FOLLOWS:  
A 2.72 ACRE TRACT OF LAND, LOCALLY KNOWN AS 3416  
STECK AVENUE, FROM INTERIM "A" RESIDENCE DISTRICT  
AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D"  
INDUSTRIAL DISTRICT AND FIRST 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 Price 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, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Janes

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

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

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

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

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 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:

TRACT 1: LOTS 1 AND 2, BLOCK 10, AND LOTS 9, 10, AND 11, BLOCK 11, BROADACRES, LOCALLY KNOWN AS 1508-1510 NORTH STREET AND 5207-5211 JIM HOGG AVENUE, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; AND

TRACT 2: LOT 8, BLOCK 8, BROADACRES SUBDIVISION AND THE SOUTH 165.4' OF JIM HOGG AVE., LOCALLY KNOWN AS 5209 BURNET ROAD AND 5206-5212 JIM HOGG AVENUE, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;

ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

Noes: None

Absent: Councilman Janes

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 Johnson, carried by the following vote:

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

Noes: None

Absent: Councilman Janes

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

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

Noes: None

Absent: Councilman Janes

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 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:

(1) TRACT 1 (A): A 0.83 ACRE TRACT, MORE OR LESS, OUT OF THE JAMES P. WALLACE SURVEY NO. 57, AND,

TRACT 1 (B): A 0.15 ACRE TRACT, MORE OR LESS, OUT OF THE JAMES P. WALLACE SURVEY NO. 57:

THE ABOVE TWO (2) TRACTS BEING LOCALLY KNOWN AS THE

REAR OF 7259-7535 CAMERON ROAD, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; AND  
(2) A 20.02 ACRE TRACT OF LAND, OUT OF THE JAMES P. WALLACE SURVEY NO. 57, AND THE AVERY SURVEY NO. 81, LOCALLY KNOWN AS 7259-7535 CAMERON ROAD, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;  
ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

#### ZONING ORDINANCES SECOND AND FINAL READINGS

After a review on the background Mayor LaRue brought up the following ordinance for its second reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:  
THE EAST 187.5' OF THE SOUTH 138' OF OUTLOT 10, DIVISION E OF THE ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 800-806 WEST 16TH STREET AND 1600-1602 WEST AVENUE, 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 second time and Councilman Price 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, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Janes

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

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

The Mayor announced that the ordinance had been finally passed.

After a review on the background, Mayor LaRue brought up the following ordinance for its second reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:  
LOTS 11 & 22, BLOCK 13, NORTH LOOP TERRACE SUB-DIVISION, LOCALLY KNOWN AS 5307 JOE SAYERS AVENUE AND 5306 WOODROW AVENUE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE 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 second time and Councilman MacCorkle moved that the rule be suspended and the ordinance be passed to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

#### ANNEXATION ORDINANCE SET FOR HEARING

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 5.74 ACRES OF LAND, SAME BEING TWO (2) TRACTS OF

LAND OUT OF THE JOHN APPLGAI AND THE PATRICK LUSK SURVEYS; AND 10.88 ACRES OF LAND, SAME BEING TWO (2) TRACTS OF LAND OUT OF THE WILLIAM CANNON LEAGUE; ALL BEING LOCATED 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.

Councilman Price moved that the ordinance be published in accordance with Article 1, Section 6 of the Charter of the City of Austin and set for public hearing on May 29, 1969 at 9:30 A.M. The motion, seconded by Councilman Johnson, carried by the following vote:

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

#### SIX MONTHS' FINANCIAL REPORT

Councilman Johnson moved to receive the Six Months' Financial Report. The motion, seconded by Councilman Gage, carried by the following vote:

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

#### URBAN RENEWAL AGENCY RESOLUTION CONCERNING BLACKSHEAR PROJECT

The following was transmitted to the Council members with their agenda material:

"No. 97-69

"RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF AUSTIN ACKNOWLEDGING THE REJECTION OF BLACKSHEAR PLAN NO. 3 BY THE BLACKSHEAR RESIDENTS' ORGANIZATION; RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF AUSTIN THE ABANDONMENT OF THE BLACKSHEAR URBAN RENEWAL PROJECT, NO. TEX. R-95 AND DIRECTING THE EXECUTIVE DIRECTOR TO FORWARD A CERTIFIED COPY OF THIS RESOLUTION TO THE CITY COUNCIL AND A COPY TO THE CHAIRMAN OF THE BLACKSHEAR RESIDENTS' ORGANIZATION

WHEREAS, on April 18, 1969, the Chairman of the Blackshear Residents' Organization forwarded to the Urban Renewal Agency a memorandum concerning the Blackshear Urban Renewal Plan, a copy of which memorandum, marked Exhibit "A", is attached hereto and made a part hereof; and,

WHEREAS, on April 25, 1969, the Board acted upon said memorandum by Resolution No. 74-69, a copy of which Resolution, marked Exhibit "B", is attached hereto and made a part hereof; and,

WHEREAS, on April 28, 1969, pursuant to the Direction of the Board, the Executive Director sent a letter to the Chairman of the Blackshear Residents' Organization outlining the Agency's answers to said memorandum, and requesting approval or rejection thereof, a copy of which letter, marked Exhibit "C" is attached hereto, and made a part hereof; and,

WHEREAS, at the Regular Meeting of the Board on May 6, 1969, the Chairman of the Blackshear Residents' Organization appeared along with several members of said Organization and the Organization legal counsel; and,

May 15, 1969

"WHEREAS, after much public discussion by the Blackshear Residents' Organization and the Board and a private meeting held by the Blackshear Residents' Organization, the Blackshear Residents' Organization rejected the Blackshear Plan No. 3, stated that they were unwilling to commit themselves in advance to accept the Department of Housing and Urban Development findings regarding relocation, and informed this Board of said Rejection; NOW, THEREFORE:

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF AUSTIN:

- "1. That the Rejection of the Blackshear Plan No. 3 by the Blackshear Residents' Organization is hereby formally acknowledged.
2. That in view of said Rejection, this Board hereby recommends to the City Council of the City of Austin that the Blackshear Urban Renewal Project No. Tex. R-95, be abandoned.
3. That the Executive Director be, and is hereby directed to send a copy of this Resolution to the Chairman of the Blackshear Residents' Organization, and a certified copy of this Resolution to the City Council of the City of Austin.

"ADOPTED: May 7, 1969

/s/ John H. Chiles, Jr., Chairman

ATTEST:

/s/ Leon M. Lurie, Secretary "

"EXHIBIT "A"

"TO: Representatives of the Urban  
Renewal Board, Urban Renewal  
Agency, City Planning Depart-  
ment, and other concerned  
persons.

