

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 2, 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 Dudley Fowler, Assistant City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by REVEREND ROBERT FINK, Pecan Springs Christian Church.

Councilman LaRue moved that the Minutes of the Regular Meeting of August 26, 1965, Supplement to Minutes of February 4, 1965 and Special Meeting of May 17, 1965, be approved. The motion, seconded by Councilman White, carried by the following vote:

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

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 128 ACRES OF LAND, SAME BEING OUT OF AND A PART 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.
(Kassuba Beach)

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

Ayes: Councilmen LaRue, Shanks, 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 ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOT 14, BLOCK 4 OF THE PARK-VIEW ADDITION, AND ADDITIONAL AREA: A 1416 SQUARE FOOT VACATED ALLEY, LOCALLY KNOWN AS 610 WINFLO DRIVE, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH AUSTEX DEVELOPMENT CO. LTD. FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"August 30, 1965

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

Subject: Sale of Houses

"Bids were opened in my office August 30, 1965 at 10:00 a.m. for the sale of nine houses that Urban Renewal has turned over to us for disposal.

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

	R. Williams	H. J. Cantrell	W. Johnston	G. Gillar	C. Hausman	A. Heyer
1519 Washington			<u>3.01</u>			1.50
1608 Washington			<u>1.00</u>			<u>3.25</u>
1713 Washington		3.00	17.51		<u>25.00</u>	15.60
1310 Hackberry			<u>27.51</u>			
1611 Hackberry		3.00	<u>37.12</u>			31.60
1179 Comal			<u>3.01</u>	<u>27.00</u>		7.80
1800 Pennsylvania	<u>100.00</u>		61.01			33.85
1516 (R) Rosewood			<u>7.50</u>			
1514-1516 Rosewood			<u>12.51</u>			

"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.

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 30, 1965, for the sale of nine (9) houses that Urban Renewal turned over to the City for disposal; and,

WHEREAS, the bids of W. Johnston, in the sum of \$3.01 for house located at 1519 Washington, in the sum of \$27.51 for house located at 1310 Hackberry, in the sum of \$37.12 for house located at 1611 Hackberry, in the sum of \$7.50 for house located at 1516 (R) Rosewood, and in the sum of \$12.51 for house located at 1514-1516 Rosewood; the bid of A. Heyer, in the sum of \$3.25 for house located at 1608 Washington; the bid of C. Hausman, in the sum of \$25.00 for house located at 1713 Washington; the bid of G. Gillar, in the sum of \$27.00 for house located at 1179 Comal; and the bid of R. Williams, in the sum of \$100.00 for house located at 1800 Pennsylvania, 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 above bids 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 W. Johnston, A. Heyer, C. Hausman, G. Gillar and R. Williams.

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:

"August 30, 1965

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

SUBJECT: Bids on 75,000 pounds of Bare Aluminum Cable, Steel Reinforced, 795 MCM in accordance with City of Austin Specification EL 699.

"Sealed bids were opened in the office of the Purchasing Agent at 2:00 P.M. August 30, 1965 for 75,000 pounds of Bare Aluminum Cable, Steel Reinforced, 795 MCM, to be stocked in Central Stores and used by Electric Distribution.

"The bids received are as follows:

<u>BIDDERS</u>	<u>NET UNIT PRICE</u>	<u>NET TOTAL PRICE</u>
Sterett Supply Company	\$0.3270	\$24,525.00
Graybar Electric Company	0.3180	23,850.00
Summers-Austin Electric Co.	0.32356	24,267.50
Southern Electric Supply Co.	0.3210	24,075.00
Priester-Mell Company	0.3120	23,400.00
The Walter Tips Company	0.3270	24,525.00

"The low bid by Priester-Mell Company meets all requirements and conditions of our specifications.

"RECOMMENDATION: It is recommended the award be made to Priester-Mell Company for 75,000 pounds of Bare Aluminum Cable, Steel Reinforced, 795 MCM in the total amount of \$23,400.00 as the lowest and best bid.

