

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 30, 1966
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

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

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

Councilman Long was absent as she was out of the City.

Invocation was delivered by REVEREND WARD H. N. GREGG, Koenig Lane Christian Church.

Councilman White moved that Aqua Festival President ROD KENNEDY, Commodore KEN BROWN and Aqua Queen CHICA GRAY be heard. The motion was seconded by Councilman Shanks. Roll call showed a unanimous vote.

MR. KENNEDY paid tribute to Commodores SHANKS, LARUE, PALMER, WHITE, and WILLIAMS and the Aqua Queen CHICA GRAY pinned the official Aqua Festival pin on each. The Fifth Anniversary will have National and International Acclaim this year. He reported letters requesting certain facilities had been submitted to the City Manager and Council. Mayor Palmer pledged the cooperation of the City in helping to make this Festival a huge success and expressed appreciation to the group.

Councilman LaRue moved that MR. VICTOR EHLERS of the Community Council be heard. The motion was seconded by Councilman White. Roll call showed a unanimous vote.

MR. EHLERS presented MRS. KAY MILLER who asked for Council approval on three more Community Action Programs which had been approved by the Board of Directors of the Community Council. They are in the Austin, Del Valle, and Manor Independent School Districts for Operation Headstart for 1966-67. Mr. Ehlers distributed copies of each of their requests. Mrs. Miller reported the School Board had approved this. Councilman LaRue stated this had met with wide acceptance throughout the community, perhaps better received than any program they had. There was 100% approval of all the committees. Councilman LaRue moved the program as recommended by the Community Council be approved. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Councilman White moved that the Minutes of June 16, 1966 be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Mayor Palmer introduced the following ordinance:

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

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

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

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

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

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

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

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

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

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

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

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 18.21 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY AND THE T. J. CHAMBERS GRANT IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE. (Northwest Hills, Section 8)

Councilman LaRue moved that the ordinance be published in accordance with Article 1, Section 6 of the Charter of the City of Austin and set for public hearing on July 21, 1966 at 10:30 A.M. The motion, seconded by Councilman White, carried by the following vote:

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

After explanation by the City Manager, Councilman White 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 a part of Tract "A" of the Resubdivision

of Lot 2 of Dodson Subdivision, a subdivision of a portion of the George W. Spear League, in the City of Austin, Travis County, Texas; a map or plat of said Resubdivision of Lot 2 of Dodson Subdivision being of record in Book 2 at Page 32 of the Plat Records of Travis County, Texas; and,

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

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

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

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

A strip of land five (5.00) feet in width out of and a part of Tract "A" of the Resubdivision of Lot 2 of Dodson Subdivision, a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Dodson Subdivision of record in Book 25 at Page 16 of the Plat Records of Travis County, Texas; a map or plat of said Resubdivision of Lot 2 of Dodson Subdivision being of record in Book 26 at Page 32 of the Plat Records of Travis County, Texas; said strip of land five (5.00) feet in width being more particularly described as follows:

BEING all of the west 170.30 feet of the north five (5.00) feet of Tract "A" of the Resubdivision of Lot 2 of Dodson Subdivision.

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Long

Councilman White moved that action on the following zoning applications be deferred as there were only four members present:

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" Commercial for rear of 2111-13 Shoalmont Dr. and "O" Office for 2111-13 Shoalmont Dr. (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. MONTIANDON

301 East 38th Street
3705-3709 Grooms Street

From "A" Residence
To "O" Office
NOT Recommended by the
Planning Commission

MRS. BESS MASON, representing the applicant presented a petition of three more citizens expressing hearty approval of the zoning change. This makes 23 in favor on the first petition; three on this one, and two sent in letters, totaling 28 property owners favoring this request.

