

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 10, 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: James A. Wilson, Acting 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 JOSEPH DI RADDI, Episcopal Church Of The Resurrection.

MAYOR PALMER explained the Sister City program and announced that Austin was extremely fortunate in having a fine modern beautiful city of about 1,000,000 in Brazil--Belo Horizonte--as its Sister City. A formal resolution had been adopted and transmitted to the Mayor of Belo Horizonte. The Mayor and Council greeted and welcomed the Honorable CARMIL CARAM, representative and former President of the Council of Belo Horizonte, who expressed hope that the ties may grow stronger every day between Austin and Belo Horizonte and between the United States and Brazil. Each member of the Council extended personal expressions of pleasure of his visit to Austin and of the sisterhood arrangement. An interpreter read a letter from the Sister City extending to the people of Austin a very kind welcome of this initiative of bringing these two cities together in cooperative understanding and friendship within the highest spirit of the program of the Sister City. The Council also welcomed MISS SUSAN MOWERY from Dr. Joe Neal's Office at the University, one of the members that actually set up this program.

MAYOR PALMER recognized a group of women from the LEAGUE OF WOMEN VOTERS.

Councilman Long moved that the Council discuss this matter and hear discussions from persons present. The motion was seconded by Councilman LaRue. Roll call showed a unanimous vote.

The Mayor stated the purpose of this meeting was to discuss the newspaper report where "The Women Voters Blast the Council for concentrating on the Zoning". The Mayor read each statement as listed, and answered each question. He said every member of this Council always would recommend constructive criticism. He noted one of the most difficult things was to get all of the facts; and many times someone would be a little misinformed. The Mayor read the statements in full.

1. As pertaining to the accusation that the Council, the policy making body, let their jobs take up 40 hours a week, and a similar tendency existed in the Planning Commission and Zoning Committee to spend more time on handling details better left to the staff, the Mayor pointed out extra zoning applications resulted from the rapidly growing City, and it is recognized hearing these applications require much time. The Council realizes the importance and seriousness of zoning, performs its functions as required under the State Law, and holds public hearings. There is a tremendous amount of detail in preparing applications for the zoning and planning channels. Forty hours a week are not spent on zoning, and the Council does not get into the minute details. He explained the Council received and analyzed the staff report, maps, plans, etc.; and there are times in order to give an intelligent vote, that it is necessary to visit the site itself.
2. Read was the statement concerning the Model City Charter which spelled explicitly the duties of a city planning director; and the League's recommendation that the professional planning department staff makes its position clearer to give more direction to the Commission; its support of the director; the City Development Plan, and sticking to its expert recommendations. Read also was the statement that the Council spent too much time appointing, and then overriding committees such as the one on zoning. In order to get the whole concept in focus, Mayor Palmer read from an article by the Executive Director of the American Society of Planning Officials, describing a stereotyped standardized picture of planning, which produces a plan, and another picture of a standardized plan, a book of charts, tables and fold-out maps. This may be what a City might have purchased with or without Federal contributions from one of the planning consultants who ran away to produce another plan for another community. Those who have heard that such a report with maps is a plan and making one of them is planning have heard only a half truth, which half truths are more deadly than lies. Perhaps in the stereotype picture, planning is really a zoning ordinance. "Planning cannot be packaged in a report, a map, or a local law. It is a total of all the information on which are based decisions that affect the future of the city..... The object of planning is to guide the progress

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of the City into the future with the least possible damage to the values of the past. Planning does not use precise blueprints; it is not an exact science; but it furnishes facilities and reasonable guides and controls so that private enterprise can do a good job of developing the community.... Finally, the real planning is and can only be the responsibility of the Governing Body of the Community, the Mayor and the Council. "The Council listens to the staff and the professional planners; but the ones who are charged with this responsibility are the elected officials. If the Council never overrode the recommendations, there would be no reason for appeal to the Council. The Director of Planning reported there were 127 applications during the current year heard by the Commission and the Council; and the differences between the Council and Commission have been in 12 cases, or about 10%; there were approximately two or three cases of tie votes.

3. The statement concerning the new zoning ordinance as made by the League President, expressed among other things the hope of getting rid of spot zoning, especially in grocery stores' changing from "C" Commercial to "C-1" Commercial. Mayor Palmer stated spot zoning was illegal; and if it is spot zoning any owner or any person has the right to challenge it. The Mayor read the statement regarding opposition to bringing up the new zoning ordinance for public hearings, as it would be a mammoth job and last year the Council was not "ready" to consider part of it. The Mayor replied that the Council asked that the staff try to get this ready as early as possible so the Council could review it. There are many legal complications as well as other areas to be reviewed by the Planning Director for recommendation before the Council acts on it. The article leaves the impression the ordinance has been laying around three years and nothing done about it. As soon as it is ready it will be discussed, and public hearings will be held.

The paragraph about the "atmosphere of the city has to be right" was read. The next paragraph "It's just a piece of power they've got their fingers on and don't want to give up" was read. Mayor Palmer pointed out any zoning voted on the basis of people is illegal at the very beginning. People are heard and respected, petitions have been filed; but if the Council ever starts voting on petitions, and does not consider the land and its usages, the cases could be challenged. Councilman Long pointed out the Council was operating under State Law as far as procedures and the way these cases are appealed to the City Council. The Mayor explained the zoning law protects the one individual for his right to use his own land even against 400 or 1500 people in opposition. The Mayor could not see what would benefit anyone by having this "piece of power". He emphasized this was strictly a function covered by State Law.

