

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 16, 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 O. C. ROBINSON, Austin Baptist Association.

Councilman Long moved that the Council hear representatives of the Travis County Youth Council led by MR. GARY ANDERSON, discuss a Teen Jury Program. The motion was seconded by Councilman White. Roll call showed a unanimous vote.

MR. SCOTT BENNETT, University of Texas, described the system as set up in Florida, and also in Forth Worth, where teen jurors act in an advisory panel to the Corporation Judge on cases involving teenagers particularly on traffic cases but not on an official basis. The jury advises on innocence or guilt, and type of penalty other than a fine. Assignments made to violators have been more helpful to the youths' attitude than having their parents' pay the fines. The students see how the law enforcement agencies work. The Judge assesses a fine, and the defendant accepts the fine or takes the penalty assessed by the jury. He explained this affected in no way the insurance ratings. Teenage traffic violations had gone down about 15%. MR. MARK ALTHAUS had made a survey indicating that the teenagers in Austin would like to try this teen jury on an experimental basis during January. Mr. Sonny Davis, Assistant Attorney General, has discussed this with Judge Granger, and the teen jury would be worked through the Travis Youth Council, and in accordance with the wishes of the Corporation Judge. Councilman Long inquired about the trials during school hours. It was stated these cases would be set around 4:00 P.M. MR. JACK DILLARD said this was a project Austin needed and most of the major cities have this project, and it has been successful. He asked Council approval on this project on a trial basis for a

month or six weeks; and they would report the results and try to continue on a full time basis. MR. GARY ANDERSON announced a meeting tonight at Town Hall at 7:00 P.M. inviting the Council to the dinner at 6:00 P.M. The City Attorney reported the projects in other cities had been pleasing to a number of the Judges and it would not affect in any way the right of the accused or dictate to a Court on the disposition of any case. This is a matter the Corporation Judge would have to control completely as to time of operation, type of cases, etc. Legally there is no action for the Council to take other than indicate its willingness to try it. The Judge would still be in charge of the Court and the cases would be under his judgment. The Chief of Police who was familiar with this program stated he was very much in favor of it here as it would give more understanding of the need of law enforcement. The Mayor stated the Council would meet with the Corporation Court Judge and get more basic information, and all of the Council Members had indicated the overall plan seemed to be a worth while project. He said the Council would get in contact with MR. GARY LEE ANDERSON, 1000 East 38th Street, GL 3-1214.

Councilman LaRue moved that the Minutes of December 2, 1965 and December 9, 1965, and the Supplement to the Minutes of November 18, 1965, be approved. The motion, seconded by Councilman White, carried by the following vote:

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

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 (A) 2.01 ACRES OF LAND OUT OF THE JOHN APPLGAIIT SURVEY; (B) 2.24 ACRES OF LAND, MORE OR LESS, OUT OF THE JAMES TRAMMEL SURVEY NUMBER 4; (C) 11.58 ACRES OF LAND OUT OF THE J. C. TANNEHILL LEAGUE; (D) 13.69 ACRES OF LAND OUT OF THE JAMES P. WALLACE SURVEY NUMBER 57; AND (E) 0.77 OF ONE ACRE OF LAND OUT OF THE T. J. CHAMBERS GRANT; ALL 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. (Country Air; WestGate Square; Springdale Hills, Sec.3; Jamestown, Sec.2; unplatted land)

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 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 5.84 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL 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.
(Adele Addition and Hobbs Addition)

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, Shanks, Mayor Palmer
Noes: Councilmen Long, White

The Mayor announced that the ordinance had been finally passed.

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 34.21 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES ROGERS 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.
(City Property)

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 January 6, 1966 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

At 10:30 A.M. the Mayor opened the hearing on annexing PRESWYCK HILLS, SECTION 4. No one appeared to be heard. Councilman Shanks moved that the hearing be closed. The motion, seconded by Councilman LaRue, carried by the following vote:

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

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF

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

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

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

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for down-guy purposes, in, upon and across a part of Lot 11A of a resubdivision of Lots 6-14, incl., Block E, Plaza Place, a subdivision of a portion of the James P. Wallace Survey Number 57 in the City of Austin, Travis County, Texas, according to a map or plat of said Plaza Place of record in Book 4, at Page 84 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 an electrical down-guy easement, to-wit:

A strip of land ten (10.00) feet in width, same being out of and a part of Lot 11A of a resubdivision of Lots 6-14, incl., Block E, Plaza Place, a subdivision of a portion of the James P. Wallace Survey Number 57 in the City of Austin, Travis County, Texas, according to a map or plat of said Plaza Place of record in Book 4 at Page 84 of the Plat Records of Travis County, Texas; a map or plat of said resubdivision of Lots 6-14, incl., Block E, Plaza Place, being of record in Book 11 at Page 36 of the Plat Records of Travis County, Texas; the centerline of said strip of land ten (10.00) feet in width being more particularly described as follows:

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BEGINNING at a point in a line five (5.00) feet east of and parallel to the east line of Lamar Boulevard, which point of beginning is in the original north line of Lot 9, Block E, Plaza Place, same being the original south line of Lot 10, and from which point of beginning the southwest corner of said Lot 11A bears North 60° 15' West 5.00 feet and South 29° 45' West 200.00 feet;

THENCE, with the said original north line of Lot 9, South 60° 15' East 40.00 feet to point of termination.

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

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

Noes: None

The Council discussed the request of DR. WERNER M. PFLUGER for a boat dock, with a 5' set back from the property line instead of the 10' set back as required by ordinance. Deed restrictions requiring a dock to be within 10' of the property line unless the two property owners built a common boat dock on a property line were read. The City Attorney explained that adjoining property owners could combine their property, enter into a written agreement filed for record, where each would own an undivided interest, and thereafter if one of those conveys his interest, there would be no trouble with subsequent owners. After considerable discussion, Councilman LaRue offered the following resolution and moved its adoption, subject to the 10' restriction under the ordinance:

(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 Dr. Werner M. Pfluger as described in the Travis County Deed Records (See attached legal description) and hereby authorizes the said Dr. Werner M. Pfluger 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 Dr. Werner M. Pfluger has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Legal Description Attached)

0.79 acre of land out of the James Spillman Survey, Travis County, Texas, a part of that certain 100 acre tract conveyed to J. E. Pearce by deed recorded in Vol. 482, Page 470, of Travis County Deed Records.

