

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 24, 1965
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, White, Mayor Palmer

Absent: Councilmen Long, Shanks

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

Mayor Palmer announced the presentation of a citation honoring a very distinguished citizen of Austin, and asked the Director of Recreation to lead out in this award. The Director of Recreation stated since 1928 the National Recreation Association had nominated individuals and groups who had made real contributions to the general recreation program whether within the scope of the Recreation Program, or on a cooperative level. Mrs. Fagan Dickson, Chairman of the Parks and Recreation Board, is one of the Trustees of the National Board which voted on those that are to be recognized today. Mr. Bob Shipp, representative of the National Board of Recreation, was also present. Mayor Palmer read the resolution honoring and individually awarding a citation to MR. HUB BECHTOL in recognition of outstanding service to Recreation in Austin, and pointing out he was an All American from 1944-1946 on the Texas Longhorn Football Team. Mr. Bechtol was responsible for acquiring land and promoting installation and participation in Babe Ruth Baseball, Little League Baseball and Football, is a member of the governing board of the Natural Science Center; was a City Councilman; is a local sponsor for the National Recreation Association and was First Commodore of the Aqua Festival. The Mayor presented MR. HUB BECHTOL a plaque from the Board of Trustees of the National Recreation Association for outstanding contribution to the Recreation movement in America. Mrs. Fagan Dickson paid tribute to Mr. Bechtol for his outstanding leadership.

The Recreation Director stated the group to be cited was the Austin Aquatic Club, and the award would be received by the President of the Club. The Mayor read a resume of the growth of Austin's Aquatic Club from a membership of 50 to 107, who competes throughout the State, and told of some of the outstanding meets held in Austin. Besides Mr. and Mrs. Walter Krizov, Mr. Wally Pryor and Mr. Marcus Yancus were recognized.

Mr. Pryor acknowledged credit to the Recreation Department and noted that swimming had become a year around sport; and urged the City to obtain the indoor facilities which are needed badly so that the team can have national prominence. The swimming team was recognized also. Mayor Palmer expressed appreciation to the volunteers who had given so much time to the recreation program.

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, The Austin Aquatic Club has been invited to participate against the National Swimming Team of Mexico; and

WHEREAS, the competition is scheduled for June 24, 25 and 26; and

WHEREAS, the development of this outstanding local swimming team is partially due to the excellent facilities made available by the Parks and Recreation Department of the City of Austin; Now, Therefore.

BE IT RESOLVED that the City of Austin expresses pride in the Austin Aquatic Club and wishes them success in their meet in Mexico City; and

BE IT FURTHER RESOLVED that the members of the Austin Aquatic Club be designated official representatives of the City of Austin to invite the swimmers of Mexico to a return meet in Austin.

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

Ayes: Councilmen LaRue, White, Mayor Palmer

Noes: None

Absent: Councilmen Long, Shanks

Mayor Palmer brought up for consideration the Planning Commission recommendation for redevelopment of the area for the new Seton Hospital and Medical Park. The Planning Director listed the items included in the Planning Commission recommendation. Pointing out on a map projected on a screen the streets and alleys which the Commission had recommended to be vacated, as follows:

West 35th from Wabash to Bailey
West 37th from Wabash to Alamo
McDonald Ave. from 38th Street to Point
between 34th and 35th
Bailey Lane from 35th to 38th
West 35th from Lakeside to Mills
West 37th from Lakeside to Mills
Lakeside Blvd. from 34th to Mills
Alamo Blvd. from 35th to 38th
Various alleys and portions of alleys as shown on plan

The second point of the general agreement and conditions concerned the following easements and utilities:

Vacation of storm sewer easement in Blk. 7, Glen Ridge Addition
Granting by Austin Doctors Building Corporation a 60 foot easement along 54" water line in 35th Street
Granting by the Developer of water, sewer and storm sewer easements for existing facilities of such facilities will be relocated at full cost to the property owners or developers.

Dedication of 15 feet of right-of-way for widening of 38th Street.

Conveyance to City of land between Lakeside and Alamo (Alamo Lake) for park purposes.

