

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 22, 1963
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, Mayor Palmer
Absent: Councilman White

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

Councilman White absent due to illness.

Invocation was delivered by REVEREND ROY BAYSDEN, Minister Intern, Central Christian Church.

The Council greeted and welcomed MRS. J. T. McREE and MRS. MIKE ROCHE, representatives from the Junior League.

MR. ED BLUESTEIN, District Engineer, State Highway Department, presented the Council with a report of the Origin and Destination Study, for which the City and State entered into a contract at a cost of \$85,000, \$42,500 each. MR. GEORGE CARVER, Highway Planning Survey Engineer, expressed appreciation to MR. WALTER KLAPPROTH, Traffic Engineer, and praised him highly for his excellent cooperation in the development of this data. MR. CARVER said he had conducted many of these surveys; and no where had he experienced such help and assistance. The brochure represents findings of the factual data made to determine the origin and destination trips; and on these basic data future streets and traffic patterns could be projected. Through computers, this data can be processed and it will show what will take place on these various streets, and that would help in planning an arterial system. Councilman Long asked which streets surprised them the most in this study for origin and destination and projection for the future number of passengers. MR. JOE WRIGHT, Manager of the Urban Transportation Studies, stated possibly Mr. Bluestein and all of them were surprised over the expressways as much as any, and possibly with Mr. Klapproth, the Missouri-Pacific Boulevard showed a tremendous demand in the future. Mayor Palmer stated the Council had considered the expenditure at length and felt the \$40,000 expenditure on the part of the city, if it would get a Five Million Dollar participation on a boulevard, might be well spent. He said many, many metropolitan cities were faced with a

rerouting of traffic at a very high cost, and he believed good early planning in the development stages in working out the thoroughfares and cross-town streets would save untold millions of dollars in correcting some mistakes that might have been made. Mr. Bluestein stated by July, 1965, every city over 50,000 would have to have concluded an urban transportation survey, which this origin and destination study lends itself. MR. CARVER stated under the new Federal Highway Act, this study gave a head start on that. MR. WRIGHT stated there is not another city in Texas nor in the United States as far ahead on transportation planning down the National Committee Urban Transportation Lines as Mr. Klapproth is in Austin, as he has more studies completed and has done more with the data. The Mayor stated he was convinced Mr. Klapproth was a good traffic engineer. MR. DAVID BARROW stated this study would be a wonderful benefit to the Planning Commission. Mayor Palmer expressed appreciation to the Highway Department for its presentation this morning, stating the City was happy to receive this, as it would be of tremendous help.

Councilman LaRue moved that the Minutes of the Regular Meeting of August 15th, and of the Special Meeting of August 19th, 1963, be approved. The motion, seconded by Councilman Long, carried by the following vote:

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

The Council had before it consideration of annexing 11.56 acres of land out of the Henry Warnell Survey. The Planning Director discussed the right-of-way for extension of East 51st Street, and the subdivision plat submitted on Windsor Park Hills. The preliminary plan showed the thoroughfare on this section entirely on Mr. Scott's land. The Director of Planning stated one-half the right-of-way should come from both tracts of land, but this would require a revision of the preliminary plan to the north. The City Manager read a letter from MR. MARION SHAFER, Attorney, requesting the annexation and pointing out upon passage of the first reading of the ordinance, he wanted to apply for a change of zoning. The Mayor stated the zoning could not be assured until the area was finally annexed. He stated the Council could introduce the ordinance, and then these other matters pointed out by the Planning Director could be worked out. Councilman LaRue introduced the following ordinance and moved that it be published in accordance with Article I, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN
BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXA-
TION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF
11.56 ACRES OF LAND, SAME BEING OUT OF AND A PART OF
THE HENRY WARNELL SURVEY NO. 20, 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.

