

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 23, 1965

10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Pro tem Shanks presiding.

Roll call:

Present: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Absent: Mayor Palmer

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 ARTHUR RODE, Faith Lutheran Church.

Mayor Palmer was absent due to illness in his family.

MR. DARBY ORGAIN said the Men's Garden Club was in favor of the proposal of "Little Texas" and hopes it will equal or be better than Texas Under Six Flags or Disneyland, but the Club objects to the proposed location for "Little Texas". No park to which he had been has the nucleus that Austin's fine Garden Center has, and he expressed appreciation for the help the City had given them in building this Center. For the Garden the Jewish people appropriated funds to build an ever flowing fountain in the shape of the Star of David. This will be one of the most outstanding botanical gardens in the United States. There also will be a place set aside for Meditation. These developments are not in keeping with a blaring carnival just down the hill. The Garden Clubs are for "Little Texas", but suggested they buy their own property and develop it as did Disneyland and Texas Under Six Flags. He asked the Council to give further consideration to this proposal and that this private venture will not be allowed to be placed next to one of the outstanding projects in the United States, the Garden Club's Botanical Center. Mayor Pro tem Shanks stated the request for a site is just being considered, and the Council appreciated his comments as it wants to know what all of the citizens wish.

Councilman White 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 982 square feet of land, same being out of and a part of Lot 12, Block C, Herman Brown Addition No. 2, Section 4, a subdivision of a portion of the Daniel J. Gilbert Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Herman Brown Addition No. 2, Section 4, of record in Book 19 at Page 36 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 such easement; and,

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

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

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

982 square feet of land, same being out of and a part of Lot 12, Block C, Herman Brown Addition No. 2, Section 4, a subdivision of a portion of the Daniel J. Gilbert Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Herman Brown Addition No. 2, Section 4, of record in Book 19 at Page 36 of the Plat Records of Travis County, Texas; which 982 square feet of land are more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the west line of said Lot 12, same being the east line of Lot 11, and a line five (5.00) feet north of and parallel to the most westerly south line of said Lot 12, and which point of beginning is at the southwest corner of the herein described tract of land;

THENCE, with the said west line of Lot 12, North $01^{\circ} 15'$ West 64.45 feet to the northwest corner of the herein described tract of land;

THENCE, North $88^{\circ} 45'$ East 5.00 feet to a point in a line five (5.00) feet east of and parallel to the said west line of Lot 12 for the northeast corner of the herein described tract of land;

THENCE, with the said line five (5.00) feet east of and parallel to the west line of Lot 12, South $01^{\circ} 15'$ East to a point in the westerly prolongation of a line five (5.00) feet north of and parallel to the most easterly south line of said Lot 12 for an interior ell corner of the herein described tract of land;

THENCE, with the said westerly prolongation of a line five (5.00) feet north of and parallel to the most easterly south line of Lot 12 in an easterly direction, South $83^{\circ} 52'$ East to a point in a line five (5.00) feet north of and parallel to the most westerly south line of Lot 12 for the most easterly corner of the herein described tract of land;

THENCE, with the said line five (5.00) feet north of and parallel to the

most westerly south line of Lot 12, South 74° 32' West 65.87 feet to the point of beginning.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

After detailed explanation and discussion, Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Frank E. Montgomery, owner of Lot 4 and the north 2.00 feet of Lot 3 of a subdivision of Outlot 53, Division E, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, has requested permission to construct concrete steps in the west sidewalk area of San Jacinto Street north of East 16th Street; and,

WHEREAS, said Frank E. Montgomery has submitted plans showing the proposed location of said concrete steps; and,

WHEREAS, said request has been reviewed and considered by the City Council of the City of Austin; Now, Therefore,

