

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 12, 1968
10:00 A.M.

COUNCIL CHAMBER, CITY HALL

The meeting was called to order with Mayor Akin presiding.

Roll Call:

Present: Councilman Janes, LaRue, Long, Nichols, Mayor Akin
Absent: None

The Invocation was delivered by Reverend Merle Waters, St. John's Methodist Church.

APPROVAL OF MINUTES

Councilman LaRue moved the Council approve the Minutes of August 12, 9, 1, July 11, 3, and May 2. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

MAYOR AKIN AND MRS. WOOLSEY
ELECTED TO OFFICES

City Manager Robert Tinstman announced that Mayor Akin had been elected President of the Region 10 Texas Municipal League and that Mrs. Elsie Woolsey, City Clerk, had been elected Secretary of the same body.

ZONING REQUEST WITHDRAWN

SAM F. MEYERS 2504-2508 Marlton Drive From "A" Residence to "BB"
by John B. Selman 1013-1015 Norwalk Lane Residence
NOT RECOMMENDED by the Planning
Commission

Councilman Janes moved the Council grant the request of the applicant to withdraw the zoning application. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

ZONING ORDINANCES

Mayor Akin 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: LOTS 24, 25, 26, 27, 28, 30, AND THE NORTH 50.2 FEET OF THE EAST 69 FEET OF LOT 31, BLOCK 6, BROADACRES, LOCALLY KNOWN AS 5600, 5602, 5502, 5504 AND 5508-5512 JIM HOGG AVENUE, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED 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 Janes 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 Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The ordinance was read the second time and Councilman Janes 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 Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Akin 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) A 9.73 ACRE TRACT OF LAND, LOCALLY KNOWN AS 3103-3105 MANCHACA ROAD AND THE REAR OF 2827-3207 MANCHACA ROAD AND 1904-1916 AND 1905-1917 LIGHTSEY ROAD, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT;
- (2) LOT 1B OF THE RESUBDIVISION OF LOT 1 AND LOT 2A OF THE RESUBDIVISION OF LOT 2, A RESUBDIVISION OF A PART OF LOTS 3 AND 4, RIDGETOP GARDENS, LOCALLY KNOWN AS 1124-1126 EAST 51ST STREET, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT;
- (3) TRACT 1: A 2.4 ACRE TRACT OF LAND, LOCALLY KNOWN AS 701-731 EBERHART LANE AND 6400-6418 SOUTH 1ST STREET, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT, AND TRACT 2: A 2.2 ACRE TRACT OF LAND, LOCALLY KNOWN AS 6420-6516 SOUTH 1ST STREET, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;
- (4) TRACT 1: A 29.31 ACRE TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 433-717 WOODWARD STREET, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT, TRACT 2: A 5.47 ACRE TRACT OF LAND, LOCALLY KNOWN AS 433-717 WOODWARD STREET, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT, AND TRACT 3: A 6.63 ACRE TRACT OF LAND, LOCALLY KNOWN AS 719-807 WOODWARD STREET, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;
- (5) LOTS 1-5 AND 18-20, LOUIS HORST'S SUBDIVISION OF OUTLOT 21, LOCALLY KNOWN AS 2001-2027 GUADALUPE STREET, 301-319 WEST 21ST STREET, 304-312 WEST 20TH STREET, AND 2006-2018 WHITIS AVENUE, FROM "O" OFFICE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL DISTRICT AND THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FOURTH HEIGHT AND AREA DISTRICT, AND ADDITIONAL AREA: LOTS 16 AND 17, LOUIS HORST'S SUBDIVISION OF OUTLOT 21, LOCALLY KNOWN AS 2000-2004 WHITIS AND 300-302 WEST 20TH STREET, FROM "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FOURTH HEIGHT AND AREA DISTRICT;
- (6) A 17.7 ACRE TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 6940-7040 U. S. HIGHWAY 290, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCATED 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 Nichols 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 Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The ordinance was read the second time and Councilman Nichols 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 Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The Mayor announced that the ordinance had been finally passed.

