

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 13, 1966
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Pro tem Shanks presiding.

Roll call:

Present: Councilmen LaRue, Long, White, Mayor Pro tem Shanks
Absent: Mayor Palmer

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 MR. DOREN R. ESKEW, City Attorney

Mayor Palmer absent as he was out of the City.

DR. CHARLES DENT, Chairman, Sister City Committee, introduced Mrs. Gene Nelson, Lucy B. Reed School, whose second grade pupils had been corresponding with the second grade classes in the Sister City Belo Horizonte. Four of the students presented Mayor Pro tem Shanks a letter from Mayor Oswaldo Pieruccetti, a document written in Portuguese; a resume of the outstanding facilities and history of Belo Horizonte, some slides of points of interest in the City, and a scrapbook of pictures. Mayor Pro tem Shanks told the group they had made a wonderful presentation, and this exchange of correspondence is fine. He hoped everyone would study Belo Horizonte and see what it is like; and even though Austin and Belo Horizonte have many things in common, there are lots of things to be learned about the Sister City. He commended this group on its study and expressed hope that all of the school children in Austin could follow this example.

Councilman White moved that the Minutes of December 30, 1965, be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Mayor Pro tem Shanks introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH JACK ANDREWARTHA 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 Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

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

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

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

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

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

The Mayor Pro tem announced that the ordinance had been finally passed.

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for drainage purposes in, upon and across 1581 square feet of land, same being out of and a part of Lot 2, Block "B", Townlake Plaza, a subdivision of a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, according to a map or plat of said Townlake Plaza of record in Book 18 at Page 38 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 drainage easement, to wit:

1581 square feet of land, same being out of and a part of Lot 2, Block "B", Townlake Plaza, a subdivision of a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, according to a map or plat of said Townlake Plaza of record in Book 18 at Page 38 of the Plat Records of Travis County, Texas; which 1581 square feet of land are more particularly described by metes and bounds as follows:

BEGINNING at a point in the west line of said Lot 2, same being the east line of Lot 1, which point of beginning is the most westerly corner of the herein described tract of land, and from which point of beginning a steel pin at the northwest corner of said Lot 2 bears North 41° 01' West 87.00 feet;

THENCE, North 47° 41' East 137.58 feet to a point in the south line of the aforesaid existing drainage easement for the most northeasterly corner of the described tract of land;

THENCE, with the said south line of an existing drainage easement, South 38° 14' West 140.00 feet to a point in the aforesaid west line of Lot 2 for the most southerly corner of the herein described tract of land;

THENCE, with the said west line of Lot 2, North 41° 01' West 23.00 feet to the point of beginning.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro Tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter named and said maps or plans have been considered by the Director of Public Works; therefore

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

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduits in the following streets:

- (1) An underground telephone conduit in WEST 15TH STREET, from a point 152.4 feet east of Colorado Street to a point 69.9 feet east of Lavaca Street; the centerline of which underground telephone conduit shall be 2 feet south of and parallel to the centerline of said WEST 15TH STREET.
- (2) An underground telephone conduit in WEST 15TH STREET, from a point 2 feet south of the centerline of West 15th Street and 69.9 feet east of Lavaca Street to a point 20.9 feet south of the

centerline of West 15th Street and 18.9 feet east of the centerline of Lavaca Street.

THAT the work and construction of said underground telephone conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

The City Manager submitted the following:

"January 11, 1966

"To: W. T. Williams, Jr., City Manager Subject: Assessment Paving Contract
No. 65-A-16

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, January 11, 1966 for the construction of approximately nineteen (19) blocks of pavement and accessories known as Assessment Paving Contract Number 65-A-16 consisting of 6 units.

