

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 23, 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, White, Mayor Palmer
Absent: Councilman Shanks

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

Invocation was delivered by REVEREND JAMES E. CARTER, St. Luke's Methodist Church.

MR. OLIVER BRUCK, Chairman of the Community Betterment Committee of the Austin Lions Club, presented their President, MR. MILES HUTCHENS; Incoming President, MR. AL HENDRICKS; and members of the Committee, MESSRS JIM COBB, FRED HERRIN, W. K. JENNINGS, PHIL MORGETTE, RALPH PRICE, FLOYD RAYMOND, and R.B. RYLANDER. Mr. Bruck listed numerous major projects they had done or supported. Since the Town Lake program was getting started they had developed a program to furnish five fountains about 60' high with an umbrella spray of 30' and colored lights to be placed in front of the Auditorium and between the gazebo and the amphitheatre. It was hoped this development would spur other clubs to get in behind this Town Lake beautification program. MR. HUTCHENS submitted the formal proposal stating the Lions Club was celebrating its 50th Anniversary this year; and as a commemoration of their golden anniversary, they wanted to present the City the arrangement of the five floating fountains to be located in front of the Municipal Convention Center in accordance with the plans for beautification of Town Lake. Subject to the Council's acceptance, the Lions Club of Austin will underwrite the cost of the fountains as specified by the Recreation Department at a cost not to exceed \$15,000. It is their understanding the City will handle the purchase of these fountains and maintain and operate them. The Lions Club would like to plan a dedication ceremony in October, and would like for an appropriate marker and plaque to be located on the adjacent shore line. Mayor Palmer recalled that the Lions Club had a recreation program long before the City started its program. He commended the Lions Club on the many services it had performed for the City and community--the providing of a club house at the Municipal Golf Course, the score board at House Park, and many other large

projects. The Mayor asked the Council to give a standing vote of thanks, appreciation and acceptance of the Lions Club. Councilman LaRue moved to give a standing vote of approval. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Long stated the Lions Club had always been outstanding in fulfilling its duty to give something to the City instead of asking the City to give something to it, and the Club is to be commended, and this is a marvelous project. Councilman White stated the Lions Club just could not be beat. Mayor Palmer, on behalf of the Citizens of Austin, expressed deep gratitude for this wonderful gift to the City, thanking the Committee and the entire club.

MAYOR PALMER announced there was an award due one of Austin's citizens who has made a very sizable contribution to Austin in the way of beautification of parks and recreation. He presented MARGARET LOUISE HILL an award made by the Board of Trustees of the National Recreation and Parks Association for outstanding contribution to the Recreation and Park movement. The Mayor in behalf of the Council and the citizens of Austin, congratulated her on this award. The Recreation Director stated her interest was conservation and she had done outstanding work in the Natural Science Center. Mayor Palmer read many telegrams congratulating her on outstanding achievements in the field of recreation.

The Recreation Director presented a group whose contribution is to the youth in East Austin. Beginning with a "Dads' and Sons' Club" this group now has developed the "Big Brothers Association of Austin" with its motto, "No man ever stands so straight but when he stoops to help a boy". Mayor Palmer presented the award by the Board of Trustees of the National Recreation and Parks Association for outstanding contribution of the Big Brothers Association to the Recreation and Park movement. MR. ARTHUR, President of the Association; MR. MERIWEATHER, President of Little League; and MR. KING, Secretary-Treasurer were present to accept the award.

At 10:30 A.M. the Mayor opened the hearing on annexing the H.E. Butt tract. No one appeared to be heard. Councilman LaRue moved that the hearing be closed. The motion, seconded by Councilman White, carried by the following vote:

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

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN
BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXA-
TION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF
28.90 ACRES OF LAND OUT OF THE JAMES P. WALLACE SURVEY
NUMBER 57 AND 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. (H. E. Butt tract)

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

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

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

DR. JOHN BARCLAY, Chairman, Austin Equal Citizenship Corporation, discussed with the Council a contract, copies of which were distributed to each member. The Corporation members present were JUDGE VIRGIL LOTT, MR. PAUL BOLTON, DR. CONNIE YERWOOD, MRS. LESTER REED, MR. MORRIS SHAPIRO and MR. RICHARD BROWN. DR. BARCLAY read the contract in full. Councilman Long brought up Article V, Page 4 for discussion, asking about the five years of experience required for the Legal Examiner as set out on Page 3. Councilman LaRue inquired also about the Legal Examiner's being one of the five individuals setting in on hearings and being permitted to vote. The City Attorney explained the legal technicalities, and the Committee's objective of being certain a case that may later be tried by the Justice Department would not be prejudiced. After discussion, the Mayor suggested that the contract be amended by deleting the phrase "one of which shall be the Legal Examiner" (on page 5); and the sentence on page 3h be reworded to read "... Citizens Committee, Legal Examiner, and five other citizens". Councilman Long suggested that the limitation for the Attorney be changed to three years, as the five years' requirement unduly might limit the Commission. After discussion it was agreed to delete "for not less than five years immediately preceeding his employment". Councilman Long stated it seemed most of this contract had to do with protection of the respondent. Dr. Barclay noted a man was presumed to be innocent until found otherwise.

