

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 13, 1966
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

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

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

Invocation was delivered by REVEREND THOMAS WHITCOMB, Trinity United Church of Christ.

Councilman Long moved that the Council hear MR. IRWIN SALMANSON, Attorney representing Mr. Sam Miller and Mr. George Webb. The motion was seconded by Councilman LaRue. Roll call showed a unanimous vote.

MR. SALMANSON stated they wanted to build apartment units and pointed out a strip of land between theirs and South Congress Avenue, known as the Old Post Road which they are asking to be vacated. The irregular strip was created when Congress Avenue was straightened, and carries no traffic. The City Manager pointed out the strip was 54' at one end and 40' at the other. Councilman Shanks asked if he wanted to vacate it or buy it. Councilman Long said the Council voted last week not to vacate this strip. The City Manager said Mr. Salmanson indicated they intended to park vehicles on it, and it might be that an arrangement could be worked out by which they could control it on a term basis subject to their developing and beautifying it, but not building on it. Mr. Salmanson asked that the land immediately to the north and south of this also be considered, as those owners are asking the City to vacate the strip in order to prevent vehicles driving through their property. Councilman Shanks stated he would talk about selling it but not giving it away. Mayor Palmer said at Councilman LaRue's suggestion, the Council would go look at this strip of right of way, but it was not the feeling of the Council to vacate it. He asked Mr. Salmanson to submit a proposal and the Council would consider that.

Councilman White moved that the Minutes of the Meeting of October 6, 1966, and the Minutes of the Special Meeting of September 23, 1966, be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Mayor Palmer introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OR TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY. (Denver Avenue and sundry other streets)

The City Manager stated this involved the development and construction of a new street, "Pershing Drive" from 19th to Manor Road into the entrance to the Airport.

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.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE PORTIONS OF PALO PINTO DRIVE AND DENVER AVENUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING CERTAIN EASEMENTS IN THE CITY FOR PUBLIC UTILITY AND DRAINAGE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen LaRue, 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 Shanks, carried by the following vote:

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

The ordinance was read the third time and Councilman 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.

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 CARL WOOTTEN as described in the Travis County Deed Records and known as Lots 20 and 21, Lakeshore Addition, as described on the attached plot plan and hereby authorizes the said Carl Wootten to construct, maintain and operate this boat dock subject 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 Carl Wootten has failed and refused and will continue to fail and refuse to perform such conditions, regulations and ordinances.

October 13, 1966

(Recommendations attached)

"Austin, Texas
October 12, 1966

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

"I, the undersigned, have reviewed the plans and have considered the application of Mr. Carl Wootten, owner of the property abutting on that part of Lake Austin lying downstream from the westerly extension of the south line of Windsor Road and known as Lots 20 and 21, Lakeshore Addition, 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 two hundred and twenty (220) feet beyond the normal high water level. The Navigation Board, at its meeting, Tuesday October 11, 1966, also reviewed the request of Mr. Wootten and voted to recommend that his request be granted. The construction details meeting all requirements, I recommend that if Mr. Wootten is granted his request by the City Council, 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 reasonably 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 City Manager said this involved a rather long dock and the application was reviewed and approved by the Navigation Board. Councilman Long asked that the next time there are requests for boat docks, etc. on the lake, she would like to be notified so she could go and see these various docks that had been approved.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: (1) LOT 1 OF THE MOBILE HOME SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; (2) LOTS 1 AND 2 AND THE EAST 31.2 FEET OF LOT 3 OF THE HENRY COLLEYE HOME TRACT, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (3) LOT 3, SAVE AND EXCEPT THE SOUTH 170 FEET OF THE R. L. WORMLEY SUBDIVISION, AND ADDITIONAL AREA: LOT 2, SAVE AND EXCEPT THE SOUTH 170 FEET OF THE R. L. WORMLEY SUBDIVISION, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; (4) THE NORTH 187.86 FEET OF LOT 7 OF THE DR. Z. T. BUNDY SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND (5) A 24,750 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 2023-2029 WEST BEN WHITE BOULEVARD, FROM "GR" GENERAL RETAIL DISTRICT TO "C-1" COMMERCIAL DISTRICT; ALL OF SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOTS 9 AND 10 OF THE SIEGMUND

ADDITION, FROM "D" INDUSTRIAL DISTRICT AND THIRD HEIGHT AND AREA DISTRICT TO "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman 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, Shanks, White, Mayor Palmer
Noes: Councilman Long

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

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

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, Shanks, White, Mayor Palmer
Noes: Councilman Long

Councilman Long voting against the motion as she believed this would be creating a problem in Lyons Road, and they would be getting calls about the high weeds near the railroad tracks.