SUBJECT: Decisions and Proposals  
Concerned with the Re-  
vised Blackshear Plan

FROM: Blackshear Residents Org.  
Vivan McDonald, Chairman

DATE: April 18, 1969

"Wednesday, April 16, 1969, the Blackshear Residents Organization met at Salina Center with the purpose of coming to a decision on the present Blackshear Plan as suggested by the Planning Department. Since the March meeting, some of us present today, the various city departments have studied our design. The City Planning Department made some revisions and offered their interpretation of our design as an alternative which they say will be acceptable to the City, the agency, and HUD. This, then, was the plan to be considered at that meeting.

Residents and absentee owners (those we had addresses for) were notified by flyers and the mail.

Present were: 74 persons  
Households represented were: Owner occupants  
and absentee owners, 39; Renters, 3.

"Two absentee owners and three owner occupants called in excuses stating that they would accept the decision of the members present. The question of how to get the decision of persons not present was resolved by the suggestion of sending out to each household a ballot with the map and explanation attached. Ask each household to cast one vote and return the same immediately to the organization.

"After explanation of the CDC Design and Planning Departments interpretation and recommendations, an extensive discussion followed. In the revision of CDC Design, a larger number of residents would be displaced than with the original CDC Design. The revised plan includes:

1. A complete clearing of a four block area for institutional use (Huston Tillotson College).
2. Another one and one-half block clearance for apartments.

With reluctance those who remained voted for the Planning Departments version of the CDC Plan with the following contingents in mind to be resolved to the satisfaction of the organization within the framework of the plan.

1. Limit apartment use to two-houses, duplexes, tri-plexes, or low density. Reason: -The residents and the college do not favor high density apartments. Many persons who are to be relocated do not want to live in high density apartments. High density lends itself to a slum area in a few years.
2. Insure the organization that low rent housing will be included in this plan. Reason: There is a shortage of all types of housing in East Austin whether for purchase or rental.
3. Write into the proposal a covenant which insures institutional use of the land for Huston Tillotson College and/or if not bought for this purpose that the land use revert to housing. Reason: Residents are skeptical of the proposed use of the four-block area designated Institutional. Several hardship cases found in this area could be saved through the Life-Estate Plan. The President of Huston Tillotson College has consented to Live-Estates as late as April 14, 1969, if the land can be bought through Urban Renewal. The improvement and extension of the campus is a long-time plan.
4. Provide new housing on the open land in the area prior to displacement. Reason: This plan would prevent people who wish to relocate in this area from encountering more expense by having to move out and return.
5. Make special provisions for extreme hardship cases who would be displaced and wish to remain in the area. Reason: Some of the cases involve age, health, and mental hardship and are very serious. These hardships could be minimized if they were assured they would be relocated.
6. That action on these contingents be explored and resolved prior to submitting the revised plan.

"We appreciate the stand and decision of the Planning Commission on sub-standard lots. Their decision, too, has saved many households.

We realize whatever course is taken many persons will be hurt and that is why we voice the above proposals to realize our goal to save as many people as possible and to reduce displacement."

"EXHIBIT "B"

No. 74-69

"RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF AUSTIN ESTABLISHING GUIDELINES FOR THE REVISION AND SUBMISSION OF THE BLACK-SHEAR URBAN RENEWAL PLAN, NO. TEX. R-95 AND DIRECTING THE EXECUTIVE DIRECTOR TO COMMUNICATE SAID INFORMATION TO THE BLACKSHEAR RESIDENTS ORGANIZATION

"WHEREAS, on the 25th day of October 1967, the Urban Renewal Agency of the City of Austin submitted to the Department of Housing and Urban Development a plan for an area situated in Austin, Texas known as the Blackshear Project No. Tex. R-95; and,

WHEREAS, such plan as submitted is now known as Plan No. 1 and was approved in all ways by the Department of Housing and Urban Development; and,

WHEREAS, after approval of Plan No. 1 for the Blackshear Project, the Urban Renewal Agency discovered that some residents of the Blackshear Project did not concur that this was the best plan for their neighborhood; and,

WHEREAS, the Urban Renewal Agency decided that it would be in the best interest of the Blackshear Project residents and the Urban Renewal Agency to revise the plan so that more desires of the residents could be taken into consideration; and,

WHEREAS, after making certain revisions in Plan No. 1, the Urban Renewal Agency developed what was felt to be a more desirable plan for the neighborhood, which Plan is now known as Plan No. 2; and,

WHEREAS, on June 24, 1968, the Department of Housing and Urban Development issued Local Public Agency Letter No. 458 entitled "Increased Citizen Participation in Urban Renewal Projects" in which citizen participation is strongly recommended for any project to the fullest possible extent; and,

WHEREAS, even though formal approval and grant reservation for the Blackshear Project was received prior to the issuance of Local Public Agency Letter No. 458 and technically the Blackshear Project does not fall into the category for mandatory citizen participation, the Urban Renewal Agency felt that it would be in the best interest of the Blackshear Project residents to have citizen participation; and,

WHEREAS, a group of residents of the Blackshear Project joined together to form what is known as the "Blackshear Residents Organization" and received technical assistance and advice from what is known as "The Community Design Center," which is composed of students and professors from the University of Texas at Austin; and,

WHEREAS, at an initial meeting with the Blackshear Residents Organization and the Community Design Center representatives it was explained that the two organizations were to make minor changes in the Urban Renewal Plan No. 2 which could be easily incorporated into said plan and that in order to save a Federal grant reservation, a revised Plan No. 3 must be in the Department of Housing and Urban Development by June 1, 1969; and,

WHEREAS, the Blackshear Residents Organization chose not to work directly with the Urban Renewal Agency staff but rather with the students and professors of the Community Design Center; and,

WHEREAS, the Blackshear residents were repeatedly informed that the Urban Renewal Agency did not have time, staff or money to completely revamp the Blackshear Project, but that the staff could work to make minor revisions in Plan No. 2; and,

WHEREAS, the Blackshear Residents Organization with the advice and assistance of the Community Design Center decided that for greater satisfaction

"of all concerned persons in the project that a completely new plan should be drawn; and,

WHEREAS, the representatives of the Community Design Center, along with the President of the University of Texas at Austin informed the Agency that all efforts would be incorporated and that a plan would be forthcoming with all materials and data completed and ready for submission prior to the June 1st deadline; and,

WHEREAS, a time extension was previously denied by the Department of Housing and Urban Development; and,

WHEREAS, after considerable time, the Blackshear Residents Organization and the Community Design Center met in session with representatives of the City of Austin departments and Urban Renewal Agency staff to present their Plan No. 3 for the Blackshear Project; and,

WHEREAS, after the plan was discussed and considered by the affected City departments and the Urban Renewal Agency, it was discovered that the plan as presented would need considerable modification in order to meet certain City Planning Department criteria and certain Federal criteria; and,

WHEREAS, the City Planning Department made certain changes in Plan No. 3 as did the Urban Renewal Agency; and,

WHEREAS, the Community Design Center representatives have now informed the Urban Renewal Agency that it is physically impossible for the June 1st deadline to be met with regard to the submission of the Blackshear Project Application; and,