"Ed H. Page	\$69,225.40
Austin Paving Company	\$71,170.19
Werneburg Construction Co.	\$72,378.48
Pat Canion Excavating Co.	\$73,778.00
Jack A. Miller	\$75,189.80
J. C. Evans	\$84,040.84
 City's Estimate	 \$73,572.86

"I recommend that Ed H. Page with his low bid of \$69,225.40 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 January 11, 1966, for the construction of approximately nineteen (19) blocks of pavement and accessories, known as Assessment Paving Contract Number 65-A-16 consisting of six (6) units; and,

WHEREAS, the bid of Ed H. Page, in the sum of \$69,225.40, 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 Ed H. Page, in the sum of \$69,225.40, 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 Ed H. Page.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

The City Manager submitted the following:

"January 11, 1966

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

SUBJECT: Bids on Quick Lime for Filter Plant #1 and Filter Plant #2 for a twelve (12) months period.

"Sealed bids were opened in the office of the Purchasing Agent at 10:00 A.M. January 11, 1966 for the estimated requirements of Quick Lime for the Filter Plants for a period of twelve (12) months. The Quick Lime is to be delivered to the Filter Plants as required during this period.

"Invitations to bid were sent to: Round Rock White Lime Co., Austin White Lime Co., United States Gypsum Co., White Stone & Lime Co., and Southwestern Superior Products Corporation. These are the only known suppliers that could economically serve the City of Austin.

<u>Bidder</u>	<u>Estimated Requirements</u>		<u>Net Price</u>
Round Rock White Lime Co.		Per Ton	\$17.10
Round Rock	6100 Tons	Total	\$104,310.00
Austin White Lime Co.		Per Ton	\$17.00
McNeil	6100 Tons	Total	<u>\$103,700.00</u>

"No response was received from United States Gypsum Co., White Stone & Lime Co. or Southwestern Superior Products Corporation.

"The low unit price obtained on the previous bid in 1965 was \$17.10 as bid by Round Rock White Lime Co.

"The bid by Austin White Lime Co. meets all requirements and conditions of our specifications. This firm has furnished us Quick Lime in the past and their

service has been good.

"RECOMMENDATION: It is recommended a contract be made with Austin White Lime Co. to furnish Quick Lime to the Filter Plants for a period of twelve (12) months beginning February 1, 1966 and ending January 31, 1967.

"W. T. Williams, Jr., City Manager"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 11, 1966, for approximately 6100 tons, or the estimated requirements of Quick Lime for the Filter Plants for a period of twelve (12) months; and,

WHEREAS, the bid of Austin White Lime Co., in the sum of \$103,700.00, was the lowest and best bid therefor, and the acceptance of such 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 bid of Austin White Lime Co., in the sum of \$103,700.00, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Austin White Lime Co.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman White moved that the Council approve the request of MR. J. C. RUDE to do shoreline improvements on Lake Austin by repairing retaining wall and extending it 109' on Lots 86 and 87, Lakeshore Addition.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the erection of a boat dock on the property owned by Mr. V. J. Corona, Jr. as described in the Travis County Deed Records and known as Lot K, Block G, Aqua Verde Addition as

January 13, 1966

described on the attached plot plan and hereby authorizes the said V. J. Corona, Jr. to construct, maintain and operate this boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said V. J. Corona, Jr. has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
January 11, 1966

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

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

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

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

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

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

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

January 13, 1966

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

The City Manager submitted the following:

"January 10, 1966

"To: Mr. W. T. Williams, Jr.
 City Manager

Subject: Sale of Houses

"Bids were opened in my office January 10, 1966 at 10:00 a.m. for the sale of seven houses that Urban Renewal has turned over to us for disposal by demolition.

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

	1152	1172	1613	1508	1520	1312	1706
	Comal	Comal	Washington	Washington	Rosewood	Hackberry	Rosewood
D.M. Sherman			25.00	15.00			
C.H. Sherman							<u>60.00</u>
E.M. Prichard						<u>42.50</u>	
O. Puryear		28.00					
A. Heyer	10.65	38.81	18.71	<u>27.81</u>	<u>21.82</u>	18.72	36.61
W. Johnston	<u>18.00</u>	<u>43.00</u>	<u>33.00</u>	3.50	7.50	13.00	31.00

"The high bid on each house is underscored in red. Due to the fact that these structures are dilapidated and also the fact that it would cost this office several hundred dollars if we had to demolish them, it is recommended that these bids be accepted.