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

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 Long, carried by the following vote:

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

Pursuant to published notice thereof the Council opened the hearing on paving the following streets:

<u>Street</u>	<u>From</u>	<u>To</u>
BERKMAN DRIVE	Wheless Lane (East)	U. S. Highway 290
BRENTWOOD STREET	Guadalupe Street	Canion Street
CASWELL AVENUE	East 51st Street	East 52nd Street
GAYLOR STREET	Brentwood Street	Guadalupe Street
HARDY DRIVE	Justin Lane	Pasadena Drive
LANCASTER COURT	East 51st Street	A point 171' north of E. 52nd Street
LINDA LANE	Wheless Lane	Patton Lane
OLDHAM STREET	E. 25th Street	Wahrenberger Street
PATTON LANE	Berkman Drive	Mira Loma Lane
RAYMOND STREET	Lamar Boulevard	A point 135' east of Lamar Blvd.
WAHRENBERGER STREET	Oldham Street (South)	Cole Street
WHELESS LANE	Berkman Drive	Peggy Street
WILLIAMS STREET	Raymond Street	Canion Street
EAST 50TH STREET	Avenue F	Avenue G
EAST 51ST STREET	Airport Boulevard	Interregional Hwy.
EAST 52ND STREET	Lancaster Court	A point 414' east of Lancaster Court.

No one appeared in the interest of the paving. The City Attorney stated notice was published as required by law and notices were filed in the deed records concerning the properties involved.

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. (Berkman Drive and sundry 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, Mayor Palmer
Noes: None
Absent: Councilmen White

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, Mayor Palmer
Noes: None
Absent: Councilman White

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, Mayor Palmer
Noes: None
Absent: Councilman White

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"August 20, 1963

"To: W. T. Williams, Jr. City Manager Subject: Assessment Paving - Contract No. 63-A-12

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, August 20, 1963, for the construction of approximately forty-four (44) blocks of pavement and accessories known as Assessment Paving Contract Number 63-A-12, consisting of 15 units.

"Jack A. Miller	\$114,240.61
Bowden & Associates Inc.	\$115,956.27
Lee Maners	\$117,112.86
C. H. Lester Const. Co. Inc.	\$119,046.47
J. W. Steelman, Inc.	\$120,081.43
City's Estimate	\$124,365.07

"I recommend that Jack A. Miller with his low bid of \$114,240.61 be awarded the contract for this project.

"From: R. E. Beckham
Asst. Director of Public Works
s/ R. E. Beckham"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 20, 1963, for the construction of approximately forty-four (44) blocks of pavement and accessories known as Assessment Paving Contract Number 63-A-12, consisting of 15 units; and,

WHEREAS, the bid of Jack A. Miller, in the sum of \$114,240.61, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Assistant Director of Public Works, and by the City Manager of the City of Austin; Now, Therefore,

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

That the bid of Jack A. Miller, in the sum of \$114,240.61, 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 Jack A. Miller.

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

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: FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT ON LOTS 13 AND 14, BLOCK 9, FRUTH ADDITION, IN THE CITY OF 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 Shanks moved that the ordinance be passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

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

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) (A) TRACT 1: FRONTS 385.7 FEET ON THE NORTH RIGHT OF WAY LINE OF ANDERSON LANE AND CONTAINS 7.3 ACRES OF LAND, LOCALLY KNOWN AS 2700-2716 ANDERSON LANE, FROM "B" RESIDENCE DISTRICT TO "A" RESIDENCE DISTRICT; AND (B) TRACT 2: AN INTERIOR TRACT OF LAND HAVING DIMENSIONS OF 352.15 FEET BY 34 FEET, LOCALLY KNOWN AS REAR OF 8016-8042 BURNET ROAD, FROM "C" COMMERCIAL DISTRICT TO "A" RESIDENCE DISTRICT;

(2) LOT 4, BLOCK D, GROOMS SUBDIVISION, FROM "IR" LOCAL RETAIL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (3) A TRACT OF LAND FRONTING APPROXIMATELY 80 FEET ON THE SOUTH RIGHT OF WAY LINE OF EAST 52ND STREET, LOCALLY KNOWN AS 1103 EAST 52ND STREET, FROM "A" RESIDENCE DISTRICT TO "IR" LOCAL RETAIL DISTRICT; (4) A TRACT OF LAND HAVING AVERAGE DIMENSIONS OF 150 FEET BY 200 FEET, LOCALLY KNOWN AS 3829-3903 SOUTH 1ST STREET AND 512-518 BEN WHITE BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT;