ANNEXATION ORDINANCE SET FOR PUBLIC HEARING

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 127 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE ISAAC DECKER LEAGUE AND THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman LaRue moved that the ordinance be published in accordance with Article I, Section 6 of the Charter of the City of Austin and set for public hearing on September 26, 1968 at 10:30 A.M. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

PUBLIC RIGHT OF WAY SPACE DESIGNATED

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council: therefore,

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

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

- (1) A gas main in EAST 3RD STREET, from a point 10 feet west of the west property line of Comal Street, westerly 192 feet; the centerline of which gas main shall be 8 feet north of and parallel to the south property line of said EAST 3RD STREET.
- (2) A gas main in PEARL STREET, from Graham Place northerly 87 feet; the centerline of which gas main shall be 13 1/2 feet west of and parallel to the east property line of said PEARL STREET.
- (3) A gas main in BERGER STREET, from a point 271 feet south of the north property line of Ebert Avenue, southerly 620 feet; the centerline of which gas main shall be 6 1/2 feet west of and parallel to the east property line of said BERGER STREET.
- (4) A gas main in BLUFFRIDGE DRIVE, from a point 100 feet west of the west property line of Wildridge Drive easterly to a point 128 feet east of the east property line of Rockcrest Drive; the centerline of which gas main shall be 15 feet south of and parallel to the north line of said BLUFFRIDGE DRIVE.
- (5) A gas main in CLIFFWOOD CIRCLE, from Wildridge Drive, westerly 255 feet; the centerline of which gas main shall be 15 feet south of and parallel to the north property line of said CLIFFWOOD CIRCLE.

- (6) A gas main in CLIFFWOOD COVE, from Wildridge Drive, easterly 400 feet; the centerline of which gas main shall be 15 feet south of and parallel to the north property line of said CLIFFWOOD COVE.
- (7) A gas main in GREENRIDGE PLACE, from Wildridge Drive, easterly 253 feet; the centerline of which gas main shall be 15 feet south of and parallel to the north property line of said GREENRIDGE PLACE.
- (8) A gas main in HYCREST DRIVE, from Wildridge Drive easterly to a point 223 feet east of the east property line of Rockcrest Drive; the centerline of which gas main shall be 15 feet south of and parallel to the north property line of said HYCREST DRIVE.
- (9) A gas main in VILLACLIFF CIRCLE, from Rockcrest Drive westerly 155 feet; the centerline of which gas main shall be 15 feet south of and parallel to the north property line of said VILLACLIFF CIRCLE.
- (10) A gas main in WESTBLUFF CIRCLE, from Hycrest Drive southerly 140 feet; the centerline of which gas main shall be 15 feet west of and parallel to the east property line of said WESTBLUFF CIRCLE.
- (11) A gas main in ROCKCREST DRIVE, from Hycrest Drive, northerly 1,315 feet; the centerline of which gas main shall be 15 feet west of and parallel to the east property line of said ROCKCREST DRIVE.
- (12) A gas main in WILDRIDGE DRIVE, from a point 303 feet north of the north property line of Bluffridge Drive, southerly to a point 381 feet south of the south property line of Hycrest Drive; the centerline of which gas main shall be 15 feet west of and parallel to the east property line of said WILDRIDGE DRIVE.

Said gas mains described above as Number 1 through 12 shall have a cover of not less than 2 1/2 feet.

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 regulation as 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 Southern Union Gas Company of Austin, Texas.
- (4) The Southern Union Gas 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 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 to the Southern Union Gas 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.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

CAMERON ROAD IMPROVEMENTS ORDINANCE

Mayor Akin introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE 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 SUCH COSTS BY ASSESSMENT 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 OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.

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 LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The Mayor announced that the ordinance had been finally passed.

EXECUTION OF CONTRACT AUTHORIZED

Councilman Long moved the Council authorize execution of a contract with the State Highway Department for improvements on Cameron Road from U.S. 183 to U.S. 290. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

SWIMMING POOL CONTRACT AWARDED

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 5, 1968, for the construction of Kealing Park Swimming Pool; and,

WHEREAS, the bid of G & M Construction Company, in the sum of \$19,650.00, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Construction Engineer 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 G & M Construction Company, in the sum of \$19,650.00, be and the same is hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with G & M Construction Company.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin

Noes: None

Councilman Long felt that the City should begin building circulating pools, instead of the fill and draw ones that were already in use. She asked that a study of the comparative costs and advantages be made.