WHEREAS, the Urban Renewal Agency feels that it would be an injustice to the residents of the Blackshear Project and the City of Austin as a whole to abandon the Blackshear Project in its entirety and lose the Federal grant reservation of \$1,800,000.00; and,

WHEREAS, although it will take considerable time, money and effort, the Board of Commissioners feels that the Urban Renewal Agency staff should try to put together for submission the Urban Renewal Plan No. 3 for the Blackshear Project as evolved by the Blackshear Residents Organization, the Community Design Center, the City Planning Department and the Urban Renewal Agency; and,

WHEREAS, the Board of Commissioners desires to make it known that if the Urban Renewal Agency staff is to work out details for submission of Plan No. 3 for the Blackshear Project that there will be no interference from any outside source; and,

WHEREAS, in order to meet the deadlines for submission, the Board of Commissioners must have, by May 6, 1969, the Blackshear Residents Organization's agreement or disagreement for such plan of action; NOW, THEREFORE:

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF AUSTIN:

1. That the Blackshear Residents Organization be informed in writing that the Urban Renewal Agency staff has been authorized and directed to assimilate all materials necessary for incorporation into Urban Renewal Plan No. 3 for the Blackshear Project No. Tex. R-95 as heretofore approved by the Blackshear Residents Organization, the Community

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"Design Center, the City Planning Department and the Urban Renewal Agency.

2. That the Blackshear Residents Organization be informed in writing by the Executive Director that the Urban Renewal Agency staff will submit and be responsible for submission of said plan with the understanding that this Board will not tolerate any interference or any contact, direct or indirect, with officials of the Federal Government from any source outside the Urban Renewal Agency with regard to the assemblage of required information or the submission of the plan itself.
3. That the Blackshear Residents Organization be informed in writing that any further questions relative to the Blackshear Plan should be directed to the Urban Renewal Board or the Executive Director of the Agency.
4. That the Executive Director is hereby directed to inform the Blackshear Residents Organization that this Board requires firm approval or disapproval of such procedures prior to its regular board meeting on May 6, 1969.
5. That should the Blackshear Residents Organization approve in all respects the requirements of this Board, the Executive Director is hereby authorized and directed to begin work immediately for the submission of the Blackshear Urban Renewal Plan No. 3.

ADOPTED: April 25, 1969

ATTEST:

/s/ Leon M. Lurie  
Secretary"

/s/ John H. Chiles, Jr.  
Chairman

"EXHIBIT "C"

"April 28, 1969

Mrs. Vivian McDonald, Chairman  
Blackshear Residents Organization  
1120 East 12th Street  
Austin, Texas 78702

Dear Mrs. McDonald:

Subject: Blackshear Urban Renewal Project

Regarding your memorandum of April 18, 1969 and follow-up letter of April 23, 1969, the following actions have been taken regarding the six contingencies which were listed.

Agency staff and legal counsel have reviewed these contingencies to see how they could best be met. Also on Friday, April 25, 1969, the Urban Renewal Board of Commissioners met to determine further action on the Blackshear Project. As a result of administrative and legal review of the six contingent items, we have the following to report. We will take these contingencies in order and give you our recommended solution to each.

- "Item one: The control of density in the apartment sites can be easily met and will not present any specific problem. Attached is a draft of the section of the application which controls densities.
- Item two: The Agency also is anxious to encourage low cost housing and insofar as economic conditions permit, the Agency will make provision for low cost sales and rental housing within the project. We have included a section of the application which includes the provisions for low cost sales and rental housing.
- Item three: This contingency cannot be met in its entirety because of the legal limitations. It is not feasible under the law and Federal regulations for the Urban Renewal Agency to purchase property subject to a life estate in the previous owner. Also because of legal requirements or prohibitions, the Urban Renewal Agency cannot restrict land for institutional and educational use to such an extent as would eliminate bids and limit the sale of a parcel to a single private re-user. We have included a set of restrictions which are found within the Blackshear Urban Renewal Plan to limit the land use to educational and institutional use. Huston-Tillotson College, as a private institution, will be required to bid on the land like any other prospective redeveloper.
- Item four: This contingency will be met by the Agency insofar as it is economically possible. The Urban Renewal Agency can assure your committee that every effort will be made to see that the vacant property in the area is developed with low cost housing at the earliest possible date. It is also our desire to have as many residents remain in the area as possible.
- Item five: This contingency will be met insofar as resources are available to meet hardship cases. Mr. John Baylor, our Relocation Director, has stated that upon receipt of a list of the hardship cases from your organization, he will study the cases on an individual basis to see how the hardship conditions may be alleviated insofar as it is humanly possible.
- Item six: Covered in items above.

"After review by staff and legal counsel, the Urban Renewal Board instructed the staff to take the following action. From all indications, it appears that a feasible plan (Urban Renewal Plan No. 3) does exist and that this Agency should prepare the necessary revisions of the Part I Application based upon this Plan No. 3, should the Blackshear Residents Organization agree. Because of the time limitations, the Agency staff will undertake the preparation of the necessary documents for the Part I Application based upon Plan No. 3. We are dealing with a very difficult situation created by time factors and as a result, we are requesting the Residents Organization to accept the following and give notice of approval to the Urban Renewal Agency no later than May 6, 1969:



- "2. By the term "Apartment Dwelling Group" is meant a complex of two (2) or more apartment buildings designed as an integral unit and occupying a lot or parcel of land in one (1) ownership, of not less than one (1) acre in area and connected by common water and sanitary sewer systems. Each apartment building within the apartment dwelling group shall contain not less than two (2) dwelling units. No apartment dwelling group shall be erected, altered or placed on any separate tract or parcel in such a manner as to accommodate more than one (1) dwelling unit for each two thousand (2,000) square feet of land in said separate tract or parcel numbers until a special permit has been obtained from the City Planning Commission.
3. By the term "apartment house" is meant a building used as the home of three (3) or more families or households living independently of each other in separate dwelling units, each equipped for the preparation of food. Each apartment house shall occupy a tract or parcel having a minimum land area of eight thousand (8,000) square feet for the first five (5) dwelling units and shall have a minimum land area of two thousand (2,000) square feet for each additional dwelling unit.
4. Each dwelling unit, same being a separate one-family area, shall have at least one (1) bedroom, one three-piece bathroom, a kitchen with sink, and at least one (1) other habitable room.
5. No building having a height in excess of thirty-five (35) feet shall be erected or placed on any tract or parcel within this district.
6. The exterior of all buildings constructed in this district shall be of all masonry construction. No building, structure or sign or 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.
7. Easements for public utilities shall be reserved on all property as indicated on the Land Use Plan, "Exhibit URP-11," 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.
8. Hard-surfaced off-street parking shall be provided according to the following schedule for apartment usage:

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- "1. Firm approval of the Blackshear Plan No. 3 to include land use and street patterns;
2. Agreement that the six items as spelled out in the memorandum of April 18, 1969 can satisfactorily be met only as stated above in this letter;
3. Agreement that the organization realizes that no amendatory application will be necessary and Plan No. 3 as developed by the Residents Organization, the Planning Department and this Agency is final and binding;
4. Agreement that no further outside influence or assistance will be offered to this Agency to prepare the necessary application; This is essential if the deadlines are to be met;
5. Agreement that the Residents Organization will remain in existence to assist the residents in the area with their problems and to assist the Agency in the redevelopment of the area throughout the life of the project;
6. Agreement that the Residents Organization will support the Plan No. 3 for the area at the time of public hearing.

