

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 22, 1966  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

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

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

Invocation was delivered by REVEREND LOYCE ESTES, First Cumberland Presbyterian Church.

Councilman LaRue moved that former Councilman BOB ARMSTRONG be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

MR. ARMSTRONG gave statistics of traffic accidents, death, injuries, and amount of property damage that had occurred this year. He outlined the program of the AUSTIN SAFETY COUNCIL, in which it is asking people to sign a safe driving pledge and place safety stickers on their cars. Each member of the Council purchased a Safety Pledge. Mr. Armstrong explained that GOVERNOR CONNALLY was concerned that Austin have a Safety Council and had sponsored this committee. Councilman Long read a communication proposing that the Council appoint a Safety Council, and listed a number of violations that should be considered--speeding, weaving in and out, tail board driving, improper left turning, etc. Councilman Long moved that this group of interested citizens be officially added to the Austin Safety Council Committee which is now in existence. The citizens are as follows:

MRS. S. B. RICKS  
MR. DAVID LAMME, SR.  
MR. LOUIS RICHTER  
MR. JIM KUHN  
MR. JOE LYONS  
MR. CHARLES VILLASENOR  
MR. BOB ARMSTRONG

MR. JOHN BARCLAY  
MR. JIM RUTLAND  
MR. WALTER KOCH  
MR. JAMES CLAY  
MISS BIRDIE LEIGH EVA  
MR. FRANK EVANS  
MR. ROOSTER ANDREWS

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

Mayor Palmer expressed gratitude for this group so concerned about this matter, and commended the Safety Council for the items listed on the pledge. He said the Traffic and Transportation Department tries to do everything possible in making the streets safe for the drivers but the drivers must be kept aware of safe driving. Councilman Shanks reported Mr. Armstrong had put tireless hours of work in preparing this, and commended Mr. Armstrong for this program that is just starting, and that will be far reaching. Councilman Long noted the "sticker" now had Council backing. Mr. Armstrong said it was planned to show weekly on a marquee the number of accidents, personal injuries, etc. If the City has the space, the Safety Council hopes to have a number of the marquees in prominent places, to remind the people continuously.

Councilman LaRue moved that the Minutes of the Meeting of November 3, 1966, be approved. The motion, seconded by Councilman White, carried by the following vote:

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

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 3.87 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE S. J. WHATLEY 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.

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 December 8, 1966 at 10:30 A.M. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain easements were granted to the City of Austin for public utility purposes, in, upon and across part of Lots 31 and 32, Sunset Hill Enfield, 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 Sunset Hill Enfield of record in Book 3 at page 164 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 portions of said easements; and,

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

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

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

Three (3) strips of land, each of the said three (3) strips of land being five (5.00) feet in width and each being out of and a part of Sunset Hill Enfield, 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 Sunset Hill Enfield of record in Book 3 at Page 164 of the Plat Records of Travis County, Texas, the strips of land hereinafter described as Number 1 and Number 2 being out of and a part of Lot 32, and the strip of land hereinafter described as Number 3 being out of and a part of Lot 31, said Sunset Hill Enfield; each of said three (3) strips of land five (5.00) feet in width being more particularly described as follows:

NUMBER 1: BEING all the west 150.00 feet of the north five (5.00) feet of said Lot 32, Sunset Hill Enfield.

NUMBER 2: BEING all the west 150.00 feet of the south five (5.00) feet of said Lot 32, Sunset Hill Enfield.

NUMBER 3: BEING all the west 150.00 feet of the north five (5.00) feet of said Lot 31, Sunset Hill Enfield.

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

The City Manager said there was a copper shortage last spring, and quite a bit of scrap copper had been accumulated with the thought that scrap copper might be used in trade in kind for more copper that could be used in the electric system, but the dealers of copper conductors do not make any kind of trade. He suggested disposing of the scrap copper, and asked for a suggestion how the Council would like to proceed. Councilman Long moved that the scrap copper be put up for bids and that all the known dealers here and the large ones that might be known, be notified; and that advertisements be made in the paper. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager submitted the following:

"November 17, 1966

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

SUBJECT: Bids for Automotive Replacement Batteries for a twelve (12) months period for all departments.

"Sealed bids were opened in the office of the Purchasing Agent at 2:00 P.M. November 16, 1966 for the estimated quantities of Automotive Replacement Batteries for a twelve (12) months period beginning December 1, 1966 and ending November 30, 1967.

"Bids were advertised in the Austin American-Statesman on Sunday, October 30 and Sunday, November 6, 1966. Invitations to bid were mailed to all firms who have bid in the past and all other known prospective bidders.

"The only bid received is as follows:

	<u>"Net Total</u>	<u>Brand</u>
Austin Battery and Electrical Co.	<u>\$7,288.51</u>	Continental

"Austin Battery & Electrical Company has our present contract with Continental Batteries and the service and quality has been satisfactory. The price obtained on this bid using present estimated quantities is \$284.20 lower than the price obtained on the bid last year.

"This tabulation is submitted with the apparent low bid meeting the City of Austin specifications and conditions underscored. "

Councilman Long inquired about any particular limitations that would keep anyone else from bidding. The City Manager stated a report on their inquiries to the bidders had been sent to the Council. It seems this price is extremely good, and these other generally feel they could not compete with the price.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin for automotive replacement batteries for a twelve (12) months period for all departments; and,

WHEREAS, the bid of Austin Battery and Electrical Company, in the sum of \$7,288.51, 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 Battery and Electrical Company, in the sum of \$7,288.51, 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 Battery and Electrical Company.

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

The City Manager submitted the following:

"November 21, 1966

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

"SUBJECT: Bids on fifteen (15) 900 KVAR and five (5) 1200 KVAR, 7200 Volt Pre-assembled, Cluster Mounted Capacitor Banks.

"Sealed bids were opened in the office of the Purchasing Agent at 2:00 P.M. November 15, 1966 for fifteen (15) 900 KVAR and five (5) 1200 KVAR, 7200 Volt, Pre-assembled, Cluster Mounted Capacitor Banks for Electric Distribution.

"The bids received are as follows:

	900 KVAR, 7200 Volt, Pre-assembled, Cluster Mounted Capacitor Banks 15 Ea.	1200 KVAR, 7200 Volt Pre-assembled, Cluster Mounted Capacitor Banks 5 Ea.
	Net Total	Net Total
D.H. Dashiell Company (Westinghouse)	\$25,740.00	\$10,755.00
Federal Pacific Electric Company (Federal Pacific)	\$25,740.00	\$10,755.00
Priester-Mell Company (Sangamo)	\$25,875.00	\$10,800.00
Sterett Supply Company (Line Material)	\$25,740.00	\$10,755.00
Allis-Chalmers Manufacturing Co. (Allis-Chalmers)	<u>\$25,425.00</u>	<u>\$10,575.00</u>
Graybar Electric Company (General Electric)	\$25,740.00	\$10,755.00
General Electric Company (General Electric)	\$25,740.00	\$10,755.00

"This tabulation is submitted with the apparent low bid meeting the City of Austin specifications and conditions underscored."