MAYOR PALMER stated one of the most profound statements in the whole document is that this Committee is charged with the responsibility to protect the community and safeguard the opportunities of all individuals, and this takes both the respondent and complainant and everyone else, and this is what the Council is asking the Committee to do. The Committee will make this their objective.

COUNCILMAN LARUE asked that this contract be held in abeyance a week. Councilman White said with these corrections, this will be a wonderful document. He said this was as fine a committee as could be picked anywhere at any time.

MRS. LESTER REED stated they were planning on having a hearing committee

June 23, 1966

that would function as the Planning Commission does, with a smaller committee that is a part of the main committee. JUDGE VIRGIL LOTT said the Committee felt it should protect the respondent against unwarranted complaints. MAYOR PALMER asked Judge Lott if the procedure that has been set out, if in the event there could not be any reconciliation or settlement within this Committee, that all of the procedures necessary in order to take it right to the Justice Department have all been protected. Judge Lott stated it was his understanding they had been.

MRS. LEON DONN inquired about the destruction of the records after three years. This was explained that the records would be destroyed three years after the case was resolved; if the case were not resolved, it would be active.

MR. AMOS HEROLD asked about the scope of the Corporation. Dr. Barclay answered the coverage is within the Civil Rights Law passed last year and it would cover whatever was in the law. Mr. Herold asked that the Commission represent all groups and see that the rights of all citizens were respected. He read a letter he had written to Congress.

MAYOR PALMER stated the Council wanted to read this document over and come up with a decision next week. He expressed gratitude to all of the Committee for agreeing to serve. He stated there are always some personal rights that must be given up for society; that although some might want to drive 60 miles an hour in a 30 mile zone, one would have to abide by the 30 mile limit. The selection of the name, "Equal Citizenship" means what is desired. The document prepared is the first step of actually getting into action. The City Attorney pointed out the diligence with which this Committee has worked and the many hours already spent in meetings.

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF (1) 31.60 ACRES OF LAND OUT OF THE JAMES P. WALLACE SURVEY NUMBER 18, AND (2) 5.16 ACRES OF LAND SAME BEING THREE UNPLATTED TRACTS OF LAND OUT OF THE JAMES P. WALLACE SURVEY NUMBER 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.
(Westover Hills, Section 3 and three tracts of land)

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer 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 8.67 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.
(Highland Hills Northwest, Section 3)

Councilman Long moved that the ordinance be published in accordance with Article 1, Section 6 of the Charter of the City of Austin and be set for public hearing on July 7, 1966 at 10:30 A.M. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager submitted the following:

"June 23, 1966

"To the City Council
City of Austin, Texas

"Re: Completion and Acceptance of Work
Improving Portions of Certain Streets
in the City of Austin Being Assessment
Paving Contract Number 65-A-8

"The work of improving portions of the following named streets in the City of Austin, being Assessment Paving Contract Number 65-A-8, dated September 2, 1965, between the City of Austin and Pat Canon Excavating Company, has been performed and completed by Pat Canon Excavating Company in full compliance with the contract and the plans and specifications therein contained:

<u>"Street</u>	<u>From</u>	<u>To</u>
Barton Boulevard	NGL Sunset View	SPL Barton Springs Rd.
Cater Drive	NPL Virginia Ave.	A point 217' north of NPL Virginia Ave.
Cliff Drive	NPL Linscomb Ave.	NGL Sunset View
El Paso Street	EPL S. 1st St.	A point 17' east of EPL Wilson St.
Ethel Street	NPL Treadwell St.	NPL Juliet St.
West Gibson Street	EPL S. 5th St.	WPL Bouldin Ave.
Ivy Trail	A point 279' west of WPL Manchaca Road	WPL Manchaca Rd.
Jewell Street	EPL Bouldin Ave.	WGL S. 3rd St. (South)
Jewell Street	A point 550' west of WPL S. 5th St.	WPL S. 5th St.
West Johanna Street	EPL S. 1st St.	A point 172' west of WPL Wilson St.

<u>"Name</u>	<u>From</u>	<u>To</u>
Jones Road	A point 23' west of WPL Buffalo Pass	WPL Manchaca Road
Juliet Street	WPL Ethel St.	WPL Jessie St.
LaVista Street	A point 243' west of WPL S. Congress Ave.	WGL S. Congress Ave.
Linscomb Avenue	WGL Barton Blvd.	WPL Garner Ave.
West Milton Street	EPL S. 3rd St.	WPL S. 2nd St.
Peacock Lane	Oak Crest Ave.	WPL S. 1st St.
Sterzing Street	NPL Barton Springs Rd.	A point 25' south of SPL Toomey Rd.
Sunset View	WPL Barton Blvd.	EGL Cliff Dr.
South 2nd Street	NPL W. Live Oak St.	SPL W. Monroe St.
South 3rd Street	NPL W. Monroe St.	SGL Jewell St. (East)
South 4th Street	NPL W. Live Oak St.	SPL W. Mary St.

