

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 30, 1967
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

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

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

Invocation was delivered by REVEREND HERB TAYS, Presbyterian Minister's Fund.

At 10:00 A.M., the Council received bids on the following contracts for the Decker Creek Power Plant:

LINE CONTROL PANELS - CONTRACT X-129

BIDDER	AUSTIN METER SERVICES INC.	POWELL ELECTRICAL MFG. CO.	WESTINGHOUSE ELEC. CORP.
BID BOND	\$10,000	\$10,000	\$10,000
BIDDING UNIT I LINE RELAY PANELS NO. 1 and NO. 2	\$83,241	\$82,941	\$58,460
BIDDING UNIT II LINE CONTROL CONSOLE	\$23,075	\$15,008	\$26,037
BIDDING UNIT III LUMP SUM FOR BIDDING UNITS I & II	\$106,316	\$97,949	\$84,497
BIDDING UNIT IV FIELD REP. PER DIEM	\$ 75	\$ 950	15.75/hr. + travel & liv.
ESCALATION	Firm	Firm	10%

LINE CONTROL PANELS - CONTRACT X-129 (Continued)

BIDDER	AUSTIN METER SERVICES INC.	POWELL ELECTRICAL MFG. CO.	WESTINGHOUSE ELEC. CORP.
DRAWINGS, CALENDAR DAYS			
FIRST ISSUE	45	30	175
FINAL APPROVAL	150	60	217-231
CERTIFIED PRINTS	365	90	378

PREFABRICATED BUILDINGS - CONTRACT X - 134

BIDDER	Gray & Becker Inc.
BID BOND	\$10,000
BIDDING UNIT NO. I PREFABRICATED BUILDINGS	\$139,980
ESCALATION	FIRM
DRAWINGS, CALENDAR DAYS	
FIRST ISSUE	60
FINAL APPROVAL	120
CERTIFIED PRINTS	180

CONCRETE CIRCULATING WATER PIPE - CONTRACT X-111

BIDDER	Gifford-Hill-American Inc.
BID BOND	\$ 10,000
BIDDING UNIT NO. I CONCRETE CIRCULATING WATER PIPE	\$116,461.71
ESCALATION	Firm
DRAWINGS FOR APPROVAL IN CALENDAR DAYS	30

Councilman Long inquired why only one bid was received on the prefabricated buildings. The City Manager stated it was anticipated that four bids would be received, but no others are here now although seven or nine invitations were sent out. He said this would need studying to see what kind of price this would be.

Councilman LaRue inquired on the Line Control Panel, Contract X-129, about the time limit. The City Manager stated the contract for General construction of the Power Plant Unit would not be let until about next August, and it will be about a year and a half to two year construction job. The bids were referred to the Director of Electric Utilities and the Consulting Engineers, Brown and Root, Inc., for study and for report back.

March 30, 1967

Later in the meeting, the Council received the recommendations from the Engineers, as follows:

"March 30, 1967
File: E-537-HOK

"Mr. W. T. Williams, Jr.
City Manager
City of Austin
P. O. Box 1088
Austin, Texas 78767

"LINE CONTROL PANELS, CONTRACT NO. X-129
DECKER CREEK POWER STATION
UNIT NUMBER ONE
OUR JOB CA-0003

"Dear Mr. Williams:

"Brown & Root, Inc., has examined the bids opened by you at 10:00 A.M., March 30, 1967, in open Council meeting for Decker Creek Power Station, Unit Number One, Line Control Panels, Contract Number X-129.

"Bids were submitted as follows:

Bidding Unit No. 1

Bidder	Bid Bond	Bid Price	Escalation	Exceptions to Specifications
Westinghouse Electric Corp.	Yes	\$58,460.00	10%	None
Powell Electrical Manufacturing Co.	Yes	\$32,941.00	None	None
Austin Meter Service	Yes	\$33,241.00	None	None

Bidding Unit No. 2

Bidder	Bid Bond	Bid Price	Escalation	Exceptions to Specifications
Westinghouse Electric Corporation	Yes	\$26,037.00	10%	None
Powell Electrical Manufacturing Co.	Yes	\$15,008.00	None	None
Austin Meter Service	Yes	\$23,075.00	None	None

Bidding Unit No. 3

Bidder	Bid Bond	Bid Price	Escalation	Exceptions to Specifications
Westinghouse Electric Corporation	Yes	\$34,497.00	10%	None

March 30, 1967

"Bidding Unit No. 3 (Continued)"

Bidder	Bid Bond	Bid Price	Escalation	Exceptions to Specifications
Powell Electrical Manufacturing Co.	Yes	\$ 97,949.00	None	None
Austin Meter Service	Yes	\$106,316.00	None	None

"On the basis of the lowest and best bid after an evaluation in accordance with the specifications, it is recommended that a contract be awarded to Westinghouse Electric Corporation for Contract No. X-129, Line Control Panels, Bidding Unit No. 1 for the maximum escalated lump sum of \$64,306.00. On the same basis it is further recommended that a contract be awarded to Powell Electrical Manufacturing Company for Contract No. X-129, Line Control Panels, Bidding Unit No. II for the lump sum of \$15,008.00

"Yours very truly,
BROWN & ROOT, INC.
s/ H. O. Kirkland
H. O. Kirkland
Project Electrical Engineer

"APPROVED:
s/ D. C. Kinney
D. C. Kinney, Dir. Elec. Utility"

"March 30, 1967
File: S-536-NDF

"Mr. W. T. Williams, Jr.
City Manager
City of Austin
P. O. Box 1088
Austin, Texas 78767

"PREFABRICATED BUILDINGS-CONTRACT X-134
DECKER CREEK POWER STATION
UNIT NUMBER ONE
OUR JOB CA-0003

"Dear Mr. Williams:

"Brown & Root, Inc., has examined the bids opened by you at 10:00 A.M., March 30, 1967, in open Council meeting for the Decker Creek Power Station, Unit Number One "Prefabricated Buildings" Contract X-134.

"Specifications and Proposal were presented to the following:

John Broad Construction Co.	Austin
Butler Mfg. Co.	Houston
Delta Steel Buildings	Dallas
Mes-Tex Steel Buildings	Houston
Metallic Building Co.	Houston
Rogers Steel Corp.	Houston
Thomas Brothers Lumber Co.	Austin

March 30, 1967

"The only bid received was from Gray & Becker Inc. of Austin, Texas, representing Metallic Building Company for the lump sum of \$139,980.00.

"As of Monday of this week all the prospective bidders were contacted with regard to the issue of an addendum. At that time, three of the above firms indicated they would submit bids, while the others were non-committal.

"On the basis of only one bid being received, we ask the Council to bear with us while we investigate the lack of competitive bidding and recommend that new bids be taken as soon as possible.

"Yours very truly,
BROWN & ROOT, INC.
s/ D. V. Boyd
D. V. Boyd, P.E.

APPROVED:
s/ D. C. Kinney
D. C. Kinney, Dir. Elec. Utly."

"March 30, 1967

"Mr. W. T. Williams, Jr.
City Manager
City of Austin
P. O. Box 1088
Austin, Texas, 78767

"CONCRETE CIRCULATING WATER PIPE, CONTRACT NO. X-111
DECKER CREEK POWER STATION, UNIT NO. ONE
OUR JOB CA-0003

"Dear Mr. Williams:

"Brown & Root, Inc., has examined the bid opened by you at 10:00 A.M., March 30, 1967, in open Council Meeting for the Decker Creek Power Station, Unit No. 1, Concrete Circulating Water Pipe, Contract No. X-111.

"The bid submitted by Gifford-Hill-American, Inc., is in accord with the specifications, and the unit prices used reflect the current market value.

"We recommend the contract be awarded to Gifford-Hill-American, Inc., for the lump sum of \$116,461.71.

"Yours very truly,
BROWN & ROOT, INC.
s/ D. V. Boyd
D. V. Boyd, P.E.

"APPROVED:
s/ D. C. Kinney
D. C. Kinney, Dir. Elec. Utility"

The City Manager stated Contract X-129 - Line Control Panel, Unit No. 1 involved part of the facilities, and Unit No. 2 involved another part, and Unit 3 was a combination. It was recommended by Brown and Root, Inc., Consulting Engineers that on the basis of the lowest and best bid after an evaluation in accordance with the specifications, that a contract be awarded to WESTINGHOUSE ELECTRIC CORPORATION for Contract X-129, Line Control Panels, bidding Unit No. 1 for the maximum escalated lump sum of \$64,306.00. It was further

recommended on the same basis that a contract be awarded to POWELL ELECTRICAL MANUFACTURING COMPANY for Contract No. X-129, Line Control Panels, bidding Unit No. 2, for the lump sum of \$15,008. The City Manager stated the escalated figure bid by WESTINGHOUSE was \$58,460; and if it were assumed the full amount of the escalation allowed would apply, it would be \$64,000, and still would be the low bid. The City Manager reported that the recommendation of the Engineers was concurred in by the Director of Electric Utilities and himself. Councilman Shanks moved that Unit No. 1 be awarded to WESTINGHOUSE ELECTRIC CORPORATION, and Unit No. 2 to POWELL ELECTRIC MANUFACTURING COMPANY as recommended. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager reported on Contract X-134, Prefabricated Building, Decker Creek Power Station, stating the letter from Brown & Root, Inc. cites that proposals were presented to John Broad Construction Co., Butler Mfg. Co., Delta Steel Buildings, Mes-Tex Steel Buildings, Metallic Building Co., Rogers Steel Corp. and Thomas Brothers Lumber Co. for bids on the prefabricated building, and the only bid received was that from Gray and Becker, Inc. representing Metallic Building Company. The letter also cites that all of the proposed bidders were contacted in regard to the issue of an addendum. Three of the firms indicated they would submit bids, and others made no comment. The Engineers suggested that in view only one bid was received that they investigate to try to determine the reason of lack of competitive bidding, and possibly the taking of new bids. The Council discussed this matter--the estimate, time limit, and other items. Councilman Shanks stated if the companies were neglectful of bidding, and that was their only reason for not bidding; and if this bid were pretty well within the City's estimate, he thought the Council owed it to these people that did bid, to recognize their efforts to submit a bid. The Mayor stated some investigating would be made.

On the Concrete Circulating Water Pipe, Contract-X-111, Decker Creek Power Station Unit No. I, there was only one bid received. There are two contractors who could have bid this item, but one is located at a distant point, and the cost of freight could cause his prices necessarily to run higher than that of Gifford-Hill-American. That is a justifiable explanation to having received only one bid. The recommendation from the Engineers was that Gifford-Hill-American, Inc. be awarded the contract in the lump sum of \$116,461.71. Councilman Long inquired about the estimated price on this equipment. MR. D. V. BOYD, Brown & Root, Inc., Consulting Engineers, stated they had talked to these people, had their publicized unit prices, had talked to others who had bought pipe from the other company, and had compared their prices on what the other company had sold to other people. Councilman Shanks moved that the Contract be awarded to GIFFORD-HILL-AMERICAN, INC. as recommended. The motion, seconded by Councilman White, carried by the following vote:

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

REQUEST FOR CITY OWNED PROPERTY

Councilman White moved that MR. MOTON CROCKETT be heard. The motion was seconded by Councilman LaRue. Roll call showed a unanimous vote.

