

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 1, 1962
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen Armstrong, Perry, 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 REV. W. M. LOGAN, University Presbyterian Church.

COLONEL VANCE MURPHY, Director of Aviation, introduced COLONEL FRANK P. BENDER, who has been recently assigned to Bergstrom Air Force Base. The Mayor and Council greeted and welcomed COLONEL BENDER to Austin in this important capacity.

MR. JACK KING, Manager, Capitol Plaza, asked permission for a fireworks display at Capitol Plaza tonight at 7:00 P.M. and 9:00 P.M., stating clearance had been given by the Fire Marshal, and the State Fire Insurance Department. Councilman Perry moved subject to the Fire Marshal's approval that this permission to have this fire works display tonight be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

MR. CLARENCE FLORNOY, stated in 1955, with the City's approval, he developed a subdivision on Webberville Road, building his houses to the 487 elevation as required by the Director of Public Works so there would be no danger of their being flooded. In the last few years more water had been thrown into Fort Branch Creek and his houses are being flooded, and he had some pictures which he displayed. He had been under the impression this problem was in a five year program; but nothing has been done about it, and he asked that

this area be placed in a program to eliminate this flooding and dig the ditch out and correct the drainage. The Mayor stated the Council would discuss this with the City Manager and go by and look at the area.

MR. JOHN WALES stated the matter of special arrangement for parking meters had been brought up before. Salesmen were particularly interested in the issuance of decals that would permit them to park in parking meter zones at a monthly rate. The request is not for all-day parking, but for something to avoid getting parking tickets for over parking. The Mayor explained the reasons for parking meters, and stated there were many people making similar requests. The City Attorney explained the legal status and stated the granting of a lease-right on the streets would subject the whole ordinance to invalidation. The Mayor stated there was nothing the Council could do about this request.

MR. C. T. JOHNSON came before the Council in the interest of Civil Defense, suggesting that Wooldridge Park was an ideal location for a large bomb shelter, as it was centrally located, that in addition to its being used as a shelter, a building could be erected and used as a public or private parking lot; and that construction of a shelter would be inexpensive, as the excavation would be unnecessary. He suggested the use of overpasses as shelters; and as boulevards were built, these shelters could be included. The Mayor stated Austin was proud to have a man in charge of the Civil Defense as qualified as COLONEL KENGLA, and that Austin was aware of the situation and was trying to make as great a provision in case of an attack as any city possibly could. Councilman Perry stated the Government had determined to make use of the buildings already constructed that had shelter provisions, and were stocking these shelters now; and until the time all shelters are prepared, it would be false economy to build other shelters and attempt to provide them with food, water and radiation protection. The Mayor thanked Mr. Johnson for his interest.

MR. ROBERT T. DAVIS appeared in the interest of the application he filed regarding a TV Community Antenna System. The Mayor stated the City Attorney had been requested to give the Council an opinion no later than December 15th, setting out just what it could do legally insofar as the granting of a franchise for tying on to the power poles and crossing thoroughfares. He stated at this time the Council will be guided by his opinion and will discuss it and see what it can do.

Councilman White moved that the Minutes of the Meeting of October 25, 1962, be approved. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, White, Mayor Palmer

Noes: None

Present but not voting: Councilman Shanks

MR. JOHN O. RANEY appeared requesting consideration of amending the Austin Development Plan to permit him to subdivide three lots on Weidemar Lane for residential uses. The Director of Planning discussed this location with reference to industrial areas in the vicinity, and stated the Planning Commission did not recommend any change in the Plan. The Mayor stated the Council had discussed this and had looked at the site. He pointed out some of the problems that would

arise to the residents when the industrial development took place. The Mayor stated he hoped the Citizens Committee will study this type of zoning--reciprocal zoning; as when an area is zoned industrial it must be used that way. After discussion, Councilman Perry moved that the application for change in the Development Plan be DENIED. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Director of Planning called attention to a zoning application filed by E. E. NAUMANN for change of zone from "A" Residence 1st Height and Area to "B" Residence 2nd Height and Area at 1170-1176 (1164-1172) Comal, and 1406-1412 Hackberry, stating this was in the Kealing project area and should be referred to the Urban Renewal Commission, asking for their recommendation on this matter to be presented to the Planning Commission and considered when it comes up. Councilman Armstrong moved that this application be set for December 6, 1962, and presented prior to that time to the Urban Renewal Commission. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor commended the Police Department, parents and children for cooperating in making this Halloween an exceptionally good Halloween night.