CONTRACT AWARDED

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 3, 1968, for the resurfacing of Riverside Drive from west side of Bouldin Creek Bridge to EPL South Congress Avenue, Riverside Drive from WPL South Congress Avenue to EPL Barton Springs Road, Riverside Drive from WPL Barton Springs Road to EPL South 1st Street, Contract 68-C-16; and,

WHEREAS, the bid of Larson-Pugh, Inc., in the sum of \$7,503.84, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Larson-Pugh Inc., in the sum of \$7,503.84, be and the same is hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Larson-Pugh, Inc.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin

Noes: None

PUBLIC HEARING
BUS FRANCHISE ORDINANCE

Mayor Akin opened the public hearing scheduled for this time on the bus franchise ordinance.

City Attorney Doren Eskew explained the origin of the bus ordinance draft to the Council. He stated that he had been asked to draw up the ordinance because there were several companies in the City operating without a franchise and one operating with a franchise. He answered questions about which vehicles and services would be included in the ordinance. The ordinance would exclude buses that carried persons from an apartment house to U.T., if the charge for the bus were included in the total monthly charge and if it were charged whether or not a person used the bus service. Mr. Eskew detailed the requirements to be met for qualifying for exclusion from the ordinance.

City Manager Robert Tinstman also discussed the reasons for bringing up a bus ordinance. He stated that safety of the vehicles and upkeep of the City streets were considerations. Also, he was concerned with treating all companies involved in transportation with equity. In addition, there was no ordinance at that time and the existing franchise was due to expire in the next year.

The Council then discussed bus stops and the franchise tax.

Mr. Barr McClellan, representing Austin Transit Company, appeared before the Council to state that his company felt it was a good ordinance but that the owners could "live with it or without it." He felt that his company would rather have a study made by people competent in the field of public transportation. But if the Council were to pass the ordinance, his client would find it acceptable.

Mr. Morgan Nesbitt of the firm of James, Robinson, Felts, and Starnes, attorneys for Transportation Enterprises Inc., appeared before the Council to state that his client felt that there was no particular need for the proposed ordinance. He felt that transportation in Austin was being taken care of but had no objection to a franchise as long as it did not put his client out of business. He asked that a "grandfather clause" be included in the draft of the ordinance, permitting companies performing services at the time of the passage of the ordinance to continue to perform the same type of service without proving that public convenience and necessity required their services. The Council then discussed the ramifications of the "grandfather clause," as well as the definition of a regular route.

Mr. McClellan brought up all of the requirements that Austin Transit Company had to meet, and he felt that other bus companies should have to meet these minimum standards.

Mr. Malone of Austin Transit Company discussed the problem of competition for charter bus service. He stated that if his company did not do its charter business, it would not make a profit.

Mr. Robert Foster, Business Manager of St. Stephen's School, Mrs. Howard Hagen, Chairman of Fiesta at Laguna Gloria, Mrs. Barton B. Riley, past-President of the Women's Art Guild, Mr. M. D. Odom of The University of Texas, Mr. Tom Heldon, Director of St. Edward's University, Mr. A. A. Rooker of Southwest Recreation Service, Rev. Reginal King, Pastor of Tarrytown Baptist Church, and Mrs. Miller, a registered nurse at a nursing home, all expressed satisfaction with the service they had received from Transportation Enterprises, Inc.

Mr. Conwell Smith of Transportation Enterprises, Inc. discussed his plans for operating a bus service to U.T. for students.

Councilman Long was in favor of a transit study to clear up the problem of which companies would run the charter service, and other questions. Mr. McClellan also felt that a study was in order.

Mr. Tinstman urged the Council to act on the ordinance in some form, without necessarily waiting for a lengthy study. Councilman Long was not in favor of passing an ordinance just to curb the profits of a certain company. She felt that all Austin bus companies were providing a necessary service.

Mr. Smith was not opposed to the ordinance but he felt that the draft did not fit his particular needs. He felt that the "grandfather clause" was necessary.