"As stated before, the preparation of the application by June 1, 1969 is almost impossible; however, we will try if we have a favorable reply no later than May 6, 1969. The Urban Renewal Agency staff and Board of Commissioners are fully aware that total solutions to all problems are virtually impossible. With at least 95% of the contingent items resolved, however, it would certainly seem wise to proceed. Please present this information to your committee members and I will appreciate and urgently request your reply by May 6, 1969.

Please call on me at any time if I can be of assistance.

Yours truly,

/s/ Leon M. Lurie  
Executive Director

Enclosures"

"Appendix 1.

The Blackshear Urban Renewal Plan includes the following regulations and restrictions on the tracts of land designated for apartment use.

Special regulations and restrictions applicable to the MF-1 District. This district is limited to areas of the Project where only new construction of apartments or apartment dwelling groups is to take place on redeveloped land.

1. All tracts or parcels situated in this district shall be used only for construction of apartment houses or apartment dwelling group specifically excluding the construction of that class of facility called an "apartment hotel" as defined by the zoning ordinance of the City of Austin.

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

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

#### Appendix 2.

The Blackshear Urban Renewal Plan includes this provision within its special regulations and restrictions:

In all residential use districts, including the R and MF-1 district, it is contemplated that this Plan will permit and encourage all applicable forms of low or 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 or moderate cost.

Section B.2. of the Blackshear Urban Renewal Plan includes this provision:

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 sub-standard 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.

"In another section of the application, the Urban Renewal Agency makes this commitment to the Federal Government:

- c. Proposals for the provision of housing of low or moderate cost. As stated in Code R-213, the provision of a substantial number of housing units of low or moderate cost on land to be disposed of for residential purposes in a major objective of the Urban Renewal Plan. Although specific redevelopment proposals cannot be guaranteed at this stage of the project development, the Urban Renewal Agency has explored and considered all available procedures which might be applied to all project area land to be disposed of for residential purposes, with the intent of executing those procedures which would best meet the requirements of the local community and the project area residents. Conferences have been held with the appropriate local, state, and federal agencies and assurances have been given to the Urban Renewal Agency that assistance will be made available to the City and the Urban Renewal Agency in light of the Urban Renewal Plan proposals and objectives as have been presented.

The LPA has been assured that it will be able to employ Section 107(a) of Title 1 to the extent necessary to facilitate the provisions of new or rehabilitated rental or cooperative housing for occupancy for families or individuals of moderate income. Also the Rent Supplement Program authorized by the Housing and Urban Development Act of 1965, may be used on behalf of low income families or individuals who have incomes below the maximum established for Public Housing. In addition to these

procedures, the LPA has obtained approval of the applicability of using Section 221(h) of the National Housing Act in the residential districts to take advantage of existing substantially sound structures and the utilization of low interest loans to provide housing units substantially below the cost of new housing. The LPA will also use Sections 235 (for low-cost home ownership) and 236 (for low-cost rental housing) of the Housing and Urban Development Act of 1968, insofar as these programs are funded by appropriations and in which such funds are made available for use in Austin."

"Appendix 3.

The Blackshear Urban Renewal Plan includes the following:

1. 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. 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;

and

Special Regulations and Restrictions applicable to the I 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.(6) of this Plan.
2. The exterior of all buildings constructed in this district shall be 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 setback 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-11, and as required to adequately serve all areas with proper service. No buildings, pavement or any other structure or improvement 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."

MAYOR LaRUE ascertained that all Council members had received the Resolution and material from the Urban Renewal Agency covering the Blackshear Project matter. MISS BARBARA KAZEN, representing residents of the Blackshear Project, announced they were not against progress in Austin; instead they supported such. They realize there is need for capital improvement in the area; however, all must be mindful of the human rights involved, and she wanted to present these citizens' side of the conflict, and read the letter provided all Council members. The Blackshear Residents' Organization had asked her to appear before the Council in their behalf, as they felt the portion of the Resolution that "The Blackshear Residents' Organization rejected the Blackshear Plan No. 3, stated that they were unwilling to commit themselves in advance to accept the Department of Housing and Urban Development findings regarding relocation and informed this Board of said rejection". This does not accurately reflect what actually transpired at the May 6, 1969 meeting.

In 1967, the Urban Renewal Agency proposed a plan for the Blackshear area which called for almost total displacement and was, therefore, unacceptable to the residents. In reaction to Urban Renewal and at the residents' own initiative The Blackshear Organization was formed. With the aid of the University of Texas Community Design Center the Residents' Organization, the Planning Department and Urban Renewal Agency worked out a compromise plan of design. The Chairman of the Residents' Organization was advised in April, 1969, that the compromise plan (BLACKSHEAR PLAN NO. 3) would be submitted to HUD June 1, 1969, if the group would agree to six Agency demands no later than May 6. Among those demands were:

- (1) Agreement by the Organization that Plan No. 3 as it now stood, would be "final and binding".
- (2) That "no further outside influence or assistance would be offered to this Agency to prepare the necessary application" and
- (3) Agreement that the organization "will support the Plan No. 3 for the area at the time of the public hearing".

The residents felt that the terms of Mr. Lurie's letter of April 28 were ambiguous and asked for clarification particularly with regard to their assurances from the Agency on low income housing, staged relocation activities and hardship cases; to which the Board had responded no assurances could be made

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aside from the fact that the HUD requirements would be met or the proposed plan would be rejected. Counsel for the residents asked to see the proposed plan, specifically the provisions made for relocation, prior to its submission to HUD. This request was refused as the Agency said they were unwilling to prepare specific relocation plans unless the entire Plan No. 3 was accepted unequivocally by the Residents' Organization. The residents refused to bind themselves in advance to support a plan without being appraised by its contents--nor approve a plan "sight unseen". The letter cited the position of the residents of the area, as recognizing a critical shortage of low income housing. More low-income residential areas are demolished through Urban Renewal projects, capital improvements, highway construction, fires and natural causes. It was pointed out in accordance with the Housing and Urban Development Act of 1968, that a majority of housing units provided in Urban Renewal projects redeveloped for residential purposes must be for low and moderate income families; in fact at least 20% of all units must be for low income families. The Agency's position is that no assurances can be made as to low income housing in the Blackshear Project because there is no authority to provide for this.

The second request of the Residents is for an assurance of careful staging of relocation activities so there is no substantial displacement prior to availability of housing within the financial means of those to be displaced. The letter cited other displacees from previous Urban Renewal projects were living in homes no better than those which were demolished; and in some cases worse; and that many others were forced into debt in order to obtain any shelter at all. As demolition of existing low income housing increases, the prices of those available increase proportionately.