MR. TED THOMPSON asked the Council to refer to a proper study committee the development plan for the new town lake with the view of prohibiting commercial operations of any kind and making this a beautiful park for the City. He suggested a 25 or 50 year project be planned from Montopolis Bridge to Tom Miller Dam. The Mayor stated the City had a fine Lake Study Committee, and just recently it had recommended the employment of a firm to design what Mr. Thompson had suggested. He explained it would be a long-range plan for the lake, but an immediate plan for development of the area between Congress Avenue Bridge and Lamar Bridge. Mr. Thompson suggested that the Old Coliseum, the old Base Ball Park, and Chamber of Commerce Building be removed from the Auditorium tract, and that this area be used for two more big municipal structures and for a beautiful Municipal Center.

The Council greeted and recognized former COMMISSIONER HARRY NOLAN.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY

OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 15TH DAY OF NOVEMBER, 1962, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE.
(Avenue A and sundry other streets)

The ordinance was read the first time and Councilman Perry 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 Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED

AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 15TH DAY OF NOVEMBER, 1962, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Jim Hogg Avenue and sundry other streets)

The ordinance was read the first time and Councilman Perry 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 Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

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Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 15TH DAY OF NOVEMBER, 1962, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE.
(Mills Avenue and sundry other streets)

The ordinance was read the first time and Councilman Perry 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 Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

COUNCILMAN BOB ARMSTRONG made a report on the Symposium covering Urban Transportation, held in Detroit, October 23rd, the report being as follows:

Mayor Palmer and Austin City Councilmen:

This Symposium that I attended in Detroit, October 23rd, was called by the President of the Automobile Manufacturers Association and was in connection with the 44th Annual Automobile National Show; however, it was conducted separately.

The meeting was devoted to the degree of impact of the automobile and other forms of mass transportation on land use in cities. 465 interested people from 35 states and several foreign countries were in attendance by invitation. There were 16 men on the panels--they were all outstanding in the field of their subject. They were research and development men, state highway engineers, real estate consultants, university professors, Federal Agency representatives, railroad executives, architects, heads of trucking associations and rapid transit officials. They all had the same theme, which was "The Dynamics of Urban Transportation".

There were far more things brought up in this two day Urban Traffic Symposium than I could ever comprehensively report to you. The Chairman anticipated this and made provisions to take care of them.

The mechanics of the meeting were: Upon arrival we were given a binder with all of the papers that each man on the panels was to give--we could look them over and know what their topic was in advance--each of the four panels consisting of 4 men each and a moderator. The subject discussed by each panel was:

- Panel I - Interaction of Urban Transportation and Land Use.
- " II - Transportation Service to Downtown Areas.
- " III - Planning Urban Regional Transportation Facilities.
- " IV - Financing and Implementing Urban Transportation Systems.

Each panelist took 12 minutes for their presentation of their capsule version of the lengthy paper that they prepared and which was printed earlier. The moderator took the same amount of time and gave a summary of the four panelists. The audience was provided with cards that they could write questions to sent up for panelists' answers. This lasted another hour. A transcript was taken of the capsule version--the questions, the answers and discussions. These will be printed and mailed to each person that had registered, then the binder will be complete.

Then lunch and break for two hours, then another two hour session from 2 to 4--each of the two days--where the same procedure was followed as outlined above.

The Automobile Manufacturers Association started inquiries as where to operate and store the autos that the public is demanding. Today there are over 76 million cars in operation. They are going on the road faster than they are being retired.

Only 50 years ago our U. S. population was about 95 million, about half lived in rural areas, with the population increase and the movement to Metropolitan areas, the influx was just under 30% between 1950 to 1960. This increase

causes tremendous transportation problems. 100,000 plus population cities are comparatively new--just the last 50 years has seen a period of massive, growth. In 1915 the use of the few automobiles was 5 miles per day--now it is up to 50 miles per day and there are so many more of them.

In this world of wheels, automobiles need city planning. The automobile has been the dominant force in city planning for the last 40 years.

Planning would include both metropolitan cities and state levels, they have to work together. Automobile use will continue to grow, but individual needs will have to be supplemented by rapid transit and other transportation facilities in major cities. This planning is also imperative for smaller cities that expect to grow. Invariably the question arises, "How do we get people to do what the planners have planned?"

Central business districts (we call ours the downtown area) or (downtown unlimited) or whatever it is, will not disappear because a downtown area can perform better than any other system that has been found.

Downtown Baltimore has not had a new building in 30 years until recently, now they have a new hotel and multiple story office building. One aided the other and brought 4,000 additional parking spaces for automobiles in their downtown area. Baltimore Downtown Area is now completely changed and is self-sustaining. Baltimore is being revived from a dead city. It took the effort of the Chamber of Commerce, City Administration, Women and Civic Clubs, along with a good manager.

Municipal functions needs to be located in the middle of a city. Vancouver, British Columbia, built out 5 miles. Now they are considering moving back.