City will sell to owners the small tract to east of Shoal Creek and on south side of 38th.

Proposed that City will sell to the Corporation remnants of land to west of Shoal Creek along 38th Street.

All of Lakeside Blvd. up to Mills Avenue will be conveyed to City for park purposes, and it will become a part of the park.

Approximately one-half of Alamo Blvd. between 35th and a point just north of 37th will be conveyed to City for park purposes. He showed the area to be conveyed, and the part of Alamo Boulevard which would become part of the Hospital's private development; and the part of the area to become park area. This will be determined by actual survey.

The Austin Doctors Building Corporation will develop the park area to at least the level of the present parkway along Shoal Creek and Lamar and in accordance with the City's plans and the Corporation will agree to maintain the park for a reasonable length of time. He pointed out the part of the park which the Corporation would develop at least to a minimum standard, and maintain it for a reasonable length of time, which has not been set out as yet.

Appropriate screening will be developed between the park area and the private development.

The Corporation can place fill into Lakeside Blvd. area in accordance with City approval and plans.

The Austin Doctors Building Corporation will exercise reasonable precautions to prevent the interruption of flow of the springs.

The Corporation will be permitted to construct walks of crossings of Shoal Creek in accordance with City plans. He showed sites of the various buildings, and the pedestrian crossing over the lake.

Needed right-of-way for the future development of the 34th Street Expressway will be provided in terms of an agreement and formula. He pointed out anticipated right-of-way extending from the south right-of-way line 250' north, stating it was not a final alignment, but close, and there will be certain vacations that will occur within that area and there could be some shifting of property, etc., and an agreement will be made for adequate protection of the needed right-of-way.

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At this point COUNCILMAN LONG entered the Council Chamber.

The Planning Director displayed a schematic of the general parkway area, and approximate location of the office building, boundary lines of 38th and 34th Streets, the springs, pond, pedestrian bridge, and the hike and bike trail. In answer to Mayor Palmer's question, the Planning Director stated these plans, vacation of streets, etc., were recommended both by the Planning Commission and the Parks and Recreation Board. It was his understanding it was agreeable to the Doctors Corporation and Seton Hospital, except perhaps concerning remnants of tracts west of Shoal Creek and the general widening and right-of-way of 34th Street.

The City Manager discussed the formula to be used in the purchase and sale of property and the City Attorney has been working with MR. BOB SNEED on this matter. The agreement so far is, the streets that are vacated which subsequently may be needed in connection with the 34th Street expressway, would be deeded back to the extent they were needed, without any charge. The land which the developers had acquired that might be needed for the expressway would be sold to the City at the formula being worked out. The City Attorney explained that both the City and the Doctors Corporation would sell for cost on a square foot basis. That is not a full and complete quotation from the formula, but it is reasonably descriptive for purposes of description, and cost would be determinable.

The City Attorney in explaining the formula stated streets were not taken into account in arriving at the costs. In the overall square foot cost, there is an ascertainable figure which would be used for purposes of buying and selling with the exception that all of the plans were created upon the assumption that the north right of way line of the east-west 34th Street expressway would not extend beyond 250' north of the present south line of 34th Street; that it was going to be elevated and that the adjacent property owners would be entitled to utilize parking space beneath the expressway if the public generally were allowed this use. If it is necessary to go beyond 250' north or if parking is not permitted beneath an elevated expressway, then the formula would not apply.

Mr. Robert Sneed discussed the plans and formula, and expressed general agreement. The Mayor asked if everything as proposed were agreeable to the doctors and Seton Hospital. Mr. Sneed stated he was cautious about the wording concerning the spring; but when the contract was made, it would provide that the contractors use customary reasonable diligence to avoid interference with the spring. He said there was no way to guarantee the flow of an underground spring.

Sister Louise Marie, Administrator of Seton Hospital, listed three points she wanted to make, stating the first was one of real necessity--that with the trends of modern medicine, a 60 year old hospital could not arise to the needs. Just yesterday, six surgical cases had to be cancelled, and the citizens of Austin need another privately owned hospital. The second point was the size of the hospital and the need of the land in the streets and alleys. It was hoped to erect an educational building within a few years to educate women for nursing, this being of urgent concern. The third point was retaining the beauty of the site. They loved nature and loved God and everything He had made. They would not only keep the site beautiful, but would try to enhance it.