One statement made was "She was 'amused' to see Boggy Creek flood control back in the newspaper again." Mayor Palmer said this was a statement hard to understand. There was not a single person in the City that is amused about Boggy Creek, which has been one of the greatest concerns of this Council. The efforts over the past

years were reviewed. Engineering work was performed in accordance with rules and regulations at that time as handed down by Urban Renewal; the plan was completed, but it apparently did not meet the requirements now, and it has to be done over again. "...so far there is no plan except the possibility it could be a green belt project." The Director of Planning stated it may be necessary to go into this as a green belt because of change of policy and administrative rulings from the Urban Renewal. When the plan was first prepared by the consultant for the Urban Renewal Agency, it was reviewed by City Engineers, and the solution was one of drainage with the maximum recovery of land for development. Because of the staggering cost involved, (\$2,000,000) to clear some 300 acres amounting to \$8,000 an acre, the possibility of the clearing of those houses has been considered to be more economical and desirable rather than trying to solve the entire drainage problem at a very large cost. The Mayor said they were concerned and were working on this trying to come up with some kind of an answer. The Planning Director said it had been worked on steadily for the past year by the City, consultants, the Urban Renewal Agency and the Federal people. The Mayor noted this had been a continuous job.

The Mayor read the statement concerning the Mount Bonnell controversy and why the City Council did not do what the Planning Chairman recommended that they buy the entire area from the owners and proceed from there. The Mayor said this was an issue that had much interest, and the Council set up a committee with two representatives from the Heritage Society, Parks and Recreation Board, Planning Department, Chamber of Commerce, Bankers, Real Estate Board, and League of Women's Voters. The Chairman of the Parks and Recreation Board did not recommend the purchase; there was a seven to seven tie on the recommendation from this committee. This matter has not been pushed aside nor is it dormant, but it is being worked on.

Regarding changes in the Charter on Elections, the Mayor said this was fine that the League was discussing and working on this as all of these areas should be constantly studied and reviewed. If there are better ways to handle these items as set out in the present Charter, he was for someone studying them; but this move should be initiated at the citizens' level.

The Mayor inquired regarding the statement, "Is it ever asked of Councilmen in Austin what is their source of income" if the League of Women's Voters would like to have the Council to submit this information. MRS. LESTER REED, President, stated this was a private citizen speaking, and the League speaks only through its President. He asked if this area were actually expressing the League's view in this particular question. Mrs. Reed stated this was not. It was an expression of a private citizen. Councilman Shanks asked if this private citizen were a member of the League. Mrs. Reed stated she is a member of the League. The Mayor stated if there is a feeling of the majority of the people and if it is a Charter requirement, it should be studied, voted on, and it could be answered.

Councilman Long moved that the 10:30 A.M. hearing be recessed. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Concerning the statements there were too many bankers and real estate men on committees, the Mayor discussed the appointment of committees stating it looked for people who would take an interest and actually make a contribution to a particular phase of the community life. As long as a person's heart is right and his interest and concern is for the city, these fine people could serve as efficiently and adequately as anyone. The Planning Commission is composed of a developer, two real estate men, one retired, one in the transportation business, one from the Savings and Loan, two architects, and one banker; and they are concerned with trying to carry out a well planned and well developed City. Councilman Long pointed out there were no women on that Board.

Councilman Shanks asked if these statements in the paper represented those by individuals or if they were official statements of the League. Mrs. Reed said they were individuals' statements. Councilman Shanks said everyone on the Council recognized that constructive criticism was good; but there is a distinct difference between constructive criticism and irresponsible people speaking in misleading terms. Mrs. Reed said their meeting was a group discussion and many divergent viewpoints were expressed by individuals and they did not represent the League. Councilman Shanks said it was good to know they did not represent the League, as he had always had a lot of respect for the League; but when this article came out in the paper, many people received a misconstrued idea and evidence and the League had been done an injustice by what the public gathered from what was reported in the paper.

Mrs. Lester Reed read a statement setting out the League had its first general study meeting on its local study of "Re-evaluation of the City Charter" Tuesday evening. The panel of 5 League members presented short summations of each article in the Charter, and discussions were held and the articles compared with the model charter for Council-Manager form of government published by the National Municipal League. Discussed were pay for Council Members, financing of City services, place system as a method of election, and planning. At no time was there any "blasting of the Council" for anything. The League can speak only on its continuing responsibilities through its president. The statement listed the subjects the League supports--sound and effective zoning, including the proposed zoning ordinance and public support when in the public interest of City planning department recommendations; Urban Renewal and the Community Development Program; Austin Development Plan; and the use of voting machines in Travis County. It has a long history of support of the Council-Manager form of government, and of the City Charter with the exception of the place system as a method of electing members of the Council. The League, a non-partisan organization, proposes to encourage political responsibility through informed and active participation of citizens in government. Only by study of such basic documents of government as the City Charter are they able to become informed citizens.

Councilman LaRue stated the Council spends about one-half day per month on zoning and in all fairness to the people who go before the Commission with the opportunity to appeal to the Council, the Council must do this; and there are times the Council must look at these properties to arrive at a proper conclusion. Councilman Long thought maybe the story in the paper was healthy; and if these derogatory thoughts concerning the City government are being harbored they should be brought out in the open. This meeting today was quite healthy and perhaps possible misconceptions of the activities of the Council and their plans may be straightened out. It is good for the general public to know that the people are interested in more than one way. Anytime anyone wants to criticize it is the prerogative of the citizens. Zoning has been belabored far too much. She stated she was glad the League representatives were here and invited them back in numbers.

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Mayor Palmer stated the Council always appreciated studies and information on any type of improvement in the City. Councilman White said he was glad to find that the League itself was not making these statements but when something like this does occur, and all can get together and discuss these things, it can be worked out. Had the League not been down this morning everyone would have felt bad.