It was the opinion of some that the best solution for big cities is a rapid transit system, or sufficient parking space. Central business districts can't work and exist without such facilities. Cities cannot be unbuilt. They offer too many economic advantages, as they are new. The principal thing is to move people rapidly in and out of downtown areas--then have a place to care for the cars. One department store owns 4 parking lots; they make more money than the store. Some lots yield as much as \$6.00 per sq.ft. per year to their owners.

There are about 100 million Americans that are too young or too old to drive a car. There are about 87 million drivers with 76 million cars.

Our greatest Highway Project----the 41,000 mile National System of Interstate Defense Highways, which were supposed to be completed in 1972, at the rate they are going will not be completed until 1981. My Texas pride goes up when I am informed that our State is further along than any other state in this program. We all are so very proud of the recent completion of the portion through Austin, which is not only functional, but adds to the beauty of our city. Texas is indeed fortunate to have such a fine Highway Department.

The opinion was expressed that cities with expressways seemed to do better economically than those that do not have them. Often the same problem prevails as with state freeways--it divides the town, destroys historical landmarks, creates bitterness between city planners and citizens that becomes not a cold war. Only last week a bill was passed in Congress to give some relief to families and businesses that have to be moved for freeways and expressways.

Some railroads have put their terminals at the outskirts of a city, since they are using more and more piggy-backs and cartons, thereby releasing valuable land in downtown areas. Shorthaul truck firms are maintaining downtown headquarters for distributing merchandise--from The Railroad Long Hauls.

One panelist wanted to challenge the auto manufacturers to build a car with a collapsible roof and retractable wheels, in order that it could be stacked for parking with a fork lift. This was prompted by the fact that most cars are at rest more than they are in motion. He warned the manufacturers that, if they did not do something, autos might be barred from central business districts--just as chariots were once barred from the streets of Rome in the ancient days. The average car covers 120 sq.ft. of floor space, but it requires 250 feet to park it. He referred to an auto as a "limited, large shackled creature capable of moving only forward or backward in large turning areas". If this car cannot be developed, his alternate was to build cities with three layers of roads--top for pedestrians, middle-passenger cars and the bottom for trucks. He threatened that if the industry could not provide relief, the government might.

Another panelist suggested electronic price computers, and at the end of the month a motorist would be mailed a bill for his use of the highway or street. This idea was not very well accepted because of the existing fuel and present automobile taxes.

Washington, D. C. will have a new type bus within the next six months to be tried out. They maintain that in moving masses, the bus has to be tailored to strike the public's fancy.

The rapid transit system came up many times. Eventually, a large parking area might have to be provided outside the city, and then the public (both shoppers and workers) can commute to the downtown area by a rapid transit system. It takes one sq. mile to park 90,000 cars. Moving sidewalks were mentioned as a possible solution.

This Symposium threw a great deal of light on Urban Transportation Problems, but there is much research needed to solve problems for both small, large, old and young cities. The traffic problem is attracting much interest as evidence by the organizations, individuals, universities, firms and agencies that were in attendance. The Symposium Secretary of the American Automobile Manufacturers Association will pass on any ideas developed by research in the future to all of those that registered for this meeting. They will serve as a clearing house.

Although there were no specific answers given in this Symposium, all in attendance recognized the gravity of the subject and left the meeting with a common purpose "where to live, work, have fun and recreation, visit friends and how to get to and from these places the quickest, safest and most economical way".

I present you this complete brochure and will forward the material that will come later. I am sure it can be found to be invaluable to the City Manager, Master Plan Committee, Planning Department and the Traffic Section of Austin.

Anytime that I can explain anything further about this Symposium, I hope any or all will call on me.

Respectfully submitted,
Bob Armstrong
Councilman

The Planning Director and Traffic Engineer discussed the report in detail. The Mayor thanked Councilman Armstrong for this report and for his taking his time to attend this conference in behalf of the City.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING TO PUBLIC TRAVEL 725 SQUARE FEET OF LAND, SAME BEING OUT OF AND A PART OF SILVERCREST DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a deed on behalf of the City of Austin, conveying to Jack Gibson the following described property, to-wit:

800 square feet of land, same being out of and a part of that certain tract of land out of and a part of Lot 1, Jones and Sedwick Subdivision of record in Volume Z at

page 601 of the Deed Records of Travis County, Texas, which certain tract of land was conveyed to the City of Austin, Travis County, Texas, by Warranty Deed dated December 13, 1948 of record in Volume 943 at page 439 of the Deed Records of Travis County, Texas and being described as Tract 1 in said deed; said 800 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake at the northwest corner of the herein described tract of land, same being the most westerly northwest corner of the said City of Austin Tract 1, and the southwest corner of that certain tract of land conveyed to Jack C. Gibson by warranty deed dated August 13, 1962 of record in Volume 2505 at Page 386 of the Deed Records of Travis County, Texas;