Councilman Long stated there were some identical bids. Councilman Long moved that these bids be sent to the Attorney General for his information. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 15, 1966, for fifteen (15) 900 KVAR and five (5) 1200 KVAR, 7200 Volt Pre-assembled, Cluster Mounted Capacitor Banks; and,

WHEREAS, the bids of Allis-Chalmers Manufacturing Co. in the sum of \$25,425.00 for the fifteen (15) 900 KVAR, 7200 Volt Pre-assembled, Cluster Mounted Capacitor Banks, and in the sum of \$10,575.00 for five (5) 1200 KVAR, 7200 Volt Pre-assembled, Cluster Mounted Capacitor Banks, were the lowest and best bids therefor, and the acceptance of such bids 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 bids of Allis-Chalmers Manufacturing Co. as above set out, 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 said Allis-Chalmers Manufacturing Co.

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

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

Noes: None

The City Manager submitted the following:

"November 21, 1966

"To: Mr. W. T. Williams, Jr., City Manager Subject: Fire Station No. 19  
Tabulation of Bids

"We are transmitting herewith copies of bid tabulation dated November 18 for Fire Station No. 19 along with a letter of recommendation from Mr. John Chiles Allen, Architect.

"The low bidders are as follows:

C. Ben Hibbetts	\$30,989.00
Fox-Schmidt Company	\$ 6,513.00
H. L. Arnold Company	\$ 3,551.00
J & J Electric Company	\$ 8,268.00
	<hr/>
	\$99,321.00

"Comparing building area cost with Station 18 which was bid three years ago, we find the following comparison:

Station 18     \$18.15 per square foot including site work

Station 19     \$17.60 per square foot including site work

"The site work in each case was comparable. The effective area of Station 19 is 25% greater than that of Station 18.

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"Considerable effort was made to reduce the amount of detail work in this station as compared with the last one and this is reflected in a slightly lower square foot cost in spite of the price increases over the last three years. The Architect had hoped to obtain a price in the range of \$32,000, but this did not materialize.

"We join with Chief Dickerson and Mr. Allen in recommending the award of the contracts to the low bidders listed above.

"Chief Dickerson advises that funds are available for this project.

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

"November 18, 1966

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

"Dear Mr. Williams:

"Herewith is a tabulation of the bids received for construction of Fire Station No. Nineteen, 5225 Balcones Drive, Austin, Texas.

"I have personally verified each of the four low bidders and feel that I can recommend them to you; and do hereby recommend acceptance of these proposals.

"The aggregate of the bids is Ninety-nine Thousand, Three Hundred and Twenty-one (\$99,321.00) Dollars.

"Thank you for your consideration.

"Sincerely,  
s/ John Chiles Allen  
John Chiles Allen, A.I.A."

"BID TABULATION -FIRE STATION NO. 19 - CITY OF AUSTIN - November 18, 1966

NAME OF BIDDER	Days	Bid G'ty.	Add R'cd.	General Construct'n.	Plumb- Heating	Electrical	Combination Bid
W.D.ANDERSON	210	x		\$95,600.00			
A.W. BRYANT	190	x	x	\$93,576.00			
C. & H. CONSTRUCTION CO.	210	x	x	\$94,493.00			
DOKE CONSTRUCTION CO.							
GIBBS FRANKI							
*C.BEN HIBBETTS	200	x	x	\$80,989.00			\$100,222.00
FRANK R. RUNDELL							
BROUGHER PLUMBING CO.	GC/10	x	x		\$7,647.00		
CAPITOL PLUMBING & HEATING CO.		x	x		\$6,530.00		
*FOX-SCHMIDT.CO.	GC/15	x	x		\$6,513.00	\$4,393.00	\$10,300.00

'NAME OF BIDDER	Bid Days	Add G'ty.	General R'cd.	Con-struct'n.	Plumb-ing	Heating	Electrical	Combina-tion Bid
STRICKLAND								
PL'BG & H'TG CO.								
B. & B. ELECTRIC CO.	GC/15	x	x					\$8,800.00
GILBERT ELECTRIC CO.								
*J. & J. ELECTRIC CO.		x	x					\$8,268.00
LONE STAR ELECTRIC CO.								
LAMB ELECTRIC CO.	GC/10	x	x					\$10,687.00
TECAPA ELECTRIC CO.								
*H.L. ARNOLD CO.	GC/10	x	x					\$8,960.00
						\$6,660.00		
						\$3,551.00		\$10,186.00

Councilman Long inquired about a combination bid. It was stated Mr. Hibbetts' combination bid was higher. Councilman Shanks asked about the method of heating. The City Manager stated it would be electrical heating.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 18, 1966, for the construction of Fire Station No. 19; and,

WHEREAS, the bid of C. Ben Hibbetts, in the sum of \$80,989.00, for General Construction; the bid of Fox-Schmidt Company, in the sum of \$6,513.00, for Plumbing; the bid of H. L. Arnold Company, in the sum of \$3,551.00, for Heating; and the bid of J & J Electric Company, in the sum of \$8,268.00 for Electrical work, were the lowest and best bids therefor, and the acceptance of such bids has been recommended by the Supervising Engineer, Construction Engineering Division of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bids of C. Ben Hibbetts, Fox-Schmidt Company, H. L. Arnold Company and J & J Electric Company, 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 said companies.

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



The City Manager made a report on the lowering of the lake in March, as March would be the most suitable as far as the City's scheduling was concerned, and it was a satisfactory period for the L.C.R.A. As to the fishing, Mr. Marion Tbole, State Park and Wild Life Service, reported this date would not affect the spawning season which occurs in May. Councilman Shanks moved to start lowering the lake on March 1st and start filling it on March 31st. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Discussion was held on the better time for killing the weeds. The City Manager stated some years ago there was some theory that hard freezes would kill the weeds, but it has been found now the temperature has no effect on killing these weeds. Councilman Long stated next year she was not going to vote to spend \$22,000 to lower Lake Austin with the supposition that this might kill the moss.