The third request is that assurance will be given to residents that some assurance will be given to alleviate the severity of the hardships caused by Urban Renewal particularly the elderly, those with serious physical ailments, serious mental problems and those whose primary means of support is from rental properties which will be demolished.

These citizens request that they not be allowed to be put out of their homes and forced to relocate without some assurance that their living conditions will improve rather than worsen as a result of relocation.

MR. PAUL JONES wanted to clarify some points made in this letter. If reference is made to the letter forwarded to the Council (Exhibit A, a letter from the Blackshear Residents' Organization, which listed six requirements) the Agency answered those requirements in the only way they could be met by the Agency. The so-called "demands" by the agency were the people could accept the solutions available by the Agency; and if they could not accept them the Agency could not prepare a plan in the length of time that remains. That is the critical factor that must be kept in mind. The major documentation must be completed, submitted to the Regional Office in Fort Worth by June 1st; and at this time the application for loan and grant cannot be prepared and submitted with continual changes going on.

It was stated that the people could not see the proposed relocation report prior to its submission. This has never been said. It was stated, that once it was prepared, beginning at this time, there could be no changes made because of the time element. They are welcome to see the report; everyone may! The Council would have to approve it prior to its adoption as required by Federal and State Laws. The Council must find that there are the facilities for relocating these people in houses within their means prior to their displacement. The question was directly put by one of the Board Members, "Would you accept the relocation plan as approved by the Regional Office of HUD?", and the answer came

from the back of the room, "no". In Exhibit A of the Board's Resolution to the Council, mention is made for provisions for persons suffering from age, health or mental hardships and a list was requested so that they could be included in the relocation plan, but that list has not been forthcoming. All of this goes in to form the basis of the Board's action. It is at this time, without assurances that the final product which must meet HUD requirements and Council requirements, will be approved by the people based on the plan which they have worked up. That is the status now. Plan 3 was the one devised by the neighborhood group, together with University assistance. This is the plan under discussion--not either of the Agencies' two different plans. If that can not be accepted now on assurance that it will go forward as soon as these requirements are met, there is no way to proceed. There is just not sufficient time. June 1st is the dead line, to get all the documentation, new maps, relocation reports, etc. prepared and sent to the Regional Office in Fort Worth. This is the reason for the answers being as they were to the requirements set forth in Exhibit "A" which was a memorandum from the group to the Agency and not the other way around.

DR. J. J. SEABROOK, President Emeritus, Huston Tillotson College, a former resident of the Kealing Project, stated it was thought this area would be included some years ago. He pointed out the home-owners in this area, for the most part, were unable to buy expensive homes. These people would like to remain near their friends, churches, and many are elderly people who do not adapt to changes easily. Many of the houses are owned by absentee owners, and are rented. They feel the property is run down, and the people can rent it cheaper. Also they are near their work. Dr. Seabrook recalled his appearance before the Council asking that something be done about the run-down houses in East Austin; and if the City did not have the money, then Urban Renewal or the Model City Programs must be accepted. Displacement proposes the main question! Many residents fear high rise apartments at prices which those people cannot pay.

He stated the help from Urban Renewal was not enough, even though it is paying more than before. What the people have seen in this area has hurt them very much. They cannot repurchase this property. They see Real Estate people coming in to buy this property, build houses prohibitive in cost for these people. If they could repurchase and build a little home there would be no trouble with these people. There has been a tendency to beautify places, shrines, churches, schools, national cemeteries, etc.; but when people come through this area it is an eyesore. It ought to be beautified. Consideration should be given to old cars parked on the street. This project has been in Urban Renewal, with the City Council, or with neighborhood groups; and somewhere down the line, there should be some negotiation. There should be some point where those people could be given a beautiful area. Huston Tillotson will soon be 100 years old. It has no good entrance in there. It needs a good drive in there, but not at the cost of hurting a lot of people who have been living there a long time. He expressed hope that something could be done for the people and the area.

MRS. E. L. COLLINS, spoke only for herself although there are others in the area feeling as she does. She said about 50% of the area is rental property. Most of the people making the talks this afternoon are outsiders. She wanted the people who live in Blackshear to have a say as to what was done--the two speakers previously, do not live there. She opposed what they had said, because Urban Renewal is a good organization. She was interested in Urban Renewal when it was first voted in. Many people do not get the facts. When outsiders stay in and agitate, they do not get the people together. They do not contact the home owners. She had lived there 24 years and she is ready to sell to the Urban Renewal. Concerning relocation, the individuals, unless they are invalids, can get out and do something for themselves. Those people know that Urban Renewal needs the property and is going to buy it, and they should be out looking for a place



to move. It would be impossible for Urban Renewal to know where everyone wanted to locate. She personally would rather choose where she wanted to live. She would be paid for her property, the Urban Renewal would do everything it could for the person, and it would easily be worked out. She believed this new Council would make one of the best steps ever made for the improvement and up building of Austin to give the Urban Renewal a go-ahead signal.

MISS ORA LEE NOBLES, a non-resident of the area, said they had three little apartments there, and the Rosewood Barbecue Center from whence comes their living. She has worked with the Blackshear Residents' Association. She had lived in the Kealing Project, and was aware of the advantages and disadvantages of Urban Renewal. She had worked with the people and attended the meetings. She said they were not meddlers nor outsiders, but are concerned citizens.

MRS. PARTHENIA GILLIS, homeowner in the Blackshear area, emphasized the need for improvements in the area; however, they did not know what was to be included in the Blackshear area, and wanted to be informed before they gave their answer. The time was so short, they asked if their Counsellor could see the plans and give an answer for them. They were told unless they had the peoples' answer that day that a proposal would not even be drawn up for rejection. She thought the neighborhood might have been in accord with the proposal. They wanted to know where their streets would remain, those that would be closed, and which structures would be there, and what the general plans would be for their area. They wanted to know what Urban Renewal was going to buy, but the proposal was not available for them. What is going to happen to those renters in the event of Urban Renewal, what is to be done, and how? If the people in the area want to sell, there are real estate concerns which are buying any available property. These people could put their property on the market and sell and probably come out with more money than they would under Urban Renewal.

MISS KAZEN said the Blackshear Residents' Organization was recognized as the representative group in the area under the H.U.D. Director. She filed a petition signed by 160 residents. (Filed with the City Clerk, and on file in the Office of the City Clerk under URBAN RENEWAL - Blackshear Project), urging the Austin City Council to reject the Plan as it now stands.

MR. LEON LURIE, Urban Renewal Agency of the City of Austin, read a memorandum, (Exhibit A), presented to the Agency, a copy of which was provided each Council member, in order to clear some of the statements made by Mrs. Gillis. He referred to Plan No. 3, showing the street patterns and everything exactly as it would be proposed, also the land use proposed throughout the entire area. He disagreed with Mrs. Gillis that no one knew what was proposed because in fact it is the proposal that came from the Residents' Organization and the Design Center. It was presented on April 18, 1969, to the Agency. The Memorandum includes the six points which have been discussed and which were included from an answer standpoint, which the Agency could tackle down the line.

