

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 9, 1965
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Shanks, White, Mayor Palmer
Absent: Councilman Long

Present also: W. T. Williams, Jr., City Manager; Doren R. Edkew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Mayor Palmer announced COUNCILMAN EMMA LONG was in the hospital and was recovering from surgery.

Invocation was delivered by REVEREND MERLE FRANKE, First English Lutheran Church.

Councilman LaRue moved that the zoning hearings set for 10:00 A.M. be recessed for two occasions. The motion, seconded by Councilman White, carried by the following vote:

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

COLONEL MURPHY, Director of Aviation, introduced the new Commander of the 340th Bomber Wing at Bergstrom Field, COLONEL and MRS. EDWIN H. GARRISON. The Mayor welcomed Colonel and Mrs. Garrison, and commented on the fine relations between the personnel at Bergstrom Field and the citizens of Austin. Colonel Garrison said he understood the relationships had been most pleasant, and he not only wanted to continue them, but to improve them. Any project the City had, he hoped they could work many hours with Austin and do even a better job than before.

MR. WALLY PRYOR gave a report on their trip to Mexico City, as Austin's Ambassadors, when they took 35 swimmers down there to a swimming meet. In turn they invited the swimmers to Austin, and next weekend, Mexico City will bring 102

swimmers here to compete. There will be 125 swimmers from all over Texas. The meet will be held at Northwest Pool, Sunday, at 2:00 P.M., and there will be 72 swimming events. He invited the Council to attend. Mayor Palmer stated this was wonderful, and much of the good neighbor relations could be done on this type of activity. He stated the City was delighted this group was coming to Austin.

Pursuant to published notice thereof, the following zoning applications were publicly heard:

FRANCIS R. REISSIG	2011-2037 Ben White Blvd.	From "A" Residence 1st
By Russell Rowland	4410 Manchaca Road	Height & Area and
		"C" Commercial 6th
		Height & Area
		To "GR" General Retail
		1st Height & Area
		RECOMMENDED by the
		Planning Commission

Councilman White moved that the change to "GR" General Retail 1st Height and Area be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Mayor announced that the change had been granted to "GR" General Retail 1st Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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SCRANTON JONES	505 West 10th Street	From "B" Residence 2nd
By Donald R. O'Conner		Height & Area
		To "O" Office 2nd Height
		& Area
		RECOMMENDED by the
		Planning Commission

Councilman White moved that the change to "O" Office 2nd Height and Area be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Mayor announced that the change had been granted to "O" Office 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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WILLIAM W. FIATT
By Lloyd L. Borden

1510-1512 Guadalupe

From "C" Commercial 3rd
Height & Area
To "C-1" Commercial 3rd
Height & Area
RECOMMENDED by the
Planning Commission

Councilman White moved that the change to "C-1" Commercial 3rd Height and Area be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Mayor announced that the change had been granted to "C-1" Commercial 3rd Height & Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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WALTER CARRINGTON
By Bryant-Curington,
Inc.

Tract 1
1303-1309 Parker Lane
Rear of 1801-1903 River-
side Drive

From "O" Office
To "IR" Local Retail

Tract 2
2021-2027 Riverside Dr.

From "B" Residence
To "IR" Local Retail

Tract 3
Rear of 1901-1903 River-
side Drive

From "B" Residence
To "IR" Local Retail

Tract 4
Rear of 1825-1901 River-
side Drive

From "O" Office
To "BB" Residence

Tract 5
Rear of 1901-2015 River-
side Drive

From "B" Residence
To "BB" Residence

Tract 6
1311-1713 Parker Lane

From Interim "A" Resi-
dence & "A" Resi-
dence
To "BB" Residence

RECOMMENDED by the
Planning Commission

Councilman White moved that the change be granted to "IR" Local Retail for Tracts 1, 2 and 3 and to "BB" Residence for Tracts 4, 5 and 6. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Mayor announced that the change had been granted to "IR" Local Retail for Tracts 1, 2 and 3, and to "BB" Residence for Tracts 4, 5 and 6 and the City Attorney was instructed to draw the necessary ordinance to cover.

