

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 9, 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 LARRY NIXON, Allandale Baptist Church.

At 10:00 A.M. the Mayor announced that bids would be opened for pipe to be used in construction of a line from the river to the new lake. Bids were opened as follows:

CONTRACT GD-103

| BIDDER | | ARMCO METAL | GIFFORD HILL AMERICAN INC. | LONE STAR STEEL | UNITED CONCRETE PIPE CORP. |
|-------------|----------------------------------|----------------|-------------------------------|--------------------|----------------------------------|
| BID BOND | | \$20,000 | \$20,000 | \$20,000 | \$20,000 |
| ITEM I | Steel Pipe w/o Cement Mortar | - | - | \$155,784 | - |
| ALTERNATE A | Lining | | | | |
| | Cement Mortar Lining | - | - | \$ 35,280 | - |
| | TOTAL LUMP SUM PRICE - ITEM I | - | - | \$191,064 | - |
| ITEM II | Concrete | | | | |
| ALTERNATE B | Pipe | - | \$139,615.90 | - | \$138,481.20 |

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(Continued)

| BIDDER | ARMCO METAL | GIFFORD HILL AMERICAN INC. | LONE STAR STEEL | UNITED CONCRETE PIPE CORP. |
|---|----------------|-------------------------------|--------------------|----------------------------------|
| ITEM III Stab-Joint ALTERNATE C Pipe | \$193,491.49* | - | - | - |
| PRICE ESCALATION | FIRM | FIRM | FIRM | FIRM |
| DRAWINGS IN CALENDAR DAYS | 30 | 14 Not in exact | 30 | 15 |

*1.5% C.D. - 10 days

The bids were referred to the Consulting Engineers, Brown and Root, for examination. In the afternoon meeting, the Engineers reported to the City Manager who read the recommendation, as follows:

"December 9, 1965

"Mr. W. T. Williams, Jr.
City Manager
City of Austin
P. O. Box 1088
Austin, Texas, 78767

"Subject: Pumping Facilities - Pipeline
Contract No. GD-103
Decker Creek Dam - Our Job CA-2

"Dear Mr. Williams:

"Brown & Root, Inc., has examined the bids opened by you at 10:00 A.M., December 9, 1965, in open council meeting for the Decker Creek Dam, Pumping Facilities Pipeline, Contract No. GD-103.

"Bids were submitted by:

Armco Steel Corporation
Gifford-Hill-American, Inc.
LoneStar Steel Company
United Concrete Pipe Corp.

"On basis of the lowest and best bid, it is recommended that a contract be awarded to United Concrete Pipe Corporation for the total lump sum of \$138,481.20.

"APPROVED:
s/ D. C. Kinney
D.C. Kinney, Director Electric
Utility City of Austin"

"Yours very truly,
BROWN & ROOT, INC.
s/ C. W. Weber
C. W. Weber
Project Engineer

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Councilman White moved that the consulting engineers' recommendation be accepted and the contract awarded to UNITED CONCRETE PIPE LINE CORPORATION for the lump sum of \$138,481.20. The motion, seconded by Councilman Shanks, carried by the following vote:

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

It was stated this does not include the installation--just the pipe. The laying of this 12,000' pipe will be included in the contract with building the dam.

Councilman White moved that REVEREND EDWIN BROWN, First Baptist Church on East 12th Street, be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

REVEREND BROWN stated on November 21st, they started constructing a new church, and were stopped by the City. The congregation is waiting to know what is being done, as their money is tied up with the contractor. Another site must be located. The Mayor explained to him this property was in the Boggy Creek Drainage Area, which is subject to flooding. The contractor started filling in, getting ready to start construction and when he applied for a building permit it was determined the property was in the flood area. The way the matter now stands the property is being appraised by the Urban Renewal Agency, and they will move as rapidly as possible, as the City needs to acquire this property. The City Attorney stated he would contact REVEREND BROWN before next Sunday.

The Council had before it the matter of setting a public hearing on the request of the Austin Housing Authority for cooperative agreement on low cost housing units to be built as demand requires. MR. BILL PETRI, MR. HUBERT JONES, members of the Housing Authority, and MR. HARMON HODGES, Executive Director, were present. Copies of the Minutes of the Authority and of the resolution adopted by it, were sent to the Council Members. The Minutes were read in full, as follows:

"December 7, 1965

"The City Council of Austin
Municipal Building
Austin, Texas

"Attention: The Honorable Lester Palmer
Mayor of the City of Austin

"Gentlemen:

"As instructed by the Housing Authority of the City of Austin, I enclose herewith the resolution adopted by the Authority on November 29, 1965. I also enclose a form copy of the Cooperation Agreement to be entered into between the City of Austin and the Housing Authority of the City of Austin, and the form resolution to be passed at the proper time.

"You are advised that if the City Council votes to enter into this Cooperation

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Agreement with the Housing Authority of the City of Austin, it will be necessary that the City advertise 60 days in advance indicating their intention to enter into such an agreement. An additional notice should be published sometime during the 60 day period.

"If there is any additional information that you may desire, please advise me.

"Sincerely,
s/ Harmon J. Hodges
HARMON J. HODGES
Secretary

"The Secretary introduced to the Commissioners Mr. Hoyle Osborne, head of the City Planning Department, and Mrs. Helen Mitchell, Supervisor of Community Development Program for the City Planning Department of the City of Austin, for a discussion of the present and future needs for additional low rent housing for the City of Austin. Based upon a summary of a survey conducted by the City Planning Department and the Urban Renewal Agency of the City of Austin, it was determined that over the next five-year period there is an anticipated need and demand for very low cost housing of between 1,845 and 2,141 units over and above existing standard facilities.

"There was a discussion as to whether all or a substantial part of this need could be met by privately financed housing, and it was the consensus of opinion that because of the income group included in the anticipated need, the rents they could pay would not justify private housing.

"It was pointed out by the Chairman of the Commission that it is not the intent or purpose of the Housing Authority of the City of Austin to meet the entire demand for low-cost housing in Austin, but that the Authority does have a responsibility to undertake its share of meeting the dire need existing in the City, and to assist in the relocation of families being displaced by Public Action.