MR. CROCKETT introduced officials of the Texas Junior Chamber of Commerce, Texas Historical Association, and the President of the Texas Junior Chamber of Commerce Foundation. Mr. Crockett stated the Texas Junior Chamber of Commerce is interested in moving its State Headquarters from Grand Prairie to Austin; and at the Annual Meeting on April 19-22 in Fort Worth, it is hoped that Austin will make a bid that this move be made to this City. He pointed out on a sketch City owned land recently purchased on Highway 290 East and Cameron Road, the area to be used for highway improvements, and a 2.1 acre tract left that the City might deed or lease to the Texas Junior Chamber of Commerce Foundation for a 5,000 square foot building for headquarters for the Texas Jaycees. Land for future development by the City could be reserved, so the property would not have to be repurchased. He distributed copies of a deed to the Texas Jaycees from the City of Grand Prairie citing land and improvements would revert to Grand Prairie if the headquarters were moved. MR. GLENN REED, President, Texas Junior Chamber of Commerce, stated due to the growth of their organization, the facilities are no longer adequate, and he listed advantages of Austin's being the most desirable location for these State Headquarters. He said the Texas Jaycees want to hold their annual board meetings in Austin, and this would mean approximately 1,000 persons coming to Austin for a day or two for this Board meeting each year. He asked for a letter of commitment of this property so he could persuade those attending the Annual Meeting to select Austin. In answer to Councilman Shanks' inquiry, Mr. Reed said there would be four permanent employees and probably more. Discussion of the highway right of way was held. The City Attorney explained at the time the entire tract was purchased it was not known where the limits of the right of way would be. He had not been advised about the recent designs or re-engineering by the Highway Department. In addition the Highway Department has been studying Cameron Road as a Farm to Market Road, since these latest designs were drawn. The City Manager said there would be an interchange between Highway 290 and Cameron Road and the frontage roads might be off grade. Mr. Crockett was under the impression the frontage roads on Cameron Road would remain on grade. He showed a development plan of his 15 acres adjoining this City owned tract, stating additional parking would be available to this space should the city at some later date consume most of the parking in that area. Discussion was held on the lease. Mr. Reed stated the deed would be in the hands of Jaycee Foundation, for continuity purposes. Mr. Crockett stated the lease with the Austin Chamber of Commerce was for 52 years. Mayor Palmer asked about the reversion clause of the lease; and if the City could take it back under any condition unforeseeable today. Mr. Crockett stated in the Grand Prairie deed the only reversion condition was that the Texas Junior Chamber of Commerce failed to occupy the land as their headquarters. Mr. Crockett stated details could be worked out with Austin. Mayor Palmer asked if another site would be located, would the Headquarters need two acres. Mr. Crockett stated they wanted to make a real show place.

Councilman Long inquired how many State Headquarters were located in Austin. It was answered there were 200 and quite a few were non-profit organizations. Councilman Long pointed out land had not been furnished for any of these and she was not sure that the City should start furnishing land for State

Headquarters. She asked if there were to be a trend or policy started of furnishing land for State Headquarters for non-profit organizations. The Mayor stated the Council did need to look into this and study it. He pointed out the interests of the Senior-Junior Chambers of Commerce are almost identical to those of the City Council--building a better city and better community. The Chambers of Commerce are strictly for community development. He read a telegram from MR. LEWIS TIMBERLAKE endorsing the location of the headquarters in Austin and congratulating the group in trying to obtain the Headquarters for Austin. The group stated they would need the letter of commitment by April 15th.

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Mayor Palmer announced it was 10:30 A.M. and opened the hearing on annexing Proposed CAMERON PARK, SEC. 3; Proposed PATTON'S ADDITION and PATTON'S ADDITION, SECTION 3; and Proposed UNIVERSITY HILLS, SECTION 4, PHASES 1 & 2. No one appeared to be heard. Councilman LaRue moved that the hearing be closed. The motion, seconded by Councilman Long, 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 7.04 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NUMBER 57 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. (Cameron Park, Sec. 3)

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 Long, carried by the following vote:

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

The ordinance was read the second time and Councilman LaRue moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Long, 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 1.44 ACRES OF LAND OUT OF AND A PART OF THE JOHN APPLGAIT SURVEY, 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.
(Patton's Addition and Patton's Addition Section 3)

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 Long, carried by the following vote:

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

The ordinance was read the second time and Councilman LaRue moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Long, 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 ANNEXA-
TION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF
22.20 ACRES OF LAND OUT OF THE WILLIAM WILKS SURVEY,
THE JOHN APPLGAIIT SURVEY, THE J. A. G. BROOKE SURVEY
AND THE PATRICK LUSK SURVEY, 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
(University Hills, Section 4, Phases 1 & 2)

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 Long, carried by the following vote:

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

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

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

Councilman LaRue moved that MR. DICK VAUGHN be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

MR. VAUGHN (Candidate for the Council) commended the present City Council for a job well done. Councilman Shanks moved that the comments made about the Council be accepted and the political statements be ruled out. The motion, seconded by Councilman White, carried by the following vote:

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

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: (1) THE NORTH ONE-HALF OF LOT 4, AND ALL OF LOT 5, BLOCK 31 OF CHRISTIAN AND FELIMAN'S ADDITION, LOCALLY KNOWN AS 2219-2225 SWISHER STREET AND 901-909 EAST 23RD STREET; AND ADDITIONAL AREA: THE SOUTH ONE-HALF OF LOT 4 AND ALL OF LOT 3, BLOCK 31 OF CHRISTIAN AND FELIMAN'S ADDITION, LOCALLY KNOWN AS 2211-2217 SWISHER STREET, FROM "BB" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; (2) THE WEST 27.5 FEET OF LOT 21 AND THE EAST 35.5 FEET OF LOT 22, BLOCK B OF SHOALCREST OAKS, LOCALLY KNOWN AS 1608 WEST 39-1/2 STREET, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; (3) LOT 23 AND THE WEST 17.5 FEET OF LOT 22, BLOCK B OF SHOALCREST OAKS, LOCALLY KNOWN AS 1610 WEST 39-1/2 STREET AND 3911-3913 SHOAL CREEK BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; (4) THE NORTH 95.2 FEET OF LOT 96 OF THE NORTHFIELD ADDITION, LOCALLY KNOWN AS 5308-5310 CHESTERFIELD AND 301 FRANKLIN BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; (5) THE SOUTH 34.8 FEET OF LOT 4, BLOCK 9 OF THE FAIRVIEW PARK ADDITION, LOCALLY KNOWN AS 1327-1329 SOUTH CONGRESS (1311 SOUTH CONGRESS) AND 1306 THE CIRCLE, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; (6) LOT 2, BLOCK 15 OF BROADACRES, LOCALLY KNOWN AS 5611 WOODROW (5623 WOODROW), FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; ALL OF SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen LaRue, 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.

Councilman Long moved that the Council set April 27th, at 10:00 A.M. to consider the following zoning application:

RICHARD POHL, et al	2405-2511, 2701-2807,	From "A" Residence 1st
By Graves, Dougherty,	2428-2616 & 2700-2904	Height & Area
Gee, Hearon, Moody &	West 35th Street	To "LR" Local Retail 2nd
Garwood	3413-3425, 3501-3513,	Height & Area
	3418-3428 & 3500-3512	NOT Recommended by the
	Exposition Boulevard	Planning Commission

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

MR. JAMES ATLEE, representing the opposition, asked if this would be a hearing. The Mayor stated the hearing had been held. Unless some new evidence or new information is available normally, the Council would not have another public hearing.

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The City Manager submitted the following:

"March 29, 1967

"MEMORANDUM TO: Mr. W. T. Williams, Jr.
City Manager

"FROM: A. H. Ullrich, Director
Water and Sewage Treatment

"SUBJECT: Tabulation of bids received for construction of Additional Primary Settling (Skimming) Tank at the Govalle Sewage Treatment Plant. Bids were received in the City Council Room at 10:00 A.M. on Tuesday, March 21, 1967. The attached tabulation of bids was made by A.H. Ullrich.

"DISCUSSION:

"Attached is a complete, detailed tabulation of bids received on the subject project. The bid documents provided for a base bid based on furnishing and installing Dorr-Oliver sludge removal and skimming equipment and also listed a number of alternates for furnishing and installing equipment manufactured by reputable manufacturers other than Dorr-Oliver.

"You will note that the Canyon Construction Co. Alternate No. 1 bid, based on Walker Equipment Co. equipment, in the amount of \$77,884.00 is the low bid.

"RECOMMENDATION:

"It is my recommendation that the contract for the subject project be awarded to the Canyon Construction Co. of Austin, Texas on their Alternate No. 1 bid, based on furnishing and installing Walter Equipment Co. equipment, on their low bid in the amount of \$77,884.00.

"Mr. S. A. Garza, Consulting Engineer on the project, concurs in the above recommendation. A copy of his recommendation is attached.

"Respectfully submitted,
s/ A. H. Ullrich
A. H. Ullrich

"SUPPLEMENTARY DATA AND INFORMATION

"The subject project for construction of the proposed additional primary settling tank at the Govalle Sewage Treatment Plant is included in the 1966-1967 Fiscal Year Capital Improvements Budget.

"At the time of the last general expansion of the Govalle Sewage Treatment Plant, made during the 1960-1961 Fiscal Year, it was anticipated that the subject tank would be constructed when needed. The flows received at the Govalle Plant have now increased to the point where it is needed.

"An application for a grant from the Federal Water Pollution Control Administration, Department of the Interior, for the subject project is pending. This application is progressing satisfactorily through channels.

"The Consulting Engineer's estimate of the cost of construction of the subject project was \$68,943.00.

"Respectfully,
s/ A. H. Ullrich
A. H. Ullrich

BID TABULATION

PRIMARY SETTLING TANK FOR THE GOVALLE SEWAGE TREATMENT PLANT

Bids received March 21, 1967.