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Long

After explanation Councilman LaRue moved that the Austin Development Plan involving approximately 350 acres on Ben White Boulevard and Montopolis Drive (now designated manufacturing and related uses) be set for public hearing at 2:30 P.M. July 21st. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Long

The City Manager explained the amendment of contracts on open space purchases, stating there was a change in wording of the contracts but no substantial changes. The City Attorney said this was just a formality. Both the City Attorney and City Manager recommended the amendment. Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

RESOLUTION APPROVING AND PROVIDING FOR THE EXECUTION OF A PROPOSED
AMENDATORY CONTRACT FOR GRANT TO ACQUIRE LAND FOR OPEN-SPACE PURPOSES

WHEREAS, under Title VII of the Housing Act of 1961, as amended, the United States of America (herein called the "Government") has tendered to the City of Austin, Texas (herein called the "Public Body") a proposed Amendatory

Contract for Grant to Acquire Land for Open-Space Purposes under which the Government agrees to make a Grant to the Public Body to aid in financing a project, designated Project No. Tex. OSA-6; and

WHEREAS the Public Body has given due consideration to said proposed Contract; and

WHEREAS the Public Body is duly authorized, under and pursuant to the Constitution and laws of the State of Texas, to undertake and carry out said Project and to execute such proposed Contract;

BE IT RESOLVED BY THE CITY OF AUSTIN, TEXAS AS FOLLOWS:

Section 1. The proposed Contract, designated "Contract For Grant to Acquire Land for Open-Space Purposes, Contract No. Tex. OSA-6(G)", consisting of Parts I and II, under and subject to the provisions, terms and conditions of which the Government will make an Open-Space Land Acquisition Grant under Title VII of the Housing Act of 1961, as amended, to the Public Body to aid in financing the cost of a project, designated Project No. Tex. OSA-6, situated in Austin, Texas, is hereby in all respects approved.

Section 2. The City Manager is hereby authorized and directed to execute said proposed Contract in two counterparts on behalf of the Public Body, and the City Clerk is hereby authorized and directed to impress and attest the official seal of the Public Body on each such counterpart and to forward such counterparts to the Department of Housing and Urban Development, together with such other documents relative to the approval and execution thereof as may be required by the Government.

Section 3. The City Manager of this Public Body is hereby authorized to file requisitions, together with necessary supporting documents, with the Government, from time to time as Grant funds are required, requesting payments to be made to it on account of the Grant provided for in the Contract, and to do and perform all other things and acts required to be done or performed in order to obtain such payments.

Section 4. The Public Body agrees to abide by all of the provisions, terms and conditions of said Contract.

Section 5. This Resolution shall take effect this 30th day of June, 1966.

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Long

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

RESOLUTION APPROVING AND PROVIDING FOR THE EXECUTION OF A PROPOSED
AMENDATORY CONTRACT FOR GRANT TO ACQUIRE LAND FOR OPEN-SPACE PURPOSES

WHEREAS, under Title VII of the Housing Act of 1961, as amended, the United States of America (herein called the "Government") has tendered to the City of Austin, Texas (herein called the "Public Body") a proposed Amendatory Contract for Grant to Acquire Land for Open-Space Purposes under which the Government agrees to make a Grant to the Public Body to aid in financing a project, designated Project No. Tex OSA-7; and

WHEREAS the Public Body has given due consideration to said proposed Contract; and

WHEREAS the Public Body is duly authorized, under and pursuant to the Constitution and laws of the State of Texas, to undertake and carry out said Project and to execute such proposed Contract;

BE IT RESOLVED BY THE CITY OF AUSTIN, TEXAS AS FOLLOWS:

Section 1. The proposed Contract, designated "Contract For Grant to Acquire Land for Open-Space Purposes, Contract No. Tex. OSA-7(G)," consisting of Parts I and II, under and subject to the provisions, terms and conditions of which the Government will make an Open-Space Land Acquisition Grant under Title VII of the Housing Act of 1961, as amended, to the Public Body to aid in financing the cost of a project, designated Project No. Tex. OSA-7, situated in Austin, Texas, is hereby in all respects approved.

Section 2. The City Manager is hereby authorized and directed to execute said proposed Contract in two counterparts on behalf of the Public Body, and the City Clerk is hereby authorized and directed to impress and attest the official seal of the Public Body on each such counterpart and to forward such counterparts to the Department of Housing and Urban Development, together with such other documents relative to the approval and execution thereof as may be required by the Government.