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

September 2, 1965

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 30, 1965, for 75,000 pounds of bare aluminum cable, steel reinforced, 795 MCM, to be stocked in Central Stores and used by Electric Distribution; and,

WHEREAS, the bid of Priester-Mell Company, in the sum of \$23,400.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Priester-Mell Company, in the sum of \$23,400.00, 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 Priester-Mell Company.

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

The City Manager submitted the following:

"August 31, 1965

"To: W. T. Williams, Jr., City Manager Subject: Assessment Paving
Contract No. 65-A-8

"Following is a tabulation of the bids received at 10:00 A.M., Tuesday, August 31, 1965, for the construction of Assessment Paving, known as Contract No. 65-A-8, Consisting of 21 units.

Pat Canion Excavating Co.	\$99,498.59
Jack A. Miller	114,469.41
Ed H. Page	117,725.87
Lee Maners	132,722.15
City's Estimate	94,144.35

"I recommend that Pat Canion Excavating Co. with their low bid of \$99,498.59 be awarded the contract for this project.

"From: S. Reuben Rountree, Jr.
Director of Public Works
Signed: 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 31, 1965, for the construction of assessment paving, known as Contract No. 65-A-8, consisting of 21 units, or approximately 43 blocks; and,

WHEREAS, the bid of Pat Canion Excavating Co., in the sum of \$99,498.59, 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 Pat Canion Excavating Co., in the sum of \$99,498.59, 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 Pat Canion Excavating Co.

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

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

Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on a map or plat of St. John's College Addition, a subdivision of record in Book 4 at Page 71 of the Plat Records of Travis County, Texas, a certain street, extending from the north line of Atkinson Road in a northeasterly direction to end of said street, same being 448 feet, more or less, north of the north line of Wheatley Avenue, is designated as Bethun Avenue; and,

WHEREAS, the owners of all lots abutting said street have requested that the spelling of the name "Bethun" Avenue be changed to "Bethune" Avenue; Now, Therefore,

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

That the name of the following described street, designated as Bethun Avenue, as the same appears on the map or plat of St. John's College Addition, a subdivision of record in Book 1 at Page 108 of the Plat Records of Travis County, Texas, be and the same is hereby changed to Bethune Avenue, said street so changed being described as follows:

All that certain street in the City of Austin, Travis County, Texas, known as Bethun Avenue and as shown on a map or plat of St. John's College Addition, a subdivision of Lot 14 of the H. A. and J. C. Fitzhugh Subdivision, a subdivision out of and a part of the William Wilks Labor, the John Applegate Survey and the James P. Wallace Survey Number 57 in the City of Austin, Travis County, Texas, according to a map or plat of said H. A. and J. G. Fitzhugh Subdivision of record in Book 1 at Page 108 of the Plat Records of Travis County, Texas; a map or plat of said St. John's College Addition being of record in Book 4 at Page 71 of the Plat Records of Travis County, Texas; which Bethun Avenue extends from the north line of Atkinson Road in a northeasterly direction to end of street, same being 448 feet, more or less, north of the north line of Wheatley Avenue.

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 MR. MAC FLOURNOY be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

