

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 5, 1965
10:00 A. M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Absent: None

Present also: W.T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works, Burch Biggerstaff, Major of Police

Invocation was delivered by DR. WILLIAM DENHAM, First Baptist Church.

Mayor Palmer recognized Colonel Murphy, President, Aqua Festival; Queen Gg McQuiston, and Commodore Rod Kennedy. Colonel Murphy announced the Austin Aqua Festival was ready to go and it was expected to be the finest event of its type in Central Texas and the southwestern area in the United States. He expressed appreciation of the cooperation received from the City Council, and from every City Department. The "kick-off" luncheon is scheduled August 6th, at the Stephen F. Austin Hotel, and the parade at 10:00 A.M. Saturday.

Mayor Palmer read the following proclamation:

PROCLAMATION

WHEREAS, Austin's 4th Annual Aqua Festival will begin Friday, August 6, with gayety, laughter and festivities the mode of the day; and

WHEREAS, the surrounding Central Texas communities have extended to the City of Austin unlimited cooperation in all of our Aqua Festivals by participating in the Beauty Contests, Land Parades, Water Parades and with Duchess Representation; and

WHEREAS, the City of Austin feels that without the support of these Central Texas communities the Austin Aqua Festival could never have been such a successful event; and

WHEREAS, on Tuesday, August 10 the Austin City Council is hosting a luncheon for the Mayors of these Central Texas Communities in appreciation of their sincere interest, helpfulness and warm friendliness.

NOW, THEREFORE, I, Lester E. Palmer, Mayor of the City of Austin do hereby proclaim Tuesday, August 10, 1965 as

CENTRAL TEXAS MAYORS' DAY

in Austin and invite all citizens to join in this spirit of friendliness and participate in all of the festivities and pleasures of the Austin Aqua Festival.

Councilman Long moved that the proclamation be adopted. The motion, seconded by Councilman White, carried by the following vote:

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

Mayor Palmer recognized Austin was really becoming the "Fun-Tier Capital" certainly of the State, and perhaps of the Nation. Colonel Murphy pointed out there were several hundred Festivals throughout the State; and in the three short years, Austin is now in the top ten of the United States.

Mr. Victor Sumner, President, Austin Chapter International and Good Neighbor Council, presented a resolution expressing appreciation and recognition of the efforts of the City Council in establishing a Sister City Program with Belo Horizonte, Minas Gerais, Brazil. Mr. Sumner announced a tour sponsored by the Good Neighbor Council is scheduled beginning October 20th, and invited the Council Members to join in the tour of South America, including a visit to Belo Horizonte. He suggested it would be quite significant if this group could convey to the citizens that a subdivision or street in Austin had been named in honor of Belo Horizonte. The Mayor accepted this resolution in behalf of Dr. Joe Neal, Chairman of the Council's Committee, which has worked many many hours on this project. He stated the Council would appoint someone to represent the City on this tour. The resolution is as follows:

BE IT KNOWN that the City Council of Austin, Texas, has fostered attitudes, practices, and policies which have advanced the ideals of international good neighborliness, as evidenced by its present project to establish sister city relationships with Belo Horizonte, Minas Gerais, Brazil. In recognition of such efforts, we of the Austin Chapter of the International Good Neighbor Council propose and endorse the herein adopted resolution.

WHEREAS, true international understanding dictates that all of the peoples of all nations shall make sincere efforts to appreciate the contributions that each has made to universal mankind and to understand cultural differences that may exist among the peoples; and

WHEREAS, since Austin represents the capitol of the friendly State of Texas, her leadership in promoting friendly and hospitable relations with the countries of the world should be known; and

WHEREAS, since Austin is in a center of diversified cultural and civic interests every effort should be made to alert her citizens to the advantages of sharing their common understanding of the brotherhood of all mankind with all citizens of the world.

NOW, THEREFORE, BE IT RESOLVED that the Austin Chapter of the International Good Neighbor Council express its profound and sincere appreciation to the City Council of Austin, Texas, for the Council's efforts in behalf of the ideals of international good neighborliness.