"I have inspected, approved, and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, plans, and specifications referred to above.

"Respectfully submitted,
s/ S. Reuben Rountree, Jr.
S. Reuben Rountree, Jr.
Director of Public Works"

Mayor Palmer introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING BARTON BOULEVARD AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY PAT CANYON EXCAVATING COMPANY AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

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

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

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

The Mayor announced that the ordinance had been finally passed.

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

MR. KRUEGER stated this work was a remarkable improvement, but pointed out the dividing line had not been provided. It was explained the street he was speaking about had been striped just this morning; and that this hot mix asphalt has a tendency to burn or discolor the paint and a few days have to elapse. That is why the striping was delayed. Mr. Krueger asked if there were a crew to do this work. It was stated there was a crew busy all the time.

Councilman LaRue moved that MR. FRANK RUNDELL and DR. PAUL PAULSEN be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

DR. PAULSEN said they met with the Council two weeks ago, and it was going to appropriate some money for the Evaluation Center. He said Mr. Eldridge said the detailed plans were satisfactory to submit for bids and that they would fall within the \$15,000. The Mayor stated the action of the Council was that it would permit the Architects to make the drawings and take bids, and the only commitment the Council had made was up to \$4,200. The Mayor stated it was not known what would be available or how much the costs would be and he thought it would be justifiable to take bids and see how much money would be involved. Dr. Paulsen asked if the City came up short would this be considered in the October budget. Under those conditions, some could underwrite the difference. Councilman Long suggested taking bids and then see what happens. The City Manager stated either the Construction Engineer would take the bids; or if the Architects took them, Mr. Eldridge would be present. Councilman Long moved that the City Manager be authorized to go ahead and take bids either through the City's Department or the Architects. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager pointed out in case they did run short of funds, one item could be deferred until next year and that would be the parking lot.

June 23, 1966

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes, in, upon and across Lots 1 and 2, Ridgeview West, a subdivision of a portion of the Henry P. Hill League in the City of Austin, Travis County, Texas, according to a map or plat of said Ridgeview West of record in Book 7 at Page 53 of the Plat Records of Travis County, Texas; and,

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

WHEREAS, the City Council of the City of Austin has determined that the hereinafter described portion of said easement should be released; 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 public utility easement, to-wit:

Two (2) strips of land, each being five (5.00) feet in width and each being out of and a part of Ridgeview West, a subdivision of a portion of the Henry P. Hill League in the City of Austin, Travis County, Texas, according to a map or plat of said Ridgeview West of record in Book 7 at Page 53 of the Plat Records of Travis County, Texas; the strip of land hereinafter described as Number One being out of and a part of Lot 1, said Ridgeview West, and the strip of land hereinafter described as Number Two being out of and a part of Lot 2, said Ridgeview West; the centerline of each of the said two strips of land being more particularly described as follows:

NUMBER ONE, BEGINNING at the intersection of the south line of said Lot 1, same being the north line of Ridgeview Street, and a line two and one-half (2.50) feet west of and parallel to the east line of said Lot 1, same being the west line of Lot 2;

THENCE, with the said line two and one-half (2.50) feet west of and parallel to the east line of Lot 1, N 38° 31' E 138 feet, more or less, to point of termination in the south line of an existing sanitary sewer and drainage easement fifteen (15.00) feet in width as described in an instrument of record in Volume 1649 at Page 542 of the Deed Records of Travis County, Texas.

NUMBER TWO, BEGINNING at the intersection of the south line of said Lot 2, same being the north line of Ridgeview Street, and a line two and one-half (2.50) feet east of and parallel to the west line of said Lot 2, same being the east line of Lot 1;

THENCE, with the said line two and one-half (2.50) feet east of and parallel to the west line of Lot 2, N 38° 31' E 138 feet, more or less, to point of termination in the south line of an existing sanitary sewer and drainage easement fifteen (15.00) feet in width as described in an instrument of record in Volume 1649, at Page 542 of the Deed Records of Travis County, Texas.

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

The City Manager submitted the following:

"June 17, 1966

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

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, June 17, 1966, at the Office of the Director of the Water and Sewer Department for the INSTALLATION OF approximately 247 feet of 12-inch, 755 feet of 8-inch and 30 feet of 2-inch CAST IRON WATER MAINS IN MIDDLE FISKVILLE ROAD AND CLAYTON LANE. The purpose of this installation is to reinforce the present water system and provide adequate water facilities for future commercial development. The bids were publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
J. C. Evans Construction Company	\$7,826.20	25
Bill Tabor Construction Company	8,054.70	15
Capitol City Utilities	8,325.00	15
Ford-Wehmeyer, Inc.	8,783.55	15
Bland Construction Company	9,243.05	30
Walter W. Schmidt	9,248.50	20
City of Austin (Estimate)	8,403.90	20

"It is recommended that the contract be awarded to the J. C. Evans Construction Company on their low bid of \$7,826.20, with 25 working days.