Section 3. The City Manager of this Public Body is hereby authorized to file requisitions, together with necessary supporting documents, with the Government, from time to time as Grant funds are required, requesting payments to be made on it on account of the Grant provided for in the Contract, and to do and perform all other things and acts required to be done or performed in order to obtain such payments.

Section 4. The Public Body agrees to abide by all of the provisions, terms and conditions of said Contract.

Section 5. This Resolution shall take effect this 30th day of June, 1966.

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Long

At 10:30 A.M. the Mayor opened the hearing on annexing LAUREL GROVE at LANIER, SECTION 1. 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, Shanks, White, Mayor Palmer

Noes: None

Absent: Councilman Long

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 18.66 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APPLIGAIT SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE. (Laurel Grove at Lanier, Section 1)

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

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

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

In further review of the Austin Equal Citizenship Corporation contract, Councilman LaRue discussed Paragraph v, Page 5, part of which was deleted by the Council last week. The sentence in question is "The rulings of the Legal Examiner upon admissability of evidence, compliance with procedures, and competence of witnesses shall be final and binding upon the Committee, witnesses, and parties; . . ." Councilman LaRue said as much as possible the commission should establish their own rules and procedure; and if they see fit to establish this as part of the rules and procedure, they should be given the opportunity to do so. REVEREND JOHN BARCLAY stated the Commission passed on this with the understanding it would be more or less analogous of a court where the Judge would rule upon these various things. He said it was not a court, but a matter of establishing a fact in order to know what to do. Since the Legal Advisor was taken off the Committee, this would put him in a position of being non-partisan. The City Attorney stated the analogy falls down by comparing this Committee with a Court. If there were a right of appeal from the ruling of the Committee, and one who had been accused could effect an appeal and have it established that inadmissible hearsay, evidence, etc., was used as a basis of determination that he had been guilty of discriminatory practices, then the Committee would not have felt that it was essential that there be a person trained in law to express an opinion on the admissibility of evidence that had been adduced, whether the procedures had been complied with, or whether the witnesses were competent witnesses. The Legal Advisor's function is ruling on matters of law, and there will be no other place where an accused person will have assurance that a lawyer would pass on those legal points. There is not other assurance that a person who has been accused will have the right and privilege of having the evidence as used against him tested against the rules of procedure that are well known to lawyers. Mayor Palmer asked Reverend Barclay if this provision were agreeable with his Committee? Reverend Barclay stated they had passed on this as it is.

Councilman LaRue expressed objection to the wording "that this rulings shall be final and binding upon the Committee, witnesses and parties". The House and Senate have Legal Advice, but it is not the case that "his opinion shall be final and binding". The Committee itself is the ruling authority and certainly not the Legal Counsellor.

Discussion covered the respondents' inability to appeal from any decision of the Committee since his case is concluded at this level. The City Attorney stated if this safeguard is not written in the contract, the innocent respondent who is found guilty has no recourse upon the basis of inadmissible evidence, hearsay, defiance of the ordinary rules of procedure, testimony of incompetent witnesses, and the finding of facts against him from which he has no recourse. Reverend Barclay stated the respondent had the right to a lawyer; but the three matters stated are of such legal nature, the Committee would be incompetent to evaluate or judge them. Discussion was held on the secrecy of the investigation.

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

MR. HEROLD pointed out his objections to this contract and urged the Council to go over it carefully. Councilman LaRue suggested that the Committee keep the same authority that the Council has maintained and that is to accept or reject the recommendation of the Legal Counsel. The City Attorney stated the Council is a legislative body and not a fact finding body, as is the Committee.

MAYOR PALMER announced the Council would not vote on this today. He pointed out there was a request for funds for the Corporation and it was his opinion there were funds in the Council's Expense Account that would be adequate to finance this request.

At Councilman Shanks' request, the City Attorney reviewed the changes made the week before (1) removing the Legal Examiner from membership of the fact finding Committee, and from voting on the findings; and (2) the removal of the five year's experience qualification for the Legal Examiner.