MAYOR PALMER opened the hearing on requested Taxi Cab rate increases. MR. ROBERT SNEED representing the Yellow Cab and Checker Cab Companies stated all records relating to taxi cabs must be filed with the City by each company every month, showing gross income and all of the expenses paid by the individual Taxi Cab Company. For the first 11 months of the fiscal year his clients had sustained a loss of \$54,000. The driver of the cab receives 42% of what he takes in. Two percent of the total gross income is paid to the city, plus Social Security payments, or approximately 47% of every dollar taken in. The balance is paid for costs of furnishing the automobiles, radio, gasoline, insurance, etc. The rate projection after the 47% was taken into account, would mean only \$53,000 to the company, it still being in a slightly loss position, but hoping as the City grows, the loss would be off set. Under this new management, these two companies realized a reduction of about 25% in the number of accidents resulting from the operation of these taxis. The Mayor discussed the basis upon which rate increases should be determined, stating the rate should yield a fair return on the investment of the operator. Mr. Sneed reviewed the statements filed and discussed in detail with the Council Members particular points of the statements. Councilman Long asked if sworn testimony could be provided on those figures, including those on the new radio system and air conditioning. Mr. Sneed said the reason he had not furnished that, was the statements are filed monthly and presented to the City, but they would furnish (1) additional supplement and affidavit to be attested by an officer of the company that these statements are true and correct; (2) a statement by Mr. Ramsey that the figures had been prepared by him, or under his direction, in accordance with the ordinance; and (3) a statement on capital investments. Councilman White was uncertain about an answer to a question he had asked in that it would cost 45 cents to ride from the City Hall to the Capitol; also that it would cost 45 cents to ride from the City Hall to the Avenue. Mr. Sneed explained by comparing the taxi cab rate with a drive-it-yourself car rate, where there was a base price of renting a car plus a rate per mile. The taxi cab companies received approximately the same rate for the company's portion per mile, but not the basic charge. The minimum is just a cost basis of doing business. The percentage increase was figured two ways, one at about 25% and one at 30.2%.

MR. GEORGE KNOX, representing Harlem Taxi, said he would file the same type of information concerning his company as Mr. Sneed was preparing.

MR. FRANK DENIUS, representing Mr. Velasquez, Roy's Taxi, added to Mr. Sneed's presentation that the requested rates were in line with other cities' in and out of Texas, according to population, and the rate requested by Yellow Cab and Checker Cab Companies is appropriate for the other companies. He pointed out there was a substantial improvement of the cabs in the last few years; they are air conditioned and upgraded. Efficiency in driving has resulted in a decline of insurance rates. Expanding costs of operation, requirement of radios, and air conditioning add to costs of maintenance. He called attention to "dead hauls" which are expensive. MR. DENIUS said Mr. Velasquez would likewise furnish the Council the additional figures requested. Mr. Denius stated MR. RANDOLPH HAWKINS had expressed his favoring the proposed rate adjustment.

Mayor Palmer asked if the companies would supply the Council with the additional information it had requested, it would try to act on the request next week.

MAYOR PALMER opened the hearing on the limousine and sight seeing vehicles. MR. JOE MANOR, said since the Austin Transit Company was operating a sight seeing bus, he would like to withdraw that type of operation from his application. The City Attorney stated the ordinance as prepared would cover anyone in the sight seeing business, but not a publicly franchised bus. MR. MANOR said Funeral Homes were called on often for limousine service for special occasions and asked that this type of service be available in Austin as it is in other cities. Councilman Long wanted the "touring vehicle" deleted from this ordinance and explained her objections. It was pointed out if the rent-a-car companies supplied a driver, they would be covered by this ordinance. Mr. Manor explained he would not be in conflict with the taxi cab operators or Austin Transit system nor would be in the airport limousine service. His charge for limousine service would be a flat rate of \$25.00 for the first two hours and \$10.00 an hour thereafter. The City Attorney explained the difference in this service and that of the taxi cab and transit systems which, as public utilities, have no choice of accepting a passenger who is orderly and presentable. The limousine operation would be limited to the ability of the operators to provide the service. Councilman Long discussed the "touring vehicle" operation, and again said she would like to see that provision omitted. Mayor Palmer preferred leaving that in the ordinance. The City Attorney reported a request for providing a service between Bergstrom Field and several points in the City, and this applicant's operation would be covered by this "touring vehicle" provision.

MR. ROY BUTLER said the rent-a-car agencies had calls from elderly people or others who want to rent a car, but need a driver. Most of the rent-a-car services pay the City 10% of their proceeds, and this ordinance would take the established rent-a-car companies out of this business. It was explained a rent-a-car business, if a driver is not furnished, is not involved in this ordinance.

Mayor Palmer summarized the provisions for this limousine service, and the Council informally agreed on a 2% gross receipts tax; \$100/\$300,000 public liability and \$10,000 property damage.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 31 OF THE AUSTIN  
CITY CODE OF 1954 PERTAINING TO TAXICABS AND  
OTHER VEHICLES FOR HIRE BY ADDING THERETO A NEW

ARTICLE TO BE DESIGNATED ARTICLE IV PERTAINING  
TO LIMOUSINES AND TOURING VEHICLES, AND BY MAK-  
ING OTHER CHANGES NECESSARY TO MAKE SAID CHAPTER  
31 CONSISTENT WITH SAID NEW ARTICLE IV; AND DE-  
CLARING AN EMERGENCY.

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

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

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

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

The Council had before it consideration of the following ordinance:

AN ORDINANCE AMENDING CHAPTER 21 OF THE AUSTIN  
CITY CODE OF 1954 BY ADDING THERETO A NEW SECTION  
MAKING IT UNLAWFUL TO FRAUDULENTLY EXECUTE A CER-  
TIFICATE OF EMERGENCY AS PROVIDED FOR IN ARTICLE  
286a, SECTION 4a, TEXAS PENAL CODE; CONTAINING  
A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

Mayor Palmer asked if the articles listed followed the State Statute. The City Attorney stated the list was the same as set out in Article 286a of the State Statute. Councilman Long said she thought the ordinance was taking away from the general public rights and privileges to do and buy what they pleased when it was offered for sale; there is no emergency; and this was something the merchants wanted the Council and the Police Chief to try to make people not buy when their stores were not open. REV. ROGERS, Pastor Seventh Day Adventists, opposed the ordinance, as it carried a coloring of a religious law. MR. JOHN KAVANAUGH, J. R. Reed Music Company, said if this trend gets to where everyone has to stay open on Sundays, the employees will not have a choice as in the past when they worked 52-72 hours a week. Mr. Kavanaugh stated he was speaking from experience as an employee and as a manager. Councilman LaRue noted the word "trend" was being used; and that if the "trend" continued everyone would be staying open seven days a week. Councilman Long stated it would give more people jobs. Councilman Shanks noted good help was not available now. Councilman LaRue said this also would indicate additional services to be furnished by the City and an additional cost. If there is 24 hour service seven days a week by the merchants, the City will need to furnish additional protection, plus other city employees seven days a week to furnish their usual services. Councilman White referred to the ordinance which provided a list of items available for purchases upon emergencies, stating he saw nothing wrong with that.