BEGINNING at an iron pipe set in the Southeast line of a 60 ft. roadway for the southwest corner of the tract herein described from which the Southwest corner of that certain 100 acre tract conveyed to J. E. Pearce by deed recorded in Vol. 482, Page 470, of Travis County Deed Records, Bears S. 43 deg. 51 min. W. 61.28 ft., S. 21 deg. 40' W. 253.93 ft., S. 48 deg. 08' W. 1036.48 ft.,

S. 48 deg. 51'W. 154.81 ft., N 50 deg. 42 min. W. 268.64 ft.;

THENCE with the Southeast line of said 60 ft. road, N. 43 deg. 51'W. a distance of 99.35 ft. to an iron pipe set for the Northwest corner of this tract;

THENCE S. 47 deg. 26'E. a distance of 339.43 ft. to an iron pipe to the West margin of Lake Austin for the Northeast corner of this tract;

THENCE with the West margin of Lake Austin, S. 38 deg. 39' W. a distance of 100.0 ft. to an iron pipe for the Southeast corner of this tract;

THENCE N. 47 deg. 22'W. a distance of 348.31 ft. to the PLACE OF BEGINNING, containing 0.79 acre of land, and being Lot or Tract No. Fifteen (15), Manana, Revised, unrecorded plat made by Claude F. Bush, Jr., Registered Public Surveyor, April 1960.

THERE IS ALSO HEREBY CONVEYED all lands encompassed by an Easterly extension of parallel lines, projected from the Northeast corner and from the Southeast corner of the hereinabove described property at right angles to the shore of Lake Austin extending to the low bank of the Colorado River to points in the East line of the James Spillman Survey, most of which land is inundated by the waters of Lake Austin. Said projected lines to be common boundaries with adjoining property which are also projected at right angles to shore of Lake Austin.

(Recommendations attached)

"Austin, Texas
December 14, 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 Dr. Werner M. Pfluger 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 (See attached legal description) as recorded in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately forty (40) feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Dr. Werner M. Pfluger 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 White, carried by the following vote:
Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

Councilman Long made the following statement concerning her vote:

"I think any rule that does not have a bit of flexibility is wrong; and in this case I believe this man could improve the situation rather than hamper it, and I vote 'no'."

Councilman Shanks moved that the City Attorney be instructed to call Dr. Pfluger and tell him how this could be worked out. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman Long made the following statement concerning her vote:

"I think it is subterfuge and inconsistent."

The City Manager stated this would not be subterfuge. If the individual property owners want to join and be partners in a particular piece of property, they could build this dock, and it would accomplish the purpose of the ordinance rather than defeat it.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOT 19, LOUIS HORST'S SUBDIVISION OF OUTLOT 21, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion,

seconded by Councilman LaRue, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

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: A 16.425 ACRE TRACT OF LAND, LOCALLY KNOWN AS 720 $\frac{1}{2}$ -750 AIRPORT BOULEVARD AND 711-733 SHADY LANE, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "D" INDUSTRIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH ALLANDALE ESTATES DEVELOPMENT CO. 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 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 DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE 1, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY. (Ben Howell Drive and various other streets)

The ordinance was read the first time and Councilman Long moved that the

rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"December 14, 1965

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

SUBJECT: Bids on Anhydrous Ammonia for Filter Plant #1 and Filter Plant #2 for a twelve (12) months period.

"Sealed bids were obtained in the office of the Purchasing Agent at 2:00 P.M. December 13, 1965 for the estimated requirements of Anhydrous Ammonia for the Filter Plants for a period of twelve (12) months. The Anhydrous Ammonia is to be delivered to the Filter Plants as required during this period. Invitations to bid were mailed to all known suppliers of this material.

"The bids received are as follows:

<u>Bidder</u>	<u>Estimated Requirement</u>	<u>Net Total</u>
"Armour Industrial Nitrogen Memphis, Tennessee	78,000 lbs.	\$7,800.00
Lanford Equipment Co. Austin, Texas	78,000 lbs.	<u>7,605.00</u>

"The low unit price obtained on the previous bid in 1964 was \$0.10 as bid by Lanford Equipment Company compared to the low unit price obtained on this bid of \$0.975.

"The low bid by Lanford Equipment Company meets all requirements and conditions of our specifications and they will deliver the material from local stock. Lanford has our present contract and the service and material has been satisfactory.

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"RECOMMENDATION: It is recommended a contract be made with Lanford Equipment Company to furnish Anhydrous Ammonia to the Filter Plants for a period of twelve months beginning January 1, 1966 and ending December 31, 1966.

"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 December 13, 1965, for the estimated requirements of Anhydrous Ammonia for the Filter Plants for a period of twelve (12) months; and,

WHEREAS, the bid of Lanford Equipment Company, in the sum of \$7,605.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Lanford Equipment Company, in the sum of \$7,605.00, 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 Lanford Equipment Company.

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

The City Manager submitted the following:

"December 14, 1965

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

SUBJECT: Bids on Radio Communications Equipment for the Civil Defense Department.

"Sealed bids were opened in the office of the Purchasing Agent at 2:00 P.M. December 8, 1965 for Radio Communications Equipment for the Civil Defense Department.

"Invitations to bid were advertised in the Austin American-Statesman on November 21 and November 28, 1965 and sent to the following prospective bidders: Fairchild Dumont Laboratories, Industrial Communications, Ragsdale Aviation, Radio Corporation of America, Radio Communications, Austin Communications, Motorola Communications and Electronics, Inc. and General Electric Company.

"The only bid received was from Motorola Communications and Electronics as follows:

"Total Radio Communications Equipment - - - - - \$37,160.00.

"RECOMMENDATION: It is recommended the award be made to Motorola Communications and Electronics, Inc. in the amount of \$37,160.00 as the lowest and best bid.

