

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 15, 1964
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 WM. P. CALDWELL, First Presbyterian Church.

MR. PAT CAIN extended an invitation to the opening of the Westminster Manor. REVEREND WM. P. CALDWELL, Minister, First Presbyterian Church, invited the Council, Staff, Press and any friends they cared to invite, to have lunch with them at the First Presbyterian Church, at Bull Creek and Jackson Avenue, November 19th. They wanted to acquaint the group with the progress of Westminster Manor, retirement residence. The Mayor expressed appreciation for this invitation.

Councilman White moved that the Minutes of the Meeting of September 24, 1964 be approved. The motion, seconded by Councilman Long, carried by the following vote:

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

The Mayor announced that bids would be received now on Contract 131 - Battery and Charger for Holly Street Power Plant No. 3. Two bids were received as follows:

HOLLY STREET UNIT NO. 3

BATTERY & CHARGER CONTRACT NO. 131

Bids opened by City Council 10:00 A.M., October 15, 1964

October 15, 1964

BIDDER	BID BOND	BID UNIT NO. 1 BATTERY & CHARGER COMPLETE	ESCALATION	DWGS. IN CAL DAYS
Exide	\$10,000	\$10,193.90	Firm	45
Gould Nat. Bat. Inc.	\$10,000	\$ 9,454.46*	Firm	42

*Upon examination of bids it was found that Gould did not include charger.

The bids were referred to the Director of Electric Utilities and Consulting Engineers, Brown & Root, Inc. Later in the meeting the City Manager submitted a report from the Director of Electric Utilities and Consulting Engineers as follows:

"October 15, 1964

"Mr. W. T. Williams, Jr.
City Manager
City of Austin
P. O. Box 1160
Austin, Texas 78764

"Subject: Contract No. 131, Battery & Charger,
Holly Street Power Station, Unit No. 3

"Dear Mr. Williams:

"Bids were publicly opened for Battery and Charger, Contract No. 131, Holly Street Power Station, Unit No. 3 at 10:00 A.M., October 15, 1964. Two bids were received representing the only manufacturers of these materials. These bids were as follows:

Gould-National Batteries, Inc.	\$ 9,454.46
Electric Storage Battery Co.	\$10,193.90

"Upon examination of the bid it was found that Gould was not in accordance with the specifications, in that they did not include a battery charger as specified.

"The Electric Storage Battery Company bid was in exact accordance with the specifications.

"We recommend that the contract for Battery and Charger be awarded to The Electric Storage Battery Company for the lump sum of \$10,193.90.

"Yours very truly,
BROWN & ROOT, INC.
s/ H. D. Danner
H. D. Danner
Electrical Engineer

"APPROVED:

s/ D. C. Kinney
D. C. Kinney, Dir.Elec.Utility"

Councilman Shanks moved that the Council accept the recommendation of the City Manager, Electric Utilities Director and Consulting Engineers and award the bid to the ELECTRIC STORAGE BATTERY COMPANY for \$10,193.90. The motion, seconded by Councilman LaRue, carried by the following vote:

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

MR. BOB ARMSTRONG stated they were able to get the Ford Motor Company which has printed a very interesting booklet for 57 years, to devote the entire addition to the points of interest in Texas, and it was tied in with the Governor's Recreational and Vacation Tourism Program. This publication of top writers and artists, will have 1,300,000 circulation, and be read by over 5,000,000 because it will be placed in public places. Every tourist that comes into the port of entry into Texas receives a copy. He presented each member of the Council one of the books stating Austin would be the focal point, being the Capitol and it is thought this will bring many people into Texas, and Austin will benefit by this. MR. LEIF JOHNSON was also present. Mayor Palmer stated the Council had been concerned about tourism, and he believed "Tourism and Conventions" was now Austin's third largest industry. Anything that comes out under date line of Austin, Texas, is certainly worth many millions. Councilman Long stressed the historical and cultural enrichment tourism brings throughout the whole country. Mayor Palmer said when some of the manufacturers will spend this much money and highlight Texas and write a nice article about Austin, that appreciation should be expressed to these companies. Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, an introduction to the limitless grandeur--the romantic and stirring history--the genial and hospitable people--the unsurpassed recreational opportunities--the varied and thriving industry--and countless other attractions of the wonderful State of Texas, have been superbly telescoped into sixty-eight pages of beautiful photography, art, and language in the November, 1964 issue of Ford Times, and marvelously informative Ford Times "Recreation Map of Texas"; and

WHEREAS, the people of Austin, the capital city of Texas, are grateful that perhaps as many as five million people may be thus invited to, and better enabled to share the enjoyment and advantages of Texas through nation-wide distribution of 1,300,000 copies of Ford Times and hundreds of thousands of copies of the "Recreation Map of Texas"; Now, Therefore,

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

That the appreciation of the people of Austin, particularly, and the people of Texas, generally, be publicly expressed to Ford Motor Company for its fine portrayal of some of the reasons why people who come to Texas do not want to leave, and why people who must leave Texas long to return, in the November, 1964 Ford Times, and Ford Times "Recreation Map of Texas".

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

MR. BILL YOUNGBLOOD, in behalf of the president of the Chamber of Commerce, Mr. Dan Crowley, joined the Council in commending Mr. Armstrong and Mr. Johnson and the Ford Motor Company for making this issue possible. It will be a genuine contribution not only to the State program, but to what the Chamber of Commerce

and City Council has been trying to do in developing the image of Austin as being the frontier capital of Texas.

MR. YOUNGBLOOD, presented a resolution approved by the Tourism and Recreation Department of the Chamber of Commerce, having to do with the No. 1 Team of the Nation. He read the resolution as follows:

"Achievement of the highest rank always receives recognition throughout the country. Such achievement deserves full recognition at the place of its origin. The University of Texas Longhorns have attained and maintained the Number One spot in the nation and brought to The University of Texas and to Austin a measure of recognition which could not be otherwise attained.