This tabulation made by A. H. Ullrich

	<u>Canyon Construction Co. Austin, Texas</u>	<u>J. C. Evans Construction Co. Austin, Texas</u>	<u>Mecon Company Austin, Texas</u>	<u>Clyde Smith Contractor, Inc. Austin, Texas</u>
<u>Base Bid</u>				
Dorr-Oliver Equipment	\$80,684.00	\$88,334.00	\$86,944.00	\$95,533.00
<u>Alternate No. 1</u>				
Walker Equipment Co.	-2,800.00	-2,000.00	-3,000.00	-3,259.00
<u>Alternate No. 2</u>				
Infilco, Inc.	No Bid	No Bid	47,000.00	48,368.00
<u>Alternate No. 3</u>				
Link-Belt Co.	No Bid	46,000.00	45,000.00	No Bid

March 30, 1967

	Canyon Construction Co. Austin, Texas	J. C. Evans Construction Co. Austin, Texas	Mecon Company Austin, Texas	Clyde Smith Contractor, Inc. Austin, Texas
<u>Alternate No. 4</u> The Eimco Corp.	No Bid	No Bid	No Bid	No Bid
<u>Alternate No. 5</u> Rex Chainbelt Inc.	No Bid	4,000.00	4,000.00	4,621.00
<u>Lowest Combination of Bids</u>	\$77,884.00	\$86,334.00	\$83,944.00	\$92,274.00
Number of Working Days	200	175	240	240

"March 21, 1967

"Mr. A. H. Ullrich
Director Water and Wastewater Treatment
City of Austin
Filter Plant No. 1
Austin, Texas

Ref: Bids for Primary Settling
Tank (Skimming Tank) Govalle
Sewage Treatment Plant,
Austin, Texas

"Dear Sirs

"The following four (4) bidders have submitted the following bids on five (5) alternate types of equipment acceptable on the proposal and these have been analysed as follows:

	AMOUNT	WORKING DAYS
1. Clyde Smith Construction Co., Inc.	\$92,274.00	240
2. J. C. Evans Construction Co.	86,334.00	175
3. Mecon Construction Co.	83,944.00	240
4. Canyon Construction Co.	77,884.00	200

"It is recommended that Canyon Construction Co. be awarded the above referred project based on his bid of \$77,884.00 with Walker-Process Equipment, as approved by the Engineer, and to be completed within 200 working days.

"Respectfully submitted
s/ S. A. Garza, P. E.
Consulting Engineer

"cc: Mr. Rolean B. Riddle
State Health Dept."

March 30, 1967

Councilman Long asked about getting a permit from the Pollution Board. The City Manager stated this is a small skimming tank in the present Sewage Treatment Plant, and Federal funds are being asked from the Department of the Interior. The Superintendent of the Sewage Treatment Plant stated they had a letter stating no permit was required. Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 21, 1967, for the construction of Additional Primary Settling (Skimming) Tank at the Govalle Sewage Treatment Plant; and,

WHEREAS, the bid of Canyon Construction Co. of Austin, Texas on their Alternate No. 1 bid, based on furnishing and installing Walker Equipment Co. equipment, in the sum of \$77,884.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewage Treatment of the City of Austin, and by the City Manager, subject to approval by the Federal Water Pollution Control Administration; Now, Therefore,

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

That the bid of Canyon Construction Co. of Austin, Texas in the sum of \$77,884.00, 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 Canyon Construction Co. of Austin, Texas, subject to approval by the Federal Water Pollution Control Administration.

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

The City Manager submitted the following:

"March 28, 1967

"W. T. Williams, Jr.
City Manager

Subject: Assessment Paving Contract No. 67-A-4

"Following is a tabulation of bids received at 11:00 A.M., Tuesday, March 28, 1967, for the construction of approximately thirty-eight (38) blocks of pavement and accessories known as Assessment Paving Contract Number 67-A-4, consisting of 20 units.

"Bruce Luckie Const. Co.	\$ 92,808.64
Frank Habecker	\$ 95,599.60
Pat Canion Excavating Co.	\$ 98,874.28
Austin Paving Co.	\$100,316.91
Ed H. Page	\$102,659.15
City's Estimate	\$ 91,704.78

"I recommend that Bruce Luckie Construction Company with their low bid of \$92,808.64 be awarded the contract for this project.

"From: S. Reuben Rountree, Jr.
Signed Director of Public Works
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 March 28, 1967, for the construction of approximately thirty-eight (38) blocks of pavement and accessories known as Assessment Paving Contract Number 67-A-4, consisting of 20 units; and,

WHEREAS, the bid of Bruce Luckie Construction Company in the sum of \$92,808.64, 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 Bruce Luckie Construction Company, in the sum of \$92,808.64, 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 Bruce Luckie Construction Company.

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:

"March 27, 1967

"To: Mr. W. T. Williams, Jr., City Manager Subject: Sale of Houses

"Bids were opened in my office March 27, 1967 at 10:00 A.M. for the sale of seven (7) houses that Urban Renewal has turned over to us for disposal, five (5) to be demolished and two (2) to be moved.

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

BIDDERS	1704 (R) Pennsyl- vania	1182 Salina	1615 E. 12th	1603 (F) E. 12th	1603 (R) E. 12th	1191 Comal	1193½ Angelina
R. L. Meador	\$ 500.00	\$ 700.00	----	----	----	----	----
M. J. Kouri	150.27	657.87	----	----	----	----	----
D & R Farms	300.00	1281.00	29.00	25.00	24.00	45.00	26.00
W. T. Johnston	----	----	71.00	39.00	39.00	37.50	12.50
Sam Weintroub	----	2000.92	----	----	----	----	----
S. H. Dryden	----	1030.00	----	----	----	----	----

BIDDERS	1704 (R) Pennsyl- vania	1182 Salina	1615 E. 12th	1603 (F) E. 12th	1603 (R) E. 12th	1191 Comal	1193 1/2 Angelina
Ralph Rhoades	227.77	1371.77	1.00	1.00	27.27	<u>47.77</u>	1.00
E. R. Rathgeber	424.00	1038.00	----	----	----	----	----
G. L. Freuden- berg	----	115.00	----	----	35.00	----	----
August Heyer	----	----	<u>71.81</u>	<u>65.31</u>	<u>41.40</u>	15.00	<u>46.31</u>
F. E. Gatliff	----	516.00	----	----	----	----	----

"The high bid on each house is underscored in red. Due to the fact that five (5) of these structures are dilapidated and two (2) classified as habitable, it is recommended that these bids be accepted, as it would cost this office several hundred dollars if we had to demolish them.

"If the bids are acceptable, the contracts will be forwarded to you for your signature, and should be returned to me for attestation and distribution.

"From: Dick T. Jordan, Building Official
Signed Dick T. Jordan"

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 27, 1967, for the sale of seven (7) houses that Urban Renewal has turned over to the City for disposal, five (5) to be demolished and two (2) to be moved; and,

WHEREAS, the bid of R. L. Meador in the sum of \$500.00 for the house located at 1704(R) Pennsylvania; and the bid of Sam Weintraub in the sum of \$2,000.92 for the house located at 1182 Salina; and the bids of August Heyer in the sum of \$71.81 for the house located at 1615 East 12th Street, in the sum of \$65.31 for the house located at 1603(F) East 12th Street, in the sum of \$41.40 for the house located at 1603 (R) East 12th Street, in the sum of \$46.31 for the house located at 1193-1/2 Angelina; and the bid of Ralph Rhoades in the sum of \$47.77 for the house located at 1191 Comal, 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 enumerated bids of R. L. Meador, Sam Weintraub, August Heyer and Ralph Rhoades, 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 R. L. Meador, Sam Weintraub, August Heyer and Ralph Rhoades.

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, a certain easement was granted to the City of Austin for drainage purposes by instrument dated November 19, 1943 of record in Volume 725 at page 600 of the Deed Records of Travis County, Texas; said easement being in, upon and across those certain portions of Lots 4, 5 and 6 and the south 20.00 feet of Lot 7, Block 31, Travis Heights, a subdivision of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas; and,

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

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

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

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

All of those certain portions of Lots 4, 5 and 6 and the South 20.00 feet of Lot 7, Block 31, Travis Heights, a subdivision of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of said Travis Heights of record in Book 3 at Page 15 of the Plat Records of Travis County, Texas; SAVE AND EXCEPT a strip of land ten (10.00) feet in width which is to be retained as a drainage easement; the centerline of said strip of land ten (10.00) feet in width being more particularly described as follows:

BEGINNING at a point in the east line of Travis Heights Boulevard, same being the west line of said Lot 4, Block 31, Travis Heights, and from which point of beginning the northwest corner of said Lot 4 bears N 18° 33' E 23.81 feet;

THENCE, in a northeasterly direction with the following three (3) courses:

- (1) N 85° 15' E 76.30 feet to an angle point;
- (2) N 70° 32' E 63.65 feet to an angle point;
- (3) N 86° 30' E 38.74 feet to point of termination in the east line of said Lot 7, same being the west line of Lot 19.

The motion, seconded by Councilman White, 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, a certain easement was granted to the City of Austin for public utility and drainage purposes, in, upon and across a part of Lot 18, Block 1, Barton Hills, Section 5, a subdivision of a portion of the Henry P. Hill League in the City of Austin, Travis County, Texas, according to a map or plat of said Barton Hills, Section 5 of record in Book 15 at Page 25 of the Plat Records of Travis County, Texas; and,

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

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

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

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

A strip of land five (5.00) feet in width, same being out of and a part of Lot 18, Block 1, Barton Hills, Section 5, a subdivision of a portion of the Henry P. Hill League in the City of Austin, Travis County, Texas, according to a map or plat of said Barton Hills, Section 5, of record in Book 15 at page 25 of the Plat Records of Travis County, Texas; the centerline of said strip of land five (5.00) feet in width being more particularly described as follows:

BEGINNING at the intersection of the west line of Barton Parkway and a line two and one-half (2.50) feet north of and parallel to the south line of said Lot 18, Block 1, and from which point of beginning a steel pin at the southeast corner of said Lot 18 bears S 38° 11' W 2.50 feet;

THENCE, with the said line two and one-half (2.50) feet north of and parallel to the south line of said Lot 18, N 51° 47' W 100.00 feet to point of termination.