Mayor Palmer stated the Hospital and Health Survey showed a definite need for additional hospital facilities in the City of Austin; and all were desperately interested in getting this hospital and if there are some other considerations that could be done to assure the Hospital, the Council would like for the City Manager to review them, and submit them to the Council.

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Mr. Sneed pointed out three things they had considered: (1) It was their position they would not impose upon the Council as to what the Park area should be called; (2) the language relating to the spring as a spring could shut off and they could not control it in any way; and (3) the question about the bluff and the hike and bike trail. The conclusion was reached that the bluff in question was the secondary bluff line along the northern part of Alamo Boulevard. Councilman LaRue inquired about the maintenance agreement. The City Attorney stated it was one of a minimum standard. The initial construction would be of a minimum as well as good construction and improvement as had occurred along Shoal Creek Boulevard Hike and Bike Trail. In the future the maintenance would not be an obligation in perpetuity, but more in the nature of a privilege to maintain at least as well as the City required it to be maintained, as the Doctor's Corporation have a motivation of seeing a maintenance of high level there.

Councilman Long moved in view of this report and the acceptance of all departments of the City and the private individuals, that the City Manager be instructed to draw up the proper contract and to bring in the ordinances to vacate the necessary streets and to do the necessary things set out as based on this specific plan for the building of this Hospital. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

Mayor Palmer recognized MR. TOM PERKINS, Chamber of Commerce. Mr. Perkins stated it had been the aim of this Council and City Administration to work closely in the expansion of Austin's existing industry, and he called attention to one of the fastest growing industries which was "home-grown" -- the GLASTRON BOAT INDUSTRY. Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, The City and Chamber of Commerce constantly strive to encourage the growth and expansion of our existing industry; and

WHEREAS, a major portion of the economy of our city is now derived from such expansions; and,

WHEREAS, the Glastron Boat Company started out only eight years ago in Austin as a new industry with less than 1,000 sq. ft. of space and six employees; and

WHEREAS, the Glastron Boat Company with its recent major expansion now brings the plant size to 125,000 sq. ft. and its number of employees now approaches 400; and

WHEREAS, to honor and recognize this company for its contribution to the overall economy of our city;

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF AUSTIN, that the day of June 25 be designated as GLASTRON DAY in Austin, Texas.

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

All members of the Council signed the resolution, which also pointed out the growth of the company from six employees to 400 in eight years. Mayor Palmer expressed pride in the success and growth of GLASTRON. A representative of GLASTRON stated their success to a great degree had been a reflection of the Austin Community; and they found Austin a wonderful place to live.

MR. C. H. THAMES, Junior Chamber of Commerce, asked for permission and help for the 4th of July Celebration this year in the fireworks display. The required insurance is \$100/\$300,000 public liability insurance and \$50,000 property damage. The City Attorney stated for this type of activity previously more coverage had been obtained. The Director of Recreation explained the situation previously, but stated this insurance at the reduced rate was no longer available. The display will be held on the north side of Town Lake directly across from the Coliseum. The spectators will be on the Coliseum area. Mr. Thames said this fireworks display had been cleared through both the Police and Fire Marshal Departments. Councilman Long moved that the City Manager be authorized to enter into a contract for the \$100/\$300,000 public liability and \$50,000 property damage. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Mayor commended the Junior Chamber of Commerce for putting on this display.

Councilman Long moved that the Council hear MR. DON LEGGE, who wanted to talk on beautification for five minutes. The motion was seconded by Councilman LaRue. Roll call showed a unanimous vote.