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

THAT Frank E. Montgomery, owner of Lot 4 and the north 2.00 feet of Lot 3 of a subdivision of Outlot 53, Division E, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, be permitted to construct concrete steps in the west sidewalk area of San Jacinto Street, the street side of said concrete steps to be 2.84 feet east of and parallel to the west line of said San Jacinto Street and extending from the easterly prolongation of a line 22.00 feet south of and parallel to the north line of said Lot 4 in a southerly direction 4.00 feet, in accordance with line contrals furnished by the Department of Public Works of the City of Austin, upon the following conditions:

1. Such improvements shall be constructed and maintained in compliance with all ordinances relating thereto.
2. Such improvements shall be subject to all reasonable police, traffic, fire and health regulations of the City of Austin, now existing or hereafter adopted.
3. The repair or relocation of any and all utilities made necessary by such improvements shall be done at the expense of Frank E. Montgomery.
4. By acceptance of the benefits granted hereby the said Frank E. Montgomery, his heirs and assigns, agree to indemnify and save the City of Austin harmless from any and all claims against the City of Austin growing out of, arising from, or connected with the construction, maintenance, or existence of such improvements.
5. The said Frank E. Montgomery, his heirs and assigns, shall be

responsible for and reimburse the City of Austin for any costs incurred in repairing and restoring the sidewalk in the area of such improvements as a result of construction of such improvements.

6. The privilege hereby granted may be revoked at any time by the City of Austin without formal notice and upon such revocation such improvements shall be removed and the premises restored to its original condition, at the expense of Frank E. Montgomery, his heirs or assigns.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

The City Manager submitted the following:

"December 17, 1965

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

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, December 17, 1965 at the Office of the Director of the Water and Sewer Department for the installation of approximately 6,102 FEET OF 42-INCH CONCRETE SANITARY SEWER PIPE, 1,791 FEET OF 36-INCH CONCRETE SANITARY SEWER PIPE, AND 180 FEET OF 8-INCH CONCRETE SANITARY SEWER PIPE ALONG BARTON CREEK. The purpose of this project is to provide sanitary sewer service to a portion of the Barton Creek Area. The bids were publicly opened and read in the Second Floor Conference Room, Municipal Building.

"The following is a tabulation of bids received:

<u>"Firm</u>	<u>Amount</u>	<u>Working Days</u>
Bland Construction Company	\$341,187.80	210
John R. Hughes Construction Company	388,643.85	200
Austin Engineering Company	492,575.40	325
"City of Austin (Estimate)	405,134.76	

"It is recommended that the contract be awarded to the Bland Construction Company on their low bid of \$341,187.80, with 210 working days.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 17, 1965,

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for the installation of approximately 6,102 feet of 42-inch concrete sanitary sewer pipe, 1,791 feet of 36-inch concrete sanitary sewer pipe, and 180 feet of 8-inch concrete sanitary sewer pipe along Barton Creek; and,

WHEREAS, the bid of Bland Construction Company, in the sum of \$341,187.80, was the lowest and best therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Bland Construction Company, in the sum of \$341,187.80, 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 Bland Construction Company.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman LaRue offered the following resolution and moved its adoption subject to the 10' setback as required by 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 Mr. N. W. Christensen as described in the Travis County Deed Records and known as Lot 22, Section 1, Block "A" Rivercrest Addition and hereby authorizes the said N. W. Christensen 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 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 N. W. Christensen has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
December 20, 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. N. W. Christensen 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 22, Section 1, 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 twenty-six (26) feet

beyond the normal high water level. The construction details meeting all requirements, I recommend that if Mr. N. W. Christensen is granted his request by the City Council that it be subject to the following conditions:

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

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

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

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

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

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

Councilman LaRue offered the following resolution and moved its adoption subject to the 10' setback as required by 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 Mr. and Mrs. Jim Churchwell as described in the Travis County Deed Records and known as 40 x 125 feet of the Joe Tucker Tract, Thomas Gray Survey #2 and hereby authorizes the said Mr. and Mrs. Churchwell 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 Mr. and Mrs. Jim Churchwell have failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