The motion, seconded by Councilman White, 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)

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

That the application of the Southwestern Bell Telephone Company, of Austin, Texas, to construct and maintain the hereinafter described underground improvements:

- (1) An underground telephone conduit crossing WEST 39 $\frac{1}{2}$ STREET, from a point 195 feet west of the west property line of Bailey Lane and 2 feet south of the north property line of said WEST 39 $\frac{1}{2}$ STREET in a southerly direction to a point in the south property line of said WEST 39 $\frac{1}{2}$ STREET and 5 feet east of the west property line of Tonkawa Trail Alley.
- (2) An underground telephone conduit in TONKAWA TRAIL ALLEY, from the south property line of West 39 $\frac{1}{2}$ Street southerly 237 feet; the centerline of which underground telephone conduit shall be 5 feet east of and parallel to the west property line of said TONKAWA TRAIL ALLEY.
- (3) An underground telephone duct line in PARK PLACE, from a point 38 feet west of the monument line of San Jacinto Boulevard easterly to the west property line of Harris Park Avenue; the centerline of which underground telephone duct line shall be 27 feet north of and parallel to the centerline of said PARK PLACE.
- (4) An underground telephone duct line in PARK PLACE, from a point in the west property line of Harris Park Avenue and 27 feet north of the centerline of said PARK PLACE, in an easterly direction 50.10 feet to a point 48.5 feet east of the west property line of Harris Park Avenue and 18 feet north of the centerline of said PARK PLACE.
- (5) An underground telephone duct line in PARK PLACE, from a point 48.5 feet east of the west property line of Harris Park Avenue easterly 50 feet; the centerline of which underground telephone duct line shall be 18 feet north of and parallel to the centerline of said PARK PLACE.
- (6) An underground telephone duct line in PARK PLACE, from a point in the east abutment of the bridge over Waller Creek in an easterly direction 220 feet; the centerline of which underground telephone duct line shall be 13 feet north of and parallel to the centerline of said PARK PLACE.
- (7) An underground telephone duct line in SAN JACINTO BOULEVARD; the centerline of which underground telephone duct line being more particularly described as follows:

BEGINNING at a point in said SAN JACINTO BOULEVARD and from which point of beginning a concrete monument at the point of intersection of the monument line of said SAN JACINTO BOULEVARD with the centerline of Park Place bears S 60° 19' E 40.57 feet and S 09° 53' W 28.60 feet;

THENCE, with the said centerline of the proposed underground telephone duct line in a northerly direction with the following two (2) courses:

- (1) N 04° 04' W 22.60 feet to a point;
- (2) N 08° 38' W 53.90 feet to point of termination in an existing Telephone Company manhole.

be and the same is hereby granted and the Director of Public Works is hereby authorized to issue a permit for the construction of such improvements, said grant and permit to be subject to the following conditions:

(1) The improvements shall be constructed and maintained in compliance with all ordinances relating thereto.

(2) The permit shall be issued and accepted subject to all reasonable police, traffic, fire and health regulations of the City of Austin, now existing or hereafter adopted.

(3) The repair or relocation of any and all utilities in the vicinity necessitated by the laying of these improvements shall be done at the expense of the Southwestern Bell Telephone Company of Austin, Texas.

(4) The Southwestern Bell Telephone Company of Austin, Texas, will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the construction or maintenance of said improvements.

(5) That all backfill under street surfaces between existing or future proposed curbs and under driveways and alleys, shall be tamped with mechanical tampers in six (6) inch layers. Each layer shall be compacted to not less than 90 per cent of maximum density as determined by the Standard Method of Test for Compaction and Density of Soils, A.A.S.H.O. Designation T99-49.

(6) The City of Austin may revoke such permit for good cause after notice of the Southwestern Bell Telephone Company, in Austin, and hearing thereon, and upon such revocation the owner of such improvements will remove the same and pay all costs and expenses attendant therewith.

(7) The Southwestern Bell Telephone Company is hereby put on notice that they may have to relocate their plant on San Jacinto Boulevard and Park Place due to proposed thoroughfare construction based on the Expressway and Major Arterial Plan adopted by the City Council of the City of Austin on March 16, 1967.

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

The City Manager noted that the Telephone Company had been put on notice that they may have to relocate the plant in San Jacinto Blvd. and Park Place due to the proposed thoroughfare construction based on the Expressway and Major Arterial Plan adopted 3-16-67.

March 30, 1967

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approve the erection of a boat dock on the property owned by MR. BILLY J. HOWARD as described in the Travis County Deed Records and known as Lot 62, Rivercrest Addition, Section No. 2 as described on the attached plot plan and hereby authorizes the said BILLY J. HOWARD to construct, maintain and operate this boat dock to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable, and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said BILLY J. HOWARD has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
March 28, 1967

"Memorandum To: Mr. W. T. Williams, Jr., City Manager
Subject: RESOLUTION, BOAT DOCK (Private)

"I, the undersigned, have reviewed the plans and have considered the application of Mr. Billy J. Howard, owner of the property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road and known as Lot 62, Rivercrest Addition, Section No. 2 as described on the attached plans recorded in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately twenty-five (25') feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Billy J. Howard is granted his request by the City Council, that it be subject to the following conditions.

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character shall be erected on any pier, dock, wharf, float, island, piling, or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which shall show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the lake be constantly kept

in a state of good repair and that the premises be kept reasonable clean at all times.

"Respectfully submitted,
s/ Dick T. Jordan (L.E.D.)
Dick T. Jordan, Building Official"

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

Councilman White offered the following resolution and moved its adoption:
(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approve the erection of a boat dock on the property owned by MR. LEON LURIE as described in the Travis County Deed Records and known as Lot 10, Windy Cove Subdivision as described on the attached plot plan and hereby authorizes the said MR. LEON LURIE to construct, maintain and operate this boat dock to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations and the Building Official is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary reasonable, and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said LEON LURIE has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
March 27, 1967

"Memorandum To: Mr. W. T. Williams, Jr., City Manager
Subject: RESOLUTION, BOAT DOCK (Private)

"I, the undersigned, have reviewed the plans and have considered the application of Mr. Leon Lurie, owner of the property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road and known as Lot 10, Windy Cove Subdivision as described on the attached plans recorded in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately twenty-four (24') feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Mr. Lurie is granted his request by the City Council, that it be subject to the following conditions.

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise,

March 30, 1967

except marine supplies and tackle, and no living quarters of any character shall be erected on any pier, dock, wharf, float, island, piling, or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which shall show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the lake be constantly kept in a state of good repair and that the premises be kept reasonable clean at all times.

"Respectfully submitted,
s/ Dick T. Jordan
Dick T. Jordan
Building Official"

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approve the erection of a boat dock on the property owned by MR. MARK KREIGER as described in the Travis County Deed Records and known as Lot 2 in the Aqua Verde Subdivision as described on the attached plot plan and hereby authorizes the said MR. MARK KREIGER to construct, maintain and operate this boat dock to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable, and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said MR. MARK KREIGER has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
March 21, 1967

"Memorandum To: Mr. W. T. Williams, Jr., City Manager
Subject: RESOLUTION, BOAT DOCK (Private)

"I, the undersigned, have reviewed the plans and have considered the application of Mr. Mark Kreiger, owner of the property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road

and known as Lot 2 in the Aqua Verde Subdivision as described on the attached plans recorded in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately thirty-two (32') feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Mr. Kreiger is granted his request by the City Council, that it be subject to the following conditions.

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which shall show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the lake be constantly kept in a state of good repair and that the premises be kept reasonable clean at all times.

"Respectfully submitted,
s/ Dick T. Jordan
Dick T. Jordan, Building Official"

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT THE City Council of the City of Austin hereby approve the erection of a boat dock on the property owned by BRUCE A. NORVELL as described in the Travis County Deed Records and known as Lot 44, Block A, Rivercrest Addition Section 2 as described on the attached plot plan and hereby authorizes the said BRUCE A. NORVELL to construct, maintain and operate this boat dock to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable, and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing it is found by the City Council that the said BRUCE A. NORVELL has failed and refused and will continue to fail and refuse to perform any such conditions,

March 30, 1967

regulations and ordinances.

(Recommendations attached)

"Austin, Texas
March 29, 1967

"Memorandum To: Mr. W. T. Williams, Jr., City Manager
Subject: RESOLUTION, BOAT DOCK (Private)

"I, the undersigned, have reviewed the plans and have considered the application of Bruce A. Norvell, owner of the property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road and known as Lot 44, Block A, Rivercrest Addition Section 2 as described on the attached plans recorded in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately ten (10') feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Mr. Norvell is granted his request by the City Council, that it be subject to the following conditions.

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character shall be erected on any pier, dock, wharf, float, island, piling, or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which shall show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the lake be constantly kept in a state of good repair and that the premises be kept reasonable clean at all times.

"Respectfully submitted,
s/ Dick T. Jordan
Dick T. Jordan, Building Official"

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

The Building Official submitted two boat dock requests which had come in late for MR. WALTER BOHN on Rivercrest and some subdivision of lots is involved. He recommended that these docks be approved conditioned upon the subdivision. These are on two sloughs that go into his property; however, it is still lake property; and the City has jurisdiction over it. MR. BOHN would like to place a temporary dam at the mouth of the slough as pointed out on the sketch. The Building Official recommended that MR. BOHN be allowed to put in the temporary dam for 30 days; but that he be required to put up a \$1,000 bond

March 30, 1967

payable to the City, assuring that the dirt would be removed at the end of 30 days, and this is agreeable to the contractor.

Councilman White moved that permission be given to build the temporary dam with the filing of a \$1,000 bond payable to the City to assure that the dirt be removed at the end of 30 days; that the request of MR. WALTER BOHN be approved subject to the resubdivision of Lots 30, 31 and 32; and offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approve the erection of two boat docks on the property owned by MR. WALTER BOHN as described in the Travis County Deed Records and known as re-subdivision of Lots 30, 31 and 32 in the Rivercrest Addition Section 2 as described on the attached plot plan and hereby authorizes the said MR. BOHN to construct, maintain and operate these boat docks to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of these boat docks after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable, and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said MR. BOHN has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations Attached)

"Austin, Texas
March 29, 1967

"Memorandum To: Mr. W. T. Williams, Jr., City Manager
Subject: RESOLUTION, BOAT DOCK (Private)

"I, the undersigned, have reviewed the plans and have considered the application of Walter Bohn, owner of the property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road and known as re-subdivision of Lots 30, 31 and 32 in the Rivercrest Addition Section 2 as described on the attached plans recorded in the Travis County Deed Records, for permission to construct and maintain two boat docks. The construction details meeting all requirements, I recommend that it be approved subject to resubdivision of the lots as shown on the attached plan and also to the following conditions.

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which shall show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the lake be constantly kept in a state of good repair and that the premises be kept reasonable clean at all times.

"Respectfully submitted,
s/ Dick T. Jordan
Dick T. Jordan, Building Official"

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

Councilman White moved that permission be given to build the temporary dam with the filing of a \$1,000 bond payable to the City to assure that the dirt be removed at the end of 30 days; that the request of MR. WALTER BOHN be approved subject to the resubdivision of Lots 30, 31 and 32; and offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approve the erection of a boat dock on the property owned by MR. WALTER BOHN as described in Travis County Deed Records and known as Lot 38 and East 10 feet of Lot 37 and the North 10 feet of Lot 39 in the Rivercrest Addition Section 2 as described on the attached plot plan and hereby authorizes the said MR. BOHN to construct, maintain and operate this boat dock to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable, and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said Mr. Bohn has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
March 30, 1967

"Memorandum To: Mr. W. T. Williams, Jr., City Manager
Subject: RESOLUTION, BOAT DOCK (Private)

"I, the undersigned, have reviewed the plans and have considered the application of Walter Bohn, owner of the property abutting on that part of Lake Austin lying upstream from westerly extension of the south line of Windsor Road and known as Lot 38 and East ten (10') feet of Lot 37 and the north ten (10') feet of Lot 39 in the Rivercrest Addition Section 2 as described on the attached plans recorded in the Travis County Deed Records, for permission to construct and maintain a boat dock. The construction details meeting all requirements, I recommend that it be approved subject to resubdivision of the lots as shown on the attached plan and also to the following conditions.

