

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 14, 1965
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Absent: None

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

Invocation was delivered by REVEREND JON EARGLE, Walnut Creek Baptist Church.

The Mayor greeted and welcomed MISS ELIZABETH BURBA and MISS LINDA THOMAS as visitors.

The Assistant City Manager gave a report on the Telephone Emergency Reporting System, stating in 1963 the recommendation from the Austin Fire and Safety Board that the Bell Telephone Emergency Reporting System be selected, was submitted to the Council. This was also recommended by the Chief Engineer of the State Fire Insurance Commission, Mr. Steve Hawley. Austin is one of the few large cities which does not have such a reporting system at this time, and is being charged on the key rate for that reason. At present a five cent charge on a maximum of seven cents is being made, but the installation of this system will make the system 60% good on the full charge of seven cents, and the rate will be reduced roughly four cents. The estimated charge for this installation, which will have to go out on bids, will be about \$30,000 and provision has been made in the budget for this system. The City Manager stated the installation is the cost of installing the standards, conduits, and the things that cannot be removed. Councilman Long asked if there were regular contractors who did this or just one or two. The Assistant City Manager named only one contractor that they knew of, and he does all of the City's work and all of the Telephone Company's work. It is desired to get as many bidders as possible. The Assistant City Manager stated the monthly charge to the Telephone Company for line rental, station equipment, and 200 instruments is \$3,533. This includes more stations than were discussed before. The annual rental after installation would be \$42,404. The Fire Marshal and the State Fire Insurance Commission say that the savings in premiums paid by the citizens on fire insurance will be much more

than the annual cost of the system. There also would be savings in losses of property and life by having quicker reporting. The Police Department will be able to use this system. Councilman Long inquired about the reasons this was not installed in 1963 and about the controversy over the system's being more expensive than first anticipated. It was explained that there were questions of going overhead or underground in the downtown area. This has been resolved by all concerned and the system will be underground. The Assistant City Manager stated it would take about seven months for installation and the rent would not begin until the system was ready; and money for that rental has been included in the budget also. He stated these instruments were strategically located at schools, shopping centers, busy intersections, and locations as recommended. The Assistant City Manager said it would be necessary to enter into a five year agreement for the installation. It is a standard form used nation wide. Representatives of the Austin Fire Safety Board, and of the Telephone Company were present. He said they were ready to ask for new authority for the City Manager to enter into this agreement with the Telephone Company and for drawing up specifications and calling for bids. MR. PHARES stated he was in New Orleans recently and the Emergency Reporting System was one of the few sets of phones in use after the storm hit, and this is a good system, and he whole heartedly recommended it to the Council. The Mayor stated there were other systems on the market and other proposals made, and asked if it were this group's recommendation that this system be used. Mr. Phares stated it was and in addition to the monetary savings, it saved dollars in false alarms. The Mayor recalled in 1963, the Council was ready to move out on this system, but there were some differences in cost figures that had to be resolved. Councilman LaRue moved that the City Manager be authorized to enter into this Telephone Emergency Reporting System contract. The motion, seconded by Councilman White, carried by the following vote:

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

Mayor Palmer 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) A 0.594 ACRE TRACT OF LAND, LOCALLY KNOWN AS 7040-7106 U.S. HIGHWAY 290, AND ADDITIONAL AREA: A 22,913 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 7108-7112 U.S. HIGHWAY 290, REAR OF 7114-7124 U.S. HIGHWAY 290, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; (2) LOTS 9 AND 10, BLOCK 17, GLENRIDGE ADDITION, AND ADDITIONAL AREA: LOTS 1-6, 11-13, BLOCK 17, GLENRIDGE ADDITION, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (3) LOT 24 OF THE HORST'S SUBDIVISION, FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; (4) A 29,288 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 5007-5015 BURNET ROAD, AND ADDITIONAL AREA: A 1640 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS REAR OF 5003-5005 BURNET ROAD, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; (5) LOT 10 AND SOUTH 53 FEET OF LOT 9, BLOCK 15 OF THE CHRISTIAN AND FELLMAN SUBDIVISION, FROM "B" RESIDENCE

DISTRICT TO "O" OFFICE DISTRICT; (6) LOTS 66 AND 67 OF THE HARMON TERRACE ADDITION, FROM "GR" GENERAL RETAIL DISTRICT TO "C-1" COMMERCIAL DISTRICT; AND (7) A 13,600 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 2702-2704 SOL WILSON AVENUE, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; ALL OF SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOT 11 AND LOT 12, OF THE JEFFERSON STREET ADDITION, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: THE NORTH 61.71 FEET OF LOT 8 OF THE JEFFERSON STREET ADDITION, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer 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: A 2.86 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1206-1224 SOUTH LAMAR BOULEVARD, FROM "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT AND "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND

AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND THIRD HEIGHT AND AREA DISTRICT; TRACT 2: A 1.87 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1205-1207 KINNEY AVENUE, FROM "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT AND "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

WHEREAS, after investigation, the City Council has found that the maximum reasonable and safe speeds for the operation of vehicles at such locations are as follows; to wit:

<u>MILES PER HOUR</u>	<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
45	U.S. 290 East (Elgin Highway)	Airport Boulevard	Berkman Drive
50	U.S. 290 East (Elgin Highway)	Berkman Drive	Point 200 feet East of centerline of Mira Loma Lane

Now, Therefore,

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

That the City Clerk be and she is hereby authorized and instructed to record this finding in Section 33.40 of the Traffic Register. Be it further resolved that the City Clerk be authorized and instructed to mark as deleted from Section 33.40 of the Traffic Register the following entries: (1) entry made prior to this date establishing a forty-five (45) mile per hour zone on U.S. 290 East (Elgin Highway) from Airport Boulevard to Cameron Road. (2) entry made prior to this date establishing a fifty (50) mile per hour zone on U.S. 290 East (Elgin Highway) from Cameron Road East to the City Limit line.

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

The City Manager submitted the following:

"October 11, 1965

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

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, October 8, 1965, at the Office of the Director of the Water and Sewer Department for the INSTALLATION OF 4,610 FEET OF 12-INCH, 1,087 FEET OF 8-INCH, 337 FEET OF 6-INCH, AND 205 FEET OF 2 1/4-INCH CAST IRON WATER MAIN IN U.S. HIGHWAY 183 FROM McNEIL ROAD TO R. M. 620. The purpose of this installation is to prepare the area for Highway construction along this section of U. S. Highway 183. The bids were publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>"Firm</u>	<u>Amount</u>	<u>Working Days</u>
H and M Construction Corporation	\$49,886.75	50
Bland Construction Company	56,710.75	60
Bill Tabor Construction Company	60,239.10	150
Walter W. Schmidt	61,518.15	75
Austin Engineering Company	85,116.40	90
Ford-Wehmeyer, Incorporated	110,198.00	100
City of Austin (Estimate)	72,206.37	80

"It is recommended that the contract be awarded to the H and M Construction Corporation on their low bid of \$49,886.75 with 50 working days.

"Yours truly,
s/ Victor R. Schmidt, Jr.
Victor R. Schmidt, Jr.
Director Water and Sewer Department"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 8, 1965, for the installation of 4,610 feet of 12-inch, 1,087 feet of 8-inch, 337 feet of 6-inch, and 205 feet of 2-1/4-inch cast iron water main in U. S. Highway 183 from McNeil Road to R.M. 620; and,

WHEREAS, the bid of H and M Construction Corporation, in the sum of \$49,886.75, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of H and M Construction Corporation, in the sum of \$49,886.75, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute, on behalf of the City, a contract with H and M Construction Corporation.

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the application of the Capital Cable Company, Incorporated, of Austin, Texas, to construct and maintain the hereinafter described underground improvements:

An underground coaxial signal conduit to be installed within a twelve (12.00) inch wide space assignment which is described for convenience in two (2) parts, the centerline of which twelve (12.00) inch wide space assignment is described as follows:

No. 1 An underground coaxial signal conduit crossing LAVACA STREET, from a point in the east property line of said LAVACA STREET westerly 63 feet, the centerline of said underground coaxial signal conduit shall be 5 feet north of and parallel to the easterly prolongation of the south property line of West 11th Street Alley.

No. 2 An underground coaxial signal conduit in LAVACA STREET, from the point of intersection of a line 63 feet west of and parallel to the east property line of said LAVACA STREET with a line 5 feet north of and parallel to the easterly

prolongation of the south property line of West 11th Street Alley in a southwesterly direction to an existing utility pole at the point of intersection of a line 2 feet west of and parallel to the west curb line of said LAVACA STREET with a line 2 feet south of and parallel to the easterly prolongation of the south property line of West 11th Street Alley.

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

(1) The improvements shall be constructed and maintained in compliance with all ordinances relating thereto.

(2) The permit shall be issued and accepted subject to all reasonable police, traffic, fire and health regulations of the City of Austin now existing or hereafter adopted.

(3) The repair or relocation of any and all utilities in the vicinity necessitated by the laying of these improvements shall be done at the expense of the Capital Cable Company, Incorporated, of Austin, Texas.

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

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

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

The City Manager submitted the following:

"Tabulation of Bids Sale of Houses To Be Moved and To Be Demolished
Bids Opened October 12, 1965

TO BE MOVED:

906 East 7th Street -
Residence. Improvements
Only.

A.A. Greenhaw		<u>\$125.00</u>
M. O.'s	\$10.00	

2307-A Holly Street -
Residence. Improvements
Only.

