

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 13, 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 M. L. LUNDQUIST, Gethsemane Lutheran Church.

Councilman White moved that the Minutes of the Meetings of April 2 and August 6, 1964 and of the Special Meeting of July 13, 1964, be approved. 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 VACATING AND CLOSING TO PUBLIC TRAVEL PORTIONS OF WEST RIVERSIDE DRIVE, DAWSON ROAD, BARTON SPRINGS ROAD AND BOULDIN AVENUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; FIXING THE DATE UPON WHICH VACATION AND CLOSING TO PUBLIC TRAVEL SHALL BECOME EFFECTIVE; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE 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 Shanks, carried by the following vote:

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

The ordinance was read the second time and Councilman LaRue moved that the

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, Long, Shanks, White, Mayor Palmer
Noes: None

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, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin, by Ordinance No. 640813-A, passed on August 13, 1964, vacated and closed to public travel the hereinafter described portions of West Riverside Drive, Dawson Road, Barton Springs Road and Bouldin Avenue as of 6:00 o'clock A.M. August 16, 1964, for the maximum protection of the public safety and the maximum convenience to the public; and,

WHEREAS, the City Council deems it to be in the best interest of the public to dedicate and set aside as public streets and thoroughfares in the City of Austin, at 6:00 o'clock P.M. August 16, 1964, the hereinafter described portions of said streets; Now, Therefore,

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

That the portions of West Riverside Drive, Dawson Road, Barton Springs Road and Bouldin Avenue vacated by Ordinance No. 640813-A, passed August 13, 1964, be and the same are hereby set aside and dedicated as public streets and thoroughfares, effective at 6:00 o'clock P.M. August 16, 1964, said portions of such streets being described as follows:

All that certain portion of a street in the City of Austin, Travis County, Texas, known as West Riverside Drive, which certain portion of West Riverside Drive extends from the east line of South Lamar Boulevard easterly to the west line of South 1st Street.

All that certain portion of a street in the City of Austin, Travis County, Texas, known as Dawson Road, which certain portion of Dawson Road extends from the north line of Barton Springs Road northerly to the south line of West Riverside Drive.

All that certain portion of a street in the City of Austin, Travis County, Texas, known as Bouldin Avenue, which certain portion of Bouldin Avenue extends from the north line of Barton Springs Road northerly to the south line of West Riverside Drive.

All that certain portion of a street in the City of Austin, Travis County, Texas, known as Barton Springs Road which certain portion of Barton Springs Road is more particularly described by metes and bounds as follows:

BEGINNING at the point of intersection of the east line of Dawson Road with the north line of said Barton Springs Road;

THENCE, with the north line of Barton Springs Road in an easterly direction crossing Bouldin Avenue, to the point of intersection of the north line of said Barton Springs Road with the West line of South First Street;

THENCE, with the southerly prolongation of the west line of South First Street in a southerly direction to a point in a line twenty (20.00) feet south of and parallel to the north line of said Barton Springs Road;

THENCE, with said line twenty (20.00) feet South of and parallel to the north line of said Barton Springs Road, same being along the face of the north curb in said Barton Springs Road, in a westerly direction, across Bouldin Avenue intersection, to a point in the southerly prolongation of the said east line of Dawson Road;

THENCE, with the southerly prolongation of the east line of Dawson Road in a northerly direction to the point of BEGINNING.

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

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF (A) 47.97 ACRES OF LAND OUT OF THE JAMES P. WALLACE SURVEY NO. 18, AND (B) 0.77 OF ONE ACRE OF LAND OUT OF THE T. J. CHAMBERS GRANT, IN TRAVIS COUNTY, TEXAS; WHICH ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE. (Westover Hills, Sec. 2; Northwest Hills Mesa Oaks, Phase 1-A)

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, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

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 23.68 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE T. J. CHAMBERS 8 LEAGUE GRANT, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.
(Highland Hills, Section 5, Phase 2 and unplatted land)

Councilman LaRue moved that the ordinance be published in accordance with Article 1, Section 6 of the Charter of the City of Austin and set for public hearing at 10:30 A.M., August 27, 1964. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Councilman Long moved that MRS. JESSIE McILROY SMITH, State Legislative Chairman, Daughters of the Republic of Texas and Chairman of Travis County Historical Survey Committee be heard. The motion was seconded by Councilman White. Roll call showed a unanimous vote.