Mr. David Barrow discussed the figures regarding Council action on zoning applications, stating the Council approved 90% of the 127 cases. On the cases where the Planning Commission recommends against the zoning change, the Council has over-ruled the recommendation about 60 to 75% of the times. The Director of Planning reported in the total number of cases there is between 80 and 90% agreement. In those cases where the Commission recommended against the cases and the Council acted on the cases there is an average of about 50% disagreement between the Council and Commission. Councilman Long stated she voted her own convictions; Mr. Barrow stated the matter required some study between the Council and Planning Commission to reconcile the views. The Planning Director said 30 cases had been recommended against by the Commission, 12 of those were granted by the Council; and several are pending. General discussion was held on zoning. Mayor Palmer asked for additional information on the number of cases not recommended which involved liquor.

The City Attorney stated without zoning, everyone is permitted to use his land anyway he desires. There is no requirement by State Law that the City of Austin have zoning of any kind, and the Council could repeal zoning. If zoning is to be provided in which a man's right to use his own property is restricted; it could only be done according to the law of the State, and not according to one's preference as to how it would be done. Under the State Law, there is no other name other than the City Council of the City of Austin that has the authority to zone land in Austin. Frequent legislative efforts to change this law, as late as this last session, to delegate that power to a body other than the elected representatives have failed.

Mayor Palmer expressed appreciation to the members of the League for coming down. With all working together, they could continue to have one of the 14 finest cities in the United States in which to live, and he thanked them for coming this morning.

MR. ED SILVANAGE 3604 Wilson Street, appeared before the Council regarding the zoning change requested by ROBERT K. MEYER, 128-300 Alpine Road, from "A" Residence to "B" Residence, stating the property was considered for a retirement home; but the intended use of the other section was not brought out. The first time he was summoned to the Zoning Board regarded a continuation of a street from the new addition, through a large tract 400' deep, eventually coming out on West Alpine Street and South 1st Street. After meeting with the Zoning Board on two occasions, he was told this was no problem of his; that there were two different problems, the ultimate goal being to change the zoning to "B" Residence. He expressed deep concern over this project's being established in the midst of a new residential area of lovely homes, and wanted his home to be where there would be no commercial activities or a lot of vehicles. The Mayor pointed out the rapid expansion of Austin and the many changes that go along with a tremendous growth. The City Attorney pointed out the difference between zoning of property and the restrictions on property by private contract

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between individuals, stating the restrictions would hold regardless of the zoning. There are a number of good developments where property is restricted to residential only, and zoning would have no affect. Mayor Palmer thanked Mr. Silvanage for his interest.

MR. McDONALD from San Antonio, introduced a group appointed by the Secretary of State and the Good Neighbor Commission, as Ambassadors of Good Will for the State of Texas. They will go with those from San Antonio to Monterrey on June 18-20th, to engage in an International Bowling Tournament, on an exchange program on a four year contract. The Mayor read a telegram regarding a news release about the Good Will Ambassadors. The Mayor welcomed the group and expressed pleasure they were going to Monterrey to represent Austin, stating this is another indication of promoting better understanding between the neighbors to the south and the United States. It was stated there would be from 32 to 50 teams of bowlers and all of their guests--about 200 or 300 people that will be in Austin for a weekend of bowling, in January 1970. The Mayor expressed appreciation and wished them good luck in their tournament.

Councilman Shanks moved that MR. HOUGHTON BROWNLEE be heard. The motion was seconded by Councilman White. Roll call showed a unanimous vote.

MR. BROWNLEE did not want to reopen the Safeway Stores zoning matter, which was voted on last week; but said the Council did not know that this group of people was petitioning for a "roll back" or upgrading of the property. If this ordinance is passed, a building permit will be issued and construction would begin thereby placing a burden on these people as far as the petition is concerned. He asked the Council to withhold voting on the ordinance until the petition is considered. The petition will be filed next week. They thought there were some serious problems that needed to be considered. A traffic count has not been made, and there are three schools in the area and no sidewalks. Mayor Palmer stated this request was made over two weeks ago, and it seems there would have been ample time to have this petition in. MR. RICHARD BAKER, representing SAFEWAY STORES said they wanted to proceed. The Council had directed the City Attorney to draw up the ordinance and the architects have been instructed to proceed. A greater portion of the tract had been zoned "GR" General Retail since 1963 and in the early part of 1965. A two weeks' extension was given, and the zoning has been voted. Safeway will not know what action to take with their architects now. The Mayor asked if it were the intention of the petitioners that the zoning of the entire area be rolled back. Mr. Brownlee stated that was their intention; and there is also the possibility of a law suit against the City because of the manner in which some of the earlier zoning was done as they felt due process of law had been violated. Mr. Baker said granting this application would not prejudice their rights to roll back the "GR" General Retail zoning, not only that which Safeway owns but tracts owned by other parties. It would prejudice Safeway as far as a building permit is concerned. Mr. Baker discussed the State Law. The Mayor stated the legal angle of this would have to be handled by someone else. The City Attorney stated both attorneys acknowledged this was a matter for the courts. MR. LEONARD LAWTON discussed the tax roll list and the notifications. The Mayor stated the owner could have rendered the property and it would have been on the tax rolls in his name. Mr. Baker read the statute covering the notification to property owners.

