

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 28, 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 JOEL FERGESON, Director, Operation Brotherhood.

MAYOR PALMER asked MR. ROBERT ARMSTRONG to introduce the members of the U.S.S. AUSTIN, honorary citizens of Austin. Mr. Armstrong introduced CAPTAIN SHAW, U.S.S. Austin who introduced CHIEF LANCASTER, DR. HALL, and YEOMAN URICK. Mayor Palmer expressed delight in welcoming this group, stating Austin particularly had been honored in having a fine new ship of this type named after this City. He stated 70% of the surface of the earth is water and this brings home to each how important the Navy is. There will be a ceremony in Corpus Christi at 11:00 A.M., Saturday, October 30th, and he urged all Austin citizens to go visit this ship. Mr. Armstrong stated this is the first time a ship this large had been in the port of Corpus Christi.

Councilman LaRue moved that MR. JEFF GARRETT, MISS DONNA ASHE and MR. BOB GARNER be heard.  
The motion was seconded by Councilman Long.  
Roll call showed a unanimous vote.

MR. GARRETT presented on behalf of the McCallum Young Republicans Club, a resolution supporting the recent action taken by the City Council and Mayor Lester Palmer prohibiting demonstrations on public streets. The Mayor thanked all of the young people for taking an interest in our government and expressed appreciation for their being at the Council Meeting this morning.

Mayor Palmer announced a Ceremonial Service is to be held at the Post Office and the Council would recess at 10:45 A.M. to participate in this ceremony.

Councilman White moved that the Minutes of October 14, 1965 be approved. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Present but not voting: Councilman Shanks

Mayor Palmer 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 10.86 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE ISAAC DECKER 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.  
(Greenwood Hills, Section 3)

The ordinance was read the third time and Councilman LaRue 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.

The Council had before it an ordinance authorizing the execution of a refund contract with Nelson Puett, Jr. for the installation of water mains in WHITE PLAINS, SECTION 5. The City Manager stated this was a routine refund contract. White Plains, Section 5 is in Water District No. 7 which the City now owns.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH NELSON PUETT, JR., 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 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.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M., ON THE 9TH DAY OF NOVEMBER, 1965, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Cater Drive and sundry other streets)

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: Councilman LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

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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 called to the Council's attention that she had an interest in this as she has a piece of property affected, but she thought it should be paved and was going to vote for it.

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 City Manager be and he is hereby authorized and directed to enter into an Agreement, on behalf of the City of Austin, with Southern Pacific Company for the installation of a ten-inch (10") sanitary sewer pipeline crossing Railroad's Austin to Llano main tract at Engineer's Station 454+48 (Mile Post 10.03), same to be laid for the full width of Railroad's property, in accordance with its standard plan and specifications (as shown on Standard Drawing CS 1741 dated April 20, 1953, and revised July 24, 1961) and also in accordance with the terms and provisions of a certain agreement exhibited to the City Council; and

BE IT FURTHER RESOLVED:

That the City Clerk is hereby directed to file a copy of said agreement in the permanent records of her office without recordation in the Minutes of the City Council.

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

The City Manager submitted the following:

"October 26, 1965

"TO: Honorable Mayor and Members of the City Council.

"SUBJECT: Bids for a one (1) year contract to furnish 20,000 feet of three conductor and 45,000 feet of one conductor Paper and Lead Cable for Electric Distribution.

"Sealed bids were received in the office of the Purchasing Agent at 10:00 A.M. October 22, 1965 for 20,000 feet of three conductor in accordance with City of Austin specification #EL-747 and 45,000 feet of one conductor including paralleling charges in accordance with City of Austin Specifications #EL-745 Paper and Lead Cable. Prices were requested for a twelve (12) months period with delivery to be made as required by Electric Distribution. Invitations to bid were sent to all known manufacturers of this material. The bids received are as follows:

<u>"Bidder</u>	<u>Net Total</u>	
Simplex Wire & Cable Co.	\$144,036.20	This price subject to metal price escalation.
General Cable Corporation	144,238.70	This price subject to metal price escalation.
Phelps Dodge Copper Prod. Corp.	144,257.59	This price firm for 12 months.
Graybar Electric Company	144,036.20	This price subject to metal price escalation.
Anaconda Wire and Cable Co.	<u>144,036.20</u>	This price firm for 12 months.
The Okonite Co.	144,237.69	This price firm for 12 months.