Councilman White moved that the minutes of the meeting of July 29, 1965 be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

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

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

GENE NAUMANN

3111 West 35th Street

From "C" Commercial
To "C-1" Commercial

Telegrams from Mrs. Selden Baggett, Mr. & Mrs. Henry Goldsmith, and Mrs. H. J. Lewin in opposition was read. Mr. Norris Parker was disappointed the neighborhood was not notified that this application was to be considered today, and urged in behalf of a number of property owners that the Council regard this particular location unlike the majority of the other 101 locations where beer is permitted. He emphasized the depressing effects on values in their neighborhood, the traffic hazards on the widened streets, endangering the children who use those streets to walk or ride their bicycles to school or the store. He asked that consideration be given to this place as a gathering of juveniles, hot-rods, and cars which is already a disturbance. Adding beer to what is already there would cause nothing good except the money that will be spent. Mayor Palmer stated the Council had gone by this area many times, and it had been zoned "C" Commercial since 1956. The store was permitted under its present zoning; and after careful consideration, the Council felt it was logical zoning and asked that the ordinance be brought in. Opposition to the "C-1" Commercial was expressed by Mr. Wittenborn that there were two drive-ins already close by and there was no need; by Mr. Henry Goldsmith who feared besides the beer, a laundry and other things would be constructed here. The City Attorney explained the two uses of "C-1" Commercial as pertaining to the sale of beer--beer to go, or beer for on premise consumption in an approved restaurant. Another citizen expressed opposition and stated Mr. Naumann had already been granted one variance by being permitted to build closer to the street than requirements permit. He bought the property as "C" Commercial and this change would help him at the expense of all the other property owners. This is on the corner where the St. Stephens bus picks up the school children, and there is a public policy not to allow beer joints where children congregate. Mr. William Logan was concerned over lack of perception and responsibilities and reported undesirable literature had been sold at this location, but that was discontinued after considerable protest. He said there was evidence of lack of real concern about the neighborhood and children, and he opposed the sale of beer at this location. MRS. FRED MORSE, JR. opposed the change of zoning.

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 6150 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 3111 WEST 35TH STREET, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT;
SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

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

KATHLEEN WALSH	1500-1504 Scenic Drive	From "C" Commercial 1st
BELSHAN & MAURICE		Height & Area
DOKE		To "C" Commercial 3rd
		Height & Area

MR. SAM WINTERS was not present at this time, but appeared in the afternoon meeting, representing the applicants. The City Attorney reported Mr. Winters had requested him to tell the Council he would like for it to pass the ordinance. The City Attorney stated necessary amendments to the City Code and the necessity of a contract concerning the amount of fill and amount of bond required had been discussed with Mr. Winters. The City Attorney recommended that the Council pass the ordinance only on first reading, but he was conveying Mr. Winter's request that the ordinance be finally passed. The applicants were not aware of all of the requirements yet, as the engineers had not calculated the cubage of the cavity of the reservoir to be diminished, and they would be required to double that amount and to put up a bond in the amount to be decided by the Council. The ordinance which has to be amended is being studied by the

753
Citizens Committee on Health and Sanitation, the report being due September 15th. He explained the present ordinance prohibiting living quarters of any character being erected on any pier, dock, etc., extending into or above Lake Austin.

MR. TRUEMAN O'QUINN appeared representing the opposition. In answer to Councilman White's inquiry he replied his clients were very much opposed to this development as they felt this was not in keeping with far-sighted development of the lake; that the commercial zoning had in mind commercial development--marinas, boat docks, etc., and not multiple dwelling, placing 200 people over a part of the lake at a place where the street practically dead-ends. This would be a situation encroaching on the water reservoir. A precedent would be set and similar situations could develop on up the lake. Mr. O'Quinn stated the lake was put there not for residential use, but for development of power and to furnish a reservoir for water for the people, and for incidental recreation that would come from the lake; but not for multiple dwellings. His clients felt this development would interfere with the primary purposes of the lake. Commercial is bad zoning for a lake front unless it would include a provision that "no multiple dwellings would be permitted". Councilman Shanks inquired if his clients were concerned with propriety or the zoning of the lake. Mr. O'Quinn stated on March 25th, they asked the Council to have the Planning Commission study zoning on the lake front, applicable to both lakes. He explained the lake was a barrier to vehicular traffic but also afforded water traffic, and is a different situation to what involves development of property in certain types of zoning. Zoning on Congress or other streets, is not the type of zoning that would apply on lake fronts. He anticipated zoning on the lake itself--providing for skiing, fishing, etc. Mr. O'Quinn described the situation existing on the property covered in this application. It was his opinion the City should own this property, keeping it for recreation purposes, adding it to the parking area, the Walsh Tract and University Tract. No study had been made and his clients were still opposed to this ordinance's being passed without such study being made. He said they were not obstructionists but the people who own property that either front on the lake or close enough to it to be deeply affected by it, have a primary interest in this zoning and how this property develops. Due to traffic congestion now, people cannot use the Walsh tract as they should and maybe a number of things should be done to correct this. Until a study is made, it would not be known just what should be done.