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

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

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 10, 1966, for the sale of seven houses that Urban Renewal has turned over to the City for

disposal by demolition; and,

WHEREAS, the bids of W. Johnston, in the sum of \$18.00 for house located at 1152 Comal, in the sum of \$43.00 for house located at 1172 Comal, and in the sum of \$33.00 for house located at 1613 Washington; the bids of A. Heyer, in the sum of \$27.81 for house located at 1508 Washington, and in the sum of \$21.82 for house located at 1520 Rosewood; the bid of E. M. Prichard, in the sum of \$42.50 for house located at 1312 Hackberry; and the bid of C. H. Sherman, in the sum of \$60.00 for house located at 1706 Rosewood, were the highest and best bids therefor, and the acceptance of such bids has been recommended by the Building Official of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bids of W. Johnston, A. Heyer, E. M. Prichard and C. H. Sherman, be and the same are hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute contracts, on behalf of the City, with above named parties.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

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

MR. PERLITZ, Westlake Hills, warned about lack of information on poisons to kill the duck weed, and about lack of publicity cautioning people about the use of such poisons in the water supply. Some Department of the U.S. Public Health, State, or City Health Departments should be able to tell the people what to use. He stated more concern about the sanitation of Lake Austin should be evident. Restrooms are needed at the boat ramp, and trash recepticals should be provided. The Public Works Director stated there were recepticals at the Walsh landing. Mr. Perlitz called attention to obstructions to boats left floating out in the middle of the lake. Councilman Long stated in the very near future the new Health Ordinance would be considered and there would be more restrictions concerning the lake. Councilman LaRue asked if there were ordinances on using these herbicides on the lake. The City Manager stated he knew of no ordinance they had on the subject; that this matter gets beyond the City as the use of poisons beyond Lake Austin could be just as detrimental and have just as serious effect on Austin as in the upper end of Lake Austin. It is something that should be covered state wide. Councilman LaRue asked if there were a general ordinance concerning pollution. The City Attorney stated it is unlawful to place anything in the water to pollute the water. Councilman LaRue suggested that it be called to the attention of the public that there is an ordinance covering pollution of the water, and anyone polluting the water would be prosecuted. Mayor Pro tem Shanks suggested a special press release on this matter. Mr. Perlitz suggested also that the news media should put out information on traffic rules. Mayor Pro tem Shanks stated all this information is very valuable, and the City Manager will take cognizance of it.

Councilman Long gave recognition to four young citizens from Casis School who are studying City Government. Richard Reed was spokesman for the group.

At 10:30 A.M. Mayor Pro tem Shanks opened the hearing on annexing 0.52 acres, Lot 3, Block F, Burleson Road Heights and portion of Princeton Drive. 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 Pro tem Shanks
Noes: None
Absent: Mayor Palmer

Mayor Pro tem Shanks 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 0.52 OF ONE ACRE OF LAND, SAME BEING ALL OF LOT 3, BLOCK F, BURLESON ROAD HEIGHTS, A SUBDIVISION OF A PORTION OF SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.
(Burleson Road Heights and portion of Princeton Drive)

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 Pro tem Shanks
Noes: None
Absent: Mayor Palmer

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 Pro tem Shanks
Noes: None
Absent: Mayor Palmer

At 10:35 A.M., Mayor Pro tem Shanks opened the hearing on the proposed Private Detective Ordinance. Councilman Long asked if the interested people were notified of this hearing. Publicity had been given, and the Attorney representing Mr. Phares, Protective System, Inc., was notified, and several others were present. It was decided to hear the ordinance, and to continue the hearing until the following week so that others might want to come in to be heard. MR. JOHN REED, representing MR. LES PHARES, was notified of the hearing and received copies of the ordinance. He said regulations of this type had been under

consideration for years and there is a definite need for such. Making two separate ordinances was a fine idea, and both ordinances are very good. Councilman White said this hearing was publicized in the paper this morning.