The City Attorney stated the ordinance did not touch the subjects that were discussed at all. The only thing this ordinance purports to regulate, is the making of false certificates. The ordinance has only that one operative

feature. If there is a desire to change the Sunday closing law to limit it or enlarge it, or repeal it the place to do that would be before the Legislature.

The City Attorney submitted an additional draft of the ordinance, modifying the section, and reviewed this change, which defines "emergency purchases" and "welfare".

MR. WILLIAM ROTH read a prepared statement stating the Houston ordinance forced the closing of all retail outlets on Sundays, and giving preferential status to the Sabbath of most Christians over that of the Mohammedans and that of the Jews.

MR. JIM KUHN stated there was an existing State statute which lists the articles covered only under emergency sales conditions on consecutive Saturdays and Sundays; and enforcement has been effective through a city within the State. This was brought to the attention of the Council last week by the Better Business Bureau, hopefully that the City would support this State statute as it is on the books at the present time. Such an ordinance as proposed was effective in Houston, as the merchants there felt they should not put themselves in a position of placing their customers in jeopardy, and they decided to close on their own violation. MR. CHARLES HOWE was interested in setting out a certain day where the purchase of these articles was restricted. The City Attorney explained under the statute a store could take its choice. Mr. Howe said people familiar with this ordinance, and who were inclined to buy something on Sunday which would violate the ordinance could find a store closed on Saturday and open on Sunday, and buy these items. The City Attorney said they would not be in violation of the State law, nor city ordinance. Mr. Tom Leigh inquired about a newcomer to the city, who might not be familiar with this ordinance, and purchased one of these listed articles on Sunday. The City Manager explained this ordinance provides that if he were handed a certificate to sign, that he would not sign it unless he were telling the truth. If no certificate is handed to a purchaser to sign and he does not sign one, he has not violated this ordinance at all.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 21 OF THE AUSTIN CITY CODE OF 1954 BY ADDING THERETO A NEW SECTION MAKING IT UNLAWFUL TO FRAUDULENTLY EXECUTE A CERTIFICATE OF EMERGENCY AS PROVIDED FOR IN ARTICLE 286a, SECTION 4a, TEXAS PENAL CODE; CONTAINING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

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: 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: 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: Councilman Long

The Mayor announced that the ordinance had been finally passed.

Councilman Long made the following statement for the record:

"When the City Council sits up here and declares something as an emergency that is absolutely contrary to the best interests of the general public, that they are making a terrible mistake in using the emergency clause on these ordinances. I vote 'No'."

Councilman Shanks made the following statement concerning his vote:

"It is the humble opinion of the majority of the Council and not just one member, as to what constitutes an emergency and what does not. I vote 'aye'."

The Council recessed until 2:30 P.M.

RECESSED MEETING

2:30 P.M.

At 2:30 P.M. the Council resumed its business.

Councilman White moved that the firm of CAMPBELL & PATTERSON be appointed as the Architects for the Flight Training Center at Municipal Airport. The motion, seconded by Councilman Long, carried by the following vote:

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

The City Manager reported on the progress of negotiating for extension of the L.C.R.A. contract on Lake Austin stating the draft sent to the Council followed the existing contract, bringing it up to date. The present contract leases to the L.C.R.A. the Tom Miller Dam, the land where their office building is located and the power plant. The lease will expire December 31, 1970, unless it is extended. If it is not extended the City must buy the Power Plant and Dam at their depreciated values and must buy the office building at its appraised market value at the time. The depreciated value of the dam and power plant on January 1, 1971, will be \$1,410,000. The generating capacity is 15,000 KW. In 1970, if the lease had not been renewed and the facilities had been purchased, the City would pay \$94.00 per KW, for a 30 year old hydroelectric power plant. The City, operating this unit, could do so only at the time the

L.C.R.A. releases the water. The L.C.R.A. considers demands for water, for power, and the capabilities of all of the series of the dams, and then generates from the dam which good judgment dictates to them to use on a particular occasion. The City would have no choice. The plant, just to be used for stand by power, would have to be staffed around the clock, 365 days a year. With the L.C.R.A. operating the plant, it is available to the City for stand by power, now.

Councilman LaRue inquired about the cost per KW. The City Manager answered if there were a 50% load factor, which the City does not have in its system, electricity could be generated at that plant for about 3.2 or 3.3 mils. With a 25% load factor, it would be 6.4 mils. The cost to the City with steam, including depreciation and interest on the investment is about 4.2. In selling to the L.C.R.A. the City charges for the fuel cost, plus 1/2 mil as there are no other expenses, as the only electricity sold is the excess capacity in the machine, and the City makes 1/2 mil profit. That hydro unit would be the only one the City would have. The amount of water coming down the river is not adequate to permit the generation of electricity by those hydro units continuously. If the water were used on a continuous basis at full capacity, it would take only four months to drain all the lakes completely. The L.C.R.A. can not operate over a third of the time with the amount of rainfall. Taking that into account together with the fact there will be occasions the L.C.R.A. would release water, when the City would not be able to use it; and times when the City would need it and the L.C.R.A. could not release it, the City anticipates in its operation of the system it would not even have a 25% load factor, which means the cost of production of the KWH would be more than in the steam plants. The L.C.R.A. does operate the unit on a stand by basis; and under the interchange agreement the City not only sells to the L.C.R.A. but it sells to the City; but when the City is selling to the L.C.R.A., it carries the City's spinning reserve requirement in the Texas Power Pool. Councilman LaRue asked how much was it worth to the City to be relieved of the responsibility of this spinning reserve. The City Manager explained the spinning reserve requirement is 55% of the largest unit, which is 165 KV; and the City during the time it was selling to the L.C.R.A. would have to have an extra unit of that capacity. The L.C.R.A. does furnish this spinning reserve when the City is selling to it and also provides a standby for Blackout start-up. Councilman LaRue inquired what period of time the L.C.R.A. furnishes the spinning reserve while the City is furnishing it electricity. The City Manager stated about one-half of the time.

The City Manager said under the 1938 agreement, the City was obligated to buy from the L.C.R.A. firm standby power of 12,500 KW, at \$131,000 a year, and the City does not use it. This requirement serves no purpose now. The KW requirement was greater than the power demand of the City of Austin at the time this contract was made.