Mr. Flournoy had leased property from Mr. A. B. Beddow at 38½ Street and Airport Boulevard to construct a model home for display purposes. He explained that due to a 25' strip belonging to someone else between Mrs. Beddow's property and the property on the south, the Planning Department required him to file a short form subdivision, which was approved with the understanding that Mrs. Beddow would dedicate 5' of the land for right-of-way, and the City would pay for the additional 10' to be dedicated. Mr. Flournoy said he was told the City would not pay for the extra 10' of the right-of-way. It was his understanding as well as that of some members of the Planning Commission that the City would pay for anything over a 70' right-of-way. Councilman White said the policy before the Council several years ago, was that after a street was a certain width, the City would pay the balance if it required more right-of-way. Mr. Flournoy stated the 25' strip had already been sold, and he could not understand why he had to subdivide or why he could not get his permit. Sketches were distributed to the members of the Council. The City Manager explained somewhere in the earlier chain of title there was a partition of the property that did not comply with the subdivision ordinance. The matter concerning Mr. Flournoy is the matter of right-of-way on 38½ Street. The street was 50' wide, and it needed to be 80'. In a zoning change on the north of the street, the owner dedicated 15', and the street is now 65' wide. The question is should the City pay for the 15' on the south side when the property owner on the north donated his land. Mayor Palmer explained the policy of the Council regarding the 70' in that if a subdivider is willing to dedicate 70', and the City determines it needs more, it would pay over and above the 70'. In the case of an old existing street and a different use is being made, normally it is asked that the necessary right-of-way be dedicated to the public to take care of the extra traffic created by the different use. The City Manager reviewed the policy discussed in 1959 where a committee was appointed of Home Builders, members of the Real Estate Board, and others, who made recommendations. He then read the Minutes of the Meeting of April 14, 1960, that if a street goes through a proposed subdivision (as distinct from going along the boundary) the subdivider gives a 50' right-of-way for residential street and up to a 60' right-of-way for a collector street; and if the right-of-way through or along any subdivision is needed primarily for public use rather than for the subdivision, that the right-of-way be purchased by the City. It was recommended that that 70' would probably be a desirable breaking point instead of 60'. The motion was read that the City would pay for all excess right-of-way over 70'. It was his interpretation that the recommendation that the City pay for an excess of 60' in certain cases be changed to an excess of 70' in those same cases, where the street runs through the subdivision as distinguished from any boundary street. Councilman White stated this 25' lot had nothing to do with Mr. Flournoy's situation. The Mayor stated there had been a division of land by metes and bounds, resulting in an illegal subdivision. The Planning Director reviewed the matter at length, and stated the Planning Commission did not recommend how the payment for the right-of-way should be made, but the policy had been discussed. The Planning Commission took no action because it had no plan. Mayor Palmer stated Austin, as it grows and needs more and more cross-town streets and the Council designated 38½ Street as a cross-town street. To the extent that

the City spends and makes this a Boulevard, this property will be enhanced at least to the same degree, if not more. The Assistant City Attorney pointed out the State Statutes preclude the City from connecting utilities to illegally subdivided lots; and before the owner can do anything with her property, she will have to subdivide it. It will have to be legally subdivided before utilities can be connected and before she can get a certificate of occupancy. Councilman LaRue stated the Council would have to take into consideration the policy established by the Council in 1959-1960 as pertain to the border streets and those that run through a subdivision. The Assistant City Attorney asked for an opportunity to meet with Mr. Flournoy and Mrs. Beddow and see if something could be worked out. Finally, after much more discussion, Councilman LaRue moved that the City Manager be instructed to ask the City Attorney to discuss this with Mrs. A. B. Beddow, along with Mr. MacFlournoy and see if this can be resolved. The motion, seconded by Councilman Shanks, carried by the following vote:

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

In line with this discussion, Councilman White inquired about the situation of starting improving 38th Street; and after they started widening it, the work stopped. The Mayor stated 38th had been widened between Lamar and Guadalupe, and they were trying to get it widened now at Duval and 38th. He pointed out 38th-38 $\frac{1}{2}$ th Street as being a designated thoroughfare, along with 45th Street and now 15th Street.

MR. FLOURNOY asked the Council to vote whether or not he could have a permit to build a model house without the dedication of this 15' right-of-way. The Building Official stated he could not give a permit unless there were utilities, and unless the short form subdivision was approved, utilities could not be connected. Councilman Shanks said Mr. Flournoy would meet with the Assistant City Attorney.