The City Attorney stated the private detective regulations are almost exactly as they were at the time of the last hearing, and provide licensing of the Agency and of the individual detective who is to perform the investigations. Councilman Long stated she was not sure that newspaper men should not be exempt if they make an investigation reporting for hire. The City Attorney read the definition of a private detective as set out in the proposed ordinance. He asked if there were others the Council felt should be excepted. No action was taken.

Councilman Long brought up for discussion out of town detectives' coming into the City to make investigations. As the ordinance was written, there are no provisions for such people to do business in the City, and it was explained the citizens of Austin would be required to pay a fee and be regulated, whereas people living outside the City limits could come into the City and operate without meeting the same requirements. The City Attorney listed three suggestions-- (1) recognizing a license a private detective had in another city under a reciprocal agreement; (2) arranging for a temporary permit or license; or (3) requiring the detective to obtain a license in Austin. The Police Chief stated a license of a bona fide investigator duly licensed by another city or state would be acceptable; otherwise a person could set up business in some of the incorporated towns just outside the city limits and operate in Austin whereas the citizens of Austin would need a license. Councilman Long suggested some kind of a reciprocal recognition be provided of a bona fide person coming in for a day or two. The Police Chief recommended against allowing people to come in here who are not licensed by another city or another state. It was the purpose of this ordinance to assure people of Austin that they would have reputable people. Councilman LaRue suggested recognizing out of town investigators if they had a current license in a state, county or city. The City Manager suggested adding "license from some other city or town, which has substantially the same requirements for licensing". Councilman LaRue stated the City then would have jurisdiction of control in determining the requirements. Mr. Reed stated out of town investigators should be licensed somewhere by some jurisdiction if they need to come in for a day or two, as the purpose of this ordinance is to keep out the unlicensed, unethical and unscrupulous operators. Mr. Phares noted firms from other cities carried listings in the Austin Telephone Directory, and they would be covered.

Other section on Application, Appeal to the Council and Requirements of the Licensee were reviewed. The Chief of Police said they felt very strongly about this particular section 42.6(3). Fees were discussed briefly. Explanation of the insurance requirements was made setting out the various amounts of personal injury, property damage in any one transaction and not less than \$250,000 for property damage to all persons and property involved in any one transaction all of which to be multiplied by the number of detectives of the agency. Mr. Reed said his client carried more than this amount.

Provisions for suspending and revoking the license of an operator were discussed.

Councilman Long stated when a man has a detective agency and has built up a long time business and wanted to sell or transfer the business he should be allowed to do so in the manner taxicab franchises, etc. are transferred with

Council approval. Mayor Pro tem Shanks pointed out the new operator could apply; and if his application were approved, he could buy the Agency. The firm would have to be investigated. Mr. Reed explained many licenses were issued by the City, State, and various agencies that are personal to the holders. It does not mean the business could not be sold, but the new owner would have to qualify to obtain the license to operate the business. The City Manager pointed out through contract channels depending upon the purchaser's obtaining a license the sale would be made; if the purchaser could not get a license, he would not be required to go through with the contract.

The Council then reviewed the proposed Private Security and Guard Service Ordinance which covered the protecting of real or personal property, or a person; the use of private alarm systems; duties of licenses, and the other provisions. Mr. John Reed suggested consideration of 43.6(2) for those who did patrol service going from place to place, stating he was not asking the City to nullify to any degree the State Law about carrying weapons but asking the Council to add "or in route to and from the premises to be guarded." The City Attorney stated if this were in conflict with the State Law it would be void; if it is upheld, it would be in the City Ordinance if the Council saw fit to include this rewording.

Mr. Reed's other comment was if the appeal to the Council were "de novo". The City Attorney stated that was correct. MR. LES PHARES said his company held two government contracts of providing armed guard services, and read regulations about the responsibilities.