Mayor Palmer made the following statement concerning his vote:

"This will provide some nice little low priced homes for people who need them."

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOTS 1-4, BLOCK 5; LOTS 1-8, BLOCK 4; THE WASHINGTON AVENUE STREET AREA BEING VACATED BETWEEN SALINA STREET AND CHICON STREET, AND THE ALLEY IN BLOCK 4 BEING VACATED, ALL IN THE C. R. JOHN'S AND COMPANY'S SUBDIVISION OF OUTLOT 57, DIVISION "B", FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman 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, Mayor Palmer
Noes: Councilman White

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 Long, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOTS 76-81 OF THE SHOALMONT ADDITION, SECTION 2, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

The ordinance was read the second time and Councilman Shanks 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, Shanks, White, Mayor Palmer
Noes: Councilman Long

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

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

Councilman Long voting against the zoning stating this would be creating a traffic problem on Hancock Drive and Woodview, and it was recognized by the Planning Commission in that they did not recommend this.

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANY CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: A 15,000 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 2117 NORTHLAND DRIVE, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL 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 Shanks moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The ordinance was read the second time and Councilman Shanks 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, Shanks, White, Mayor Palmer
Noes: Councilmen Long

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

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

Councilman Long voting against the motion stating she would have voted for that had the buffer zone been created as recommended by the Planning Commission, and she thought a problem was being created there.

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

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

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

rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman 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 offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain easements were granted to the City of Austin for anchor, public utilities and anchor and electrical overhang purposes, in, upon and across a part of Riverbend, Section 3B, at University Hills, a subdivision of a portion of the J.A.G. Brooke Survey Number 28 in the City of Austin, Travis County, Texas, according to a map or plat of said Riverbend, Section 3B, at University Hills, of record in Book 21 at Page 33 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 portions of said easements; and,

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

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

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

Sixteen (16) strips of land, each being out of and a part of Riverbend, Section 3B, at University Hills, a subdivision of a portion of the J.A.G. Brooke Survey Number 28 in the City of Austin, Travis County, Texas, according to a map or plat of said Riverbend, Section 3B, at University Hills, of record in Book 21 at Page 33 of the Plat Records of Travis County; the strips of land hereinafter described as Numbers One through Four being ten (10.00) feet in width and the strips of land

hereinafter described as Numbers Five through Sixteen being five (5.00) feet in width; which strips number One through Four as provided on map or plat of University Hills, Section Three, Phase One, a subdivision of record in Book 11 at Page 88 of the Plat Records of Travis County, Texas, from which said public utility easements are to be released; which strips number Six through Thirteen are to be released from the anchor easements; and which strips Number Five and Fourteen through Sixteen are to be released from the anchor and electrical overhang easements provided on said map or plat of Riverbend, Section 3B, at University Hills; said strips of land being more particularly described as follows, to-wit:

NUMBER ONE, BEGINNING at a point in the north line of Loyola Lane, from which point of beginning a steel pin at the point of curvature of a curve whose intersection angle is $21^{\circ} 46'$, whose radius is 893.18 feet and whose tangent distance is 171.73 feet, bears $N 39^{\circ} 20' W$ 5.00 feet;

THENCE $N 48^{\circ} 08' E$ 45.00 feet to point of termination.

NUMBER TWO, BEGINNING at a point in the curving northline of Loyola Lane, said curve having an intersection angle of $21^{\circ} 46'$, a radius of 893.18 feet, and a tangent distance of 171.73 feet, and from which point of beginning a steel pin at the point of curvature of said curve bears $S 44^{\circ} 15' E$ 153.10 feet;

THENCE, $N 40^{\circ} 09' E$ 45.00 feet to point of termination.

NUMBER THREE, BEGINNING at a point in the north line of Loyola Lane, from which point of beginning a steel pin at the point of tangency of a curve whose intersection angle is $21^{\circ} 46'$, whose radius is 893.18 feet and whose tangent distance is 171.73 feet, bears $S 61^{\circ} 06' E$ 5.00 feet;

THENCE, $N 28^{\circ} 54' E$ 45.00 feet to point of termination.

NUMBER FOUR, BEGINNING at a steel pin at the northeast corner of Lot 1, Block 2, of the aforesaid University Hills, Section Three, Phase One;

THENCE, with the easterly prolongation of the north line of said Lot 1, Block 2, $S 56^{\circ} 36' E$ 45.00 feet to point of termination.