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(Recommendations attached)

"Austin, Texas
December 17, 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. and Mrs. Jim Churchwell owners 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 40 x 125 of the Joe Tucker Tract, Thomas Gray Survey #2 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. and Mrs. Jim Churchwell are granted their 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 Long, carried by the following vote:
Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks
Noes: None
Absent: Mayor Palmer

Councilman LaRue offered the following resolution and moved its adoption subject to the 10' setback as required by 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

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of a boat dock on the property owned by Mr. W. R. Coleman as described in the Travis County Deed Records and known as Lot 6, Lake Shore Addition and hereby authorizes the said W. R. Coleman 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. R. Coleman has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
December 16, 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. W. R. Coleman 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 6, Lake Shore Addition as recorded in the Travis County Deed Records, for permission to construct and maintain a fishing pier projecting out into the lake approximately twenty (20) feet and a house dock extending over the water in an existing slough. The construction details meeting all requirements, I recommend that if W. R. Coleman 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, unless provisions are made to dispose of sewage into a septic tank approved by the Health Department and such living quarters approved by the City Council.

"(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 Long, carried by the following vote:
Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks
Noes: None
Absent: Mayor Palmer

Councilman LaRue offered the following resolution and moved its adoption subject to the 10' setback as required by 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 Billy Hill as described in the Travis County Deed Records and known as Lot No. 12, Block "A" of Aqua Monte Subdivision and hereby authorizes the said Billy Hill 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 Billy Hill has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
December 15, 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 Billy Hill 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 No. 12, Block "A" of Aqua Monte 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 Billy Hill 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 Long, carried by the following vote:
Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks
Noes: None
Absent: Mayor Palmer

The Council had under consideration a request of STERLING HOLLOWAY, et al, for a boat dock on Tracts 12, 13, 14 and 15 lying upstream from the westerly extension of the south line of Windsor Road. The Building Official called attention that these tracts were 10' wide and belonged to various property owners. Several neighbors object to this plan submitted, and he recommended that this request be held for further study until the property owners would get together and decide where the property lines, etc. are. There is a problem between property owners as to who owns the property. The City Attorney explained three people had made an agreement each having an undivided interest in these tracts, but there are a number of property owners that do not agree. He had not seen the executed instrument, and his approval would be based upon the executed recorded instrument.

Mr. Coleman wanted a recommendation from the Council that the instrument is correct; and if the property did belong to them, that they could build a dock. The argument is not with the Council but between the property owners. Sterling Holloway, Ralph Moore and he had title to the property. If the City Attorney approves the instrument, they could go ahead with the dock, and it would be up to the other property owners if they feel they own the property to obtain a temporary injunction. Mr. Smartt, Attorney, was representing Mr. Mac Hull; and Mr. Malcolm Robinson was representing Mr. Forrester. The City Attorney stated his investigation was unrelated to the title examination and his concern was if the instrument he saw would effectively create an undivided interest in the tracts. Mr. Smartt, representing Mr. Hull, stated the property had been subdivided and a plat put on record. These gentlemen are asking to put a boat dock right in front of Mr. Hull's home which has been there for 25 years. He asked if a dock is permitted in that area, to whom will the permission be granted. Mr. Smartt stated if a permit were granted it would force them into Court and there is a suit pending now involving the same matter. Mr. Mac Hull stated he purchased this property 25 years ago. Adjacent to his land is an easement to give those who purchased land upon the hill permission to cross to reach the lake. Their deeds designate a 10' waterfront along the wall one foot deep, and this was left open for these people to tie their boats up. That was in his deed, and he had a release from Mr. Shelton of all of the property which he had under fence for over 20 years. The release stated if the Court allows these two 10' pieces of property in front of his house to be used, these men would