(5) THE WEST 75 FEET OF LOTS 1 AND 2, BLOCK 4, CHRISTIAN AND FELIMAN ADDITION, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (6) A TRACT OF LAND FRONTING 129.86 FEET ON THE EAST RIGHT OF WAY LINE OF GUNTER STREET, LOCALLY KNOWN AS 631-639 GUNTER STREET, FROM "D" INDUSTRIAL TO "C-1" COMMERCIAL DISTRICT; (7) THE SOUTH 100 FEET OF LOT 1, JOHNSTON AND PRICE SUBDIVISION, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; (8) AN INTERIOR TRACT OF LAND HAVING DIMENSIONS OF 45 FEET BY 60 FEET, LOCALLY KNOWN AS 1511-1515 ANDERSON LANE, FROM "IR" LOCAL RETAIL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (9) A TRACT OF LAND CONTAINING APPROXIMATELY 12.018 ACRES OF LAND, LOCALLY KNOWN AS 300-520 ANDERSON LANE; 7900-8014 FURNELL DRIVE AND 211-215 WONSLEY DRIVE, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; (10) A TRACT OF LAND FRONTING 78 FEET ON THE EAST RIGHT OF WAY LINE OF SOUTH 1ST STREET AND 127.05 FEET ON THE NORTH RIGHT OF WAY LINE OF CLARKE STREET, LOCALLY KNOWN AS 3911 SOUTH 1ST STREET AND 510-514 CLARKE STREET, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (11) (A) LOT 3 AND THE NORTH 50 FEET OF LOT 4, BLOCK 1, HENRY B. SEIDERS SUBDIVISION; AND (B) THE SOUTH 79.6 FEET OF LOT 4, BLOCK 1, HENRY B. SEIDERS SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; (12) LOTS 8, 9, AND 10, BLOCK 5, CROWS SUBDIVISION, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; AND (13) (A) A TRACT OF LAND FRONTING 337.5 FEET ON THE WEST RIGHT OF WAY LINE OF STERZING STREET, LOCALLY KNOWN AS 404-418 STERZING STREET, AND (B) AN INTERIOR TRACT OF LAND HAVING DIMENSIONS OF 20 FEET BY 106 FEET, LOCALLY KNOWN AS 418 STERZING STREET, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL 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 Long, carried by the following vote:

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

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 Long, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

The Council discussed the sale of the triangular tracts which the City owns on the Interregional Highway, Clermont Avenue and Flores Street, in connection with a zoning application (John Joseph, et al - 36-38 Waller Street, 1106 Flores Street; 1101, 1105-1111 Clermont; Additional Area: 31-39 Interregional Highway; 1104, 1108-1110 Flores Street; 1103, 1011-1013 Clermont Avenue and 30-32 Waller Street). The Mayor reported a long distance call from the developer who wanted to assure the Council he was serious about their plans, and they were ready to move out if the Council saw fit to do anything with the City's property. The Mayor said the Council's main concern had been the triangle down on Flores Street, but that the City needed Flores Street. He said he had told the developer that all of this property on the Town Lake was in its very early development and the Council had to be sure before it sold any of that area that there would be no need for it for a thoroughfare or other purposes. The developer understood and said he just wanted to reassure him that they were ready to begin. The City Attorney reviewed the Council's policy on selling fragments of property. He inquired if the negotiations would be with the developer who had the whole area blocked up, or the one who owned the little sliver of property. He reviewed previous instructions from the Council not to treat these separately but to treat them as one parcel. He reported on the letter Mr. Fowler had written to the Attorney representing the zoning applicants and proposed developers, stating if the first letter should be construed as an offer, that it was being withdrawn for further clarification. After discussion, Mayor Palmer introduced the following

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: (A) (1) LOT 8, BLOCK E, R. C. LAMBIE SUBDIVISION OF VOSS ADDITION, FROM "GR" GENERAL RETAIL

DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT; (2) LOT 10, BLOCK E, R. C. LAMBIE SUBDIVISION OF VOSS ADDITION, FROM "GR" GENERAL RETAIL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT; (3) LOTS 11-13, AND LOT 24, BLOCK E, R. C. LAMBIE SUBDIVISION OF VOSS ADDITION, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT; (B) (1) LOTS 6 AND 7, AND LOTS 21-23, BLOCK E, R. C. LAMBIE SUBDIVISION OF VOSS ADDITION, FROM "GR" GENERAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT, (2) LOT 9, BLOCK E, R. C. LAMBIE SUBDIVISION OF VOSS ADDITION, FROM "GR" GENERAL RETAIL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT; (3) LOTS 25 AND 26, BLOCK E, R. C. LAMBIE SUBDIVISION OF VOSS ADDITION, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIFTH HEIGHT AND AREA 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 Long, carried by the following vote:

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

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 Long, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

Later in the meeting the Council discussed the sale of three city tracts of land again. The Mayor stated it was concluded that the City Manager be asked to bring in a recommendation after checking with all Departments concerned as to whether or not the City would need Flores Street and the triangle south of it. The City Manager said the developers were willing to buy the rest of the property

and leave the triangle out. He asked if it were the wishes of the Council to sell all or none. The Mayor said he would like to sell it all; but if it were the City Manager's recommendation to retain the triangle, then that would not be taken into consideration. The City Manager recommended selling the two tracts and holding the lower triangle as he had always thought a street would be needed in this location. The Mayor asked that he bring in his recommendation next Thursday as to whether or not it would be his recommendation to consider all three tracts or just the two.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 591119-A, SECTION 3, SO AS TO CORRECT THE USE DESIGNATION ON A TRACT OF LAND FRONTING APPROXIMATELY 1110 FEET ON THE EAST RIGHT OF WAY LINE OF MANOR ROAD AND APPROXIMATELY 100 FEET ON THE SOUTH RIGHT OF WAY LINE OF PECAN SPRINGS ROAD, LOCALLY KNOWN AS 5101-5313 MANOR ROAD AND 2901-2903 PECAN SPRINGS ROAD, FROM "C" COMMERCIAL DISTRICT TO "GR" GENERAL RETAIL DISTRICT, THE "C" COMMERCIAL DISTRICT DESIGNATION HAVING BEEN INCLUDED IN SUCH ORDINANCE NO. 591119-A, SECTION 3, BY VIRTUE OF A CLERICAL ERROR; SAVE AND EXCEPT FOR THAT PROPERTY DESCRIBED IN SECTION 5 OF ORDINANCE NO. 600114-C, LOCALLY KNOWN AS 5213-5303 (5317-5331) MANOR ROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CORRECTION HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

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 Long, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman Shanks moved that decision on the following zoning application be postponed until August 29, 1963:

MISS ANNA GARDNER	300 East 30th Street	From "B" Residence
By Robert C. Sneed	3001-3003 Speedway	To "C-1" Commercial
		NOT Recommended by the Planning Commission

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

The Council discussed a proposed ordinance regulating pool halls. After a detailed discussion, Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 25, PUBLIC AMUSEMENTS,
OF THE AUSTIN CITY CODE OF 1954 BY ADDING THERETO A
NEW ARTICLE DESIGNATED AS "ARTICLE III. POOL HALLS".
TO LICENSE AND REGULATE THE OPERATION OF POOL HALLS.

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 Shanks, carried by the following vote:

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

Councilman LaRue moved that a public hearing be set for 10:30 A.M., Thursday, August 29, 1963. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Mayor read a letter addressed to Councilman Ben White concerning a nuisance and air pollution created by the big busses leaving their motors running while their passengers have their meals, in this particular case at Hill's restaurant. The bus motors are left running to keep the air conditioning in operation. Those establishments north of the restaurant receive the fumes from the exhausts of the busses through their air conditioners, and their stores are filled with these fumes. Mr. Nelson, Nelson's Trading Post, asked the Council to contact the officials of the Bus companies and ask that they have their drivers shut off the motors when the busses are parked for any length of time. Councilman LaRue moved that the City Manager be asked to investigate this, and contact these Bus Lines and ask them about the possibility of the drivers shutting off their motors. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Councilman Shanks asked that a copy of this letter be sent to the Bus Lines.

HONORABLE PAT CAIN extended an invitation to the ground-breaking of Westminster Manor, Jackson Avenue and Bull Creek Road, at 5:00 P.M., August 25, 1963.