"(1) That nothing but creosoted piles, cedar piles, or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares, and merchandise, except marine supplies and tackle, and no living quarters of any character shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which shall show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the lake be constantly kept in a state of good repair and that the premises be kept reasonable clean at all times.

"Respectfully submitted,
s/ Dick T. Jordan
Dick T. Jordan, Building Official"

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

The Building Official stated the request of JAMES A. RAPER for a boat dock complied with the ordinance in all respects. Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approve the erection of a boat dock on the property owned by JAMES A. RAPER as described in the Travis County Deed Records and known as 0.226 of one acre of land out of the James Spillman Survey No. 2 as described on the attached plot plan and hereby authorizes the said JAMES A. RAPER to construct, maintain and operate this boat dock to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted

March 30, 1967

subject to all necessary, reasonable, and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said JAMES A. RAPER has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
March 29, 1967

"Memorandum To: Mr. W. T. Williams, Jr., City Manager
Subject: RESOLUTION, BOAT DOCK (Private)

"I, the undersigned, have reviewed the plans and have considered the application of Mr. James A. Raper, owner of the property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road and known as 0.226 of one acre of land out of the James Spillman Survey No. 2 as described on the attached plans recorded in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately thirty (30') feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Mr. Raper is granted his request by the City Council, that it be subject to the following conditions.

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character shall be erected on any pier, dock, wharf, float, island, piling, or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which shall show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the lake be constantly kept in a state of good repair and that the premises be kept reasonable clean at all times.

"Respectfully submitted,
s/ Dick T. Jordan
Dick T. Jordan, Building Official"

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

LAKE SHORE IMPROVEMENTS AT YACHT HARBOR

The Building Official had the recommendation of the Navigation Board. He displayed the map, showing the location of one stake that extended 5' beyond what the Board felt would give a rounded shore line, and the Board recommends that Mr. Frank Meece's request be approved as staked on the ground and this one stake be moved westerly five feet. The second recommendation was that Mr. Meece be allowed to put the temporary dam in, with a bond required, the Council to determine the amount and the length of time. In addition, it was recommended that Mr. Meece come back before the Board for restudy regarding the bridge and the fountain he proposed; and in no way does this give any type of assurance that the project as a whole would be proposed. Their recommendation covered just the shore line improvements and the temporary dam. The Building Official stated this development was studied two years ago, and this recommendation is in line with what is already up stream. The City Manager noted the Navigation Board approved the request from a navigation point of view, but they pointed out this was "A" Residential property and something has to be done about the zoning. The City Attorney stated the Council's action would not be construed as a commitment of the approval of the development. Councilman LaRue asked about the length of time the temporary dam would be left. The City Manager stated there was a liklihood that sometime next year the lake would be lowered again to enable the contractor to cut a channel from the old river to the new water intake of Water Treatment Plant No. 3, and it might be well to extend the length of time for a year. Councilman LaRue moved that the request of MR. FRANK MEECE be granted, based on the recommendations of the Navigation Board, as it pertains to the improvements of Yacht Harbor, and also to include the recommendations of the Building Official, Mr. Jordan, pertaining to bond \$1,000.00 guaranteeing the removal of the dam; the exceptions as brought out by the Navigation Board pertaining to the bridge, and also to the water fountains. The motion, seconded by Councilman Long, carried by the following vote:

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

SHORELINE IMPROVEMENTS

Councilman White moved that the Council approve shoreline improvements on Lake Austin for Billy J. Howard to construct a retaining wall along the shoreline of Lake Austin on Lot 62, Rivercrest Addition, Section 2. The motion, seconded by Councilman LaRue, carried by the following vote:

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

.....

Councilman White moved that the request of MR. BRUCE A. NORVELL for permission to construct a retaining wall along the shoreline of Lake Austin on Lot 44, Rivercrest, Section 2 be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

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

.....

Councilman White moved that the request of MR. WALTER BOHN for permission to construct retaining walls along the shoreline of Lake Austin on Lots 61 and 63, Rivercrest Addition, Section 2 be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

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

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Councilman White moved that the request of MR. RICHARD LANE for permission to construct a retaining wall along the shoreline of Lake Austin on Lots 11 and 12, Manana Subdivision be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

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

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The Director of Public Works stated Mr. Bohn wanted to build a retaining wall on Lots 30, 31, 32 and 38. Councilman Long moved that MR. WALTER BOHN be given authority to build his retaining wall on Lots 30, 31, 32 and 38, Rivercrest Addition, Section 2. The motion, seconded by Councilman LaRue, carried by the following vote:

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

ANNEXATION - FINAL PASSAGE

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 0.80 OF ONE ACRE OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APPLGAIIT SURVEY 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. (laurel Grove at Ianier, Section 2)

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

The Mayor announced that the ordinance had been finally passed.

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 ANNEXA-

TION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 79.70 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE AND THE THEODORE BISSEL LEAGUE 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. (Southwest Park and School Tract)

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

The Mayor announced that the ordinance had been finally passed.

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The Council postponed action on the request of MR. FRANK BARRON to withdraw the following application until next week:

FRANK BARRON	1118-1120 St. Johns Avenue	From Interim "A"
	1200 St. Johns Avenue	Residence 1st
	7201 Grand Canyon Drive	Height & Area
	7200 Grand Canyon Drive	Tb "B" Residence 2nd
		Height & Area

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MAYOR PALMER and the Council greeted and welcomed students from Austin High School.

FENCE AT MEMORIAL CEMETERY

COUNCILMAN LONG stated a fence was built around the back of Memorial Park Cemetery, and there were some people who had been accustomed to walking in the wooded area, using the undeveloped portion as open space. Mrs. Lewis, in that area, would like to have a gate in the back of her property so she could continue using that area. Councilman Long said this is something that should be done to give the people in the area an opportunity to use the land. Councilman Shanks asked if Mrs. Lewis were willing to pay for the gate. She stated the fence was there for a purpose, but a lot of people would rather not have it. The City Manager reported those connected with the cemetery operation and the Public Works Department felt there was no need for a fence if a gate were installed. The fence was not to prevent people from entering, but to prevent people to engage in vandalism, and escaping. A gate would be an escape hatch. Councilman Shanks wanted to go look at this area. Councilman Long stated they ought to go to the Shoal Creek area and see what this fence had done to this open space. Councilman Shanks asked as to the number of gates to be put in. Mayor Palmer stated it might be better to take the fence down. The Council decided to go look at the area.

REPORT OF MOUNT BONNELL TRANSFER TO CITY

Councilman LaRue made a report on the meeting before the Commissioner's Court regarding the transfer of Mount Bonnell, to the City with certain conditions:

- (1) That the service road would be improved to the extent it could be used for the removal of garbage, trash, etc.,
- (2) That all of the legal problems could be overcome, and some had been pointed out by the City Attorney that would have to be taken care of before the transfer could be made;
- (3) The entire proposal after it had been examined by the City Attorney and passed on, would have to meet the approval of the City Council, in every respect; and in this light, he would make a recommendation that the City Manager ask the City Attorney to examine the possibilities of the transfer and report back to the City Council.

Councilman Shanks inquired if the Commissioners Court were asked about assuming their responsibilities as a County and Trustee of this and why they did not maintain this park. The City of Austin is better than 80% of the County, and the citizens could expect some County services. He asked if they said why they would or would not meet their obligation towards keeping up the park. Councilman LaRue stated he was there with the vowed intention of asking the Commissioners Court to transfer title to Mount Bonnell to the City with these conditions. Councilman Shanks did not understand that the Council asked Councilman LaRue to ask for the transfer of the park. Councilman LaRue stated it was not his mission to ask the County to maintain the park. Councilman Shanks asked if the Council did not think the City would be in a better position to have the County maintain this park than for the City to obtain the liability. He believed if the 82% of citizens of the County requested that the Commissioners maintain Mount Bonnell as a park, that they would, as the citizens are due something from the County to maintain its properties and parks within the city limits. It is done in nearly every other city in Texas. Councilman Shanks stated under legal advice, the City would be far better off not to assume the responsibility and liability of ownership of the park; but if the park is going to be there, he did not see why the County did not maintain it. He would like to ask the County respectfully if they would not maintain the County park for the people who live in the County. He would like to see the County keep possession of Mount Bonnell and beautify it whereby the County people would be proud of it. Mayor Palmer suggested that the County could be requested to maintain this, as there might be some difficulties encountered in a transfer, and suggested that this possibility be explored along with the other.

Councilman LaRue moved that the City Manager be asked to ask the City Attorney to examine the possibilities of the transfer and then report back to the Council. Councilman Long seconded the motion.

Councilman Shanks' substitute motion that in addition to the request that Councilman LaRue be asked to go back to the Commissioners Court and ask them to assume their responsibility of maintaining this County Park for us people of the County, lost for lack of a second. Councilman Shanks stated since there was no second he assumed that the City wants to take on the liability and the City wants to relieve the County of any of its obligations to the people

who live in the County of which Austin represents 82% of the citizens of the County.

Roll call on Councilman LaRue's motion that the City Manager be asked to ask the City Attorney to examine the possibilities of the transfer and then report back to the Council carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: Councilman Shanks

Mayor Palmer stated he would vote for this motion, but he wanted to have a motion that this other possibility be explored. Councilman Shanks moved that Councilman LaRue be asked to go back to the Commissioners Court and ask them to maintain the park. The motion lost for lack of a second. Councilman Shanks asked why the City wanted it transferred if the County would maintain it and stated the City should not deny the County the right of providing this service. If it were pointed out to them, they might want to do something for the 82% of county citizens, and maintain their county park within the city limits of Austin.

SOUTHERN UNION TO BEGIN CONTRACT WITH COASTAL STATES GAS PRODUCING CO.

Councilman Shanks moved that MR. DAN CROWLEY be heard. The motion was seconded by Councilman LaRue. Roll call showed a unanimous vote.

Mr. Crowley reported that in October, 1963, the Council permitted SOUTHERN UNION GAS COMPANY to contract with COASTAL STATES GAS PRODUCING COMPANY to provide for the total requirements of gas for the City of Austin. This contract was to go into effect on or before April 1, 1967, for a 20 year period. Southern Union will begin taking its requirements from Coastal States and terminate its contract with United Pipe Line Company. He invited the Council, City Manager and staff and all interested parties to a ceremony April 1, 10:00 A.M. at Coastal States Border Station.