"The Tourism and Recreation Department of the Austin Chamber of Commerce hereby offers its highest commendation to Coach Darrell Royal and The University of Texas Longhorn Football Team for the outstanding manner in which they carry the title of "Number One in the Nation".

s/ Bill Youngblood
Bill Youngblood, Vice President
for Tourism & Recreation
Austin Chamber of Commerce"

Councilman LaRue moved that the Council concur with the Chamber of Commerce in this resolution. The motion was seconded by Councilman White and carried by unanimous standing vote.

DR. ALBERT KLEIMAN, representing B'Nai B'Rith, stated they had the Outstanding Fireman's Award, and the Outstanding Policeman's Award for Austin, Texas. These gentlemen were nominated by the men in their particular departments. Three nominees from each Department were selected. The Chiefs of each Department then verified the achievements of each. These names were then given to an outstanding citizens panel composed of REV. J. W. MORGAN, Minister, University Methodist Church; JUDGE JOHN PHILLIPS, Court of Civil Appeals; DR. DEWITT REDDICK, Chairman of the Journalism Department of the University; PROFESSOR LEON LEBOWITZ, Law Department of the University of Texas, and DR. JOHN THOMAS, physician and surgeon. This panel selected the outstanding policeman and fireman in the City of Austin.

PATROLMAN WILLIAM F. LIGON was named Outstanding Policeman for Austin, Texas, 1964, and was presented a gold watch suitably inscribed. Honorable mention was given PATROLMEN JAMES BELVIN and DOUGLAS W. WOODALL.

CAPTAIN ALTON R. NICHOLS was chosen as the Outstanding Fireman of the City of Austin, Texas, 1964, and presented a gold watch properly inscribed. Honorable mention was given to LADDERMAN ROBERT I. PETERMAN. Plaques were presented to both MR. LIGON and MR. NICHOLS to be placed in their homes; and Fire Chief Dickerson and Police Chief Miles received plaques to be placed in the Main Fire Station and Main Police Station, each plaque having a place for the name of the award winner for the next 14 years. Chief Miles stated at a time when authority had little respect in the world, the Austin Police Department and he thanked the B'Nai B'Rith for the recognition these men received, realizing the Council would join them in this expression of appreciation. They were not aware of the good

jobs these three men were doing as they were performing their tasks in such a quiet unassuming way, that they had not recognized what they were doing. Mayor Palmer expressed appreciation to Dr. Kleiman and his organization for giving this recognition to these fine gentlemen. He said all through the City would be found the finest and most dedicated City employees that would be found in any City. Councilman Long suggested that a report of these presentations be written and sent in to the Texas League of Municipalities and other municipal magazines, as throughout the country more recognition should be given to the law enforcement officers. Pictures of these men and these reports should be sent to all magazines that are published for municipalities, as it would be another help not only for law and order, but for picturing Austin as a leading City in this field. The Mayor thanked Dr. Kleiman, and congratulated those who were honorably mentioned and those who were the final choice; and coming from the selection of the men themselves this is a fine contribution to CAPTAIN NICHOLS and PATROLMAN LIGON.

The Mayor announced it was 10:30 A.M. and the hearings were opened on improving the following streets:

<u>Street</u>	<u>From</u>	<u>To</u>
a. Camino Real	Koenig Lane	Pequeno Street
West Croslin Street	Marcell Street	Guadalupe Street
Guadalupe Street	St. Johns Avenue	A point 138' north of Croslin Street
Hackberry Street	Navasota Street	San Bernard Street
Lawnmont Avenue	Woodview Avenue	Burnet Road
Marlo Drive	Rimrock Trail	Pecan Springs Road (East)
Montview Street	Lawnmont Avenue	Sacalmont Drive
East Powell Lane	Georgian Drive	A point 753' east of Georgian Drive
Sheridan Avenue	Clayton Lane	A point 131' north of Broadview Street
Touchstone Street	Rimrock Trail	Springdale Road
East 12th Street	Chicon Street	Airport Boulevard
West 30½ Street	Lamar Boulevard	West Avenue
East 55th Street	Link Avenue	Duval Street
East 56th Street	Helen Street	A point 349' east of Bennett Avenue
b. East 17th Street	A point 156' west of WPL Greenwood Avenue	Redwood Avenue

The City Attorney stated both hearings had been properly advertised. Councilman Long inquired about the East 17th Street paving. The City Attorney stated the subdivider on one side of the street was not required to pave the street, but he did at his own expense, and certificates will be assigned for the paving of the other side of the street.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL
AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY
STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE

LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE. (Camino Real and other streets)

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 CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID

STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.
(East 17th Street)

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 AMENDING THOSE TWO CERTAIN ORDINANCES EACH OF WHICH IS ENTITLED: "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 OR TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY", SAID ORDINANCES BEING PASSED BY THE CITY COUNCIL ON APRIL 30, 1964, AND MAY 7, 1964, RESPECTIVELY, AND BEING RECORDED IN BOOK 64 OF THE ORDINANCE RECORDS OF AUSTIN, TRAVIS COUNTY, TEXAS, AT PAGES 399-402 AND 439-442, RESPECTIVELY, BY AMENDING SUBSECTION (a) OF SECTION 2 THEREOF, RELATING TO THE TECHNICAL DESCRIPTION OF THE IMPROVEMENTS THEREIN ORDERED; 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.