MR. LEGGE read a statement expressing belief the City Council had made an error in refusing to preserve the open space about Covert Park on Mount Bonnell. The space should be left as open space which is so important to the City, and it will become increasingly important as Austin becomes more densely populated. The entire area from 35th Street to Mount Bonnell, reflects Austin's greatest asset for the future. This is what they were concerned about--Austin and its beauty; and the character of the City. The conservation of this character means the kind of City Austin is, and what it will become; should have been the over-riding consideration in any kind of decision like this. The recent rash of controversies about Mount Bonnell, zoning changes, etc., was caused by the people of Austin becoming more sensitive to their environment and they are beginning to get more concerned about it. It was hoped the Council would reflect upon this renewed concern and reconsider its decision on Mount Bonnell. Mayor Palmer said every member of the Council has been concerned as deeply as

many of the other citizens and it was trying to get a consensus of a cross section of the whole town, and the recommendation from the committee was 7 to 7 tie vote and the Council thought that since this had been considered from all angles, the public's interest was the only thing it was concerned about. Councilman Long did not believe the committee recommended it be turned loose for development. The Mayor explained the recommendation was to let the private development begin; and as it developed then if the City saw some area that needed to be protected it could acquire what it wanted. It was not a closed issue. The Planning Commission recommendation was that all of the land be purchased and the Chairman of the Parks and Recreation Board recommendation was that the private development be watched as it goes along; and if there is a need to acquire any of this land at that time then the City would work with them on it. Mrs. Benjamin, to support Mr. Legge's statement, stated by waiting until development started, the City might endanger its position and the value of the property might be increased. Councilman LaRue said everytime the discussion of Mount Bonnell comes up, there are a lot of technical details brought in and how they are to be accomplished generally speaking everyone is contending that the only concern is about preserving the beauty of Mount Bonnell. If ten different people are contacted, there are ten different suggestions on how this is to be done. The Council eventually would be in a position to reconcile the views of all the people and perhaps come up with something that is not agreeable to anyone

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: (1) LOT 1, BLOCK 1 OF THE GLENWOOD ADDITION, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (2) LOT 2 OF THE C.D.N. ADDITION NO. 2, FROM "O" OFFICE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; (3) A 43,560 SQUARE FOOT TRACT OF LAND OUT OF OUTLOT 39, IN DIVISION "A", LOCALLY KNOWN AS 901-913 CHERICO STREET AND 3400-3402 LYONS ROAD, FROM "D" INDUSTRIAL AND THIRD HEIGHT AND AREA DISTRICT TO "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; (4) (A) TRACT 1: A 5.0 ACRE TRACT OF LAND, LOCALLY KNOWN AS 6707-6805 RIVERSIDE DRIVE; (B) TRACT 2: A 0.25 ACRE TRACT OF LAND, LOCALLY KNOWN AS 2007 THRASHER LANE; (C) TRACT 3: A 0.25 ACRE TRACT OF LAND, LOCALLY KNOWN AS 2009 THRASHER LANE; (D) TRACT 4: A 0.48 ACRE TRACT OF LAND, LOCALLY KNOWN AS 6701-6705 RIVERSIDE DRIVE AND 2001-2005 THRASHER LANE; AND (E) TRACT 5: A ONE ACRE TRACT OF LAND, LOCALLY KNOWN AS 2000-2010 THRASHER LANE AND 6609-6613 RIVERSIDE DRIVE, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; (5) LOT 5, BLOCK 2 OF THE SMYTH'S ADDITION, FROM "BB" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (6) AN 872 SQUARE FOOT TRACT OF LAND OUT OF AND A PART OF OUTLOT 35 OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 1813 (1809) GUADALUPE STREET, FROM "C-1" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; (7) LOT 25, BLOCK 3, OF OUTLOT 68 OF DIVISION "D", FROM "B" RESIDENCE DISTRICT TO "C-1" COMMERCIAL DISTRICT; (8) 4,800 SQUARE FEET OF LAND OUT OF