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JAMES E. CROZIER

2620-2710 Andereson Lane

From "GR" General Retail
To "C" Commercial
RECOMMENDED by the
Planning Commission

Councilman Shanks moved that the change to "C" Commercial be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Long

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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WESTERN 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
Boulevard

From Interim "A" Residence 1st Height & Area
To "C" Commercial 1st Height & Area
RECOMMENDED by the Planning Commission except for south 110' which was recommended "O" Office

Tract 2

2200-2206 Western Trails
4428-4434 Pack Saddle Pass

From Interim "A" Residence 1st Height & Area
To "O" Office 1st Height & Area
RECOMMENDED by the Planning Commission

Additional Area

2201-2215 Ben White Blvd.
4400-4412 Pack Saddle Pass

From Interim "A" Residence 1st Height & Area
To "C" Commercial 1st Height & Area
RECOMMENDED by the Planning Commission

Councilman White moved that the changes be granted as recommended by the Planning Commission. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Long

The Mayor announced that the change had been granted to "C" Commercial for Tract 1 except for the south 110' which was granted "O" Office, to "O" Office for Tract 2, and to "C" Commercial for Additional Area, all 1st Height

and Area, and the City Attorney was instructed to draw the necessary ordinance to cover.

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ALFRED E. FIEDLER	2101-2119 West Ben White	From "A" Residence
By Russell Rowland	2100-2118 Redd Street	To "GR" General Retail
		RECOMMENDED by the
		Planning Commission
		except for the south
		85' which was recom-
		mended "B" Residence

Councilman White moved that the change be granted as recommended by the Planning Commission. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Mayor announced that the change had been granted to "GR" General Retail except for the south 85' which was granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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THOMAS C. WOMMACK	Rear of 123 St. Elmo Road	From "A" Residence
By Odas Jung	125-209 St. Elmo Road	To "DL" Light Industrial
	Additional Area	RECOMMENDED by the
	4420-4434 South Congress	Planning Commission
	Avenue	

The Chief of Planning Section stated Mr. Jung had offered 22' to widen St. Elmo Road. Councilman White moved that the change to "DL" Light Industrial be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Mayor announced that the change had been granted to "DL" Light Industrial and the City Attorney was instructed to draw the necessary ordinance to cover.

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T. O. KITE

Tract 1
5700-5708 Manor Road
2800-2816 Rogge Lane

From "O" Office and
"C-1" Commercial
To "IR" Local Retail

Tract 2
Rear of 5704-5706 Manor
Road

From "C-1" Commercial
and "O" Office
To "C-1" Commercial

RECOMMENDED by the
Planning Commission

Councilman White moved that the change to "IR" Local Retail for Tract 1 and to "C-1" Commercial for Tract 2 be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Mayor announced that the change had been granted to "IR" Local Retail for Tract 1 and to "C-1" Commercial for Tract 2 and the City Attorney was instructed to draw the necessary ordinance to cover.

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A. E. PARDUE

2007 Whitis Avenue

From "B" Residence 2nd
Height & Area
To "C" Commercial 2nd
Height & Area
RECOMMENDED by the
Planning Commission

Councilman White moved that the change to "C" Commercial 2nd Height and Area be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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MRS. ESTHER CROW,
et al

1810-1814 & 1820 West
35th Street
1809 West 35th Street
Additional Area
1816-1818 West 35th
Street

From "A" Residence
To "IR" Local Retail
NOT Recommended by the
Planning Commission
RECOMMENDED "B" Resi-
dence