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

Discussion was held on there being only one bid. It was explained that last year the Council was told that probably on these materials, there would be only one bid received as the City has Motorola Equipment, its testing equipment and spare parts. To get another type of radio would require carrying another stock of spare parts and testing equipment. To the extent that those costs were involved other bidders would be penalized. Requests for bids were sent to a number of prospects. The Assistant City Manager read letters from R.C.A. and from FAIRCHILD INSTRUMENTS expressing thanks for the invitation to bid, sending in "no bid", and asking that they be kept on the mailing list. The City Attorney pointed out General Electric had indicated by the next time a purchase was made, they would like an opportunity to confer before the specifications were sent out to see if they could be widened. It was explained all of the radio equipment used in patrol cars, service vehicles for Street and Bridge, Electric, Water and Sewer, etc. were considered to be available for use in a civil defense emergency, and the government shares in the cost. A comparison of costs with the year before showed the prices were almost the same. It was noted that what is being paid for Motorola equipment in Austin is consistent with what other cities throughout the State are paying. Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 8, 1965, for Radio Communications Equipment for the Civil Defense Department; and,

WHEREAS, the bid of Motorola Communications and Electronics, Inc., in the sum of \$37,160.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Motorola Communications and Electronics, Inc., in the sum of \$37,160.00, 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 Motorola Communications and Electronics, Inc.

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

The City Manager submitted the following:

"TO: Mr. W. T. Williams, Jr.
City Manager

RE: Recodification of Ordinances

"Sealed proposals have been received for recodifying the ordinances of the City, which is required by the Charter to be done every ten years.

"In addition to the publisher of our present code, three others specialize in this work who could perform satisfactorily. Copies of the material to be edited, classified, printed and bound were furnished the prospective publishers, together with specifications for the work to be done.

"We required proposals to state separately the price per page for which the work would be done for 150, 200, 250, or 300 copies of the code. On the same basis we required per page proposals for continuous supplemental service to keep the code current by printing new pages not more often than once per month.

"The proposals have been tabulated on work sheets covering the various quantities of the work but the following table based on our estimate of 1000 pages of basic work plus 75 pages of supplemental work per year shows the rank of bidders:

PUBLISHER	INITIAL PRICE	AFTER 1ST YR.	AFTER 2ND YR.
Book Publishing Co.	\$ 13,330.00	\$ 14,202.50	\$ 15,075.00
Michie City Publications Co.	10,450.00	10,962.50	11,475.00
Municipal Code Corporation	11,266.00	12,004.75	12,743.50

"The cost for 300 copies of the 1954 Code of 523 pages was \$9,750.00, which amounts to \$18.64 per printed page, as compared to \$10.45 per printed page under the above low bid for 300 copies of the new code which we estimate will be 1000 pages in length. If it should be only 900 pages, the cost would be \$10.50 per printed page. If it should be 1100 pages the cost would be \$10.40 per printed page.

"Of the 300 copies of our 1954 Code only 61 copies remain in the reserve established to supply copies to City officials, the courts, libraries, operating departments of the City administering the code and all other interested persons during the ensuing ten year period as the need arose.

"Our experience since 1954 indicates the need for publishing 300 copies of the new code for use during the next ensuing ten years. Award to low bidder recommended.

"s/ Doren R. Eskew
Doren R. Eskew, City Attorney
December 9, 1965"

The City Attorney stated this contract provided publication not more frequently than once a month on all changes, and the amount bid for upkeep service will be in effect for three years. He stated their price was very favorable; and when recodification is done again, it could be done for less since the Code would be more up to date. After discussion, Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin for recodifying the ordinances of the City of Austin; and,

WHEREAS, the bid of Michie City Publications Co. in the sum of \$10,450.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the City Attorney 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 Michie City Publications Co. in the sum of \$10,450.00 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 Michie City Publications Co.

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

Mayor Palmer announced the Planning Commission asked to present a resolution concerning the establishment of inter-governmental coordinating committees, and Mr. David Barrow would be the spokesman. Mr. Barrow read the resolution as follows:

"RESOLUTION

"At a special meeting of the Planning Commission held Tuesday, November 30, 1965, called for the purpose of discussing long-range planning and development of the City, it was moved, seconded, and unanimously adopted to recommend to the City Council that it officially contact the proper authorities of the State of Texas, the University of Texas, the State Highway Department, Travis County, and other appropriate governmental units, with a view to forming a committee from these governmental entities and the City of Austin to co-ordinate planning in the City and County, and to recommend that a member of the Planning Commission, preferably the Chairman or Vice Chairman, be a member of such committee."

He pointed out the need of coordination, with particular reference to street changes. He said the recently approved Traffic Study would necessitate changes in the Master Plan, and the Commission would like to be represented in major conferences with reference to those changes. As to the inter-governmental committee, Mr. Barrow stated it would report to the Planning Commission on matters coming before that body, and to the Council on other matters. He read a communication from the Planning Director pertaining to the 1965 Housing Act regarding a Metropolitan Urbanized Plan and funds for open space for acquisition and development. Mr. Barrow stated the Committee would be interested in anything that pertained to streets or any general plan affecting the City. Mayor Palmer wanted to be sure that the areas of this committee be defined. The City Attorney stated there must be a recognition that these various agencies are entities within themselves, and the granting of the Planning Commission's request would not bind any of the agencies, but the idea was there would be communication during the preparation of plans of the related activities of each. Also, in connection with the Federal Housing Act, the City had satisfied the Federal Government that the only governmental agency having Metropolitan Planning authority is the City of Austin, and its legal authority of the plan includes the control of areas five miles beyond the City Limits. Brief discussion was held on the Metropolitan Urbanized Area Plan. The City Manager stated certainly it would be good to get cooperation from the other agencies, but it was not necessary to qualify for Open Space Funds.

Mr. Barrow pointed out that the City does not exercise zoning authority

in the County. There is a trend of planning the City and the County together, and a joint committee would be most beneficial in this line. Councilman LaRue stated this appeared to be an excellent plan that communication be maintained and all would be aware of proposed developments. Councilman Long stated in the Conference of the Environmental Crisis this subject was discussed and many University people thought this would be a good thing and should be a "must". Councilman White was not ready to vote on this matter today. Councilman Shanks inquired if there were being created a new authority or just a means of communication. The Mayor stated that was what he wanted understood, and asked the Council to study this and come up with an answer next week, as the idea and thought behind it is very good.