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

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 17, 1966, for the installation of approximately 247 feet of 12-inch, 755 feet of 8-inch and 30 feet of 2-inch cast iron water mains in Middle Fiskville Road and Clayton Lane; and,

WHEREAS, the bid of J. C. Evans Construction Company, in the sum of \$7,826.20, was the lowest and best bid therefor, and the acceptance of such

June 23, 1966

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 J. C. Evans Construction Company, in the sum of \$7,826.20, 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 J. C. Evans Construction Company.

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

The City Manager submitted the following:

"June 21, 1966

"To: W. T. Williams
City Manager

Subject: Miscellaneous Storm Sewers

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, June 21, 1966, for the construction of miscellaneous storm sewers in the following areas: St. John's Avenue from Providence Avenue Easement to Providence Avenue, St. John's Avenue from Carver Avenue Easement to West of Bennett Avenue, Stearn's Lane Easement from Fredericksburg Road northerly, East First Street, Spencer Street and East Fifth Street, known as Contract Number 66-D-5.

Millers Concrete Cont.	\$27,900.22
J. C. Evans Const. Co.	\$31,022.20
Ford-Wehmeyer, Inc.	\$33,536.85
Bill Tabor Const. Co.	\$34,435.55
Ed H. Page	\$35,063.00
Bland Const. Co.	\$35,684.75
Texas Bridge Co.	\$36,900.40
City's Estimate	\$30,997.40

"I recommend that Millers Concrete Contractors with their low bid of \$27,900.22 be awarded the contract for this project.

"From: S. Reuben Rountree, Jr.
Director of Public Works
Signed S. Reuben Rountree, Jr."

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 21, 1966, for the construction of miscellaneous storm sewers in St. John's Avenue, from Providence Avenue Easement to Providence Avenue; in St. John's Avenue, from Carver Avenue Easement to West of Bennett Avenue; in Stearn's Lane Easement,

from Fredericksburg Road northerly, East First Street, Spencer Street and East Fifth Street, known as Contract Number 66-D-5; and,

WHEREAS, the bid of Millers Concrete Contractors, in the sum of \$27,900.22, 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 Millers Concrete Contractors, in the sum of \$27,900.22, 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 Millers Concrete Contractors.

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

The City Manager submitted the following:

"May 31, 1966

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

SUBJECT: Bids for three (3) Forty-Five Foot Aerial Tower Trucks for Electric Distribution.

"Sealed bids were opened at 2:00 P.M. May 27, 1966 in the office of the Purchasing Agent for three (3) Forty-Five Foot Aerial Tower Trucks with three (3) units to be traded in on the new equipment. Invitations to bid were sent to all known manufacturers of this type of equipment and to local truck dealers. Bidders were given the opportunity to bid in three ways: (1) Complete units including trade-ins, (2) Forty-Five Foot Aerial Tower and body only including trade-ins and (3) Cab and chassis only.

"The bids received are as follows:

<u>Bidder</u>	<u>Net Difference</u>	<u>Brand Name</u>
<u>#1 Base Bid - Complete Unit</u>		
Helton-Hodges Motor Co.	\$70,298.00	Holan-Ford
<u>#1A Alternate Bid-Tower & Body Only</u>		
Commercial Body Corp.	*\$36,986.50	Hi-Ranger
Stahl Metal Products, Inc.	**\$44,490.00	Skyworker
Utility Equipment Co.	\$46,812.64	Pitman
McCabe-Powers Body Co.	\$55,353.00	Sky-Master
Asplundh Chipper Co.	\$78,413.70	Asplundh

<u>"Bidder</u>	<u>Net Difference</u>	<u>Brand Name</u>
<u>#1B Alternate Bid-Cab & Chassis Only</u>		
International Harvester Co.	\$12,771.00	International, Del. to Indiana (Commercial)
International Harvester Co.	\$12,795.00	International, Del. to Ohio (Stahl)
International Harvester Co.	<u>\$12,951.00</u>	International, Del. to Missouri (Utility)
International Harvester Co.	\$12,870.00	International, Del. to Missouri (McCabe)
International Harvester Co.	\$12,921.00	International, Del. to Pennsylvania (Asplundh)