Richard Johnson		<u>\$ 75.00</u>
M. O.	\$ 5.00	

"TO BE MOVED: (Con't)

1319 East 51st Street -
Residence. Improvements
Only.

J.R. Shannon, Jr.		<u>\$605.00</u>
C.C.	\$31.00	
M. J. Kouri		<u>\$427.57</u>
M.O.	\$25.00	
Don M. Sherman		<u>\$420.00</u>
C.C.	\$21.00	
George Gillis		<u>\$310.00</u>
M. O.	\$15.50	
Samuel Mercher, Sr.		<u>\$300.00</u>
C. C.	\$15.00	
J. H. Means		<u>\$201.00</u>
C. C.	\$10.05	
T & R House Movers		<u>\$150.00</u>
C. C.	\$ 7.50	
Leo Dell Jones		<u>\$ 76.00</u>
M. O.	\$ 3.80	

TO BE DEMOLISHED:

41 Comal - Residence.
Improvements Only.

William C. Duncam		<u>\$ 16.60</u>
C. C.	\$ 1.00	

808 Peyton Gin Road -
(Warehouse) Improvements
Only.

M. J. Kouri		<u>\$ 27.50</u>
M. O.	\$25.00	

"Amount underlined represents high bidder."

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 12, 1965, for the sale of houses to be moved and to be demolished; and,

WHEREAS, the bid of A. A. Greenhaw in the sum of \$125.00 for house located at 906 East 7th Street to be moved; the bid of Richard Johnson in the

sum of \$75.00 for house located at 2307-A Holly Street to be moved; the bid of J. R. Shannon, Jr., in the sum of \$605.00 for house located at 1319 East 51st Street to be moved; the bid of William C. Duncam in the sum of \$16.60 for house located at 41 Comal to be demolished; and the bid of M. J. Kouri in the sum of \$27.50 for (Warehouse) Improvements located at 808 Peyton Gin Road to be demolished, were the highest and best bids therefor, and the acceptance of such bids has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore;

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

That the bids of A. A. Greenhaw, Richard Johnson, J. R. Shannon, Jr., William C. Duncam and M. J. Kouri, be and the same are hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute contracts, on behalf of the City, with said parties.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approve the erection of a boat dock on the property owned by Gene Naumann as described in the Travis County Deed Records and known as Aqua Verde Subdivision, Lot "D", and hereby authorizes the said Gene Naumann to construct, maintain and operate this boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said Gene Naumann has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
October 13, 1965

"MEMORANDUM to: Mr. W. T. Williams, Jr., City Manager
Subject: RESOLUTION, BOAT DOCK (Private)

"I, the undersigned, have reviewed the plans and have considered the application of Mr. Gene Naumann, owner of the property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road and known as Aqua Verde Subdivision, Lot "D", as recorded in the Travis County

Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately thirty (30) feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Mr. Gene Naumann is granted his request by the City Council, that it be subject to the following conditions:

"(1) That nothing but creosoted piles, cedar piles or concrete piles substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character shall be erected on any pier, dock, wharf, float, island, piling, or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,
s/ Dick T. Jordan
Dick T. Jordan
Building Official"

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

Mayor Palmer introduced the following ordinance:

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

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

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

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

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

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

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council took no action on the following zoning applications pending:

JOHNNIE G. ANDERSON	611-621 East 45th Street	From "A" Residence 1st
et ux, By Marvin	4412-4420 Eilers	Height & Area
Braswell		To "B" Residence 2nd
		Height & Area
		NOT Recommended by the
		Planning Commission

OLIE O. PERRY	2010 Koenig Lane	From "A" Residence
	5901-5903 Laird Drive	To "LR" Local Retail
		NOT Recommended by the
		Planning Commission

The City Manager explained in detail the proposed amendment to the Pension and Retirement System Ordinance, which provided for four employees elected by the other employees of the system instead of two, for setting up a term of rotation, the mechanics for holding an election and providing that employees be elected by plurality rather than by a majority. The ordinance provides for immediate appointment of a committee by the Council to make nominations and conduct the election. Councilman Long asked that the amendment be changed to read "... The employees shall promptly mark their ballot and return it to the supervisor in a sealed container "

Mayor Palmer introduced the following ordinance (with the suggested change):

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING A RETIREMENT AND PENSIONING SYSTEM FOR CERTAIN EMPLOYEES OF THE CITY OF AUSTIN, PURSUANT TO AUTHORITY GRANTED THE CITY COUNCIL UNDER SECTION 4, OF ARTICLE IX, OF THE CHARTER OF THE CITY OF AUSTIN; CREATING A RETIREMENT BOARD TO ADMINISTER AND OPERATE THE RETIREMENT AND PENSIONING SYSTEM AND DEFINING ITS POWERS, DUTIES AND FUNCTION; PROVIDING A METHOD OF FINANCING THE SYSTEM; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY AND SAVING CLAUSE AND DECLARING AN EMERGENCY" AS PASSED BY THE CITY COUNCIL ON OCTOBER 10, 1940 AND AS AMENDED FROM TIME TO TIME THEREAFTER BY AMENDING SECTION 2 OF ARTICLE III THEREOF PERTAINING TO MEMBERSHIP; TERMS OF OFFICE, METHODS OF SELECTION AND REPLACEMENT OF EMPLOYEE MEMBERS OF THE RETIREMENT BOARD; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY AND SAVING CLAUSE AND DECLARING AN EMERGENCY.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Later in the afternoon meeting, Councilman Shanks moved that the Council appoint the following Nominating Committee as required in the amended Pension and Retirement Ordinance:

MR. WILLIAM HARRISON	- Finance Department
MR. WENDELL BURNS	- Hospital
MR. R. L. HANCOCK	- Electric Department
MR. RODGER WHITE	- Water and Sewer Department
MAJOR BURCH BIGGERSTAFF	- Police Department

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

Councilman Long made the following comment regarding her negative vote:

"It is not because I do not approve of any single one; it is a matter that I have not had the opportunity to look into any of these or any others. It is a package handed to me by the City Manager without giving me time to study and see whom I might want to appoint or name."

Mayor Palmer announced sincere appreciation to the three members of three local banks who serve as advisors on investments. Since this system has grown to the size it has, the earnings have increased from 2.6% to 3.8% which is a good earning record of the system.

At 10:30 A.M. the Mayor opened the hearing on annexing FAIRMONT PARK, SECTION 1 and unplatted land. No one appeared to be heard. Councilman White moved that the hearing be closed. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Mayor Palmer brought up the following ordinance for its first 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 15.6 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE THEODORE BISSEL LEAGUE, 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. (Fairmont Park, Section 1 and unplatted land)

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

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

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

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

The Council had before it the request of the CONNOLLY COMPANY, INC. to vacate a portion of MOUNT BONNELL ROAD west of the 60' right of way shown on plat of Mount Bonnell Terrace. The City Attorney stated the existing pavement had been surveyed as well as the right of way, which is 60' wide, and the pavement is in the center, leaving 15' of unpaved right of way on each side of the road. He displayed the plat filed by the subdivider, showing the area to be vacated on the west side of the pavement, and the equal amount of right of way the subdividers are dedicating on the east. The area outside of the pavement would be 15' at its widest point, tapering down to zero on Lot 13. The roadway will not be changed and it will remain in the same location as it has always been. Councilman Long inquired what would the City get in return for this very valuable property. The City Attorney stated 15' on the opposite side is being dedicated. The right of way moves, but the present roadway does not. Councilman Long stated the property on the bluff is more valuable than that below the road. The Mayor stated the road would be paved, curbed, and guttered, and the City was coming out real good on these improvements. Councilman Long inquired about the possibility of losing title to the park and everything else if the Council vacated any part of the road. The City Attorney explained in detail the dedication

of a 40' roadway which was a straight dedication of a roadway, and a subsequent dedication of Covert Park and a 20' roadway east of the 40' roadway. The instruments were examined and research made; and it is his opinion that the Council has the legal power to vacate a portion of the original 40' roadway. After discussion, Mayor Palmer introduced the following ordinance:

AN ORDINANCE VACATING AND CLOSING TO PUBLIC TRAVEL
A CERTAIN PORTION OF THAT CERTAIN STREET KNOWN AS
MOUNT BONNELL ROAD IN THE CITY OF AUSTIN, TRAVIS
COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING
THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

The Mayor announced that the ordinance had been finally passed.

Councilman LaRue made the following statement concerning his vote:

"The City has many other places where this amount of money could be expended to a greater good for a greater number of people."

Councilman Long made the following statement concerning her vote:

"It is just like removing an arm; you cannot buy it back. It is ridiculous, and I vote 'no'."

Councilman White made the following statement concerning his vote:

"When the developer covers that hill with those beautiful homes everybody in town will be proud of it, and I vote 'aye'."

The Mayor stated on October 7th, the Council, regarding a request of the Students for a Democratic Society to parade to protest the U.S. involvement in South Viet Nam, asked that they be invited to come before the Council to discuss the parade and provide more information. MR. SCOTT PITIMAN, MR. RICK RUBOTTOM, who stated they were members of an organization known as Students for a Democratic Society, MISS ELIZABETH BURBA who stated she was Executive Secretary of the American Civil Liberties Union, but was not appearing in an official capacity, but strictly on her own; and MISS LINDA THOMAS did appear before the Council and discussed the request and the purpose. Objections to the Council's granting the Students for a Democratic Society their request was expressed by a Committee to support the United States' Policy in Viet Nam. MR. JOHN GOODMAN, MR. LARRY AMERINE, MR. JAMES OBERWETTER, MR. RICHARD KILGORE, and MR. JOHN FORD discussed reasons why the parade permit should be denied. MR. WILLIAM HOLEMAN and MR. ARTHUR GOULSBY also expressed opposition to the granting of a parade permit. Councilman Shanks moved that the permit be denied. The motion was seconded by Councilman White. Councilman Long moved that Councilman Shanks' motion be tabled. The motion failed to carry by the following vote:

Ayes: Councilman Long

Noes: Councilmen LaRue, Shanks, White, Mayor Palmer

Councilman Shanks moved that the parade be denied. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Shanks, White, Mayor Palmer

Noes: Councilmen LaRue, Long

The Council recessed.