"The bid by Anaconda Wire and Cable Company with a firm price for twelve (12) months meets all requirements and conditions of our specifications.

"RECOMMENDATION: It is recommended a contract be made with Anaconda Wire and Cable Company to furnish Paper and Lead Cable for a one (1) year period as the lowest and best bid with a firm price.

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

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 22, 1965, for a one (1) year contract to furnish 20,000 feet of three conductor and 45,000 feet of one conductor paper and lead cable for Electric Distribution; and,

WHEREAS, the bid of Anaconda Wire and Cable Company, in the sum of \$144,036.20, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Anaconda Wire and Cable Company, in the sum of \$144,036.20, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Anaconda Wire and Cable Company.

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: Councilman Long

Councilman Long made the following statement regarding her vote:

"As a matter of principle I am voting 'no'. These bids are very near the same; they look like there might be some collusion, and I would like to see these sent to the Attorney General's Department."

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CITY OF AUSTIN, TEXAS

The City Manager submitted the following:

"October 26, 1965

"TO: W. T. Williams, Jr., City Manager SUBJECT: Storm Sewer Contract No. 65-D-14

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, October 26, 1965, for the construction of Felix Avenue Storm Sewer System Phase Two in the following areas: Felix Avenue, Valdez Street, Montana Street, and Vargas Road.

H & M Construction Corp.	<u>\$26,075.60</u>
Walter Schmidt	26,699.40
Bland Construction Co.	27,906.80
Austin Engineering Co.	28,503.50
Ed H. Page	40,587.70
City's Estimate	30,699.50

"I recommend that H & M Construction Corporation with their low bid of \$26,075.60 be awarded the contract for this project.

"From: S. Reuben Rountree, Jr.  
Director of Public Works

s/ S. Reuben Rountree, Jr."

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 26, 1965, for the construction of Felix Avenue Storm Sewer System Phase Two, in Felix Avenue, Valdez Street, Montana Street and Vargas Road, known as Contract No. 65-D-14; and,

WHEREAS, the bid of H & M Construction Corporation, in the sum of \$26,075.60, was the lowest and best bid therefor, and the acceptance of such bid 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 bid of H & M Construction Corporation, in the sum of \$26,075.60, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with H & M Construction Corporation.

The motion, was 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)

WHEREAS, a certain easement was granted to the City of Austin for drainage purposes by instrument dated July 3, 1960 of record in Volume 2208 at Page 238 of the Deed Records of Travis County, Texas, in, upon and across a part of Block 3-A of a resubdivision of Block 3 of Rosedown, a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Rosedown of record in Book 3 at Page 221 of the Plat Records of Travis County, Texas; a map or plat of said resubdivision of Block 3 of Rosedown being of record in Book 25 at Page 43 of the Plat Records of Travis County, Texas; and,

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

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

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

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

A strip of land three (3.00) feet in width, same being out of and a part of Block 3-A of a resubdivision of Block 3 of Rosedown, a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Rosedown of record in Book 3 at Page 221 of the Plat Records of Travis County, Texas; a map or plat of said resubdivision of Block 3 of Rosedown being of record in Book 25 at Page 43 of the Plat Records of Travis County, Texas; which strip of land three (3.00) feet in width is more particularly described by metes and bounds as follows:

BEGINNING at the intersection of a line three (3.00) feet west of and parallel to the east line of said drainage easement as described in Volume 2208 at Page 238 of the Deed Records of Travis County, Texas, with the south line of Hancock Drive, same being a north line of said Block 3-A, which point of beginning is the northwest corner of the herein described tract of land, and from which point of beginning the most northerly corner of said Block 3-A, same being the intersection of the south line of Hancock Drive with the east line of Crestmont Drive, bears N 51° 22' W 37.00 feet;