have only the right to tie a boat to the wall--not to build a dock. His property line extended to the edge of the water, or to the center of the creek. People living on the hill are privileged to come up and down that inlet. If this dock is permitted it will extend out 37' into the water. The inlet is 110' wide. That dock will obstruct a lot of boating. If they do have space along the wall, he suggested they build the dock longways and not project it out into the cove. After discussion, the City Attorney stated the instrument furnished to him to determine whether or not it would comply with the City ordinance, also was based upon the premises that the owners of the 10' strip also owned the adjoining property and not that they were in front of some other property. It was called to his attention that this application for a dock not only is not 10' away from a side lot line, but is encroaching upon another claimed property. He had no interest in the claim. As far as the ordinance is concerned, he stated he believed the issuance of the permit would be improper under the state of the survey provided by Mr. Coleman. He said he did not believe this request complied with the ordinance.

Mayor Pro tem Shanks stated this was a matter for the Courts to decide as to the ownership of the land, then the Council could issue a permit. Mr. Holloway acknowledged that Mr. Eskew might be right, preferring this be resolved by the Courts first. He suggested that the permit be granted, and the Court would then have something to determine as to whether or not they owned the property. Mr. Holloway discussed at length the deeds, releases, and transactions. After more discussion, Councilman White moved that this permit be delayed until after the Courts decided who owns the property. The motion died for lack of a second.

Councilman LaRue said this was not a matter for the Council to determine. Everytime anyone asked for a permit in this area the same thing would occur. The Council is asked to decide if this permit is within the confines of the ordinance. The City Attorney stated it would appear by the survey provided the Council, to be questionable as to whether it would comply with the ordinance or not.

Councilman Long moved that the permit be issued contingent upon the proof of ownership of the property when the Court decides it plus compliance with the ordinance. The motion lost for lack of a second.

Councilman LaRue moved that this permit be granted subject to compliance with the ordinance and that the permit be granted to the owners of the property. The motion was seconded by Councilman Long. Roll call showed the following vote:

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

The motion lost by a tie vote.

Mayor Pro tem Shanks suggested a motion that the Council favorably consider issuing a permit for a boat dock in this area when and if the Council has conclusive proof as to whom the rightful owners are.

Councilman LaRue moved that the permit be granted so long as there is compliance with the ordinance and that the permit be granted to the rightful owners of the property. The motion was seconded by Councilman Long. Roll

call showed the following vote:

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

The motion lost by a tie vote.

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

Mr. Noglin asked if the Council ever issued a permit before without knowing whom the owners are. Mayor Pro tem Shanks stated he did not think a permit was ever issued without the Council's being under the impression they were issuing it to the rightful owner; or where ownership was contested, he did not recall any permits being granted while he was on the Council.

Councilman Long moved that the Council favorably consider issuing a permit for a boat dock in this area when and if the Council has conclusive proof as to whom the rightful owners are. The motion, seconded by Councilman LaRue, carried by the following vote:

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

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 Council of the City of Austin hereby approves the erection of a boat dock on the property owned by Mr. J. O. McCoy as described in the Travis County Deed Records and known as Lot 3 in C. E. Bar Ranch, Lake View Acres and hereby authorizes the said J. O. McCoy 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 J. O. McCoy has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
December 17, 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. J. O. McCoy 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 3 in C. E. Bar Ranch, Lake View Acres 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 Mr. J. O. McCoy 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 Long, carried by the following vote:
Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks
Noes: None
Absent: Mayor Palmer

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 Council of the City of Austin hereby approves the erection of a boat dock on the property owned by Mr. Duncan C. Perkins as described in the Travis County Deed Records and known as tracts 90' x 735' - North 90' of James F. Grove original tract, across from North end of City Park and hereby authorizes the said Mr. Duncan C. Perkins 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 Mr. Duncan C. Perkins has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
December 15, 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. Duncan C. Perkins 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 tracts 90' x 735' - North 90' of James F. Grove original tract, across from North end of City Park as recorded in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately twenty-seven (27) feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Mr. Perkins 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 Long, carried by the following vote:
Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks
Noes: None
Absent: Mayor Palmer