MRS. SMITH said they wanted to keep before the citizens of Travis County that this is the 125th anniversary of the founding of Austin as the State Capitol of Texas and the County Seat of Travis County--1839-1964. She invited the Council and citizens to take special pride in the location of the City Hall, it being the site of the first Capitol of the Republic of Texas under the sponsorship of President Mirabeau Bonaparte Lamar and with the designated name of AUSTIN in honor of Stephen F. Austin. It was discovered that President Lamar was not included with the founders of Texas in the Mural to be done for the State Archives Library Building, and vigorous action was taken to work with State officials to include LAMAR in the Mural. She said it was fitting to give credit to the Daughters of the Republic of Texas for deepening Texian history in its true perspective for future generations. The Mayor mentioned the very detailed comprehensive and beautifully written report of the five commissioners that President Lamar sent out to find a location for the Capitol, and the reasons they set out as to why this site was chosen. He stated the interest of the Daughters of the Republic of Texas in seeing that President Lamar's picture was included is appreciated.

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 two (2) strips of land, each of the said two (2) strips of land being five (5.00) feet in width; the strip of land hereinafter described as Number 1 being out of and a part of Lot 30, Ridgewood Village, Section 1; the strip of land hereinafter described as Number 2 being out of and a part of Lot 38, said Ridgewood Village, Section 1 being a subdivision of a portion of the Henry P. Hill League in the City of Austin, Travis County, Texas,

according to a map or plat of record in Book 6 at Page 59 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owners of said premises have requested the City Council of the City of Austin to release the above described public utility easement; and,

WHEREAS, the City Council has determined that said easement in, upon and across the above described property is not now needed and will not be required in the future; Now, Therefore,

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute a release of the following described easement for public utility purposes, to-wit:

Two (2) strips of land, each of the said two (2) strips of land being five (5.00) feet in width; the strip of land hereinafter described as Number 1 being out of and a part of Lot 30, Ridgewood Village, Section 1; the strip of land hereinafter described as Number 2 being out of and a part of Lot 38, said Ridgewood Village, Section 1, said Ridgewood Village, Section 1, being a subdivision of a portion of the Henry P. Hill League in the City of Austin, Travis County, Texas, according to a map or plat of record in Book 6 at Page 59 of the Plat Records of Travis County, Texas, and each of the two (2) strips of land five (5.00) feet in width being more particularly described as follows:

NUMBER 1: BEING all the south five (5.00) feet of the west 112.49 feet of said Lot 30, Ridgewood Village, Section 1;

NUMBER 2: BEING all the north five (5.00) feet of the west 112.49 feet of said Lot 38, Ridgewood Village, Section 1.

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the alley which traversed Block 135, in the Original City of Austin, Travis County, Texas, according to a map or plat of said Original City of Austin on file in the General Land Office of the State of Texas, was vacated by the City Council of the City of Austin by Ordinance dated July 11, 1963, and recorded in Volume 2631 at Page 309 of the Deed Records of Travis County, Texas, subject however to the retention of a public utility easement in said alley; and,

WHEREAS, the owner of the above described property has requested the City Council of the City of Austin to release said above described public utility easement, and has agreed to defray the cost of relocating public utility facilities located in said easement to a more desirable location; and,

WHEREAS, the City Council has determined that said easement should be released; 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, to-wit:

All that certain public utility easement twenty (20.00) feet in width which was retained in, upon, and across that certain alley which traversed Block 135 in the Original City of Austin, Travis County, Texas, according to a map or plat of said Original City of Austin on file in the General Land Office of the State of Texas; which certain alley was vacated by the City Council of the City of Austin by ordinance dated July 11, 1963, and recorded in Volume 2631 at Page 309 of the Deed Records of Travis County, Texas; which certain public utility easement extends from the east line of Lavaca Street to the west line of Colorado Street.