The Council had before it for further consideration the following zoning application pending from last week:

CAPITAL NATIONAL BANK	Tract 1	From "A" Residence 1st
TRUSTEE, By W. H.	610-710 St. Johns Ave. (Rear)	Height & Area and
Bullard	7200-7324 Interregional	"C" Commercial 5th
	Highway	Height & Area
		To "C-1" Commercial 5th
		Height & Area
	Tract 2	
	404-608 St. Johns Ave.	From "A" Residence
		To "C" Commercial
		RECOMMENDED by the
		Planning Commission
		with condition

The Director of Planning said the tract was intended to be used for a motel and restaurant, and the question is the matter of dedication and improvement of DUVAL STREET. Pending before the Planning Commission is a subdivision encompassing Duval Street to the West (Holiday Heights, Section 1). He said the motel developers had agreed to pave Duval under the voluntary assessment cost and pay \$4200. In turn the right of way would be dedicated jointly by Mr. Bullard and the Motel owners. The Director of Planning said the question is the acceptance of the street with the agreement that the developers pay the voluntary assessment which in this case would be for both sides. Since the lots in the residential subdivision would back to the street, there is some question of assessment involved on lots backing to the street. MR. BULLARD stated the motel developers had agreed, whenever a program was developed, the land would be deeded to the City immediately, and a bank letter of credit would be available whenever the city declared the necessity of paving that street. The City Manager pointed out there would be some drainage involved in getting the street improved, and it is expected that even with property owner participation on voluntary basis of about \$4200 the City would still have an expense of \$7,000. This arrangement as proposed would be establishing a precedent. The policy has been that where property owners divide their property and streets are required, they pay the full cost of paving. To make an arrangement such as this would be a departure from the policy followed in the past. Mr. Bullard stated there were three problems: (1) the zoning of the tract; (2) Does the City want the deeding of land with a voluntary agreement to pay a justified part of the cost of developing the street which has no benefit to the people who are putting it in; and (3) Should a small residential subdivision be burdened with the cost of the street. The City Manager stated the matter before the Council is the change of zoning, and the principal question was whether or not the tract should have the use of it changed if the street is not there. He stated since the adoption of the subdivision ordinance in 1953 and the paving policy, in no instance had the City accepted the dedication of a new street without arrangements being made for its improvement. The estimated cost of drainage and curb and gutter in this case, runs higher than the \$4200. Mr. Bullard contended the street would be of no benefit to the Motel development nor the residential development, and it was being given only to benefit the City's needs. MR.

DAVID BARROW gave his opinion as a subdivider, stating he did not believe the City paid its part in a situation like this, and that the City benefited substantially from what is being done here. He said he thought the offer these people made was a fair offer. The City Manager explained a thoroughfare which moved people from all parts of the city to other parts was a different problem than this; that this is a small residential street, and the majority of the people in Austin would never use it. He said if there was a departure from this policy, and if the City is to assume a portion of the cost in each of these cases, it could result in quite a few million dollars expenditures on the part of the City in the future, and there could be expected quite a few more dollars from the tax payers if it is approached in a different way. MR. BULLARD said his residential subdivision comes up next week for approval. His company proposed to buy the residential part and put in 37 home sites, and the Dallas company expects to buy Lot 3. It was provided in the contract that they would dedicate their part of the street. The agreement to pay on the pavement is beyond what they agreed to do to start with. The land could be left as it is now--an unsightly mess. Mr. Bullard suggested zoning the area back possibly within 150' of the back line, and leave the rest out until the City could decide what it wanted to do. He said he would withdraw the subdivision plan and stay with it until the city wanted a street, and then it had its procedures to get it. The Motel people do not want a street back there.

Later in the afternoon meeting, the Council discussed this further. The Planning Director said the street situation was something that comes up weekly in the Department. The City Manager stated in this particular case, the problem arose at the time the property was subdivided. Since the Planning Commission did not concern itself with who is to pay for the street, perhaps there should be some policy for the Commission to follow to guide it in connection with the street lay out. Finally, after much more discussion, Councilman Long moved that the change of zoning on this property be DENIED. The motion was seconded by Councilman LaRue. Roll call on the motion resulted in a tie vote as follows:

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

Councilman LaRue stated his thought was that the applicants would put the street there in compliance with the City's regulation instead of by their own regulation. Councilman Long stated Mr. Bullard should be told to convey this to his clients that this is the City's policy. Councilman Shanks stated the applicants had gone a long way to satisfy the City's condition.