"Realizing that any action on the part of the Housing Authority to meet the existing need would require a substantial length of time with at least two years after a Cooperation Agreement is signed and approval of an allocation of units secured from the Public Housing Administration, being required before any new units could be constructed and available for occupancy, and considering also that the existing need will increase over the next five years, it was the generally expressed opinion that the Authority should request the City of Austin to enter into a cooperation agreement authorizing a total construction program of 1,000 units, 750 of which would be allocated for family occupancy in the very low income group and 250 units for the elderly, such units to be constructed as the demand required; the intention being that only a portion thereof would be undertaken in the beginning stages of the building program. After a complete discussion of the existing problem, Commissioner Brooks offered the following resolution:

"Resolution No. 446

"RESOLUTION REQUESTING THE CITY OF AUSTIN TO ENTER
INTO A COOPERATION AGREEMENT WITH THE HOUSING AUTHOR-
ITY OF THE CITY OF AUSTIN

"BE IT RESOLVED by the Housing Authority of the City of Austin that the City Council be and it is hereby requested to enter into a Cooperation Agreement

in order that the Authority may proceed to undertake the financing and construction of 1,000 new units of low-cost housing in the City of Austin as the needs of the City indicate, with 750 of such units to be contemplated for family occupancy and 250 units for the elderly.

"Commissioner Brooks moved that the resolution be adopted as read and Commissioner Heinsohn seconded the motion. Roll call as follows:

"AYES: Commissioners Brooks, Heinsohn, Haynie and Jones.
NAYS: None

"Thereupon the Chairman declared the motion carried and instructed the Secretary to transmit a copy of the resolution to the City Council of the City of Austin."

The Planning Director stated a resolution was adopted by the Board of Commissioners of the Urban Renewal Agency. The resolution is as follows:

"RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF AUSTIN ENCOURAGING AND URGING ALL APPROPRIATE PRIVATE AND PUBLIC ENTITIES TO ASSIST IN THE PROVISION OF ADEQUATE HOUSING FOR MIDDLE AND LOW-INCOME GROUPS IN THE COMMUNITY

"WHEREAS, the Urban Renewal Agency is presently in execution on the Kealing Urban Renewal Project; and,

"WHEREAS, other projects are in various stages of planning leading to eventual execution; and,

"WHEREAS, execution of said projects inevitably requires the relocation of vast numbers of individuals and families, many of whom are now existing in slum conditions; and,

"WHEREAS, a great number of said persons have large families and extremely low incomes and are therefore unable to afford decent, safe and sanitary housing of the size and type required by them; and,

"WHEREAS, the relocation of such persons and families is a responsibility of the public, acting by and through this Agency, the City and such other Agency's as the Public Housing Authority; and,

"WHEREAS, the general welfare and security of the community and the health and living standards of its people require housing production and related community development sufficient to remedy the serious shortage of low and moderate income housing, elimination of substandard and other inadequate housing, and the realization as soon as feasible of the goal of a decent home and suitable living environment for every family; and,

"WHEREAS, the production, at lower costs, of housing of sound standards of design, construction, liveability and size for adequate family life is essential; and,

"WHEREAS, it is imperative that private enterprise be encouraged to serve as large a part of the total need as it can; NOW, THEREFORE:

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

"That the following shall be, and are hereby declared, as the policies of this Agency, to-wit:

- "1. To aid, support, assist and encourage, to the limit of its ability under the law, private enterprise to fill as large a part of the need for low and moderate income housing as private enterprise is capable of filling so as to lessen the burden of such requirements on the public generally.
- "2. To urge appropriate non-profit groups and public entities to provide decent, safe and sanitary housing for families who cannot otherwise afford standard housing.
- "3. To urge the support and assistance in the development of the necessary housing programs from private entities including civic and welfare organizations, involved in providing services and assistance to low income families and individuals.
- "4. To urge a similar policy on all other private entities to the end that they will make every effort to insure that each citizen has the opportunity to live in decent, safe and sanitary housing.

"On motion of Commissioner Balagia and seconded by Commissioner Smith, the foregoing Resolution was adopted on the 7th day of December, 1965.

"s/ Wesley Pearson
Wesley Pearson, Chairman

"ATTEST:
s/ L. Wayne Golden
L. Wayne Golden, Secretary"

The Mayor pointed out this request would be less than 2% of the total housing supply and there is plenty of room for anyone else who wanted to supply houses.

Councilman LaRue moved that MR. AMOS HEROLD be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

MR. HEROLD stated public hearings were called at times when most of the people could not attend, and he suggested Saturday mornings might be a better time.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF QUESTION OF ENTERING INTO A COOPERATION AGREEMENT WITH THE HOUSING AUTHORITY OF THE CITY OF AUSTIN, TEXAS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, as follows:

1. The City Clerk is hereby authorized and directed to give notice of the intention of the City of Austin, Texas to consider the question of whether or not it will enter into a Cooperation Agreement with the Housing Authority of the City of Austin, Texas, by publishing a copy of said notice in the Austin American-Statesman which is the City's officially designated newspaper. Notice shall be published twice, on December 10, 1965 and on January 29, 1966.

2. Said notice shall state that at 10:30 o'clock A.M. on February 10, 1966 in the Council Chamber of the Municipal Building, after the expiration of sixty days from the date of the first publication, the City Council hold a public hearing to consider the question of whether or not it will enter into a Cooperation Agreement with the Housing Authority of the City of Austin to cooperate with said Housing Authority in the construction of approximately 250 units of low-rent units for elderly citizens, and 750 units of low-rent housing for family occupancy.

3. This Resolution shall take effect immediately.

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

At 10:30 A.M., Mayor Palmer opened the hearing on the Health Code concerning Nursing Homes. MR. JOHN SIMPSON, Chairman of the Committee, stated to revise and update the Health Code, the Committee had studied this Code since July, and public hearings were held with those concerned under the various topics. Assistance from the Health Department and Legal Department was made available. MR. HERBERT HARGIS, Health Department, reviewed the proposed section of the Health Code as having to do with Nursing Homes and Custodial Homes, reading the draft of the ordinance paragraph by paragraph. Section 7.3(e) Minimum Standards of Operation as to requirement of a physical examination of the resident within two weeks prior to admission was discussed on basis of the resident's ability to pay for such an examination; also on the time limit. A representative from a nursing home suggested if this section read specifically as the State regulation, it would be helpful to them. The City Attorney said the State Statute read "immediately prior to admission", where this ordinance allowed two weeks prior to admission. The Council informally agreed that the wording in 7.3(e) be "immediately prior to admission", rather than "within two weeks prior . . ."