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

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 OR MAINTENANCE OF SUCH HOMES; REQUIRING PERMITS FOR 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 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 second time and Councilman LaRue moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Long, carried by the following vote:

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

The City Manager submitted the following:

"December 13, 1965

"To: Mr. W. T. Williams, Jr. Subject: SALE OF HOUSES
City Manager

"Bids were opened in my office December 13, 1965 at 10:00 A.M. for the sale of four houses that Urban Renewal has turned over to us for disposal by demolition.

"Bids from five different individuals were received and a breakdown of the bidding is as follows:

"1604 Pennsylvania 1152 Salina 1197 Angelina 1614 Rosewood

K. L. Gorbry	21.00	31.00		
W. L. Johnston	28.00	38.00	82.54	23.00
A. Heyer	<u>38.75</u>	26.78	<u>47.62</u>	11.76
O. Puryear		<u>39.00</u>		
A. Powell				<u>30.00</u>

"The high bid on each house is underscored in red. Due to the fact that these structures are dilapidated and also the fact that it would cost this office several hundred dollars if we had to demolish them, it is recommended that these bids be accepted.

"If the bids are acceptable, the contracts will be forwarded to you for your signature, and should be returned to me for attestation and distribution.

"From: Dick T. Jordan, Building Official
Signed: Dick T. Jordan"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 13, 1965, for the sale of four (4) houses that Urban Renewal turned over to the City for disposal by demolition; and,

WHEREAS, the bids of A. Heyer, in the sum of \$38.75, for house located at 1604 Pennsylvania Avenue; of O. Puryear, in the sum of \$39.00 for house located at 1152 Salina Street; of W. L. Johnston, in the sum of \$82.54 for house located at 1197 Angelina Street; and of A. Powell, in the sum of \$30.00 for house located at 1614 Rosewood Avenue, were the highest and best bids therefor, and the acceptance of such bids has been recommended by the Building Official of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bids of A. Heyer, O. Puryear, W. L. Johnston and A. Powell, be, and the same are hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute contracts, on behalf of the City, with said parties.

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

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

Noes: None

After discussion, Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that circumstances exist at the specific locations listed below require

that vehicular traffic upon the alleys stated below be allowed to move in only one direction; and,

WHEREAS after investigation, the City Council has found that the location and the direction in which such traffic shall move is as follows, to wit:

1. The East-West Alley in the 200 Block East of Congress Avenue between Fourth Street and Eighth Street and between Ninth Street and Eleventh Street shall be designated a one-way street with all vehicular traffic to move only in an eastbound direction.

2. The East-West Alley in the 200 Block East of Congress Avenue between Eighth Street and Ninth Street shall be designated a one-way street with all vehicular traffic to move only in a westbound direction.

3. The East-West Alley in the 100 Block East of Congress Avenue between Tenth Street and Eleventh Street shall be designated a one-way street with all vehicular traffic to move only in an eastbound direction, Now, Therefore,

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

That the City Clerk be and she is hereby authorized and instructed to record this finding in Section 33.38 of the Traffic Register. Be it further resolved that the City Clerk be authorized and instructed to mark as deleted from Section 33.38 of the Traffic Register the following entry: One-way street, east-west alleys - 100 and 200 blocks east of Congress - from Fourth Street to Eleventh Street - eastbound.

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

The City Manager stated this was to work out the drive-in facilities at the City National Bank, and it would not create any traffic problems.

The City Manager explained the contracts with the car rental companies at the Airport had a provision that they had no right to assign or transfer their contract without Council approval. After discussion, Councilman Long moved that the Council approve the transfer of the contract of the National Car Rentals to MR. ROY BUTLER. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman Shanks asked the Council to reconsider the rule that City employees must live within the City limits. In the light of getting a wider choice of employees and not work hardships on some, this policy might be changed to read "within the City's jurisdiction" instead of "the city limits". The Mayor stated the Council's policy was to the effect that any person employed by the City must live in the City at the time of his employment or move in the City within six months. Those employees who were living outside the City when that action was taken were permitted to remain outside. The City Manager stated this policy was adopted not at the recommendation of the Administration, but by

the Council, the reasons being that during times when employment was hard to find, the taxpayers and citizens should have that employment without having to compete with those living beyond the City limits; on bond issues, city personnel would be aware of the needs, but if they lived outside the city limits, they would not be qualified to vote; it would be a great disadvantage for emergency personnel to live outside the city limits and requiring some to live within the city, and permitting others to live beyond could create difficulty among employees. The Mayor suggested leaving the policy as it is. Councilman LaRue stated if taxes were a burden, the personnel should help carry the burden. The Mayor stated the good city employees should reap the benefit of the fine city government being provided. Councilman White also favored leaving the policy as it is.

The City Manager referred to a memorandum from the Finance Director regarding the Firemen's Retirement System. He explained the status of the City employees' retirement contributions of 4% into their Retirement System and 3.5% to the Social Security, whereas the Firemen are not members of the Social Security and have their separate retirement system, pay 7.5% into the Firemen's Retirement System. The City matches funds in both cases. By a vote of 238 to 31, the Firemen elected to increase their own contributions in line with the Social Security increases, and recommended to the Board that it ask the City to match the increase. The Board, of which the Mayor is Chairman, requests the Council to authorize the matching of the additional amount. For the next year, the Social Security will be increased from 3.5% to 4.2%. The Finance Director, Secretary Treasurer of the Board of the Firemen's Retirement System, stated the approximate cost will be about \$1,000 a month, or \$9,000 for the remainder of the fiscal year. The City Manager stated the increase for the employees under Social Security was included in the Budget, but the Firemen had not indicated they wanted to increase their contributions until just recently. The City Manager said it would appear the additional \$9,000 could be appropriated to this cost. The total contribution to match the City Employees' contribution to the Pension Fund and Social Security will be 8.2% and to match the Firemen's contributions to their separate Pension System also will be 8.2%. Councilman Long moved that this program be gone into, to follow the Social Security Schedule. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Following is the Social Security Schedule:

Total Contributions	
1966	8.2% (Social Security being 4.2%)
1967 and	
1968	8.4% (Social Security being 4.4%)
1969	8.9% (Social Security being 4.9%)

Mayor Palmer stated the Firemen's Pension Board had asked, if this were voted favorably, that he express the thanks and appreciation of the Board. The Firemen are proud of their system, in that it is perhaps one of the only actuarially sound Firemen's pension systems in the State of Texas, and they guard it carefully. The firemen voting to increase their contributions with the City's matching funds, and their not increasing their benefits to the extent it would make their system unsound, resulted in their having a very fine system. The City Attorney recalled when Mayor Palmer first came on the Board, the system was in desperate condition, and he had worked very diligently for a long period of time to assist the Firemen in getting their system where it is today.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 650913-A
TO APPROPRIATE FUNDS FOR RETIREMENT FOR FIRE-
MEN; AND DECLARING AN EMERGENCY.