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 Council of the City of Austin hereby approves the erection of a boat dock on the property owned by Mr. Stanley B. Schuster as described in the Travis County Deed Records and known as a portion of the Wm. Woolford Survey No. 40 and hereby authorizes the said Stanley B. Schuster 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 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 Stanley B. Schuster has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
December 21, 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. Stanley B. Schuster 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 a portion of the Wm. Woolford Survey No. 40 as recorded in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately twelve (12) feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Mr. Stanley B. Schuster is granted his request by the City Council, that it be subject to the following conditions:

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

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

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

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

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

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

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 Council of the City of Austin hereby approves the erection of a boat dock on the property owned by Mrs. Lucille Spreen Wilson as described in the Travis County Deed Records (See attached legal description) and hereby authorizes the said Mrs. Lucille Spreen Wilson 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 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. Lucille Spreen Wilson has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Legal description attached)

.64 of one acre of land, a portion of the H. S. Whitehead Survey #43 in Travis County, Texas, and being a portion of Lot 3, Block 24, Austin Lake Estates, Section 1, a Subdivision of record in Plat Book 9, Page 34, Travis County Plat Records, said Lot 3 being described in a deed from Austin Lake Estates, Inc. to J. S. Childers et ux as recorded in Book 2437, Page 407, Travis County Deed Records, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at an iron stake at the Southeast corner of Lot 3 and the Southwest corner of Lot 4, Block 24, Austin Lake Estate, Section 1, AS SHOWN on a map or plat which is recorded in Plat Book 9, Page 34, Travis County Plat Records, said beginning iron stake being also in the north line of Edgewater Drive;

THENCE with the South line of said Lot 3 and the north line of Edgewater Drive N. 85 Deg. 42' W. 40.94 feet to an iron stake;

THENCE N. 10 deg. 00' W. at 170.49 feet passing an iron stake in the South bank of Lake Austin, at about 191.49 feet passing the waters edge of Lake Austin, in all 514.04 feet to a point in the south low bank of the Colorado River, same being the north line of the H. S. Whitehead Survey #43, now submerged by the waters of Lake Austin;

THENCE with the south low bank of the Colorado River, same being the North line of the H. S. Whitehead Survey #43, N. 81 deg. 43' E. 67.99 feet to a point for the northeast corner of said Lot 3 and the northwest corner of said Lot 4;

THENCE WITH the east line of said Lot #3 same being the west line of said Lot 4, S. 6 deg. 59' E. at about 321.0 feet passing the waters edge of Lake Austin, at about 341.0 feet passing an iron stake in the south bank of Lake Austin, in all 516.68 feet to the place of beginning, containing .64 of one acre of land, of which .44 of one acre being submerged by waters of Lake Austin, leaving .20 of one acre of usable land. The foregoing tract having a lake frontage of 50.00 feet along present lake line.

(Recommendations attached)

"Austin, Texas
December 22, 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. Lucille Spreen Wilson 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 twenty-five (25) feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Mrs. Lucille Spreen Wilson 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 show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

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

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

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

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 Council of the City of Austin hereby approves the erection of a boat dock on the property owned by Mr. and Mrs. M. T. Webb as described in the Travis County Deed Records and known as Lot 20, Block "A", Rivercrest Addition, Section 1 and hereby authorizes the said Mr. and Mrs. M. T. Webb 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 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 Mr. and Mrs. M. T. Webb have failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
December 20, 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. and Mrs. M. T. Webb owners 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 20, Block A, Rivercrest Addition, Section 1 as recorded in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately thirty-four (34) feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Mr. and Mrs. M. T. Webb are granted their 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,

Dick T. Jordan, Building Official"