At 10:30 A.M., Mayor Palmer opened the hearing on an ordinance annexing 47.55 acres of land out of the John C. Brooks Survey No. 53 and the John Applegait Survey. No one appeared to be heard. Councilman Shanks moved that the hearing be closed. The motion, seconded by Councilman LaRue, carried by the following vote:

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

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 47.55 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE JOHN APPLIGAIT SURVEY AND THE JOHN C. BROOKS SURVEY NUMBER 53, 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 Shanks moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

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

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

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

Councilman Shanks moved that MR. MARLIN GROSS be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

MR. GROSS had formerly protested the awarding of the Civil Defense "Big Voice System" on the premise other sound contractors were precluded from bidding. He said the Council awarded this contract on the basis it was the only one that would secure matching funds from the Federal Government, as the Civil Defense Department had definitely approved a certain manufacturer's equipment exclusive of any others. He filed three letters: one dated in 1963 from the Department of Defense Warning Division in which it was clearly stated there were no specifications on "Big Voice Civil Defense"; another from the Director of Defense dated August 1965 stating Civil Defense maintains specifications only for items unique to civil defense; that they have no established specifications for voice sound equipment, and Civil Defense certification was not necessary for submission of an application by a state or local government; and the third letter from the Director of Civil Defense to Honorable Ralph W. Yarbrough, dated August 19th, the essence being identical to the first. (Letters on file under CIVIL DEFENSE) Mr. Gross asked that when future installations of "Big Voice" are made, that other sound contractors be permitted to bid, since Civil Defense says no specifications are required by them, but are left up to the City, engineers, and sound contractors to present an acceptable program. The Assistant City Manager stated the City, in official channels, deals with the Regional Office, and the state office under Colonel Homer Garrison. Each of these offices cleared the Austin specifications, and both offices told the City officials that Altec-Lansing Big Voice was the only one on which Federal funds could be obtained. There was controversy on this, and Mr. Gross came in. It was known this question was going to be brought up, and the specifications were brought to the Council prior to advertising for bids. The Council was informed that probably only one bid would be received. Authority was given at that time to submit the specifications for bidding. On July 7th, a reporter from the Austin American-Statesman, called the Office of Director of Civil Defense in Washington, D.C. and told the representative of that office about the problem arising in Austin asking if the statements Colonel Kengla and the State Officials had made were correct. Later that evening a telephone call from Washington verified that the statement Colonel Kengla had made was correct. The Assistant City Manager stated the City was taking its directives from the official channels. The Mayor said before the bids were advertised, it was suggested to Mr. Gross that he submit his equipment for approval. Mr. Gross said his company had set up a complete program for COLONEL

PEYTON'S acceptance. He had heard nothing more. Councilman Shanks stated the City and Council acted in good faith on the information they had at the time. On future equipment, investigation could be made on the status and action could be taken accordingly. Councilman LaRue asked the City Manager to reconcile the viewpoint of Colonel Kengla and Colonel Garrison, and show them the information filed, and let them determine the status.

COUNCILMAN LONG pointed out in New York a Federal Judge assessed the General Electric Co. and Westinghouse Electric Corp. triple damages of \$16,000,000 in a civil action growing out of a successful government prosecution five years ago which sent several company executives to jail. In a civil suit brought by the Ohio Valley Electric Corp. and its wholly owned subsidiary, the Indiana-Kentucky Electric Corp. was the first of some 200 actions filed following the criminal antitrust suits. Councilman LaRue stated they had a suit for approximately \$5,000,000 and they were awarded \$16,000,000. The Mayor suggested that the Council follow this all the way through until the final award is made. He recalled that the company that was awarded triple damages back in the beginning was very happy to settle later. This was the award by the Judge, but it will be carried through the courts for many, many years. Councilman LaRue stated Philadelphia was awarded \$27,000,000, and asked what had happened there. The Mayor stated nothing had been paid yet.