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

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

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

- (1) A gas main at DRAKE BRIDGE, from West 1st Street to the north abutment of said DRAKE BRIDGE, the centerline of which gas main shall be 23 feet east of and parallel to the centerline of said DRAKE BRIDGE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (2) A gas main on DRAKE BRIDGE, the centerline of which gas main shall be from the point of intersection of a line 23 feet east of and parallel to the centerline of said DRAKE BRIDGE with the north abutment of DRAKE BRIDGE, southerly 58.29 feet to the point of intersection of a line 18 feet east of and parallel to the centerline of said DRAKE BRIDGE with a line 58.03 feet south of and parallel to the said north abutment of DRAKE BRIDGE.

- (3) A gas main on DRAKE BRIDGE, from a point 58 feet south of the north abutment of said DRAKE BRIDGE to the south abutment of said DRAKE BRIDGE, the centerline of which gas main shall be 18 feet east of and parallel to the centerline of said DRAKE BRIDGE.
- (4) A gas main in SOUTH 1ST STREET, from the south abutment of Drake Bridge southerly 73 feet, the centerline of which gas main shall be 18 feet east of and parallel to the southerly prolongation of the centerline of Drake Bridge.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (5) A gas main crossing SOUTH 1ST STREET, the centerline of which gas main shall be from the point of intersection of a line 18 feet east of and parallel to the southerly prolongation of the centerline of Drake Bridge with a line 73 feet south of and parallel to the south abutment of Drake Bridge easterly 103 feet with said line 73 feet south of and parallel to the south abutment of Drake Bridge.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility, bridge and/or bridge abutments damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets, bridge and/or bridge abutments after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

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

The City Manager submitted the following:

"August 11, 1964

"To: W. T. Williams, Jr., City Manager Subject: Missouri-Pacific Boulevard,
W. 35th Street Overpass and
Appurtenances Contract No.
64-C-9

"Following is a tabulation of bids received at 10:00 A.M., Tuesday,
August 11, 1964 for the construction of the West 35th Street Overpass and
Appurtenances known as Contract Number 64-C-9.

Texas Bridge Co., Inc.	\$257,734.74
Larson-Pugh, Inc.	\$258,289.33
Ross Anglin & Son	\$259,999.98
Ross C. Watkins, Inc.	\$273,322.25
Austin Engineering Co.	\$274,738.01
Concho Const. Co., Inc.	\$275,287.12
Turner & Tucker, Inc.	\$307,781.11
Ed H. Page	\$327,270.87
City's Estimate	\$271,405.92

"I recommend that Texas Bridge Co., Inc. with their low bid of \$257,734.74
be awarded the contract for this project.

"From: S. Reuben Rountree, Jr.
Director of Public Works
Signed S. Reuben Rountree, Jr."

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 11, 1964, for
the construction of the West 35th Street Overpass and Appurtenances, known as
Contract Number 64-C-9; and,

WHEREAS, the bid of Texas Bridge Co., Inc., in the sum of \$257,734.74,
was the lowest and best bid therefor, and the acceptance of such bid has been
recommended by the Director of Public Works of the City of Austin, and by the
City Manager; Now, Therefore,

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

That the bid of Texas Bridge Co., Inc., in the sum of \$257,734.74, 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 Texas Bridge Co., Inc.

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

Councilman Long moved that the Council accept and approve the recommendation of the Building Standards Commission on the following substandard housing:

- Structure at 7502 Bennett Avenue - Be demolished either by private
(Ruby Kellough) contract or through an agency of the City within 60 days from August 11, 1964; and if fails to do so that the City demolish the structure and the costs thus incurred shall constitute a valid and enforceable lien against the property upon which the structure is located.
- Structure at 7516 Carver Avenue - Be demolished either by private
(Alice Dove) contract or through an agency of the City within 60 days from August 11, 1964; and if fails to do so that the City demolish the structure and the costs thus incurred shall constitute a valid and enforceable lien against the property upon which the structure is located.
- Structure at 7512 Carver Avenue - Be demolished either by private con-
(William Thomas) tract or through an agency of the City within 30 days from August 11, 1964; and if fails to do so that the City demolish the structure and the cost thus incurred shall constitute a valid and enforceable lien against the property upon which the structure is located.
- Structure at 7217 Carver Avenue - Be demolished either by private con-
(D. C. Madison) tract or through an agency of the City or be brought up to Minimum Standards within 60 days from August 11, 1964; and if fails to do so that the City demolish the structure and the costs thus incurred shall constitute a valid and enforceable lien against the property upon which the structure is located.
- Structure at 7216 Carver Avenue - Be demolished either by private con-
(Ophelia Madison Groves) tract or through an agency of the City within 60 days from August 11, 1964; and if fails to do so that the City demolish the structure and the costs thus incurred shall constitute a valid and enforceable lien against the property upon which the structure is located.