THENCE, with the most westerly north line of the said City of Austin Tract 1, same being the south line of the said Jack C. Gibson tract of land, S 59° 42' E 58.64 feet to the northeast corner of the herein described tract of land, same being the southeast corner of the said Jack C. Gibson tract of land, same being in the west line of Lamar Boulevard and from which point the point of intersection of the south line of West 31st Street with the said west line of Lamar Boulevard bears N 29° 22' E 121.3 feet;

THENCE, with the southerly prolongation of the east line of the said Jack C. Gibson tract of land, same being the west line of Lamar Boulevard, S 29° 22' W 13.40 feet to the southeast corner of the herein described tract of land;

THENCE, N 59° 42' W 58.86 feet to a point in the west line of the said City of Austin Tract 1 for the southwest corner of the herein described tract of land;

THENCE, with the west line of the said City of Austin Tract 1, N 30° 18' E 13.40 feet to the point of beginning. (Even exchange for W. 31st Street right-of-way)

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer

Noes: None

MR. JIM HOLEMAN and MR. J. D. SANDERS discussed Mr. Sanders's proposed Crestland subdivision. Mr. Sanders stated his subdivision had been approved, the utilities had been inspected and approved by the City, and he had done everything he was requested to do, even deeding the City a lot but he had been turned down now. The Mayor explained the problem of the 50 foot gas pipe line easement and a sanitary sewer easement crossing the subdivision and making at least four lots unusable for building sites. The Director of Public Works stated he discussed these matters with Mr. Sanders, and that Mr. Sanders said he would subdivide Lot 6 and add one-half to Lots 5 and 7 if he could not build on it, and that he would write a letter to the Department to that effect. The City Attorney reported on his conference with Mr. Sanders on Tuesday, stating Mr. Sanders insisted upon a letter that the City was refusing to annex the property, which of course was not the case. The City Attorney offered to be of what assistance

he could in working out the problems. The Mayor announced that action was only postponed on the annexing of the property so that the City could cooperate in working some of the problems out. The Mayor asked Mr. Sanders to discuss the matters with the Director of Public Works, the City Attorney, and the Director of Planning and see what can be worked out.

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 13.3 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE WILLIAM BARTON LABOR AND HENRY P. HILL 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. (Barton Terrace, Sec. 1)

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 0.11 OF ONE ACRE OF LAND, SAME BEING A PORTION OF ALLANDALE TERRACE SECTION 2, PHASE 5, 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. (Allandale Terrace, Section 2, Phase 5)

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 0.241 OF ONE ACRE OF LAND, SAME BEING OUT OF AND A PART OF PARK FOREST, SECTION 7, A SUBDIVISION OF A PORTION OF THE ISAAC DECKER LEAGUE, 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.
(Park Forest, Section 7)

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 34.97 ACRES OF LAND OUT OF THE GEORGE W. DAVIS SURVEY NO. 15, 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. (Allandale North, Sections 3 and 4, and 1.55 acre tract)

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF

THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY. (West Annie and sundry other streets)

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Discussion was held on drive-way cuts preparatory to paving, and errors that occur. The Director of Public Works explained the procedure, stating the curb was set at the existing drive unless notified by the property owners otherwise. Occasionally these have to be corrected, but there are very few occasions where these occur. The survey crews do not run property line surveys of everyone's property.

The Council discussed in detail the Ordinance amending the Heating and Air Conditioning Ordinance to establish licensing provisions. This provision is recommended by the Plumbing Board of Appeals, Heating and Air Conditioning Board, and the Electrical Board. After the discussion, Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 38 OF THE AUSTIN CITY CODE OF 1954 BY ADDING A NEW ARTICLE X THERETO PROVIDING FOR THE EXAMINATION AND LICENSING OF PERSONS

ENGAGED IN THE INSTALLATION AND MAINTENANCE OF
HEATING AND AIR CONDITIONING IN THE CITY OF
AUSTIN.