Councilman Long asked that the article be placed on record in the Minutes, and is copied from The Austin American, September 1, 1965, as follows:

"New York (UPI)

"A federal judge Tuesday assessed the General Electric Co. and Westinghouse Electric Corp. triple damages of \$16.8 million in a civil action growing out of a successful government prosecution five years ago which sent seven company executives to jail.

"The Civil suit, brought by the Ohio Valley Electric Corp. and its wholly owned subsidiary, the Indiana-Kentucky Electric Corp., was the first of some 200 such actions filed following the criminal antitrust suit against G.E. and Westinghouse in Philadelphia in 1960.

"In the 1960 trial, 29 electrical manufacturers, including G.E. and Westinghouse, along with 45 executives of the firms were convicted of price - fixing charges. A total of \$1.9 million in fines was imposed on the executives, seven of whom were given prison terms.

"Federal Judge Wilfred Feinberg levied the assessments Tuesday following a two-month trial without a jury.

"The Ohio Valley Electric Corp. claimed it was overcharged \$2,474,791 by G. E. and Westinghouse, and Indiana-Kentucky accused G.E. of a \$3,149,610 overcharge in the two-month trial that started last February.

"Feinberg found that a conspiracy existed from 1939 to 1959 and that there was 'abundant proof that the defendants deliberately concealed' its existence.

'To achieve and preserve secrecy, the conspirators falsified their expense accounts to hide their true nature and purpose of their meetings and their trips, made telephone calls at night from pay telephones rather than their offices, destroyed notes taken at their conspiratorial meetings and instructed newcomers to the conspiracy not to divulge its existence,' Feinberg said.

"He awarded the Ohio Valley Electric Co. \$7,424,373 and Indiana-Kentucky Electric Corp., \$9,448,830. Ohio Valley, an Ohio corporation, is a corporation owned by various investor-owned utility companies in the Ohio River Valley. Indiana-Kentucky is a wholly owned subsidiary of Ohio Valley. It is an Indiana corporation.

"Two hundred of the 1,900 suits filed are pending in the Southern District Court of New York."

Councilman White moved that the Council grant the request of the Southwest Optimist Club for permission to sell Christmas trees at the usual location on South Lamar by the Kash Karry Store. The motion, seconded by Councilman Long, carried by the following vote:

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

Councilman Long moved that fogging on Hathaway Street be approved, as petitioned for by the residents. The motion, seconded by Councilman White, 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)

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

That the City Manager be and he is hereby authorized and directed to advertise for bids on the sale of bonds of the City of Austin at 10:00 A.M. October 7, 1965, as follows:

Electric Light and Power System Revenue Bonds, authorized at an election August 6, 1960	\$ 8,700,000.00
Waterworks System Revenue Bonds, authorized at an election August 6, 1960	3,200,000.00
Sewer System Revenue Bonds, authorized at an election August 6, 1960	2,100,000.00
Revenue Bonds Total	\$14,000,000.00

Advertisement for such bids shall be in the usual and customary form and shall be published at least once in The American Statesman, Austin, Texas, and in The Bond Buyer, New York, New York, and in addition shall be given such circulation as will invite attention to the proposed sale. The right shall be reserved to the City of Austin to reject any and all bids, and no bids which include supplemental coupons will be considered. Advertisements shall direct the filing of sealed bids to be opened by the City Council at a regular meeting held for such purpose in the City Hall at the time and date hereinbefore set forth.

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

The City Manager stated the Council asked for a report on the requests of DR. B. E. CONNER regarding weeds and grass, and a junk yard operated at 19th and Harvey Street. The Building Official reported the owner of the property on which the junk yard was being operated, had completely cleaned the place with the exception of three items, and they were being moved. Regarding the request for cleaning the lots where the grass and weeds were, it is necessary that the Department of Public Works clean these lots as the owners cannot be contacted, and the costs be charged through the Building Official's Department.