MR. ROBERT POTTS represented the applicant, pointing out an error in the

plat which was prepared by the Planning Department in that an area was shown as "O" Office whereby it was given as "GR" General Retail. It was pointed out "O" Office was correct, and there was an error in the history of the area zoning. Also although there was some reference to the thoroughfare, the question was not discussed. A very nice apartment development is next door to this property, and any other apartment in the area would have to be of the same class of investment, and it would not be economically feasible with the expressway either taking the property within the next few years or running right by it. The character of the neighborhood has changed from "A" Residence to some form of income producing use. The problem of a "B" Residence zoning as recommended, is whether or not any residential use should be planned, or if neighborhood service facilities should be contemplated in "IR" Local Retail. He had asked the Planning Commission to re-submit the case to the committee in view of the fact the case had not been fully developed, but he brought the case on to the Council rather than to withdraw it, so that the Council could have the opportunity to pass on it. He asked the Council to grant the zoning; otherwise to postpone a decision until all members were present; or he would like to withdraw the case until it could be developed fully. Opposition was expressed by MR. J. C. TITTLE stating there is another apartment house there now, and no one had asked for an apartment house. He did not believe the lot had ample space for an apartment; the alley is now being used as a thoroughfare, people are parking in the alleyway, and the owners cannot get into their garages. He stated there were restrictions on the property and it would give cause for a law suit. In answer to Councilman Shanks' question, Mr. Potts stated he did not know if there were any deed restrictions or not, but that two lots were added in for consideration by the Planning Commission. Mr. Tittle complained about the parking situation at the existing apartment. Opposition was expressed by MISS MINERVA DAVIS, making a complaint of the traffic from the existing apartment house, and the parking in the alleyway; by MRS. C. F. STOCKBURGER who opposed the proposed 24 hour - 7 day a week coin-operated laundry directly across the alley from her home. She said within five years the expressway would wipe out this strip of property. It was explained the alignment of the expressway would change the character of the neighborhood but the alignment would be to the south and not on the north side. Another citizen protested the zoning in that they had purchased their home in a restricted area, and now this proposed retail establishment backs right up against her home; the headlights of the cars coming in late to the laundry will flash right into her bedroom. The Mayor announced the Council would go by and look at this property and the apartment and make a decision at the earliest possible moment.

Later in the afternoon meeting, Councilman White moved that the "IR" Local Retail zoning be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Mayor announced that the change had been granted to "IR" Local Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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JAMES BRUNO
By Peter Bruno

58 $\frac{1}{2}$ -58 3/4 Rainey Street
615-623 River Street
59 $\frac{1}{2}$ -59 3/4 Bierce Street

From "A" Residence
To "LR" Local Retail
NOT Recommended by the
Planning Commission

MR. JOE BRUNO asked for a restaurant on this lot, stating they did not plan on any alcoholic beverages, and the restaurant would close at 10:00 P.M. He filed two letters from Faustino Fabela, and Jack Everhart and Earl Schwarzer, favoring the zoning change. One property owner appeared favoring the change as long as no intoxicating beverages were sold. He asked that Rainey Street be paved so there would be a decent driveway down to the lake. Opposition was expressed by MR. SAM QUINTANILLA stating the area was strictly residential except the City owned property, traffic was low, and the neighborhood is very quiet. If the hamburger stand is permitted, it will draw a type of young people that will make things unbearable and tenants the property owners had, would move. Opposition was expressed also by MR. HIRAM MILLER, owner of three pieces of property in the area, pointing out this change would be incompatible with the residential uses. It was noted this was a spot zoning. Councilman Shanks moved that the Council sustain the Planning Commission's recommendation and deny the change of zoning as it is spot zoning. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

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MRS. ED WHITED
By Mrs. Ruby Leona
Green

1106 Nile Street

From "A" Residence
To "GR" General Retail
NOT Recommended by the
Planning Commission

The City Attorney stated this application was in the Glen Oaks Urban Renewal Area; also it would be spot zoning. Councilman LaRue moved that the Council sustain the recommendation of the Planning Commission and deny the application. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

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ELIZABETH PATERSON
By W. L. Grafton

2703-2707 Swisher Street
Additional Area
2701 Swisher Street
900-902 Wahrenberger Street

From "A" Residence and
"BB" Residence 1st
Height & Area
To "O" Office 2nd Height
& Area
NOT Recommended by the
Planning Commission

Mr. W. L. Grafton represented the applicant, stating the matter of this application's not receiving approval was due to lack of access, as either East 30th or the two blocks to Swisher would have to be opened. The Chief of the Plan Section reported the Commission looked with favor on the zoning, but it was the street problem involved. Mr. Grafton stated the Director of Public Works had plans for opening 30th Street. The Council postponed decision, and Mr. Grafton was asked to meet with the Director of Public Works and the Planning Director regarding a street opening.