RECESSED MEETING

1:30 P.M.

At 1:30 P.M. the Council resumed its business.

Councilman LaRue moved that the City Manager be authorized to advertise for bids to be opened in the Council Room at 10:00 A.M., November 18th, for the next Turbine Generator for Power Plant X. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

The City Manager explained these specifications did not specify the exact KW capacity of this unit, but called for compliance with certain other characteristic features such as pressures, temperatures, vacuum on the discharge, and the volume of steam, etc., and the bidders were asked to state what the KW capacity will be to do the job. The range will be between 300-350 KW. The bidders are being asked to state what the maximum peak will be and what they guarantee.

The City Manager announced the Texas Municipal League will have its Annual Conference on the week end of October 31st - November 2nd.

The Mayor announced he just received word that Lieutenant J. B. SLOAN would be in Austin tonight to make arrangements concerning the arrival of U.S.S. AUSTIN at Corpus Christi, and to make plans for the ceremonies at 9:30 A.M. Friday morning.

The City Manager reported on the request of the Austin Evaluation Center for an opportunity to discuss this project with the City Council and to solicit its help for local participation. They want to establish an evaluation center and operate it under a Board which will have representation from the Cerebral Palsy Center, Austin Council of Retarded Children, the Austin Child Guidance Center, the Austin School District, State School, Travis County Medical Society, Junior League, and the City of Austin. Dr. Ben Primer and Dr. Thelma Gentry will be representatives of the City of Austin. A number of paid employees paid by the State Department of Public Health with about \$60,000 Federal funds, will operate the center. It is proposed that the expenses of operation will be borne by local agencies, including the City of Austin, and that the center will begin operation in quarters at the location in the Cerebral Palsy and Retarded Children Center on San Gabriel and 28¹/₂ Streets. They suggest space in one of the buildings could be made suitable for their use by an expenditure of \$3,700 and by surfacing the parking area at about \$500.00. The Center needs aid such as payment of operating expenses, utilities, office supplies, and custodial care. The City Manager suggested if the City did the renovation that the Council may suggest that the Center look elsewhere for the remainder of their operating expenses for the year. The City Manager stated the City does not provide free water and lights to any United Fund Agency or otherwise. The suggested site in the Hospital complex was too large for the Center. The Mayor asked if this would meet the recommendation of the task force of the Committee on Mental Retardation. Dr. Primer explained the operation of the Evaluation Center. The City Manager read the aims of the project--to provide the facilities for diagnosis and evaluation for treatment to the appropriate agency for handicapped infants and children; to furnish counselling and guidance service to parents and to work out therapy for immediate and long range plan for the child; and to provide consultation services to physicians and community agencies on particular problems. Councilman LaRue moved that the City Manager be authorized to make this expenditure out of funds budgeted in the Health Department Budget, and that the City Manager be authorized to tell the Center that the Council feels that this will be the extent of the City's contribution. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager reported no site had been located in the Hospital Complex which was available for the Red Cross to purchase, as the owners were not willing to sell. The site on 13th Street formerly offered to the Evaluation had been suggested, and the Red Cross would like to move to this site, thus permitting clearance of the City property they occupy now. Councilman Long stated the City had not provided a building for them or anyone else. The City Manager stated the City would not propose to furnish a building on a permanent basis for the Red Cross here, but on a temporary basis it seems to be appropriate, as it would be hard to find a tenant to move into the building on a temporary basis. Councilman Long stated in other cities the Red Cross provided their own buildings,

and they were not provided by public funds, it is a private national corporation, and she did not think the City could spend its funds on a private corporation. Councilman LaRue suggested selling the building to the Red Cross and have a known quality at the beginning and one when the City buys it back. The Mayor stated the Red Cross performs services for the City by training in water safety, and many other community services, that it would be justifiable to let them have this space on a temporary basis until such time as the City needs the building. Councilman Shanks moved that the Red Cross be permitted to use the building until the City needs it. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

Councilman Long voting against the motion making the following statement:

"I vote 'no'. I think it is a misappropriation of City funds and City property. I believe under the law it is not legal."