MAYOR PALMER reiterated that the primary purpose of the lake was to develop power, and the Council had been very careful not to cut down on the reservoir. He stated the Council was requiring this applicant to remove twice as much as he filled in and limiting the extension so it would not go beyond what the City has already filled in on its property. Mr. O'Quinn suggested inquiry be made as to what reservoir was already there, as the reservoir may not be able to stand the 40 million gallons per day. The Mayor pointed out the City had a problem of replacing the sludge.

Mr. O'Quinn asked if these applicants had abandoned the sky ride. It was stated they had. He inquired about the 82 units and 129 off-street parking, pointed out their plans had been changed somewhat and he did not know what was being planned now. The City Manager explained they had asked for a fill under the building, rather than boat docks under the building. The apartment will be on the land that has been filled. Mr. O'Quinn said again they were not trying to obstruct anyone from doing what they wanted to with their property, but they were concerned about the public interest in the lake and lake front.

Later in the meeting, Mr. Sam Winters came before the Council, and the City Attorney reviewed the morning discussion with Mr. Trueman O'Quinn. Mr. Winters reviewed his request that they be allowed to move the fill line out to the same place they were talking about on the "C" Commercial 3rd Height and Area, 200' west of the property line. This line would go out as far as the Walsh Tract. As to the bond, Mr. Winters stated \$15,000 would not be prohibitive, and they would remove twice as much fill from the bottom of the lake as they would put in. He asked the Council not to postpone this application any longer, and to change this zoning to "C" Commercial 3rd Height and Area, and that the property line be moved out as outlined subject to the posting of a bond for \$15,000, and subject to removing twice as much soil as they put in. The City Attorney outlined his reason for suggesting that the Council not finally act upon the ordinance until after all the other matters are resolved. He also said this will be the first time any such finding will have been made as to zoning property under water in Lake Austin. Also he had suggested passage through the second reading to express the Council's intention, while the calculations are being taken on the cubage in the cavities and having the bond prepared. The City Manager discussed thoroughly the shoreline which is presumably 493.8 above mean sea level, and the City limit line is 504.9. Councilman Long moved that the applicant be requested to bring in their \$15,000 bond and the other arrangements having to do with taking out twice as much fill as they deposit; and construct no more than 80 units. The motion, seconded by Councilman Shanks, carried by the following vote:

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

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 TRACT OF LAND, LOCALLY KNOWN AS 1500-1504 SCENIC
DRIVE, FROM FIRST HEIGHT AND AREA DISTRICT TO THIRD
HEIGHT AND AREA DISTRICT;
SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY,
TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING
OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

Councilman LaRue made the following statement:

"I am opposed to it under these conditions. I was reconciled to the fact this was almost a unique situation and having the City property on one side out to this extent of the lake and private property on the other, I was willing to vote for it under those conditions; but under these conditions as now stated, that we are zoning water; I vote 'No'".