NUMBER FIVE, BEGINNING at the intersection of a line ten (10.00) feet south of and parallel to the north line of Lot 33, Block 2, said Riverbend, Section 3B, at University Hills, and a line two and one-half (2.50) feet west of and parallel to the east line of said Lot 33;

THENCE, with the said line two and one-half (2.50) feet west of and parallel to the east line of Lot 33, $S 48^{\circ} 23' W$ 40.00 feet to point of termination.

NUMBER SIX, BEGINNING at the intersection of a line five (5.00) feet west of and parallel to the east line of Lot 1, Block 1, said Riverbend, Section 3B, at University Hills, and a line two and one-half (2.50) feet south of and parallel to the north line of said Lot 1;

THENCE, with the said line two and one-half (2.50) feet south of and parallel to the north line of Lot 1, $N 53^{\circ} 09' W$ 40.00 feet to point of termination.

NUMBER SEVEN, BEGINNING at the intersection of a line five (5.00) feet west of and parallel to the east line of Lot 2, Block 1, said Riverbend, Section 3B, at University Hills, and a line two and one-half (2.50) feet north of and parallel to the south line of said Lot 2;

THENCE, with the said line two and one-half (2.50) feet north of and parallel to the south line of Lot 2, N 53° 09' W 40.00 feet to point of termination.

NUMBER EIGHT, BEGINNING at the intersection of a line five (5.00) feet west of and parallel to the east line of Lot 45, Block 2, said Riverbend, Section 3B, at University Hills, and a line two and one-half (2.50) feet south of and parallel to the north line of said Lot 45;

THENCE, with the said line two and one-half (2.50) feet south of and parallel to the north line of Lot 45, N 35° 40' W 40.00 feet to point of termination.

NUMBER NINE, BEGINNING at the intersection of a line five (5.00) feet west of and parallel to the east line of Lot 44, Block 2, said Riverbend, Section 3B, at University Hills, and a line two and one-half (2.50) feet north of and parallel to the south line of said Lot 44;

THENCE, with the said line two and one-half (2.50) feet north of and parallel to the south line of Lot 44, N 35° 40' W 40.00 feet to point of termination.

NUMBER TEN, BEGINNING at the intersection of a line five (5.00) feet west of and parallel to the east line of Lot 42, Block 2, said Riverbend, Section 3B, at University Hills, and a line two and one-half (2.50) feet south of and parallel to the north line of said Lot 42;

THENCE, with the said line two and one-half (2.50) feet south of and parallel to the north line of Lot 42, N 26° 36' W 40.00 feet to point of termination.

NUMBER ELEVEN, BEGINNING at the intersection of a line five (5.00) feet northwest of and parallel to the southeast line of Lot 41, Block 2, said Riverbend, Section 3B, at University Hills, and a line two and one-half (2.50) feet north of and parallel to the south line of said Lot 41;

THENCE, with the said line two and one-half (2.50) feet north of and parallel to the south line of Lot 41, N 26° 36' W 40.00 feet to point of termination.

NUMBER TWELVE, BEGINNING at the intersection of a line five (5.00) feet west of and parallel to the east line of said Lot 41, Block 2, Riverbend, Section 3B, at University Hills, and a line two and one-half (2.50) feet south of and parallel to the north line of said Lot 41;

THENCE, with the said line two and one-half (2.50) feet south of and parallel to the north line of Lot 41, N 42° 34' W 40.00 feet to point of termination.

NUMBER THIRTEEN, BEGINNING at the intersection of a line five (5.00) feet west of and parallel to the east line of Lot 40, Block 2, said Riverbend, Section 3B, at University Hills, and a line two and one-half (2.50) feet north of and

parallel to the south line of said Lot 40;

THENCE, with the said line two and one-half (2.50) feet north of and parallel to the south line of Lot 40, N 42° 34' W 40.00 feet to point of termination.

NUMBER FOURTEEN, BEGINNING at the intersection of a line ten (10.00) feet south of and parallel to the north line of Lot 36, Block 2, said Riverbend, Section 3B, at University Hills, and a line two and one-half (2.50) feet southeast and parallel to the northwest line of said Lot 36;

THENCE, with the said line two and one-half (2.50) feet southeast of and parallel to the northwest line of Lot 36, S 65° 43' W 40.00 feet to point of termination.