THENCE, with said south line of Hancock Drive, same being said north line of said Block 3-A, S 51° 22' E 3.02 feet to the most easterly corner of said drainage easement, for the northeast corner of the herein described tract of land;

THENCE, with the aforesaid east line of said drainage easement, S 32° 38' W 56.00 feet to the point of curvature of a curve whose angle of intersection is 19° 21', whose radius is 460.00 feet and whose tangent distance is 78.46 feet;

THENCE, continuing with said east line of said drainage easement along said curve to the right an arc distance of 155.41 feet, the long chord of which arc bears S 42° 19' W 154.67 feet to a cross (X) on a sanitary sewer encasement on the west line of said Block 3-A, same being the east line of the resubdivision of a portion of Shoalmont Addition, Section 2, a subdivision of record in Book 4 at Page 312 of the Plat Records of Travis County, Texas, for the most southerly corner of the herein described tract of land, and from which cross (X) an iron stake at the northeast corner of Lot 7 of said resubdivision of a portion of Shoalmont Addition Section 2, bears S 18° 55' E 51.06 feet;

THENCE, with said west line of Block 3-A, same being said east line of the resubdivision of a portion of Shoalmont Addition Section 2, N 18° 55' W 3.25 feet to the most westerly corner of the herein described tract of land, same being a point in the aforesaid line three (3.00) feet west of and parallel to said east line of said drainage easement, same also being the point of curvature of a curve whose angle of intersection is 19° 13', whose radius is 457.00 feet and whose tangent distance is 77.36 feet;

THENCE, with said line three (3.00) feet west of and parallel to said east line of said drainage easement along said curve to the left an arc distance of 153.28 feet, the long chord of which arc bears N 42° 15' E 152.56 feet to the point of tangency of said curve;

THENCE, continuing with said line three (3.00) feet west of and parallel to said east line of said drainage easement, N 32°, 38' E 56.32 feet to the point of beginning.

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)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes in, upon, and across a part of Lot 3, Frontier Village, Section Three, a subdivision of a portion of the James Trammel Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Frontier Village, Section Three, of record in Book 26 at Page 1 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has requested the City Council of the City of Austin to release the hereinafter described easement; and,

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

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

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



A strip of land five (5.00) feet in width, same being out of and a part of Lot 3, Frontier Village, Section Three, a subdivision of a portion of the James Trammel Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Frontier Village, Section Three, of record in Book 26 at Page 1 of the Plat Records of Travis County, Texas; said strip of land five (5.00) feet in width being more particularly described as follows:

Being all of the south 105.00 feet of the west five (5.00) feet of said Lot 3, Frontier Village, Section Three.

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 PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 7.31 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NUMBER 18 IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.  
(Industrial Terrace Annex)

Councilman LaRue 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 November 18, 1965, at 10:30 A.M. 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 PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 4.06 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE S. Q. WHATLEY SURVEY, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.  
(Preswyck Hills, Section 4)

Councilman LaRue moved that the ordinance be published in accordance with Article 1, Section 6 of the Charter of the City of Austin set for public hearing on November 18, 1965, at 10:30 A.M. 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 PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 9.41 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.  
(Wooten Village, Section 3)

Councilman LaRue 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 November 18, 1965, at 10:30 A.M. The motion, seconded by Councilman Long, carried by the following vote:

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

Mayor Palmer brought up the following zoning applications deferred from last week:

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

The Director of Planning stated he had a letter stating Mr. and Mrs. Anderson would make sufficient dedications on 45th Street and Eilers, and would pay their share of paving costs and drainage improving costs. Councilman Long moved that the change be granted to "B" Residence 2nd Height and Area. 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 change had been granted to "B" Residence 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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

After brief discussion, Councilman LaRue moved to uphold the recommendation of the Planning Commission and DENY the zoning change. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

Mayor Palmer brought up the following ordinance for its second reading:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING TO PUBLIC TRAVEL A PORTION OF THAT CERTAIN STREET KNOWN AS WEST 11TH STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT FOR PUBLIC UTILITY AND DRAINAGE PURPOSES; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