After discussion, 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) TRACT 1: A 33,733 SQUARE FOOT TRACT OF LAND LOCALLY KNOWN AS 2314-2404 WHELESS LANE FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; AND (B) TRACT 2: A 2,753 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 2406 WHELESS LANE, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman 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, Shanks, White, Mayor Palmer
Noes: Councilman Long

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, Shanks, White, Mayor Palmer
Noes: Councilman Long

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, Shanks, White, Mayor Palmer
Noes: Councilman Long

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANY CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: (1) (A) A 4.633 ACRE TRACT OF LAND, LOCALLY KNOWN AS 128-300 ALPINE ROAD; AND (B) ADDITIONAL AREA: A 25,932 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 120-126 ALPINE ROAD, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; AND (2) A 2.74 ACRE TRACT OF LAND LOCALLY KNOWN AS 3703-3711 MANCHACA ROAD, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; ALL OF SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

The Mayor opened the hearing on the ordinance annexing FRONTIER VILLAGE, LOT 1 and proposed FRONTIER VILLAGE, SECTION 3 and portion of PARKER LANE SUB-DIVISION. No one appeared to be heard. Councilman LaRue moved that the hearing be closed. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor 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 (A) 11.89 ACRES OUT OF THE JAMES TRAMMEL SURVEY, NO. 4 AND (B) 0.28 OF ONE ACRE OF LAND OUT OF THE 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.

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

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

The ordinance was read the second time and Councilman LaRue moved that the ordinance be 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 Acting City Manager reported the BROWN & ROOT ENGINEERS recommended that all bids on Vertical Pumps for the new power plant be rejected, that modifications in the specifications be made, and dates for taking bids for both the vertical pumps and screens be reset, the date for receiving bids on the screens to be set one week following those for the pumps. The consultants are working on clarifying some of the points that were misunderstood in this particular bid. The Mayor stated the Council had the recommendation from Brown & Root. Councilman Shanks moved that the Council accept the recommendation and reject the bids. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Long made inquiry about rewriting the specifications and if there were a lack of clarity in the specifications. The Acting City Manager stated this was a very complicated specification unless one knows all about water pumps and vertical pumps. Two bidders stated they bid according to the specifications. It was found after the bids were examined one of them did not meet specifications. Out of five bids, four did not bid according to the specifications. The only one that was in compliance was the high bidder. Had the vendors of this equipment carefully read the specifications they would have bid according to them. They seemed to bid a stock item instead of reading the detailed specifications to meet the City's special requirement. Councilman Long asked if all of these people would bid again. It was stated they would, and it was the opinion of both Brown & Root Engineers, and the City Electrical Engineers that a better price can be obtained.

Councilman Long moved that MRS. LEON DONN be heard. The motion was seconded by Councilman Shanks. Roll call showed a unanimous vote.

MRS. DONN asked if Brown & Root wrote up specifications for things of this kind. The Acting City Manager stated the specifications used in this particular instance were developed by the Brown & Root Engineers, along with the City Engineers. Brown and Root are the consulting engineers. Mrs. Donn asked if Brown and Root were bidding on any of this work. It was stated they were not.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING TO PUBLIC TRAVEL ALL OF THAT CERTAIN ALLEY, LOCALLY KNOWN AS BONNIE ROAD ALLEY, WHICH TRAVERSES BLOCK 7, TOBIN AND JOHNSON'S SUBDIVISION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY PURPOSES IN, UPON AND ACROSS THE NORTH TEN (10.00) FEET OF THE ENTIRE ALLEY; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved in view of all the adjacent property owners signing the petition, 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 Long 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 Long 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.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes, in, upon and across a part of Lot 11, Block A, Elm Wood Estates, a subdivision of a portion of the William Cannon League in Travis County, Texas, according to a map or plat of said Elm Wood Estates of record in Book 6 at Page 140 of the Plat Records of Travis County, Texas; and,

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

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

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

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

A strip of land five (5.00) feet in width, same being out of and a part of Lot 11, Block A, Elm Wood Estates, a subdivision of a portion of the William Cannon League in Travis County, Texas, according to a map or plat of said Elm Wood Estates of Record in Book 6 at Page 140 of the Plat Records of Travis County, Texas; which strip of land five (5.00) feet in width is more particularly described as follows:

BEING all of the north five (5.00) feet of said Lot 11, Block A, Elm Woods Estates.

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

The Council had for consideration the establishment of off-street parking requirements for an apartment hotel at 1606 San Jacinto. The Building Official stated Mr. Frank Montgomery modified the size of the building, and 10 off-street parking spaces are being provided. That is not adequate for 12 units, and he did not recommend the request. Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there has been submitted to the Building Inspector, the application of Frank Montgomery for a building permit together with a site plan dated June 10, 1965 meeting the requirements of Section 10-B, 3 of the Zoning Ordinance of the City, for certain building establishment at 1606 San Jacinto, more particularly described in said application; and,

WHEREAS, it has been found and determined by the City Council of the City of Austin that, based upon the use of the premises for the purpose of erection of an apartment hotel the maximum number of parking spaces which will probably be used by employees and customers of such establishment, taking into account the loading facilities on the site, the public parking areas and street space available for parking in the vicinity, public safety, and free circulation of traffic both on and off the site, is ten parking spaces; Now, Therefore,

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

That ten (10) spaces is an adequate number of parking spaces for the establishment shown on the site plan of Frank Montgomery dated June 10, 1965, for use of the premises for the purpose of erection of apartment hotel.

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

Councilman Long voting against the motion stating in this particular area she agreed with the recommendation of the Building Official.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the erection of a boat dock on the property owned by Mr. Arnold Schmidt as described in the Travis County Deed Records and known as Lot 10, Block 8 of Rivercrest Addition and hereby authorized the said Mr. Arnold Schmidt 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

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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 further 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. Arnold Schmidt has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
May 3, 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. Arnold Schmidt 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 10, Block A of Rivercrest Addition as recorded in 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. Arnold Schmidt is granted his request by the City Council, that it be subject to the following conditions:

"(1) That nothing but cressoted 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 to 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 Shanks, carried by the following vote:
Ayes: Councilmen IaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman Long moved that MR. BOOKER T. BONNER be heard for 10 minutes. The motion was seconded by Councilman LaRue. Roll call showed a unanimous vote.