THE GEORGE W. SPEAR LEAGUE SURVEY NO. 7, LOCALLY KNOWN AS 6440-6444 BURNET ROAD, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (9) (A) A PART OF LOT 14, BRAES RIDGE ADDITION, SECTION 2, LOCALLY KNOWN AS 5814-5822 BERKMAN DRIVE, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND (B) TRACT 1: A PART OF LOT 14, BRAES RIDGE ADDITION, SECTION 2, LOCALLY KNOWN AS REAR OF 5814-5822 BERKMAN DRIVE, AND TRACT 2: A PART OF LOT 14, BRAES RIDGE ADDITION, SECTION 2, LOCALLY KNOWN AS 1510 BRAES RIDGE DRIVE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; (10) (A) THE SOUTH 100 FEET OF BLOCK B, FRONTIER VILLAGE SECTION 2, AND PARALLEL TO WESTERN TRAILS BOULEVARD LOCALLY KNOWN AS 2400-2524 WESTERN TRAILS BOULEVARD AND 4462-4468 FRONTIER TRAIL, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND (B) THE REMAINING PORTION OF BLOCK B AND ALL OF BLOCK A, FRONTIER VILLAGE SECTION 2, LOCALLY KNOWN AS 4400-4460 FRONTIER TRAIL, 2401-2411 AND 2400-2410 TAOS BOULEVARD, AND 2421-2431 BEN WHITE BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; (11) (A) A 17,685 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 4916 WOODROW AVENUE, AND (B) A 5,837 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 4914 WOODROW AVENUE, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND (12) THE SOUTH 50 FEET OF THE WEST 87.13 FEET OF LOT 13, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL 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, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

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, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

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, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

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 ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: TRACT 1: FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT ON 5.22 ACRES OF LAND, LOCALLY KNOWN AS 7900-7918 MULLEN DRIVE AND 1900-2106 ANDERSON LANE; TRACT 2: FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT ON 6.39 ACRES OF LAND, LOCALLY KNOWN AS 7901-7919 MULLEN DRIVE AND 1516-1834 ANDERSON LANE; TRACT 3: FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT ON 3.29 ACRES OF LAND, LOCALLY KNOWN AS 7920-7930 MULLEN DRIVE; AND TRACT 4: FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT ON 3.56 ACRES OF LAND, LOCALLY KNOWN AS 7921-7931 MULLEN DRIVE; 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, Long, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

The Council had before it an ordinance covering the following zoning change:

C. O. BARKER, et al	2701 Manor Road	From "A" Residence
		To "C" Commercial

The City Attorney said the ordinance did not cover the entire application, but covered the property at the corner of Walnut and Manor Road. The Council had requested a 35' set back from Manor Road to be agreed to by all the property owners. All have not yet agreed but it is thought they would. It was pointed out this application was not recommended by the Planning Commission. The City

Attorney stated he construed the Council's intention to authorize the zoning ordinance to be brought in when the set back agreements had been reached.

Mayor Palmer introduced the following ordinance:

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

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman Long stated a lot of the zoning that the Council does not go along with the Planning Commission is subject to things the commission has no control over, and they pass them on as NOT Recommended, where there are things such as set backs of building lines or widening of the road. The Commission would be in agreement if these were straightened out. When these zoning matters were discussed last week and it was noted the number of cases the Council overruled the Planning Commission's recommendation, there were three that had to do with widening of the street that they had not recommended. The Mayor stated he had asked the Planning Department to bring this very information to the attention of the Council so that it would be known that some were denied on the basis of need of additional right of way; and that if the right of way were acquired, in many cases the Council approved the zoning.

The City Manager submitted the following:

"Sealed bids opened 2:00 p.m. June 11, 1965
Tabulated by: B. J. Bonds, Purchasing Agent