Councilman Shanks moved that the Council award the contract for architectural services for expansion of the Filter Plant to MR. JAMES CROW. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman Long moved that the United Fund be granted permission to occupy space along the curb at 7th and Brazos on November 1st, 2nd, 3rd, to locate an Exhibit (a missile) for a fund drive. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The City Manager stated the City is confronted with crowded conditions as new people are added to the Departments, and the Building Official's office space needs to be expanded. Consideration had to be given to a location near enough to refer the public who come to the City Hall, cost, renovations, etc. He listed the various locations considered; and after considerable study and work, they found a building which they could move into immediately with very little alteration, and with a built-in cashier's cage which would be needed. This location is on 8th and Lavaca Street and is known as the Austin Life Insurance Company Building. The Building Official will have space on the main floor and some in the basement, and this can be rented together with 14 parking spaces for \$600.00 a month, including air conditioning, utilities, and custodial services. The vacated space would permit expansion room for the Tax Department, Water & Light Department and space needed for some programmers for the data processing. The Building Official explained when one came in for a building permit, the inspectors could obtain other information as to utility locations, etc., through telewrite. Councilman Shanks moved that the City Manager be authorized to enter into a lease for this property for the Building Inspector's Office. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Mayor stated this was an excellent price for this, as the going price is \$.28 or \$.29 a square foot. The City Attorney stated this would be a three year lease with two one year options. This rental would be charged to the Municipal Building Budget.

Mayor Palmer read a letter from MR. HILMAN LYONS, Austin Braves, expressing thanks for the kindness and cooperation from the Council and stating baseball had come a long way since January in being restored to the top of the entertainment ladder in Austin, the big boost being accredited to the work done on Disch Field. Mr. Lyons listed the improvements that should be done before the next season--lighting to be brought up to Texas League Standard; the fence started last year should be finished; all defective boards in the grandstands and bleachers should be replaced and the Club house should be enlarged by at least 15'. Councilman White moved that this request be referred to the City Manager and Director of Public Works for their consideration. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Mayor Palmer stated the delegation would be leaving for Belo Horizonte very soon, and it was necessary to have a letter addressed to the Mayor there, introducing Mr. Victor C. Sumner, who is in charge of the representative delegations of the Citizens of Austin, and designating Mr. Sumner as the official representative of the City Council on the occasion of this visit to Belo Horizonte. Councilman Long moved that the Council authorize such a letter be sent. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Mayor Palmer announced it was 2:30 P.M. and tax hearings were set for this time.

	Full Value by Tax Dept. 1964	Full Value by Tax Dept. 1965	Assessed Value By Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
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GEORGE S. NALLE

618½ Congress Ave. Land	\$267,072	\$258,837	\$194,130	\$ 14,720	\$194,130
Lot 6, Block 70 Imps	52,133	46,985	35,240	39,100	35,240
Total	\$319,205	\$305,822	\$229,370	\$ 53,820	\$229,370
908 Congress Ave. Land	\$ 39,562	\$ 39,562	\$ 29,670	\$ 7,360	\$ 29,670
South 23 feet of Imps	6,594	5,956	4,470	4,950	4,470
Lot 3, Block 110					
Total	\$ 46,156	\$ 45,518	\$ 34,140	\$ 12,310	\$ 34,140

		Full Value by Tax Dept. 1964	Full Value by Tax Dept. 1965	Assessed Value By Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
<u>GEORGE S. NALLE</u> (Cont.)						
906 Congress Ave.	Land	\$ 39,562	\$ 39,562	\$ 29,670	\$ 7,360	\$ 29,670
N.23 ft.of Lot 2	Imps	6,493	5,865	4,400	4,870	4,400
Block 110						
Total		\$ 46,055	\$ 45,427	\$ 34,070	\$ 12,230	\$ 34,070

MR. GEORGE NALLE compared the values on Congress with those in the outlying centers, stating the figure on Congress had been changed from \$42.00 a square foot against about a dollar a square foot in the centers to \$35.50 against a dollar for all the outlying centers. His interest was that Congress Avenue be fairly reevaluated in line with the centers. His appeal covered land only. He listed the increases made on Congress Avenue and pointed out a reduction of about 29% was made in 1960, but this is not in keeping with the loss of business. The Mayor pointed out this comparison took in all the area the centers were using for parking, whereas the downtown areas had street parking. Mr. Nalle's contention was assuming the centers used one third for merchandising and two-thirds for parking, the downtown area should be taxed only three or four times what the outlying centers are taxed. His appeal was not on equalization with other properties on Congress, but he was representing owners on Congress that the taxes are out of proportion to the outlying districts. Councilman Long pointed out in 1954 the properties, through a complete study were reevaluated and brought up to where they should have been for a long time; but even before the report was brought in the Council lowered the proposed rate 10%. Councilman Shanks pointed out the taxes are just about the same now as they were in 1963. The Tax Assessor stated they had studied the area many times. Some properties were doing all right and some were not. He outlined what was considered in evaluation of these properties where there had been practically no sales in the area. Councilman Shanks stated the people and merchants who operate down there are the ones that are going to have to bring Congress Avenue back. Mr. George Nalle suggested Lundgren's and Maurer's plan to put multiple parking in the street, over or under the ground in multi-layers be considered. The Mayor stated parking was not the problem downtown today. It is a period of trends, different types of merchandising, different methods of shopping, etc. He believed the downtown area would come back. The Mayor listed the concern of the Council and the efforts they had made to assist the area by widening the bridge, resurfacing, creating more access to downtown, hooding the meters on Saturday afternoons and installing new lighting. There is going to have to be more effort on the owner or individual to get the downtown back. The Mayor stated the Council would consider this thoroughly and check with the Tax Department.