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

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

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

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

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

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

The Mayor announced the ordinance had been finally passed.

The City Manager reported receipt of a letter from Mr. Tom Wood, Highway Department, regarding a section of Highway 71 from Bergstrom Interchange to Onion Creek. He said as plans developed, the Bergstrom Field people became interested in getting a grade separation for pedestrian traffic from vehicular traffic at the entrance to Bergstrom Field. The Bureau of Public Works and Highway Department at that time could not use certain funds for a pedestrian separation, and it was discussed with the Council that the funds that would come from the sale of the strip of land along the north side of Bergstrom which belonged to the City might be used to construct a pedestrian cross-over. The Council agreed it would be satisfactory that funds coming to the City for right of way of the Highway be used for that purpose. Subsequently, plans have been changed, and facts have been found which warrant the Highway Department and Bureau of Public Roads to build a full vehicular grade separation at that entrance, and the highway will be carried over the road below, leaving the Bergstrom entrance below the highway. The County acquired all of its right of way and it is proposed that the City either deed or dedicate its property for right of way purposes without cost since the Highway Department is doing more than planned initially. After discussion, Councilman Long moved that the property along the north side of Bergstrom Field be dedicated for street purposes. The motion, seconded by Councilman LaRue, carried by the following vote:

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

(Resolution dedicating property adopted March 31, 1966)

The City Manager referring to a memorandum from the Finance Director, stated after discussing with the Fiscal Advisor, he suggested taking bids on the sale of bonds on January 27, 1966, as follows:

General Obligation Bonds	\$3,000,000
Revenue Bonds	\$6,000,000

After discussion, Councilman LaRue 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 advertise for bids on the sale of bonds of the City of Austin at 10:00 A.M. January 27, 1966, as follows:

Fire Stations General Obligation Bonds	
\$100,000 authorized at an election	
August 6, 1960 and \$75,000 authorized	
at an election August 22, 1964	\$175,000.00

Hospital Improvements General	
Obligation Bonds, authorized at an	
election August 22, 1964	700,000.00

Street, Bridges and Drainageways General	
Obligation Bonds, \$1,150,000 authorized	
at an election August 6, 1960 and \$650,000	
authorized at an election August 22, 1964	1,800,000.00

Parks and Recreation General Obligation	
Bonds, authorized at an election August 22,	
1964	<u>325,000.00</u>

General Obligation Bonds Total	\$3,000,000.00
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Electric Light and Power System Revenue	
Bonds, authorized at an election August 6,	
1960	<u>\$6,000,000.00</u>

Revenue Bonds Total	\$6,000,000.00
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Advertisements for such bids shall be in the usual and customary form and shall be published at least once in The Austin Statesman, Austin, Texas, and in the Bond Buyer, New York, New York, and in addition shall be given such circulation as will invite attention to the proposed sale. The right shall be reserved to the City of Austin to reject any and all bids, and advertisements shall direct the filing of sealed bids to be opened by the City Council at a regular meeting held for such purpose in the City Hall at the time and date hereinbefore set forth.

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

The City Manager displayed a long report from the Tourism Committee of the Chamber of Commerce showing what they did last year in the tourism program and giving a complete report of the activities of the committee, and the expenditure of the funds during the year. They want a renewal of this arrangement for this year. Last year a formal contract was entered into terminating at the end of the fiscal year. Although funds are budgeted for this year there is no contract authorizing them to proceed. The City Manager recommended instead of going through this tedious work of preparing a very formal contract annually and the Council's having to reconsider it each time since the Council had considered it from a Budget point of view anyway, that in the new contract this year, a provision be made that the contract would continue from year to year as long as the Council appropriated money for the program. Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a contract and agreement between the City of Austin and the Austin Chamber of Commerce, Inc., providing for the promotion and development of the tourist industry in Austin, all in accordance with the terms and conditions of said contract and agreement, a copy of which is attached to this Resolution and made a part hereof for all pertinent purposes, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of such contract and agreement without recordation in the Minutes of the City Council.

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

Councilman LaRue moved that the Council grant the Highland Lakes Tourist Association and Central Texas Marine Trade Association permission to erect banners under the usual conditions at 7th and Congress, 1st and Congress, and 19th and Guadalupe for the Central Texas Boat and Travel Show to be held in the Auditorium on January 21-23. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Councilman Shanks moved that the membership be renewed in the U.S. Conference of Mayors at the \$500.00 fee. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager reported that Judge Ned Granger has to have surgery and will be hospitalized for a week or so, and asked that the Council consider a

substitute for taking his place. He will go into the hospital January 27th and will be out that one week. Councilman Shanks moved that the Council try to secure the services of Judge Virgil Lott for the interim period. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager stated specifications were complete and had been distributed to prospective bidders for a boiler for the new Power Plant calling for bids on January 13, 1966. Copies of these specifications were filed with the Council for its review. Councilman White moved that the Council receive bids for this boiler at 10:00 A.M. January 13, 1966. The motion, seconded by Councilmen Shanks, carried by the following vote:

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

Regarding the specifications for the boiler, Councilman Long questioned the provision that the boiler would have to be made within the limits of the United States. The City Manager stated servicing and spare parts made this a necessity. Councilman Shanks favored giving good American labor the job; that these boys that work in this country are entitled to the labor.