Ayes: Councilmen LaRue, White, Mayor Palmer  
Noes: Councilman Long  
Present but not voting: Councilman Shanks

Councilman LaRue moved that the Council grant on the written request from Mr. M. B. Braswell, Agent for Mrs. Charlie T. Armstrong the withdrawal of the following zoning application, advertised to be heard on November 4, 1965:

MRS. CHARLIE TOD	1212 Parkway	From "B" Residence
ARMSTRONG	1213-1215 Baylor Street	2nd Height & Area
By Marvin Braswell		To "C-1" Commercial
		2nd Height & Area
		NOT Recommended by the
		Planning Commission

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

Councilman Long moved to instruct the City Manager to have the Traffic and Transportation Department investigate KOENIG LANE between North Lamar and the Burnet Road specifically, and try to figure out some way to alleviate the congestion caused during the peak hours possibly with "no parking" on either side of the street from 7:00 - 9:00 A.M., and from 4:00 - 6:00 P.M., and that the City Manager get a report on this. 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 petition stating the petitioners had been trading with Mr. Charles Barefield at his Riverside Bait and Tackle Shop on Riverside Drive; and had found him to be an honorable and industrious merchant, and one who had given his customers more than fair value for their money, and they had enjoyed his products and services. The petition set out that it had been called to their attention the Council was contemplating moving this operation from these premises and making a parking lot. They wanted to call to the Council's attention a vital need of the services and products that Mr. Barefield sells; that the location is vitally important to the enjoyment of Town Lake, and each petitioner would appreciate it if the Council would allow Mr. Barefield to continue at this location as

it would be to the benefit of the City and increase the pleasure of Town Lake as a place of recreation. Mayor Palmer stated the extension the Council granted expires on January 1st and he asked to see a plan that was developed by the Parks and Recreation Board for this specific area to see what use is proposed there and the time table. Councilman Shanks was not in favor of removing this operation if the area is going to sit there as open green space for the time being. Many of the citizens do use these facilities. If there is no immediate need for this land, the operation should be left there; and when it is decided to change it there should be something definite in mind. There is a lot of open space down there now. Councilman White stated the Recreation Department did have some use for it. The City Manager reported this particular area ultimately would be in a roadway in the distant future. Councilman LaRue stated with the other development in front of the auditorium this would tie into that quite readily, but the Council could see the plans the Recreation Director had. Councilman Long suggested that a specific time be set. Councilman Shanks said this operator should be given some answer in the near future. The Mayor stated the Council would set a specific time to hear this again.

The City Manager reported the Recreation Department had made a study of what various parts of the development of the Lake area would cost and what it would cost to maintain it after development, and this is a significant part of the whole program. The maintenance of the area will cost \$75,000 a year.

MR. OTTO STERENBERG inquired if any decision had been made on his request for separate meters on KOERNER STREET off of Bolm Road. The Mayor stated the Council did drive by, but did not drive down the street, and it wants to go look at this in more detail and will give him an answer at the earliest possible time. Mr. Sterenberg stated no one wanted the street paved, and they could not afford the paving.

Mayor Palmer stated there was a notice in the press concerning parking meters and dismissals of violations. He asked for some legal opinions. Councilman Long stated there had never been a policy as far as she knew established by the Council to forgive tickets, but any city has times when there are mistakes or circumstances where perhaps a meter is defective, and there would be some cases that could be forgiven. The Mayor stated this would be a determination of the Judge, and it would be up to the Judge to get the pertinent facts; and what he decides is legal and not "forgiven". Councilman LaRue stated the Council, had no knowledge of this practice, and it is investigating it immediately upon finding out about it. The Mayor recalled applications from the Chamber of Commerce that courtesy arrangements be made for visitors' attending conventions being excused for over parking but it was pointed out this was not legal. Councilman Long brought out in cases of alleys where there were signs, "no parking at any time", that the City allowed those attending the Church to park along the alley, but not to block it. The City Manager stated those violations occur from lack of having someone to enforce the rule on Sundays. The Mayor stated this may have been a practice, but not a policy, and as far as the Council is concerned, the area is restricted, having been so designated by the Council, and should be enforced, unless the Council wants to provide for exemptions on Sunday mornings. Councilman Shanks asked for a full investigation. The City Manager stated all regulations concerning parking and moving traffic are designed to be complied with by the public. Enforcement is necessary only when people refuse to comply. Enforcement is an expense to the tax payer, and he could not afford, 24 hour day coverage at all locations. Councilman Long suggested when people had been parking around a