Councilman Long then moved that the Council take the matter of the bus franchise ordinance under advisement. The motion died for lack of a second. She was not in favor of putting the item on the next week's agenda because she wanted more time to study the alternatives.

After some discussion, Councilman LaRue moved the bus franchise ordinance with the "grandfather clause" included be returned to the Council in two weeks; in the meantime, the City Attorney could meet with both parties. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

COMPLAINT ABOUT POLICE HOLIDAYS PRESENTED

Mr. Ramio Martinez, a former police officer, appeared before the Council to request that the Council grant the police officers a \$100 per month across the

board pay raise. He stated the reasons for that request and discussed the working conditions of police officers in Austin. He also asked the Council to investigate his allegation that Austin police officers had been deprived of legal holidays. He was trying to see that the police force was adequately staffed with experienced persons. City Manager Tinstman said that his staff would look into the matter and report to the Council and the Police Department.

Captain William L. MacDonald, Captain of the day shift of Engine Company No. 15, appeared before the Council to say that he too was losing good men because of low pay. Mayor Akin expressed concern with the problems discussed. He stated that there was a classification study of City jobs being compiled and upon completion of that study, the Council would be better able to see what raises would be available.

Councilman Long agreed with Mayor Akin's suggestion that the proposed tax cut perhaps should not be approved at a time when City employees needed raises.

PUBLIC HEARING
PROPOSED 1968-69 BUDGET

Mayor Akin opened the public hearing scheduled for this time on the proposed 1968-69 budget.

City Manager Tinstman stated that \$500,000.00 was reserved for future wage adjustments for City employees, to be divided after the classification study was completed.

Mr. Louis Shanks asked the Council if the study would establish the differences between the pay scale of City employees and those of the State and Federal Government. He stated that the public had the impression that the City sales tax was supposed to make the City pay scale competitive. Now he felt that all of the talk of decreasing the sales tax was being interpreted as a political move.

City Manager Tinstman stated that there was \$500,000.00 in the General Fund for employees paid out of that fund and \$250,000.00 for those paid out of the Utility Fund. In addition, the Council could, at its discretion, draw a contingency appropriation from its fund.

Councilman LaRue felt that before the Council discussed pay raises, they should give all City employees a 4% across the board pay raise to take care of the increased cost of living. Mayor Akin replied that he felt the 4% proposed increase would be premature because he did not know if the money was available. Also, he was not in favor of cutting the tax rate.

Councilman Janes felt that more information was needed and he was reluctant to ask the Council to give immediate across the board 4% pay raise to all employees. Councilman Long agreed with Councilman Janes. She felt that the Council should wait to see if some City jobs were in fact already competitive with State and Federal jobs.

Councilman LaRue supplied the Council with figures that he felt proved the City had adequate funds to pay the cost of living raise.

Mr. Shanks felt that the classification study should have been available at the time of the budget discussion.

Mr. Tinstman then gave the Council a rundown from the most recent activity report of the Police Department, showing that major crimes were down 1.6%, while non-index crimes were up 18.5%. This information was refuted by Councilman LaRue, who stated that a source in the Police Department had reported a rise in all crimes by 10%. Councilman LaRue stated that later in the afternoon he planned to present a resolution to the Council having to do with crime and police pay.

RECESSED MEETING

3:00 P.M.

BUDGET HEARING CONTINUED
ZONING PROCEDURES CRITICIZED

Mr. Nelson Puett appeared before the Council to state that he wanted policemen to get a raise. He thought that the tax cut was unnecessary and that the money should go for the raises.

He stated that the budget of the Planning Department was too high. He thought that too much time and money were spent on zoning in Austin. He felt that the developers also incurred huge costs because of the Austin zoning ordinances. He said that those laws caused depreciation in Austin land values. He compared the growth and attractiveness of Texas cities without zoning with that of Austin.

He thought that small businesses were prevented from leasing shops in large shopping centers by high rents. These people needed some place to set up their shops and he suggested setting large areas for commercial development, not just one separate parcel of land at a time. He suggested gradual "unzoning" of large tracts of the City as it became appropriate.