After discussion and upon recommendation of the Superintendent of the Water Treatment Plant and the City Manager, Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized and directed to enter into and execute on behalf of the City of Austin an agreement with Will Platt of Travis County, Texas, under which said agreement the City of Austin shall lease, for grazing purposes at \$300 per annum for a one year period beginning on January 1, 1966, to the said Will Platt the following described parcel of land, to-wit:

76 acres, more or less, of land located outside the City's Oxidation Pond water areas at Hornsby Bend, said 76 acres, more or less being out of and a part of that certain 134.17 acre tract heretofore conveyed to the City of Austin by Will Platt, Jr., et ux by warranty deed dated January 16, 1956 and recorded in Volume 1653 at page 271 of the Travis County Deed Records to which deed reference is hereby made for a more particular description.

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 telegram from Mr. William L. Slayton, Housing Home and Finance Agency stating \$178,217 planning advance and \$5,314,349 grant reservation were approved for Brackenridge. Urban Renewal Agency is being notified.

Mayor Palmer read a letter from MRS. STUART McCORKLE concerning uncovered garbage cans, unleashed dogs and trash on the streets along the 2100-2200 block of Matthews Drive and in the alley between Rockmoor and Matthews Drive. Councilman Long stated Mrs. McCorkle's main idea was to have the garbage cans picked up at the rear. It was not clear whether Mrs. McCorkle's complaint concerned garbage, or the dogs' turning the cans over. The Director of Public Works was investigating this matter.

Mayor Palmer reported one person had requested permission to obtain a metal container in which he could place his garbage cans, but some department head had stated this was not permissible. The Director of Public Works had not heard of this request, but saw disadvantages to such, as it would consume more time to empty the cans and the garbage might run over into the container. The Director of Public Works stated he would check into this thoroughly.

The City Manager recalled that bids were taken on the swimming pool in southwest Austin and they came in so high they were rejected, and the Council asked that a study be made on the possibility of reducing the requirements, specifications, etc. Some work has been done on that and discussions with Mr. John Coats were held on the possibility of constructing a pool at less cost. The principle savings suggested by Mr. Coats that could be brought about would be reducing the depth of the pool and in going into a Heavy Construction wage scale instead of the Builders' wage scale. Other factors suggested were using cheaper piping which does not have as long a life as the pipe specified; and installing vertical filters instead of gravity filters which the City uses, and which is a very satisfactory operation requiring very little maintenance. The indication so far is that the City's specifications are preferable as that type of pool has low maintenance costs, long life and it is the best kind to build. It is hardly possible now to get a pool ready by next summer. The deadline on completion probably had something to do with the limited number of bidders and the prices bid. The City Manager asked for a little more time to find areas where the cost could be reduced. He did not recommend lowering the depth requirement, as an 8" pool is too shallow but continuing the planned depth at 12-12½'. He pointed out some areas where some costs could be deferred--reducing the concrete deck, and add to it later; omit either one or both shelters or reduce them in size; or reduce the bathhouse in size. Councilman Shanks stated there was more excavation required, and it's not a matter of paying more for the same type of pool as there is a lot more pool in a different place. The Mayor asked that the study be continued and get it under contract this spring.

The City Manager called attention to the Progress Report on Electric Utilities filed with the Council.

The Council recessed until 2:30 P.M.

RECESSED MEETING

2:30 P.M.

At 2:30 P.M. the Council resumed its business.

The City Manager made a report on the "Little Texas" project, and pointed out on an aerial photo the area which was proposed by Mr. Pat Cain for this operation. The area would include the Butler lease, purchased from Mr. Andrew Zilker as a part of Zilker Park, and which land was subject to a 99 year lease, which now has between 40 and 50 years to run. The land was deeded to the schools with the understanding the City would purchase it from them for park purposes, and the Schools would use the money for a Manual Training Department. The Butler lease included a tract of land on the north bank of the river, west of the west sand beach reserve; also a parcel of land on the south bank of the river in Zilker Park which was used by the Butlers as a source of material for making bricks. These are the areas Mr. Cain proposes for the "Little Texas" plus a little additional land on the south side in the park and land north of the river from the west line of the Butler lease at the intersection of 5th, 6th, 1st Streets and Lake Austin Boulevard, extending east of the Butler tract, probably into the Sand Beach Reserve. The City Manager stated it had always been the view that when the lease expires or any part of it is released it automatically becomes park land. The City Manager reviewed an arrangement with the Butler family in which they released everything below the bluff, and that land reverted to the City; and the City released the Butlers from the limitation that the land on the south could be used for brick making purposes only. He pointed out another area on the south side used by the Butlers who did considerable excavation. More recently that tract has been used as a Sanitary Fill.

The City Manager stated the Administration had tried to see how "Little Texas" would fit into the area and other plans affected the area. The development of the Missouri Pacific Boulevard will include a great part of this land in a grade separation and interchange according to plans by Mr. Cotton, involving West 1st Street, West 5th and 6th Streets, Lake Austin Boulevard and the railroad. He showed plans of the interchange superimposed on the aerial photo. Under the plan of development, the interchange would wipe out the Butler lease, and it would have to be determined what the lease is worth so the City could purchase it.

Also shown was the island on the north side which was to be created by cutting a channel around the area as recommended by the Town Lake Plan. Also noted was the part to be dredged to widen the river, already under contract with Capitol Aggregates. The Mayor stated if the present plans were carried out there would be nothing there for "Little Texas". The City Manager stated there would not be enough land, as Mr. Cain would need 30 or 40 acres. The City Manager said when the Garden Center group asked for permission to build the center on top of the hill, they also spoke of gardens under the hill between the Garden Center and the river as a part of their plan. After the sanitary fill is closed, the area would make an excellent site for the gardens. Mayor Palmer inquired about the legality of using another area in Zilker Park along Barton Creek. The City Manager explained it would be necessary to hold an election covering the two tracts in question as well as any other in Zilker Park. The Mayor asked about the commitment to the island and to the excavation. The City Manager said the excavation was under contract; but the plan approved by the Council could be changed. The plan envisioned a sky ride and recreation. Mayor Palmer asked if "Little Texas" would furnish as much recreation as having an

island planned for recreation. Mr. Leddick, Assistant Director of Recreation, stated the Department preferred the development of the island which could have a commercial activity, one idea being an Indian Village, which would bring in revenue; or several developments that would not be as massive as this proposed one. He had not seen anything definite as to what "Little Texas" was planned to be.