MR. BONNER read his statement, stating the N.A.A.C.P. preferred not to be interrupted when their remarks were being made in the future unless they could expect the same courteous treatment from the newspaper and news media and the Council. They did not feel that the courteous way to do business can be best served by interruptings; therefore unless the Council Members extend the same courtesies to them that they extend to the Council, they would have to take actions. A specific example was when persons were talking about conditions in Austin, somebody injects for instance "This is one of the best cities in the country". They thought that was a discourtesy. Mr. Bonner listed three points in which the N.A.A.C.P. was interested:

1. They would like the Council to instruct the City Attorney to meet with this committee, or at least a majority of the committee that is supposed to draw up the matters on how grievances should be presented to the commission within the next seven days so they could be presented at the next Council Meeting.
2. For one year they had waited for the reappointment of the commission which had resigned and they thought some hardships could be eliminated if the Council acts immediately with or without consultation with persons who are to be affected.
3. They had been very disturbed and would like for a clarification to be made on the statement made by the Mayor the last time the group met with the Council when he said "You have gotten all you are going to get."

Mayor Palmer said this was an entirely different group, and the man was demanding an answer that day. Mr. Bonner said the reason he brought this up was because it was lumped into the news story as if the N.A.A.C.P. was getting the same kind of treatment. The paragraph in the news story made statements that the representative of the N.A.A.C.P. had spoken, after which was injected the statement that the Mayor said they had gotten all they would get. He said they knew it was not an act of the Mayor's. Councilman Shanks asked why he did not go to the newspaper. Mr. Bonner said statements like this could be cleared up in a public meeting; that the people could understand, and that it is the newspapers that are doing it and not the Council. The Mayor stated the young man was demanding an answer that day on a certain item, and he did tell him that he had probably gotten all he was going to get.

Mr. Bonner said he had been designated by the N.A.A.C.P. to represent Mr. Overton on this committee. He would like to meet at any time from the present moment. This is not a complicated thing nor long and drawn out. He could write it himself in less time than he could talk and it would pass the legal requirements, and it would be a good instrument; but since they want to have a meeting, they would like to instruct some body to come on and let's have the meeting.

Mayor Palmer stated in order to have everything in line, the three people that were to draw this up were MR. KENNETH LAMKIN, MR. OVERTON and MR. ESKEW. He

asked if Mr. Overton had appointed him, as his official representative. He understood what the Council wanted was a set of procedures and a drafting done on a set of procedures which has gone on. He understood Mr. Overton was not a lawyer. Councilman Shanks said there was a legal aspect to this thing, and Mr. Overton is not an attorney. Mr. Bonner said they wanted some action. They would like some kind of indication of draft. The Mayor stated the night of the meeting there were representatives of an East Austin Community; representatives from the N.A.A.C.P. and it was asked that these groups get together and develop a procedure where due process of law could be respected. Mr. Bonner said they wanted some kind of indication where they could get some results. The City Attorney stated Mr. Lamkin or he would appreciate any draft or suggestion. Councilman Long asked if a meeting could be set up in the near future. Mayor Palmer said they would ask that this be looked into at the earliest possible date. Mr. Bonner said he would submit a draft tomorrow, and the Mayor suggested he submit it to Mr. Lamkin and Mr. Eskew.

Councilman Long moved that the Minutes of the Meeting of June 3, 1965, be approved. The motion, seconded by Councilman White, carried by the following vote:

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

The City Attorney submitted a petition from a group of citizens in South Austin to change some zoning back to "A" Residence. Mayor Palmer read the petition, to change the zoning at 1911-1913 Anita Drive, fronting on Bluebonnet Lane at 1701-1707, and described on the plat as property belonging to MR. GENE NAUMANN. The petitioners owned 51% of the real estate within 200' of the above described property and petitioned the Council to change the property from "C" Commercial to a residential classification, as provided under Section 31C of the Zoning Ordinance, and that hearings be called and the proponents be permitted to present evidence for the necessity of such change. The Building Official stated a building permit may have been issued for this tract. The City Attorney stated the Council was required to take action on this within 90 days, and the normal procedure would be to refer the petition to the Planning Commission, and the staff would determine if the parties represent 51%. Councilman Shanks moved that the Council refer this petition to the Planning Commission. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman Long asked that a copy of the zoning application of Mr. Naumann be furnished her for review. Councilman White noted if a building permit were already issued, it would come under a non-conforming use.

Councilman Long displayed a little honorary citizen's certificate, billfold size given by the City of El Paso. The Mayor said Austin needed to explore whether keys, a seal of the City or what could be used to have for its visiting dignitaries. Councilman Long stated there should be an honorary citizen of Austin certificate to present to MR. CARAM Friday night. The Mayor asked if the Honorary Citizenship Paper could be drawn.