		Full Value by Tax Dept. 1964	Full Value by Tax Dept. 1965	Assessed Value By Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
<u>CAMBRIDGE TOWER</u> By Mr. Wayne B. Swearingen						
1801 Lavaca Street	Land	\$142,250	\$142,250	\$106,690	Not	\$106,690
Outlot 42, Less N	Imps	-0-	2,208,804	1,656,600	Rendered	1,656,600
240 ft. of East 138						
ft., Division E	Total	\$142,250	\$2,351,054	\$1,763,290		\$1,763,290

MR. WAYNE G. SWEARINGEN was not appealing the land value, but only the building and improvements, specifically the floors two through 15, and the

basement construction. He filed data with respect to his appeal and stated the assessment was on 50% completion for this year. His figures were based on fair market value from the standpoint of their cost. The Tax Department set \$4,417,606 for fair market value, including additional details of construction, which he felt was \$96,000 more than the actual cost. Without the pool, the difference is \$123,000. These were not the main points of his argument however. His appeal did not cover the first floor nor the lobby. The appraisal of the second floor through the 15th was \$3.21 higher than his actual cost per square foot; and basements 1 and 2 were \$1.02 per square foot higher than his cost. He had a comparison of the other two highrise apartments in Austin. Average of the second and upper floors of these two apartments was considerably lower than the average appraisal of floors 2-15 of Cambridge Tower, and lower than his actual cost of \$10.00 per square foot. They did have better structure but there is not that much difference in a basic building to go high rise. Mr. Swearingen said he did not appeal to the Board because he did not have all the figures available at that time. He stated their apartments were high priced from the standpoint of service but there is not that much difference in the building to hold up so many floors. Mayor Palmer stated costs were not always the market value. Mr. Swearingen stated the relief he was seeking would be on \$763,879. He would not press action on the \$123,000 "total additional details". Mr. Wilford Turner, Equalization Board Member, asked if these figures included architectural fees. Mr. Swearingen stated the Tax Department has the breakdown on this, which included architectural fees, insurance, building permits, landscaping, supervision, etc. Mr. Kingsbery pointed out two unusual things that were taken into consideration. They have a building company which does this construction work as a part of their organization. Mr. Swearingen stated they had a local contractor. Mr. Turner said the other thing the finishing of each apartment will be done at the specifications of some tenant. Mr. Klitgaard, after discussion, stated he did not believe the Department was materially above the market value. Mr. Swearingen explained the matter of contracting, stating Mr. Thomas Hyman is the general contractor for all of their four large buildings. The Contractor figure was a low figure as Mr. Hyman only supervised the local supervisor. Mr. Jensen's fee is in the cost figures. The Mayor stated the Council would like to look at this apartment and give him an answer.

	Full Value by Tax Dept. 1964	Full Value by Tax Dept. 1965	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
<u>MARVIN A. BERGSTROM</u>					
401 West 13th Street Land	\$ 32,133	\$ 32,133	\$ 24,100	\$ 24,100	\$ 24,100
North 77' of Lots Imps	350,520	810,411	607,810	500,000	591,380
5 & 6, Block 150					
Total	\$382,653	\$842,544	\$631,910	\$524,100	\$615,480

MR. BERGSTROM was appealing the improvements only. He said the land in the area is too low, but it would be raised next year. The building is about 18 months old and it has been 100% occupied since January 1st. He said it gets back to the \$10.00 a square foot on the building alone, even though his cost was a little less. His itemized statements of city, county, and state taxes; water and light, telephone, payments to General Life Insurance Company, City National Bank and insurance are more than his income, and the figures do not include a porter and one maid, nor anything for him. He does his own maintenance and management, repairs, replacement, no aircondition contracts or elevator. He had been advertising the building for the past six months. The offer he had

received was \$150,000 less than what he had in the building. The cost figure was \$679,967 and the City has it valued at \$788,517, which was more than the actual cost. He described the construction and materials used. He compared valuation of other buildings in the downtown area--the new addition to the Driskill Hotel is on the rolls at \$748,000; Lowich Building, \$631,000, International Life Building, \$573,000; the Brown Building larger than the Penthouse, \$668,000. They are all owned by big corporations and out of town people. It was pointed out these buildings are older buildings and have taken depreciation. The Mayor stated the assessed value was reduced by the Board from \$607,810 to \$591,380 about \$16,000. The Tax Assessor stated last year the building was appraised at 40% complete; this year it has been set up as complete. The board reduced the assessed value from \$607,810 to \$591,380 and this reduction was allowed primarily on the elevators. The Mayor stated the Council would like to look at the apartment house and give him an answer as early as possible.