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 general utility purposes in, upon, and across two (2) strips of land out of Lots 5 and 7, Block H, Eubank Acres, Section Two, said Eubank Acres, Section Two being a subdivision of a portion of the John C. Brook, J. C. Harrelson and John Applegait Surveys in Travis County, Texas, according to a map or plat of said Eubank Acres, Section Two of record in Book 6 at Page 148 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has requested the City Council of the City of Austin to release the hereinafter described portions of said easement; and,

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

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

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

Two (2) strips of land, each being five (5) feet in width; the strip of land hereinafter described as No. 1 being out of and a part of Lot 5, Block H, Eubank Acres, Section Two; the strip of land hereinafter described as No. 2 being out of and a part of Lot 7, Block H, Eubank Acres, Section Two; said Eubank Acres, Section Two, being a subdivision of a portion of the John C. Brook, J. C. Harrelson and John Applegait Surveys in Travis County, Texas, according to a map or

plat of said Eubank Acres, Section Two, of record in Book 6 at Page 148 of the Plat Records of Travis, County, Texas; each of the two (2) strips of land being more particularly described as follows:

NO. 1 being all of the east thirty (30.00) feet of the south five (5.00) feet of said Lot 5, Block H, Eubank Acres, Section Two;

NO. 2 being all of the east thirty (30.00) feet of the north five (5.00) feet of said Lot 7, Block H, Eubank Acres, Section Two.

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

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

Noes: None

The City Manager submitted the following:

"DATE August 3, 1965

"TO: W. T. Williams, Jr., City Manager SUBJECT: Reinforced Concrete Culvert
Contract No. 65-D-6

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, August 3, 1965 for the construction of a reinforced concrete culvert in the following area:
El Paso Street at East Bouldin Creek.

Ed Page	\$4,936.00
Texas Bridge Company	5,138.45
Miller Concrete Contractors	5,561.20
Larson-Pugh, Inc.	6,431.80
City's Estimate	5,100.80

"I recommend that Ed Page with his low bid of \$4,936.00 be awarded the contract for this project.

"S. Reuben Rountree, Jr.
Director of Public Works
s/ S. Reuben Rountree, Jr."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 3, 1965, for the construction of a reinforced concrete culvert in El Paso Street at East Bouldin Creek; and,

WHEREAS, the bid of Ed Page, in the sum of \$4,936.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works, and by the City Manager; Now, Therefore,

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

That the bid of Ed Page, in the sum of \$4,936.00, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Ed Page.

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

The City Manager submitted the following:

"DATE August 3, 1965

"TO: W. T. Williams, Jr., City Manager SUBJECT: Reinforced Concrete Culvert,
Contract No. 65-D-7

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, August 3, 1965 for the construction of a reinforced concrete culvert in the following area:
East 51st Street at Tannehill Branch.

Larson-Pugh, Inc.	\$20,856.20
Ed Page	22,356.50
Texas Bridge Company, Inc.	23,462.00
Miller's Concrete Contractors	24,032.00
Maufrais Brothers, Inc.	33,672.00
City's Estimate	25,432.00

"I recommend that Larson-Pugh, Inc. with their low bid of \$20,856.20 be awarded the contract for this project.

"S. Reuben Rountree, Jr.
Director of Public Works
s/ S. Reuben Rountree, Jr."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 3, 1965, for the construction of a reinforced concrete culvert in East 51st Street at Tannehill Branch; and,

WHEREAS, the bid of Larson-Pugh, Inc., in the sum of \$20,856.20, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Larson-Pugh, Inc., in the sum of \$20,856.20, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Larson-Pugh, Inc.

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

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there has been submitted to the Building Inspector, the application of Roy L. Thomas for a building permit together with a site plan dated August 5, 1965 meeting the requirements of Section 10-B, 3 of the Zoning Ordinance of the City, for certain building establishment at 303 West 14th Street, 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 purposes of masonry warehouse building 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 four (4) parking spaces; Now, Therefore,

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

That four (4) spaces is an adequate number of parking spaces for the establishment shown on the site plan of Roy L. Thomas dated August 5, 1965, for use of the premises for the purpose of masonry warehouse building.

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

Mayor Palmer introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 42.30 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE T. J. CHAMBERS 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.
(Highland Hills, Section 9 and unplatted land)

Councilman LaRue moved that the ordinance be published in accordance with Article 1, Section 6 of the Charter of the City of Austin and set for public hearing on August 19, 1965, at 10:30 A.M. The motion, seconded by Councilman Shanks, carried by the following vote:

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

August 5, 1965

The City Manager submitted the following:

"DATE August 2, 1965

"TO: Mr. W. T. Williams, Jr., City Manager SUBJECT: Sale of Houses

"Bids were opened in my office August 2, 1965 at 10:00 A.M. for the sale of six houses that Urban Renewal has turned over to us for disposal.