After explanation by the City Manager Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, an easement for public utility purposes was granted the City of Austin, in, upon and across four (4) strips of land out of Block 4, Brykerwood's E; the strip of land described as Number 1 being five (5.00) feet in width out of a part of Lot 22; the strip of land described as Number 2 being five (5.00) feet in width out of a part of Lot 21; the strip of land described as Number 3 being one and a half (1.50) feet in width out of Lot 22; and the strip of land

described as Number 4 being one and a half (1.50) feet in width out of a part of Lot 21; said Brykerwood's E being 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 Brykerwood's E of record in Book 4 at page 104 of the Plat Records of Travis County, Texas; and,

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

WHEREAS, the City Council has determined that the hereinafter described easement should be released, SAVE and EXCEPT that an easement be retained for overhead electric and telephone lines across the strips of land described above as Numbers 3 and 4; Now, Therefore,

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

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described public utility easement, SAVE and EXCEPT that an easement be retained for overhead electric and telephone lines across the strips of land described above as Numbers 3 and 4, to-wit:

Four (4) strips of land, the strip of land hereinafter described as Number 1 being five (5.00) feet in width out of and a part of Lot 22, Block 4, Brykerwood's E; the strip of land hereinafter described as Number 2 being five (5.00) feet in width out of and a part of Lot 21, Block 4, Brykerwood's E; the strip of land hereinafter described as Number 3 being one and a half (1.50) feet in width out of and a part of Lot 22, Block 4, Brykerwood's E; the strip of land hereinafter described as Number 4 being one and a half (1.50) feet in width out of and a part of Lot 21, Block 4, Brykerwood's E; said Brykerwood's E being 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 Brykerwood's E of record in Book 4 at page 104 of the Plat Records of Travis County, Texas; each of said four (4) strips of land being more particularly described as follows:

NUMBER 1 BEING all of the east one hundred and twenty-five (125.00) feet of the south five (5.00) feet of said Lot 22;

NUMBER 2 BEING all of the east one hundred and twenty-five (125.00) feet of the north five (5.00) feet of said Lot 21;

NUMBER 3 BEING all of the south forty-five (45.00) feet of the east one and a half (1.50) feet of the west five (5.00) feet of said Lot 22;

NUMBER 4 BEING all of the north fifteen (15.00) feet of the east one and a half (1.50) feet of the west five (5.00) feet of said Lot 21.

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

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

Noes: None

After explanation by the City Manager, Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes in, upon and across a part of Lot 10, Highland Hills Section One, a subdivision of a portion of the T. J. Chambers Grant in the City of Austin Travis County, Texas, according to a map or plat of the said Highland Hills Section One of record in Book 7 at Page 107 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 portion of said easement; and,

WHEREAS, the City Council has determined that the hereinafter described portion of said easement should be released, SAVE and EXCEPT that an easement be retained in the City for overhanging electrical facilities; Now, Therefore,

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

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described public utility easement, SAVE and EXCEPT that an easement be retained in the City for overhanging electrical facilities; said easement being more particularly described as follows, to-wit:

A strip of land 3.50 feet in width same being out of and a part of Lot 10, Highland Hills Section One, a subdivision of a portion of the T. J. Chambers Grant in the City of Austin, Travis County, Texas, according to a map or plat of the said Highland Hills Section One of record in Book 7 at Page 107 of the Plat Records of Travis County, Texas; which strip of land 3.50 feet in width is more particularly described as follows:

BEGINNING at a point in the curving northeast line of Highland Hills Drive, same being in the southwest line of said Lot 10, Highland Hills Section One and which point is the point of intersection between the said southwest line of Lot 10 and a line 5.75 feet southeast of and parallel to the northwest line of said Lot 10;

THENCE, with said line 5.75 feet southeast of and parallel to the northwest line of said Lot 10, N 63° 17' E 95.00 feet to point of termination.

The motion, seconded by Councilman Shanks, 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

2.24 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NUMBER 57, 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.
(Glenora Addition)

Councilman Long 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 October 29, 1964 at 10:30 A.M. 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 ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOT 30, BLOCK 4, MORNINGSIDE ADDITION, SECTION II, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: None
Present but not voting: Councilman Long (as she was absent at the date of hearing)

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: None
Present but not voting: Councilman Long

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: None
Present but not voting: Councilman Long

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: (1) TRACT 1: A 32,738 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 6700-6722 MANOR ROAD AND 3508-3520 LOYOLA LANE, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "IR" LOCAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; AND TRACT 2: A 3,500 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS REAR OF 6706-6710 MANOR ROAD AND THE REAR OF 3512-3516 LOYOLA LANE, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; (2) LOTS 4 AND 5, BLOCK 5 OF THE BRACKENRIDGE HEIGHTS ADDITION, FROM "C" AND "C-1" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (3) A 3600 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 8916-8922 NORTH LAMAR BOULEVARD, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (4) A 3600 SQUARE FOOT TRACT OF LAND LOCALLY KNOWN AS REAR OF 8916-8922 NORTH LAMAR BOULEVARD, FROM "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT AND "GR" GENERAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C-2" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; (5) TRACT 1: LOCALLY KNOWN AS 6200-6204 CAMERON ROAD, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; AND TRACT 2: LOCALLY KNOWN AS 6206-6208 CAMERON ROAD, FROM "A" RESIDENCE DISTRICT TO "C-1" COMMERCIAL DISTRICT; (6) SOUTH 34 FEET OF THE EAST 80 FEET OF LOT 6 AND THE EAST 80 FEET OF LOT 5 AND NORTH 9 FEET OF THE EAST 80 FEET OF LOT 4, BLOCK D, SHELLEY HEIGHTS DIVISION D, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (7) TRACT 1: LOT 1, SAVE AND EXCEPT A 2500 SQUARE FOOT TRACT DESCRIBED AS TRACT 2, SAID TRACT 1, LOCALLY KNOWN AS 921-929 OLTORF STREET AND 2401-2405 SOUTH FIFTH STREET, FROM "B" RESIDENCE DISTRICT TO "IR" LOCAL RETAIL DISTRICT; AND, TRACT 2: A 2500 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS REAR OF 2403-2405 SOUTH FIFTH STREET AND REAR OF 923-927 OLTORF STREET, FROM "B" RESIDENCE DISTRICT TO "C-1" COMMERCIAL DISTRICT; (8) 2800 SQUARE FEET OUT OF LOT NO. 2 OF THE RESUBDIVISION OF BLOCK "B" OF GASTON PLACE, LOCALLY KNOWN AS 1808 BRIARCLIFF BOULEVARD, FROM "GR" GENERAL RETAIL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (9) A 6335 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 7201-7203 NORTH LAMAR BOULEVARD AND 712-720 ST. JOHNS AVENUE, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (10) NORTH 70 FEET OF THE EAST 100 FEET OF LOT 1, OUTLOT 46, FRATERNITY ROW DIVISION D, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (11) 6800 SQUARE FEET OF LAND OUT OF LOT 6, McCARTY TRIANGLE, LOCALLY KNOWN AS 5513-5601 PARKCREST DRIVE AND 3423-3435 NORTHLAND DRIVE, FROM "IR" LOCAL RETAIL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (12) THE NORTH 85 FEET OF LOT 33, GOODNIGHT AND PEARSON