MR. A. D. STONE, Automatic Protection System, pointed out problems confronting his business regarding uniforms, in that there were occasions he would be called to answer alarms and would not have time to go by his house to don the uniform. Mr. Ligon, Master Burglary Alarm concurred in this situation. The City Attorney stated something could be worked out to include "unless special permission obtained from the Chief of Police" relative to an individual case. Councilman LaRue believed this could be a detriment to the public. Trouble might be encountered, and the public is more to be protected than the individual's convenience. The City Attorney said they thought this was a provision the operators of the business would be interested in to be sure the people they had assigned to guard certain premises would not be changing identifications back and forth. The Chief of Police would need to know. The Chief of Police stated special permission could be given not to exceed one employee for a company. Councilman LaRue expressed opposition to this. Mayor Pro tem Shanks and Councilman Long expressed their view that the way the section was written was proper. The City Attorney suggested having a uniformed person detailed to a certain place as the Police Chief would be seeking to obtain identity. Mr. Ligon explained their problems, but stated for the protection of the company, it was good to have someone in uniform. Mayor Pro tem Shanks asked if this could be incorporated into the ordinance.

Mr. Stone objected to revealing names of the persons with burglary alarm systems being handled in such a way the information might get into the hands of other people. He would object to the information's being mimeographed and distributed to any other than the officer in charge and the Chief of Police and Central Records.

The City Attorney explained the insurance in this ordinance did not include the use of the multiplier. The \$50,000, \$5,000 and \$250,000 would be all that was required. The City's usual coverage is \$300/\$500,000. Mr. Stone had the coverage provided in the ordinance; Mr. Phares had more; and Mr. Ligon

thought perhaps the minimum coverage should be set at \$150,000. Councilman LaRue favored the \$150,000 minimum. The City Manager suggested after setting up the limits of liability for which insurance is required to be provided, it should apply to all activities of all employees in the business, rather than using the multiplier in Section 42.8 in the Private Detective Ordinance. Both ordinances should read alike in their respective sections.

Mr. Stone discussed Section 43.10 Paragraphs (3) and (5). Mr. Ligon stated this was normal procedure. The City Attorney explained this provision. If the license is suspended, the action would be subject to appeal to the Council. The Chief of Police pointed out there would be a hearing before anything was done.

Mr. Les Phares asked that reconsideration be given to permitting guards to wear badges, and that the City come up with a badge design. The Chief of Police stated if the provision is made that the badge would be the same as the insignia on the uniform, and that it be approved by the Chief of Police, they would work with them on this matter. Mr. Phares asked that the Company name and the employee's number be on the badge and all badges be approved by the Chief of Police.

The City Attorney pointed out a change suggested by the Chief of Police in Chapter 43.3, in that this provision would "not apply to a bona fide employee of the owner of the business on two or more premises where each of such premises is owned by the same person." This employee would not be authorized to wear a uniform or carry arms.

Mayor Pro tem Shanks stated the hearing would be continued over until next week.

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

MR. NYGREN represented his brother, himself, and eight or nine property owners involving about 2,000 acres, asking the retaining of the DECKER name for historical purposes as the Decker Community area had been known as such for nearly 100 years. He read a statement commending Congressman Pickle in his manner of handling his land transaction. The group he represented recognized the need for Power Plant purposes and for inundating land for reservoir purposes. The area surrounding the lake should become public property and not be cluttered with private boat docks. The group urged the Council to exercise restraint in acquiring the additional land which is under consideration for park purposes, as the group is under threat of condemnation if they do not surrender this property.

The Council postponed its appointment with Mr. Trueman O'Quinn and Mr. Moton Crockett to look over Mr. Crockett's property on 19th and Trinity Streets until Mayor Palmer returned. Mr. O'Quinn asked that the Council try to plan this meeting next week, and Mayor Pro tem Shanks said it is the intention of the Council now to meet with them next week.

Mayor Pro tem Shanks proclaimed the week of January 16-26, 1966 as "JAYCEE WEEK IN AUSTIN" and urged all citizens of the Community to give full consideration to the future service of the Junior Chamber of Commerce.

The Council recessed until 2:00 P.M.

RECESSED MEETING

2:00 P.M.

At 2:00 P.M. the Council resumed its business.