"CITY OF AUSTIN, TEXAS BIDS ON TRUCKS AND RELATED EQUIPMENT

Bid No.	Description	Quantity	Longhorn Truck & Equipment	Interna-tional Har-vester Co.	Armstrong Johnson	Fruehauf Trailer Co.	Fontaine Truck Equipment	Hobbs Trailers	Commercial Body Corp.	Austin Truck & Machinery
2476 Filter Plant	5 - Ton Truck Tractor	1 Each	\$11,159.18	\$8,216.00	\$9,059.00	No Bid	No Bid	No Bid	No Bid	No Bid
2477 Filter Plant	Dump Trailer	1 Each	No Bid	No Bid	No Bid	\$6,554.55	\$6,437.00	\$6,869.00	\$6,985.00	No Bid
2478 Electric Dist.	2½-Ton Truck (1 Trade-in)	1 Each	No Bid	\$3,324.00	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
2479 Electric Dist.	30,000# Winch & Body	1 Each	\$2,987.53	No Bid	No Bid	\$3,200.39	\$2,720.26	\$2,673.90	\$2,723.19	No Bid
2480 Electric Dist.	5 - Ton Truck (1 Trade-in)	1 Each	\$12,515.00	\$8,929.00	No Bid	No Bid	No Bid	No Bid	No Bid	\$12,233.00
2481 Electric Dist.	50,000# Winch & Body	1 Each	\$4,584.68	No Bid	No Bid	\$5,194.00	\$3,647.78	\$4,043.75	\$4,650.00	\$4,281.00
2482 Electric Dist.	1 - Ton Payload Truck (1 Trade-in)	1 Each	No Bid	No Bid	\$2,086.00	No Bid	No Bid	No Bid	No Bid	No Bid

"All prices shown are net or net difference. The low bids meet all requirements and conditions of our specifications.

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"RECOMMENDATION: It is recommended the awards be made as follows as the lowest and best bids:

International Harvester	3 International Trucks including 2 trade-ins	\$20,469.00
Fontaine Truck Equipment	1 Dump Trailer and 1 50,000# Winch & Body	10,084.78
Hobbs Trailers	1 30,000# Winch & Body	2,673.90
Armstrong-Johnson	1 Ford Payload Truck including 1 trade-in	2,086.00

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 11, 1965, for trucks and related equipment; and,

WHEREAS, the bids of International Harvester Company, in the sum of \$20,469.00 and two trade-ins, for three (3) trucks; the bid of Fontaine Truck Equipment Company, in the sum of \$10,084.78, for one (1) dump trailer and one (1) 50,000# winch and body; the bid of Hobbs Trailers, in the sum of \$2,673.90 for one (1) 30,000# winch and body; and the bid of Armstrong-Johnson, in the sum of \$2,086.00, and one trade-in, for one (1) truck, were the lowest and best bids therefor, and the acceptance of such bids has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bids of International Harvester Company, Fontaine Truck Equipment Company, the Hobbs Trailers and Armstrong-Johnson, be and the same are hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute contracts, on behalf of the City, with said companies.

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

The Council had before it for consideration a contract between the City of Austin and Charles and Walter Wendlandt. The City Manager reported this was a cash settlement approach, in which there is a discount. The Director of Water and Sewer Utilities said a larger main was needed to serve the area; and at the City's request, the developers installed a 12" main rather than a size that would take care of their needs, and the City is participating in the oversized main, which only passes through the shopping center. Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received for the extension and enlargement of the City's water and sewer systems by installation of certain 6-inch, 8-inch and 12-inch water approach mains, and certain 8-inch sanitary sewer approach mains in various streets and easements in the vicinity of Southwood Shopping Center; and,

WHEREAS, Charles Wendlandt and Walter Wendlandt, the owners of said Southwood Shopping Center, have agreed to cause said lines to be extended and enlarged according to specifications set forth by the City of Austin, and to transfer title to said lines for the sum of \$10,545.51; and,

WHEREAS, the City Manager and the Director of Water and Sewer Utilities have recommended extension and enlargement of said water and sewer system; Now, Therefore,

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute a contract under the terms of which the City of Austin will acquire title to those certain water and sewer mains installed by Charles Wendlandt and Walter Wendlandt in the vicinity of Southwood Shopping Center, and to pay said Charles Wendlandt and Walter Wendlandt therefor the sum of \$10,545.51.