The City Manager said pending from last week was a report of a study of the ditch in Windsor Park, and that report will be ready next week.

The City Manager discussed the matter of a zoning application of J. H. TOUCHSTONE, JR., et al, JOHN McKAY, Trustee, on the corner of 19th and Springdale Road, which is pending before the Council, and which involves expressway requirements. The Transportation Study indicates the need of an expressway along the route of Springdale Road, extending the cross-town expressway of 15th Street, out to the intersection of Highway 290. This is about 15 years in the future. The right-of-way needed is 250'. The owner has property adjoining this, so all of his property would not be taken. The City Manager recommended exploring the possibility of making some arrangements that the property owner place the type of improvement that would not later conflict with the expressway--perhaps a temporary building, or one that could be moved or salvaged. The Planning Commission was not aware of the expressway, and it was thought that any right-of-way would come from the west side, which would do away with the golf course and interfere with the I.L.S. system. The City Manager stated the substantial amount of traffic on the highway now will be increasing rapidly in the future, and a different type of center might be more advantageous to the owner making a temporary type of development better. The Mayor asked that the City Manager explore this matter with the applicants.

The City Manager stated MR. C. B. SMITH owns a vacant lot at the north side of East 11th Street and west side of East Avenue, and he leased it to the Humble Oil and Refining Company which has applied for a building permit. This block is within the bounds of the Hospital-Health Complex, and within the bounds of Urban Renewal. Another question involved was that future development of Highway 35 might encroach some upon the lot. This has been checked as well as

possible. The architects say the best future use of the property would be for a motor hotel which might accomodate relatives of patients in the hospital, and that construction of a service station would be in no way incompatible, but would be a convenience. The Highway Department, with reference to the transportation study, finds no conflict with the highway plans, as the west boundaries of the present East Avenue would be retained. The other question is, there is an application with the Urban Renewal Agency for a Planning and Survey Advance for this area; and upon approval of that, the area becomes an Urban Renewal Project and the plans are tied down. Until that approval is received, it is not an Urban Renewal Project, and the question is, if a new structure is permitted, would there be a hazard or obstacle to the approval of the project. He recommended inquiring about the status, and pointing out the immediate problem to see if it would impair the application. The Mayor suggested that the Urban Renewal people be contacted and told that the indications are that this development is compatible with the overall plan, and ask them if this would affect the application in any way. Councilman Shanks said the City could indicate to the owner that it would look with favor on this development provided it did not interfere with Urban Renewal. The Mayor suggested getting a general policy from the Urban Renewal Officials, then the City in the future could be guided by their policy. The City Manager stated Mr. Osborne would have the information into Fort Worth immediately and then it had to be sent to Washington.

Councilman LaRue moved that the request of the Pan-American Athletic Club to use the Coliseum on Sunday, September 5th, to sponsor their annual pre-Labor Day Dance, be granted provided the building is available. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The City Manager had received an invitation from the Third Regional Conference on the Super-City of Tomorrow. The letterhead lists Mayor Palmer, Mayor of Austin. Subjects to be discussed will be water and water sources, pollution, transportation, research; and the meeting will be held in Dallas. He said he would have to decline the invitation, as the meeting falls on a Thursday. Councilman LaRue suggested his sending someone in his place.

Councilman White stated he would like for the Council to pass a Resolution reminding the general public of the opening of schools next week and urging them to be very careful in their driving as there will be many children on the streets. Councilman White moved that the public be urged to drive cautiously and keep in mind there will be many school children on the streets. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Mayor read a letter from MR. W. L. RIVERS commending the Grover Street Station of the Austin Fire Department for its speed and superb skill in treating his wife who suffered a heart attack. He thanked the Department for their service above and beyond the call of duty.

Mayor Palmer read a letter from the Mayor of Round Rock expressing interest in locating the Atomic Research Project in this vicinity. Mayor Palmer said he would answer this letter, expressing appreciation to Mayor Cottrell for his offer of a united effort to reveal the need for such a project in this area.