Councilman Long asked why was this being considered now, instead of in 1970. The City Manager said a new Water Treatment Plant is about to be constructed and the City needs to change the contract to permit taking more water from Lake Austin. The Mayor asked even if the City bought the dam, the water in Lake Austin would not be Austin's. The City Manager explained the water could be used and Lake Austin drained, but Austin could not expect L.C.R.A. to refill the lake. The City Manager said Austin has a state permit for appropriating 456,000 acre feet which could be taken out as it flowed by Austin, but it would not come by Austin if it were not for the L.C.R.A. reservoir. The City not only has to have a permit from the State to take the water, but it would have to pay for the water the L.C.R.A. had stored and made available when it was not otherwise available or build a reservoir. This new contract would provide 160

million gallons a day average and 320 million gallons a day peak.

Further reporting on the contract, the City Manager stated in addition to having to buy the plant, the City would have to buy the office building at its appraised value. It was constructed in 1949 at \$679,000. When the increase in cost of construction is taken into account along with depreciation, the appreciation could offset the depreciation, and the market value might be as much as the initial cost of construction, if not more. Councilman Shanks asked what could be done efficiently with this building. The City Manager said it would not be to the City's best interest to own it.

The City Manager stated there was not only an interchange agreement and the spinning reserve provision, but there is a "start-up" provision. It is necessary to have some kind of a unit on a standby basis that can start up the plant in case everything else blacks out; and hydro generators which are instantaneous are the most reliable for that purpose. This particular unit is right in the city limits, and it serves just as well for a start up for Austin as Austin's having its own plant. Under the new arrangement, that right would continue; and instead of paying for 12,500 KW per year whether it is used or not, the City would pay for 2,000 a year at a cost of \$21,600 instead of \$135,000.

The 320 million gallons per day peak and the 160 million gallons per day average, would provide Austin all of its water requirements to 2007, the term of this contract, and as long thereafter as the L.C.R.A. provided water, etc., at no expense to the city. If the L.C.R.A. has uncommitted water, the City would have the right to buy it at the then going price. The market value today is about \$9.00 an acre foot; reduced to gallons would be \$.03 a thousand. If the L.C.R.A. did not have a reservoir upstream, and if the City had to build reservoir capacity today to provide that assured water supply, it would cost \$150 million. In answer to Councilman LaRue's question about the water in Lake Austin, the City Manager said with the present take of water, Lake Austin would be drawn out in about four months. As long as Lake Austin is used as it is being used with a constant level, and for recreation, etc., it cannot be used as a reservoir, because if the City uses it as a reservoir, it takes more water out of it than goes into it. Also, Austin would have to maintain the normal flow of the river from the lake.

In answer to MAYOR PALMER'S inquiry about the water allocation, the City Manager said the contract would authorize 50,000 acre feet of water per year, in addition to the water that flows down the river from natural causes. Water can be taken under the permit as the water would naturally flow by Austin to the extent of the City's ability to take it out. When it is not coming downstream, the City could draw on the L.C.R.A. reservoir to the extent of 50,000 acre feet a year. He said this covered the amount of payment the City is making now for the 12,500 KW and the new arrangement which would permit taking only what was needed which would be only 2,000 KW for startup power. One of the advantages, if they relied solely on Tom Miller Dam for start up power, and something went wrong, they could call on the L.C.R.A. for whatever it had, to provide a start up for 2,000 KW. It could be a possibility this start-up might come from a source other than Tom Miller Dam.

In the present contract arrangements have been worked out between the City and the L.C.R.A. by which both would operate the respective systems in the most economical and efficient manner by staggering the installation of units. The L.C.R.A. would install a unit and carry the City for a short period of time,

and the City would install one and carry the L.C.R.A. and thus reduce the investment costs. That provision would be continued. Equipment taken down for preventive maintenance each three years would be scheduled when the L.C.R.A. units are operating and vice versa.

The new proposal would provide for joint use of right of way, and reduce the overall cost of right of way purchase. In the large transmission lines which are very expensive and which require steel towers, in most cases these towers could carry more than one circuit, and the same steel towers that carry the L.C.R.A. circuits could carry the City's. The new arrangement will provide on these 138 KV circuits that the cost of land acquisition for right of way and the construction costs of the towers be shared.

In addition to the water rights already mentioned, the new contract would provide also for the taking of water from the river to fill Decker Lake, initially, and as much water is needed. Water could be taken as it comes down by natural flow; but if water is needed at a time when there is no natural flow, the L.C.R.A. under this arrangement would release it, specifically for making it available for Decker Lake.

Town Lake was created for the purpose of providing cooling water for the generators. The water temperatures rise substantially, and the efficiency of the generators is affected. The L.C.R.A. will release water for the purpose of cooling Town Lake.

Councilman Long asked who drew this contract. The City Manager stated MR. SIM GIDEON, MR. G. E. SCHMIDT, MR. RAY LUCKSINGER, MR. MAC UMSTEAD for the L.C.R.A.; and MR. AL ULLRICH, MR. VIC SCHMIDT, MR. DEXTER KINNEY, MR. NORMAN BARKER, MR. DOREN ESKEW, and himself, for the City, had been negotiating this for about a year. Councilman Long asked about the L.C.R.A. advantages, and the City Manager stated the continuation of their lease. They are interested in expanding, and if the lease terminates and they lose their building, they will have to construct a new office building. If they lost the dam, the probability is they would locate their building in another City, nearer to where some of their operating facilities are located. They need to enlarge their building, and would like to know as soon as possible whether or not they are going to get an extension of the lease, so they can proceed with whatever they will do. The extension would give them more certainty as to the future operation. Councilman White asked if they did move out would that hurt Austin. The City Manager stated their office building was the control point for their whole system. If they lost the office building, the dispatching point for their whole system would have to be moved, and they have a substantial payroll.

Councilman LaRue was concerned over leaving the termination of the lease up to the L.C.R.A. after 2007. The City Manager stated this provision could be re-worded. Councilman Long asked about the restriction on enlarging the power plants on Town Lake. The City Manager said the L.C.R.A. was providing the release of water to lower the temperature in Town Lake provided the capacity of those power plants are not increased more than the amount already expected-- which is one more unit at Holly, and the upgrading of the units at Seaholm Plant. They will guarantee the lower temperature of water for this much expansion.

The City Manager stated anytime the L.C.R.A. failed to make available the 50,000 acre feet of water, etc., as provided, this contract would come to an end, and the City would get the dam and facilities back at that time without paying any compensation at all.



Councilman Long asked about the advantages to the City in this new contract. The City Manager stated beginning in 1971, the City would reduce its payment to the L.C.R.A. for electricity every year for a stand by payment from \$135,000 to \$21,600. The power pool would not be affected in any way. Under the working arrangement, it is mutually understood that they would provide spinning reserve for other members of the area, and each who is a member provides spinning reserve. Councilman Long said the City would still have its assurance of this spinning reserve in case of a black out. The City Manager stated if the whole Texas power pool went out, the City would get its start up power right out here at the L.C.R.A. but this contract expires in 1970. Councilman White asked why this extended contract could not be terminated in 2007 by the City. The City Manager said the wording could be changed, as it was not the intent that it could not be terminated.