SUBDIVISION, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (13) TRACT 1: LOT 9, BLOCK A, PLAINVIEW HEIGHTS SUBDIVISION; AND TRACT 2: LOT 10, BLOCK A, PLAINVIEW HEIGHTS SUBDIVISION, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT; (14) LOTS 10-18 OF THE G. M. HITCHCOCK'S SUBDIVISION, FROM "B" RESIDENCE DISTRICT AND THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FOURTH HEIGHT AND AREA DISTRICT; AND (15) A 16,500 SQUARE FOOT TRACT OF LAND AT THE SOUTHWEST INTERSECTION OF NORTHLAND DRIVE AND BALCONES DRIVE, LOCALLY KNOWN AS 3401-3405 NORTHLAND DRIVE AND 5608-5616 BALCONES DRIVE, FROM "LR" LOCAL RETAIL DISTRICT TO "GR" GENERAL RETAIL DISTRICT; ALL OF SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: None

Present but not voting: Councilman Long (as she was absent at the date of hearing)

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: None

Present but not voting: Councilman Long

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: None

Present but not voting: Councilman Long

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: THE EAST 32.57 FEET OF LOT 8, F. HASTER SUBDIVISION, FROM "A" RESIDENCE DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIFTH HEIGHT AND AREA

DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

Mayor Palmer pointed out it was a matter of a deed restriction in the area, and the Council was passing this through the first reading until the deed restrictions were removed. Councilman Long questioned the 2' set-back off the highway. The City Attorney stated the case was in the Board of Adjustment, and a change of zone might very well either make unnecessary the Board of Adjustment action or might dictate the Board's action. Councilman Long thought the property should be zoned "C" Commercial in view of all of the other properties, but she was concerned about the set-back. The Board has that authority, but the Council would be aiding the authority by making this change. Councilman Long wanted to look at the property on the ground. Councilman White stated this ordinance was authorized to be brought in last week for first reading.

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

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: None

Present but not voting: Councilman Long (as she was absent at the hearing)

Councilman Shanks moved that MR. GAGE and his Attorney, MR. BOB POTTS, be heard. The motion was seconded by Councilman LaRue. Roll call showed a unanimous vote.

MR. GAGE said he had this property for several years and had received no offers to lease it until this request for a little drive-in building, smaller than the building now on the lot. Commercial surrounds this one-half of a lot. The house is $2\frac{1}{2}$ ' back now, but the little building proposed will be moved back $8\frac{1}{2}$ '. A variance will be required and the off-street parking has been taken care of. Councilman Shanks asked if this were the only one out there with this set-back on it. Mr. Gage stated it was in this particular location; that the house is there now. The new building would be more than that, and would be a nice improvement. Mr. Potts reviewed the conditions of restrictions in this neighborhood, stating the 14 lots in the subdivision had various kinds of restrictions, or no restrictions. Lots 4, 5, 6, 7 and 8 had a residential restriction, but Lots 4, 5, 6, 7 and $\frac{1}{2}$ of Lot 8 are in the Interregional Highway, and the other half is the one under question. Mr. Gage had been unsuccessful in getting the restriction released by his neighbors, and it would be necessary to go to Court. Mr. Potts asked that the Council not set aside its usual policy, but that it also not arrive at an inflexible conclusion that there is a restriction, as the chances are strong that there is not by reason of the breach and asked the Council to pass the ordinance through its second and final passage. Mayor Palmer said he understood Mr. Gage had already initiated a move to remove this restriction, and the Council had stated it would wait until that was done, and that Mr. Gage did not want to proceed until he had some indication of the zoning, so it was agreed that it would be read the first time only. Councilman Long stated she wanted to go ahead and grant the request for change of zoning. Councilman LaRue stated he would be willing to vote it the second and third times today if it were agreeable with the rest of the Council. The Council delayed further decision until the afternoon meeting. Later in the afternoon meeting, Mr. Potts

asked the Council to pass the zoning ordinance through its second and third readings. After discussion, Councilman Long moved that the rule be suspended and the ordinance be passed through its second reading. The motion was seconded by Councilman LaRue. Roll call showed the following vote:

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

The City Attorney stated an ordinance must be read on three separate days unless the majority suspend the rule.