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the repair of a boat dock on the property owned by Mr. Roger H. Fitzgerald as described in the Travis County Deed Records and known as 0.65 acres out of the Thomas Gray Survey and hereby authorizes the said Roger H. Fitzgerald to repair and operate this boat dock subject to same being repaired 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 Mr. Roger H. Fitzgerald has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
December 17, 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. Roger H. Fitzgerald 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 0.65 acres out of the Thomas Gray Survey as recorded in the Travis County Deed Records, for permission to repair 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. Roger H. Fitzgerald 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, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the erection of a boat dock on the property owned by Mr. Dan Harrell as described in Travis County Deed Records and known as Lot 15 of Rio Vista Subdivision and hereby authorizes the said Dan Harrell 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;

December 23, 1965

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 Dan Harrell has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
December 15, 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. Dan Harrell 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 15 of Rio Vista 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 Mr. Dan Harrell 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, White, Mayor Pro tem Shanks
Noes: None
Absent: Mayor Palmer

Councilman Long moved that the Council approve the following shoreline improvement as recommended by the Director of Public Works:

A. S. HULL - Clean out area for concrete boat ramp at Lakeview Gardens.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman Long moved that the Council approve the following shoreline improvement as recommended by the Director of Public Works:

GAYLORD HUMBERGER - Construct retaining wall on portion of Lots 47-53, inclusive, Lakeshore Addition.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman Long moved that the Council approve the following shoreline improvement as recommended by the Director of Public Works:

W. R. COLEMAN - Construct retaining wall along a portion of Lot 6, Lakeshore Addition.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman Long moved that the Council approve the following shoreline improvement as recommended by the Director of Public Works:

GENE NAUMANN - Construct retaining wall at 2812 Scenic Drive.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman Long moved that the Council approve the following shoreline improvement as recommended by the Director of Public Works:

GENE NAUMANN - Construct boat ramp at end of Live Oak Drive in Aqua Verde Subdivision.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman Long moved that the Council approve the following shoreline improvement as recommended by the Director of Public Works:

WALTER BOHN - Construct boat basin at Lots 65 and 66, Rivercrest Addition, Section 2.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman Long moved that the Council approve the following shoreline improvement as recommended by the Director of Public Works:

R. N. GOETH - Construct retaining wall on portion of Lot 91, Lakeshore Addition.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman Long moved that the Council approve the following shoreline improvement as recommended by the Director of Public Works:

GENE NAUMANN - Excavate proposed channel opposite and downstream from Bull Creek.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman White moved that the Council approve the repair of existing retaining wall as recommended by the Director of Public Works as follows:

WALTER BOHN - Repair existing retaining wall at property across from Greenshores.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman White moved that the Council approve the repair of existing retaining wall as recommended by the Director of Public Works as follows:

DR. GEORGE F. BOHUSLAV - Repair existing wall around island and place power line cable underwater to island near Taylor Slough.

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

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: LOTS 1 AND 2 OF THE RESUBDIVISION OF LOTS 8 AND 9, LOTS 3-7 AND THE NORTH 112.5 FEET OF LOT 1, ALL IN BLOCK E, NORTHGATE SUBDIVISION, AND ADDITIONAL AREA; LOT 2, BLOCK E OF THE NORTHGATE SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The City Attorney stated there was a need for a street to serve this property, and the owners had dedicated sufficient width to serve Anderson Lane. Mr. Decker would not dedicate street width. His property was in a slightly different situation. The other properties had older improvements and his were new.

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, White, Mayor Pro tem Shanks
Noes: None
Absent: Mayor Palmer

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, White, Mayor Pro tem Shanks
Noes: None
Absent: Mayor Palmer

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, White, Mayor Pro tem Shanks
Noes: None
Absent: Mayor Palmer

The Mayor announced that the ordinance had been finally passed.

Mayor Pro tem Shanks announced the Open House of the Austin Braves, Thursday, December 23rd at 3:00 to 5:00 P.M. and that the Council was invited.