Councilman LaRue moved that the Council join the Mayor in Proclaiming September and October UNITED FUND MONTHS in the City of Austin and urged the citizens of Austin to participate in this observance to the fullest extent. The motion, seconded by Councilman White, carried by the following vote:

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

The proclamation was presented to COLONEL MURPHY, Chairman of the City's organization and is as follows:

PROCLAMATION

WHEREAS, there are many fields of health, welfare and character-building in Austin and Travis County, in which volunteer, privately-supported organizations may be better adapted to operate than tax supported institutions, and,

WHEREAS, the United Fund of Austin and Travis County and its agencies have consistently demonstrated their ability to discharge these community obligations with dispatch, efficiency, and economy of both money and manpower, and

WHEREAS, over the years since 1952, the United Fund has saved citizens of the community hundreds of thousands of dollars in expenses and hundreds of thousands of volunteer man hours, in addition to many dozens of additional campaigns that would otherwise have been necessary, and

WHEREAS, the United Fund has through the years given citizens of this community reliable assurance--following painstaking investigation of each prospective member agency, in addition to yearly meetings reviewing each proposed agency budget---of the integrity of member services, and

WHEREAS, the need for these services continues unabated, and will grow as the community continues to grow in size and complexity,

THEREFORE, I, LESTER PALMER, AS MAYOR OF THE CITY OF AUSTIN, do hereby proclaim the months of September and October as

UNITED FUND MONTHS

in the City of Austin, and urge the citizens of Austin to participate in this observance to the fullest extent.

IN WITNESS WHEREOF, I have herewith set my hand and caused to be affixed the Seal of the City of Austin this Ninth Day of September, 1965.

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 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)

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, Mayor Palmer
Noes: Councilman White
Absent: Councilman Long

The Mayor announced that the ordinance had been finally passed.

Councilman Shanks moved that the Minutes of the Meeting of September 2, 1965, be approved. The motion, seconded by Councilman White, carried by the following vote:

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

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH W. H. BULLARD 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, Shanks, White, Mayor Palmer
Noes: None
Absent: Councilman Long

The ordinance was read the second time and Councilman White moved that the

rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

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

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

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 BRADFIELD-CUMMINS, INC. 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, Shanks, White, Mayor Palmer
Noes: None
Absent: Councilman Long

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

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council has previously found that the maximum reasonable and safe speed for the operation of vehicles is thirty-five (35) miles per hour, on Lamar Boulevard, from Shoal Creek Boulevard to Koenig Lane; and,

WHEREAS, it has come to the attention of the Council that there has been a certain amount of confusion generated by the statement of the location stated by the Council in its original resolution, the Council now amends that statement of location to read as follows:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
Lamar Boulevard	Shoal Creek Boulevard	Koenig Lane where it intersects La- mar Boulevard, approxi- mately 500 feet north of the intersection of Lamar Boulevard and West 12th Street.

Now, Therefore,

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

That the City Clerk be authorized and instructed to record this finding in Section 33.40 of the Traffic Register.

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

The City Manager submitted the following:

"September 8, 1965

"To: W. T. Williams, Jr., City Manager Subject: Metal Storage Building for
East Austin Service Yard
(Street & Bridge Division) -
Contract Proposal

"On August 24, 1965, we advised a number of potential bidders regarding availability of plans and specifications for subject job.

"From past experience we felt that we were familiar with all potential bidders for the project and therefore did not feel the necessity of advertising for bids. The following contractors were contacted: Gray & Becker, Inc., Mes-Tex, L-H Builders, C & H Construction Company, Wright Building Sales, Archie Fitzgerald, and J. C. Evans.

"On Tuesday, September 7, we received bids at 2:00 P.M. in the Council Room and had only one bidder. The bid was from C & H Construction Company in the amount of \$9,000.00.

"Those contractors who actually took out plans and specifications but did not bid are listed below along with the reason for not bidding.

Gray & Becker, Inc. - Estimator on vacation.

Mex-Tex Steel Buildings - Wage scale too high.

L-H Builders - They overlooked the actual time of bidding as stated in the specifications.

Wright Building Sales - They bid with C & H Construction Company.

"We are attaching hereto our estimate of the construction costs which totals \$9,165.

"This facility will accommodate rolling equipment for the Street and Bridge Division in the Northeast Austin area.

"We are advised by Mr. Rountree, Director of Public Works, that adequate funds are available for this work.