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

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: (A) LOT 3, BLOCK C, MANOR HILLS, AND (B) A TWO ACRE TRACT OF LAND OUT OF OUTLOTS 35 AND 36, DIVISION "C" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 3200-3208 MANOR ROAD AND 2005-2017 ANCHOR LANE, FROM "GR" GENERAL RETAIL DISTRICT AND "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN HEIGHT AND AREA AND CHANGING THE HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: A 0.728 ACRE TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, LOCALLY KNOWN AS 2300-2316 INTERREGIONAL HIGHWAY AND 1335-1345 OLTORF STREET, FROM FIRST HEIGHT AND AREA DISTRICT TO FIFTH HEIGHT AND AREA DISTRICT; SAID

PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY,
TEXAS; AND SUSPENDING THE RULE REQUIRING THE READ-
ING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE
USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY
CODE OF 1954 AS FOLLOWS: LOT 17 OF THE HANCOCK PARK
ADDITION, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE
DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN,
TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE RE-
QUIRING THE READING OF ORDINANCES ON THREE SEPARATE
DAYS.

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

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

The Council, on written request of MR. WOODROW PATTERSON, postponed decision on the following zoning application until the following week:

VERA K. & JACK	2913 San Gabriel	From "BB" Residence 1st
McBRIDE	2915-2919 North Lamar Blvd.	& 5th Height & Area
	911-913 West 30th Street	To "GR" General Retail
	Additional Area	1st & 5th Height &
	906 West 30 $\frac{1}{2}$ Street	Area
	907-911 West 30 $\frac{1}{2}$ Street	NOT Recommended by the
	3001-3005 North Lamar Blvd.	Planning Commission
	910-914 West 30th Street	RECOMMENDED "O" Office
	2901-2911 San Gabriel	1st Height & Area ex-
	910-916 West 29th Street	cluding 909 West 30th
	909 West 30th Street	Street and 906 West
		30 $\frac{1}{2}$ Street

The Council had under consideration a recommendation from the Parks and Recreation Board regarding sail boat concession on Town Lake. The City Manager stated this personal reaction was that this was a good idea to have an activity of this kind on the lake, but there is a concern of the safety angle, as people who are unskilled in the operation of sailboats, would be subject to much danger.

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He suggested some study be made as to the kind of safety equipment to be required, and requiring the concessionaire to furnish equipment such as life vests. Councilman Long asked if most people launched their boat at the location the concessionaire would want? The City Attorney stated the concessionaire would not monopolize any place where the public would be using. Mayor Palmer suggested also this should be cleared through the Navigation Board from a safety standpoint, and through the Town Lake Committee. It was brought out the Navigation Board was meeting Tuesday. The Mayor asked that this Board review it, as well as having the Town Lake Committee pass on it. The Mayor said this request would be held up until a report from those two committees was received. Councilman Long suggested maybe both committees could meet at the same time to discuss this.

Councilman LaRue introduced into the Official Minutes of the meeting of today part of the Transcript according to Page 13, taken from the Transcript of the Special Meeting of Austin City Council, September 1, 1964 as recorded by the electronic transcribing machine. This is verbatim, and he would like to introduce it into the minutes today. He said he would not want to comment other than this, because some of the members are not here today who were here last week. At that time there was some question as what might have been said and by whom. This is verbatim, and does not show up in the minutes of that date.

"LaRue: After the pretzial hearing on the 28th, I believe I spoke to you on Thursday afternoon before your going to San Antonio on the 28th. I believe you and I had a conversation.

"Wilson: 'Yes, sir.'

"LaRue: I believe at that time I told you I had discussed this situation, and it was my feeling one of the first reactions was that if this offer was accepted, you would lose \$100,000.

"Wilson: 'The current offer.'

"Mrs. Long: 'How much?'

"LaRue: A hundred thousand dollars.

"Wilson: 'Yes, sir.'

"LaRue: And you told me that you had been told that you would be paid on the higher amount, and I said, 'Under those circumstances not only am I opposed to it, but I am unalterably opposed to it. This would reduce the amount that the City would receive as a net from some \$400,000 to \$300,000.

"Wilson: 'Well, I think we are overlooking a lost of'

"LaRue: I mean this is approximately what was said.

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"Wilson: 'This is a part of the conversation, but not all of it. In that connection this was based on our recommendation at that time; and as of now as we see it, we reiterate this is the best offer; and in that connection if there is any doubts in anyone's mind, we certainly are not in there under any illusions that we will be entitled to any greater fee than our agreed fee on the basis of the present offer.'"