NUMBER FIFTEEN, BEGINNING at the intersection of a line ten (10.00) feet south of and parallel to the north line of Lot 35, Block 2, said Riverbend, Section 3B, at University Hills, and a line two and one-half (2.50) feet northwest of and parallel to the southeast line of said Lot 35;

THENCE, with the said line two and one-half (2.50) feet northwest of and parallel to the southeast line of Lot 35, S 65° 43' W 40.00 feet to point of termination.

NUMBER SIXTEEN, BEGINNING at the intersection of a line ten (10.00) feet south of and parallel to the north line of Lot 34, Block 2, said Riverbend, Section 3B, at University Hills, and a line two and one-half (2.50) feet east of and parallel to the west line of said Lot 34;

THENCE, with the said line two and one-half (2.50) feet east of and parallel to the west line of Lot 34, S 48° 23' W 40.00 feet to point of termination.

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

At 10:30 A.M. the Mayor opened the hearing on ordinances annexing proposed McCANN ADDITION, 9.7 acres out of the George W. Davis Survey - unplatted land, proposed NORTHWEST HILLS, MESA OAKS, PHASE 3 and 1.08 acres out of the William Cannon League - unplatted land. No one appeared to be heard. Councilman Long moved the hearing be closed. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor 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
0.15 OF ONE ACRE OF LAND, SAME BEING OUT OF AND A

PART OF TRACT 2-A, MRS. A. B. PAYTON SUBDIVISION, A SUBDIVISION OF A PORTION OF THE JAMES P. WALLACE SURVEY NO. 18 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. (McCann Addition)

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

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

The ordinance was read the second time and Councilman Long moved that the ordinance be 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

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 (A) 19.44 ACRES OF LAND OUT OF THE T. J. CHAMBERS GRANT; AND (B) 9.70 ACRES OF LAND OUT OF THE GEORGE W. DAVIS SURVEY; SAID PROPERTY BEING 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. (Northwest Hills, Mesa Oaks, Phase 3; George W. Davis Survey - unplatted land)

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

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

The ordinance was read the second time and Councilman Long moved that the ordinance be 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

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

1.08 ACRES OF LAND OUT OF AND A PART OF THE WILLIAM CANNON 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. (William Cannon League - unplatted land)

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

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

The ordinance was read the second time and Councilman Long moved that the ordinance be 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 City Manager submitted the following:

"October 10, 1966

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, October 7, 1966, at the Office of the Director of the Water and Sewer Department for the construction of approximately 1254 feet of 16-inch concrete steel cylinder pipe and salvaging of approximately 1220 feet of 8-inch cast iron water main in SPICEWOOD SPRINGS ROAD FROM GREENSLOPE DRIVE TO CANTWELL DRIVE. The purpose of this project is to complete a loop on 12-inch water main to the reservoir at Spicewood Springs Road.

"The following is a tabulation of bids received:

<u>FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Walter Schmidt Construction Co.	\$20,054.10	40
Eland Construction Company	21,221.00	50
J. C. Evans Construction Company	21,224.70	40
Austin Engineering Company	22,264.02	50
A & P Construction Company	28,961.72	30
Ford-Wehmeyer, Incorporated	29,772.00	45
City of Austin (Estimate)	21,040.00	30

"It is recommended that the contract be awarded to the Walter Schmidt Construction Co. on their low bid of \$20,054.10, with 40 working days.

October 13, 1966

"Yours truly,
s/ Victor R. Schmidt, Jr.
Victor R. Schmidt, Jr.
Director Water and Sewer Department"

The Director of Water and Sewer Utilities explained there would be about 1200' of pipe salvaged at \$2.50 or \$3,000 and it would be stored in the yards and relaid.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 7, 1966, for the construction of approximately 1254 feet of 16-inch concrete steel cylinder pipe and salvaging of approximately 1220 feet of 8-inch cast iron water main in Spicewood Springs Road, from Greenslope Drive to Cantwell Drive; and,

WHEREAS, the bid of Walter Schmidt Construction Co., in the sum of \$20,054.10, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department 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 Walter Schmidt Construction Co., in the sum of \$20,054.10, 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 Walter Schmidt Construction Co.

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

Mayor Palmer read the recommendation from the Construction Engineer, Mr. A. M. Eldridge, as follows:

"October 12, 1966

"To: Mr. W. T. Williams, Jr., City Manager Subject: Bath House for Southwest
Park Pool Tabulation of
Bids

"We are transmitting herewith tabulation of bids for Bath House to be located at Southwest Park Pool.

"Our estimate for this work was in the range of \$45,000 to \$50,000 as previously discussed.

"Mr. Gibson, the lowest bidder, did not include bid security with his proposal as specified. He had obtained a bid bond on the day preceding the bidding and furnished this bond to us promptly after the bidding.