"The low bidder, C & H Construction Company, Inc., has done very good work for the City in the past.

"Mr. Rountree and Mr. Purser join us in recommending that this contract be awarded to C & H CONSTRUCTION COMPANY, INC. for the lump sum price of \$9,000.00.

"From: A. M. Eldridge, Supervising Engineer
Construction Engineering Division

Signed: A. M. Eldridge

"September 7, 1965
Construction Engineering Div.

"COST ESTIMATE METAL STORAGE BUILDING - EAST AUSTIN SERVICE YARD for STREET & BRIDGE DIVISION

"Metal Building (including doors, windows and hardware)	\$5,825.00
Masonry including painting and waterproofing	405.00
Carpentry	100.00
Concrete, excavation and fine grading	1,640.00
Overhead and Profit	<u>1,195.00</u>
Total	\$9,165.00 "

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 7, 1965, for Metal Storage Building for East Austin Service Yard (Street & Bridge Division); and,

WHEREAS, the bid of C. & H. Construction Company, Inc., in the sum of \$9,000.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Supervising Engineer of the Construction Engineering Division, A. M. Eldridge, and by the City Manager; Now, Therefore,

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

That the bid of C. & H. Construction Company, Inc., in the sum of \$9,000.00, 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 C. & H. Construction Company, Inc.

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

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

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 second time and Councilman LaRue 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, Shanks, White, Mayor Palmer
Noes: None
Absent: Councilman Long

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: None
Absent: Councilman Long

The Mayor announced that the ordinance had been finally passed.

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

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: LOTS 5, 6 AND 7 OF THE SUBDIVISION OF OUTLOTS 38 AND 39, FROM "B" RESIDENCE DISTRICT AND

FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND 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 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: None
Absent: Councilman Long

The Mayor announced that the ordinance had been finally passed.

Councilman Shanks asked for a report on the discussion with Mrs. Beddow and the City Attorney's Office. The City Attorney said the Assistant City Attorney, Mr. Fowler, met with Mrs. Beddow and Mr. Flournoy. Mrs. Beddow is willing to dedicate 5' of right of way on 38 $\frac{1}{2}$ Street, but she says she was not in a position to dedicate more than that Mr. Fowler recommends. If the policy is to be changed that it be changed for future cases and not for cases falling under the present policy. It was his recommendation to accept the 5' dedication. Mrs. Beddow offered to cancel the lease arrangement Mr. Flournoy had made with her if this were not satisfactory to him. Mr. Flournoy presented to the Council an appeal based on the fact he was unable to cancel the lease arrangement. The City Manager stated the dedication of 5' was no change from what was before the Council last week and he was not recommending that. Fifteen feet are needed, and they had already offered 5'. The Mayor stated the Council would hold up on this, until it could work a little more with Mrs. Beddow on this.

Regarding the creek out in Windsor Park the City Manager said the Director of Public Works had been doing considerable work on this matter and had held conferences with the people as late as this morning. At present there is nothing to bring before the Council. The Director of Public Works wants to make further studies and meet again with this group within the next week or so. The Mayor announced to the group the Council would work along with the Director of Public Works; and as soon as he is ready to report, the Council would be glad to hear from him.

The City Manager called attention to a copy of the report of the Board of Equalization as sent to the Council, as follows:

"September 2, 1965

"The City Council
City of Austin
Municipal Building
Austin, Texas

"Dear Council Members:

"Complying with provisions of the City Charter, we, your Board of Equalization

for the year 1965, herewith submit our report of activities.

"The Board of Equalization convened August 2, 1965, and began hearing appeals that date. All property owners who filed an appeal requesting a hearing and appeared at the designated time were heard. There were conducted 149 separate hearings representing 526 individual properties. In addition to these, there were 19 appeals scheduled for which the property owners either cancelled the appeal or did not appear, and there were 72 properties that were appealed by letter. There was also one property that was considered by the Board that was the result of changes in adjoining property values. A total of 620 dockets were prepared and 618 properties were duly presented and considered by the Board of Equalization for the year 1965. Of this total, 201 property values were adjusted and 417 were sustained as established by the Tax Department.

"The Board was in session a total of twenty-three work days and spent a total of 138 hours in performance of our sworn duty.