Councilman Long read a letter from the Bethany Church group stating in October 1963, the house was moved from 1207 East 12th Street to its present site. In December 1964, they received a notice they owed a bill of \$75.74. The trustees sent the check to pay this bill in January 1965, thinking this was a current bill. They received a refund check showing an error was made by the City, and they have a job sheet showing the date the house was to be moved on July 1964. It was moved in July 1963. The job sheet shows that electric lines were raised for the clearance of the moving at the location of 4008 East 12th Street and Webberville Road. East 12th was crossed in the 1200 block. The housemover, Booker T. Moore, declares he had to clear the moving with the City before he could get the permit. He agrees to go before any legal authority and testify to this fact. He informs the group that the cable was raised for telephone clearance, but that the payment in full had to be made for the raising of the telephone wires before he could clear his permit to move the house, which was in September 1963. They asked if the Council would investigate this transaction. The Building Official explained this was a house moved by the church. As a move is processed, his office calls the various departments, and if certain streets are to be followed, the Electric Department would have to raise so many lines, and lists the costs. When the move was finished, the cost was about \$3.00 or \$4.00 shy of what the church had paid and a refund was made. Councilman Long moved that the City Manager be instructed to have Mr. Jordan the Building Official to investigate this and bring back a report. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Acting City Manager stated the Building Official had a report to make on the house at 2205 Nueces, which has been condemned and is to be demolished. The Building Official stated since the Council voted to demolish the house, MR. ROBERT FISHER completed the purchase of this property and he would like to demolish the second story of this structure and convert the bottom part into a single family residence of one story. He recommended that the Council rescind its action to demolish the structure, and allow him to convert this into a single family residence. Councilman Long moved that the Council accept the recommendation of Mr. Jordan to allow the property at 2205 Nueces to be rehabilitated in the manner in which the request was made and that the man be given 30 days to get started; and that the Council rescind its previous action. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Acting City Manager called attention to the filing of the Status of Water and Sanitary Sewer Contract Projects Report; Electric Utility Monthly Progress Report, and Street Paving Summary.

The Acting City Manager called attention to notification from the F.A.A. that they have a proposal to establish a private-use airport near Austin. The name of this Airport will be "Cow Pasture Airport" on the Gene Grove Farm. This location is in South Austin close to the river, east of Pleasant Valley Road. He has a herd of cattle and he would like to fly his private plane into his

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ranch from time to time. This request has been referred to the Director of Aviation, Public Works Department, and Bergstrom Field Officials. The notice the City received invited any communication in writing to the F.A.A. as to the City's attitude regarding this. The Acting City Manager stated he brought this up to notify the Council. The Mayor stated the Council would ask the City Manager to do the necessary investigation.

Councilman Long inquired about the Post Office's interest in getting the parking meters set up, and an appropriate resolution should be drawn up to authorize the parking meters at the named locations. The Acting City Manager stated the Traffic Engineer is working with the Post Office Officials and the General Service Administration to work out to the best public interest meters around the New Post Office and Federal Building. Penny meters for 12 minutes are included, and the Council will need to adopt formal resolution before the Traffic Engineer orders these penny meters. The City Attorney stated this involved an amendment to the Traffic Code. Councilman Long asked if the other meters could be adopted and wait for the others just to show good faith. The City Attorney stated they could be authorized. Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation the City Council has found that traffic conditions at the locations and streets below designated are such that an urgent need for enforcement of strict limits upon the time of parking of vehicles at these locations upon these streets make it advisable to use mechanical devices in such enforcement, and has found that such locations should be placed in the Parking Meter indicated below:

<u>ZONE</u>	<u>STREET</u>	<u>BLOCK</u>	<u>SIDE</u>
30	San Jacinto (11 spaces)	800	East
30	East 8th Street (5 spaces)	300	North
60	Trinity (9 spaces)	800-900	West
60	East 10th Street	300	South

Now, Therefore,

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

That the locations upon the streets of the City of Austin as above described be and the same are hereby placed in the Parking Meter Zones designated above and that the City Clerk be, and she is hereby authorized and instructed to record this finding in Section 33.43 of the Traffic Register.

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)

SECTION 1. WHEREAS, after an engineering and traffic investigation, the City Council has found that traffic conditions have changed and that the urgent need for enforcement of strict limits upon the time of parking vehicles at the street location hereinafter described making it advisable to use mechanical devices in such enforcement, also requires that such location should now be removed from Parking Meter Zone 30-60 and placed in Parking Meter Zone 60:

<u>STREET</u>	<u>BLOCK</u>	<u>SIDE</u>
West 11th Street	300	North

Now, Therefore,

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

SECTION 2. That the location upon the street of the City of Austin as described in Section 1 hereof be and the same is hereby removed from Parking Meter Zone 30-60 and placed in the Parking Meter Zone 60, and that the City Clerk be, and she is hereby authorized and instructed to record these findings in Section 33.43 of the Traffic Register.

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

The above installations have been requested by the Postmaster and General Services Administration.

The following were postponed until amendment to code is authorized:

900 block Trinity, west side, three (3) spaces
(Time Limit - 12 minutes - 1 penny)

900 block San Jacinto, east side, eight (8) spaces
(Time Limit - 12 minutes - 1 penny)

The Acting City Manager reported MR. TOM PERKINS and SEARS ROEBUCK COMPANY had permission to use Town Lake for filming some event but due to bad weather they were unable to do this filming, and they would like to reschedule this for June 12-13. Councilman LaRue moved the request be granted. The motion, seconded by Councilman White, carried by the following vote:

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

The Acting City Manager had a suggested letter which Colonel Murphy would mail to all the Mayors within 100 miles of Austin plus the Mayors of Dallas, Houston and El Paso who were going to be invited to the luncheon on

August 10th. Colonel Murphy would like any suggestions of improvement of the letter so he could proceed. Formal engraved invitations are to be sent to dignitaries. The Mayor read the letter, and said the Council would approve it as edited.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Title VII of the Housing Act of 1961 provides for the making of grants by the Housing and Home Finance Administrator to States and local public bodies to assist them in the acquisition of permanent interests in land for open space purposes where such acquisition is deemed to be essential to the proper long range development and welfare of the urban area in accordance with plans for the allocation of such land for such purposes; and,