MR. MARVIN BERGSTROM requested to be heard before the Council on his zoning request on property at 1905-1909 Waterston. Mayor Pro tem Shanks stated the Council had looked at that particular property, and it was not ready to zone it yet, and wanted to give him the opportunity to withdraw this application, as the whole area should be studied. Mr. Bergstrom asked permission then to withdraw his zoning request. Councilman LaRue moved that the Council accept the withdrawal of the following zoning application:

MARVIN A. BERGSTROM	1905-1909 Waterston Street	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area NOT Recommended by the Planning Com- mission
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The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

The City Manager distributed a tabulation of bids received on the Coliseum Barn, stating they came in substantially higher than anticipated. He pointed out factors which resulted in the higher costs, stating there was \$6,450.00 for re-grading and resurfacing that must be done. The largest difference in estimates and the bid was \$3,048, but the \$17,150 estimate on the building was about half of the cost of last year's cost due to this addition's being about half the size of the barn constructed last year. Interest costs were not included in the estimate. The low bidder last year did not bid this year stating they lost money, and that could indicate last year's bid was too low. Comparing the estimate of one half of last year's addition at \$20,775.00 and the actual bid of \$43,148.00 the bids do not seem to be too much out of line. The paving will be done by City forces and deducted from the low bid. Councilman Long moved that the Council award the bid to A. W. BRYANT CONSTRUCTION COMPANY for their adjusted low bid of \$36,698. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

The Director of Public Works stated the paving probably could be done for

around \$2500. Councilman White did not want the appearance of the building changed by substituting a different siding.

The City Manager reported receipt of a letter from Mr. Sanford Baumann, Congregation of Beth Israel inquiring about the purchase of land at West 38th Street and Shoalcreek, but he did not feel that now is the time to sell this property. Councilman Long stated she too had told Mr. Baumann the Council was not ready to make any disposition of this.

The City Manager said the City Attorney had a matter involving some lots on 51st Street in connection with the Airport. The City Attorney stated two improved lots need to be acquired. Mr. Etheredge and his mother-in-law Mrs. Fentrup own these two lots, 100 x 425' and they want to acquire one of the City's lots in Marlow Heights. The property left out of the two lots would be suitable for their purpose. Appraisals had been made on the properties involved, and there is a signed contract for \$16,778 and the City lot. Councilman LaRue stated he wanted to go look at these properties, and action was deferred on this transaction.

The City Manager had a memorandum from MR. TOM PERKINS stating in connection with the Central Texas Boat and Travel Show, co-sponsored by the Highland Lakes Tourist Association, and the Central Texas Marine Trades Association, they would like to conduct a 30 minute boat exhibition on Town Lake in front of the Auditorium from 12:30 P.M. to 1:00 P.M., Saturday and Sunday, January 22nd and 23rd. There would be only two boats involved and they would be in the water only during the time requested. The exhibitions would be free. Councilman LaRue moved that they be authorized the use of the lake for this one-half hour event. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager stated that last week the Council asked for reports on some of the pending cases, and asked if they wanted to wait until the Mayor returned. Members indicated they would.

The City Manager called attention to the filing of the Street Paving Report.

The City Manager stated the Council was aware of the amendment passed by Congress to permit 50-50 participation by the Federal government in open space. Several applications need to be revised to proceed on the 50% participation.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Title VII of Housing Act of 1961, as amended, provides for the making of grants by the Housing and Home Finance Administrator to States and

local public bodies to assist them in the acquisition and development of permanent interest in land for open-space uses where such assistance is needed for carrying out a unified or officially coordinated program for the provision and development of open-space land as a part of the comprehensively planned development of the urban area; and,

WHEREAS, the City of Austin, hereinafter sometimes referred to as "Applicant" desires to acquire and develop fee simple title to certain land known as the American Legion Tract and containing 3.59 acres of land out of the George W. Spear League, which land is to be held and used for permanent open-space for an extension to the park area of Eilers Park, containing Deep Eddy Swimming Pool; and,

WHEREAS, Title VI of the Civil Rights Act of 1964, and the regulations of the Housing and Home Finance Agency effectuating that title, provide that no person shall be discriminated against because of race, color, or national origin in the use of the land acquired and/or developed; and,