"We join with Mr. Sheffield in recommending the acceptance of the low bid by FLOYD GIBSON for Proposal A plus Alternate for Exposed Aggregate Sidewalks in the amount of \$49,575.00.

"Mr. Eskew feels that the Council should be asked for a decision regarding acceptability of Mr. Gibson's proposal.

"Time of completion for this work is set by the Contract as March 15, 1967 which combined with a normal amount of time extension for inclement weather should easily assure completion by May 1, 1967.

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

"BID TABULATION

"SOUTHWEST PARK BATH HOUSE City of Austin, Tex. Bid Opening 10 AM Tues.
Oct. 4, 1966

Bidder	W.D. Anderson Company	A. W. Bryant Construction Company	C & H Con- struction Company, Inc.	Floyd Gibson *	V.R Wattin- ger
Proposal "A"					
All Construction		\$52,768.00	\$49,200.00	<u>\$49,415.00</u>	
Alternate					
Exposed Aggregate,					
Add:		\$ 1,100.00	\$ 728.00	<u>\$ 160.00</u>	
Proposal "B"-All					
work except plumbing	\$45,839.00			\$44,200.00	
Alternate					
Exposed Aggregate,					
Add:	\$ 220.00			\$ 160.00	
Proposal "C"					
Plumbing work					\$5,800.00

*(No Bid Security Included with Proposal)"

The City Manager reported the City Attorney was saying the Council had the authority or right to waive the bid bond. The bidder brought the bid bond back the same day. Mr. Gibson brought the envelope along with the bid bond showing it had been mailed two days before, and he received it the day before, and had just left it in his desk. The Mayor noted this was a judgment matter before the Council. Councilman LaRue said his opinion would be that a precedent would be set by accepting a bid that was not, in his opinion, qualified, as it was a prerequisite that the bid be accompanied by a bid bond. This is one of the factors that must be taken into consideration when people are asked to bid. The City Manager stated the City had the privilege of holding a bidder to his bid whether or not he had a bid bond. Councilman Long stated this man had proof that it was an oversight that the bid bond was not included, and he is the low bidder. If this should happen again, in other bidding, each case would rest on its own merits. Councilman Shanks said he would accept this under the condition that the bidder did show the dates the bond was mailed to him. The

City Manager replied he had brought the envelope showing the post mark. Councilman White contended if this were allowed then there would be a number of similar situations. This is the policy and it should be followed. Councilman LaRue stated there was only \$343.00 difference between the low bid and the second low bid, and he thought to maintain the integrity, it would be wise to accept the second low bid; and to prevent any type of speculation it would be best to recognize that the man did not meet the specifications and award the contract to the second low bidder. Mayor Palmer stated a bid bond cost so little that no one could say they had been out undue expense and overhead because of the bid bond; that what was expensive was the performance bond. The Assistant City Attorney stated the question here was that the bidding procedures required a bid bond to be submitted with the bid. This contractor did not submit his bond with the bid; however, after the bids were opened he did bring the bid bond in. All the contractors who bid went to the same expense. The man did meet all the actual requirements in submitting a bid bond except he did not bring it in precisely at the same time he brought in his bid. After a very lengthy discussion, Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 4, 1966, for the construction of bath house for Southwest Park Pool; and,

WHEREAS, the bid of Floyd Gibson, in the sum of \$49,575.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Supervising Engineer, Construction Engineering Division 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 Floyd Gibson, in the sum of \$49,575.00, 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 Floyd Gibson.

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

Councilman LaRue made the following statement concerning his vote:

"I think there is a matter of principle involved, and I think we would be far better by staying with the viewpoint that it would be more readily acceptable by the bidders. I think anyone of them would agree that this would be the manner in which it should be handled, and that the individuals must meet the requirements of the bidding procedures or the bids should not be accepted. Since these individuals do business with the City, they might have been reluctant to have been here today, and I vote 'No'."

Councilman White made the following statement concerning his vote:

"My way of thinking is the man did not comply and as badly

as I want to see this project move ahead, and move fast, I am going to have to vote 'no'."

Councilman Long inquired about the cost of the pool and bath house. The City Manager listed the actual and estimated costs to complete the Southwest Swimming Pool as follows:

Balance due on general pool construction contracts	\$125,490.00
Bid price on bath house	49,575.00
Estimated costs of side work, sanitary sewer line, storm sewer, fence, filter equipment, park road, parking area, park lights and electric supply and miscellaneous	44,270.00
Total to complete the pool	\$219,335.00
Actual expenditures as of 9-30-66	76,992.89
Grand total estimated costs	\$296,327.89

The Council, after a report by the Building Official that the following houses were substandard and some were on substandard lots, upheld the recommendation of the City Manager and the Building Standards Commission on substandard houses.