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 Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

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 Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council discussed the adjustment in Hospital room rates. Councilman White asked for a little delay until he could check into the matter more, as there were a lot of those rooms that needed painting, cleaned up and new draperies installed. He wanted to check with the Administrator to see what he planned to do about it. The City Manager reported that the cost of providing rooms was in excess of the charges made, stating for a six months' period the expense of providing room and nursing service was \$584,744, while the charges for six months brought in \$549,639 showing a \$35,104 loss for six months. The City Manager stated he believed the projected loss on operation of the rooms including other expenses and personnel, would be \$200,000, and these proposed rates based on 85% occupancy, would produce \$188,000. He stated the Administrator and the Hospital Board recommended the increase in the rates. Councilman Shanks inquired if these rates would be over and above those at the other hospitals. The City Manager stated the Hospital Board thought the Hospital would recoup its losses; and in view of the fact that the other hospitals were going to raise their rates the first of the year whether the City does or not, that these proposed rates would be in line with the others. Councilman White stated the rates had been raised over there twice and maybe three times; and that is what is going to drive us to socialized medicine. He asked if it were absolutely necessary that this be passed today; and if not, he would like to check further. Later in the meeting Councilman White reported he and the Hospital Administrator had made a tour of some of the hospital rooms and there were quite a few that needed painting, and Mr. Crandall had assured him this would be done in about 20 days. It was explained work was being done on the outside walls to correct the dampness that had caused this trouble inside. Councilman White stated there

were four or five rooms that needed new draperies, and Mr. Crandall was going to get them in. Councilman White reported this would be done in 20 days, but he would be willing to say 30 days. After discussion, Councilman White moved that the Council adopt the adjusted rates in room rent as the Hospital, effective November 1st, 1962, to new admissions, as follows:

| | <u>Present Rate</u> | <u>Adjusted Rate</u> |
|----------------|---------------------|----------------------|
| Private Room | \$11.00 to \$17.50 | \$14.00 to \$20.50 |
| Semi-Private | 10.00 to 13.50 | 12.00 to 15.50 |
| Intensive Care | \$48.00 | \$50.00 |

The motion, seconded by Councilman Shanks, carried by the following vote:
 Ayes: Councilmen Perry, Shanks, White, Mayor Palmer
 Noes: Councilman Armstrong*

*Councilman Armstrong voting against the increase with the statement
 "With all the things going on, I am forced to vote 'no', as I think sick people have to pay too much already."

Councilman White had inquired about the operation of the Cafeteria at the Hospital earlier in the meeting. The City Manager had the figures and reported there was a \$16,831 deficit for last fiscal year's operation, compared to \$24,500 for the preceding year which was an improvement. He said too much had been allocated to the cafeteria, and not enough allocated to the portion served to the patients on the floor. The Administrator at the Hospital stated the costs of the cafeteria were being pretty well covered, and the distribution of costs to the patients is not in line.

The City Manager reviewed in detail the development of Barton Hills Subdivision and the sewer line as installed. He said there were plans for another line to be installed in Barton Creek to serve land further up the stream, this line being in the five year bond program; but in the meantime, the City is confronted with not being able to provide sewer lines to other people, since it does not own this line in Barton Hills. It was his recommendation that this 4685' line be purchased, and make it available to those other people. Before it became overloaded, the other line would be in. It was brought out the owners agreed to take a 21% discount, which meant the City could acquire this \$25,000 line for \$19,750. The City Manager stated this was his recommendation. Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council on May 21, 1959 authorized the execution of a certain contract with Barton Valley, Inc. for the installation of certain water mains and sanitary sewer mains in Barton Hills Section III and Section IIIa and for a refund to said Barton Valley, Inc. of a portion of such cost, and;

WHEREAS, 639 feet of 8 inch sanitary sewer main and 4,046 feet of 10 inch sanitary sewer main installed across undeveloped portions of Barton Hills

Subdivision property, pursuant to plans and specifications approved by the City of Austin, at a cost of \$25,000.00, was agreed to be refunded in future refund contracts as said property was developed; and,

WHEREAS, other properties have developed more rapidly than anticipated and the City of Austin finds it desirable to connect and serve properties other than Barton Valley, Inc. properties to said sanitary sewer main extending across undeveloped portions of said Barton Valley, Inc. properties; and,

WHEREAS, Barton Valley, Inc. has agreed that if the City of Austin will make an immediate payment in full rather than pay for said sanitary sewer lines in increments as the property of Barton Valley, Inc. is developed, that said Barton Valley, Inc. will accept the sum of \$19,750.00 as full and complete payment for said sanitary sewer mains and easements across which the same are located; and,

WHEREAS, the City Manager and Director of Water and Sewer Utilities have recommended the immediate purchase of said sanitary sewer mains as an addition to the utility system of the City of Austin, and the City Council finds it to be in the best interest of the City to purchase the same upon the terms outlined here; Now, Therefore,

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to purchase from Barton Valley, Inc. 639 feet of 8 inch sanitary sewer main and 4,046 feet of 10 inch sanitary sewer main, including easements therefor, for the sum of \$19,750.00 free and clear of all liens and encumbrances.