After discussion of the type of houses on Haskell Street and Holly Street, Councilman Long moved that the Council approve the sale of houses located as follows:

2308 Haskell Street (J. Alan St. John - \$1,333.33)
2307 Holly Street (Dick Rathgeber - \$ 238.00)
2307-A Holly Street (J. Alan St. John - \$ 287.50)

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:

"October 13, 1964

"TO: Honorable Mayor and Members of the City Council

"SUBJECT: Bids for Fire Hydrants for Water Distribution for a twelve (12) months period

"Sealed bids were opened in the office of the Purchasing Agent at 10:00 A.M., October 9, 1964 for the estimated quantities of Fire Hydrants for a period of twelve (12) months. These materials are used by Water Distribution and are stocked by Central Stores and are to be delivered by vendor as required by the City of Austin.

"The bids received are as follows:

<u>BIDDER</u>	<u>MANUFACTURER</u>	<u>NET TOTAL</u>
The Rohan Company	M & H	\$9,384.00
Trans-Tex Supply Company	Mueller	9,369.98

"A bid of \$9,181.13 was submitted by Mabry Foundry & Machine Co. of Beaumont on a #B-62-B Darling Fire Hydrant which did not meet specifications. The Water Department Standards Committee recommends that we do not accept. The B-62-B Hydrant requires use of a spring loaded device instead of a positive closing screw-type valve.

"The bid of Trans-Tex Supply Company of San Antonio meets all specifications and requirements of this bid.

"RECOMMENDATION: It is recommended a contract be made with Trans-Tex Supply Company as the lowest and best bid meeting our specifications to furnish Fire Hydrants for a period of twelve (12) months beginning November 15, 1964 and ending November 14, 1965.

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

The Council had under consideration awarding a contract for fire hydrants. Councilman Long inquired if there were any Darling Fire Hydrants in the system now. The Director of Water Utilities stated there were some. The Company which bid the "B-62-B" made special inquiry if he could bid this hydrant, and was told he could bid the model specified; and why he did not elect to do so was not known. The Director of Water Utilities stated there was no experience on the "B-62-B" model, and there is a difference in construction about which they were concerned. Councilman Long asked if it would be advisable to buy a few and use them for testing purposes. The Director of Water Utilities stated he would recommend that. After discussion, Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 9, 1964, for fire Hydrants for Water Distribution Department for a twelve (12) months period; and,

WHEREAS, the bid of Trans-Tex Supply Company, in the sum of \$9,369.98, 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 Trans-Tex Supply Company, in the sum of \$9,369.98, 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 Trans-Tex Supply Company.

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

Councilman Shanks moved that the Council approve the Health Department's fogging the East Ledge, West Ledge Circle, Edgement Drive and Foothills Drive areas and the West 39th Street area as petitioned. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager explained an agreement with the Federal Government to demolish the old buildings and do site clearance work on the properties which the Urban Renewal Agency is acquiring, the terms of the contract to provide

that the City would be reimbursed, getting credit for the expenditures it would make. Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute, on behalf of the City of Austin, that certain "Agreement for Demolition and Site Clearance Work, Kealing Urban Renewal Project, Project No. Tex. R-20" exhibited to the City Council by the City Manager, and the City Clerk is authorized and directed to attest and affix the seal of the City to such agreement and to file a copy thereof in the official records of her office without copying the same at length in the minutes of the City Council.

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

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: None

Present but not voting: Councilman White

The City Manager explained an agreement with the Federal Government for technical services and supplies which would provide reimbursement for any service rendered by any of the City employees, and which would enable them to draw supplies through the City Office Supply and the City to be reimbursed for those supplies. Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute, on behalf of the City of Austin, that certain "Contract for Technical Services and Supplies, Kealing Urban Renewal Project, Project No. Tex. R-20" exhibited to the City Council by the City Manager, and the City Clerk is authorized and directed to attest and affix the seal of the City to such contract and to file a copy thereof in the official records of her office without copying the same at length in the minutes of the City Council.

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

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: None

Present but not voting: Councilman White

The Assistant City Manager read a letter from Mr. Tom Perkins, representing the Austin Ski Club, requesting permission to use Festival Beach area on Town Lake, Saturday, November 7, from 9:00 A.M. to 6:00 P.M., and Sunday, November 8th, from noon to 6:00 P.M. The races would be under the sponsorship of the Austin Ski and Boat Club. The event will be free to the public, but he would like permission to contract with Mr. LaRocca for concession sales. Mr. Perkins wrote that this event would help in projecting the image of Austin as the Water Sports Capital of the Southwest. Councilman Shanks moved that the City Manager be asked to check with Mr. Sheffield and anybody else that is planning anything on the Lake; and if this request does not interfere, that it be granted. The

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

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

The City Manager said several weeks back the City Council authorized him to negotiate with the Southern Union Gas Company in regard to the quantity of gas which the City would take from United Gas Pipe Line Company. The present contract expires on January 1, 1965 at 7:00 A.M. He stated they had agreed on 4,900,000 M.C.F. Councilman Shanks moved that the Council confirm the City Manager's action. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager stated the Plumbing Ordinance was in shape for consideration by the Council. The Mayor suggested setting a hearing on the Plumbing Ordinance at 2:30 P.M., October 22nd, and that the Building Official could notify the Plumbing Code Committee of the hearing. Councilman Long moved that the Council set a hearing on the Plumbing Ordinance for 2:30 P.M. Thursday, October 22nd. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Attorney stated the Building Official had done an excellent job of making a summary of comparisons in table form.