"In the opinion of this Board, its work was greatly reduced by the successful efforts of Jack Klitgaard and his department members to equalize valuations in the City and School District. The Department has successfully handled hundreds of complaints and questions which could have gone to the Board or the City Council.

"Having completed its work the Board of Equalization stands adjourned this day at noon, September 2, 1965, subject to the call of the City Council to render any assistance the Council may desire. We hereby certify our approval of the 1965 tax roll for the City of Austin and the Austin Independent School District.

"Respectfully submitted,

s/ John R. Kingsbery
John R. Kingsbery, Secretary

s/ Wilford Turner
Wilford Turner, Chairman

s/ W. L. Moore
W. L. Moore"

The Mayor stated the Council would accept the report with an expression of thanks from the entire Council for the fine work the Board performed for the City. They did an excellent job.

Councilman Shanks wanted to take particular note where the Board of Equalization commended MR. KLITGAARD, Tax Assessor; and that a lot of people who appeared before the Board were very complimentary of the way Mr. Klitgaard had received them and of his efforts. Councilman Shanks stated he thought the Council would like to express its gratitude to Mr. Klitgaard in his behalf. The Mayor stated that was in order and very proper.

Councilman LaRue inquired about the deadline on which the appellants might be heard. The City Manager explained the policy as set out in the Charter and the practice of the Council in the past as it would adopt the roll subject to adjustments made by the Council on appeals and that leaves the appeals open as long as the Council wants to hear them. Councilman LaRue suggested setting a date so that no one might come in 60 or 90 days later. The City Attorney explained the legal aspects, stating no one has a right of appeal after the roll has been approved by the Council and the roll is usually approved by the Council a week or so before the tax levy is fixed. He explained the policy and

practice. Councilman LaRue suggested that a cut-off date be publicized. Brief discussion was held. The Mayor stated the rolls were closed subject to the appeals.

The City Manager had a note from the Recreation Director regarding the request of the Boy Scouts for permission to conduct the Camporee in Zilker Park October 15, 16 and 17, around the polo tables and including the Hillside Theatre. The Recreation Director had conferred with the officials and requested that they not build any fires on the ground and make arrangements for satisfactory sanitary facilities. The Council informally agreed to grant the permission as long as they met the sanitation requirements.

The City Attorney had prepared a resolution regarding Mrs. Claude Hill's long service as Austin's representative to the United Nations Committee, and he stated he would contact her to find out when it would be suitable for her to be present to receive the resolution and the achievement award.

The City Manager announced copies of the Street Paving Summary showing progress on the street paving work had been filed with the Council. The Director of Public Works reported 75% of the streets and alleys were paved, and they are picking up some "gaps" in paving now.

Councilman LaRue moved that MR. LALO CAMPOS be granted permission to use the Coliseum for a dance Sunday, September 19th, for the Derby Athletic Club. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Assistant City Manager reported that MR. BILL YOUNGBLOOD said the Austin Restaurant Association had been successful in getting the Texas Restaurant Association Convention in Austin June 27-29, 1966 and they are anticipating 10,000 in attendance. Two requests are being made now:

1. They would like to have the lights on the bridges between the Gondolier Hotel and the Auditorium.
2. They would like to use boats on Town Lake to ferry the conventioners from the boat docks at hotels on Town Lake to the Auditorium. The Austin Boat Dealers will supply the boats.

After brief discussion, the Mayor asked that more information be obtained on this latter request. He asked that Mr. Youngblood be informed the Council looked with favor on his requests based on a few little details. The Assistant City Manager said MR. YOUNGBLOOD plans to come before the Council to outline his plans.

The Assistant City Manager said a letter had been received from MR. VIC EHLERS announcing the Community Action Program is being approved with minor alterations, and Austin received two checks totalling \$5,000. These two checks are for the Dental Health Program and the Child Welfare Office. Financing mechanics are being worked out with the Community Council. The City Manager stated there was no contract signed setting out the conditions as yet.

Mr. Perlitz appeared before the Council regarding the rezoning of West 38th Street and Jefferson. The Mayor stated this would be checked into.