At the Request of Mr. Marvin Braswell, Councilman LaRue moved that the Council postpone the following zoning hearing from December 30th until the following week:

MRS. CHARLES TOD ARMSTRONG	Tract 1 1213-1215 Baylor Street 1212 Parkway	From "B" Residence 2nd Height & Area To "C-1" Commercial 2nd Height & Area and "C" Commercial 2nd Height & Area
EDDIE SIMMONS, ET AL	Tract 2 1205-1211 Baylor Street 1210 Parkway Additional Area 1201-1203 Baylor Street 1016 West 12th Street 1208 Parkway Street	NOT Recommended by the Planning Commission RECOMMENDED "Q" Office

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman LaRue wished a Merry Christmas to the City Manager, his staff and all of the other city employees.

The City Attorney stated he had a request for annexation from a property owner on Princeton Street off of Burleson Road. The City limit line jogs at this area, and a part of the area is in the City limits and part is not. A property owner, Mr. Maurice Quigley, is located on Princeton, across the street from the City limit line. This is the type of request the Council usually would grant. Mayor Pro tem Shanks 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 0.52 OF ONE ACRE OF LAND, SAME BEING ALL OF LOT 3, BLOCK F, BURLESON ROAD HEIGHTS, A SUBDIVISION OF A PORTION OF SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman White 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 at 10:30 A.M. January 13, 1966. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

The City Manager reported that the following zoning applications had been referred to the Planning Commission for recommendation and had been set for public hearing at 10:00 A.M. on February 3, 1966:

FAY F. JOHNSON By Sterling Sasser and Son	1800-1802 Navasota Street	From "A" Residence 2nd Height & Area To "C" Commercial 2nd Height & Area
CHALET RESTAURANT CORPORATION By Sidney Purser	Rear of 5006-5008 Lynnwood Rear of 2201-2203 Hancock Drive	From "GR" General Retail To "C-1" Commercial
A. P. WALKER	515 Ieland	From "A" Residence To "C" Commercial
SOUTHWEST AUSTIN INVESTMENT CORPORATION By Oscar W. Holmes	Rear of 2724-2812 South Lamar Boulevard	From "B" Residence To "GR" General Retail
M & O TIMBER CO. ET AL By J. Malcolm Robinson	1908-2002 San Antonio St. 2006-2010 San Antonio St. 801-505 West 21st Street	From "B" Residence 2nd Height & Area To "C" Commercial 2nd Height & Area
DR. HENRY BLAUSTONE By Pat O'Grady	4420 South Congress Avenue	From "C" Commercial 6th Height & Area To "C-1" Commercial 6th Height & Area
DON E. LEGGE	3801-3815 Oak Drive	From "B" Residence To "GR" General Retail
JOYCE BARTON, ET AL By C.T. Uselton	908 East 12th Street 1200-1204 Olander Street	From "B" Residence 2nd Height & Area To "C" Commercial 2nd Height & Area
JAKE SILBERSTEIN	2000-2002 East 12th St. 1201-1211 Poquito	From "C" Commercial To "C-1" Commercial
FIRST AUSTIN COMPANY By Trigg Forister	1608-1610 Nickerson St. 106-110 East Milton St.	From "BB" Residence To "LR" Local Retail
E. F. EVANS By William F. Kemp	1302-1308 Robert E. Lee Road	From "A" Residence To "BB" Residence

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the repair

of a boat dock on the property owned by Dr. R. N. Snider as described in the Travis County Deed Records and known as Lot 1, Panaroma Ranch and hereby authorizes the said Dr. R. N. Snider to repair, maintain and operate this boat dock subject to same being repaired in compliance with all the ordinances relating thereto; and the Building Official is hereby authorized to issue an occupancy permit for the repair 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. R. N. Snider has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

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

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

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

The Council adjourned at 11:40 A.M. subject to the call of the Mayor.

APPROVED

Mayor Pro tem

ATTEST:

Elsie Moody
City Clerk