church on Sunday, they should be given a warning ticket first. Councilman White suggested leaving it as it has been for the last several years, and let the people park there, as it would not hurt anything. After discussion, Councilman LaRue moved to have a full investigation made and have the facts presented to the Council. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Councilman Shanks stated no member of this Council ever "fixed" a ticket.

Councilman Long moved that the Council recess to participate in a Ceremonial Service at the Post Office. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Council recessed at 10:30 A.M.

#### RECESSED MEETING

2:30 P.M.

At 2:30 P.M. the Council had a working session and reviewed the plans of the first phase of construction of Brackenridge Hospital with the architects in their office. Later in the afternoon meeting, the City Manager stated the architects would like to have an approval of the preliminary plan of Phase 1A and Phase 1B with instructions to proceed with working on Phase 1A only. Councilman Long moved that the Council approve the preliminary plans that it reviewed today, and instruct the architects to proceed with working plans on Phase 1A. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Councilman Long with regard to the Brackenridge Hospital preliminary plans, stated she would like to have it in the minutes that she would hope that the architects when they are going into the details would try to work out something to the satisfaction of Councilman Emma Long on the one feature--a very small detail--she did not particularly like when the plan was presented.

The Mayor stated there was a luncheon to formulate some plans whereby some injured veterans of the Viet Nam War would be on the sidelines at the University-Baylor game, and Councilman Long agreed to attend this luncheon to formulate these plans. Councilman Shanks moved that the Council appoint COUNCILMAN EMMA LONG as official representative to speak for the Council. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer  
Noes: None  
Present but not voting: Councilman Long

MR. RAY WOLFE, WOLFE SWAP AND SHOP SALVAGE, spokesman for a group of merchants of second hand articles stated they had been informed they were in violation of a portion of the zoning ordinance. Most of the second hand dealers that had been contacted about the violation are displaying merchandise on their own land. The nature of their business nearly necessitates showing their merchandise and they would like to ask permission to use their own land for this purpose. Otherwise they would like for the ordinance to be enforced equally and fairly to all business people in Austin--not only second hand stores, but other merchants who are also in violation, and are displaying merchandise on City property. Mr. Wolfe reserved vacant space in front of his commodities for off-street parking. The outside display is the cause of customers' coming to their stores.

Councilman Long stated the new community centers have sidewalk sales and carnival effects on their own private property, and they do have outside displays. Mr. Wolfe stated even if everybody were required to keep their merchandise inside, it would hurt the second hand dealers. In answer to Councilman Long's inquiry about used car lots, the Building Official stated cars and boats were permitted outside the premises, but not the accessories and parts. The Mayor stated it appeared the group preferred to be permitted to display merchandise outdoors, and asked if there could be some type of zoning that would permit this under certain conditions in certain places. The Director of Planning believed they could come up with the kind of an ordinance that would protect adjoining areas and parking areas. Provisions would need to be made to distinguish between the older intensively built up areas like those on Red River which have unique physical conditions from the outlying areas. He suggested working with a group or committee from the dealers. The City Attorney pointed out at least three different ordinances involved: (1) prohibiting the display of merchandise on public property; (2) the zoning ordinance prohibiting outdoor display of merchandise except automobiles and boats on private property; and (3) the sign ordinance. Councilman LaRue moved that this be referred to the Planning Commission for study and report back to the Council with a recommendation; and that the Planning Commission work with a citizens committee appointed by the association of furniture dealers. The motion, seconded by Councilman Long, carried by the following vote:

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

Mr. Wolfe and others have notices from the Building Official that they would be filed upon for violating the ordinance within a certain time. The Building Official stated 21 property owners had been notified they were in violation, and he was willing to delay for a reasonable length of time until something had been settled by the Council. The Mayor expressed appreciation to the group's coming before the Council, and said it would see if something could be worked out that would be satisfactory to all.