The Council recessed until 2:30 P.M.

RECESSED MEETING

2:45 P.M.

At 2:45 P.M. the Council resumed its business.

The Mayor read a letter from Lt. Colonel M. S. AZZOLINA expressing appreciation for the many courtesies shown the NORAD COMMAND BAND. He asked that Colonel Azzolina and the Washington Office be written letters.

The Mayor read a petition from residents of Truman Heights Addition requesting that their area be fogged. Councilman Long moved that the City Manager be directed to fog this area. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Mayor Palmer read two letters, one from DR. ROBERT BARNARD, Aspen, Colorado; and one from LEAVELL R. SMITH, JR., Stuttgart, Arkansas, expressing enjoyment of the Carrera De La Capitol, on August 11th, during the Austin Aqua Festival, and thanking the officials for making this one of the finest events of its kind.

The City Manager read a letter from MR. ED BLUESTEIN, District 14, of the Highway Department pertaining to a median barrier fence which will be constructed from a point 0.45 miles north of Highway 290 to Riverside Drive. It was stated in the letter that there would be a pre-construction conference on this project at the District Office, Friday, August 23, 1963 at 10:00 A.M., and it was requested that someone from the Traffic and Police Departments attend, or anyone else that would be interested in these plans. The Chief of Police and Traffic Engineer were to be present.

The City Manager read a letter from MR. TOM BROWN, President of the Community Council of Austin and Travis County, recommending that the Management Consulting Firm of BOOZ, ALLEN and HAMILTON be engaged by the City to undertake the study of hospital and health needs of the community. (That was to comply with the motion that the City Manager enter into a contract with the firm recommended by them.) The Community Council plans to establish a local committee to work with the consultants during the course of study, to analyze the findings and recommendations of the study and take leadership following the study in trying to obtain community cooperation in implementing recommendations. Representation from the City Council, the County Commissioners, local Hospital Governing Boards, Medical Profession, and the citizenry of the community would be sought for membership on the study committee. The Mayor stated they would like to have two representatives from each of the groups mentioned. Councilman LaRue moved that COUNCILMEN LONG and SHANKS be appointed as the City's representatives on this study committee. The motion, seconded by Councilman Long, carried by the following vote:

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

The City Manager stated a contract which conformed generally to the proposal that had been made for the study of the hospital and health needs, had been worked out, in that the consultants would agree in this contract to provide a complete study and a complete report on a basis of per diem rates which are set forth in a schedule with the definite understanding that the complete study and report will not exceed \$30,000. It will be necessary for the employer of the consulting firm to provide working space. There is no city facility available.

He recommended renting space which would amount to a few hundred dollars. Councilman Long moved that the City Manager be authorized to find available office space for the survey team that will be here, and at a nominal fee. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The City Manager reported that a group wanted to develop an apartment area on Longview Street, and he had quite a recommendation from the Traffic Engineer and Director of Public Works that Longview Street not be extended to intersect with Lamar. He read the memorandum. The intersection was not recommended as it would produce one of the most hazardous intersections in the city. The recommendation was that if Longview were to be vacated that a cul de sac be constructed down to the right of way of Lamar, but with no entrance into Lamar. The City Manager reported that this may have started in connection with the apartment matter, but the Assistant Director of Public Works says there is a petition from the property owners to pave this street, from 25th to Lamar. The City Manager stated this would need a little study.

Councilman Long reported that people on Rainey Street have their notices to put up their money for paving, and some do not understand and they are trying to borrow money from loan sharks. She suggested that someone be sent to explain this program to them.