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

	<u>Weldon Johnston</u>	<u>August Heyer</u>	<u>W. T. Shugart</u>	<u>M. J. Kouri</u>
1153 Comal		<u>7.52</u>	1.00	--
1176 Comal	41.53	31.00	<u>50.00</u>	--
1605 Washington	1.00	11.61	<u>14.00</u>	--
1811 Washington	27.63	22.50	30.00	<u>65.00</u>
1618 (R) Rosewood	<u>27.63</u>	--	--	--
1618 ¹ / ₂ (R) Rosewood	<u>27.63</u>	--	10.00	--

"The high bid on each house is underscored in red. The bid sheets and deposits are attached.

"Due to the fact that these structures are dilapidated, and also the fact that it would cost this office several hundred dollars if we had to demolish them, it is recommended that these bids be accepted.

"If the bids are acceptable, the attached contracts should be signed by you and attested and returned to me in order that we may fulfill the contracts with the successful bidders.

"Dick T. Jordan
Building Official
s/ Dick T. Jordan"

It was pointed out all of these houses were to be demolished. Councilman Long inquired if everyone of these houses were to be completely demolished, and it was stated they were. Councilman Long asked that this be noted, as people sometimes say these houses are being moved out of the Urban Renewal area into other sections. It was stated if a house were moved from the Urban Renewal area, it would be a standard type house that had to be moved from a site planned for some other use. The Building Official stated only one house had been relocated, and it was approved by F. H. A. and by Urban Renewal, and it was a standard house. Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 2, 1965 for the sale of six houses that Urban Renewal turned over to the City for disposal; and,

WHEREAS, the bids of Weldon Johnston, in the sum of \$27.63 for house located at 1618 (R) Rosewood, and in the sum of \$27.63 for house located at 1618½ (R) Rosewood; the bid of August Heyer, in the sum of \$7.52 for house located at 1153 Comal; the bids of W. T. Shugart in the sum of \$50.00 for house located at 1176 Comal and in the sum of \$14.00 for house located at 1605 Washington; and the bid of M. J. Kouri in the sum of \$65.00 for house located at 1811 Washington, were the highest and best bids therefor, and the acceptance of such bids has been recommended by the building official of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bids of Weldon Johnston, August Heyer, W. T. Shugart and M. J. Kouri, 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 a contract, on behalf of the City of Austin, with Weldon Johnston, August Heyer, W. T. Shugart and M. J. Kouri.

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

Councilman LaRue moved that the Council deny the request through petitions by property owners for changing the following property back to residential:

1911-1913 Anita Drive	From "C" Commercial
(Gene Naumann's)	To "A" Residence

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

Councilman LaRue moved that the Council deny the request through petitions by property owners for changing the following property back to residential:

2111-2412 Wheless Lane	From "GR" General Retail
(Safeway)	To "A" Residence

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

It was the report from the Planning Department that the Attorneys representing these applicants said they would not pursue these petitions further.

The Council discussed the request of the Montopolis Community Center, Inc. for a bus franchise to furnish service from the Montopolis area to connect with the Austin Transit Corp. at San Saba and 1st Street. The City Attorney stated the Corporation was willing for the maximum charge of 20¢ and 10¢ for children to be included in the franchise. At their discretion the ordinance provides them to provide free either scheduled or unscheduled transportation to children and needy adults. He listed the amount of the franchise tax and stated the gross receipts tax would be .1 of 1%. The insurance is \$100/\$300,000 Public Liability

August 5, 1965

and \$25,000 property damage. Mayor Palmer asked if sections on charges and taxes could be reviewed and revised. The City Attorney reported they could. After more discussion Mayor Palmer introduced the following ordinance:

AN ORDINANCE GRANTING A FRANCHISE FOR THE OPERATION OF MOTOR BUSES ON CERTAIN STREETS OF THE CITY OF AUSTIN TO MONTOPOLIS COMMUNITY CENTER, INC., OF AUSTIN, TEXAS; PROVIDING MAXIMUM RATES TO BE CHARGED AND REPEALING ANY ORDINANCE WHICH MAY BE IN CONFLICT TO THE EXTENT OF THE CONFLICT.