<u>CHARIOT INN MOTOR</u> <u>HOTEL</u> By A. L. Hill	Full Value by Tax Dept. 1964	Full Value by Tax Dept. 1965	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
7300 Interregional Land	\$ 79,883	\$ 79,883	\$ 59,910	\$ 59,910	No Appeal
Lot 3 less W.50' Imps	-0-	754,823	566,120	-0-	
Tex-Con Addn. #1					
Total	\$ 79,883	\$834,706	\$626,030	\$ 59,910	

The Tax Assessor stated the Chariot Inn operators were supposed to have written a letter to the Council withdrawing their appeal. They and the Tax Department got together, and they brought in information which had been asked for earlier. They did not appeal to the Board of Equalization. The Tax Assessor recommended that this assessed value be reduced, not what they asked for, but to make it equal with other property. There was a discrepancy in the restaurant facilities in that the value was approximately \$4.00 a foot higher on the Chariot Inn than on Ramada Inn, Villa Capri and Cross Country; and the Department recommends that the property be adjusted. Mr. Hill indicated he would accept the adjustment. The final assessed value on the building would be reduced from \$566,120 to \$531,530. Councilman Long asked that Mr. Hill be contacted to see if he filed the letter of withdrawal. The Mayor stated if this still is an appeal, the Council will have to take action. The value as recommended by the Tax Department is as follows:

Land	\$ 59,910
Imps	531,530
Total	\$591,440

Mayor Palmer expressed appreciation to the Board for its presence this afternoon. Councilman LaRue expressed his appreciation to them also.

MR. KINGSBERRY, Member of the Board of Equalization, stated they did not get the benefit of the information filed on the high rise apartment. Mr. Bergstrom was to furnish the cost figures broken down, but he did not. He further stated he was advertising the property in the Wall Street Journal for \$1,000,000. The Tax Department made an inspection of the construction. The Dallas owner came down but the Board did not have the information that the Council had.

Councilman Long moved that the City Manager be requested to instruct the Building Official to issue a building permit for MR. DUDE McCANDLESS at 305 East 17th Street if he meets all legal requirements. The motion, seconded by Councilman White, carried by the following vote:

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

Mayor Palmer read a card from MR. PAUL BOLTON, who just lost his mother.

Councilman White moved that the Council grant the Optimist Club of Western Hills permission to sell Christmas Trees at the parking lot at 1300 North Lamar Boulevard. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Mayor read an invitation to the Council to a coffee on October 17th at the home of Robert and Alice Gravis, 2105 Kenwood, honoring Mr. Harry Frazier Assistant City Manager. The Mayor asked that all members be reminded of this.

The Mayor read a note from Mrs. Phillip Kocen, representative of the League of Women Voters asking permission to tour the City Hall on October 28th and attend the City Council Meeting. It was suggested that some one be selected as a guide to show them around.

The City Manager stated COLONEL KENGLA, Civil Defense Coordinator, would like to have reduced in writing what the County Auditor and County Judge have called a "Statement of Understanding". The participation by the County and City is 25% each and 50% by the Federal Government. At present all Civil Defense matters consist of an unconsolidated series of correspondence on what each agency will do. It would benefit the County Auditor, if this could be reduced to one single document which would constitute one simple statement of understanding. Councilman Shanks moved that the City Manager be authorized to execute this document. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The owners of the Capital National Bank, the International Life Building and the Wilbur Clark Crest Motels had agreed verbally to the installation of the Voice Warning System on each property with the understanding there would be a formal contract made with them. Each has seen how the equipment operates and each will be satisfied with a simple letter from the City stating that the equipment will be used only for the purpose of emergency warning and that the City would reimburse the owner for any damage that might be done to the building by the system's use; and that the installations will be tested the way they

have been. Councilman LaRue moved that the City Manager be authorized to execute such an agreement by letter. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Councilman Shanks suggested that the Council extend its best wishes to the Longhorns and ask that they beat the Razorbacks all they can. The City Clerk was authorized to send them a telegram Saturday in Arkansas expressing best wishes of the entire City.

The Mayor stated the Council received a copy of the last Grand Jury's report. The Council discussed this report and the Mayor asked the Council to look into the report to see if there is some area in which it should do something.

There being no further business the Council adjourned at 4:25 P.M. subject to the call of the Mayor.

APPROVED

L. E. Palmer
Mayor

ATTEST:

Eli Mosley
City Clerk