MAYOR PALMER read a letter from the White House from PRESIDENT LYNDON JOHNSON regarding the Conference on Natural Beauty held on May 24th and 25th, requesting help in providing a richer heritage for the children, and hoping many useful suggestions and actions could be found in the report. The national goal should be to incorporate the concept of natural beauty into every official action taken by all governmental bodies and private sectors of the economy. The Mayor stated all of the Council were in whole hearted support of this beautification program.

MAYOR PALMER announced MRS. CLAUDE HILL had served for many years as Austin's representative of the United Nations, and they have bestowed a Distinguished Service Award that should be presented to Mrs. Hill. It would be fine if the entire Council would express its appreciation. Councilman Long moved that the Council of the City of Austin express its appreciation to MRS. CLAUDE HILL for her continued interest and service in the activities of promoting the general good of the United Nations in serving as the representative of Austin, and that the Council join with the Mayor in presenting this Distinguished Service Award. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman Long suggested that the Resolution be drawn and presented to Mrs. Hill when she returns to Austin. The Mayor stated the Resolution could be drawn locally and have it ready by next Thursday.

The Mayor read a letter from TRACOR inquiring if a decision had been made on the name of the Highway on which the new TRACOR building is located. Tracor is working on a series of brochures on which the addresses must be accurate. The City Manager stated although this was not now in the City limits, it will be some day; and at that time the Council could name it, or if it were named the Council could change it if it so desired. He suggested it might be helpful to the Highway Department to let it know what the name would be when the area came into the City. Mayor Palmer asked the City Manager to have someone check with the Highway Department for any ideas it may have on this. The Director of Public Works stated Highway 183 from Lamar Boulevard to McNeill Road was officially named by the Council as "Research Boulevard". To name this Research Boulevard all the way to the south would involve a little house numbering problem, and the section Tracor is interested in, is from 19th to the river. The Mayor stated the whole Boulevard probably should carry the same name.

Mayor Palmer read a letter from the Sports Car Club of America expressing appreciation to the Council for permitting them to have the race down by the Auditorium as a part of the Aqua Festival.

The Mayor read a letter from a visitor from Houston, whose dog was in her car but got out and was caught, costing her \$10.00 to get him out of the pound. He noted receipt of another letter regarding the Humane Society and the charges.

The Director of Planning made a report to the Council covering the following:

1. Community Renewal Program. He contacted the Fort Worth Office and there are some minor questions. The amended application has been approved and is being processed through, and there are no difficulties on that.
2. The second request is to suggest that in the early part of October the Council and most of the Consultants have a meeting, and review the status of the Community Development Program, and then they would be in a position to report to various segments of the public which are particularly interested--home builders, real estate people, and citizens generally. It is desired to report to the Council first on this.
3. Consulting Contracts. He had a contract for a portion of architectural studies, covering obsolescence in both areas and structures. He had reported last April that they were recommending the firm of Taniguchi, Robert Harris and Tom Shefelman. Those three individuals constitute a partnership and have an office on 15th Street. Mr. Taniguchi now is assisting Brooks and Barr, and is in Washington. The contract now being proposed is with Mr. Shefelman and Mr. Harris in the amount of \$3,500 for this first study. Mr. Taniguchi will advise on this study, but will not be a part of the official contract.

Councilman LaRue moved that the City Manager be authorized to enter into this contract with Mr. Shefelman and Mr. Harris. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Planning Director asked if early October would be an appropriate time for this meeting, making it an afternoon session. The Mayor asked if this were on schedule to have this meeting in October, and the Planning Director stated it was.

The Mayor stated the Health and Sanitation Report was due in October. The Health Officer reported they would be turning their reviews over to the Legal Department by the last of September. Several major ordinances were being studied; a sanitation ordinance for Lake Austin and maybe Lake Travis; the food ordinance; local ordinance on the regulation of child care facilities--day care nurseries; and one on garbage and pesticides. As each subject is studied, the people interested are called in for a public meeting.