Lowest Combination of Tower & Body and Cab & Chassis

Commercial Body Corp.	*\$36,986.50	Hi-Ranger
International Harvester Co.	<u>\$12,771.00</u>	International
	\$49,757.50	
Stahl Metal Products Co.	**\$44,490.00	Skyworker
International Harvester Co.	<u>\$12,795.00</u>	International
	\$57,285.00	
Utility Equipment Co.	\$46,812.64	Pitman
International Harvester Co.	<u>\$12,951.00</u>	International
	\$59,763.64	
McCabe-Powers Body Co.	\$55,353.00	Sky-Master
International Harvester Co.	<u>\$12,870.00</u>	International
	\$68,223.00	
Asplundh Chipper Co.	\$78,413.70	Asplundh
International Harvester Co.	<u>\$12,921.00</u>	International
	\$91,334.70	

*Commercial Body failed to comply with the minimum requirements of the specifications by bidding a single two man bucket instead of two swivel mounted buckets, by bidding an upper boom to travel 144° in relation to the ground instead of 210° in relation to the lower boom, failure to bid a jib boom capable of lifting a minimum of 500 pounds as was required, by bidding a low pressure slave valve system instead of a full pressure hydraulic or mechanical type, and by bidding only two outriggers instead of four as required.

**Stahl Metal Products failed to comply with the minimum requirements of the specifications by bidding their standard buckets instead of the type required with safety Belts and inside and outside steps, by bidding a master slave valve system instead of a full pressure hydraulic or mechanical type, and by failing to complete any information required concerning the body specifications.

"This tabulation is submitted with the apparent low bid of Utility Equipment Company and International Harvester Company meeting the City of Austin specifications and conditions underscored."

Councilman Long made inquiries about the combination bid and about trade-ins. The City Manager stated the trade-ins were three pieces of equipment, two of which were old trucks and the other was a ladder truck, which was inadequate for the taller poles. He explained the specifications called for two separate buckets. Two proposals provided for a single bucket which would hold two men but that was not what was specified nor needed. Trucks are delivered to the point where the bodies will be placed on them, and this point of delivery is related to the price. The combination of Utility Equipment Company and International Harvester Company is the lowest bid. Councilman LaRue inquired about the company's omitting belts, inside steps, etc., resulting in \$2400.00 which made a difference. The City Manager stated by the City's trying to alter the equipment and place it on the trucks, the difference would be more than the \$2400.00

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 27, 1966, for three (3) forty-five foot aerial tower trucks; and,

WHEREAS, the combined bid of Utility Equipment Company and International Harvester Company, in the sum of \$59,763.64, and three (3) units as trade-ins, was the lowest and best bid therefor, and the acceptance of such combined bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

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

That the combined bid of Utility Equipment Company and International Harvester Company, in the sum of \$59,763.64, and three (3) units as trade-ins, 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 with Utility Equipment Company and International Harvester Company.

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

The Council had the recommendation from the Building Standards Commission on a substandard house located at 1300 West 51st Street - First Austin Investment Company. Councilman White said he had talked with Mr. Bill Bullard and also the Building Official. Mr. Bullard asked for 90 days additional time as he had been unable to get helpers on this. After discussion, Councilman White moved AUSTIN INVESTMENT COMPANY be granted 90 days from today. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

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) THE WEST HALF OF LOT 10; THE EAST 102.5 FEET OF LOT 9, SAVE AND EXCEPT THE SOUTH 66.67 FEET OF THE NORTH 204.74 FEET; NORTH 204.67 FEET OF THE WEST 60 FEET OF THE EAST 162.5 FEET OF LOT 9, RIDGETOP GARDENS; AND ADDITIONAL AREA: THE SOUTH 66.67 FEET OF THE NORTH 204.74 FEET OF THE EAST 102.5 FEET OF LOT 9, RIDGETOP GARDENS, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; (2) LOT 14 OF THE F. HASTER SUBDIVISION, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (3) A 0.45 OF ONE ACRE OF LAND, LOCALLY KNOWN AS 5801-5827 SHERIDAN AVENUE AND 1100-1104 REINLI STREET, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; (4) THE WEST 40 FEET OF LOT 11, ALL OF LOT 12 AND THE EAST 24 FEET OF LOT 13 OF THE S. & L. M. ROBERTSON SUBDIVISION; AND ADDITIONAL AREA: THE WEST 22 FEET OF LOT 13 OF THE S. & L. M. ROBERTSON SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; (5) A 13,406 SQUARE FOOT TRACT OF LAND LOCALLY KNOWN AS REAR OF 2132-2200 HANCOCK DRIVE, FROM "GR" GENERAL RETAIL DISTRICT TO "C-1" COMMERCIAL DISTRICT; AND, (6) LOTS 25, 26, 27, 28 AND 29 OF THE LOUIS HORST'S SUBDIVISION OF OUTLOT 36, AND ADDITIONAL AREA: LOT 30 OF THE LOUIS HORST'S SUBDIVISION OF OUTLOT 36, FROM "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA AND "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FOURTH HEIGHT AND AREA 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 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, White, Mayor Palmer
Noes: None
Absent: Councilman Shanks