The City Manager submitted a petition requesting that an area be fogged for mosquitoes and flies and along Norwood Road, Parkwood Road, and Bentwood Road. Councilman Long moved that these streets be fogged. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager stated Mr. Eldridge had reported that plans for the Southwest Swimming Pool were ready to be sent out, calling for bids on November 19th. A set of plans and specifications will be available this afternoon for review.

Councilman Long moved that the Century Club be allowed to use the auditorium Sunday night on October 31st for conducting a dance. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager had just received the formal second amendatory contract on the Community Renewal Program covering the extension of expansion of the program which the Council reviewed and approved quite some time ago along with the Budget for it. This contract will authorize the payment of the grant to the City.

The City Council of the City of Austin, Texas met in Regular meeting at the City Hall in the City of Austin, Texas, at 10:00 o'clock A.M., on the 28th day of October, 1965, the place, hour, and date duly established for the holding of such meeting.

The Mayor called the meeting to order and on roll call the following answered present:

MAYOR LESTER E. PALMER  
MAYOR PRO-TEM LOUIS F. SHANKS  
COUNCILMAN TRAVIS L. LARUE

COUNCILMAN EMMA LONG  
COUNCILMAN BEN WHITE

and the following were absent:

None

The Mayor declared a quorum present.

\* \* \* \* \*

A Resolution entitled:

RESOLUTION APPROVING AND PROVIDING FOR EXECUTION OF  
PROPOSED SECOND AMENDATORY CONTRACT AMENDING CONTRACT  
FOR COMMUNITY RENEWAL PROGRAM GRANT NO. TEX. R-59 (CR)  
(G) BETWEEN THE CITY OF AUSTIN, TEXAS AND THE UNITED  
STATES OF AMERICA

was introduced by MAYOR PALMER.

Said Resolution and the Contract with the United States described therein were then read in full and discussed and considered.

COUNCILMAN LONG then moved the adoption of the Resolution as introduced and read. COUNCILMAN LARUE seconded the motion, and, on roll call, the following voted "Aye":

COUNCILMAN LARUE  
COUNCILMAN LONG

COUNCILMAN SHANKS  
MAYOR PALMER

the the following voted "Nay":

COUNCILMAN WHITE

The MAYOR thereupon declared the motion carried and the Resolution adopted as introduced and read.

\* \* \* \* \*

The Resolution is as follows:

RESOLUTION APPROVING AND PROVIDING FOR EXECUTION  
OF PROPOSED SECOND AMENDATORY CONTRACT AMENDING  
CONTRACT FOR COMMUNITY RENEWAL PROGRAM GRANT NO.  
TEX. R-59 (CR) (G) BETWEEN THE CITY OF AUSTIN,  
TEXAS AND THE UNITED STATES OF AMERICA

WHEREAS, under Title I of the Housing Act of 1949, as amended, the United States of America (herein called the "Government") has tendered to the City of Austin, Texas (herein called the "Public Body") a proposed amendment to the Contract for Community Renewal Program Grant No. Tex. R-59 (CR) (G), dated the 16th day of November, 1961; and

WHEREAS, this Public Body has given due consideration to said proposed Contract Amendment and has found it to be in the interest of this Locality to execute such Contract;

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

Section 1. The pending proposed Contract, designated "Second Amendatory Contract Amending Contract for Community Renewal Program No. Tex.R-59 (CR)" is hereby approved in all respects.

Section 2. The City Manager of this Public Body in its behalf is hereby authorized and directed to execute said proposed Second Amendatory Contract in two counterparts, and the City Clerk of this Public Body is hereby authorized and directed to impress and attest the official seal of this Public Body on each counterpart and to forward such counterparts to the Housing and Home Finance Agency, together with two certified copies of the proceedings in connection with the adoption of this Resolution, two certified copies of this Resolution, and such other and further documents relative to the approval and execution of the Amendatory Contract as may be required by the Government.