The City Manager reported in connection with the widening of 19th Street, it would be necessary to move the tower light at the corner of Lavaca and 19th. One property owner in the area had complained and wanted the light removed because it attracted crickets. The tower would have to be moved only a few feet to widen the street, but there may be other property owners or tenants in the new apartment building across the street objecting to the location later; and rather than just move it over a few feet, he recommended that the tower be dismantled and relocated elsewhere. Councilman Long suggested Pease Park as the new location, and asked that this area be explored first. The Mayor stated there was an area off of Canadian on Town Lake, where there would be a tremendous development, and would have no particular lighting now; and there may be areas up and down Town Lake where this light could serve very well. He said the tower must be preserved and erected again, but several sites should be considered. Councilman Long stated Town Lake would have modern lighting and her first choice would be for the light to be located in Pease Park, a historical site. Councilman White stated South Austin had one tower light. Councilman LaRue moved that the City Manager be authorized to dismantle this tower light and hold it for a location later. The motion, seconded by Councilman White, carried by the following vote:

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

The City Attorney displayed a map showing East 19th Street and the new Trinity Street, with the easements for a sidewalk and public utility that were to be granted under the arrangements agreed upon with the Crockett Estate. He explained the status of the alley. This transaction had been discussed with the Council at considerable length, but had not been brought to formal fruition, for several reasons. In exchange for the easement plus a deed in fee-simple to the area where the bridge is located, the City was to convey to them a little triangle of property and vacate the alleyway. After this transaction originated but before it was concluded, the possibility of creating a hike and bike trail along Waller Creek from 12th Street eventually on out to 43rd Street was explored. The City Manager showed on the map the ideal location of such a trail, stating some easements on private property had already been acquired for such. Mr. Crockett, in connection with the matter of vacating alleys, etc., has asked the Director of Public Works to request Council approval for covering the creek from Trinity around to 19th Street. If there were a hike and bike trail there, it would be through a tunnel a block long. Councilman Long stated it would be her great hope through the youth employment project that those creeks could be beautified and made beautiful areas in Austin, and she would be the last person to allow that area to be covered, as it would be a shame to block out green areas, where a hike and bike trail could be developed. The City Manager said the immediate problem was Mr. Crockett was urging that the City go on with the completion of these instruments and vacate the alley, etc.; and if it is not desirable for him to go on with the plan, now is the time he should be told. He said the City should get with Mr. Crockett and renegotiate. It would be a terrible mistake to complete the transaction if it would involve the covering of that creek. The Council wanted to make an on-site inspection.

Councilman Long moved that the City Manager be authorized to execute a contract with B. F. RAY for the purchase of the property at 2306 Haskell Street. (Lot 31, Block A, Driving Park Addition, Section 2 - for Holly Street Power Plant) The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager discussed a sidewalk and driveway ramp matter in connection with an apartment building south of 7th Street and on the west side of San Antonio Street, where the parking facilities were provided in the basement of the building. In order to get the proper clearance, it will be necessary to cut the grade below the sidewalk about 3 feet. The Director of Public Works and City Manager discussed the developer's proposing a 20' sidewalk area, with a grille from the property line out into the sidewalk area about 10', and a planting area. The City Manager pointed out this would be only a temporary solution, as when the street was widened there would be no solution at all. Councilman Shanks suggested that a permanent solution be worked out. Later in the afternoon meeting the Director of Public Works reported the property owners would not agree to coming in from the south. He then recommended that the sidewalk be 10' wide next to the curb, and explained the break at the back side of the sidewalk could be made and the drive be extended under the building. Councilman Long moved that the Council accept the recommendation of the Director of Public Works for allowing the curb cut there with the ten foot sidewalk area, and any other specifications Mr. Rountree feels are necessary to protect the citizens. The motion, seconded by Councilman White, carried by the following vote:

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

The Council recessed until 2:30 P.M.

RECESSED MEETING

2:30 P.M.

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

The Tax Appeal of MR. NELSON PUETT, scheduled for 9:00 A.M. Tuesday, October 20th, was reset for 9:00 A.M., October 19th.

The Mayor announced that the Director of Planning was asked by the Council to make a report on the Office of Economic Opportunities.

The Director of Planning distributed copies of an outline of the report on the status and provisions of the Economic Opportunity Act, as presented on September 23 and 24, 1964 in Washington, D. C. He then, following the outline, gave a very detailed resume of the program, showing the various principles and activities covered under the separate departments: Office of Economic Opportunity; Health, Education and Welfare; Department of Labor; and the Community Action Programs; and local coordination. These activities were listed as Job Corps, College Work-Study Program, Work-Training Program, Community Action Program, Work-Experience Program, Employment & Investment Incentives, Volunteers in Service to America, and Rural Programs. He gave full particulars of each program. He reviewed the financial aspect of the Economic Opportunity Act, stating the appropriation was reduced from \$950 million to \$750 million to serve the balance of this fiscal year.

The Council discussed particularly with the Planning Director, the Community Action Program as pertained to the City Council. Mayor Palmer said it would begin at the State level; and if the Governor were to veto this, there would be no program. The Planning Director stated this could be a City, County, School, or combination of individuals, but it has to have recognition from the governing agency. The Schools could go into the program without Council action. Councilman LaRue inquired if this should not be a County-City combination. The Planning Director said it should be. Councilman Long said the most important thing to Austin was the Youth Program, jobs for youths from 16-22, whether they are in school or not. This would be one of the first things the City would want to shoot for along with coordinating other programs they have in existence and expanding on them. Mayor Palmer said this was a detailed and complex and comprehensive program that will need a lot of studying and investigating. The Planning Director stated applications were now being made on the Neighborhood Youth Corps, but the Community Action Program is a more difficult set up, and he explained the procedures. Councilman Long wanted to further state when she attended the Attorney General's Youth Conference last year, many young people, consueillers, and Judges attended, and the main theme worked out to be "Jobs for Youths". She believed this to be the best way to keep the youth employed and in school. Mayor Palmer said the Council would pursue this report and go into it in more detail.