Councilman Long moved that the Council uphold the recommendation of the City Manager and the Building Standards Commission on substandard house located as follows:

1906 Riverview (Rear)
(Mr. W. C. Atkins)

- That the structure located on this lot be declared a public nuisance by the City Council; that the owners of said property be given 60 days from February 9, 1966, in which to bring the structure to the requirements of the Minimum Housing Code or to demolish the structure; that in the event that the property is disposed of within the 60 day period, the purchaser shall be furnished with a true copy of the notice of condemnation and at the same time shall give the Building Official a notice of such transaction supplying the name and address of the person or persons to whom the sell is proposed; that after expiration of the 60 day period, the owner has failed to bring the structure to the requirements of the Minimum Housing Code or to demolish the structure, the Legal Department of the City be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; that upon a termination of the legal proceedings in favor of the City the failure of the defendant to abate the nuisance, the forces of the City

with permission of the court, be empowered to demolish the structure, and affix the costs thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.

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

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

Noes: None

Councilman Long moved that the Council uphold the recommendation of the City Manager and the Building Standards Commission on substandard house located as follows:

1190 Oakgrove
(Mr. Jeff Geeslin)

- That the structure located on this lot be declared a public nuisance by the City Council; that the owner of said property be given 60 days from February 9, 1966, in which to bring the structure to requirements of the Minimum Housing Code or to demolish the structure; that after expiration of the 60 day period, the owner has failed to bring the structure to requirements of the Minimum Housing Code or to demolish the structure, the Legal Department of the City be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; that upon a termination of the legal proceedings in favor of the City the failure of the defendant to abate the nuisance, the forces of the City, with permission of the court, be empowered to demolish the structure, and affix the costs thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.

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

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

Noes: None

Councilman Long moved that the Council uphold the recommendation of the City Manager and the Building Standards Commission on substandard house located as follows:

1192 Oakgrove
(Mr. Jeff Geeslin)

- That the structure located on this lot be declared a public nuisance by the City Council; that the owner be given 60 days from February 9, 1966, in which to bring the structure to requirements of the Minimum Housing Code or to demolish the structure; that after expiration of the sixty day period, the owner has failed to bring the structure to requirements of the

Minimum Housing Code or to demolish the structure, the Legal Department of the City of Austin be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; that in the event that the property is disposed of within the 60 day period, the purchaser shall be furnished with a true copy of the notice of condemnation and at the same time shall give the Building Official a notice of such transaction supplying the name and address of the person or persons to whom the sell is proposed; that upon a termination of the legal proceedings in favor of the City, the failure of the defendant to abate the nuisance, the forces of the City, with permission of the court, be empowered to demolish the structure, and affix the costs thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.

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

Councilman Long moved that the Council uphold the recommendation of the City Manager and the Building Standards Commission on substandard house located as follows:

2213 South 3rd Street
(Mr. W. C. Atkins)

- That the structure located on this lot be declared a public nuisance by the City Council; that the owners be given 60 days from February 9, 1966, in which to bring the structure to requirements of the Minimum Housing Code or to demolish the structure; that after expiration of the 60 day period, the owners have failed to bring the structure to requirements of the Minimum Housing Code or to demolish the structure, the Legal Department of the City be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; that in the event that the property is disposed of within the 60 day period, the purchaser shall be furnished with a true copy of the notice of condemnation and at the same time shall give the Building Official a notice of such transaction supplying the name and address of the person or persons to whom the sell is proposed; that upon a termination of the legal proceedings in favor of the City the failure of the defendant to abate the nuisance, the forces of the City, with permission of the court, be empowered to demolish

the structure, and affix the costs thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.

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

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

Noes: None

Councilman Long asked the City Manager to inform the Council on the progress of these four houses--what is done; who tears them down; and when the work is finished.