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

ACCEPTING GRANT OFFER
AND APPROVING AND ENTERING INTO GRANT AGREEMENT
AND DECLARING AN EMERGENCY

BE IT RESOLVED by the City Council of the City of Austin, Texas:

SECTION 1. That the Mayor and City Council of the City of Austin, Texas, shall and they do hereby accept a Grant Offer of Federal Funds as made by the Director, Southwest Region, Federal Aviation Agency, under date of June 14, 1966, for the purposes therein set out; that said Mayor and City Council do hereby accept all the terms, conditions, and obligations therein and thereby imposed and by our acceptance of same do hereby ratify the Project Application and do hereby acknowledge such instruments as constituting a solemn and binding agreement with the United States Government, for the purposes of obtaining Federal Aid in the development of the Robert Mueller Municipal Airport, and that a copy of such agreement is annexed hereto and made part hereof as if set forth at length herein.

SECTION 2. That the City Manager of the City of Austin, Texas, W. T. Williams, Jr., is hereby authorized and directed to evidence the City's agreement by affixing his signature to such agreement, which is hereby executed in quintuplicate, and the City Clerk is hereby authorized and directed to impress the official seal of the City of Austin, Texas, thereon and to attest said execution.

SECTION 3. For the preservation of the public peace, health and safety, an emergency is hereby declared to exist by reason whereof this Resolution shall be in full force from and after its passage and approval.

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

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

(50% grant agreement with the Federal Aviation Agency for reconstruction of runways, taxiways, and land acquisition - Maximum \$168,000)

The Council took no action on the following zoning applications pending from last week:

NORMA MAURINE CANTWELL By Wayne Walden	410 Park Lane Rear of 408 Park Lane Additional Area 412-414 Park Lane 1404-1414 Newning Avenue	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area NOT Recommended by the Planning Commission
AUSTIN METER SERVICE By Tommy Smith	2111-2113 Shoalmont Drive	From "A" Residence To "C" Commercial Amended to "C" Commer- cial for rear of 2111- 13 Shoalmont Drive and "O" Office for 2111-13 Shoalmont Drive (E. 70' of Lot 8) RECOMMENDED by the Planning Commission as amended
KIRK WILLIAMSON By Paul D. Jones	509-513 Pecan Grove 1414-1418 Sunset Lane	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area NOT Recommended by the Planning Commission
MRS. MARIE SHIERLOW By Charles Shierlow	1504-1512 East Side Drive	From "A" Residence To "B" Residence NOT Recommended by the Planning Commission
TRUMAN H. MONTANDON	301 East 38th Street 3705-3709 Grooms Street	From "A" Residence To "O" Office NOT Recommended by the Planning Commission

Councilman LaRue submitted a letter for the Council's attention. MAYOR PALMER read the letter from the BETHANY CHRISTIAN CHURCH concerning the moving of a building from 1207 Webberville Road to East 12th Street, and their payment in full to the house mover. The Church was billed by the Electric Department for lifting electric wires for the moving of the building and the treasurer mailed a check for the full coverage; and after conference with the Electric Department they received a refund check for \$2.48. The Bethany Christian Church does not understand why it was billed for this amount. The Building Official said he had given a detailed report on this matter and this has come up several times. The house mover again made a thorough investigation and turned his report over to the Law Department. The Building Official reported the Church paid the house mover. REVEREND SIMMS was the original Minister, and the Church says this billing should have been for Reverend Simms and not for the Church. Councilman LaRue moved that the City Manager take care of this by sending this amount to

the BETHANY CHRISTIAN CHURCH, in the sum of \$73.16. The motion was seconded by Councilman Long. The City Manager asked what was to be done about settling the claim that had been filed. He had not heard that this was Reverend Simms' house. The City Attorney stated the report from the Building Official had been turned over to an Assistant City Attorney, and he had not had an opportunity to check it. After discussion of the motion, the roll call on Councilman LaRue's motion that the City Manager take care of this by sending \$73.16 to the BETHANY CHRISTIAN CHURCH showed the following vote:

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

The City Manager submitted a petition for fogging in the area of Northcrest, Prince Street, Crestland Drive and that vicinity. Councilman White moved that the fogging of the area petitioned be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman Long moved that a hearing be set on the swimming pool ordinance and pest control ordinance at 2:30 P.M. July 7th. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager announced there would be no garbage pick up on July 4th, and the press was asked to give notice there would be no pick up on that date.