Councilman LaRue stated it was the thought of the Committee that they might appoint a subcommittee to conduct these hearings and he personally would prefer that the Committee sit as the fact finding body. Reverend Barclay stated it would unless it became impossible, then they would like to get citizen volunteers. Mayor Palmer said this would be only in case of an emergency where five of the Committee would not be obtainable.

MAYOR PALMER announced it was 11:00 A.M. the time set for a hearing on an appeal of Highland Medical Center Special Permit. Councilman Shanks reported that MR. SAM WOOD called stating he would like to have the benefit of the entire Council for hearing or decision. Mr. Wood would not be able to be present today or next Thursday, but he would be here the following Thursday. MR. BRUNSON had flown to Austin from Washington for the hearing. All property owners had been notified that this hearing was to be held today at 11:00 A.M. Mayor Palmer suggested if the hearing was to be continued, and since none of the opponents were present, that it would be preferable to hear the proponents at the time the opponents are

heard. Mr. Paul Jones, Attorney agreed. Councilman LaRue moved to continue the hearing until Friday, at 10:00 A.M., July 15th. The motion, seconded by Councilman Shanks, carried by the following vote:

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

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

MR. VILLAREAL reported on March 21st at 11:00 P.M. he took his sick child to the hospital, and he had to call the Administrator at 2:00 A.M. to get assistance. Mr. Villareal's private physician was out of town, and he called the doctors' registry which requested that he ask Brackenridge Hospital to have a doctor to come in. He repeatedly asked for someone, either an intern or staff doctor but he was unable to get one. The City Manager asked if Mr. Tobias at 2:00 A.M. did arrange for someone to attend to this. Mr. Villareal stated he did arrange to get someone. Councilman LaRue suggested calling Mr. Tobias, as this seems to get into the realm of the patient's doctor not being present, and that gets into a complicated matter. The City Manager stated this involved the doctors. The Mayor stated this would be discussed with Mr. Tobias to find out exactly what occurred. He explained there are many times when it is necessary to check with the family doctor. Mr. Villareal said this child had not seen any doctor at this time, as he had just come out of military service. The only doctor he had seen himself was his private physician and then only through the use of Brackenridge Hospital as he went there with an injury, requested an X-ray and was referred to this physician. The City Manager explained the intern's position in that they give first aid but they are not authorized to give medical attention to people except under the supervision of a doctor. Mayor Palmer stated the Council would look into the facts of the case and see what could be done, if anything, in connection with this.

MR. ROBERT CAMINO, representing the AMERICAN G. I. FORUM OF TEXAS, which is holding a convention in Austin requested a permit to march July 2, from about 8:00 A.M. to 10:00 A.M. up Congress Avenue between 1st Street to the State Capitol. He believed it would take only about an hour, and he estimated between 500-700 marchers who wanted to back up the President's policy in Viet Nam by this march. Mr. Canion suggested they march four abreast. The Police Chief stated if they would march in columns of four on the right hand section of the street next to the parked cars, it would not interfere with north bound traffic as one lane could be left open. Councilman White inquired about the placard or signs that would be carried. Mr. Camino said there would be about 40 small signs. Councilman LaRue moved that the City Manager be authorized to work out this with Mr. Camino on the basis just discussed. The motion, seconded by Councilman White, carried by the following vote:

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

Mayor Palmer made the following statement regarding his vote:

"I am going to have to say in this case, that I voted against a parade permit on an anti-Viet Nam parade because of the traffic situation on a Saturday morning. It is not a matter of trying to deny a freedom of expression or freedom of speech. In my judgment the public is entitled to the use of these streets, especially on Saturday morning in the down-town section, and the group does have access to march on the sidewalks, and I would have to vote 'no'."

The Mayor announced the parade permit had been granted.