Mr. LaRue stated this was it, and it was taken from pages 13 and 14. This was taken from the tape recording made by the City of Austin September 1st, 1964.

Councilman Long said in that last line he speaks of the agreed fee and asked if this agreed fee was on the percentage basis that they agreed upon when they first took the case? Councilman LaRue stated he would not want to discuss this without the other member being here. Councilman LaRue reread the last paragraph, at Councilman Long's request. Councilman Long stated she would interpret that it is on the contract they made; and that was the rate they were paid on. She asked if there were some misunderstanding last week. Councilman LaRue said there was a question last week in someone's mind as to whom had said what and when it had been said. There was presented last week the official minutes taken by the City Clerk but they were not verbatim so he went back to the tape recording which was verbatim and was exact and was a voice recording, and this is that part.

The Mayor said MR. CHARLES VILLASENOR would like to have Council action approving a dance on Sunday, June 27, 1965, from 2:00 P.M. until 6:00 P.M. at the auditorium, for the Knights of Columbus. Councilman Long moved that the request be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman Long moved that petitions for fogging be approved for the following areas: Highland Terrace, Perry Lane on the north, Bull Creek Road on the East, including Terraine Lane and Flacid Place; 804 Highland Avenue, 600 block Oakland Avenue; Trailbridge Drive, Northland Drive, Overlook Drive, Highland Hills Drive, Highland Park West Apartments on Balcones Drive. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager displayed and discussed plans for the South Center Street Service Station for South Austin for both the Street and Bridge Service Department and the Electric Department.

Mayor Palmer asked the Council to consider appointing the Citizens Committee to review Health and Sanitation Ordinances. Councilman Long moved

that the following be appointed:

John D. Simpson, Jr., Chairman
Mrs. Harriet Dillon, R. N.
Ray Wilder
George Warren
David Gault
Guiton Morgan
C. P. Metcalf
Otis Arnold
E. A. Garza
Taylor Glass
Mathis Blackstock, M.D.

Mrs. B. F. Anderson
Mrs. Jeffie Mae Lee
John Coates
W. J. Price
R. J. Lewallen
Rod Edens
George Clark
Mrs. George Sanchez
E. Edwin White, D.D.S.
Arthur Boone

Dr. Ben Primer
Mr. H. E. Hargis, Chief Sanitarian
Mr. Al Ullrich, Water and Sewer Treatment
Mr. Vic Schmidt, Director of Water and Sewer Utilities
Dr. Elizabeth Gentry
Mrs. Mary Lee Taylor
Mr. Sterling Sasser, Sr.
Mr. Dick Jordan

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

Mayor Palmer stated that all were concerned in continuing to work on the very ambitious program which they set out to do, and asked if there were an approximate time set whereby this study could be completed and the amendment to the code ready, as it is a part of the Workable Program. Dr. Primer stated they would be ready for the Legal Department by September 15th, and the Council would have it by September 28th.

Mayor Palmer read a letter from David Castillo and M. M. Brinkley regarding violation of the fireworks ordinance, and brought in by their attorney, Mr. Rogan Giles. The City Attorney reported that this person mentioned had been prosecuted for violations of the fireworks ordinances. Councilman LaRue moved that the Council reaffirm their policy to strict enforcement of the fireworks ordinance. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager had a letter from the Director of Recreation inviting the Council, Parks and Recreation Board, and the City Manager to the East Austin Beauty Review, Friday, June 25, 1965, at 8:00 P.M. at Givens Pool. The Mayor asked that this be placed on the Council's schedule.

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The City Manager said he had Dr. Primer's proposal to locate the Dental Clinic on Rosewood Park; but before he wanted to recommend and perhaps before the Council wanted to vote on the location, it might want to visit the site. This location would not be in conflict with any park use, and would be a temporary use. There is a building available that will be moved to whatever site that is selected. The Council was going to make an on site inspection.

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, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

The Council adjourned at 12:30 P.M. subject to the call of the Mayor.

APPROVED

Lu E. Palmer

Mayor

ATTEST:

Elsie Wooley

City Clerk