MAYOR PALMER stated the property on San Jacinto Street belonging to Mr. Miller was found to be unsafe, and he was to repair the building or tear it down. The hazard is still there. The Building Official gave a report stating bids were taken for demolition, and the low bid was \$600. Mr. Miller did not follow through, and the City took bids later, and the low bid was \$1,770. Mr. Miller asked for permission to repair the building so it would not be a hazard or nuisance. The last bid ~~seemed~~ out of line and Mr. Miller thought he could repair the building for \$1,000. The City Manager reported the \$1,000 would not place the building in condition for occupancy. It would only repair the building so it would be structurally safe, but he could not occupy it. The Building Official pointed out there was an ordinance on substandard residences, but none on substandard commercial buildings; other than an ordinance requiring that the commercial buildings be safe. A notice will be posted that the building cannot be occupied. The building has been burned on the inside. After discussion, Councilman LaRue moved that the necessary repairs are to be made within two weeks' time. (Mr. Miller's property--606-608 San Jacinto) The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: Councilman Long

Councilman Long voting against the motion stating the building ought to be demolished and cleared off, and that she would like to see the Building Official bring in an ordinance covering business properties that are delapidated and unfit for use.

Councilman Long moved that the City Manager be instructed to have an ordinance brought in that would give the Council authority to condemn business properties that are delapidated and unfit for use or occupancy. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Noes: None

The City Manager suggested that the same Board review this ordinance that developed the Building Standards Ordinance, and that Board would have public hearings, but the Council probably would like also to have a public hearing.

Councilman White inquired about the KNAPPE place on San Jacinto. The Building Official reported this place was repaired to meet the minimum standards code.

MAYOR PALMER stated in the interest of public health, and public safety, the Council had always worked with the L.C.R.A. in trying to control the weed growth in Lake Austin. He suggested that the Council make plans for lowering the lake somewhere around the first of January if it were agreeable with the L.C.R.A. This would be the best time to control the marine growth in the lake, and those people desiring to make improvements would like to have ample time to make arrangements. Councilman Long inquired about the cost to lower the lake last year. The City Manager stated it always costs a substantial sum of money to lower the lake. Councilman Long stated it was around \$20,000 last year, and asked what was the purpose of lowering the lake. The City Manager stated some of the property owners want to improve their shorelines and build docks, and this can be done better when the water is lowered; the other reason is for the control of weeds. He stated the control of the weeds was the greatest demand from the point of public interest; and those who had boats on the lake made the greatest demand. Councilman Long stated two weeks ago she proposed to assess the city property lines, to find what is inside the city and what is not, so those living on the lake should be taxed. She stated \$20,000 was being proposed to be spent for the convenience of those people living on the lake. Councilman Shanks said this was done for the entire people of Austin and for the people who come from all over the State of Texas. Councilman Long stated the \$20,000 could be used to buy a weed cutter. Councilman Shanks asked if those who did not live on the lake but used the lake were to be taxed?

The City Manager pointed out the City would need to lower the lake sometime within the next year to construct the water intake for the new Water Treatment Plant. They were working with the U.S. Government on this project, and it was not certain when bids would be taken. It might be possible to get under contract before the first of the year, but it was not known at this time. The lake will be lowered for an extended period of time, and this will mean a large amount of money. He asked if it had to be lowered in March, would the Council still want to lower it in January or February? The Building Official reported the Navigation Board had recommended that the lake be lowered in January. Mayor Palmer stated the City Manager could be asked to check with the L.C.R.A. and try to determine a time when the contract would be let and come in with a recommendation.

MRS. JOHN BARROW asked about the people living on the lake who put poisons into the water to kill the weeds. It was explained there was a city ordinance to prevent that.

Mayor Palmer stated he was interested in this weed control, as a young child had drowned because he was ensnared in this duck weed. He did not live on the lake. There is a danger to swimmers and skiers. He stated there were more boats than ever before on the lake, and to him it was a health matter as well as a safety measure.

Councilman Long inquired about surveying the lake shores, and if the lake should be lowered or at its normal level to do such surveying. The City Manager stated the city limit line could be established without the water being down. He explained if the contour 504.9 line is the city limit line, and used as a basis of a survey, it would be what the 504.9 was at the time it was adopted, and that would be difficult to do. He stated if the Council seriously would like to exercise any control over anything other than the lake itself, it would be well to adopt a complete new city limit line. In answer to Councilman Long's inquiry, the City Manager stated no police protection whatsoever was provided on the lake shore. The only police activity is regulating traffic.

Mayor Palmer stated the City Manager could check with the L.C.R.A. and also find out about the contract for the Water intake and determine a time for lowering the lake.