The City Manager in connection with the highway right of way read the minutes of the Town Lake Committee pointing out the amount of this area that would be consumed by the Missouri Pacific Intersection at 5th and 6th Streets and by the widening of the river and creation of the island. The Committee approved the project with the qualification that a suitable site be selected, indicating this site was not the place. Other locations recommended were the areas where Kasauba Beach now is located, or the Fish Hatchery site, which proved to be too small. Councilman Shanks stated this development would be a fine thing and many people would use it.

Councilman LaRue suggested that the City Manager show this overlay of the Boulevard to Mr. Cain and the developers and discuss it again with them. The City Manager pointed out the timing, expressing doubt that a new plan could be made and studied enough to know whether there could be a different lay out in less than six months, and that is too late for these developers' purpose. The City Attorney pointed out it was to be determined whether or not to spend money to call an election, and Mr. Cain acknowledges the necessity of an election for permission to use both the Butler Tract and Zilker Tract, but not the sand beach reserve; however, there is not sufficient land on the sand beach alone. Councilman Long stated she was not sure that this matter was worthy of being put up for an election; that the island and gardens were planned and there would not be enough area left. She suggested other activities be removed to the Fish Hatchery and that their sites be utilized for "Little Texas". The Mayor asked the City Manager to show Mr. Cain exactly what the status is; and if this tract is still large enough, the Council would consider it further; if not, they would have to look at some other area. The City Manager read Mr. Cain's letter specifically seeking out what he wanted to lease, which was the Butler Tract north of the river plus the sand beach adjacent to it; the land south of Town Lake formerly used in conjunction with the Butler Brick tract; plus leasing some of Zilker Park land joining that tract south of Town Lake for building a high quality amusement park similar to Six Flags. The Mayor stated the Council would make a lot of effort to try to get something like this for the City of Austin. He stated Mr. Williams would review this with Mr. Cain in light of this discussion to see if the known plans would ruin their proposal as far as this particular tract is concerned.

MAYOR PALMER brought up the subject of a Night Court stating the Council for many years had thought there was a need for such. He asked the City Manager for information and estimates of additional expense that might be expected. The City Manager stated there was a provision in the new Criminal Procedure Act that people have a right to make a cash bond, and that would necessitate having a clerk who had authority to receive cash bonds for the Court available 24 hours a day seven days a week. It was estimated by the Clerk of the Corporation Court it would take at least three additional people to keep the Court Clerk's Office open 24 hours a day, seven days a week. The night people when not busy waiting on the public, would help in the tremendous work load of paper work involved in that Court. He said the extent of that was not certain, as it could be, due to

the growth of the City and increased business of the Court, that all of the same number of people would be needed as there would just be more business to handle and some of them might be working night instead of the day time; but there is certainly plenty of work to keep them busy when they are not waiting on the public. The City Manager estimated on an annual basis, it would take about \$28,000 to provide a Judge, Prosecuting Attorney, and three clerks. For the remainder of this fiscal year, it would take around \$10,000 for the three clerks and around \$7500 for the Judge. The City Attorney stated the Night Court Judge necessarily would not need to be on a full-time basis. Mr. Hill had suggested two half-time Judges so they could alternate. Mayor Palmer stated he did not think a night court would be all expense, as it would be a savings on overtime on police that have to testify, and there will be a savings in many areas. The City Manager reported from the operations of this fiscal year, there would be funds available. Councilman Shanks moved that the present Corporation Court be expanded to cover night operations in line with the personnel set-up as discussed, the Magistrate to be appointed by the Council; and that the Court be in operation as near January 1st as possible. The motion, seconded by Councilman Long, carried by the following vote:

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

Noes: None

Councilman Long did not want the present Court made into a night court; she wanted two courts, so that there would be a full judge in the day time and that there would be complete responsibility. Councilman Shanks stated he understood this would be an expansion of the present bench which they have, and the Magistrate they have now will be the Chief. The City Manager explained if there were two courts, they would have to be designated, and cases filed in one court or the other. There is more flexibility if there are two judges of the same court, and it would be up to the Council to select the new Judge and inform each of the Judges what is expected of him in the way of duty hours. The City Manager stated it would take an ordinance to appropriate the funds.

Mayor Palmer said this was something the Council had been considering for the last several years, and it is not creating this night court necessarily because of the new criminal code procedure; but because it would be a convenience to the citizens of Austin who could not take off from work and give up their wages during the day time, and some of the cases could be set at night. Councilman Long stated Austin had grown and it had the same Judge performing the same duties all of these years, and it stood to reason this is the time to give that Court some relief, and get cases handled faster and give people a better opportunity to be heard.

Councilman White moved that the following be reappointed as members of the Board of Adjustment for a term extending to December 31, 1967:

MR. H. W. SAUER
MR. E. L. WILLIAMS
MR. H. M. TOTLAND
MR. JACK ANDREWARTHA

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

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

Noes: None

Councilman Long moved that the following be reappointed as members of the Library Commission for a term extending to January 1, 1968:

MR. O. DOUGLAS WEEKS	MRS. HERBERT ASH
MRS. A. W. HARRIS	MR. EDMUNDS TRAVIS
MR. R. W. PETTWAY	MRS. W. E. SHALLENE
MR. BILL WEEG	MRS. RALPH HANNA
MRS. CLAUDE HILL	MR. T. H. WILLIAMS, JR.
MRS. JOHN BROAD	REV. ROBERT L. ROWE
MRS. ROBERT BATTLE	MRS. IRWIN SPEAR
MISS HELEN HARGRAVE	

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

Councilman Long moved that the following be reappointed as members of the Navigation Board for a term extending to January 1, 1968:

MR. STERLING SASSER, SR.
 MR. DALLAS HOLFORD
 MR. FRANK McBEE, JR.
 MR. JESSE RAVEN

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

Councilman Long moved that the following be reappointed as members of the Solicitation Board for a term extending to November 5, 1967:

MR. R. V. MILLER
 MRS. E. T. MORRIS

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

The Council carefully considered the tax appeals and made decisions as indicated below:

Councilman LaRue moved that the Council sustain the Board of Equalization and set the assessed value on the following property:

W. B. WHITE		Assessed Value	
		Fixed by Board	Council Action
4003 Jefferson	Land	\$1,130	\$1,130
Lot 110 Ridgelea	Improvements	4,320	4,320
Parcel No. 1-2200-1405	Total	\$5,450	\$5,450

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

Councilman White moved that the Council sustain the Board of Equalization and set the assessed value on the following property:

MRS. JULIUS F. FRANKI

		Assessed Value Fixed By Board	Council Action
600 South 1st Street	Land	\$52,550	\$52,550
10.75 ac. Lots 2 and 5	Improvements	10,120	10,120
Block B, J.E. Bouldin Estates	Total	\$62,670	\$62,670
Parcel No. 1-0201-0601			

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

Councilman White moved that the Council sustain the Board of Equalization and set the assessed value on the following property:

H. M. OETTING

		Assessed Value Fixed By Board	Council Action
1300 Lavaca	Land	\$ 41,060	\$41,060
Lots 5 and 6, Block 157	Improvements	58,350	58,350
Parcel No. 2-1002-1906	Total	\$ 99,410	\$99,410

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

Councilman Shanks moved that the Council sustain the Board of Equalization and set the assessed value on the following property:

GEORGE S. NALLE

		Assessed Value Fixed By Board	Council Action
618½ Congress Avenue	Land	\$194,130	\$194,130
Lot 6, Block 70	Improvements	35,240	35,240
Parcel No. 2-0603-0205	Total	\$229,370	\$229,370
908 Congress Avenue	Land	\$ 29,670	\$ 29,670
South 23' of Lot 3, Block 110	Improvements	4,470	4,470
Parcel No. 2-0603-0511	Total	\$ 34,140	\$ 34,140
906 Congress Avenue	Land	\$ 29,670	\$ 29,670
N. 23' of Lot 2, Block 110	Improvements	4,400	4,400
Parcel No. 2-0603-0512	Total	\$ 34,070	\$ 34,070

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

Councilman Shanks moved that the Council sustain the Tax Department and set the assessed value as follows:

FRANCES MARIE LeMOND		Assessed Value Fixed by Tax Dept.	Council Action
405 West 7th Street,	Land	\$ 6,200	\$ 6,200
E. 46' of Lot 7, Block 73	Improvements	13,420	13,420
Parcel 2-0601-0902	Total	\$19,620	\$19,620

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

Councilman Long moved that the Council accept the withdrawal of the following appeal and assess the property as follows:

C. H. TAYLOR, JR. By Douglass D. Hearne		Assessed Value Fixed by Tax Dept.	Council Action
200 Crockett	Land	\$ 6,420	\$ 6,420
332 x 179' avg.	Improvements	224,780	224,780
Isaac Decker League			
Parcel No. 4-0201-1112	Total	\$231,200	\$231,200

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

Councilman Shanks moved that the values on land and improvements be set by the City Council at the following figures:

W. P. HOLLOWAY		Assessed Value Fixed by Board	Council Action
1109 East 4th Street	Land	\$ 2,770	\$ 2,400
Lots 16 and 17, Block	Improvements	570	570
13, Outlot 2, Division 0			
Parcel No. 2-0405-1803	Total	\$ 3,340	\$ 2,970
1111 East 4th Street	Land	\$ 2,770	\$ 2,400
Lots 14 and 15, Block	Improvements	-0-	-0-
13, Outlot 2, Division 0			
Parcel No. 2-0405-1804	Total	\$ 2,770	\$ 2,400

(Adjustment made because spur track veers off at his property and he does not have benefit of the spur.)

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

Councilman Long moved that the Council accept the figures of \$531,530 recommended by the Tax Department and set the assessed values as follows:

CHARIOT INN MOTOR HOTEL, By A. L. Hill		Assessed Value Fixed by Tax Dept.	Council Action
7300 Interregional	Land	\$ 59,910	\$ 59,910
Lot 3 less W. 50'	Improvements	<u>566,120</u>	<u>531,530</u>
Tex-Con Addn. #1			
Parcel No. 2-3114-0703	Total	\$626,030	\$591,440

(Adjustment on restaurant facilities.)

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

As the building on this property was in the process of being demolished the Council removed the improvements from the tax rolls and Councilman LaRue moved that the assessed value be set as follows:

DOROTHY E. WAGNER, By F. F. Knight		Assessed Value Fixed by Board	Council Action
407 South Congress Ave.	Land	\$ 48,820	\$ 48,820
1.312 acres Isaac Decker League	Improvements	<u>7,500</u>	<u>-0-</u>
Parcel No. 2-0101-0202	Total	\$ 56,320	\$ 48,820

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

The Council decided to call a Special Meeting at 10:00 A.M., Tuesday, December 21st, to take action on the following pending tax appeals:

Mr. George T. Ramsey, by Robert Mueller, Texas Hotel - 125 West 7th Street

Mr. Marvin A. Bergstrom, Penthouse - 401 West 13th Street

Mr. Wayne B. Swearingen, Cambridge Tower - 1801 Lavaca Street

Austin Corporation by David Barrow, David Barrow, and E. R. Barrow,
by David Barrow

December 16, 1965

The City Manager reported the contract for brass fittings had expired. This is a purchase agent's contract which does not require the taking of bids, as the items can be purchased in small quantities; but to save money they do let contracts for a year's supply. Last year there were two close bids, and the Council decided to do business with the local supplier. The contract needs to be extended or bids taken. The present supplier will bid the same on all items as he did last year except on two items. Councilman White moved to renew the contract with Austin Pipe and Supply Company for one year. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The amount of the contract on estimated quantities is about \$19,000 - \$20,000.

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

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

The Council adjourned about 5:00 P.M. subject to the call of the Mayor.

APPROVED

Levin E. Palmer
Mayor

ATTEST:

Erin Woodley
City Clerk