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

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer

Noes: None

Not in Council Room when the roll was called: Councilman Perry

The City Manager stated money had been appropriated for the improvement of the Rathskeller, to provide better accoustics, a separate air conditioning unit, and food handling facilities. The question he had was the accoustical treatment and the finishing of the interior of the room itself, without losing the present atmosphere. The Construction Engineer displayed some plans as prepared by Mr. Wolf Jessen. Councilman Shanks suggested that the interior be finished in a first class manner, and that it could be done at so little cost. He said this was more in the decorating field. The Mayor stated this was a good beginning and the Council would go and look at it, giving it further study.

The Director of Public Works submitted a request from the Southern Union Gas Company to locate a regulator pit at the northwest corner of East Woods Park above ground. It was his recommendation that it be placed underground in the sidewalk area. The City Attorney stated this location was in a park and would be a diversion of the use of park land. The City Manager stated the Director of Public Works could suggest to them to locate this pit underground in the sidewalk area, but not in the park. The Mayor asked for a picture or little sketch, and said it would appear they could put in underground in the sidewalk area.

The Director of Public Works stated JOEL V. QUINTANILLA, 24 Bierce Street, wanted to add a room to the front of his house, which is in the vicinity of the Town Lake which the Council wanted to review all building permits. Councilman Shanks moved that the Council grant him this permission. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Shanks, White, Mayor Palmer

Noes: None

Not in Council Room when the roll was called: Councilmen Armstrong, Perry

The City Manager made a report on the Highway Department's granting permission for the City to use the area under the Interregional Highway at the Underpasses at 7th and 8th Streets for a parking lot. He pointed out one section of the contract which would have to be reworded in regard to the city's indemnifying the state for claims made against the state which had no liability. The City Manager said the area could be used for any type of parking, and that parking meters could be installed if desired. The Mayor suggested starting out using the area for employees' parking and leaving the parking lot on the Police and Courts tract for the general public. The City Manager recommended prohibiting trucks over one and a half tons, and any kind of trucks that had explosives. The Mayor stated when this particular section in the contract was rewritten where it met approval, and when the plan had been approved that the City would proceed.

The Assistant City Manager reported the United Fund had been notified, and it had contacted all of the individual agencies regarding their including in their budget in October, 1963, amounts for utilities. Only one agency had reported back that there would be a hardship. The Mayor stated since the plan had met with such good response that it be put in.

The City Manager stated the Director of Finance wanted to review the financial status of the City with the Council. The Mayor suggested that this be heard next Thursday, November 8th.

The City Manager had a report on the railroad crossings. As to the Southern Pacific, this Company will have only one train a day, but will put on many more cars. The City Manager again reviewed the matter of railroad crossings in detail. He said a new suggested proposal had now been received in lieu of the last one, which is somewhat like the provision that existed in the last crossing right-of-way deed which the Railroad Company gave for Koenig Lane. The proposal is in the event a signal is required now or in the future, the City agrees to participate in the cost of installation, the extent of participation to be determined at the time the crossing protective signals are installed. If the City decides a signal is needed it can call on the Railroad to participate. As to the 45th Street crossing, the City has a right to cross there, and is moving the location a few feet north. It is proposed to the Railroad that this old right-of-way be vacated and that the Railroad Company give the right-of-way for the new crossing. He stated in this case it could be proposed that this installation be made, and one or two a year; and on this 45th Street crossing that the Railroad Company be asked to participate in the

installation of a signal, and the City would still have the other costs of putting in the plank crossing and approach to the tract in exchange for the right-of-way. Councilman Shanks moved that the Council approve the recommendation of the City Manager of the 45th Street railroad crossing and signal. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, Mayor Palmer

Noes: None

Not in Council Room when the roll was called: Councilman White

The City Manager discussed the Denson Lane railroad crossing for an industrial subdivision, which will provide warehouse facilities for several businesses. It was his recommendation that the subdivider bear a portion of the cost of installation, as the value of the subdivision will be enhanced. The City Manager said in this crossing, the subdivider would pay half the cost, and the city half, and the railroad will not have any cost. Councilman Shanks moved that the City Manager be instructed to proceed as outlined by him. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, Mayor Palmer

Noes: None

Not in Council Room when the roll was called: Councilman White

The City Manager discussed the Wooten Drive railroad crossing stating this would be for public purposes. He recommended that installation of crossbucks be made at present, and arrangements with the railroad be made that they will participate later when they put a signal in. He stated this was a public matter to provide a crossing here, and that the subdivider could hardly be asked to participate in this case; that this is a relatively minor crossing which is used by the railroad about twice a day. Councilman Shanks moved that the City Manager be instructed to proceed with entering into an agreement with the Railroad Company about a crossing. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, Mayor Palmer

Noes: None

Not in Council Room when the roll was called: Councilman White

The City Manager made a report on the drainage problem discussed by MR. FLORNOY earlier in the meeting, stating the City never had a plan to do anything about the drainage in this area. When the subdivision was laid out, Mr. Flornoy was told to fill the lots and he was to excavate and develop the ditch, but he did not dig the ditch deep or wide enough. He has not done what he was supposed to do about the ditch and he has not put the fill in that he was supposed to put in. The Director of Public Works discussed a drainage easement north of Mr. Flornoy's subdivision which should be vacated and shifted to tie in with the area back of his lot. The Mayor stated it seemed it was Mr. Flornoy's responsibility to comply with these requests.