Councilman Long moved that the Texas A & M University be allowed to have a Cadet Parade on November 24th. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Mayor Palmer said it was customary when A & M played in Austin and the parade is held, the Down Town Merchants requested to have the Christmas lights on. He suggested that the City Manager be asked to check with the Officials of Down Town Austin and see if they want them up at that time. Councilman LaRue moved that the City Manager check with the officials of Down Town Austin regarding the Christmas lights. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager stated the Electric Department would like to take bids on Combustion Controls for Decker Unit I on December 8th, and there are no conflicts or other hearings on this date. Councilman Long moved that December 8th be set for taking bids for Combustion Controls, Contract X-123, Decker Power Station, Unit I. (10:00 A.M.) 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 an offer from MR. KELLEY McADAMS to purchase city property at the corner of 29th Street and Lamar Boulevard, which is being held with the thought it would be needed for an overpass at 29th Street in the future. Mayor Palmer asked that Mr. McAdams be notified this tract is not for sale, and that it be explained why. Councilman Long moved that Mr. McAdam's inquiry be answered regarding selling the tract at 29th and Lamar stating why it cannot be sold in that it is going to be used for an overpass in the future. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager reported that at the time bids were taken on the generator and turbine for Decker Unit, there was a specified method of payment, in that the City would pay 60% of the contract price in 12 equal monthly installments beginning 12 months prior to shipments, so that at the date of shipment 60% would have been paid. On the shipment date 20% would be paid totaling 80%. Sixty days after completion date 10% would be paid, and the remaining 10% would be

retained until the end of one year to enable the installment and testing of the equipment before final payment was made. It now appears the installation will not be completed within the 12 months, and it may run 16 or 18 months. The tests can not be made before the final payment under that arrangement. All the bidders submitted a letter along with their bid providing an alternate proposed method of paying which the City could adopt if it wished. The bid which the City accepted was bid on that basis. The option was with no charge or addition to the contract price, they would also do this other. The contractor would receive no progress payment during construction, and the first payment would be upon delivery at which time 80% would be paid. On the other hand the contractor would want 15% in 30 days instead of 10%, and the other 5% at the end of 180 days, which is six months instead of the end of the year. The City Manager stated the effect of that would be a savings on the interest cost, which they estimate at $4\frac{1}{2}\%$ of \$39,690; and the interest cost after delivery would be \$20,000. The net savings and interest cost would be \$68,992, if the contractor's plan of payment is accepted. Since the generator and turbine will not be completed in time to test before the retainage time is up, it is recommended that this option be exercised and avoid that interest payment. Councilman LaRue stated this was an excellent suggestion. The City Manager stated this was the City's computation of the savings based on $4\frac{1}{2}\%$ interest rate. Councilman LaRue moved that the City Manager's recommendation be accepted. The motion, seconded by Councilman Shanks, carried by the following vote:

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

In answer to Councilman Long's question, the City Manager explained under the optional plan there would be no advance payments; at the time the machine was delivered the City would pay the same amount under either plan, 80%. After delivery, the City would pay the remaining 20% faster than under the City's plan at first. He explained the City's savings on payments not being made prior to delivery would be \$39,690. It would spend more on interest after the date of delivery by the amount of \$20,000, making a net savings of \$68,000.

The City Manager reported the Council received with its Agenda a Monthly Paving Progress Report and Fiscal Status of Voluntary Paving Program for September.

MAYOR PALMER read a letter from MR. JOE P. CALLAN, JR. stating he had to request his tax statements to be sent to him and he did not believe owners should have to request the tax statement. He asked that he be furnished the 1966 tax statements, and those for future years, even though there may be liens against some of the property. The City Manager pointed out there was no legal obligation to send tax statements but good business dictates that notice be given. The City Manager stated the policy is when a person asks for a statement he is provided one. The Mayor asked that Mr. Callan be notified that anyone requesting a statement can get one.

The Director of Water and Sewer Utilities, Mr. Vic Schmidt, announced Austin was host to the Southwest Section of the American Water Works Association beginning October 15-18th. He gave each member of the Council a program and invitation to attend the sessions, particularly on Tuesday morning at 10:00 A.M. where four panel members will cover Federal Assistance Programs on Water and

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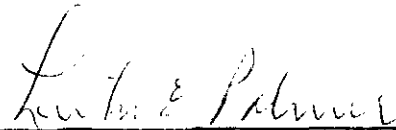
Sewer projects. Also an Engineer from Mexico City is going to discuss a unique way in which they sell sewage to industry and do no sewage treatment themselves. The industry treats the sewage and uses it for process water. He stated about 1200 people would be present from five states. Mayor Palmer recognized the need for all cities to keep themselves informed the best possible on the water question, and stated the Council would try to attend some of these sessions.

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 12:05 P.M. subject to the call of the Mayor.

APPROVED



Mayor

ATTEST:


City Clerk