RETAINING WALL

The City Manager reported MR. JACK RITTER has under construction a retaining wall and driveway in front of his residence where he is having trouble maintaining his lawn. He was not aware of the fact he needed a permit from the Council to do this work, and the work was stopped. MR. D. N. GOLDSTON, represented Mr. Ritter. The Director of Public Works explained Mr. Ritter did have trouble with his lawn; and every time it rained, the City had to go pick up the dirt in the street. There is 10-11' difference in elevation from the street to the high part of his yard. He proposes to put in a retaining wall in the sidewalk area some 6½' behind the base of the curb. The Director of Public Works stated proper releases were already filed, and a release on the driveway is being worked out and he would recommend the construction. Councilman Shanks moved that the Building Official be authorized to issue the permit. The motion, seconded by Councilman Long, carried by the following vote:

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

Noes: None

The City Manager stated MR. MAURICE DOKE was requesting a change in his authority to develop an apartment complex at the end of Enfield Road and the lake. He is requesting that he be permitted to use an existing rock wall as a back drop for his swimming pool, and to extend another wall on top of the existing wall. The particular rock wall is in the sidewalk area on the west side of Scenic Drive. Mr. Doke is under the impression the rock wall is three feet from the property line; but the Building Official states it is closer to 10'. The Building Official showed the plans. His recommendation was that this request not be approved. The Director of Public Works stated the street at that location is only 58' in width, and it is set up for a 40' roadway, and it would leave only a nine foot curb basis on his side. Councilman Long moved that the request be denied. The motion, seconded by Councilman LaRue, carried by the following vote:

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

SDS PARADE REQUEST

The Assistant City Manager submitted a request, called in by Miss Marilyn Buck, representing Students for Democratic Society at the University of Texas, for a parade--not a demonstration. The idea is for people to get together and have fun and to tie in with the Roundup Festivities, and get the crowd to Wooldridge Park for a picnic. The parade is proposed for Saturday, April 15th, from 12:00 noon to 1:30 P.M. He outlined the route, which included the Capital Grounds. It would take State permission for them to use the Capital Grounds. The number of pedestrians is estimated at 150-200, possibly one float. They asked for the whole street, or just the right lane. In addition, there is a Shrine Parade taking place at 10:00 A.M. on Congress from 2nd Street to 11th Street. The Assistant City Manager pointed out two items: (1) The parade route can be changed that might suit the Police Department; but the City could not grant the permission through the Capital Grounds; (2) the parade ordinance requires that the application for a parade be made 20 days prior to the date requested, and this does not meet the ordinance at that point. Mayor Palmer noted their route was very circuitous from the Mall to Wooldridge Park. Councilman Shanks moved that the Assistant City Manager, MR. WILSON go back and talk to the group and get a little more information and a more direct route and a little more purpose involved. The motion, seconded by Councilman Long, carried by the following vote:

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

The Assistant City Manager asked if the Council would like for this group to appear before the Council for any questions it might want to ask.

EMINENT DOMAIN

After detailed information was given by the City Attorney, Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found and does hereby find that the public necessity requires the acquisition and maintenance

of a large recreational reserve to permit the creation of parks, playfields, camp grounds, golf courses, piers, wharves, together with the construction of a large water reservoir, and also to permit an addition to the electric light and generating system of the City of Austin, and the construction of certain roads and public ways; and,

WHEREAS, the City Council has found and determined that the public necessity requires the acquisition of the fee simple to the hereinafter described tract or tracts of land for such purposes; and,

WHEREAS, the City of Austin has negotiated with the owners of such land and has been unable to agree with such owners as to the fair cash market value thereof; Now, Therefore,

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 file or cause to be filed against the owners, and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

A 3.03 acre tract of land, more or less, same being out of The Reuben Hornsby League, Travis County, Texas, a part of that certain 138.27 acre tract conveyed to Clifton S. Winstead by deed recorded in volume 2465, Page 86 of the Deed Records of Travis County, Texas; said 3.03 acre tract of land, more or less, being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake in the east line of that certain 138.27 acre tract of land conveyed to Clifton S. Winstead by deed recorded in Volume 2465, Page 86 of the Deed Records of Travis County, Texas, for the southeast corner of the tract herein described, from which the southeast corner of the said Winstead 138.27 acre tract bears S 29° 50' W 644.32 feet;

THENCE, N 59° 41' W a distance of 616.65 feet to an iron stake for the southwest corner of this tract;

THENCE, N 30° 19' E a distance of 216.4 feet to an iron stake for the northwest corner of this tract;

THENCE, S 59° 41' E a distance of 614.77 feet to an iron pipe set in the East line of the said Winstead tract, for the northeast corner of this tract;

THENCE, with the east line of the said Winstead tract, S 29° 50' W a distance of 216.4 feet, to the place of beginning, containing 3.03 acres of land, more or less. (Ethel Perry)

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

After detailed information was given by the City Attorney, Councilman LaRue offered the following resolution and moved its adoption:

March 30, 1967

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found and does hereby find that the public necessity requires the acquisition and maintenance of a large recreational reserve to permit the creation of parks, playfields, camp grounds, golf courses, piers, wharves, together with the construction of a large water reservoir, and also to permit an addition to the electric light and generating system of the City of Austin, and the construction of certain roads and public ways; and,

WHEREAS, the City Council has found and determined that the public necessity requires the acquisition of the fee simple to the hereinafter described tract or tracts of land for such purposes; and,

WHEREAS, the City of Austin has negotiated with the owners of such land and has been unable to agree with such owners as to the fair cash market value thereof; Now, Therefore,

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 file or cause to be filed against the owners, and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tracts of land, to-wit:

Three (3) tracts of land, same being out of the Reuben Hornsby League, Travis County, Texas, a part of that certain 138.27 acre tract conveyed to Clifton S. Winstead by deed recorded in Volume 2465, Page 86 of the Deed Records of Travis County, Texas; said three (3) tracts of land being more particularly described by metes and bounds as follows:

TRACT 1. BEGINNING at a stake for the southwest corner of the tract herein described from which the southwest corner of that certain 138.27 acre tract of land conveyed to Clifton S. Winstead by deed recorded in Volume 2465, Page 86 of the Deed Records of Travis County, Texas bears as follows: S 30° 19' W 818.72 feet, and N 59° 46' W 878.0 feet;

THENCE, N 30° 19' E a distance of 204.68 feet to a stake for the northwest corner of this tract;

THENCE, S 59° 48' E a distance of 660.97 feet to an iron stake for the northeast corner of this tract;

THENCE, S 30° 19' W a distance of 204.68 feet to an iron stake for the southeast corner of this tract;

THENCE, N 59° 41' W a distance of 660.97 feet to the place of beginning, containing 3.11 acres of land.

TRACT 2. BEGINNING at an iron stake in the east line of that certain 138.27 acre tract of land conveyed to Clifton S. Winstead by deed recorded in volume 2465, Page 86 of the Deed Records of Travis County, Texas, for the southeast corner of the tract herein described, from which the southeast corner of the said Winstead 138.27 acre tract bears S 29° 50' W 860.72 feet;

THENCE, N 59° 41' W a distance of 614.97 feet to an iron stake for the southwest corner of this tract;

THENCE, N 30° 19' E a distance of 216.6 feet to an iron stake for the northwest corner of this tract;

THENCE, S 59° 41' E a distance of 612.9 feet to an iron pipe set in the east line of the said Winstead 138.27 acres, for the northeast corner of this tract;

THENCE, with the east line of the said Winstead tract, S 29° 50' W a distance of 216.61 feet to the place of beginning, containing 3.06 acres of land, more or less.

TRACT 3. BEGINNING at an iron pipe set in the east line of Blue Bluff Lane and the west line of that certain 138.27 acre tract of land conveyed to Clifton S. Winstead by deed recorded in Volume 2465, Page 86 of the Deed Records of Travis County, Texas for the southwest corner of the tract herein described, from which the southwest corner of the said Winstead 138.27 acre tract bears S 30° 19' W 744.55 feet;

THENCE, with the east line of Blue Bluff Lane and the west line of the said Winstead 138.27 acre tract, N 30° 19' E a distance of 148.75 feet to an iron pipe set for the northwest corner of this tract;

THENCE, S 59° 41' E a distance of 878.0 feet to an iron pipe set for the northeast corner of this tract;

THENCE, S 30° 19' W a distance of 148.75 feet to an iron pipe set for the southeast corner of this tract;

THENCE, N 59° 41' W a distance of 878.0 feet to the place of beginning, containing 3.0 acres of land.

(Eldridge M. Cooper, et ux)

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

After detailed information was given by the City Attorney, Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the widening and improvement of an East-West limited access thoroughfare across the hereinafter described property to connect the Inter-regional Highway with Missouri-Pacific Boulevard and to provide for the free and safe flow of traffic between such streets and other streets in the area of West Fifteenth Street; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right-of-way and related uses in connection with the widening, improving and creation of

such East-West limited access thoroughfare, together with connecting streets in the City of Austin, and for other municipal purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of such land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

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 file or cause to be filed against the owners and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

All that certain lot, tract or parcel of land, lying and being situated in the City of Austin, Travis County, Texas, known and described as the North 128.9 feet out of Outlot 8, Division "E", in the City of Austin, Travis County, Texas, and described in deed records in Volume 134, Page 220, of the Deed Records of Travis County, Texas, and more particularly described by metes and bounds as follows:

BEGINNING at the northeast corner of Outlot 8, Division "E", of the Government Outlots of the City of Austin, and on the west line of West Avenue as now used, and from which point the westerly extension of the City of Austin's established center line of Fifteenth Street bears N 19° E 50 feet;

THENCE, with the west line of West Avenue and the east line of Outlot 8, Division "E", S. 19° W 128.9 feet to a stake for the northeast corner of the Dr. Joe Gilbert tract for the southeast corner of this tract;

THENCE, with the north line of the Dr. Joe Gilbert tract and the south line of this tract N 70° 50' W 315 feet to a steel fence to a point for the southwest corner of this tract;

THENCE, with said steel fence, N 19° E 128.9 feet to a point in the north line of Outlot 8, Division "E", for the northwest corner of this tract;

THENCE, with the north line of Outlot 8, Division "E", S 70° 50' East 315 feet to the place of beginning.