The Mayor read a letter from MR. F. J. DeGROTT, Hondo, Texas, expressing sincere appreciation to the Austin Police Department, particularly commending SERGEANT STEVENS and OFFICER BOATRIGHT for their courtesy and help, and stating Austin could be proud of these men.

Mayor Palmer read a letter from MR. VICTOR L. BROOKS regarding 19th Street, stating he had logged 59,280 miles on this street during the past 19 years; and the next 59,000 miles would be smoother than the first.

The Mayor read a letter from Mr. Joseph W. Walker expressing appreciation for the excellent service extended by the personnel of the Main Library and the Branch Library located on Exposition Boulevard, stating they were extremely courteous and helpful during his family's residence in Austin the past two years.

MR. CARL HARDIN appeared before the Council regarding his zoning application on .95 acres on Evergreen Avenue, on which they have an offer of purchase. Planned through this area is a roadway. Their request was postponed until after it had been established whether or not the City wanted to purchase the land or a part of it. He asked for the zoning as originally requested; and if the City wants a part of the property they would meet with the purchaser and the City Attorney and work out a three-way deal with the City, purchaser and him as the seller. Mr. Hardin stated they had a certain price they had been offered, and he believed reasonable arrangements could be made. The Director of Planning pointed out some very serious engineering problems of this whole roadway. The City Attorney stated involved also were a railroad crossing and a street crossing, and two off-set streets. Mr. Hardin asked that the zoning be granted. The City Manager stated he had not heard anything about these plans for the road and no one had discussed the roadway with him. Councilman LaRue suggested that this discussion be postponed until next week. Mr. Hardin stated this would be perfectly satisfactory.

At 12:00 noon Councilman LaRue moved that the Council recess until 2:30 P.M. The motion, seconded by Councilman Shanks, carried by the following vote:

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

RECESSED MEETING

2:30 P.M.

At 2:30 P.M. the Council resumed its business, and the Mayor announced this was a meeting for the purpose of holding a public hearing on the City Budget covering the period of October 1, 1965 to September 30, 1966. He asked since this was the City Manager's Budget until it was adopted by the Council, that he give the Budget Message, and then the hearing would be opened for discussion. The City Manager read his message which covered a summary of the detailed budget, and expressed appreciation for the fine work of the department heads and employees, and gratitude for the leadership and farsightedness of the City Council and the interest of its members in the affairs of the City and the problems of the departments.

Mayor Palmer stated the members of the Council had spent several evenings reviewing each departmental budget with the City Manager and department heads; and in their judgment they felt this budget was strictly a "bread and butter" budget with no luxury items in it at all. All members had pledged they would try to hold the tax rate at the same level as it was last year; and to accomplish this, it was necessary for the City Manager to take items in line of priority and postpone others. There is an adequate budget to give the people of Austin the basic services. Mayor Palmer opened the hearing for discussion from any citizen.

MR. C. T. JOHNSON stated the people in the west part of Austin had been sadly neglected from the Recreation side. Each section of Austin has a large pool but the section of the City where the substantial income is received, has received the greatest neglect, its pool is still 60' x 40', disregarding the fact the population of West Austin has increased, and very little land is left for expansion. He outlined the new additions served by Reed Park. They do not even have benches at this pool. The pool should be lengthened to a minimum of 100' which would probably cost about \$40,000. He asked that when the budget comes up next year that the Council look upon West Austin with favor for a larger pool, as it is now a necessity. The Mayor thanked Mr. Johnson for his interest. He pointed out money was not spent in each section based on production of revenue of that section. Austin is considered as a whole. The City Manager stated the major pools were fairly evenly distributed throughout the City. Hyde Park is farther from any major swimming pool than any part of West Austin south of 35th Street. Councilman Shanks stated there were many private swimming pools in people's yards. The Mayor noted that the land for REED PARK was donated to the City.

Friends of the Library were present in the interest of the budget.

No other citizen had any comments to make.

Councilman Shanks commended the City Manager for working up the budget, stating the Council reviewed it on several evenings, and he thought it was a fine budget. He pointed out this procedure was not like that of the State where the various agencies strive to spend every penny of their appropriation before September 1st. If the City has any money left over, it contains that money. The budget is a guide line; and if money can be saved, it is, and that is why on many occasions the budget can be balanced. He congratulated MR. WILLIAMS for again bringing up a sensible budget.