WHEREAS, the City of Austin, Travis County, Texas, desires to acquire fee simple title to Lots 10 through 21 of Chalmers Addition in the City of Austin with a total acreage of approximately 2.9 acres in accordance with the Master Plan of the City of Austin duly adopted by the City Council of the City of Austin on June 8, 1961, which land is to be held and used for permanent open space land for the Austin urban area as a part of the City of Austin's exercise of its open space responsibilities to the Austin urban area; and,

WHEREAS, Title VI of the Civil Rights Act of 1964, and the regulations of the Housing and Home Finance Agency effectuating that Title, provide that no person shall be discriminated against because of race, color, or national origin in the use of the land proposed to be acquired; and,

WHEREAS, it is estimated that the total consideration to be paid for the acquisition of the fee title to said land will be \$51,000.00; Now, Therefore,

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

I.

That an application be made to the Housing and Home Finance Agency for a grant in an amount authorized by Title VII of the Housing Act of 1961, which amount is presently estimated to be \$15,300.00, and that the City of Austin will pay the balance of the consideration for the acquisition of the fee simple title to such tract and the total of all other related costs from other funds available to it.

II.

That the City Manager of the City of Austin is hereby authorized and directed to execute and file such application with the Housing and Home Finance Agency, to provide additional information and to furnish such documents as may be required by said agency, to execute such contracts as are required by said agency, and to act as the authorized correspondent for the City of Austin.

III.

That the proposed acquisition is in accordance with the City of Austin Master Plan duly adopted by the City Council on June 8, 1961 for the preserva-

tion of permanent open space land, and that, should said grant be made, the City of Austin will retain said land for the use designated in said application and approved by the Housing and Home Finance Agency.

IV.

That the United States of America and the Housing and Home Finance Administrator be, and they are hereby, assured a full compliance by the City of Austin with regulations of the Housing and Home Finance Agency effecting Title VI of the Civil Rights Act of 1964.

V.

That the City Manager be directed to request the issuance of a letter authorizing the City of Austin to proceed to acquire the property which is the subject of this application without prejudicing its rights to receive Federal participation.

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

The Acting City Manager read a letter dated June 4 from the U. S. Department of Labor signed by Mr. Bill Crawford regarding the Neighborhood Youth Corps application, stating the proposal by the City of Austin was based on the wage of \$1.00 per hour, and that proposals for Bexar and Hays Counties had been approved at a rate of \$1.25 per hour, conforming to the policy position of the National Office of the Neighborhood Youth Corps. The City's proposal was being forwarded to the National Office. Councilman Long stated Bastrop had set up \$1.25 per hour, and they have already received approval. Councilman Shanks requested that before any alterations on the Austin request is made, that it have the clearance of this Council. Discussion followed. The Acting City Manager stated the \$1.00 figure was part of the application approved by the Council on the basis of the local labor market and in coordination with the schools. The Austin Public School's application also prescribed \$1.00. In discussion with Dr. T. B. Baker regarding the application submitted for the schools, he was informed they felt strongly about the \$1.00 because of their own wage and salary schedule. They have the same difficulty that the City of Austin would have in paying \$1.25 to youths when it hires on the local market, and is able to hire on an adequate labor market at a rate of \$1.10. At the end of six months Austin's rate goes to \$1.17; and later the employee is eligible to go to another step based on merit. Councilman Long stated in view of the fact the President had taken a stand that the living wage is \$1.25 she would like to see the City consider that. The Acting City Manager explained the effect the \$1.25 would have on the local economy and on the City of Austin payrolls. It would mean roughly a 10% increase, or \$1½ to \$2,000,000; and that is why the \$1.00 figure was recommended to the Council. The Mayor stated the City should be concerned about the prevailing wage city-wide. Councilman LaRue noted a news account that the Navy League was complaining that this \$1.25 was more than they are paying their recruits. The Acting City Manager stated his only point was to set out the effect the \$1.25 would have on the payroll of the City of Austin. It would be unfair to have some employees drawing \$1.25 when their responsibilities, education, and

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training were less than employees who have skills and have been hired for lesser or an equal amount. MAYOR PALMER suggested that a joint meeting with the schools be planned, because this matter affects both, before any action is taken by the Council. The Acting City Manager said in the very beginning, they were told by the Fort Worth Office of the N.Y.C. and the Department of Labor the \$1.25 was not a firm policy. The State Administrator of the Governor's Office, had a great deal of concern also. Cities all over the State had the same problems and had contacted the Governor's Office. Austin was pretty well assured that a wage would be set not above the prevailing wage of the community, and it was with this assurance they proceeded at \$1.00. He outlined the resubmission of the application, and the letter today is for information that the City's application was being sent to the National Office. The Acting City Manager stated the only concern the City Manager had was the immediate effect on the preparation of the next budget. Councilman Long stated thought should be given to increasing the minimum wage.

Councilman Long moved that MRS. LEON DONN be heard. The motion was seconded by Councilman LaRue. Roll call showed a unanimous vote.

MRS. DONN stated what they were really concerned with was raising the minimum wage and not giving a cross the board \$.15 raise to all City employees. Not long ago a percentage cross the board raise was given and the higher echelon got more than the lower echelon. They were concerned of raising this minimum wage up to this minimum wage. The Acting City Manager reviewed his explanation and concern. Councilman LaRue also explained the wage schedule. Councilman Shanks said nothing would be done on this until an answer from the National Office is received.