Councilman Long asked the Director of Recreation to report on the Recreation Conference which had to do with Youth in Recreation. The Director of

Recreation gave a brief report, stating applications were being taken for jobs in labor; leaders, clerks, etc. The other type is called "Workreation" for younger groups not out of high school who will be given an opportunity for work experience and be taught to do things. These young people would be a cross section from the whole community. Councilman LaRue reported on a Committee of the Community Council which heard all of the different agencies; and each individual member was asked to give his opinion on what should have top priority. This information is being compiled and will be ready and available soon.

The Council called on the Director of Planning to review the changes in the new zoning regulations. The Planning Director distributed copies of SIGNIFICANT CHANGES OR NEW FEATURES IN THE PROPOSED NEW ZONING REGULATIONS, which included a list of proposed new zoning districts and general relationship to the classification in the old ordinance. The Director of Planning stated 12 citizens were appointed by the Council and worked with the Planning Department and Planning Consultant on the preparation of the ordinance. He wanted to condense some of the key items that should be contained in the ordinance and to give typical examples of what would be involved. The present ordinance contains about 78 use districts. About 30 districts are involved in the proposed ordinance. These new districts were listed as in the outline presented, and discussed in some detail. He pointed out about 13 significant changes in the new ordinance, and explained them briefly. The City Manager explained the manner in which property owners could be notified of the changes of zoning, as there would be hearing after hearing held, and the Council would be the determining agency of what land went into what district. During the discussion Councilman Long stated she wanted to say here and now, that she wanted to do away with all executive hearings as far as City planning and City business is done. It is being done in the zoning commission and it is a mistake; it is the people's business, and when a new vehicle is being set up like this, she wanted to see open meetings in all cases. If it is not done, she said she was going to start making issues of it. In the discussion, the Planning Director stated in the Capital Development Program, they were faced with economic forces, and this ordinance is within their capabilities to recognize those economic forces. The Planning Commission Chairman stated this has been drawn up by the Planning Committee, Planning Department and Specialists, but it had not been submitted to the Commission. The Planning Director inquired if this were the general framework in which the Council would like for them to proceed. The City Attorney stated under the zoning ordinance and State law the Planning Commission is required to go over this. Mr. Osborne and the Special Committee wanted to know if what they had done was generally close to what the Council wanted them to continue pursuing. The Planning Director showed pictures of examples of various uses and developments, open spaces, townhouses, row houses, etc.

Mayor Palmer said this was an excellent presentation which reflected deep and studious work performed on the zoning. He asked that the Council be furnished a copy of the text to study. The Planning Director stated if the Council felt that they were generally on the right track, they would go back with the committee for a final draft report, and then an extensive legal review. Councilman LaRue said he thought they had gotten off to a very good start.

MR. JIM NOVY discussed the bids on brass fittings, stating they made a bid on September 25th, and were the low bidder. Copper was going up, and they would like to order the merchandise. Following is a tabulation of bids:

<u>BIDDER</u>	<u>MANUFACTURER</u>	<u>NET TOTAL</u>
The Rohan Company	Hays and Ford	\$24,351.09
Alamo Iron Works	Hays	25,051.30
Trans-Tex Supply Company	Mueller	26,789.48
Austin Pipe and Supply Company	Jones	24,669.05

Tabulation of the bids was reviewed. Mr. Novy said they had bid on it, but the specifications were changed. It was pointed out this was an addendum put out two days before the bids were received. Mr. Novy said they did receive the telegram, but it was too late to get the cheaper material to bid on. They got the telegram on the 23rd and the bid sheets stated any alterations would have to be in by the 21st.

The Mayor read the paragraph in the specifications about the questions on the bidding, and asked if Mr. Novy raised any question at the time before the bids were opened about the telegram or addendum. Mr. Novy replied he was going by the bids; as far as the telegram they felt that was out.

Councilman Shanks moved that MR. STILES, representing the ROHAN COMPANY, be heard. The motion was seconded by Councilman LaRue. Roll call showed a unanimous vote.

MR. STILES said this brass item manufactured by Ford was accepted by the City of Austin in 1955, and they had been using it since then. Everytime an opportunity was given to bid, they bid Ford brass; and when they were fortunate enough to be low bidder they furnished it. This time Ford's name was left off the list. He had mentioned the omission to the Assistant Director, who in turn called it to the attention of the Director of Water Utilities, who with the Purchasing Agent decided it would be best for the City. The City Manager stated the specifications said the products must be either Hays, Jones or Mueller, and this addendum said "Ford" would be acceptable. Councilman Shanks asked Mr. Stiles if he stocked any of the merchandise in Austin. Mr. Stiles stated he did; and if they were awarded the contract, they would bring in a supply for the City. The Mayor asked if he had called attention to the fact that "Ford" merchandise was not included. Mr. Stiles stated the bids went to Waco, and he had not seen them until it was called to his attention that "Ford" had been omitted, although it had been used since 1955. He said there would be four separate items of "Ford" products. It was pointed out there was \$324.25 difference in the bids. Mr. Novy said "Ford" is cheaper on the regular list price. Had they not figured the "Ford" products, Mr. Novy would have been low bidder. On Councilman Long's inquiry, Mr. Novy stated his firm had been handling these supplies in the past. Mr. White inquired if Mr. Novy stocked his supplies here, where they could get them at any time. He stated he did. Councilman Long inquired if they had been accustomed to using "Ford". The Director of Utilities stated they had been, and it was accidentally left off the original bid, and added by the addendum as an additional acceptable brand.