MR. HARGIS continued reading the ordinance with explanations as necessary. The fee for a permit issued by the City Health Officer was left blank to be decided upon by the Council. After the entire ordinance was reviewed by the engineer from the Health Department the City Attorney observed the principle difference between the existing code and the proposed code is the code now fixes minimum physical standards for the physical facilities of service; and the proposed goes further and provides for standards for the care of the patient.

MR. PHIL MOCKFORD, representing North Lamar Rest Home, discussed Paragraph 7.3(c). The City Attorney read a memorandum from the Law Department that 7.3(c) encompasses matters which are not in the powers of the City and therefore

should be omitted.

MR. C. B. FRANCIS, Francis Retirement, Inc., complimented the committee on its good job, but cautioned that since some nursing homes take patients at \$95.00, if extra staffing is required, these homes may have to close. MRS. CARLSON, South Manor and MRS. INEZ BROWN, Central Texas Nursing Homes, discussed the financing for various patients. Mrs. Brown stating the ratio for 1 to 32 people would require her to add another person as she had 36 patients. DR. GENTRY, Austin Travis County Health Department, pointed out 40% to 60% of these \$95.00 patients were from the Austin State Hospital, and received free medical care, drugs and physicals. MR. GENE ALVIS, representing the Texas Nursing Home Association, was present. Discussion on paragraph 7.3(c)-- the recreation, religious section--was held. The Chairman of the committee, Mr. John Simpson, stated it would be well to leave this paragraph out completely and to review it at a later time. MR. HEROLD was present at the hearing.

Mayor Palmer introduced the following ordinance, leaving out Section 7.3(c):

AN ORDINANCE AMENDING CHAPTER 7 OF THE CITY OF AUSTIN CODE OF 1954 BY ENACTING A NEW CHAPTER 7 DEFINING CUSTODIAL HOMES AND NURSING HOMES; PROVIDING RESPONSIBILITIES IN THE OPERATION THEREOF; PROVIDING MINIMUM STANDARDS OF OPERATION OF CUSTODIAL HOMES AND NURSING HOMES; REQUIRING INSPECTION OF SUCH HOMES; REQUIRING COMPLIANCE WITH OTHER APPLICABLE LAWS AND REGULATIONS IN THE OPERATION OF SUCH HOMES; REQUIRING APPLICATION FOR A PERMIT TO OPERATE SUCH HOMES AND PAYMENT OF FEES THEREFOR; SETTING FORTH QUALIFICATIONS FOR APPLICANTS FOR SUCH PERMIT AND THE ADMINISTRATOR OF SUCH HOMES, PROVIDING FOR THE ISSUANCE OF PERMITS, THE CONTENTS THEREOF AND THE DISPLAY OF SUCH PERMITS; RESTRICTING TRANSFERABILITY OF SUCH PERMIT; PROVIDING THAT VIOLATION OF SUCH CHAPTER SHALL BE A MISDEMEANOR; AND PROVIDING PROCEDURE FOR THE REVOCATION OR SUSPENSION OF THE PERMIT TO OPERATE SUCH HOMES AND APPEAL THEREFROM.

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

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

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

| | | |
|--|--------------------------------|---|
| <p>SAM E. DUNNAM, IV By Robert C. McCreary</p> | <p>2008-2012 Whitis Avenue</p> | <p>From "C" Commercial 2nd Height & Area To "C-1" Commercial 2nd Height & Area NOT Recommended by the Planning Commission</p> |
|--|--------------------------------|---|

Mr. McCreary represented the applicant. Mr. Wallace McClain stated he was the lessor, and Tom Lambe operates the Western Smoke House in Houston and

wants to open a similar, excellent operation here selling draft beer with bar-beque. MR. EDWARD JOSEPH had discussed this zoning with Father McAdlisse; and in behalf of St. Austin's Catholic Church and Student Center, he expressed no opposition to the sale of beer at this location. The Night Hawk across the street from the Church has been selling beer. Mr. McCreary stated the Liquor Control Board measured the distance before he made the application, and this location is over the necessary 300'. No opposition appeared. Councilman White moved that the change to "C-1" Commercial 2nd Height and Area be granted. 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 change had been granted to "C-1" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

Councilman LaRue moved that MR. TOM PERKINS and MR. WARREN BEAMAN be heard. The motion was seconded by Councilman White. Roll call showed a unanimous vote.

Mr. Beaman stated at a prior Council Meeting they were asked to bring detailed plans and pictures of the proposed boat to operate out of the Austin Aquatic Gardens on Town Lake. He displayed a picture of the boats to be used. He read the letter which members of the Council had, stating the boats would have permanent docks in the lagoon; the primary purposes would be picking up customers at the Gondolier, Crest Hotel, the Auditorium, along with other commercial establishments and bringing those customers to the Gardens. The boats also would carry customers from the Garden on excursion rides on Town Lake and return them to the Gardens. He described the craft, 12 x 32' which will carry about 25 people. Councilman Shanks stated regulations on insurance and liability would need to be drawn up. Councilman White inquired as to the size of the motor. Mr. Beaman stated the motor would be 60 hp and this excursion or transportation would not be like speed boat rides, but a leisurely type of cruise. Councilman LaRue asked if he would want to compete with other people who had requested the use of the lake for sight-seeing excursions. Mr. Beaman said his operation would not be in competition with those proposing strictly excursion tours. The phrase of this operation has been suggested as a "water taxi" or "water bus". People that will board the boats at locations on the lake will be transported to the Garden. Any group that leaves from the Garden will return to the Garden. He personally asked that Mr. Coleman's excursion boat proposal be given every consideration, as it has many assets for the City. The City Manager reported it had been recommended to the Council that study be given for providing for franchises or contracting with a concessionaire with one operator of that type of facility now being proposed. It was the thought that this would be an exclusive right to operate one boat or others that might be needed. Mr. Beaman explained his boat would operate in their gardens. The City Manager asked if his primary purpose was for this to be a "water bus" for transportation, from some point where groups might assemble to go to the Gardens, or for excursions that would originate and terminate in the Garden. The City Manager stated there are three active applications and inquiries from other concerns. The Mayor noted Mr. Beaman was not asking for any docks or parking spaces. The Mayor stated it would be well for the City Manager to bring in these suggested points he mentioned about the excursion boat arrangements, and the Council would meet with the

various interested concerns, to see if such requirements could be adopted. He said the Council would like to give Mr. Beaman an answer at the earliest possible moment, and it may be the City Manager or Director of Recreation would contact Mr. Beaman, for further information.