The City Manager stated a report from Mr. Ullrich had been enclosed with the agenda dealing with the sale of used anthrafil a product used in the filter of the Treatment Plant to get the calcium carbonate out of the water. The calcium carbonate accumulates on the surface of the anthrafil. Experiments show the material with this coating is an effective filter for removing iron from water. Mr. Ullrich thinks this material can be sold to communities that have iron in their water and he suggested that firm prices be fixed. If there is a certain amount for sale, a price could be established rather than taking bids on it. The City Attorney reported the Water Engineers say after the communities use this to remove the iron from the water the chemical reaction dissipates the incrustation so the same material could be placed back into Austin's system. He suggested if the price is established, that the City reserve an option to buy it back after the anthrafil is cleaned again. Councilman LaRue moved that the City Manager be authorized to establish this price. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager stated the Council directed the purchase of the Freund furnished apartments on Parkway. There are 14 apartments and 40 rooms, and he was asked how the Council wanted to dispose of the furniture. Councilman Long suggested having a professional auctioneer auction it off on a percentage basis. Councilman Long moved that the City Manager be authorized to contact some of the professional auctioneers or get a professional auctioneer, have it publicized in the want ad section, and sell that furniture by auctioning it off. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager stated preliminary drawings including the plot plan for Fire Station No. 19 is ready, and the Architect is ready to start his detailed drawings. The City Manager showed the drawings of the station to be located on Balcones Drive south of Northland Drive. He pointed out that the Architects visited all the Fire Stations and talked to the firemen on duty, and this design tries to eliminate defects that the firemen thought existed in other structures. Councilman LaRue moved that the City Manager be authorized to proceed with the detailed drawings. The motion, seconded by Councilman Long, carried by the following vote:

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

The City Manager distributed copies of the recommendation of the Hospital Board and his comments. The recommendation was that the eligibility scale at Brackenridge Hospital be changed with a result of an increase in number of cases that would receive free care. He said his comments disagreed with the Board's recommendation. MAYOR PALMER stated the Council would look this over and discuss it this next week or the next, when there were all members of the Council present.

The Recreation Director submitted an invitation from the staff at Rosewood Park to the Council to attend the East Austin Beauty Review at Givens Pool, 8:00 P.M. Friday, June 24th. The Mayor said the Council would make every effort to be there.

The City Attorney reported there had been received no response, or else a response that there was no need to negotiate for property from five property owners in the Decker Creek Project. The owners are Johnny N. Allen, Lloyd D. Nelson, Lossie Carter, et ux, Malon Allen and Gene Sampson.

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found and does hereby find that the public necessity requires the acquisition and maintenance of a large recreational reserve to permit the creation of parks, playfields, camp

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

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

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

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner, and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

SEE EXHIBIT "A" ATTACHED

EXHIBIT "A"

3.00 acres of land out of the Reuben Hornsby Survey
No. 17 in Travis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake in the East line of Blue Bluff Road at the Southwest corner of that certain 138.27 acre tract of land conveyed to Clifton S. Winstead by deed recorded in Volume 2465, page 86 of the Deed Records of Travis County, Texas, for the Southwest corner of the tract herein described;

THENCE, with the East line of Blue Bluff Road and the West line of the said 138.27 acres N 30° 19' E a distance of 149.45 feet to an iron pipe set for the Northwest corner of this tract;

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

THENCE, S 30° 19' W a distance of 148.18 feet to an iron pipe set in the South line of the said 138.27 acres, for the Southeast corner of this tract;

THENCE, with the South line of the said 138.27 acre tract, N 59° 46' W a distance of 878.0 feet to the place of beginning, containing 3.0 acres of land.

(Johnny N. Allen)

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

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

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

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

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner, and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

SEE EXHIBIT "A" ATTACHED

EXHIBIT "A"

3.10 acres of land out of the Reuben Hornsby Survey
No. 17 in Travis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron pipe set for the Southwest corner of the tract herein described from which the Southwest corner of that certain 138.27 acre tract conveyed to Clifton S. Winstead by deed recorded in Volume 2645, Page 86 of the Deed Records of Travis County, Texas, bears S 30° 19' W 410.52 feet, N 59° 46' W 878.0 feet;

THENCE, N 30° 19' E a distance of 204.68 feet to an iron pipe set for the Northwest corner of this tract;

THENCE, S 59° 41' E a distance of 660.97 feet to an iron pipe set in the West line of a 50 ft. road, for the Northeast corner of this tract;

THENCE, S 30° 19' W along the West line of the said 50 ft. road, a distance of 204.68 feet to an iron pipe set for the Southeast corner of this tract;

THENCE, N 59° 41' W a distance of 660.97 feet to the place of beginning, containing 3.10 acres of land.

(Lloyd D. Nelson)

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

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

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

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

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

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

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner, and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

SEE EXHIBIT "A" ATTACHED

EXHIBIT "A"

3.00 Acres of land out of the Reuben Hornsby Survey
No. 17 in Travis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron pipe set in the East line of Blue Bluff Road and the West line of that certain 138.27 acre tract of land conveyed to Clifton S. Winstead by deed recorded in Volume 2465, Page 86 of the Deed Records of Travis County, Texas, for the Southwest corner of the tract herein described from which the Southwest corner of the said 138.27 acre tract bears S. 30° 19' W 1640.15 feet;

THENCE, with the East line of Blue Bluff Road and the West line of the said 138.27 acres N 30° 19' E a distance of 149.0 feet to an iron pipe for the Northwest corner of this tract;

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

THENCE, S 30° 19' W a distance of 149.0 feet to an iron pipe set for the Southeast corner of this tract;

THENCE, N 59° 41' W a distance of 878.0 feet to the place of beginning containing 3.00 acres of land.