Structure at 7105 Providence
(Lillie Johnson)

- Be demolished either by private contract or through an agency of the City within 30 days from August 11, 1964; and if fails to do so that the City demolish the structure and the costs thus incurred shall constitute a valid and enforceable lien against the property upon which the structure is located.

Structure at 7019 Blessing Ave.
(Leon Kellough)

- Be repaired to minimum standards within 90 days from August 11, 1964; and if he does not repair the structure within 90 days the City have the structure demolished either by private contract or through an agency of the City.

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the erection of a boat dock on the property owned by Mr. Charles G. Hard as described in the Travis County Deed Records and known as a part of the John Jackson Survey #50 and hereby authorizes the said Mr. Charles G. Hard to construct, maintain and operate this boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said Mr. Charles G. Hard has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
August 12, 1964

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

"I, the undersigned, have reviewed the plans and have considered the application of Mr. Charles G. Hard owner of the property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road and

known as a part of the John Jackson Survey No. 50 as recorded in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately fifty (50) feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Mr. Charles G. Hard is granted his request by the City Council, that it be subject to the following conditions:

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

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

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

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

"Respectfully submitted,
Dick T. Jordan
Building Official"

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

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH W. H. BULLARD FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

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

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

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

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

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

The Council had before it a Resolution authorizing Cooperation Agreement with Texas State Library for Federal participation in providing library services. The City Manager read a letter addressed to the Librarian from the Texas State Library explaining funds being made available under the Library Services Construction Act. The City Manager read from the Contract, setting out that Congress had enacted a Library Service Construction Act to promote further extension by the several states of Public Library Services to areas without such services or with inadequate services, and listed the agreements of the Texas State Library in that it would furnish on a loan basis a library book collection and library equipment, as determined by the State Library Commission and furnish such additional services as are customarily given. The City would agree to submit an annual report of its library appropriations and expenditures, and that the figures indicated in those reports would be listed by the State Library as matching funds under the Library Services Construction Act.

The City Manager said the Librarian, MISS MARY RICE, tells him in actual practice that if this agreement were executed, the books that would be made available are books which this Library would select itself. Councilman Long asked if these books would be disseminated throughout the County where people do not have access to public libraries. The City Manager explained the Federal Government makes available to the State--not to cities or counties--funds for expansion and development of the Library System; and these funds must be matched by State or local funds. He explained the effect of this proposal as to the matching funds, and the ability of the State to make Federal Funds available to communities that have no libraries. Councilman LaRue stated the words used in the contract were "to contribute to those that did not have libraries, or those that had inadequate libraries" and said Austin did not come under either of those categories. The City Manager stated the matter of having adequate services was a matter of degree.

Councilman Long moved that MR. DICK PETTWAY be heard. The motion was seconded by Councilman White. Roll call showed a unanimous vote.

MR. PETTWAY stated, historically, the omnipotent Government in trying to raise the mental level, was trying to plan for rural areas, and explained briefly the plan. The Act has been amended to include cities who are qualified to accept the funds; and it is just an example of giving something in an educational field. Austin's Library distributed 815,000 books in the first seven months of this year; the demand for books is great and the Library cannot supply the demand, and this would be the greatest opportunity it would have. Councilman LaRue assumed there were places in Texas that needed the books more than Austin. The Council discussed the Library Service Construction Act. Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on the _____ day of _____, A.D., 1964, the Texas

State Library and the City Council of Austin, Texas entered into an agreement to cooperate in a state-wide plan for development of library services program, which agreement is in accordance with the provisions of the Library Services and Construction Act, duly enacted by the Congress of the United States; and,

WHEREAS, the State library has agreed to perform the following acts:

1. To furnish on loan a library book collection as determined by the Texas State Library.
2. To furnish on loan library equipment as determined by the Texas State Library.
3. To furnish such additional services as are customarily given.

and,

WHEREAS, the City of Austin has agreed to perform the following acts:

1. To submit an annual report of library appropriations.
2. To submit an annual report of library expenditures.
3. To allow the figures indicated on these reports to be listed by the Texas State Library as matching funds under the Library Services and Construction Act.