There are certain things which can be accomplished in a relocation report which must be submitted to the Federal Government as part of the application for loan and grant. The assurances being asked for have in some respects been answered by the Agency as being possible to take care of. The other assurances brought up today are those which the Committee was so informed by the Board of Commissioners that total assurance cannot be given that each and everything that has been asked for can be included and carried out. Private redevelopment constitutes the redevelopment in an Urban Renewal Development from the standpoint of low cost houses. The Agency agrees with the Residents' Organization that if at all possible and if it is needed 100%, there should be constructed

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houses for low income families as well as in other areas of the City; however, assurance for 75% cannot be included. They could give assurances which can be carried out and included in a plan and meet the Federal guide lines. The Agency is aware of the problem in the area and is concerned as much as any of those who are members of the Blackshear Residents' Organization. The other point he made was, by the middle of April, those who had acted as consultants to the Residents' Organization through the Community Design Center (primarily the University School of Architecture and School of Sociology and related students in those departments as well as others) were hoping to have these questions resolved and to have a workable plan which could in turn be compiled by the University students and professors. This is the reason the Urban Renewal Plan (Plan No. 2) has been in existence since last summer--and another summer has been reached with nothing accomplished up to this point; and there is still not an agreement as to exactly what this all constitutes even from the standpoint of land use, proposed zoning and streets in the area. He had prepared the necessary resolution, as instructed, unanimously adopted by the Urban Renewal Board of Commissioners. The time has run out, and additional time extensions have been asked by the Urban Board of Commissioners. Based on what is evident here today as well as through the last nine months, he agreed that the Federal Government was very wise in saying that they thought a solution could be reached by this particular time; however, it does not appear that any problem would have been solved with another time extension, and they are no further along than they were last summer.

MAYOR LaRUE reported that most of the Council appeared at his meeting last week, and the questions seemed to turn on the point of the assurance from the Urban Renewal Authorities that they could relocate the individuals in the immediate neighborhood; but they were not in a position to guarantee that this was one of the questions. Mayor LaRue asked if the Council wanted to pass on this today, or hold it in abeyance a week.

The City Manager reported that the Council is receiving the Resolution from the Urban Renewal Agency, but the legal Counsel of both the City and of the Urban Renewal are of the opinion there should be a formal Resolution of record to express the action and policy of the City Council. He suggested that the Council instruct the preparation of a Resolution embodying whatever action the Council wishes to take.

Councilman Gage moved to instruct the City Manager to have a Resolution prepared to abandon the Blackshear Urban Renewal Project No. Tex R-95. The motion, seconded by Councilman Johnson, carried by the following vote:

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

HEARING SET ON AMENDMENT TO ZONING CODE  
Regarding Required Council Vote on Zoning Cases

Councilman Johnson moved that 9:30 A.M., June 5, 1969, be set as the hearing date on amendment to Zoning Code requiring the number of votes necessary to comply with State Statutes requirements in overriding Planning Commission negative recommendations on zoning requests, and also amending Section 31, extending from 35 to 45 days of time elapse for filing. The motion, seconded by Councilman Price, carried by the following vote:

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

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## CONTRACT FOR ENGINEERING SERVICES

The City Manager submitted the following:

"May 12, 1969

Memorandum To: Mr. R. M. Tinstman, City Manager

Memorandum From: Victor R. Schmidt, Jr., Director, Water and Waste Water Department

Subject: Engineering Consultant for Texas Instrument, Sanitary Sewer Project

"As you are aware it is important that this project proceed immediately in order to meet the construction schedule of Texas Instruments. Texas Instruments local attorneys and the Austin Chamber of Commerce officials are already taking steps to assist by acquiring the necessary easements for this project.

In order to expedite the design and construction of the project we have carefully reviewed the work now being done by local engineering firms for the City of Austin. All of them have considerable work underway including approximately \$4 million in City water and sewer projects. (See Attached)

As a result of our review we have concluded that the firm of Forrest and Cotton, 3607 Manor Road, which is not now doing any work for the City of Austin, is most capable of proceeding immediately with this project. This firm has a good reputation state wide and should be able to perform satisfactorily.

I therefore recommend that the firm of Forrest and Cotton, Inc. be retained to develop the engineering construction plans for this project at the prescribed percentage for this size and character of project.

/s/ Victor R. Schmidt, Jr.  
Director  
Water and Waste Water Department

"Bryant-Curington  
Little Walnut Creek Sewer Project  
Country Club Creek Sewer Project  
Spicewood Springs Pump Station (Water)  
Work on three (3) projects 60% complete

"Isom Hale and Associates  
Glen Oaks Project  
Water, Sewer, Streets and Drainage work 50% complete

S. A. Garza  
Decker Lake Sewer  
Williamson Creek Sewer  
Work 40% complete

"National Engineering  
Analysis of Bull Creek Drainage Area  
Govalle Sewer Plant Addition  
Work 75% complete

"Freese, Nichols and Endress  
Shoal Creek Sewer  
Lower East Shoal Creek Sewer  
Work 80% complete"

The City Manager distributed a supplement memorandum to each Council member to be considered along with the one sent out with the agenda. In view of the rapid progress that Texas Instruments is making, it is going to be necessary and highly desirable that the City move expeditiously on handling the sanitary sewer outfall line as well as other related considerations. MAYOR LaRUE asked the Director of Water Utilities for information on the reasons for changes and what this accomplishes. MR. VIC SCHMIDT stated the original memorandum did not specify the terms of compensation on this contract, as negotiations with the engineer were not finished until the day before. The percentage fees are listed; also an attached Exhibit. The Engineering Design job would fall under Classification "A" which is a more difficult type of engineering design. It is hard to determine the cost and establish the fee as there are two possible routes, and the cost of construction cannot be established exactly at this time. He recommended in the interest of resolving this, that the fee be based on a percentage, and the percentage fee decrease as the construction costs increase. Using 85% of Classification "A", the percentage fee would be 7.3% for a \$300,000 cost; or 6.95% if the cost were \$400,000. To establish something that could be written into a contract, it was suggested that Classification "A" be referred to as a basis for payment. The Engineering Firm agreed to this. Under Classification "A", 100% would include inspection by the Engineering Firm during the construction phase; and 15% is deducted, because the City will handle this inspection as usual. This is the type of terms used on all engineering contracts. Normally an estimated cost is set; but due to the difference in price depending on the way that the route of the line goes, it was thought to draw the contract in this fashion.

MAYOR LaRUE asked that Mr. Schmidt explain the radical change from the original proposal. Mr. Schmidt reported the original idea was to install a small package treatment plant on the site at Texas Instruments' expense, as it was not believed the construction could be done in time to meet their construction planning. Because of assistance from Texas Instruments in acquiring easements and because his Department could find a firm that could get right on this job, they were going to make a strong attempt to complete this job without making a temporary installation.