The City Manager stated each member received with the Agenda a copy of the list of events proposed by the Aqua Festival, some of which involved City property. He found no area which the City controls that is proposed to be used this year that has not been used before with the exception of one of the golf courses, and he saw no objection to the use of these facilities on the listed dates. The automobile race has been moved from the Auditorium area to a tract some distance from the center of town. Another variation is a change in the staging of the water parade from west of Lamar Boulevard to the Holly Street Power Plant area. The City Manager said the Aqua Festival leaders would like to have some expression from the Council if these events and locations are satisfactory. Councilman Shanks moved that the Council authorize the City Manager to cooperate with the Aqua Festival. The motion, was seconded by Councilman LaRue, carried by the following vote:

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

The City Manager reported MR. CHARLES RICHARD, Junior Chamber of Commerce, called to ask permission for a Ski Show involving three motor boats between 7:00 and 8:00 P.M., just prior to the fireworks display on July 4th already authorized by the Council. The fireworks will be handled on the Shrine property across the river, and the viewing area will be the Festival Beach area. Councilman LaRue moved that the Council grant permission for the Ski Show from 7:00 P.M. to 8:00 P.M. on July 4th on Town Lake. The motion, was seconded by Councilman Shanks, carried by the following vote:

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

The City Manager reported sometime back it was thought the Glen Oaks Project would be ready for a hearing; so to save as much time as possible, the Council set a hearing date for July 28th. The Fort Worth Office of the Housing and Urban Development has not completed its review; and since the hearing has to be advertised 30 days in advance, it would be well to cancel the hearing date subject to resetting it when it is known when it could be heard. Councilman LaRue moved that the July 28th date of hearing be cancelled. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The City Manager reported receipt of a letter from MISS CATHY LOHR, Counsellor, stating Band Day sponsored by the University of Texas Longhorn Band will be held on October 1, 1966. The activities include a parade up Congress Avenue from 1:00 to 3:00 P.M. She asked approval of the Council for the use of Congress Avenue at that time. Councilman LaRue moved that the request for the parade be approved. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager stated the Building Official, in order to keep abreast of the Code Enforcement work imposed upon his department, is planning to employ two additional inspectors beginning October 1st. Each will need a vehicle. The vehicles will be needed before the mass purchase in December and they would like authorization to proceed to take bids on two vehicles at this time. Councilman LaRue moved to authorize the purchase of these vehicles at this time. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The City Manager stated under Medicare the Government makes payments to the Hospitals and to the Doctors. Part "A" deals with Hospitalization and Part "B" deals with Professional Services of Doctors. The two bills have to be separated. The fees for the radiologist and the pathologist have to be separated: (1) the part for the work by the technicians, and (2) the professional services for the pathologists. The same applies to the radiologists. In the case of the pathologists there are many small fees and it is difficult to separate these small items. What has been proposed by the pathologist is that the present fees be charged, and on the basis of the ratio of the part of the total fee which is now going to the pathologist, the percentage be set up as the pathologist's part of the fee; and in the future a bill will be rendered on that part. The accumulated bill for each patient would be divided and the doctor would submit his bill and the balance would be placed on the hospital's account. This procedure will not work for the radiologists, as their fees are relatively large. They want to keep account of each procedure separately and in each case what the City gets and what the doctor receives would be separate from the very start, instead of being built up and separated on a proportionate basis. The pathologists have a schedule which they say the other hospitals have adopted for the technical services rendered by the hospital, and they suggest the City adopt the same schedule, and the City Manager recommended that on a trial basis, those same charges be set up. The Hospital Board had not had time to make a recommendation on this as Medicare goes into effect on July 1st. The Mayor stated the Board could be asked to look into this and give a recommendation also. Councilman LaRue moved that this procedure be authorized on a temporary basis, and that the Board be requested to give the Council their best judgment on this. The motion, seconded by Councilman White, carried by the following vote:

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

MAYOR PALMER stated the Council had a request from the Hospital Board involving the changing of the eligibility standards making some 500 indigents available for medical help at the Hospital. At the time, the Board did not have the advantage of the information as to just what this would cost. The City Manager has given this information in very detail form and the Mayor suggested that this be referred back to the Hospital Board with the information supplied by the City Manager. Councilman Shanks also suggested that this recommendation and information be sent back to the Hospital Board for review and further report, since the Board did not have the information that the City Manager submitted; and in lieu of this the Board might want to make a different type of recommendation. The Council took no action on this recommendation at this time.