Now, Therefore,

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

That the City Manager be authorized and is now hereby authorized by this Council to execute the agreement entitled "Agreement Between the City of Austin and the Texas State Library for Library Development Under the Library Services and Construction Act."

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Shanks, White, Mayor Palmer
Noes: None
Present but not voting: Councilman LaRue

Councilman LaRue stated he would like to have more time to study this.

The Mayor announced it was 10:30 A.M. and the hearing on the ordinance to annex 0.48 of one acre out of the James P. Wallace Survey No. 57 - unplatted land, was open. No one appeared to be heard. Councilman Long moved that the hearing be closed. The motion, seconded by Councilman White, carried by the following vote:

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

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN

BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 0.48 OF ONE ACRE OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NO. 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.
(Unplatted land)

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

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

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

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

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

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the construction and maintenance of a basement in the sidewalk area on the south side of East 9th Street adjoining Lots 7 and 8, Block 96, of the original City of Austin, Travis County, Texas, and hereby authorizes the City National Bank to construct and maintain a basement in the sidewalk area subject to the same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue a building permit for the construction of this basement after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations, and the right of revocation is retained, if, after hearing, it is found by the City Council that the said City National Bank has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances; and such permission is granted and accepted subject to the following further conditions, to wit:

1. That in constructing such basement the City National Bank will take care to avoid damage to any utility improvements now situated in the vicinity of such construction and will at his own expense repair all damage which may be caused thereto and will at his own expense, cause such utility lines to be re-located where made necessary by such construction.

2. That such permission may be revoked in whole or in part by the City

of Austin at any time it becomes necessary to use such space for underground utility improvements and in the event of such revocation or partial revocation the owner of such premises shall construct the necessary walls and footings to separate such space from the remainder of such building and shall pay all cost and expenses in connection therewith.

(Recommendations attached)

"We, the undersigned, have considered the application of the City National Bank for permission to construct and maintain a basement in the sidewalk area on the south side of East 9th Street between Brazos and San Jacinto, adjoining lots 7 & 8, Block 96, of the original City of Austin, Travis County, Texas, locally known as 217 East 9th Street, and we hereby advise that the following conditions exist:

"This property is located in a downtown business district in which a number of buildings occupy the space beneath the sidewalk and this application is for permission to extend the basement to the south curb line of East 9th Street from the South property line of East 9th Street, and we wish to recommend that the City National Bank be permitted to construct this basement under the sidewalk area subject to the following conditions:

"That the space adjoining the building below the sidewalk on public property may be used and occupied in connection with the building on condition that the right to so use and occupy may be revoked by the City at any time and that the owner of the building will construct the necessary walls and footing to separate such space from the building and pay all costs and expenses attendant therewith.

"Respectfully submitted,
s/ S. Reuben Rountree, Jr.
S. Reuben Rountree
Director of Public Works
s/ Dick T. Jordan
Dick T. Jordan
Building Official"

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

The Council greeted and welcomed MRS. JAMES R. SLOAN, third grade teacher.

Councilman Long moved that MRS. LULA MAE WALKER GOLDEN be heard to discuss a building problem at 3105 East 12th Street. The motion was seconded by Councilman LaRue. Roll call showed a unanimous vote.