The City Manager reported on a community study on health and hospital needs, stating Mr. Vic Ehlers had written that the Community Council would undertake this study to determine what the community would need in the future, but it could not take care of the expenses connected with employment of consultants. Mr. Ehlers sent a suggested scope of the work and wanted to know whether the city was ready to participate financially in getting the work done and getting a study completed. The City Manager stated the City was ready, but it was thought the other hospitals should share in that expense; and if they do participate financially they will feel the plan is as much for them as anyone else and can use it to a much greater extent. He suggested that Mr. Ehlers contact the other hospitals regarding sharing the cost. The cost for the consultants was \$30,000. He also suggested that possibly a cut down on the scope of the study could be made. Mr. Ehlers' concern now is getting some guidance as to what money will be available from the City and how will the costs be shared. Councilman Perry suggested that this \$30,000 be applied on increasing the space at the hospital. The City Manager explained how this study would be helpful and how it would effect tremendous savings. Councilman Shanks suggested that the \$30,000 be distributed on the number of beds in each hospital. The Mayor suggested that this be worked out on a room basis of sharing the cost; and if the City Manager thought it was worthwhile, the City could proceed.

Councilman Armstrong offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the construction of a sanitary sewer line in the City of Austin to provide for the safe elimination of sewage in the Little Walnut Creek watershed, Georgian Acres area, in the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of an easement ten (10.00) feet in width across the hereinafter described tract of land for right-of-way to permit the construction of the aforesaid sanitary sewer line; and,

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

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against all owners and lienholders, a suit in eminent domain to acquire the hereinafter described easement for sanitary sewer purposes across the hereinafter described tract of land:

In, upon and across the northwest ~~ten~~ (10.00) feet of Lot No. 1 in Certli Addition, a subdivision of a one acre tract of land out of the James P. Wallace Survey No. 57, by the Grantor herein, in the City of Austin, Travis County, Texas, according to the map or plat of said subdivision of record in Book 12 at page 65 of the Plat Records of Travis County, Texas.

AND in addition thereto a temporary working space easement ten (10.00) feet in width to cover the period of original installation is to be retained adjacent and parallel to the southeast side of the above described easement. (H.A. Oertli, et ux)

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen Armstrong, Shanks, Mayor Palmer
Noes: None
Present but not voting: Councilman Perry
Not in Council Room when the roll was called: Councilman White

Councilman Armstrong offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the construction of a sanitary sewer line in the City of Austin to provide for the safe elimination of sewage in the Little Walnut Creek watershed, Georgian Acres area, in the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of an easement ten (10.00) feet in width across the hereinafter described tract of land for right-of-way to permit the construction of the aforesaid sanitary sewer line; and,

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

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against all owners and lienholders, a suit in eminent domain to acquire the hereinafter described easement for sanitary sewer purposes across the hereinafter described tract of land:

A strip of land ten (10.00) feet in width same being out of and a part of that certain tract of land out of the James P. Wallace Survey No. 57 in the City of Austin, Travis County, Texas, which was conveyed to Joe W. Winkley, et ux, by Warranty Deed dated April 2, 1942, of record in Volume 698 at page 61 of the Deed Records of Travis County, Texas; the centerline of said strip of land ten (10.00) feet in width being more particularly described as follows:

BEGINNING at a point in the south line of the aforesaid Joe W. Winkley tract of land, same being a north line of that certain tract of land which was conveyed to Arnold O. Anderson by Warranty Deed dated May 18, 1951, of record in Volume 1163 at page 264 of the Deed Records of Travis County, Texas, and from which point of beginning the most northerly corner of said Arnold O. Anderson tract of land bears N 48° 06' W 48.5 feet;

THENCE, N 54° 48' E 28.06 feet to a point;

THENCE, N 24° 23' E 55.63 feet to a point;

THENCE, N 43° 13' E to point of termination in a north line of said Joe W. Winkley tract of land same being the center line of Little Walnut Creek.