He also asked for more equitable tax assessment. He gave some examples of what he thought were unfair assessments.

Mr. Tinstman stated that much of the zoning processes were actually advanced planning. Councilman Long stressed the importance of the public hearings and the thoughtful consideration of zoning changes. She thought that the Planning Department budget could not be cut back; however, she felt that perhaps the procedures could be made more efficient.

BUDGET HEARING CONTINUED
CEMETERY UPKEEP REQUESTED

Mrs. L. W. Lee asked the Council to set up a provision for thorough and continuing care for Old Oakwood Cemetery to be paid for out of the Public Works budget.

Mr. Eskew thought that the City had no title to a substantial part of that cemetery. Mr. Tinstman stated that the budget asked for two additional laborers for cemetery work. Councilman Long said that the cemetery was owned by private persons and the City had no legal obligation to maintain the area. She suggested that interested citizens get together as a group and make some presentation to the City for the upkeep of Old Oakwood Cemetery.

BUDGET HEARING CONTINUED
PARKS AND RECREATION DEPARTMENT

Mr. Beverly Sheffield, Parks and Recreation Director, answered questions from Council members about his 1968-69 budget request. Councilman Long asked about the purchase of folding tables for Doris Miller Auditorium. She wondered if the tables should be rented for \$1.00 a piece. Mr. Sheffield said that his Department did not charge for the tables. Councilman Long also asked about the request for a planner for PARD projects. Mr. Sheffield stated that the planner would work on a backlog of shelters to be rebuilt, among other projects.

Mr. Sheffield also wanted to set up night lights in several parks, including Zaragosa. Councilman Long then asked if there was a plan for tennis courts in Bartholomew Park. According to Mr. Sheffield, they were in the next five year plan. City Manager Tinstman then stressed the importance of the requested planner, and his role in getting some of these projects started.

Councilman Long stated that she would like to take \$25,000.00 out of the Council contingency fund to cover the cost of items mentioned by Mr. Sheffield, such as nighttime lighting for parks. Councilmen Janes and LaRue pointed out that that money could be used for improving police service but Councilman Long felt that those park improvements, if they were implemented, would cut down on the amount of work the police had to do.

Councilman Long also suggested that women be hired to perform some police duties and she urged that a training program be instituted. She did not think that the City could deny women that right according to Federal law.

Councilman LaRue felt that too much money was being spent on Fiesta Gardens, with too little return. He thought that that type of operation could use up huge amounts of money with no return. He was in favor of putting the Fiesta Gardens under someone else's supervision, and of establishing a year-around restaurant. He thought that most of the landscaped area should be removed and converted to grass for easier care. City Manager Tinstman reported that he had spoken to the

manager of Aquarena in San Marcos, and stated that that person was drawing up plans for Fiesta Gardens somewhat along the same lines. He thought that the suggestions would be before the Council soon. Councilman Long was in favor of retaining the gardens and landscaping at Fiesta.

Councilman Long said that she was interested in having a year-around program to remind Austin citizens to keep the City and its' parks clean and to be aware of trash and the proper disposal of bottles, rags, and other garbage. City Manager Tinstman said that he was looking into a citizens' committee appointed by the Council to educate the public.

POLICE REPORTS REQUESTED ON TELETYPE NETWORK

Mr. Bill O'Connell of KOKE news appeared before the Council to ask that the transmitting station at the Police Department be used to provide direct communication between that Department and the newsmen throughout the City. He explained that there was a weather-law teletype network in the City with transmitting stations at the Weather Bureau, Police Department, Sheriff's Office, the Civil Defense Office, and the Department of Public Safety. He and other newspeople called at the Captain of Police's office many times a day to see what news he had; however, Mr. O'Connell thought that took up too much of the Captain's time. He suggested instead that the news service could be informed of any incident or announcement in a matter of seconds using the teletype. He thought that the Police did not have anyone to operate the teletype so he wanted to mention this item at the budget hearing to ask for an appropriation. City Manager Tinstman said that he would talk with Chief of Police Miles about possible arrangements for the news service.

The Council then discussed taxis.