Councilman Long moved the Texas Tech group be granted permission to have a rally in the 100 block of East 7th Street with all precautions to be checked by the City Manager and Police Chief. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Councilman Long moved that permission be granted to close off NORTHWOOD CIRCLE for a teenage street dance on September 7th from 6:30 until 10:00 P.M. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

A RESOLUTION MAKING CERTAIN FINDINGS
REGARDING SLUM CLEARANCE AND REDEVELOP-
MENT IN THE URBAN RENEWAL PROJECT, KEALING,
TEX R-20

WHEREAS, the City of Austin has adopted an Urban Renewal Plan concerning an area known as the "Kealing Project"; and,

WHEREAS, there is included in such Plan, as adopted by this Governing Body on May 16, 1963, an area designated for clearance and redevelopment; and,

WHEREAS, within such clearance and redevelopment area rehabilitation without clearance would be impractical, infeasible, and ineffective in that at least 50% of the structures in this area are dilapidated beyond the point of feasible rehabilitation, and there are parcels in such area that do not have access to streets, there is a density of two to nine structures on each parcel, the streets are unsafe and insufficient to carry the traffic, and there are no recreational facilities; Now, Therefore,

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

1. That it is necessary as set out in the Kealing Urban Renewal Plan that the slum clearance and redevelopment section be cleared and redeveloped and not rehabilitated, and in this connection the Council finds as follows:

- a. There are parcels in the area that do not have access to streets.
- b. There is an overly high density of usage, with two to nine structures on each parcel.
- c. There are streets that are unsafe and insufficient to carry the traffic.
- d. There are no recreational facilities in the area.
- e. There are at least 50% of the structures in the clearance and redevelopment area that are in a dilapidated condition beyond the point of feasible rehabilitation.

2. The Council finds that rehabilitation of the area without clearance would be impracticable, infeasible, and ineffective.

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

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer

Noes: None

Absent: Councilman White

The City Manager stated in July a recommendation from the Director of Recreation had been received that there be a reduction in the amount of commissions received from the concessionaires at some of the swimming pools in their vending machines receipts due to increased price of sugar. A check had been made in the price of sugar and it was found at this time it is the same as it was in January of this year, \$10.25 per hundred pounds.

The Assistant City Manager brought up for discussion some details for the Labor Day Parade. The Mayor suggested that one car be provided the Council members, and that details as to furnishing city equipment for the parade be worked out by the City Manager.

The Mayor read a letter from INGALLS STONE COMPANY calling attention to their particular building stone and asking the name of the architect that would design the 500 bed general hospital in the near future. The Mayor asked that the letter be answered letting Mr. Ingalls know that the whole matter is only in the survey and study status at this time.

Councilman LaRue moved to hold in abeyance MR. BAUMGARTNER'S request for the purchase of land between Redwood and Greenwood Streets. The motion, seconded by Councilman Long, carried by the following vote:

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

Mayor Palmer reappointed MR. WESLEY PEARSON, MR. HARRY PETERSON, and MR. MILTON SMITH as members of the Board of Trustees of the Urban Renewal Agency for a two year period. Councilman LaRue moved that the reappointments of these three gentlemen be confirmed. The motion, seconded by Councilman Shanks, carried by the following vote:

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

MAYOR PALMER stated in this connection he would like to ask that the City Attorney prepare a resolution stating it is the intent of the Council to enlarge on this Board as of July, 1964, and he would like to appoint a Negro and Latin American to this Board who could start sitting in on these meetings briefing themselves until their term became available.

The Council discussed the appointments to the Citizens Advisory Committee and informally agreed that a committee of 15 would be desirable. The Mayor submitted lists of names as suggested by the League of Women's Voters and by other groups and individuals. Councilman Long submitted some names for consideration. The Mayor asked the Council to look these lists over, and that the appointments to this Citizens Advisory Committee be made next Thursday.

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

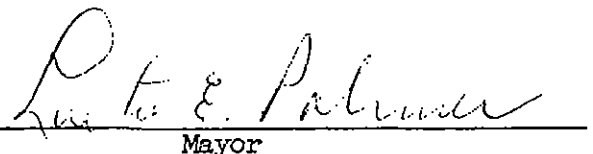
Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer
Noes: None
Absent: Councilman White

The Council adjourned at 6:00 P.M. subject to the call of the Mayor

ATTEST:


City Clerk

APPROVED


Mayor