Councilman Long stated Mrs. Golden had a substandard lot, which did not face on the street. Since the Council had looked at this, there is development behind this property, and it is possible there would be a road on which Mrs. Golden's property would front. Her lot is not useful as it is. Mrs. Golden is requesting since the activity behind her lot is taking place, that she be allowed to move her house on this property. Councilman Long said she had told

Mrs. Golden it would take Council action, and for her to come to the meeting this morning. MRS. GOLDEN said since the Council had been there, the street had been opened, and everything was cleaned off. The Building Official stated this development was private property. Mayor Palmer inquired about utilities. Councilman Long said there were utilities already down to that lot down the side road, and the private road that now exists may become a dedicated street, as it is a continuation of a street that now exists. Councilman LaRue asked Mrs. Golden if she had talked to anyone about an easement on this property. Councilman Long said she had an easement from 12th Street. The Building Official said the owner planned to use this lot adjoining Mrs. Golden's as an entrance to his apartment project, and a part of it might be sold off for commercial. Councilman LaRue asked if she retained the right to run utility lines down to her property. The City Manager pointed out there were two problems -- (1) the Subdivision Ordinance which prohibits the creation of separate lots that do not have at least 50' of frontage on a dedicated street; (2) the Zoning Ordinance and Building Code prohibits the construction of a house on a substandard lot that does not have street frontage. Both ordinances would be violated. MAYOR PALMER stated the Council would go look at this again, and try to give her an answer. Later in the meeting the Council discussed this again and no action was taken.

MAYOR PALMER announced that MR. BEN HENDRICKSON had invited all the members of the Council to ride in the Labor Day Parade at 10:00 A.M. and to congregate at 12th and Colorado Streets.

Pursuant to published notice thereof the following zoning applications were publicly heard:

C.M. LOAR	400 East 11th Street	From "C" Commercial 2nd
By Douglas B.	1101-1105 Trinity Street	Height & Area
Coopwood		To "C-1" Commercial 2nd
		Height & Area
		RECOMMENDED by the
		Planning Commission

Councilman White moved that the change to "C-1" Commercial 2nd Height and Area be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Mayor announced that the change had been granted to "C-1" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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HUNTER SCHIEFFER &	6318-6428 Northeast Drive	From "A" Residence
WATT SCHIEFFER	6400-6412 Manor Road	To "LR" Local Retail
By John B. Selman	6228-6316 Springdale Road	RECOMMENDED by the
		Planning Commission

Councilman Shanks moved that the change to "LR" Local Retail be granted.

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

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

Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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BOZEMAN-HILL, INC.
By H. W. Bains

7300 North Interregional
Highway

From "C-1" Commercial
5th Height & Area
To "C-2" Commercial
5th Height & Area
RECOMMENDED by the
Planning Commission

Councilman Long moved that the change to "C-2" Commercial 5th Height and Area be granted. The motion, seconded by Councilman White, carried by the following vote:

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

Noes: None

The Mayor announced that the change had been granted to "C-2" Commercial 5th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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ANN MILLER CROCKETT
By William Kay Miller

Rear of 120-146 Academy
Drive
Rear of 1101-1119 The
Circle

From "B" Residence 2nd
Height & Area
To "C-1" Commercial 2nd
Height & Area
RECOMMENDED by the
Planning Commission

Councilman White moved that the change to "C-1" Commercial 2nd Height and Area be granted. 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 the change had been granted to "C-1" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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EDMUNDS TRAVIS
By Odas Jung

2601-2613 Manor Road
2207-2217 Stafford Street

From "C" Commercial 5th
Height & Area
To "C-1" Commercial 5th
Height & Area
RECOMMENDED by the
Planning Commission

Councilman Shanks moved that the change to "C-1" Commercial 5th Height and Area be granted. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor announced that the change had been granted to "C-1" Commercial 5th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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PAUL H. VERCHER & MRS. NADINE TAYLOR By Douglas D. Hearne	1417-1421 Oltorf Street 2104-2108 Thornton Road Tract 1 1401-1415 Oltorf Street 2100-2104 Thornton Road Tract 2 Rear of 2111-2113 South Lamar Boulevard	From "A" Residence To "C" Commercial RECOMMENDED by the Planning Commission
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Councilman White moved that the change to "C" Commercial be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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B. L. TURNER	106-110 West 31st Street 3101-3103 Cedar Street	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area RECOMMENDED by the Planning Commission
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Councilman Shanks moved that the change to "B" Residence 2nd Height and Area be granted. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor announced that the change had been granted to "B" Residence 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

MRS. MYRTLE GOETZ came in late after the zoning change was approved, and expressed opposition to further density in the neighborhood, stating there were cars racing late at night now. The

Mayor said this could be handled by having the police to patrol the area.