(Lossie Carter, et ux)

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

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

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

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

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner, and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

SEE EXHIBIT "A" ATTACHED

EXHIBIT "A"

Being three (3) acres of land out of an original 138.27 acres conveyed by Robert H. Brown to Paul Winstead by warranty deed dated May 29, 1962, recorded in Volume 2465, Page 86, Travis County Deed Records and being a part of the Reuben Hornsby Survey No. 17 in Travis County, Texas; said 3 acre tract being described by metes and bounds as follows:

BEGINNING at an iron stake set in the southwest corner of the 138.27 acre tract mentioned above;

THENCE, North 30° 19' East along the west line of the 138.27 acre tract, same being the east right-of-way line of Blue Bluff Road, for 2,534.55 feet to a point for the "place of beginning" of the 3 acre tract herein described;

THENCE, continuing with the west line of the 138.27 acre tract, North 30° 19' East 279.42 feet to an iron stake set for the northwest corner of this tract;

THENCE, South 44° 33' East 322.17 feet to a point;

THENCE, South 34° 39' East for 201.30 feet to a point;

THENCE, South 48° 05' East for 282.36 feet to a point;

THENCE, North 88° 27' East for 127.2 feet to a point for the northeast corner of this tract;

THENCE, South 30° 19' West for 120.09 feet to a point for the southeast corner of this tract;

THENCE, North 59° 41' West for 878 feet to the "place of beginning" and containing 3 acres of land, more or less.

(Malon Allen)

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

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

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

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

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner, and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

SEE EXHIBIT "A" ATTACHED

EXHIBIT "A"

3.00 acres of land out of the Reuben Hornsby Survey
No. 17 in Travis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron pipe set in the East line of Blue Bluff Road and the West line of that certain 138.27 acre tract of land conveyed to Clifton S. Winstead by deed recorded in Volume 2465, page 86 of the Deed Records of Travis County, Texas, for the Southwest corner of the tract herein described, from which the Southwest corner of the said 138.27 acre tract bears S 30° 19' W 298.30 feet;

THENCE, continuing with the East line of Blue Bluff Road and the East line of the said 138.27 acres, N 30° 19' E a distance of 148.85 feet to an iron pipe set for the Northwest corner of this tract;

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

THENCE, S 30° 19' W a distance of 148.85 feet to an iron pipe set for the Southeast corner of this tract;

THENCE, N 59° 41' W a distance of 878.0 feet to the place of beginning, containing 3.00 acres of land.

(Gene Sampson)

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

The City Attorney reported there was an elderly gentleman in poor health living in Decker Creek Project, and it was thought that bids could be taken and the house sold so the contractors could begin work; but in deference to the gentleman's condition, the contractor agreed to allow him to stay a few days, and they were not able to advertise for bids on the house in the usual manner. However, all bidders who would be able to move the house rapidly were contacted and asked to submit a bid over the telephone or bring it in personally. Eight contractors were contacted, and MR. L. O. WAYLAND bid \$202.50 on this house, and that is the high bid. The other bids received were \$100.00 and \$151.00. The \$202.50 bid did not include the butane tank, and a bid for \$45.00 on that was received. The gentleman has moved to a new location, and the contractor was kind enough to agree to give him more time. Councilman LaRue moved that the highest bid be accepted. The motion, seconded by Councilman Long, carried by the following vote:

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

June 23, 1966

The City Manager stated an agreement from the Missouri Pacific Railroad for easements for water, sewer and electric lines along the route of the railroad had been received. This agreement will consolidate other easements previously granted and give the City easements for lines already located in the right of way, outside of the right of way which the railroad has given for street purposes. The City Attorney stated the easements for utility lines in the right of way between Hancock Drive and 5th Street had been obtained years ago; but some of the lines would be within the 50' conveyed for street purposes and sometimes outside. For purposes of consolidation they have asked that one document covering all the easements outside of the land they conveyed be executed. Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute and deliver, on behalf of the City of Austin, that certain agreement dated June 24, 1966 between Missouri Pacific Railroad Company and the City of Austin cancelling three prior agreements between the parties and consolidating in one agreement the license and permission to keep and maintain two certain pipe lines more particularly described in said agreement and on Exhibit "A" attached thereto.

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

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

Ayes: Councilmen LaRue, Long, White, Mayor Palmer

Noes: None

Absent: Councilman Shanks

The Council adjourned at 1:00 P.M. subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:

City Clerk