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

MR. SIMONS, Austin Pipe and Supply Company, stated "Ford" products carried a lower list price than James, Jones, Mueller, and Hays. The Rohan Company of Waco are the exclusive distributors for the "Ford" products. Mr. Simons said his Company handled Jones in this area. Mr. Rohan handled Hays and Ford in the area, and Trans-Tex handled Mueller in the territory. Mr. Stiles said it was a selective distributorship. Councilman LaRue stated if the plans, specifications, and addendum reached all of the bidders in the more or less acceptable manner; and if they did, or did not that matter should be passed on. If they did, the Council is faced with only one other problem and that is whichever firm offered the lowest bid, should be given the contract, if no bidding procedures had been violated. Councilman Shanks stated he was of the opinion that the clarity of the addendum was not sufficient and he moved that the bids be awarded to Mr. Novy. Councilman Long seconded the motion. The Mayor stated the City had always tried hard to keep its bidding practices and instructions very clear so that there would be no misunderstanding; and he had always understood from the City Attorney that anytime there is a lower bid that all that could be done would be to reject all the bids. The City Attorney stated in this case it could be readvertised; but the Council would not be in a position to give it to anyone other than the low bidder. Councilman Long inquired how would he know if the "Ford" brand that is cheaper is as good. The City Attorney said the bidders had bid the way it was advertised, and all bidders had equal opportunity. Councilman Shanks stated he was arguing the addendum was null and void because it was sent out at such a late date. The City Manager recommended that the procedure should be done over, and a call for new bids be sent. Councilman LaRue expressed opposition to this, as it had been his very, very strong feeling that nothing should be permitted to pass that would leave the impression that the City of Austin would not accept the low bid, and he was strongly opposed under any circumstance of taking any thing less than the low bid. Councilman Shanks stated he did not think the addendum was valid. Councilman Long thought it was unfair that the specifications were made, and the bidders made their bids in good faith, and two days before, they got a telegram stating they were going to change. Councilman LaRue stated this particular collection of items had not bid on for four or five years, and this bid here is some indication of some \$6,000 less from what is normally paid for these articles, and very definitely, he did not want to discourage other people from coming in and bidding and if something other than the lowest bid is taken, that irreparable damage would be done the City. Councilman Shanks complimented the City in putting this out on bids, as putting it out on a yearly supply, the City is saving some money and it is good judgment on the part of the City. The City Attorney stated there were two choices--one was to accept the low bidder, and the other was to re-advertise. Councilman LaRue stated in discussing an increase in the cost, he had read that the government was turning over the stockpile and the price dropped three cents. The Mayor said he wanted to bring out that Austin wanted to protect its bidding procedures to the fullest and bids from people outside of the City had always been accepted; and all things being equal, everybody on the Council would favor the local merchant. The only thing he had voted for was rejecting all the bids and rebidding if there was any question. Discussion was held on evaluating bids and performance. Mr. Novy stated they had 14 days to make up their bid, and the specifications included if there was anything to discuss, it must be done before the 21st of September. When the telegram was received on the 23rd they felt they had no right to complain about it. The City Manager said this had never been so construed by any other bidders; but this did not apply to the question of an addendum. Mr. Stiles stated the challenge was to be in writing. He did discuss the omission of the "Ford" product after the 21st. Councilman Long stated that made the bid invalid. Councilman Shanks said if they challenged it after the 21st they did not bid

according to the specifications; and as a result they were not the low bidder. The City Attorney read from the specification that all questions concerning specifications, instructions and rules on this bid must be made in writing to the Purchasing Agent in order that written addendum may be sent to all the other bidders if necessary. Councilman Shanks asked to rephrase his motion, to say in view of the fact that Mr. Stiles registered his complaint to Mr. Hunkler after the 21st that his complaint was not valid because of the date of the 21st had already been stated in the bid; and in view of this, he wished to state in his opinion that the Novys are the low bidder, and Councilman Shanks moved that the bid be awarded to the Austin Pipe and Supply Company. The motion was seconded by Councilman Long.

Councilman Long expressed hope that next year there would be a better clarification and Mr. Stiles would bid again and that there would be other bidders, but it was not fair to have someone come in after the deadline and made some suggestions. Councilman LaRue asked the City Manager had some other individual come to him and pointed out that the "Ford" product had been left out, rather than this individual if he would have been just as willing to put the name "Ford" in there. The City Manager stated if no one, except a City employee had recommended that, and had said they had been used continuously and were satisfactory, that he would want to know why they had not been included in there. Councilman LaRue pointed out this was a complete oversight. Councilman Shanks' motion that the bid be awarded to the Austin Pipe and Supply Company, carried by the following vote:

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

Councilman LaRue made the following statement concerning his vote:

"Under the rules and regulations as laid down here and interpreted by the City Attorney, it is clear to me, that this is not the manner in which it should be handled, and I am very much opposed to it, and I vote 'no'".

MR. MORRIS SHIPARO commended the Council, the City Manager and its valuable Department Heads for the consideration.

Councilman White moved that the Council set 9:00 A.M., November 4th to hear the following additional tax appeals:

Avent, Richard	1 parcel
Samuelson, Daniel R.	1 parcel
Steck Company	
By Harry M. Whittington	1 parcel
Crockett, Moton H. Jr.	1 parcel
Lebowitz, Leon	1 parcel
Armstrong, Bob	1 parcel
Warner, W. E.	1 parcel
McMath, Hugh L.	1 parcel

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

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

Councilman LaRue moved that the Council approve the request of COLONEL VANCE MURPHY, Director of Aviation, for a VETERANS' DAY PARADE, November 11th, from 10:30 A.M. to 11:30 A.M. from 2nd and Congress to 11th and Congress. The motion, seconded by Councilman Long, carried by the following vote:

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

Councilman Long moved that the Council hear the Town Lake Study Committee, Thursday, October 22nd at 11:30 A.M. instead of 2:30 P.M. 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 at 7:20 P.M. subject to the call of the Mayor.

APPROVED

Lynton E. Palmer

ATTEST:

Elis Hooley

City Clerk