WHEREAS, it is recognized that the contract for Federal Grant will impose certain obligations and responsibilities upon the Applicant and will require among other things (1) assurances that families and individuals displaced as a result of open-space land projects will be relocated into decent, safe and sanitary housing, (2) compliance with the Federal Labor Standards; and (3) compliance with Federal requirements relating to equal employment opportunity; and,

WHEREAS, it is estimated that the cost of acquiring said interest will be Fifty Thousand Six Hundred Dollars (\$50,600.00); and,

WHEREAS, there will be no demolition costs nor relocation costs for the reason that the site is unoccupied;

NOW THEREFORE,

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

1. That an application be made to the Housing and Home Finance Agency for a grant in an amount authorized by Title VII of the Housing Act of 1961, as amended, which amount is presently estimated to be Twenty-Five Thousand Three Hundred Dollars (\$25,300.00) and that the applicant pay the balance of the costs from other funds available to it.

2. That W. T. Williams, Jr., City Manager, is hereby authorized and directed to execute and file such application with the Housing and Home Finance Agency, to provide additional information and to furnish such documents as may be required by said Agency, to execute such contracts as are required by said Agency, and to act as the authorized correspondent of the Applicant.

3. That the proposed acquisition and development is in accordance with plans for the allocation of land for open-space uses, and that, should said grant be made, the Applicant will acquire, develop, and retain said land for the uses designated in said application and approved by the Housing and Home Finance Agency.

4. That the United States of America and the Housing and Home Finance Administrator be, and they hereby are, assured of full compliance by the Applicant with regulations of the Housing and Home Finance Agency effectuating Title

VI of the Civil Rights Act of 1964.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Title VII of Housing Act of 1961, as amended, provides for the making of grants by the Housing and Home Finance Administrator to States and local public bodies to assist them in the acquisition and development of permanent interest in land for open-space uses where such assistance is needed for carrying out a unified or officially coordinated program for the provision and development of open-space land as a part of the comprehensively planned development of the urban area; and,

WHEREAS, the City of Austin hereinafter sometimes referred to as "Applicant" desires to acquire and develop fee simple title to certain land known as the Roberta P. Dickson Tract and containing Lots 10-21 of the Chalmers Addition in the City of Austin, Travis County, Texas, which land is to be held and used for permanent open-space for picnic and play areas; and,

WHEREAS, Title VI of the Civil Rights Act of 1964, and the regulations of the Housing and Home Finance Agency effectuating that title, provide that no person shall be discriminated against because of race, color, or national origin in the use of the land acquired and/or developed; and,

WHEREAS, it is recognized that the contract for Federal grant will impose certain obligations and responsibilities upon the Applicant and will require among other things (1) assurances that families and individuals displaced as a result of open-space land projects will be relocated into decent, safe and sanitary housing, (2) compliance with the Federal Labor Standards; and (3) compliance with Federal requirements relating to equal employment opportunity; and,

WHEREAS, it is estimated that the cost of acquiring said interest will be Fifty-One Thousand Three Hundred Dollars (\$51,300.00); and,

WHEREAS, there will be no demolition costs nor relocation costs for the reason that the site is unoccupied;

NOW, THEREFORE,

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

1. That an application be made to the Housing and Home Finance Agency for a grant in an amount authorized by Title VII of the Housing Act of 1961, as amended, which amount is presently estimated to be Twenty-Five Thousand Six Hundred and Fifty Dollars (\$25,650.00) and that the Applicant pay the balance of the costs from other funds available to it.

2. That W. T. Williams, Jr., City Manager, is hereby authorized and directed to execute and file such application with the Housing and Home Finance

Agency, to provide additional information and to furnish such documents as may be required by said Agency, to execute such contracts as are required by said Agency, and to act as the authorized correspondent of the Applicant.

3. That the proposed acquisition and development is in accordance with plans for the allocation of land for open-space uses, and that, should said grant be made, the Applicant will acquire, develop, and retain said land for the uses designated in said application and approved by the Housing and Home Finance Agency.