The Acting City Manager reported a house had been located for the Dental Clinic, should this application submitted be approved. The house will not be moved or improvements started until the application is approved. The building is now located at 1415 East 51st Street. At a later date the house will be moved; but at this time the location is not tied down. Several sites are under consideration.

The Acting City Manager notified the Council that after the Council's decision not to increase the number of car rental agencies at the Airport, the Director of Aviation and the City Manager were contacted by MR. ROY BUTLER stating his request had not been adequately represented to the Council, and he would like to come before the Council with his Attorney, Mr. Denius. The Mayor stated the Council would hear them when they make a request.

The Acting City Manager reported receipt of a letter from PATTERSON & PATTERSON representing the Austin Public Schools, requesting the vacation of a city street, and asking that it be done today. He said this request would be processed through the various Departments, and they would try to have it back before the Council next week.

The Acting City Manager reminded the Council about the reception on June 11th at 8:00 P.M., 3505 Mt. Barker, honoring DR. CAMIL CARAM, Belo Horizonte, Brazil.

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Councilman LaRue noted an article in the paper indicating the crime rate in Texas was down, but Austin was not mentioned. He inquired about the situation here. The Chief of Police reported on a five months' tabulation, stating burglary was down 10.6%; felony thefts dropped 32.2%; misdemeanor thefts were up 8.7%. Total Part I crimes are down 11.7% for the first five months. He pointed out caution on this however; because of the man power shortage last year, the City had the highest increase, and Austin is now getting back down to normal. This is the trend set so far. He pointed out major collisions were up 10.6%.

The Mayor reported a call from Buda stating two people were on a pickup truck in the middle of the creek and water was rising, and they were going to drown unless they could get some help. This was a decision that has to be made in view of many disabilities. He reported this, and asked that whatever could be done be done to save these peoples' lives. In an hour's time, about 3:30 A.M., the Mayor received the report the people had been rescued. He read a letter of thanks to the Council for sending help to rescue those people from Houston. He read a letter from Mr. Rutherford, owner of the ranch off which these people were stranded expressing appreciation for the help, and offering his or his organization's assistance if ever needed. The Mayor asked if in emergencies of this nature, if he did the right thing or not, stating at 3:00 A.M. it would have taken time to have called the Council Members. Councilman Shanks commended him for taking the action he did. Councilman Long said she would have done the same. Councilman LaRue and Councilman White agreed.

Mayor Palmer read a letter stating a Stonewall Delegation would be in Austin to promote interest in the Fourth Annual Stonewall Peach Jamboree, June 15th. They will plant a peach tree from the home of President Lyndon B. Johnson in one of the garden areas of Hancock Shopping Center.

Mayor Palmer read a letter from Clyde H. Welch concerning the use of small motors on Town Lake from Lamar Bridge to Tom Miller Dam, offering to arrange a demonstration at Gaston Motors, and favoring a public hearing if it were felt necessary. Councilman Shanks favored going out there and testing out the sound. Councilman Long wanted to make the demonstration on the lake, to see how deep the water was, and how the sound filtered out on the lake. No date was set.

The Council read a resolution from the Audubon Society commending the Director of the Parks and Recreation Department, Chairman of the Planning Commission, and the horticulturist in charge of beautification and landscaping of the parks for their firm stand in regard to City property along the banks of Shoal Creek from 34th to 38th Streets.

Mayor Palmer read a letter from GOVERNOR JOHN CONNOLLY about the Texas Mental Retardation Planning Study, reporting a splendid start by local citizens and public officials to combat mental retardation. He expressed gratitude to the Council and for the fine work it and the Commission had done and urged the Council not to dissolve the experienced planning group, and to continue local action in this vital area of public responsibility. Councilman Long stated the Council should take under advisement the letter read last week about the budget

and consult with the City Manager. She suggested writing the Chairman of the Committee that the letter was referred to the City Manager and it is being taken under advisement. Councilman Long moved that the Chairman of the Committee be written that the letter was referred to the City Manager and it was being taken under advisement since the budget will be coming up within the next week or two. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Mayor Palmer read a letter from the UNITED STATES DEPARTMENT OF JUSTICE stating in an effort to stimulate a wider public awareness of the importance of United States Citizenship, certain dates are annually proclaimed by the President for special celebration and ceremonies. Each year a day is designated as Citizenship Day, a week designated as Constitution Week, and May 1st as Law Day. It would reemphasize the value and importance of American citizenship and would properly commemorate these specific occasions. Arrangements must be made with prior approval of the Court. After reading the letter through the Mayor suggested that they check with Judge Homer Thornberry to see if there is any particular day he would like to proclaim. He asked that the City Manager check into this.

The Acting City Manager announced that MR. DICK LILLIE had returned to the Planning Department after receiving a Master Degree and being Director of Planning in the City of Waco. He will be working on the Community Development Program.

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Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, our great nation is faced with the threat of attack by land, sea, and air; and

WHEREAS, the steadfast men stand guard throughout the world giving pause to the potential invader; and

WHEREAS, the 8th Marine Corps District is one of those staunch units which stand as a guardian of the people of our great city; and,

WHEREAS, the Director of the 8th Marine District Colonel Randall L. Stallings who has maintained his command in excellent state of training; has secured cooperative civilian support; and earned the high respect of all citizens is now retiring; Now, Therefore,

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

That a page be set apart in the official minutes of the City Council upon which shall be spread this Resolution, and that this expression of the gratitude of the people of the City of Austin for a job well done be presented to Colonel Randall L. Stallings, United States Marine Corps.

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

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

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

The Council adjourned at 1:25 P.M. subject to the call of the Mayor.

APPROVED

L. E. Palmer
Mayor

ATTEST:

Elis Woodley
City Clerk