The City Manager stated a line would necessarily need to be constructed anyway, that it is preferable to getting into interim treatment facilities and then having the problem of disposal or purchase of those facilities later. In answer to Mayor LaRue's question about the size of the line, MR. SCHMIDT stated it would be from 12" to 24", and that it would take care of the residential development also in this drainage area. The City Manager explained at another point, the drainage would be pumped into another sewer now under contract into Little Walnut Creek water shed. Long range plans call for construction of a major outfall line from the Govalle Plant all the way up Walnut Creek, to intercept and pick up this area; but this construction is way in the future. It is adequately designed at this time to take care of this portion of the water shed, not only for Texas Instruments, but for the anticipated development in the upper portion of that water shed, which this line would serve. Mayor LaRue asked about the contribution of the Company toward this line. MR. SCHMIDT stated this would be around \$83,000 or around 20 or 22%.

The City Manager read from a letter from Texas Instruments stating that the Water and Sewer Department is actively pursuing the design and installation

of a combination gravity force main and sewer lift station to be installed from the Texas Instruments site to the Little Walnut Line at the intersection of Kramer Lane and F.M. 1325, probably to be installed in time to meet Texas Instruments' October start-up. Texas Instruments agrees to pay up to \$83,000 as its contribution to the cost of this new sewer facility. This commitment is in writing.

COUNCILMAN MacCORKLE inquired about the manner of awarding contracts to engineering firms, and if this were an Austin firm. The Director of Water and Sewer Utilities replied this firm has an Austin office, but the primary base is in Dallas. Councilman MacCorkle took note that a number of Austin firms were engaged and not in a position to do this engineering. The City Manager stated in professional services, engineering, legal, C.P.A., etc., there were no bidding procedures. Normally, the firms are contacted to see if they are interested and if they have the capability (and in this case, time was one of the determining factors along with capability, staff and experience); then one is chosen and asked to make a proposal and negotiations are made with that firm. If the negotiations are not satisfactory, another firm is selected. This is normal procedure in professional services. COUNCILMAN GAGE asked if the 6.95% and 7.3% were in line with this type of fee. Mr. Schmidt stated that for this size and character of job, this percentage was in the price range. Councilman Gage asked if there were some formula as to the \$83,000. MR. SCHMIDT stated when discussions were held on the approach gravity main, Texas Instruments' contribution was to be 18%, a procedure which the City follows with developers or other industries. Texas Instruments was to participate up to 50% on the life station and force main. At this point and time, it is nebulous as far as the exact amount is concerned, but that would be the basis for the final amount. The City Manager stated the method of calculating the share of the private party's cost in the approach main is that which is normally followed by the City with developers, property owners, other business firms, etc. Mr. Schmidt stated a Resolution was adopted in the early 60's, setting up the policy of treating industries outside the City limits in the same fashion as was followed in residential subdivisions within the City. In answer to Councilman Gage's inquiry, Mr. Schmidt anticipated running this sanitary sewer line approximately three miles. The area between the present facilities and this plant seem to be ripe for development and annexation.

Concerning Councilman Gage's question about annexation, the City Manager read from the letter from Texas Instruments, that they "anticipate and look forward to the time when Texas Instruments becomes not only a member of the community of Austin, but actually within the City limits".

Councilman MacCorkle asked about services the City would be providing. The City Manager listed electrical service, water and sewer service, some staff assistance in obtaining necessary permits. There will be no fire protection until their site comes into the City limits, although there had been discussion about fire protection, and the City offered to be of help in an informal consulting roll as to the company's own internal fire protection services. At the present time only utility services are being provided.

COUNCILMAN JOHNSON asked for clarification on the cost, inquiring if this were to be a cost plus job; that the firm will pick up a percentage above the cost, the percentage being on this Curve "A". MR. VIC SCHMIDT stated the contract under consideration was for engineering services only. He would be back before the Council on the construction contract, on which there would be competitive bids.

COUNCILMAN PRICE inquired about the size of the line and asked how many years in advance had this line been projected. MR. SCHMIDT stated the upper end of the line would take care of the ultimate of that particular portion of that drainage area. Councilman Price asked if a larger line was installed at a little more cost, that the line might not have to be replaced. Mr. Schmidt reported they did not intend to overlook that now. The City Manager said this size line should be initially installed in sufficient capacity to handle all of the growth in that part of the water shed.

Councilman Johnson offered the following resolution and moved its adoption:  
(RESOLUTION)

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

That the Assistant to the City Manager be and he is hereby authorized and directed to enter into an engineering contract on behalf of the City of Austin, with Forrest and Cotton, Inc., for the designing of a sanitary sewer project to serve the Texas Instruments installation on U. S. Highway 183 West; and in accordance with the terms and provisions of that certain contract exhibited to the City Council; 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 said contract in the permanent records of her office without recordation in the Minutes of the City Council.

The motion, seconded by Councilman Atkison, carried by the following vote:  
Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Janes

The City Manager stated appreciation should be expressed to MR. DICK BAKER, to TEXAS INSTRUMENTS and others in helping the City to obtain the easements. That was one of the major areas of concern as to whether or not the easements could be obtained. They went beyond the call of duty in helping in the matter. COUNCILMAN ATKISON asked if all of the property were in Travis County. MR. DICK BAKER said there was a small corner in Williamson County. MR. RICHARD BAKER, Attorney for Texas Instruments, complimented the City and the Staff, as they have had excellent cooperation from everyone, each going an extra mile, to help work these problems out. They appreciate the assistance and cooperation of the City Council.

#### SALE OF HOUSES

The Council had before it the following tabulation of bids for sale of houses, one to be removed, the others to be demolished:

May 15, 1969

## CITY OF AUSTIN, TEXAS

## "HOUSES FOR SALE

BID OPENING MAY 12, 1969

	Sam Williams \$ -0-	J. B. Flink \$45.00	Walt Collins \$ -0-	Tom A. Hill \$ -0-	Pete Rodrigues \$1475.00	R. H. Glissman \$1380.00	Minnie Davis \$250.00	August Heyer \$ -0-	C. B. Freeman \$ -0-	Weldon Johnston \$ -0-
1184-A Graham	19.89	19.00	51.50	-0-	-0-	-0-	-0-	36.75	19.75	23.70
1180 Graham (Rear)				-0-	-0-	-0-	-0-	18.65	-0-	7.70
1189E Chestnut	9.89	-0-	-0-	-0-	-0-	-0-	-0-	16.10	-0-	23.70
2602 Vaiden	23.45	-0-	-0-	-0-	-0-	-0-	-0-	27.85	-0-	27.70
1134 Lowe	19.89	-0-	-0-	-0-	-0-	-0-	-0-	28.65	-0-	23.70
1008 Nile	12.89	-0-	-0-	-0-	-0-	-0-	-0-	41.85	27.55	53.70
806 Nile	37.87	8.50	-0-	60.00	-0-	-0-	-0-	58.60	-0-	17.70
3002A Conway	44.80	8.50	-0-	-0-	-0-	-0-	-0-	58.60	-0-	17.70"
3002B Conway	44.80	6.35	-0-	-0-	-0-	-0-	-0-			