MR. TRUEMAN O'QUINN stated there was one paragraph in the Creedmoor Maha Water Supply Corporation Contract which the lending group, Farmers Home Administration of the United States Department of the Agriculture, wanted omitted, and that was the "City's Option to Buy" section. Also it was suggested that an additional year be added to the term of the contract making it a 41 year contract. After explanation by the City Manager, and discussion, Councilman White moved that the City Manager be authorized to execute the contract exactly like the previous one except the term would be for 41 years instead of 40; and except that the provision granting the City an option to buy the system would be deleted. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Council recessed until 2:00 P.M.

RECESSED MEETING

2:00 P.M.

At 2:00 P.M. the Council resumed its business.

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 22,152 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1643-1645 WINDOAK DRIVE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; (2) NORTH 126 FEET OF THE WEST 150 FEET OF LOT 2 OF THE WUPPERMAN ADDITION, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; (3) A 9862 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 2706 SOL WILSON AVENUE, AND ADDITIONAL AREA: A 5000 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 2708 SOL WILSON AVENUE, FROM "A" RESIDENCE DISTRICT AND "C" COMMERCIAL DISTRICT TO "C" COMMERCIAL DISTRICT; (4) A 14,428 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1011-1013 EAST 38TH STREET, FROM "A" RESIDENCE DISTRICT AND FIRST AND FIFTH HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT; AND (5) TRACT 1: A 10,762 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 708-712 DENSON DRIVE, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT, AND, TRACT 2: A 9278 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 706 DENSON DRIVE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE 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 LaRue 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 LaRue 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 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.

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 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 AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.
(Industrial Terrace Annex)

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.

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 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)

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.

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 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)

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.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH ALLANDALE OF AUSTIN, INC. 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 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 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 White moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried

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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 City Manager submitted the following:

"December 7, 1965

"To: W. T. Williams, Jr., City Manager Subject: Concrete Culverts Contract
No. 65-D-15

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, December 7, 1965, for the construction of reinforced concrete culverts on Reinli Street and Clayton Lane at Interregional Highway Easement.

| | |
|-------------------------------|-------------|
| "Millers Concrete Contractors | \$13,258.52 |
| Ed H. Page | \$13,755.77 |
| Iarson - Pugh, Inc. | \$13,872.07 |
| L. J. Eaton | \$14,786.17 |
| Texas Bridge, Inc. | \$15,513.93 |
| Maufrairs Brothers | \$17,863.41 |
| City's Estimate | \$15,554.47 |

"I recommend that Millers Concrete Contractors with their low bid of \$13,258.52 be awarded the contract for this project.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 7, 1965, for the construction of reinforced concrete culverts on Reinli Street and Clayton Lane at Interregional Highway Easement; and,

WHEREAS, the bid of Millers Concrete Contractors, in the sum of \$13,258.52, 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 Millers Concrete Contractors, in the sum of \$13,258.52, 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 Millers Concrete Contractors.

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

Councilman LaRue 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 2 of a Resubdivision of Lot 1 and Part of Lot 2, Marlton Place, Section 2, according to a map or plat of said Marlton Place, Section 2 of record in Book 4 at Page 13 of the Plat Records of Travis County, Texas; a map or plat of said Resubdivision of Lot 1 and part of Lot 2, Marlton Place, Section 2, being of record in Book 6 at Page 50 of the Plat Records of Travis County, Texas; and,

WHEREAS, a certain easement was granted the City of Austin, for drainage purposes, by an instrument dated March 30, 1954 of record in Volume 1443 at Page 288 of the Deed 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 easements; and,

WHEREAS, the City Council has determined that the hereinafter described easements are 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 and drainage easements, to-wit:

Two (2) strips of land, each of the said two (2) strips of land being five (5.00) feet in width, the strip of land hereinafter described as Number One being out of and a part of Lot 2 of a Resubdivision of Lot 1 and part of Lot 2, Marlton Place, Section 2, 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 Marlton Place, Section 2 of record in Book 4 at Page 13 of the Plat Records of Travis County, Texas; a map or plat of said Resubdivision of Lot 1 and part of Lot 2, Marlton Place, Section 2, being of record in Book 6, at Page 50 of the Plat Records of Travis County, Texas; and the strip of land hereinafter described as Number Two being out of and a part of Lot 1, Carlton Johnson Addition, 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 Carlton Johnson Addition of record in Book 7 at Page 29 of the Plat Records of Travis County, Texas; said strip Number One is to be released from the public utility easement provided on said map or plat of Marlton Place, Section 2 and said strip Number Two is to be released from the drainage easement provided by an instrument dated March 30, 1954 of record in Volume 1443 at Page 288 of the Deed Records of Travis County, Texas, and described as Tract 1 in said deed; each of the said two (2) strips of land five (5.00) feet in width being more particularly described as follows:

NUMBER ONE, being all of the east 78.50 feet of the south five (5.00)

feet of said Lot 2 of a Resubdivision of Lot 1 and part of Lot 2, Marlton Place, Section 2.

NUMBER TWO, being all of the east 78.50 feet of the north five (5.00) feet of said Lot 1, Carlton Johnson Addition.

The motion, seconded by Councilman White, 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 approves the erection of a boat dock on the property owned by Mrs. Francis Duff as described in the Travis County Deed Records and known as parts of lot 5, 6 and 7, Bruton Springs Subdivision and hereby authorizes the said Mrs. Francis Duff 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 Mrs. Francis Duff has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
November 24, 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 Mrs. Francis Duff 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 parts of lot 5, 6 and 7, Bruton Springs Subdivision 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 Mrs. Francis Duff is granted her 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 shall 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 LaRue, 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 approves the erection of a boat dock on the property owned by William J. White as described in the Travis County Deed Records and known as Lot 1, Section 1, Rivercrest Addition, and hereby authorizes the said William J. White 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 William J. White has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
November 24, 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. William J. White 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 lot 1, section 1 of Rivercrest Addition 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. William J. White 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 shall 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 LaRue, 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 approves the erection of a boat dock on the property owned by Edward J. Dill as described in the Travis County Deed Records and known as Lot 11, Rio Vista Addition, and hereby authorizes the said Edward J. Dill 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 Edward J. Dill has failed and refused, and will continue to fail and refuse to perform any such conditions,

December 9, 1965

regulations and ordinances.