The Mayor asked if the air pollution for Austin was measured periodically. The Health Officer stated there is a program through the Public Health Service. He stated Austin had no real problem on air pollution, but on the smaller problems in different parts of the City, work was being done in these individual sections.

The City Manager reported that the following zoning applications had been referred to the Planning Commission for recommendation and had been set for public hearing at 10:00 A.M. on October 7, 1965:

MRS. BILLIE A. DANAY	2003-2005 Whitis Avenue	From "B" Residence 2nd Height & Area To "C" Commercial 2nd Height & Area
KASSUBA DEVELOPMENT CORP., By Frank Montgomery	Tract 1 2100-2444 Riverside Drive 1501-1615 Tinnin Lane	From Interim "A" Residence 1st Height & Area To "GR" General Retail 1st Height & Area
	Tract 2 1101-1115, 1227-1423 Tinnin Lane Rear of 1117-1225 Tinnin Lane	From Interim "A" Residence 1st Height & Area To "B" Residence 1st Height & Area
DR. W. M. COLLINS By Virgil C. Lott	3901-3903 East 19th Street 1809 Perez Street	From "A" Residence To "C-2" Commercial
GRUBER, BELL & CAIN	Tract 1 1206-1224 South Lamar Boulevard	From "C" Commercial 6th Height & Area and "A" Residence 1st Height & Area To "C" Commercial 3rd Height & Area
	Tract 2 1205-1207 Kinney Avenue	From "C" Commercial 6th Height & Area and "A" Residence 1st Height & Area To "B" Residence 1st Height & Area
LEON D. SMITH	2702-2704 Sol Wilson Ave.	From "A" Residence To "C" Commercial
OLIE O. PERRY	2010 Koenig Lane 5901-5903 Laird Drive	From "A" Residence To "IR" Local Retail
JAMES K. EICHELBERGER, JR.	2000-2002 Oldham Street 706-710 East 20th Street	From "B" Residence 2nd Height & Area To "O" Office 2nd Height & Area

GEORGE B. & DAISY F.
SHEPHERD

5007-5015 Burnet Road

From "A" Residence 1st
Height & Area and
"C" Commercial 2nd
Height & Area
To "C" Commercial 2nd
Height & Area

LEON CHANDLER, JR.
& GORDON D. CLARK

3708 Crawford Avenue

From "A" Residence
To "O" Office

JOHNNIE G. ANDERSON,
et ux, by Marvin
Braswell

4901-4903 Airport Blvd.
902 East 49th Street

From "GR" General
Retail
To "C-2" Commercial

JOHNNIE G. ANDERSON,
et ux
By Marvin Braswell

611-621 East 45th Street

From "A" Residence
To "B" Residence

GULF OIL CORPORATION
By J. A. Lands

7040-7110 Highway 290

From "A" Residence
To "GR" General Retail

LEON STONE, et al
By Will Garwood

2910 Kinney Avenue
2910 Burning Oak Drive
2600-2714 Thornton Road
2601-2617 Thornton Road

From "A" Residence
To "O" Office

JAMES BERGER, JR.
By Jerry Perlitz

3710 Kerbey Lane

From "A" Residence
To "IR" Local Retail

ROBERTA P. DICKSON
By Trueman O'Quinn

5209-5309 Glissman
760 $\frac{1}{2}$ -770 $\frac{1}{2}$ Airport Blvd.

From "A" Residence 1st
Height & Area and
"D" Industrial 6th
Height & Area
To "D" Industrial 6th
Height & Area

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

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

The Council adjourned at 12:00 Noon subject to the call of the Mayor.

APPROVED

Lea E. Palmer
Mayor

ATTEST:

Elsie W. Wesley
City Clerk