Councilman Gage asked if there were a performance bond posted for those to be demolished assuring the structure to be torn down within a certain time, and all the materials moved from the property. The Building Official stated a bond was filed, but not a performance bond. Questions were raised about clearing the lots after the houses were removed. The City Manager said this was being considered, as this problem frequently is a matter of concern. Part of the problem is that the cost of the bond is beginning to approach the bids they were receiving, for the removal of the houses. Councilman Johnson suggested having the individual who purchases these structures accept the responsibility directly in writing that he would remove the building from the premises and clean the lot, or pay the City to do the work for him. They are in fact stating to the Department that they intend to clean the lots; and if they keep up their end of the bargain, everything would be all right; if they leave the lots as many have been left, the City would have recourse to clean the lots and charge the people accordingly. The City Manager reported they were considering a \$1,000 performance bond. Another possibility would be to invite proposals as is being done now; and also on alternate basis--demolition only without the clearance, and then the City would clear it for the \$87.00. Councilman Gage asked that the City Manager compile statistics and facts on this for making a decision. The Building Official pointed out there were two classes--those structures that were condemned, and the cost of clearing those lots was charged against that person's property through a lien. The City Manager stated he would furnish information on the status of condemned but undemolished houses and the status of those which are in the process of clean-up after condemnation.

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 12, 1969 for the sale of nine (9) houses that Urban Renewal had turned over to the City for disposal; and,

WHEREAS, the bid of Walt Collins in the sum of \$51.50 for the house located at 1180 Graham (Rear); the bid of Tom A. Hill in the sum of \$60.00 for the house located at 806 Nile; the bid of Pete Rodriques in the sum of \$1,475.00 for the house located at 1184-A Graham; the bids of August Heyer in the sum of \$18.65 for the house located at 1189-E Chestnut, in the sum of \$27.85 for the house located at 1134 Lowe, in the sum of \$28.65 for the house located at 1008 Nile, in the sum of \$58.60 for the house located at 3002-A Conway, and in the sum of \$58.60 for the house located at 3002-B Conway; and the bid of Weldon Johnston in the sum of \$23.70 for the house located at 2602 Vaiden, 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 Walt Collins, Tom A. Hill, Pete Rodriques, August Heyer and Weldon Johnston, be and the same are hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute contracts on behalf of the City with said named parties.

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

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

Noes: None

Absent: Councilman Janes



## COUNCIL MEETINGS TO START AT 9:00 A.M.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ESTABLISHING A SPECIFIC DAY AND TIME FOR THE MEETING OF THE AUSTIN CITY COUNCIL IN ACCORDANCE WITH THE PROVISIONS OF THE CITY CHARTER; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman MacCorkle inquired as to the effects this change of hour would have on the administration. The City Manager stated the majority would favor the earlier time.

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 Atkison, carried by the following vote:

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

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 Atkison, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

## POLICY OF FREEDOM OF INFORMATION

MR. JOHN O'BRIEN, KVET, speaking solely for himself, asked the Council to go on record reaffirming the policy of freedom of information within the municipal government of the City, or pass a Resolution stating that no officer nor administrator of the City intimidate or tend to suppress any officer, administrator or employee from speaking freely and publicly concerning the operations, transactions, or actions of the City of Austin; that the open door policy that has existed by the previous Council either be reaffirmed and strengthened by this Council by reaffirming that policy or passing a new resolution with different wording. As long as such a policy is maintained within the City government the people of Austin will be able to see inside the workings of their City government and thereby strengthen their confidence in it and in you gentlemen. Councilman Johnson asked if such a Resolution as submitted today were acceptable to all the Media, and if it could be improved upon. Councilman Johnson stated he would like to hear from all the Media and work on this question the coming week. MAYOR LaRUE asked that this be reproduced, distributed to all members of the Council, and placed on the Agenda next week.

## BOARD VACANCIES AND EXPIRED TERMS

COUNCILMAN MacCORKLE asked for the names of the various members of the Boards that serve the City and when their office terminates. The City Manager had asked for a list of all of the boards and a supplement list of those whose terms expired or any vacancies that will come up within the next three months and he would get both lists to the Council.

## OFFICE SPACE FOR COUNCILMEN

COUNCILMAN MacCORKLE, judging from the numerous telephone calls, the enormous amount of correspondence and requests that had come to him the past three weeks needed secretarial help and office space. The City has grown to such an extent that there is a necessity that the Council members be provided this help and space. He said the paper work was enormous. MAYOR LaRUE said this was a good point; and if it could be reduced by some means or methods compatible to good information to the Council, he believed all members would be in favor of it. The City Manager agreed. COUNCILMAN GAGE complimented the City Manager and stated he appreciated receiving the materials he had received. To him, as a Council member, he thought to discharge his duties properly, it was important to keep abreast of what is happening and he needed the background material. The City Manager stated all would agree there should be some record of background, but he would screen this material more conscientiously, and decrease the paper work.

## TELEGRAM

Councilman Johnson moved that the Council adopt the telegram to be sent to the Representatives in Washington, D.C. from Mayor Travis LaRue, with a note that it was endorsed by this Council. (Relating to tax exempt status on Municipal bonds) The motion, seconded by Councilman Price, carried by the following vote:

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

## ORGANIZATIONAL ITEMS

Councilman Johnson asked for several items by next meeting; if possible or as soon as possible:

(1) A study or report listing all vehicles of the City, including automobiles, to which Departments they are assigned and the number in each department--not interested in individual assignments.

(2) He would like for the appropriate Department to look into the feasibility of having a Receptionist's desk in the front lobby of the Municipal Building.

(3) The feasibility of furnishing diagrams of this building as well as all City Departments on a simple map for anyone doing business with the City.

(4) The opinion or thinking of the City Manager for furnishing the Council with at least one day's notice on all press releases, generated by his office. The City Manager stated this he would do.

(5) The feasibility of adopting Roberts Rules of Order.

May 15, 1969

The City Manager distributed copies of Roberts Rules of Order to the Council. The City Attorney, Mr. Glenn Brown, stated if the Council wanted to adopt rules of procedure and rules of debate, there could be some modification on procedure rather than Roberts Rules of Procedures. A draft of such modification could be made available shortly. This modification would be better adopted to City Council procedure. Councilman Johnson asked that some recommendation for consideration be brought in so that they may publish the order under which they would operate.

The Council recessed to go into Executive Session.

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

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

Noes: None

Absent: Councilman Janes

The Council adjourned at 4:40 P.M.

  
APPROVED \_\_\_\_\_

Mayor

ATTEST:

  
\_\_\_\_\_  
Asst. City Clerk