Councilman LaRue expressed appreciation to MR. WILLIAMS, and his staff; and as he had commented before he stated this is some of the finest planning that he had ever seen, this is another excellent example of this type of work,

and the Council is indebted to Mr. Williams for this planning. Mayor Palmer stated he echoed those sentiments.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ADOPTING AND APPROVING THE BUDGET FOR
THE FISCAL YEAR BEGINNING OCTOBER 1, 1965, AND
TERMINATING SEPTEMBER 30, 1966, AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT, PROJECT AND ACCOUNT;
AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen LaRue, Shanks, Mayor Palmer

Noes: None

Absent: Councilman Long

Present but not voting: Councilman White

Councilman White made the following statement regarding his abstaining on voting:

"I would like to make a statement on this Budget. I have been up here a good while, and we have always heretofore gotten these Budgets two or three weeks ahead of time, and I take my Budget home and study it at night by myself where there is nobody to bother me. Now, this Budget, when I came and sat down here, is the first time I have seen this Budget. I do not know what is in it. I guess it is all right, but I cannot conscientiously vote for this Budget, I do not think, this afternoon, and so I am going to have to abstain on this. I am not voting against it, but just abstaining on this Budget, because I asked for this Budget about ten days ago, and I was promised I would get it, and they wanted to talk to me about the Budget; and today is the first time I have seen it. Nobody has said anything since. So I will have to abstain."

It was stated the working papers had been distributed at the nightly study sessions of the Council. Councilman White who could not attend the meetings stated he had asked for and was promised a budget. It was stated it was understood he and the Assistant City Manager were to get together and go over the Budget. Councilman White stated he wanted to have a budget and study it as he always did, before he voted on it. The Mayor stated four members had gone over this budget at several night sessions in close detail. He stated this completed the budget hearing for today.

The City Manager said the Building Official had a report from the Town Lake Study Committee which would need Council consideration. The Building Official stated LaGuna Gardens structures had not been officially approved by

the Town Lake Study Committee or the Council. The Town Lake Study Committee heard this proposal and approved the plans for the two structures to be erected, and the matter needs Council approval, before a permit could be issued. The other building is an addition to LA HALA HOUSE, and this was also approved by the Town Lake Study Committee. "Little Texas" was approved by the Committee as a project, but not as to location since no site had been selected. Councilman Shanks moved that the Council approve the issuance of building permits for LA GUNA GARDENS and for the addition to LA HALA HOUSE as submitted by the Building Official and approved by the Town Lake Study Committee. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager stated in 1959 the Ebasco (Electric Consultants) made some rate studies; one of which was a "stand-by" rate for electric service, and this rate was fixed at \$1.50 per KW plus whatever energy was used, on a contract capacity. For large customers, this rate would run pretty high. At the time the stand-by charge was proposed, there were not these large customers. He recommended that the Council pass the ordinance which would have the effect of reducing that stand-by charge so that where there is a customer who has on site generation, instead of charging him \$1.50 per KW, the City would charge the following rate:

\$1.50 for the first 1,000 K.W.
\$1.25 for the next 4,000 K.W.
\$1.00 for all in excess of that.

Then the same rates for energy that General Service Rates provide would apply.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 590910-F BY
PRESCRIBING AND LEVYING RATES AND CHARGES FOR SALES
MADE AND SERVICES RENDERED IN CONNECTION WITH THE
ELECTRIC LIGHT AND POWER WORKS AND SYSTEM OF THE
CITY OF AUSTIN FOR STANDBY ELECTRIC SERVICE; REPEAL-
ING THOSE PARTS OF ALL ORDINANCES, RESOLUTIONS, AND
ORDERS IN CONFLICT HERewith; AND DECLARING AN EMER-
GENCY.

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 Shanks, carried by the following vote:

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

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 Shanks, carried by the following vote:

September 9, 1965

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

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: None
Absent: Councilman Long

The Mayor announced that the ordinance had been finally passed.

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

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

The Council adjourned at 3:30 P.M. subject to the call of the Mayor.

APPROVED

L. F. E. Palmer
Mayor

ATTEST:

Chris Woodley
City Clerk