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C.B. & H.L. MAUFRAIS
By Thomas B. Watts

Tract 1
Rear of 214-222 So. Congress
108-112 Barton Springs Rd.
Rear of 114-314 Barton
Springs Road
Rear of 400-430 W. River-
side Drive
Rear of 153-213 South 1st
Street

From "D" Industrial 1st
Height & Area
To "GR" General Retail
4th Height & Area
RECOMMENDED by the
Planning Commission

Tract 2
Rear of 200-212 South
Congress Avenue

From "D" Industrial 1st
Height & Area
To "C-2" Commercial 4th
Height & Area
RECOMMENDED "C-2" Com-
mercial 4th Height &
Area for northerly
254.16' and "GR" General
Retail 4th Height &
Area for south 242.10'

Mr. Thomas Watts, representing the applicants, stated the recommendation of the Planning Commission on Tract 2 was acceptable. Councilman Long moved that the change be granted as recommended by the Planning Commission. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Mayor announced that the change had been granted to "GR" General Retail 4th Height and Area for Tract 1 and to "C-2" Commercial 4th Height and Area for the northerly 254.16' of Tract 2 and to "GR" General Retail 4th Height and Area for the south 242.10' of Tract 2, and the City Attorney was instructed to draw the necessary ordinance to cover.

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CHARLES N. ALIRED
By Wallace A. McLean

Tract 1
Rear of 4703-4709 Sunset
Trail

From Interim "A" Resi-
dence 1st Height &
Area
To "BB" Residence 1st
Height & Area
RECOMMENDED by the
Planning Commission

Tract 2
4601-4651 Sunset Trail
4401-4641 Fredericksburg
Road
2501-2545 West Ben White
Boulevard

From Interim "A" Resi-
dence 1st Height &
Area
To "C" Commercial 1st
Height & Area
RECOMMENDED by the
Planning Commission

Councilman Shanks moved that the change be granted to "BB" Residence 1st Height and Area for Tract 1 and to "C" Commercial 1st Height and Area for Tract 2. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Mayor announced that the change had been granted to "BB" Residence 1st Height and Area for Tract 1 and to "C" Commercial 1st Height and Area for Tract 2 and the City Attorney was instructed to draw the necessary ordinance to cover.

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MRS. LAURA ANSCHUTZ	812-824 East 53rd Street	From "BB" Residence
and R.A. OBENHAUS	5300-5308 Depew Avenue	To "LR" Local Retail
		NOT Recommended by the
		Planning Commission
		RECOMMENDED "O" Office

Mrs. Anschutz stated "O" Office was acceptable to her. Councilman Shanks moved that the change to "O" Office be granted. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

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AUSTEX DEVELOPMENT	5600-5632 Springdale Road	From Interim "A" Residence 1st Height and Area
LTD., By Bryant-Curington, Inc.	3401-3533 Rogge Lane	To "C" Commercial 6th Height and Area
		NOT Recommended by the
		Planning Commission
		RECOMMENDED "GR" General Retail 6th Height & Area

Mr. Thomas B. Watts representing the applicant stated "GR" General Retail 6th Height and Area was acceptable as recommended. Councilman Long noted 10' would be needed on Springdale Road and 5' on Rogge Lane for right-of-way. Councilman Shanks moved that the change to "GR" General Retail 6th Height and Area be granted. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor announced that the change had been granted to "GR" General Retail 6th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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MRS. MATTIE COLEMAN 425-513 Ben White Blvd.
416-508 Clarke Street

From "A" Residence 1st
Height & Area &
"B" Residence 2nd
Height & Area
To "GR" General Retail
2nd Height & Area
NOT Recommended by the
Planning Commission
RECOMMENDED "O" Office
1st Height & Area