(Landrum Hickman, et al)

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

MAYOR PALMER read a letter from MR. RUSSELL ROWLAND, agreeing to install, build and/or cause to be placed a private type fence being at least four feet in height along the east line of Lots 2, 3, 4 and 5, of Western Trails, Section 2, the same being on the west line of the subject property. This is to be done within 90 days of this date, and shall be of the nature so as to be approved by the Building Inspector of the City, adjoining property owners. The Mayor stated the Council had been holding up the zoning pending this letter. Mayor Palmer

recalled that Mrs. Stanley Kornfuehrer was concerned about the number of entrances off of Redd Street. Mr. Rowland stated there are none at this time from this property. It is indicated there would be one or two.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: A TRACT OF LAND, LOCALLY KNOWN AS 2121-2139 BEN WHITE BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND A TRACT OF LAND LOCALLY KNOWN AS 2120-2138 REDD STREET, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

The City Attorney discussed the matter on Riverside Drive where there is a short form subdivision pending, and the people want to build, but it would be in conflict with the Expressway and Major Arterial Plan the Council adopted. He said the City had already arranged for the right of way for this expressway or major thoroughfare beyond the point where these applicants are involved (the proposed South Lake Shore Drive right of way). The two applicants are the Humble Oil Company which wants a filling station permit and H. H. Rothell, Jr. who wants to construct a service center, laundry, etc., between the Kassuba Beach property and Interstate 35 and they are ready to proceed. The question is protecting the City in case it has to have the right of way and at the same time letting these people make economic use of the property in the interim. He stated an agreement had been prepared with a 15 year amortization schedule for the improvements placed in there, so if they are permitted to erect the buildings, at the end of

15 years, the City would not owe them anything for their improvements; and they would give the City an option to buy at any time between now and the expiration of the 15 years, on today's market. The City would pay them for the option at 3% on the land, and take it anytime it needs the property. The 3% is on the raw land only. In the 10th year, the amount of taxes and utilities the City would have recovered would have equaled the cost if it had to buy the property then. They are intending to construct a \$42,000 building. If it were needed this year, the City could buy it at its total cost, \$62,075, and then on down to the year 1981, the City could acquire it without any cost of the building, but just for the cost of the raw land, \$18,000. This covers two tracts of land, one improved and one unimproved. The City Attorney stated the second feature of the agreement involved the land in the rear which these people did not intend to buy, but they entered into a contract to buy it, at his suggestion, under the provision that for the land of which they have no need, that the City go ahead and start making payments on the back land which the City will need, over a period of 15 years. The City would be paying a much smaller sum of money on this second tract. He pointed out this is a guarantee to the City the land will never be higher than today's market; on the other hand, the City has the right to terminate the agreement and proceed under eminent domain at any time. He pointed out this was an option, in both instances. He stated this was a very unusual arrangement. Mr. H. H. Rothell, Jr. and Mr. Dan Felps are the developers. Councilman LaRue moved that the City Manager be authorized to enter into the contract as described by the City Attorney. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Noes: None

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MAYOR PALMER announced the Council would hear the report from COUNCILMAN LaRUE on his attendance at the CRIME HEARING as called by the U. S. Attorney General. The Mayor and Council recognized and welcomed former Councilmen HUB BECHTOL and EDGAR PERRY, who were interested in hearing this report on this meeting.

REPORT OF COUNCILMAN LaRUE'S ATTENDANCE AT THE NATIONAL
CONFERENCE OF CRIME CONTROL IN WASHINGTON, D.C.

COUNCILMAN LaRUE stated the Council had appointed him to represent the City at the National Conference of Crime Control in Washington, D. C. This conference was a follow-up on the Crime Commission Study that was asked by the President of the United States about two years ago, and recently was presented to the cities throughout the State of Texas. Shortly after this report of the Crime Commission was sent out, letters were received by Mayors of cities of 50,000 population requesting that the Mayor or some representative from the City go to Washington to discuss this matter. Councilman LaRue did go, spending two days in conference at the Department of State. The meeting was interesting and well attended by 700 people throughout the United States including Attorney Generals, Chiefs of Police, Mayors, Councilmen and Crime Correction Officials. He pointed out the indication of importance the President had attached to this meeting, as during the course of the Conference PRESIDENT JOHNSON addressed the group, CHIEF JUSTICE WARREN spoke; and also the Attorney General; and MR.

March 30, 1967

KATZENBACK, Under Secretary of State and the Solicitor General THURGOOD MARSHALL were in attendance. The State of Texas indicated its concern, and the Secretary of State, JOHN HILL, Department of Public Safety, COLONEL GARRISON and a representative from the Attorney General were present; MR. HENRY WADE, Criminal District Attorney from Dallas and their City Attorney were there; a representative of the Mayor of Houston and the Chief of Police of Houston were there; and a representative from Wichita Falls and many other officials were present. The Austin Chief of Police had indicated he might go, but he did not get to make the trip.

These officials were brought to Washington D. C., with the vowed intention of implementing the Crime Commission's Report, in trying to discuss in detail and bringing recommendations from a varied group of people, all of them engaged in prevention, detection and correction of crime. Those present and those from out of the State were the finest representatives and had a world of information. Over and over again, they indicated very strongly that they were ready and willing to have anyone come from other states to their particular State or City to check out the things they had discussed during this conference. By the dissemination of all of the ideas, by the top crime prevention people in the United States, it was felt and hoped that they could implement the Commission report to the extent that a halt, not a cessation certainly, but a halt to the spiraling crime rate could be effected.

Another reason given by the President of the United States for calling all of these people there was the fact that he had before the Congress now the Safe Streets and Crime Control Act of 1967, and he stated he needed all of the support of all of the people throughout the United States to get this passed. In effect he intends that all of these people go back to the grass root areas and then in turn contact their Congressman and Senators, etc. to see that this was passed.

Discussion covered more or less three phases: Prevention, Detection, and the Correction of Crime. Councilman LaRue, to give an example of what the Conference faced in two days, ran down the Agenda, listing the panel topics-- Upgrading Personnel, Compensation, Training and Education of the Police Department, Prosecutors, Defense Counsellors, Judges and Correction Personnel; Relationship between public and Agencies of Justice, discussion of Correctional Programs, Institutions and Community Treatment, Establishment of Procedures and Programs concerning criminal systems; New procedures for prosecutors' disposition without trial; Youth Service Bureaus and Juvenile Courts; Recruiting, Consolidating, Coordinating, and Reorganization of Services and Programs, such as in the Police Department; Statewide Coordination of Prosecution, Correctional Institutions and Programs; Court Structures, (lower courts, etc) and Organized Crime; Criminal Code Revision, Mobilizing the Community for the Prevention of Crime; Joint Programs between Criminal Justice Agencies and Other Governmental Agencies; the Role of Private Groups and Citizens, Delinquency Prevention Programs; Research and Informational Systems; Organizations, Foundations, Universities, Research Units for Criminal Justice Agencies, Cooperative Research between Universities and Operating Agencies, and Information needed such as Police Information Courts, Corrections and Organized Crimes, and Statistical Needs, Planning, step by step process of engaging all of the relevant agencies, organizations in a community in a planning process.

Councilman LaRue reported that after listening to this Agenda, it could be seen the complex problems that were faced by these 700 individuals representing all facets and phases of the community. The one State that seemed to stand out in its investigation and its search for the solution of this problem was the

State of California. It had done a terrific job of gathering statistical data and putting this together in form throughout the entire State of California so that all reporting agencies, the cities and the counties, and all were talking about exactly the same thing and that they can get this data to the State Organization; and they in turn get the information back to them in a very short while.

Councilman Shanks asked if their crime rate were lower than anybody else's. Councilman LaRue stated this question was brought up from the floor. He said after this information was given to them by the California delegation (the Attorney General from California), the question came up from the floor as to whether this had reduced the crime rate last year in the State of California, and he had to admit that it had not. This is no criteria, perhaps. He also could have asked from the floor if this kept the rate of increase down to the same as it was the year before or had it prevented an increase from the year before. Had he done this, in comparison with the City of Austin, he would have made great strides, looking at the increase that Austin has had, and the National average increase of 11%. If he had no increase, a certain part of it would be attributed to this fact that they are the known authority in the collection and dissemination of this information. They started this some 15 years ago and this enables them now to do this good job. California also has taken the lead in the reduction of the number of the returnees to the California incarceration system. They have found by using a youth program for the first offenders, (although he did not suggest California was the only state) and by taking the first offenders and placing them in more or less isolated correction areas and letting them report to and from jobs, they have reduced by 50% the number of returnees to the authority of the State of California.

New York is another State that has done a tremendous job in the field of detection, prevention, and correction; and one of the best examples they gave is a law that takes effect in the State of New York on April 1st. This will require that every narcotic addicted individual will be automatically turned over to the care of the State for a minimum period of three years. Those individuals convicted of prostitution and of minor violations will be turned over for three years to the direction of the State of New York. Those having committed felonies will be under the custody of the City of New York for five years. They have anticipated, and this gives an indication of the cost of crime, that they will have to find in the next 12 months more than 8,000 beds in the State of New York for the treatment of the addicts. They did not indicate the period of treatment; but in any event for the minor violations they will be under the control of the State for up to three years; and those with convictions of felonies for five years.

Councilman LaRue stated he attended a Convention in Chicago some six or seven years ago; and at that time the law enforcement had almost broken down completely. It was a well known tactic to hand the policemen who stopped one for a minor traffic violation, one's driver's license with a \$5.00 or \$10.00 bill attached to it. Heroine picked up by the Police and finally brought out as an Exhibit for trial turned out to be talcum powder. Many of the police were involved in receiving stolen goods and property. The names of the individuals of the syndicate, the controlled crime operation, were actually placed in the news paper. The man who was responsible in his particular neighborhood could be found in a particular "speak-easy" and the address was given and this was his office. The condition was so bad, there was almost a complete break-down in enforcement. They invited MR. ORLANDO W. WILSON a man who is the best known criminologist in the United States, to come in to help in the selection of a new Police Commissioner. They could find no one with the qualifications they were

March 30, 1967

looking for, so he took the job. Councilman LaRue stated he had the pleasure of visiting with him in Washington. One of the questions put to him was whether the insurmountable job he had was still such, and he said, "Absolutely it was not; that the unorganized crime was more or less under control, and they had not had an increase in crime in three years." Councilman LaRue stated the Chief of Police and most anyone else would question the fact that there had been no increase in three years. Perhaps what he was trying to point out was that he was absolutely in control of the situation, insofar as comparison. They have a statistical reporting system using computers to the extent that they program the amount of crime, the location of the individual policemen, based on the incidents of crime, and the time. Twice during the year, they will reprogram all of the locations, place and time of all of the police in the City of Chicago.

Another activity being carried on in the Chicago area in the field of prevention, is a Joint Youth Development Committee. Many participate in some kind of civic activity nearly every day, and sometimes get the feeling that at these meetings they attend more or less the same thing is discussed as was discussed at some previous meeting. Chicago has taken the 18 different precincts which are in the Chicago area of responsibility, and they have a Joint Youth Development Committee in each of these, and they have coordinated and have a collaboration between the individual groups that normally would be working in this area of crime prevention and correction. In this Joint Youth Development Committee, the Police Department participates in each of the 18 precincts; the Juvenile Court of Cook County, the Boys' Court of Cook County, the Illinois Youth Commission, the Chicago Commission on Youth Welfare, and the Methodist Youth Service. The Methodists have taken upon themselves in this area to spend a lot of money in the prevention particularly of crime.