4. That the United States of America and the Housing and Home Finance Administrator be, and they hereby are, assured of full compliance by the Applicant with regulations of the Housing and Home Finance Agency effectuating Title VI of the Civil Rights Act of 1964.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Title VII of the Housing Act of 1961, as amended, provides for the making of grants by the Housing and Home Finance Administrator to States and local public bodies to assist them in the acquisition and development of permanent interest in land for open-space uses where such assistance is needed for carrying out a unified or officially coordinated program for the provision and development of space land as a part of the comprehensively planned development of the urban area; and,

WHEREAS, the City of Austin, herein sometimes referred to as "Applicant" desires to acquire and develop a recreational reserve of 3,753 acres on Decker Creek in Travis County, which land is to be held and used for permanent open-space land for uses detailed in the application; and,

WHEREAS, Title VI of the Civil Rights Act of 1964, and the regulations of the Housing and Home Finance Agency effectuating that title, provide that no person shall be discriminated against because of race, color, or national origin in the use of the land acquired and/or developed; and,

WHEREAS, it is recognized that the contract for Federal Grant will impose certain obligations and responsibilities upon the Applicant and will require among other things (1) assurances that families and individuals displaced as a result of open-space land projects will be relocated into decent, safe and sanitary housing, (2) compliance with Federal Labor Standards; and (3) compliance with the Federal requirements relating to equal employment opportunity; and,

WHEREAS, it is estimated that the cost of acquiring fee simple title to the above described land is One Million Four Hundred Eleven Thousand Eight Hundred and Sixty-Five Dollars (\$1,411,865.00); and

WHEREAS, it is estimated that the total amount of relocation payments to be made to eligible site occupants displaced from property to be acquired will be Seven Thousand Four Hundred Dollars (\$7,400.00);

Now, Therefore,

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

1. That an application be made to the Housing and Home Finance Agency for a grant in an amount authorized by Title VII of the Housing Act of 1961, as amended, which amount is presently estimated to be Seven Hundred and Five Thousand Nine Hundred Thirty-Two and 50/100 Dollars (\$705,932.50) and that the Applicant will pay the balance of the costs from other funds available to it.

2. That W. T. Williams, Jr., City Manager, is hereby authorized and directed to execute and file such application with the Housing and Home Finance Agency, to provide additional information and to furnish such documents as may be required by said Agency, to execute such contracts as are required by said Agency, and to act as the authorized correspondent of the Applicant.

3. That the proposed acquisition and development is in accordance with plans for the allocation of land for open-space uses, and that, should said grant be made, the Applicant will acquire, develop, and retain said land for the uses designated in said application and approved by the Housing and Home Finance Agency.

4. That the United States of America and the Housing and Home Finance Administrator be, and they are hereby, assured of full compliance by the Applicant with regulations of the Housing and Home Finance Agency effectuating Title VI of the Civil Rights Act of 1964.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

MR. M. D. GIBBONS, who had been with the Fire Department 28 $\frac{1}{2}$ years was retiring Saturday at noon. He was having a coffee for his friends, and he wanted to invite the Council and Administration to come by and have a cup of coffee with him. Engine 11, Kinney Avenue.

After explanation of the agreement with the Highway Department and the City, that the Highway Department installs the lighting equipment, and the city provides the electricity, Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the certain agreement dated January 13, 1966 between the State of Texas and the City of Austin for the installation, construction, existence, use, operation and maintenance of certain highway illumination located on approaches to Montopolis Interchange (Highway Loop 111, Loop 343, and U. S. 183) in the City of Austin, be, and the same is hereby approved; and that W. T. Williams, Jr., City Manager, is hereby authorized to execute said agreement on behalf of the City of Austin and to transmit the same to the State of

Texas for appropriate action.

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

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

Ayes: Councilmen LaRue, Long, White, Mayor Pro tem Shanks

Noes: None

Absent: Mayor Palmer

The Council adjourned subject to the call of the Mayor.

APPROVED

LaRue & Palmer
Mayor Pro tem

ATTEST:

Bessie Woolley
City Clerk