Section 3: This Resolution shall take effect immediately.

The Assistant City Manager said a Tax Department vehicle was heavily damaged in a collision and he asked permission to purchase one vehicle at this time since the appraiser does not have an automobile. It will be quite some time before all the new automobiles are on the market and prices established, before they would come in with the complete purchases authorized in the Budget. Councilman Long moved to empower the City Manager to get bids on this one car.



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

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

Noes: None

Councilman Long inquired about the detail plans for the Town Lake Area, and brief discussion was held. Councilman Shanks inquired regardless of the plans, if they do get approved, how long would it be before they could be put into effect. The City Manager stated the beautification of the river valley will take a number of years, and it depends on the priorities. The next project members of the Council had indicated an interest in is the Holly Beach Area. If that is developed now it will be quite sometime before this area around the bait house will be reached. Councilman LaRue suggested plans on the Holly Street area and this other area be brought in and a date for reviewing them be set. Councilman Shanks stated since they were not going to do anything to the bait house area, that man should be given some answer. The City Manager listed the plans, in that the Auditorium Shores (south banks) from the present improvement on west to Lamar were scheduled next year. Then Holly Beach is set up for 1968-69. If Holly Beach is done first, expansion on this other will have to be postponed. It was brought out the Director of Electric Utilities wanted to use part of this area near the ball fields for storage and parking area for vehicles during the construction of Unit 4, which may not be installed until after 1970. Rough estimates on the Auditorium area toward Lamar had been set up at \$154,000; \$40,000 of which would be spent this year, \$70,000 next year, and \$44,000 in 1970. The Mayor stated if the draft of the detail planning were ready, the Council could look at it next week along with the estimates of cost and make some decision. After discussion, Councilman Long moved that the Council set a hearing at 2:30 P.M., November 4th to discuss the Town Lake Plans with the Recreation Department. The motion, seconded by Councilman White, carried by the following vote:

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

Noes: None

Councilman Long asked that copies of the costs be sent to the members so they could look at them when they are discussing the plans.

The City Attorney stated they had been negotiating for a site to be used by the Electric, Water and Sewer, and Street and Bridge Departments combined. The choice of all three of those departments is for a far north service yard, and the site chosen to be most suitable is just east of the Summit School on Kramer Lane. Other sites had been considered, but this was the choice site. After a long period of time, they do have a contract now. The site has frontage on Kramer Lane and 1800' of railroad trackage. After brief discussion, Councilman LaRue moved that the City Manager be authorized to execute a contract for this property. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Noes: None

It was stated a sign would be placed on this property stating this is a site for a future service yard.

The City Attorney stated the Council would recall the contract entered into with the Lott Estate when the City purchased about 23 lots in the Glen Oaks Area. Part of the consideration was allowing the Lott Estate to retain possession of the property for a period of two years and that period will expire November 8th. A number of these houses will need a great deal of repair if they are kept there. The progress of the Glen Oaks Project is going along so that no long term arrangements should be made, if any, at all for extending this contract to allow the Estate to maintain possession of the property. It was recommended that the City not enter into any extension of this contract for possession, but that the contract be terminated on November 8th. The Building Official stated these are houses that are sub-standard; and even those that are occupied should not be. He was being criticized by other property owners for allowing this, because there is this contract that they could not do anything about. He recommended that these houses not be allowed after November 8th. The City Manager stated before removing them, he wanted to be sure that the removal would not disqualify the project. Councilman White asked if this were being done for Urban Renewal or what did the City want it for. The City Attorney explained at the time this was done, it was not known there was going to be any Urban Renewal, but there were a lot of people flooded in Boggy Creek. Councilman LaRue moved that the Council authorize the City Manager to take possession of this property on the 8th of November, and let them make a decision on what to do. The motion, seconded by Councilman Long, carried by the following vote:

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

The City Attorney explained the necessity of a "Statement of Understanding Between Travis County, the Civil Defense Office, and the Red Cross". The City Manager stated it proposes to outline the specific duties and responsibilities of each agency in the event of an emergency. Councilman Long moved that the City Manager be authorized to execute this "Statement of Understanding between the governments." The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Mayor read a request regarding "Operation Christmas Card" designed to be a project of sending Christmas cards to servicemen stationed in Viet Nam. The USO is asking the citizens to buy an extra card or two, and they may be signed so the men receiving them may send a note of thanks if they desire. The USO Offices in Viet Nam will distribute them among the men stationed there. The dead-line is November 10, 1965, and cards may be brought to the new USO location at 608 Lavaca. Councilman Long moved to endorse this project of the USO and go on record as urging people to engage in this Christmas Card Program. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Mayor Palmer read a letter from MR. R. F. SCHENKKAN, General Manager KLRN stating KLRN-TV had established itself as one of the outstanding educational television stations in the nation. The letter asked for Council recognition of the station as a distinctive asset to the cultural and educational life of the community. He asked that he be notified when this matter would come up on the

agenda, so that news media could be notified. The Mayor suggested that the resolution be ready by next Thursday, and that Mr. Schenkkan be notified.

Mayor Palmer read a note that MRS. LLOYD HOON called in stating her great grandfather was Secretary of the Navy during the first commission of the U.S.S. Austin, and asked if the City could arrange for her to be the official representative of Austin. (During the time the U.S.S. Austin is docked at Corpus Christi)

The Mayor read a press release announcing citation for job proficiency had been awarded to MR. ROBERT O'BRIEN, Assistant Operator for the Austin water system. The citation reflects the high regard in which Mr. O'Brien is held by State water authorities.

Mayor Palmer read a telegram from U.S. Senator, Ralph W. Yarborough stating "It is a pleasure to accept your invitation to participate in the presentation of the silver service to the U.S.S. AUSTIN on Saturday, October 30, 1965, at 11:00 A.M. at Corpus Christi. I look forward to joining you and the delegation from Austin at that time."

The City Manager reported that the following zoning applications had been referred to the Planning Commission for recommendation and had been set for public hearing at 10:00 A.M. on December 2, 1965:

MARY HOWARD EBY By Mack Kidd	720 $\frac{1}{2}$ -750 Airport Boulevard 711-733 Shady Lane	From "A" Residence 1st Height & Area and "D" Industrial 6th Height & Area To "D" Industrial 6th Height & Area
JACK ANDREWARTHA By Oscar W. Holmes	1643-1645 Windoak Drive	From "A" Residence To "B" Residence
E. W. WUPPERMAN By Howell Finch	Rear of 900-910 Koenig Lane	From "A" Residence To "C" Commercial
TRAVIS ECKERT	2706 Sol Wilson	From "A" Residence and "C" Commercial To "C" Commercial
ESTATE OF MRS. W.C. BLUNDELL, By B.W. Burnette	1011-1013 East 38th Street	From "A" Residence 1st Height & Area and 5th Height & Area To "C" Commercial 5th Height & Area
SAM E. DUNNAM, IV By Robert C. McCreary	2008-2012 Whitis Avenue	From "C" Commercial 2nd Height & Area To "C-1" Commercial 2nd Height & Area

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LEOLA RICKS	Tract 1 708-712 Denson Drive	From "A" Residence To "C" Commercial
D. J. LILLARD	Tract 2 706 Denson Drive	From "A" Residence To "B" Residence
ROANE H. PUETT	508-510 West 7th Street 701-705 Nueces	From "O" Office 2nd Height & Area To "C" Commercial 2nd Height & Area
DON McELWREATH By Bryant-Curing- ton, Inc.	6222-6304 Manor Road 3103-3205 Jack Cook Drive	From "A" Residence To "LR" Local Retail

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

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

There being no further business to come before the meeting, upon motion duly made and seconded, the meeting was adjourned.

APPROVED

*Lu E. Palmer*  
Mayor

ATTEST:

*Elsie Hoosley*  
City Clerk