(Recommendations attached)

"Austin, Texas
December 2, 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. Edward J. Dill 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 Lot 11, Rio Vista Addition as recorded in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately twenty-four (24) feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Mr. Dill 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 LaRue, 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 approves the erection

December 9, 1965

of a boat dock on the property owned by Burch Biggerstaff as described in the Travis County Deed Records and known as Lot 12, Rio Vista Addition, and hereby authorizes the said Burch Biggerstaff 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 Burch Biggerstaff has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
December 2, 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. Burch Biggerstaff, 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 Lot 12, Rio Vista Addition as recorded in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately twenty-four (24) feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Mr. Biggerstaff 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 LaRue, carried by the following vote:
Ayes: Councilmen LaRue, Long, Ehanks, 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 approves the erection of a boat dock on the property owned by W. H. Cochran as described in the Travis County Deed Records and known as Lots 13A and 14A of Cochran's Subdivision of Lots 13 and 14, Block A, Rivercrest Addition, and hereby authorizes the said W. H. Cochran 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 W. H. Cochran has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
November 30, 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 W. H. Cochran 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 Lots 13A and 14A of Cochran's Subdivision of Lots 13 and 14, Block A, Rivercrest Addition as recorded in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately thirty-two (32) feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Mr. Cochran 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 LaRue, 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 approves the erection of a boat dock on the property owned by James M. Childers described as :

Beginning at a point on the Colorado River on the boundary between the Roy Ranch and the Wolf Ranch; thence down the Colorado River to the north fence of the Burnt Hollow Field; thence westerly following this fence to the west fence of said field; thence north to the south bank of a ravine; thence west with the meanderings of the south bank of said ravine to its intersection with the Wolf fence; then north-easterly with the Wolf fence to the place of beginning; as described in a certain deed from Jessie Roy and Addie Roy to Charles M. Robinson recorded in Volume 594, Pages 304-305 of the Deed Records of Travis County, Texas,

and hereby authorizes the said James M. Childers 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 James M. Childers has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
December 7, 1965

December 9, 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. James M. Childers 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:

Beginning at a point on the Colorado River on the boundary between the Roy Ranch and the Wolf Ranch; thence down the Colorado River to the north fence of the Burnt Hollow Field; thence westerly following this fence to the west fence of said field; thence north to the south bank of a ravine; thence west with the meanderings of the south bank of said ravine to its intersection with the Wolf fence; thence northeasterly with the Wolf fence to the place of beginning; as described in a certain deed from Jessie Roy and Addie Roy to Charles M. Robinson, recorded in Volume 594, Pages 304-305 of the Deed Records of Travis County, Texas,

for permission to construct and maintain a boat dock projecting out into the lake approximately twenty (20) and fifty-four (54) feet respectively beyond the normal high water level. The construction details meeting all requirements, I recommend that if Mr. Childers 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 LaRue, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman LaRue inquired about the 10' required set-back on these docks. The City Manager explained if there were not at least 10' from the side property,

it would be impossible to dock on the side without crossing someone else's property. Councilman Long stated Dr. Pfluger was going to appeal to the Council for a variation. Councilman White said Dr. Pfluger had called him, and he had advised Dr. Pfluger there was an ordinance requiring the 10' and he did not favor changing the ordinance. The Director of Public Works reported there were deed restrictions on the property that docks be set back 10'.

The Council had before it the following shore line improvements:

- a. BARNES-JONES LUMBER COMPANY. Mr. Jones had applied for permission to fill out his lot on Dry Creek on a line with the adjoining property's retaining wall, which has been there long before the Council was granting permission to do the fill work. This line is 85' from the shore line. It was the recommendation of the Director of Public Works that Barnes-Jones Lumber Company be permitted to fill out to 40' on the east side of his lot tapering to 30' on the west property line, which will be in water 4 or 5' deep. Councilman LaRue moved, based on the recommendation of the Public Works Director, to permit the fill out 30' on the west side to 40' on the east side of this property.

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

- b. DAVID B. BARROW requested permission to move the silt from the Lake and rebuild the shore which had washed away. This property is across from Green Shores. He will be reclaiming his land. The Director of Public Works recommended approval as requested. Councilman Long moved that the Council approve the shore line improvement as requested by Mr. Barrow.

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

- c. WILLIAM J. WHITE - 100 foot concrete retaining wall across the front of Lot 1, Section 1, Rivercrest Addition. Councilman White moved that the Council grant the shore line improvements as requested.

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

- d. W. H. COCHRAN - to build a retaining wall, from existing retaining wall on adjacent property, across the entire length of his lot. (Lots 13A and 14A Cochran's Sub-division, Rivercrest Addition) Councilman White moved that the Council grant the shore line improvements as requested.

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

The Council had before it for consideration the request to the Housing and Home Finance Agency for \$26,560 additional funds for completion of the Capital City East General Neighborhood Renewal Program. The City Attorney stated this would make a total of \$69,000, the amount previously approved. Only \$42,400 was obtained at that time and this \$26,560 will need to be approved now.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUSTIN AUTHORIZING THE URBAN RENEWAL AGENCY OF THE CITY OF AUSTIN TO SUBMIT TO THE HOUSING AND HOME FINANCE ADMINISTRATOR AN AMENDATORY PLANNING APPLICATION FOR A GENERAL NEIGHBORHOOD RENEWAL PLAN, CAPITOL CITY EAST, PROJECT NO. TEX R-86, REQUESTING AN EXTENSION OF TIME AND AN INCREASE IN THE BUDGET HERETOFORE APPROVED FOR SUCH PLAN

WHEREAS, heretofore, by Contract No. Tex R-86 (GN)(A), dated December 3, 1964, the Housing and Home Finance Administrator contracted and agreed to advance \$42,440 Federal funds pursuant to the provisions of Title I of the Housing Act of 1949, as amended to the Urban Renewal Agency of the City of Austin for the preparation of a General Neighborhood Renewal Plan for an area described in Exhibit "A" attached hereto and made a part hereof; and,

WHEREAS, Title VI of the Civil Rights Act of 1964, and the regulations of the Housing and Home Finance Agency effectuating that title, provide that no person shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in the undertaking and carrying out of urban renewal projects assisted under Title I of the Housing Act of 1949, as amended; and,