BUDGET HEARING CONTINUED MHMR BUDGET

Councilman Janes was concerned with the ways in which MHMR was spending its \$65,000.00 appropriation. Councilman Long moved the Council ask the MHMR people to come to the Council meeting on Thursday, September 19, to present their program, and that the Council recess the budget hearing until that time. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The Council then discussed the residency requirements for MHMR treatment in Austin.

Councilman LaRue stated that he was waiting one week to present his resolutions on crime and Police Department improvements.

ANNEXATION HEARING

Mayor Akin opened the public hearing scheduled for 10:30 A.M. on the following annexation. Councilman Janes moved the Council close the hearing and direct the administration to institute annexation proceedings to annex the following:

35.52 acres of unplatted land and a portion of U.S. Highway No. 183 out of the George W. Davis Survey.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 35.52 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS 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.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

ZONING HEARING POSTPONED

RALPH E. HAYS &	Tract 1	From Interim "A" Residence, 1st
R. D. SEIDERS	6202-6212 Manchaca Rd.	Height and Area to "GR" General
by Tom Smith	Tract 2	Retail, 1st Height and Area
	6218-6316 Manchaca Rd.	NOT RECOMMENDED by the Planning
		Commission

The Council decided to postpone action on this application so that they could go and look at the property.

CONTRACT AWARDED

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 3, 1968, for the excavation of Shoal Creek Channel from White Rock Drive northerly 700 feet, Contract 68-D-14; and,

WHEREAS, the bid of J. C. Evans Construction Company, Inc., in the sum of \$30,400.00, 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 J. C. Evans Construction Company, Inc., in the sum of \$30,400.00, be and the same is hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with J. C. Evans Construction Company, Inc.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

EXPERIMENTAL HOUSING PROJECT APPROVED

City Manager Tinstman pointed out that because the proposed housing project was experimental and was being built on Federal lands, the project was exempt from minimum building standards of the City of Austin. Councilman Long felt that some of the materials used in this project might be approved as minimum standards in the future.

Mayor Akin gave the Council a short history of the project. He thought the Council had all of the information to vote on the question and he felt that Austin would be leading the country in trying this experiment.

Councilman LaRue felt that the Council would be condoning setbacks and density that it would ordinarily deny. He thought that the project needed more study.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Congress of the United States has recently enabled the Department of Housing and Urban Development to engage in research and experimentation leading to the development of low-cost housing intended to make it possible for every American to enjoy the comforts of wholesome, safe, and attractive homes; and,

WHEREAS, the City of Austin was honored by being selected as the site for conducting the experimentation in this bold new housing concept upon Federally-owned property in the eastern portion of our City overlooking Town Lake; and,

WHEREAS, the experimental methods of construction for homes which will be continuously inspected, observed, and evaluated by the Department of Housing and Urban Development will involve innovations and novel techniques for effecting the objectives of the program which may differ from standard procedures and local code requirements concerning materials and techniques; and,

WHEREAS, it is the desire of the City Council to cooperate with the United States government in all deliberate speed in furthering the advancement of this program; 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 requested to assist in the proposed program of low-cost housing development by the United States Department of Housing and Urban Development and to issue permits for such construction as an educational, research, and experimental endeavor although the proposed construction may not necessarily comply with the various code provisions applicable to permanently situated structures of similar character; but the issuance of which shall in nowise be considered as a precedent or as a waiver of the necessity of compliance with the various code provisions applicable to permanently situated structures of similar character; Now, Therefore,

BE IT FURTHER RESOLVED:

That the City Manager be authorized and requested to report to the various affected Boards and Commissions of the City and to the City Council any findings from such experimentation and research which, in his judgment, would indicate the desirability of modifying any of the codes of the City to accomplish the objectives of providing low-cost dwellings which would not impair the safety, health, and desirability of structures in neighborhoods if such modifications were made.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

MOPAC GRADE SEPARATION STRUCTURE AUTHORIZED

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, that certain agreement concerning Missouri Pacific Boulevard which was entered into by the City of Austin and Missouri Pacific Railroad Company as of December 15, 1961 provided for the execution of contracts in form specified covering the construction of each of several grade separations designated in said agreement; and,