MAYOR PALMER read an article from the City Health Officers News that in New York a survey of the hospitals there shows it takes \$7,500,000 just for repairs to enable 130 hospitals to perform their current tasks, not even to add beds; that the hospital deficiencies were overcrowded nursing units, lack of kitchen space, inadequate toilet facilities, outmoded emergency x-ray and laboratory facilities and unsatisfactory provisions for emergencies. In Detroit, there is some \$100,000,000 to bring their hospitals in line.

The Assistant City Manager reported a request from Mr. Victor Polanco for a Sunday Dance for July 3rd, called a "4th of July Week-end Dance". Councilman White moved to approve the 4th of July week-end dance at the Coliseum on July 3rd. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager said the Council appointed JAMES CROW to make a study of extending the office facilities for Water Treatment Plant No. 1. The initial idea was to expand the existing building over a driveway. After study, it was determined that was not practical. Instead of extending the existing building, it is suggested that a new structure be built across the existing driveway and build a new driveway from the east into the grounds. The City Manager showed an artist's drawing of the building and a plot plan. The main entrance will be opened from San Antonio Street. The City Manager stated this building is designed for the next 15 or 20 years and a second story could be placed on top of it. Councilman LaRue inquired about the difference in costs. The Construction Engineer, Mr. Eldridge, explained the original one story addition would probably be about \$35,000 with another \$15,000 to supplement in connection with the operators' area; but this building is anticipated to be \$85,000 and will pre-empt the operators' space. This will be a lower sound investment of money in the long range. After discussion, Councilman White moved to authorize the City Manager to proceed with the working drawings. The motion, seconded by Councilman Shanks, carried by the following vote:

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

MAYOR PALMER stated the Office of Economic Opportunity had requested some-time back that a section of Guadalupe Street at the Lowich Building be set aside for parking of busses. Mr. Crook has written a letter withdrawing his April 18th request for parking facilities for Job Corps Transportation Vehicles on Guadalupe at 11th, and expressed thanks for consideration given to this request.

MAYOR PALMER read a letter from KLRN, Radio-TV, University of Texas, Channel 9, requesting the cooperation of the City of Austin in entering into an experimental project in making instructional television available to Hardin House Dormitory. The experiment will be an extension of the same closed circuit service presently offered on the campus. They requested permission to lease the necessary city light poles to carry the cable from the campus to Hardin House at 22½ Street and Rio Grande. The Hardin House Dormitory has agreed to pay the installation cost and the monthly rental of the poles. (Signed Harvey Herbst). The Mayor suggested making a study and see if the poles are available; and if not they would have to pay for new poles the same as Cable TV does; and if it is required to get the clearance, extra extensions, etc., they would have to pay that part. Councilman LaRue moved to authorize the City Manager to investigate and report back to the Council. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman LaRue suggested that the City Manager could look into the possibility of what the results would be if this were requested by some 100 other dormitories in the area.

MAYOR PALMER read a letter commending MISS JEAN SCHMAUS of the Library Staff on her diligence and courtesy extended to him. He complimented the Administration for making available to the public this type of dedicated personnel from J. Pat O'Keefe, Executive Director, State Democratic Executive Committee.

The Mayor announced the Graduation Exercises of the Austin Police Force Friday night, at the L.C.R.A. Auditorium and stated as many as possibly could, would be there.

The Council approved the following:

Fogging the 4700 block of Harmon Avenue, and 916 East 48th Street, as petitioned.

The request of MR. FRANKLIN J. BEHRENDT to barricade SANDHURST CIRCLE a dead end street, opening into Rogge Lane one block east of Manor Road from noon to 10:00 P.M. on July 4th for a neighborhood barbecue and picnic.

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

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

The Council adjourned at 12:10 P.M. subject to the call of the Mayor.

APPROVED

L. H. Palmer
Mayor

ATTEST:

Oliver Woodley
City Clerk