The President of the United States has asked for the passage of the Safe Street and Crime Control Act of 1967 which might be more pertinent to some of the people in Austin as to "what can we do today?" He said when he went to Washington, his primary concern was "what can be done today?" "What will make the streets more safe tonight?" There is more freedom of movement of the populous well after dark as in the daytime, and he would suggest had this been the only reason for his going, it would not have been worth the time. Obviously before anything is accomplished, it is necessary to plan. It is impended that there are some 16 states who are already tied into a control, supported and worked with by the F.B.I. and it is assumed shortly there will be all 50 states, and if there are large municipalities within those states, they too will be tied into this network, and the Safe Streets and Crime Control Act of 1967 will help participate in the establishment of these networks. They will provide planning and program grants to the States and local governments--Federal grants to help develop plans to improve their police force and correction system, etc., to the extent of 90%. Councilman Long asked what this 90% funding would do? Councilman LaRue explained it would help to develop plans to improve the Police Departments, the Courts, and the Correctional Systems. This is a very broad statement which means most anything could fall under this title--the updating and payment of salaries; updating of the training programs and other facilities that might be developed. Grants up to 60% would be to improve programs in action, to the extent of innovation of efforts, effective alarm system, which has been inaugurated in Austin; and up to 50% grants for erection of new types physical facilities such as laboratories, police academies, etc. These would not necessarily be a part of the regional planning, but the Attorney General has the authority to authorize this for areas where regional planning has not been carried out such as for cities under 50,000 population. He has the authority that the planning be handled under a metropolitan area, if he so desires.

March 30, 1967

The question also came up as to whether these grants should be sent direct to cities or metropolitan areas and it was stated this could be done. Councilman LaRue said it would have to be recognized, after having received a grant in the Utility System in Austin, that it would be insisted that regional planning be carried out, and he stated this would be more effective. In keeping with this same thought, the State O.E.O. Authority receives all funds and grants, and then distributed to the planned areas or to the regions or cities. Because Mr. John Hill and Colonel Garrison were attending this meeting he would suspect that the State would come up with a State Crime Commission which will in effect coordinate all of the crime commissions that will be established throughout the State. Many states have already established Crime Commissions and indicate very effective work. There have been some discussions in the City over the past months that a Crime Commission should be established here; and it was his feeling after having worked with the O.E.O. Program that if such a Commission is not established, the chances are the grants probably would not be forthcoming.

He said each would notice from the Agenda he read, that there were a terrific number of items, and an almost unbelievable number of things that it would be practically impossible to discuss all of them. He had one particular aspect about which all are concerned, and this was brought out very effectively by the Attorney General of Michigan, one of the most outspoken individuals who said in organized crime the State of Michigan has been "on the map" for a good many years, and this goes back to prohibition days when all of the "booze" was brought in from Canada through the State of Michigan. They have had an opportunity to deal with organized crime for a good many years. This Attorney General was well versed and had worked closely with the Department of Justice and with the Crime Commission Group throughout this year and a half it was being put together. In most cases, he pointed out, an attempt was made to explain organized crime to the average citizen, and it took 90% of the time to convince this individual that this actually existed. The Attorney General was talking about the Syndicate, which is also known by other terms as the Mafia and the Cosa Nostra. There are actually 24 "Families" operating throughout the United States broken down into different Corps of Headquarters. In New York City, as an example, there are five levels of this syndicate, each being responsible for different facets of the crime program, and the Attorney General of Michigan stated very emphatically that where there is off-track betting, prostitution, and loan sharks, there will be representatives of the Cosa Nostra. One of his suggestions was that state probably should have a Grand Jury Investigation at least once each year to bring this out for public awareness and to get the public's support. The Attorney General of Michigan had stated this had become so prevalent and so strong, that these groups are in a position of being able to guarantee that their members of their association will probably never be apprehended; and if they are, they probably will never be brought to trial; and that even though there are many people throughout the United States who are abdicating in doing away with capital punishment, this group has never given any consideration to doing away with capital punishment. They can guarantee the participation of their people by guaranteeing immunity from arrests and prosecution because of the strength they have developed. Councilman Long pointed out they were not adverse to their own capital punishment. Mayor Palmer asked if it were implied there, that these people find their way into the Courts, and into the law so that they are never brought to trial. Councilman LaRue stated this was one of the suggestions. He stated in one of the cities of Pennsylvania, this organized crime had gotten to the City to the extent that there was total corruption. This was announced by MR. PETERSON, Department of Justice, Organized Crime Division, over the news media. There was total corruption in this City in Pennsylvania for some seven years. The Mayor, City Council, Chief of Police and the General Prosecutor were all involved. The present Mayor of the City in question happened to be there and stated this

situation had been overcome and corrected.

The Division of Organized Crime, headed by MR. HENRY PETERSON, has been in operation in the Department of Justice since 1958. Mr. Peterson pointed out some 16 states now have the dubious distinction of being "on the map" as described by Mr. Frank Kelly, Attorney General from Michigan. They did not list the states. Councilman LaRue said he was interested in Texas, and he asked Mr. Peterson who told him very definitely the State of Texas was one of the 16 states "on the map" so far as the Cosa Nostra or the other crime syndicates is concerned, and that there are representatives in the State of Texas.

One of the problems involved in the prosecution in this type of problem is Communication. It was brought out it was almost impossible to get this type of information back and forth between the people who need it and the people who have it because of the infiltration of these people. The Department of Justice, Division of Organized Crimes is even concerned about whom to give this information; they are concerned even about the Grand Juries they present it to, and the Grand Jury is checked out before information is given. Each individual is checked before any information is given out. He said he would furnish this information to any responsible authority and would maintain contact; that they do have this information and have identified some 5,000 people who are members of the Cosa Nostra and he knows where they are and of what part of the organization they are in charge. He would furnish this information to the proper authorities, possibly of the State or of the larger municipalities. Councilman LaRue read the following statement made by MR. HENRY PETERSON, Chief of the Justice Department's Organized Crime Division:

"A Justice Department Official charged today that leaders of the Cosa Nostra Crime Syndicate, the Teamsters' Union and the International Longshoremen's Union are coordinating their activities. Henry Peterson, Chief of the Justice Department's Organized Crime Division, said, 'I know to a moral certainty that in the upper echelons there is an amalgamation between the International Longshoremen, Teamsters, and Cosa Nostra'."

This is a statement made there, and this gives some idea and some indication of the strength of the organized crime in the United States; and when they indicate this is a threat to democracy in the United States, this would bear this out. If the fact can be recognized that this does exist, and does exist in the State of Texas, perhaps there is some time in which something can be done about this. One of the suggestions was that this conference should have been held some 10 years ago.

Councilman LaRue listed some of the conclusions. (1) Crime is going to cost the State of Texas and the City of Austin considerably a greater amount of money than has been spent in the past either in one direction or the other. If the detection, apprehension, prevention and correction, are not upgraded, the City and State will be paying for it because of the infiltration of these types of individuals. If the other is done, as indicated by the Superintendent of Police in Chicago, MR. WILSON, who is in control of and on top of the organized crime in the City of Chicago that although organized crime could not be obliterated, it could be brought down to an irreducible minimum. Councilman LaRue stated after he had seen conditions in Chicago six years ago, and based on Mr. Wilson's statements at the conference, that he believed he was the man that could and would do this.

March 30, 1967

Councilman LaRue stated perhaps the thing that should cause us the greatest concern is the fact that the Cosa Nostra is infiltrating many of the legitimate activities throughout the United States. One man from Maine, who was in attendance at this Conference, said Cosa Nostra had divided Maine into 11 or 12 districts, and they had absolute control over the dissemination of information, perhaps he meant the newspaper. He said they were also taking over the hotels and motels in the State of Maine and the juke boxes. In his City two local individuals trying to go into this type of activities were shot (not killed) and it was thought this was done deliberately as a warning to all other individuals. This is a type of situation that is faced; and there are no easy solutions to it.

Most of the conversation that took place over the two day period were discussing hypothetical questions and the overall general solution to the crime problem, and it seemed to be a timing of ten years period. Councilman LaRue said he had hoped, as a layman, that some information would be given to him that he could bring back that would help in the alleviation of the crime situation; but this was not done. It was hoped that Congress would see fit to set aside \$50 million for 1968 and thereafter some \$300 million. The exchange of these ideas throughout the United States will help. It would take a lot of time to go through all of the items discussed to bring out all of the points, and he said he would be happy to visit later with the Chief of Police and discuss them all in detail.

Councilman Shanks asked if anything was said on the crime uprise was due to the leniency of the courts. Councilman LaRue said this was brought out by Secretary of State John Hill. Mayor Palmer was under the impression Mr. Katzenback answered this. Councilman Shanks asked if this group recognized this was a part of the problem. He said everyone knew there was crime, and asked if anything was brought out about how to deal with crime and about the reasons it is hard to cope with. Councilman LaRue said MR. JOHN HILL brought this up referring to two cases. Mr. Hill was told the Conference was designed to bring forth all of the possibilities of solution, exchange of ideas of the people present; and if a long discussion were involved of these two cases of tying the hands of the Police Forces, etc., they would not get into the rest of the discussions. He was told this could be brought up in the Panel Discussions. Councilman Shanks said this looked like one of the most important issues. He said the people who work with crime will say one of the obstacles is the procedure of going through the courts, etc. Councilman LaRue stated this obviously was one of the problems facing all crime enforcement people throughout the United States. He said he could not help but agree, but this item was not discussed by anyone in authority, and no suggestion made on their part as to what might be done to correct the situation.

Former Councilman HUB BECHTOL inquired if any funds would be available to the National Crime Information Center by the F. B. I. Councilman LaRue replied this would be a part of the program that it was indicated all 50 states would be in on this communication system; and if there were large metropolitan areas, they too would be tied into this. Austin has direct contact with the Department of Public Safety, and these funds are to be available for the things enumerated. This will have to be passed in the House and Senate, and the President said one reason these people were called to Washington was to help get these bills passed into law.

MR. ROTH asked if the organized crime had infiltrated into horse betting. Councilman LaRue stated it was "off-track betting" where there was a certainty the Cosa Nostra was present, as they control this phase of crime through the United States.

March 30, 1967

MR. BECHTOL, member of the Grand Jury Association, expressed appreciation to the Council for sending Councilman LaRue to this Conference. He appreciated also Councilman Shanks' remarks and stated more restrictive laws to provide law enforcement officers to protect the citizens were needed. He mentioned legislation pending in the State Legislature which is receiving a cold reception. Mayor Palmer asked if there were any overtones of the meeting that the criminals had been coddled too much. Councilman LaRue stated no issue was made of this. Councilman Shanks cited recent cases here where known criminals are apprehended, and are out the next day robbing to pay their attorneys and get the bail money. Mr. Bechtol said one of the bills in the Legislature was to allow Judges to deny bonds to one under indictment. Councilman Shanks referred to a case where there was a \$100,000 bond placed on one, and it was set back to \$2,500.

MR. BECHTOL stated he would like to get members of the Chamber of Commerce and the Grand Jury to meet with Mr. LaRue. Mr. Bechtol also stated he wanted to present the Crime Stop Program to the Council sometime next week.

MAYOR PALMER thanked Councilman LaRue for this report, and said they would be visiting from time to time with more details.

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

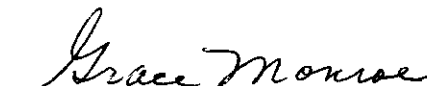
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

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

APPROVED


Mayor

ATTEST:


Asst. City Clerk