AND in addition thereto a temporary working space easement fifteen (15.00) feet in width to cover the period of original installation is to be retained adjacent and parallel to both sides of the above described easement.
(Joe W. Winkley)

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

Ayes: Councilmen Armstrong, Shanks, Mayor Palmer

Noes: None

Present but not voting: Councilman Perry

Not in Council Room when the roll was called: Councilman White

Councilman Armstrong offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the construction of a sanitary sewer line in the City of Austin to provide for the safe elimination of sewage in the Little Walnut Creek watershed, Georgian Acres area, in the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of an easement ten (10.00) feet in width and an easement five (5.00) feet in width across the hereinafter described tracts of land for right-of-way to permit the construction of the aforesaid sanitary sewer line; and,

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

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against all owners and lienholders, a suit in eminent domain to acquire the hereinafter described easement for sanitary sewer purposes across the hereinafter described tracts of land:

Two (2) strips of land, the strip of land hereinafter described as Number 1 being ten (10.00) feet in width, same being out of and a part of Lot Number 1, Block "E" in Dean Terrace; the strip of land hereinafter described as Number 2 being five (5.00) feet in width, same being out of and a part of Lot Number 6, Block "I" in Dean Terrace, said Dean Terrace being a subdivision of a portion of the J. P. Wallace Survey

Number 57 in the City of Austin, Travis County, Texas, according to a map or plat of said Dean Terrace Sub-division of record in Book 4 at page 222 of the Plat Records of Travis County, Texas, which Lots 1 and 6 were conveyed to N. A. Giblin, Sr., by Warranty Deed dated January 25, 1962, of record in Volume 2411 at page 175 of the Deed Records of Travis County, Texas; each of the said two (2) strips of land being more particularly described as follows:

NUMBER 1. In, upon and across the east ten (10.00) feet of the aforesaid Lot Number 1, Block "E", in Dean Terrace.

NUMBER 2. In, upon and across the east five (5.00) feet of the aforesaid Lot Number 6, Block "I", in Dean Terrace.

AND in addition thereto a temporary working space easement fifteen (15.00) feet in width to cover the period of original installation is to be retained adjacent and parallel to the west side of each of the above described easements. (N. A. Giblin, Sr.)

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

Ayes: Councilmen Armstrong, Shanks, Mayor Palmer

Noes: None

Present but not voting: Councilman Perry

Not in Council Room when the roll was called: Councilman White

The Director of Public Works gave a report on the request for vacating Post Oak Street.

The Council received notice from the City Manager that the following zoning applications had been received and referred to the Planning Commission and were set for public hearing before the Council on December 6, 1962:

| | | |
|--|--|--|
| FAIRWAY ENTERPRISES By Parker C. Folse, Jr. | 1406-1514 Riverside Drive | From "B" Residence 1st Height & Area To "B" Residence 2nd Height & Area |
| E. E. NAUMANN | 1170-76 (1164-72) Comal 1406-12 Hackberry | From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area |
| JOHN SANCHEZ | 2011 Holly | From "A" Residence To "LR" Local Retail |
| RAYMOND CAMPI | 1136-38 W. 6th Street | From "C" Commercial To "C-1" Commercial |
| JAMES D. CONNOLLY | 1006-12 Grove Boulevard | From Interim "A" Residence To "B" Residence |

| | | |
|---|--|---|
| MRS. MARY FREEMAN By Arthur E. Pihlgren | 1000-1008 West Lynn Street 1600-08 West 10th Street | From "C" Commercial To "C-1" Commercial |
| MABEL C. BAKER | 1708 (1718) So. 1st Street 600 W. Annie Street | From "C" Commercial To "C-1" Commercial |
| GILBREATH & MILBURN By The Marvin Turner Engineers | 3303-15 So. 1st Street | From "A" Residence To "C" Commercial |
| SOUTHTEX LAND SALES, INC. B. H. Holcomb, Pres. By Frank E. Erwin, Jr. | 1113-1122 Colorado Street 201-211 W. 12th Street 1113-1123 Lavaca Street | From "C" Commercial 3rd Height & Area To "C-2" Commercial 4th Height & Area |
| ROGAN B. GILES | 4401-19 Airport Boulevard 1201-1307 Fernwood Road 4400-02 Parkwood Road | From "A" Residence & "B" Residence 1st Height & Area To "B" Residence 2nd Height & Area |
| LELA PARKINSON By Robert C. Sneed | 1109-1305 Interregional Highway | From "A" Residence To "LR" Local Retail |
| CITADEL TRANSMISSION COMPANY By Wallace A. McLean | 1150-1156 Jain Lane | From "A" Residence 1st Height & Area To "D" Industrial 6th Height & Area |

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

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Council adjourned at 7:00 P.M., subject to the call of the Mayor.

APPROVED

Lucas E. Palmer

Mayor

ATTEST:

Elsie H. Hooley

City Clerk