WHEREAS, one of the principal objectives of the General Neighborhood Renewal Plan was the solution of the flooding problem involving Boggy Creek as the same flows through the area of the General Neighborhood Renewal Plan; and,

WHEREAS, a solution to the Boggy Creek flooding problem has finally been determined and approved; and,

WHEREAS, such new flood solution will require additional time and study to properly integrate the same into the overall General Neighborhood Renewal Plan; and,

WHEREAS, it is anticipated that an additional period of six months and an additional sum of \$26,560 will be necessary for the full and proper completion of such General Neighborhood Renewal Plan; and,

WHEREAS, it is highly desirable and in the public interest that the Urban Renewal Agency of the City of Austin fully and properly complete the General Neighborhood Renewal Plan heretofore begun for the area described in Exhibit "A" attached hereto and made a part hereof; NOW, THEREFORE

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

1. That it is cognizant of the need of the Urban Renewal Agency of the City of Austin to request of the Housing and Home Finance Administrator a six month extension in time for additional planning so as to properly and adequately complete the General Neighborhood Renewal Plan as required.
2. That the Urban Renewal Agency of the City of Austin is hereby authorized to file with the Housing and Home Finance Administrator an amendatory application to increase the advance of Federal Funds under the existing Contract No. Tex. R-86 (GN)(A) from \$42,440 to \$69,000.
3. That it is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with Federal financial assistance under Title I, including those relating to (a) a feasible method of relocation, (b) the provision of necessary local grants-in-aid, and (c) the prohibition of discrimination because of race, color, creed, or national origin; as well as the requirement of section 102(d) of Title I that a General Neighborhood Renewal Plan conform to the Locality's general plan and workable program for community improvement.

EXHIBIT "A"

General Neighborhood Renewal Plan Area Boundary

That certain area known as the General Neighborhood Renewal Plan containing approximately 746 acres and described generally as follows:

BEGINNING at point of intersection of the north right of way line of East 7th Street with the west right of way line of Northwestern Avenue;

THENCE in a northerly direction with the west right of way line of Northwestern Avenue to its intersection with the north right of way line of Rosewood Avenue;

THENCE in an easterly direction with the north right of way line of Rosewood Avenue to its intersection with the west right of way line of Chestnut Avenue;

THENCE in a northerly direction with the west right of way line of Chestnut Avenue to its intersection with the north right of way line of East 12th Street;

THENCE in an easterly direction with the north right of way line of East 12th Street to its intersection with the east right of way line of Airport Boulevard;

THENCE in a southerly direction with the east right of way line of Airport Boulevard to its intersection with the south right of way line of Oak Springs Drive;

THENCE in a westerly direction with the south right of way line of Oak Springs Drive to its intersection with the east right of way line of Tillery Street;

THENCE in a southerly direction with the east right of way line of Tillery Street to its intersection with the north right of way line of Goodwin Avenue;

THENCE in an easterly direction with the north right of way line of Goodwin Avenue to its intersection with the east right of way line of Airport Boulevard;

THENCE in a southerly direction with the east right of way line of Airport Boulevard to its intersection with the east right of way line of Springdale Road;

THENCE in a southerly direction with the east right of way line of Springdale Road to its intersection with the north right of way line of East 7th Street;

THENCE in a westerly direction with the north right of way line of East 7th Street to the place of BEGINNING.

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

The Council informally agreed to hear the zoning cases as scheduled on December 30th rather than to reset them for January 6th.

The City Manager announced the results of the election for the elected members of the Retirement Board. The four receiving the highest number of votes were:

| | | |
|---------------|---|----------------------------|
| J. C. FANN | - | Police Department |
| O. D. SPILLAR | - | Sanitary Sewer Division |
| E. I. PURSER | - | Street and Bridge Division |
| FRANK REDDING | - | Public Health Department. |

The City Manager called attention to the filing of the Water and Sewer Progress Report, and Street Paving Reports.

The City Manager reported the Housing Authority called attention to the fact that terms of MR. BILL PETRI, DR. EDMUND HEINSON and MR. MAX BROOKS expire on December 31st. Mayor Palmer stated he would like to reappoint MR. BILL PETRI, DR. EDMUND HEINSON and MR. MAX BROOKS for a two year term extending to December 31, 1967. Councilman LaRue moved that the Council concur in the action taken by the Mayor. The motion, seconded by Councilman Long, carried by the following vote:

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

The City Manager reported he had received a letter from MR. PAT CAIN just yesterday, but he had not had the opportunity to analyze it and consider all of

December 9, 1965

the various possibilities and ratifications involved in the proposals they made, and he would like a little time to check this out before he made a report to the Council. (Little Texas)

The City Manager read a copy of a letter from HOLIDAY INNS OF AMERICA, setting out their offer for the purchase of City property in the vicinity of the west side of the Interregional between Flores and Waterfront, as follows:

"December 7, 1965

"The Honorable Lester Palmer
Mayor of Austin
Texas

"Dear Mayor Palmer:

"In keeping with our telephone conversation Monday afternoon, Holiday Inns of America would be willing to pay the City of Austin the appraised value of \$43,000.00 over a period of twenty-five (25) years at $3\frac{1}{2}\%$ interest.

"According to my calculation, this will amount to \$2585.00 per year for twenty-five (25) years. This could be based on a twenty-five (25) year lease with title passing to us for \$1.00 at the end of twenty-five (25) years. We could go ahead and build our Holiday Inn immediately, and if Mr. Wolfe did sue it would simply be a matter of the City paying off whatever the courts agreed that Mr. Wolfe's property was worth.

"I do appreciate you trying to help me get this resolved and hope we can get started soon.

"I will be looking forward to hearing from you after the Council Meeting Thursday.