Councilman LaRue noted over the period of the extended contract to 2007, the City would be \$4,070,000 better off under that contract than under the present one. The City Attorney stated in addition there would be \$1,500,000 a year worth of water for 37 years, over the normal flow. Councilman Long stated there would be a charge for the power pool stand by. The City Manager said no one paid the power pool anything except when one actually uses the energy, and then the energy charge is paid. The contract now provides and will continue that dump power can be purchased during flood periods for one mil.

The City Manager stated he wanted to bring this to the Council's attention. The City is in the position of needing to enlarge its capability of taking water from Town Lake, either by gift or by purchase. It is necessary to have the water, not only for the new Power Plant but for the old one. The capacity in the Mt. Bonnell location is 40,000,000 gallons a day. Hydraulically, 60-80,000,000 can be put through it in a day.

COUNCILMAN SHANKS noted the amiable relationship between the L.C.R.A. and the City, and he would be in favor of not taking the dam and building back and running the L.C.R.A. out. He favored working out some arrangement similar to this proposed contract.

The City Manager reported there are two units at Mount Bonnell, and another unit planned which will increase the capacity by another 50%. This would mean 120,000,000 gallons a day, and the three plants will be capable of producing 50% in excess. The City is already exceeding its take under the contract, and that has to be resolved. The Federal people want this question resolved before they put up their \$1,500,000 grant. He said they would like to review this with the Council from time to time and do whatever is necessary, so authority can be obtained to execute this contract or something else before the first of January. Councilman White stressed remedying the cancellation clause, if it is such that the L.C.R.A. can cancel it, but the City cannot. The City Manager said that would be no problem. The City Manager reported the L.C.R.A. Board had approved this contract informally, and the City would like to conclude the matter by the first of January, as it is in a position now of having to report to the Housing and Urban Development. The City will be taking water from Town Lake by next spring or early next summer.

Councilman Shanks asked what was the next step. The City Manager stated the Council might like to discuss it further; and during the week end he and others would take up with Mr. Gideon the rewording of the provision which Councilman LaRue, Councilman Long and Councilman White were concerned about. If that one provision was all that needed to be reworded, they were ready to proceed; and if there are other suggestions the Council might have, they would like

to have them. MAYOR PALMER asked that this one specified paragraph be reworded by next week, and each member of the Council would study the contract carefully and go over it again next Thursday.

The Council had before it renewing a lease of the Civil Air Patrol for space on the Airport. The City Manager read a memorandum from the Director of Aviation. Councilman Long suggested that this be taken up next week when Colonel Murphy was present.

Councilman Long inquired if the location at 1907 East 13th Street were in the Glen Oaks Area. The Planning Director said this address was not in any designated area project. Councilman Long said the owner was 94 years old and wondered if he would be disturbed by Urban Renewal. The Planning Director said an east-west expressway was planned in the vicinity, but this particular location would not be involved in the expressway either.

The Council had before it the request of KLRN for tower and building space in the Center Street Service Center. The Planning Director stated KLRN would share the use of the tower and the building at the Service Center. This location will take the place temporarily of the site at Spicewood Springs, which they had to change for the time being. Councilman Long moved that the City Manager be authorized to enter into a contract, and let KLRN pay \$25.00 a month rental. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Mayor Palmer introduced the following ordinance:

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

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

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

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

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

by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH AUSTEX DEVELOPMENT CO., LTD. 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 LaRue, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

MAYOR PALMER stated Mr. Henry Moore, 501 East 11th Street registered a protest regarding the paving of the alley between Red River and Neches; 10th and 11th Streets. It was reported the Council declared the necessity to pave that alley, and this will be followed through later with an assessment proceeding, and Mr. Moore will be notified. The Director of Public Works reported the voluntary paving dead line would be the next day; and if Mr. Moore would get his money in by tomorrow, he could come under the voluntary paving program. MAYOR PALMER asked that the Director of Public Works contact Mr. Moore and explain that the Council had declared the necessity of paving; and he would have until tomorrow, November 23rd, to get his money in on a Voluntary Paving basis.

The City Manager said copies of the report on the count down signal were sent out with the Agenda. In summary, the City Manager said the Traffic and Transportation Engineer recommended that this be held awhile and see what develops. The Mayor stated this had not been approved yet by the Highway Department.

Councilman Long inquired of the Building Official of the status of a special permit granted the Hardin brothers in the 4600 block of Burnet Road for a cat and dog hospital. Very strict rules as to how this property was to be developed were set out. The Building Official reported the Hardin brothers were granted a special permit for a pet hospital, and quarters for a caretaker. This never developed, and the Hardin brothers sold the property to MR. WARREN SMITH, who obtained a permit for a two story office building, which eliminated the special permit. The second story will be occupied by some state agency. Mr. Smith will use the south half of the downstairs for his retail TV-Radio Shop, and the north half to be used for a pet shop, which would include grooming. A pet shop is permitted in a General Retail, and the zoning of this location is "C" Commercial. This pet shop operation includes selling of small pets, and grooming, but no boarding or outdoor runs. From a zoning standpoint, the operation is legal. The special permit has been voided. Councilman Long stated two property owners were under the impression the upstairs would be used for animals to run loose and that there would be a hospital there. The Building Official reported this was not the case. He had talked with the ladies, the architect and the owners. Councilman Long said she would call these people and let them know.

The City Manager reported a communication from the Austin National Bank reminding the Council that at 5:00 P.M. today, there would be the reception for the Bergstrom Air Force Base Officials.

The City Manager had an announcement from the Governor regarding the Tourist Development Conference which is taking place today. It is being held at the Terrace Motor Hotel.

The City Attorney had an offer to lease for \$200.00 a month, the property at 27th and Guadalupe, which is now being leased for \$250.00 per month. The offer was for a minimum period of five years for Magnivest of Texas, Inc. It was pointed out the lessee placed the improvements on this property, and if it were turned back to the City, the improvements would become property of the City also. Councilman White reported that the 18' right of way could be taken at any time the City wanted it. Councilman Long moved that MR. CHRIS CROW who made this offer be informed that the property is now under lease, and that he be thanked for his offer, but the City would wait until further notice from the present tenants before it made any move. The motion, seconded by Councilman White, carried by the following vote:

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

The City Attorney showed on a sketch the Hart, Harrison and Adams tract on Lamar Boulevard, between 24th and 25th, acquired by the City about a year ago. LaCanada Apartments, 1300 West 24th Street, want to lease a 60 x 150' strip adjacent to the alley way, and pave the first 24' of the strip now, and the balance as needed. They offered to pay \$120.00 a year for the strip. He said if the Council would like to place a figure that it would be leased for per month, they would begin to find a lessee. Councilman Shanks stated \$100.00 per month was a suitable rental. The City Attorney said they would contact the people to see if they would pay more.