Councilman Long moved that the ordinance be published. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The ordinance was read the 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, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer brought up the letter mailed to the Council from the Mayor of Sunset Valley, asking that the City give them permission to annex two tracts, one of about 10 acres and the other about 19 acres. In October of 1963, the Council had information that Sunset Valley had no further plans to expand and the Council adopted a resolution setting out some agreements, which were presented to the City of Sunset Valley. Their reply was they had no plans to enlarge their city, but they did not want to enter into the agreement. Under the new annexation law, the extra territorial jurisdiction of the City completely encircles Sunset Valley, and the Council wanted an agreement on a definite boundary of this jurisdiction. He said this area is immediately adjacent to the new Southwest Park and new High School, and it would be highly desirable and vital to the City to know and agree on where a boundary line would be determined, so that each little parcel of land within the overlapping jurisdiction would not have to be brought before either Council. This matter is vital since it involves Williamson Creek. The City Attorney displayed a sketch showing the corporate city limit lines of Sunset Valley, Austin's park, the new school location, Williamson Creek and the watershed area south of Williamson Creek dependent upon the multi-million dollar sewer system that is already constructed downstream. The system was designed, financed and constructed with a view of serving the portion of the Williamson Creek Valley. The City Attorney pointed out the importance of the Williamson Creek Valley stating it had been included in the plans before Sunset Valley incorporated in 1954. It was also pointed out additional sewer lines would pass through the land which Sunset Valley wants the City of Austin to relinquish so that it would become a part of Sunset Valley. Councilman White asked if anyone had ever talked to the officials of Sunset Valley. The City Attorney stated they had discussed this numerous times. Councilman White thought if officials of both cities could sit down and go over this, it could be worked out satisfactorily. Councilman Long moved to call Sunset Valley's attention to the proposition now before them since 1963 and ask them to consider this; and if they reject it, to please send in a counter proposition that the Council could consider, and it would take note of it and try to dispose of it. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman Long inquired about the resolution from the Good Neighbor Commission, and the status of the Sister City, Belo Horizonte. The Mayor stated a Council Member brought a document from the Mayor of their Council, and all formal documents have been accepted by the State Department.

Councilman Long inquired of the status of the Federal Plant that might be located in Austin if it could furnish the electricity. The City Manager stated the Electric Department had been contacted by the Chamber of Commerce and the Electric Department told them the City would be happy to install the necessary generating capacity if there were a firm contract for the use of the electricity. It would take the Federal Plant longer to build its facilities than it would for the City to build its generating system. Also needed for this plant was a 3,000 acre tract of land. Councilman LaRue inquired about the amount of electricity. The City Manager stated with the present capacity of the city plants plus the unit now under construction, and the first unit in the new location, the system will have a total of 870 million watts. He stated the Chamber of Commerce had been working on this industry and had given its requirements to the Electric Department which informed them that a plant would be constructed if there were a guarantee for a certain amount of electricity. Councilman Shanks suggested meeting with the Chamber of Commerce and finding out about it. Councilman Long moved that the Council instruct the City Manager to discuss this matter with the officials of the Chamber of Commerce and see if the City could clarify this and invite this industry here if the requirements could be met. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman Long moved that the Council approve the fogging as petitioned for on 55th Street and Bennett Avenue, and one request at 3521 Starline Drive. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager had a memorandum from the Director of Recreation stating the TEXAS BANKER ASSOCIATION will hold a convention in Austin May 15, 1966, and on Sunday they would like to have a picnic affair in Zilker Park in the area including the Hillside Theater and rock garden. He described the exact location. Exclusive use of the area was requested so decorations could be placed. Also requested was the single row of parking spaces along the northwest parking lot adjoining the area leaving the rest of the parking lot open to the public. The Recreation Director recommended this, as this was a usual request, except a larger area was involved to accommodate 2500 people. It is the bigness of the event that he brought this request to the City Manager. Councilman Shanks moved that the request be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Recreation Director had received a request from MR. HARRY GARDNER, representing the Scouts. There will be about 1,000 visitors from out of state. They want this same area on Sunday October 31, and request closing the parking area off completely. No admission charges will be made, but they will ask for registration charge from those who care to register. Councilman LaRue moved that the Council grant the request. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Director of Recreation stated the Texas State Historical Survey Committee had asked for another marker in Lamar Park at the Congress Avenue Bridge. This marker will recognize that this was at one time the little village of Waterloo, and that Mirabeau Lamar set this site as the Capital of the State and named it after Stephen F. Austin. The Parks and Recreation Board discussed and approved this request--the City to locate the specific spot from this marker to be placed. Councilman Long moved to grant the request, and the suggestion of the City's showing them where to place the marker. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman Shanks moved that the Council grant GLASTRON BOAT COMPANY permission to place 12 boats in the water in the Gondolier Hotel area during the National Dealership Distributors' Meeting on August 7th and 8th. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager said MR. LEONARD LUNDGREN, Architect, had called from Dallas asking for a commitment from the Council that the City would sell some land and vacate streets and alleys in connection with the Holiday Inn Motor Hotel development. The City Attorney displayed on a map the area on which the Holiday Inn held an option plus one-half of the streets surrounding the area. (From the centerline of Flores Street, the centerline of San Marcos Street; to the centerline of Waterfront Street, and extending across the alleyway between the blocks.) That consists of 70,875 square feet of land under option assuming the streets were vacated. The value of this tract was given. On the map he pointed out the 16,495 square feet of city owned property, and showed Councilman White the area to which Mr. Wolf had made a claim. There are 360' of frontage on Interstate Highway 35; without this, there would be 10' of frontage on Highway 35. He listed the value of the entire tract, and explained the formula the Council followed in selling property to an abutting property owner, and listed the value of both tracts of City property. The City Attorney pointed out the adverse claim of Mr. Wolf. After discussion, Councilman LaRue moved that the City Manager be authorized to make this offer to the abutting property owner whoever he is. The motion, seconded by Councilman Long, carried by the following vote:

August 5, 1965

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

Councilman White stated it was his understanding this was going to be worked out with Mr. Wolf and these people who are going to buy the land had made him an offer. It was stated this was not known.

The City Attorney stated the Planning Commission's recommendation on vacating the streets would be forthcoming next week. Mr. Lundgren is interested in telling his people the Council is agreeable to vacating the streets if it is in accord with the Planning Commission's recommendation, and with the utilities systems. Councilman Long moved that the streets be vacated subject to the plan to be presented to the Council by the Planning Commission--Flores Street from the Interregional Highway to the east boundary of San Marcos Street; San Marcos Street from the south boundary of Flores Street to the south boundary of Waterfront Street; and Waterfront Street from the Interregional Highway to the east boundary of San Marcos Street and the alley between Waterfront and Flores Streets running from the Interregional Highway to San Marcos Street. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman White made the following statement concerning his vote:

"I am going to vote 'yes' on this, but with the understanding everything is favorable all the way around; and if it is going to be split up on one side of this, I do not want to go along."

The Assistant City Manager pointed out there were three utility lines in Flores Street--one a 48" sewer line, an 8" water line, another 8" sewer line, and smaller water line going under the Interregional Highway. He also pointed out a small area of land the City might need, and this would be brought in with the recommendation of the Planning Commission. The Mayor suggested the Planning Commission study the moving of the road.

Mayor Palmer showed an architect's sketch of a development that they would like to work out in some details with the City to be located at some point on Town Lake. It is almost a little "Texas Under Six Flags", appearing to be a very beautiful development, and it should start its route through the proper committees for their recommendation. The Mayor said he did not know the location; but from looking at the sketch, it seemed it would be on Barton Creek on the Lake. There might be some question as to whether this could go into Zilker Park, and that would be explored. Mr. Pat Cain is representing a group of people contemplating something of this kind on the Lake, and this should be checked to see if it is compatible with the overall development of the Lake, location, etc. Councilman Shanks moved that the Council refer this to the Town Lake Study Committee for study. The motion, seconded by Councilman White, carried by the following vote:

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

Mayor Palmer stated Mr. Barrow had submitted some suggested policies on Town Lake, and the Mayor asked for copies to be made for the Council and look into this and get the policy firmed up.