"Sincerely yours,
HOLIDAY INNS OF AMERICA, INC.
s/ Kemmons Wilson
Kemmons Wilson
Chairman of the Board"

Mayor Palmer stated in someway this should be settled. Councilman Shanks suggested that over a period of five years, the City liquidate Mr. Wolf's claim to the maximum of \$15,000 by paying him the first \$15,000 received and at no interest. The City Manager noted it would take about $5\frac{1}{2}$ years to pay this out with no interest. After discussion, Councilman LaRue moved that the City Manager be permitted to work this out on the basis suggested. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The City Manager had a new report from the Traffic Engineer regarding a traffic count made on Koenig Lane just three days ago, from 7:00 A.M. to 7:00 P.M. and at no 15 minute intervals during the day was the traffic in either

direction more than a single lane each way could accomodate. There are two lanes of traffic each way; one of which may occasionally be blocked by a parked car. At the peak period from 8:00 to 8:15 the count showed a rate of flow of 1048 cars per hour, whereas the street as developed with parking on both sides has a capacity of 1380. The Traffic Engineer recommended no change. A check with the residents of the area indicates 87% preferred no compulsory parking regulations. There were 78% of the residents who said they would voluntarily agree not to park during peak hours. Councilman Shanks moved that for the time being that the recommendation of the Traffic Engineer regarding Koenig Lane be accepted; and subsequent to this that the people be asked to comply on a voluntary basis regarding the parking. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: Councilman Long

Mayor Palmer inquired about the section of 38th and Duval. It was reported by the Director of Public Works this intersection was completed. The Mayor asked when the widening between Guadalupe and Duval would take place. It was stated this was the location where there was "no parking" on both sides.

The City Manager stated a request had been received to place a fountain arrangement in the Garden Center at a substantial amount of money as a memorial in honor of MRS. CATHERINE PARR HAMILTON. The total project will be over \$20,000. The Director of Recreation showed the plans of the planting, waterfall and fountain. Councilman Long moved that the memorial gift be accepted in memory of Catherine Parr Hamilton. The motion, seconded by Councilman White, carried by the following vote:

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

Noes: None

Councilman LaRue moved that the Council express appreciation to these donors for this wonderful gesture. The motion, seconded by Councilman White, carried by the following vote:

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

Noes: None

(Referred to the City Attorney)

The City Attorney stated there was a house which the City owns on Bryan Street where Poquito comes through, and the house has to be moved in order to open the street. Only two offers were made in answer to the advertisement. The house has to be moved immediately so the contractor could begin. MR. MOSES KOURI bid \$25.00 and MR. JAMES WYNN bid \$30.00. This house is repairable. After discussion, Councilman LaRue moved to sell this house at 2400 Bryan Street to the highest bidder. The motion, seconded by Councilman White, carried by the following vote:

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

Noes: None

The City Attorney stated there was some property having to do with drainage below Munson Street where there is presently under construction one or two housing projects. In order to bring the drainage south of Munson Street into an existing storm sewer, his Department had been negotiating for easements on the property owned by W.E. WALDEN and by WILLIE ALVIN HAEHNEL and it had been unable to secure these easements. He asked for authority to proceed with condemnation.

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires a drainageway across the west twelve (12.00) feet of Lot 7, Block A, Eastover, a subdivision of a portion of Outlot 57, Division A, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, belonging to W. E. Walden and wife, Clara A. Walden, in order to provide for the safe and proper drainage of the public streets in the area located within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of a drainageway easement consisting of a twelve (12) foot easement across the hereinafter described tract of land to provide for the drainage of public streets and roadways; and,

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

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners, a suit in eminent domain to acquire the hereinafter described easement for drainage purposes across the hereinafter described tract of land, to-wit:

In, upon and across the west twelve (12.00) feet of Lot 7, Block A, Eastover, a subdivision of a portion of Outlot 57, Division A, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas; a map or plat of said Eastover being of record in Book 3 at page 209 of the Plat Records of Travis County, Texas; less and excluding from the above referenced west twelve (12.00) feet of Lot 7 the following described area, to-wit:

BEGINNING at a point five (5.00) feet southeasterly from the southernmost western corner of the south property line of said Lot 7, Block A, Eastover;

THENCE, southwesterly along the said south property line a distance of seven (7.00) feet to a point;

THENCE, northeasterly along a line twelve (12.00) feet east of and parallel to the west property line of said Lot 7 for a distance of thirty (30.00) feet to a point;

THENCE, southwesterly to the point of beginning.

Said Lot 7, Block A, being conveyed to W. E. Walden, et ux by Warranty Deed dated September 20, 1935, of record in Volume 529 at page 298 of the Deed Records of Travis County, Texas.

AND IN ADDITION THERETO, a temporary working space easement twenty (20.00) feet in width to cover the period of original installation is to be retained adjacent and parallel to the east line of the above easement.

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

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires a drainageway across a 150 square foot tract of land out of and a part of Lot 8, Block A, Eastover, a subdivision of a portion of Outlot 57, Division A, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, belonging to Willie Alvin Haehnel and wife, Ella Haehnel, in order to provide for the safe and proper drainage of the public streets in the area located within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of a drainageway easement across said 150 square feet of land to provide for the drainage of public streets and roadways; and,

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

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners, a suit in eminent domain to acquire the hereinafter described easement for drainage purposes across the hereinafter described tract of land, to-wit:

150 square feet of land, same being out of and a part of Lot 8, Block A, Eastover, a subdivision of a portion of Outlot 57, Division A, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas, a map or plat of said Eastover being of record in Book 3 at page 209 of the Plat Records of Travis County, Texas; which Lot 8, Block A, was conveyed to Willie Alvin Haehnel, et ux, by warranty deed dated July 31, 1937, of record in Volume 570 at page 327 of the Deed Records of Travis County, Texas; said 150 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at the southeast corner of said Lot 8, same being the southwest

corner of Lot 7, and which point of beginning is the most southerly corner of the herein described tract of land;

THENCE, with the south line of said Lot 8, N 68° 11' W 10.00 feet to the most westerly corner of the herein described tract of land;

THENCE, N 40° 39' E 31.69 feet to a point in the east line of said Lot 8 for the most northerly corner of the herein described tract of land;

THENCE, with the said east line of Lot 8, S 22° 15' W 30.00 feet to the point of beginning.

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

The City Attorney showed a plat of property on the south side of East 51st Street, which the City had already acquired, as it became available for purchase or when it was discovered the property was on the market. One lot belonging to Lara Norha at 1519 East 51st Street has been made available and she has signed a contract of sale for \$9,022.66. The City Attorney recommended this property be purchased. Councilman LaRue moved that the City Manager be authorized to purchase this property. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman White stated there was a house with 1200-1400 square feet that has been condemned, and it must be moved off the property by January 1st. (8711 North Lamar) It could be repaired.