The City Attorney reviewed the request of MR. TAKACS to operate a bus from Bergstrom Field to downtown Austin via Highway 71 to 7th Street, then to 8th Street at Highway 35, and terminate at a point between Red River and Congress on 8th Street, returning to Bergstrom along the same route. He would operate Monday through Friday from 6:00 P.M. to 1:30 A.M.; and on Saturday and Sunday from noon until 1:30 A.M. Service would be available only to service men and civilian employees at Bergstrom. He will make one stop at 7th and Comal and no other stops. He will have an 11 passenger bus. Mr. Takacs says he has permission from Bergstrom Air Force Base. Councilman White discussed the franchise with the Austin Transit Company, and the one which Father Underwood has in furnishing a bus from Montopolis area to meet the Austin Transit Bus at San Saba. Councilman Long moved that the City Manager be asked to investigate with the Transit Company and report back, and make further investigation here. The motion, seconded by Councilman White, carried by the following vote:

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

The City Attorney reported there was a residential lot the City had to acquire in South Austin on West Annie for the purpose of widening the street. People are expressing interest in acquiring this lot since the street widening. All departments have indicated no need for this lot. Some houses are being advertised for sale, and the City Attorney asked if the Council would like to include the advertisement of this lot on West Annie between Newton and South 1st Street. Councilman LaRue moved that this lot be included in the next advertisement for sale of houses and lots. The motion, seconded by Councilman Long, carried by the following vote:

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

Councilman Long stated the Council drove by Parkway, where the City had moved several houses in connection with the 15th Street expressway. The area is in bad condition with debris, old lumber, and it should be cleared off and made beautiful. The City Manager stated it had been hoped that this would be under contract by now. The Director of Public Works said they were working on these lots now, clearing trees, limbs, and leaves; concrete and rock were left to be used in the fill.

Councilman Long asked if the report on the request of the Hope House for a location were ready. They had been denied one house the City had for rent. The City Manager reported they require a sizable house and lot that would accommodate 22 children, and a suitable one had not been found so far that was available. The use they wanted to make of the house they had found would have been in violation of the ordinance. Councilman Long asked that this be pursued to see if something could be found for this project.

Councilman Long asked about the lot on 35th Street where the Ace Drug Company was to pave a part of it, and about the effect the paving might have on the trees. The City Manager stated he had no report on that as yet. The City Attorney reported the Ace Drug had not accepted the terms of the lease. Councilman LaRue said the City Attorney was to bring some legal terminology to be used

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in future contracts regarding the care of these trees.

The City Manager reported MR. AL ELDRIDGE said the Moonlight Tower at 14th and Sabine would have to be removed in order to build the annex at the Hospital. The Electric Department and others have conferred over this matter and recommend that the tower be taken down; as after they are dismantled, the joints are weakened, and they might not be safe to be reassembled. The light at 16th and Brazos will have to be moved, as it will be in the way of some State Capitol complex construction. Mayor Palmer asked that every effort be made to salvage these towers.

The Mayor read a letter from an Ensign in the U.S. Navy stating the USS AUSTIN was gathering information and historical items and pictures of the three ships that bore the name of "AUSTIN". The ship would like to permanently display some of this information in the City of Austin in a public place like the Library or City Hall. The Council referred this to MISS MARY RICE, Librarian.

With reference to pictures of Austin to be placed aboard the USS AUSTIN, the Council appointed COUNCILMAN LONG to make a selection of pictures and have them enlarged and sent to the USS AUSTIN.

MAYOR PALMER stated there was a letter from the State Highway Department that acknowledges receipt of the Council's resolution accepting Minute Order No. 58574 concerning Missouri Pacific Boulevard. The letter is as follows:

"Austin, Texas  
November 17, 1966

"Missouri-Pacific Expressway  
In and Adjacent to the City of Austin  
Travis County

"Mr. D. C. Greer  
State Highway Engineer  
Austin, Texas

"Dear Mr. Greer:

"I am transmitting herewith one copy each of a Resolution passed by the Travis County Commissioners' Court on November 14, 1966, and by the Austin City Council on November 10, 1966, accepting the provisions of the State Highway Commission Minute Order No. 58574 concerning the designation of a controlled access highway route commonly referred to as the Missouri-Pacific Expressway.

"This action meets the initial requirement of this Minute concerning the acceptance of this Minute Order by the City and County and if satisfactory with you we will proceed with the development of a more formal Agreement or Contract with the City of Austin and Travis County more specifically delineating the respective responsibilities of each.

"Sincerely yours  
s/ T. K. Wood  
T. K. Wood  
District Engineer

November 22, 1966

"Messrs. Palmer and Watson:

"This is to acknowledge receipt of the above noted Resolutions and to Thank you for the expeditious handling of this matter. We will be in touch shortly regarding formalizing an Agreement.

"S/ T.K. Wood"

MAYOR PALMER read a letter from Mrs. John R. Watts, regarding removal of towering old oaks from the 15th Street right of way to the Auditorium shores. The City Manager stated there were some elm trees, but not any oak trees in the pathway. The tree mover transferred some magnolia trees to try to save them, but they were almost too large to move; but they had to be taken out anyway, so an effort was made to save them. Some may survive. Councilman Long asked if it could be a policy to save these trees when they could. The City Manager stated that was what they had in mind when the Council authorized the purchase of this tree mover.

MAYOR PALMER read a letter from MRS. EDITH CRIDER, 4802 Clarkson, asking that the City oil Clarkson and do something about the dust. Councilman Long said also there should be a yield sign there. The Director of Public Works said this street may be in the list for paving.

MAYOR PALMER read two items which had been forwarded to the Chamber of Commerce, one announcing the U.S. Parachute Team would be back for the Aqua Festival activities, and the Thunderbirds are making arrangements to return to Austin. These letters were ordered filed.

The City Manager announced he would be out of the City from November 23rd to November 27th, taking two days vacation, visiting in Atlanta, Georgia.

It was announced there would be no garbage pick up Thursday, Thanksgiving Day.

The City Manager stated the Council recently held a public hearing on the Urban Renewal Plan for Glen Oaks Urban Renewal Project. Before the project plan is submitted to the Housing and Urban Development, there has to be a co-operation agreement that the City will agree with the Urban Renewal Authority to pave streets, and do the things provided for in the plan.