WHEREAS, after extensive work by both parties, the detailed plans and specifications for the construction of the grade separation facilities at Hancock Drive have now been completed and approved by the respective parties; Now, Therefore,

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

That the Associate City Manager, Gene Higgins, be and he is hereby authorized and directed to execute on behalf of the City of Austin, and to deliver to Missouri Pacific Railroad Company, that certain contract, the form of which has been previously approved by the City Council, for the construction of grade separation facilities at the intersection of Hancock Drive and the Missouri Pacific Railroad; and that the City Clerk be authorized to file the same without recording said contract at length upon the minutes of the City Council.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

SALE OF HOUSES

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 4, 1968 for the sale of eight (8) houses that Urban Renewal had turned over to the City for disposal; and,

WHEREAS, the bids of Weldon Johnston in the sum of \$7.60 for the house located at 812 Nile Street, in the sum of \$1.60 for the house located at 1138 Nile Street, in the sum of \$1.60 for the house located at 2607 Walter Street (A), in the sum of \$37.60 for the house located at 2353 Washington Street, and in the sum of \$37.60 for the house located at 2362 Washington Street; the bids of August Heyer in the sum of \$16.50 for the house located at 2807 East 11th Street, in the sum of \$38.95 for the house located at 2365 Washington Street, and in the sum of \$10.00 for the house located at 2373 Washington Street, 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 Weldon Johnston and August Heyer, be and the same are hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute contracts on behalf of the City with said named parties.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin

Noes: None

DEPUTY FIRE CHIEF POSITION ESTABLISHED

Mayor Akin introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 620510-G PERTAINING TO THE CLASSIFICATION OF CERTAIN FIREMEN; AND DECLARING AN EMERGENCY.

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 LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin

Noes: None

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin

Noes: None

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin

Noes: None

The Mayor announced that the ordinance had been finally passed.

SALARY OF DEPUTY FIRE CHIEF SET

Mayor Akin introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 620510-H PERTAINING TO SALARIES FOR CADETS AND CLASSIFIED EMPLOYEES IN THE POLICE DEPARTMENT; TO SALARIES FOR TRAINEES AND CLASSIFIED EMPLOYEES IN THE FIRE FIGHTER DIVISION AND FIRE PREVENTION DIVISION OF THE FIRE DEPARTMENT; AND DECLARING AN EMERGENCY.

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 Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The Mayor announced that the ordinance had been finally passed.

ACQUISITION OF PROPERTY

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 offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$107,816.00 therefor be accepted, and that the City Manager of his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

Lots Nos. Two (2) and Three (3), in Block No. 101, of the Original City of Austin, in Travis County, Texas, according to the map or plat of said City on file in the General Land Office of the State of Texas.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

OFFER TO PURCHASE CITY PROPERTY

City Manager Tinstman opened a sealed proposal from Mr. Louis Levowitz, offering the City an earnest money check of \$1,269 for unused portions of property at 29th Street and Rio Grande and 29th Street and Salado, which the City had bought for right of way. He offered \$25,380 for a total of 8870 square feet.

One lot was substandard size. According to City policy, that lot should be offered to the adjoining property owner first, Councilman Long pointed out.

That person was Mr. Levowitz. She felt that the other lot should be offered for public bids, after both lots were appraised. Other members of the Council agreed with Councilman Long.

Councilman Janes then moved that the Council reject both offers from Mr. Levowitz and return his check because the City had separate policies for standard and substandard lots. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

MISCELLANEOUS

City Manager Tinstman asked the Council to review appointments to the Advisory Committee of the Model Neighborhood Program in preparation for the next Council meeting.

ACQUISITION OF PROPERTY

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

680201.180
George M. Burks
MoPac Blyd,

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

That the offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$15,000.00 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

Lot No. Thirty-four (34), Block "A", Highland Park Addition, an addition in the City of Austin, Travis County, Texas, according to the map or plat thereof, recorded in Plat Book 4, Page 218, Travis County Plat Records.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

September 12, 1968

CITY OF AUSTIN, TEXAS

ADJOURNMENT

The Council then adjourned.

APPROVED: _____
Mayor

Vernon R. Riffe

ATTEST: _____
Asst City Clerk

Grace Monroe