August 5, 1965

76

The Council received notice that the following zoning applications had been referred to the Planning Commission for consideration and set for public hearing before the City Council on September 9, 1965:

MRS. ED WHITED By Mrs. Ruby Green	1106 Nile Street	From "A" Residence To "GR" General Retail
JAMES BRUNO By Peter Bruno	58 Rainey St. (58 $\frac{1}{2}$ -58 $\frac{3}{4}$) 615-623 River Street 59 $\frac{1}{2}$ -59 $\frac{3}{4}$ Bierce Street	From "A" Residence To "LR" Local Retail
ELIZABETH PATERSON By W. L. Graftson	2703-2707 Swisher Street	From "A" Residence 1st Height & Area and "BB" Residence 1st Height & Area To "O" Office 2nd Height and Area
THOMAS WOMMACK By Odas Jung	Rear of 123 St. Elmo Road 125-209 St. Elmo Road	From "A" Residence To "DL" Light Industrial
HERBERT BOHN, J.D. WILLIS, & MILO WEAVER, By Jerry Perlitz	3711 Jefferson Street 1605-1607 West 38th Street 1601-1603 West 38th Street 3712-3714 Kerbey Lane	From "A" Residence To "LR" Local Retail
FRANCIS R. REISSIG By Russell Rowland	2011-2037 Ben White Blvd. 4410 Manchaca Road	From "C" Commercial 6th Height & Area and "A" Residence 1st Height & Area To "GR" General Retail 1st Height & Area
ALFRED E. FIEDLER By Russell Rowland	2101-2119 Ben White Blvd. 2100-2118 Redd Street	From "A" Residence To "GR" General Retail
SCRANTON JONES By Donald R. O'Con- nor	505 West 10th Street (513-515)	From "B" Residence 2nd Height & Area To "O" Office 2nd Height & Area
A. E. PARDUE	2007 Whitis Avenue	From "B" Residence 2nd Height & Area To "C" Commercial 2nd Height & Area
WILLIAM W. FLATT By Lloyd L. Borden	1510-1512 Guadalupe	From "C" Commercial 3rd Height & Area To "C-1" Commercial 3rd Height & Area

August 5, 1965

T. O. KITE

Tract 1

5700-5708 Manor Road
2800-2816 Rogge LaneFrom "O" Office and
"C-1" Commercial
To "LR" Local Retail

Tract 2

Rear of 5704-5706 Manor
RoadFrom "C-1" Commercial and
"O" Office
To "C-1" CommercialWESTERN TRAILS, INC.
By Bryant-Curington,
Inc.

Tract 1

4401-4469 Frontier Trail
2217-2333 Ben White Blvd.
4414-4426 Pack Saddle Pass
2208-2332 Western Trails Blvd.From "A" Residence
To "C" Commercial

Tract 2

2200-2206 Western Trails Blvd.
4428-4434 Pack Saddle PassFrom "A" Residence
To "O" OfficeWALTER CARRINGTON
By Bryant-Curington,
Inc.

Tract 1

1303-1309 Parker Lane
Rear of 1801-1903 River-
side DriveFrom "O" Office
To "LR" Local Retail

Tract 2

2021-2027 Riverside Drive

From "B" Residence
To "LR" Local Retail

Tract 3

1901-1903 Riverside Drive

From "B" Residence
To "LR" Local Retail

Tract 4

Rear of 1825-1901 River-
side DriveFrom "O" Office
To "BB" Residence

Tract 5

Rear of 1901-2015 River-
side DriveFrom "B" Residence
To "BB" Residence

Tract 6

1311-1713 Parker Lane

From Interim "A" Residence
1st Height & Area and
"A" Residence
To "BB" Residence

JAMES E. CROZIER

2620-2710 Anderson Lane

From "GR" General Retail
To "C" CommercialMRS. ESTHER CROW
ET AL1810-1814 West 35th Street
1820-West 35th Street
1809 West 35th StreetFrom "A" Residence
To "LR" Local Retail

August 5, 1965

Councilman LaRue moved that the Council adjourn. The motion, seconded by Councilman Shanks, carried by the following vote:

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

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

APPROVED

Luttr E. Palmer
Mayor

ATTEST:

Edie Hooley
City Clerk