Mayor Palmer read a communication from the Women in Construction stating their pleasure in the Council's expressing that it felt that every city needed a Gazebo. They were appreciative over the publicity given to their request before the Council. They planned a kick-off breakfast January 8, 1966, 8:00 A.M. and the Council was invited. The Council indicated it would be present, and asked to be notified at 7:00 A.M. on that date.

The Mayor read a letter from the Texas Social Welfare Association, Austin Chapter, inviting the Council to an award dinner honoring JUDGE TOM REAVLEY, Thursday, December 16th at 12 noon, at the 40 Acres Club, and asking the Mayor to present the award to Judge Reavley on this occasion.

The Mayor read a press release about the closing of the Fourth Missile Battalion 7th Artillery Nike Sites as announced by the Honorable Robert S. McNamara. There are 424 military personnel and 44 civilian employees who will be affected by the deactivation. On January 1, 1967 S.A.C. will be phased out; January 1, 1967 the Flight Wing will come into Bergstrom. June 7, 1968 the 12th Headquarters will be here. The Mayor stated this would be a fine gain for the City of Austin.

Mayor Palmer read a letter from MRS. HELEN G. SMITH, Economy Furniture, regarding publicity about one of the City Departments, and suggested that the citizenry get together constructively and do something instead of taking pot shots at public servants. As to fire prevention, she suggested an ordinance requiring certain establishments to have sprinkling systems, mentioning particularly hospitals, and public buildings. She commended the Austin Fire Department for what it does.

Mayor Palmer read a letter from the Housing and Home Finance Agency stating the seventh certification of Austin's Workable Program for Community Improvement would expire March 1, 1966, and a request for recertification should be submitted at least thirty (30) days before this date to permit sufficient time for orderly review. It was reported this letter had already been referred to the Director of Planning who had begun work on the recertification.

The Mayor read a letter from CAPTAIN SHAW, U.S. Navy, U.S.S. Austin, regarding the murals, and stating the Chief Petty Officer would like one mural 4' x 6' for their lounge. The First Class Petty Officers preferred two pictures 12" x 18". These pictures and Mural would enhance these spaces making them more habitable and giving them a warmer and richer atmosphere. They would also strengthen their ties with the City of Austin which are already quite strong. Councilman LaRue moved that the City Manager be asked to check into this to see what can be done, and decide on the two pictures that should be selected and the mural. The motion, seconded by Councilman Long, carried by the following vote:

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

The Mayor read a letter from the Texas Department of Mental Health and Mental Retardation, Site Selection Committee, enclosing materials related to their interest in selecting locations, The facilities will be constructed and operated by the Department of Mental Health and Mental Retardation. Enclosed were documents indicating the eligibility requirements and outlining specific steps to be taken in making formal applications. All correspondence should be directed to the Site Selection Committee, Box S, Capitol Station, Austin; deadline January 15, 1966. Councilman LaRue moved that the City Manager be asked to investigate this and take whatever steps are necessary to see that the City is presented in its best light. The motion, seconded by Councilman Long, carried by the following vote:

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

The Mayor read a letter from MR. MENORA JAMES, copy of which was furnished each Council Member, concerning a wreck at Avenue G and 47th Street, on October 22, 1965. Chief Miles gave a report, stating Mr. James' contention is that Mrs. James should have been contacted before the ticket was issued; but on the basis of the physical evidence at the scene of the accident, a ticket was issued. The Police Chief had told Mr. James that this would be discussed with the Assistant City Attorney; and if he felt it were a proper case it would be prosecuted; and

if not, it would be dismissed. Lt. McDavid discussed this with the City Attorney and it was decided this was a proper case. Mr. James stated the records showed his wife was in the intersection before the other car, and a Major advised him not to pay the ticket, but to take it to the Court. Mrs. James was hospitalized and 41 days after the wreck she was sent the ticket. The City Manager explained that a humanitarian proposition it was not infrequent for the Police to wait a while to take up a matter where someone was injured. It was explained to Mr. James it was not necessary for him to engage a lawyer to appear before the Corporation Court. Mr. James stated no attempt to get a statement from his wife was made at any time. The City Attorney explained the Police had up to two years to file claims on any case; and where there had been serious injuries the patients were not bothered while they were in a serious condition, and that was why no contact was made with Mrs. James. Mr. James felt it would have been better to have received the ticket much sooner if Mrs. James were to have received one at all, than to wait 41 days.

The City Manager stated the joint Traffic and Transportation Study conducted by the Highway, County, and City Administration had been approved by the Bureau of Public Roads. As far as the City is concerned, it would be well to give thought to the manner in which this study should be implemented and to what extent. It is not a plan that will be necessarily executed as laid out but a study that shows a manner in which the needs of the community may be met in the future. Councilman Long stated she wanted to express herself as not being in favor of elevated highways down the main part of the City of Austin, and wanted to be put on record that she would not place her stamp of approval on any plan where elevated highways are planned to come down from the Capitol and emptying on 11th Street. Councilman Shanks stated he wanted to emphasize that this was not an adopted plan; but was a study. The City Manager stated without the approval by the Bureau of Public Roads, no highway could be constructed in the community unless it complies with the plan. It either has to comply with the plan in the study or the plan has to be changed. The study includes many things besides the routing of highways, and expressways. It involved the thoroughfare system of the City of Austin, and proposes not only where they should be, but standards for different kinds of thoroughfares, widths of streets and rights of way, and whether or not they should be divided highways, etc. These standards differ from the standards adopted by the Council in connection with the Master Plan. As a matter of implementation, these should be studied by the Council and determined it would be willing to adopt these standards as set up. The Council should either accept or reject the study. The City Manager stated there is a map showing a routing of a lot of expressways and a long list of streets indicating which type of construction is suggested for them. In order to work up the estimated cost involved in these and to determine what right of way requirements will be needed, it was necessary to do preliminary engineering which the Highway Department did. That study is a supplement to the other, and it indicates a very small part of the money will be available locally; that it will have to come from the State or Federal Government. The City has been approved and is eligible now, and highway projects can be approved if they are consistent with that plan. The Mayor stated when the report was made public and made available to the Council Members, they would look it over, study it, review it with the Administration, and make a determination as to what action the Council should take if any. The Director of Planning stated some information was needed from the Bureau of Public Roads.

There being no further business Councilman LaRue 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

The Council adjourned at 4:30 P.M. subject to the call of the Mayor.

APPROVED

L. E. Palmer
Mayor

ATTEST:

Elin Wosley
City Clerk