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
AUSTIN AUTHORIZING AND DIRECTING THE CITY MANA-  
GER TO PREPARE, MODIFY AND EXECUTE A COOPERATION  
AGREEMENT WITH THE URBAN RENEWAL AGENCY OF THE  
CITY OF AUSTIN FOR THE GLEN OAKS PROJECT, NO. TEX-

WHEREAS, this Council has heretofore approved an Urban Renewal Plan for the Glen Oaks Project, No. Tex. R-70; and,

WHEREAS, this Council has pledged the cooperation of the City in accomplishing the completion of said Project; and,

WHEREAS, the City has in several prior resolutions agreed to provide local grants in aid in connection with said Project; and,

WHEREAS, it is necessary that the Urban Renewal Agency submit to the Department of Housing and Urban Development as part of its application for loan and grant an executed Cooperation Agreement whereby the City agrees to provide one-third (1/3) of the cost of said Project; NOW, THEREFORE:

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

1. That the City Manager be and he is hereby authorized and directed to prepare, modify and execute such Cooperation Agreement as is necessary to complete the application for loan and grant for Project No. Tex. R-70 and to provide for the local one-third (1/3) share of the cost of said Project No. Tex. R-70 and to further and again pledge the cooperation of the City in speedily bringing to a successful conclusion said Project.

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

The City Manager referred to a memorandum sent to the Council concerning applications for grants for sewer system projects at Mount Bonnell and Bergstrom outfall line. This money will be administered by the State Health Department. Following is the Memorandum referred to:

"November 21, 1966

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

Subject: Request for authorization to make applications for Construction Grants under provisions of Public Law 660, as amended, for planned sewer system projects.

"The Federal Water Pollution Control Act of 1965 has been amended and is now titled the Clean Water Restoration Act. Among other changes, the new act increases appropriations of grant funds to municipalities for construction of waste water treatment and collection projects.

"This program is being administered at the Federal level by the Federal Water Pollution Control Administration under the Department of Interior, and at the State level by the State Department of Health at the request of the Texas Water Pollution Control Board.

"Although there are some aspects of the new act which still need clarification, we have been informed that, if we wish to make application for grants under this program, it would be advisable to submit applications as early as possible in order to receive priority ratings and tentative allocation of grant funds.



"Based on discussions which Dave Smallhorst and the undersigned have had with State Health Department personnel, we are of the opinion that a number of proposed sewer system projects scheduled for early construction would qualify for grant funds under this program. At the present time we recommend that application be made immediately for grants on the following proposed projects:

- "1. The Dry Creek Interceptor line involving an estimated project cost of \$1,200,000.
- "2. The Bergstrom Air Force Base outfall line to the City's Hornsby Bend property, including pretreatment facilities, involving a total estimated project cost of \$190,000.
- "3. The addition of a primary settling (skimming) tank at the Govalle Plant, involving an estimated project cost of \$45,000.

"It should be noted that grant funds will be a minimum of 30% of eligible project costs.

"It is our recommendation that the City Council be asked to authorize the submission of applications to the Federal Water Pollution Control Administration for each of the above projects and that the City Council designate you (the City Manager) to sign the applications on behalf of the City.

"Since it is our understanding that these grant funds will be available for those projects initiated after June 30, 1966, and since there is a probability that one or more of the proposed projects may fall in this category, we recommend your early consideration of this matter.

"Respectfully submitted,  
s/ A. H. Ullrich  
A. H. Ullrich  
s/ Victor R. Schmidt, Jr.  
Victor R. Schmidt, Jr."

After discussion, Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, it is contemplated that the City of Austin, Texas will construct certain sewage transmission and treatment facilities known as the Dry Creek Interceptor Line with an estimated total cost of \$1,200,000.00; and,

WHEREAS, it is found that the City of Austin needs financial assistance in providing for the needs of its people in constructing such improvements; and,

WHEREAS, it is deemed necessary and proper to apply for federal grant under the Federal Water Pollution Control Act, Public Law 660, as amended, in order to obtain funds to complete these much needed improvements; Now, Therefore,

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

That W. T. Williams, Jr., City Manager of the City of Austin be and he is hereby authorized and directed to make application and sign the necessary

documents required to complete the project on behalf of the City of Austin, for a federal grant under Public Law 660, as amended; to be applied to the cost of the construction of said sewage facilities. The City of Austin hereby agrees that if a federal grant for the project is made pursuant to the Federal Water Pollution Control Act, the City will pay the remaining costs of the approved project.

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

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

Noes: None

After discussion, Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, it is contemplated that the City of Austin, Texas, will construct a certain sanitary sewer outfall line from Bergstrom Air Force Base to the City's Hornsby Bend Property including certain pre-treatment facilities with an estimated total cost of \$190,000.00; and,

WHEREAS, it is found that the City of Austin needs financial assistance in providing for the needs of its people in constructing such improvements; and,

WHEREAS, it is deemed necessary and proper to apply for federal grant under the Federal Water Pollution Control Act, Public Law 660, as amended, in order to obtain funds to complete these much needed improvements; Now, Therefore,

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

That W. T. Williams, Jr., City Manager of the City of Austin be and is hereby authorized and directed to make application and sign the necessary documents required to complete the project on behalf of the City of Austin, for a federal grant under Public Law 660, as amended; to be applied to the cost of the construction of said sewage facilities. The City of Austin hereby agrees that if a federal grant for the project is made pursuant to the Federal Water Pollution Control Act, the City will pay the remaining costs of the approved project.

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

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

Noes: None

After discussion, Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, it is contemplated that the City of Austin, Texas will construct certain sewage transmission and treatment facilities known as additional primary settling tank at Govalle Sewage Treatment Plant with an estimated total cost of \$45,000.00; and,

WHEREAS, it is found that the City of Austin needs financial assistance in providing for the needs of its people in constructing such improvements; and,

WHEREAS, it is deemed necessary and proper to apply for federal grant under the Federal Water Pollution Control Act, Public Law 660, as amended, in order to have sufficient funds to complete these much needed improvements; Now Therefore,

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

That W. T. Williams, Jr., City Manager of the City of Austin be and he is hereby authorized and directed to make application and sign the necessary documents required to complete the project on behalf of the City of Austin, for a federal grant under Public Law 660, as amended; to be applied to the cost of the construction of said sewage facilities. The City of Austin hereby agrees that if a federal grant for the project is made pursuant to the Federal Water Pollution Control Act, the City will pay the remaining costs of the approved project.

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

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

Noes: None

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, Shanks, White, Mayor Palmer

Noes: None

The Council adjourned subject to the call of the Mayor.

APPROVED

Lea E. Palmer  
Mayor

ATTEST:

Edna Hensley  
City Clerk