Mrs. Mattie Coleman represented herself, stating they wanted to build a motel. It was pointed out by the Assistant Planning Director, the recommendation was for "O" Office under which a special permit for a motel could be obtained. Mrs. Coleman preferred the "GR" General Retail as she did not want the burden of going through the process of obtaining a special permit. It was pointed out control of the ingress and egress was of special concern. Opponents had filed a petition asking that this be changed to "O" Office and that "GR" General Retail NOT be granted. Opposition was expressed by MR. ROBERT F. HARWELL, stating the neighbors would go along on the "O" Office zoning, but did not want this "GR" General Retail zone. Mrs. Harwell and Mrs. McCord had no objection to the motel stating it could be developed in the "O" Office zone. They feared development of the many other uses which are permitted in "GR" General Retail. Councilman LaRue stated this development could be accomplished under "O" Office, there would be no difficulties of a special permit, and proper control of the drives could be maintained. The Council wanted to make an on-site inspection of the property. Later in the meeting, Councilman Shanks moved that the change to "GR" General 2nd Height and Area be granted as requested. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor announced that the change had been granted to "GR" General Retail 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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E. T. MORRIS 3706 Crawford Street

From "A" Residence
To "O" Office
NOT Recommended by the
Planning Commission

Mr. E. T. Morris said on July 21st, they received a notice from the Zoning Committee that the change was granted, and they were under the impression that was all that was necessary and they leased their place to an interior decorator. Different members commented that the notice sent to them could be confusing, and that the wording should be changed. MR. MORRIS said there was a divided vote by the Planning Commission and the City had a big electric substation back of this location. Councilman Long said the Planning Commission admitted the property should be changed, and it was a matter of changing it all at one time. Councilman Shanks moved that the Council override the Planning Commission and grant the requested change. The motion, seconded by Councilman White, carried by the following vote:

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

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

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KATHERYN T. WENDLER	901-905 West 19th Street	From "BB" Residence
By Edward T. Wendler	1808-1810 Pearl Street	To "O" Office
		NOT Recommended by the Planning Commission

Mr. Edward T. Wendler represented the owner of the property on the southwest corner of 19th and Pearl Streets and is now zoned "BB" Residence. The Zoning Committee recommended "O" Office, but the Planning Commission reversed the decision by 4 to 3 vote. Mr. Wendler said the family had rejected an offer of \$32,000 for the property as they intended to develop it themselves. The main objection by the Planning Commission was the inadequacy of both Pearl and 19th Streets. The Director of Public Works stated there would be required very little if any right of way off of the north side of this lot, but there might be required as much as 10' on Pearl Street. Mr. Wendler agreed to dedicate the right of way, stating he would not mind dedicating 5' off of 19th, but he would hate to dedicate 10'. The Council wanted to drive by and look at this property. Later in the afternoon meeting, Councilman Shanks moved that "O" Office 1st Height and Area be granted. 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 change had been granted to "O" Office 1st Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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Regarding the zoning change on Sunset Trail, Fredericksburg Road, and West Ben White Boulevard, by MR. CHARLES N. ALLRED, MR. MAC FLOURNOY made inquiry about a 150' area that was to the left by Sunset Trail. It was stated an apartment area had been designated there and zoned "BB" Residence which is more restrictive.

MR. MACK K. KIDD, representing MR. PAUL H. VERCHER, stated Mr. Vercher had an application in to purchase City property that was included in his zoning application which was granted "C" Commercial this morning. The Mayor stated the Council would discuss this and make a determination and the City Attorney would communicate with him later. Councilman Long stated City property is not sold to any one person, but sold either by auction or by sealed bids.

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 Council discussed at length a proposed amendment to the ordinance prohibiting swimming and wading in the Colorado River to authorize permits to certain persons to go into the waters of the river to seine minnows. The City Attorney explained the added Section to the list of exceptions to the ordinance prohibiting going into the waters of the river. Councilman Shanks stated there were some people who thought the City was liable for damages as there is a suit filed now on the drowning of the two children. Councilman Shanks and the City Attorney discussed this matter. The City Manager stated this amendment would permit seining for minnows in compliance with the State Law after a permit had been issued by the Chief of Police authorizing a person to seine and after that person had executed a release to the City covering the City and all of its personnel, and binding the persons and their heirs against any claim as a result of any use of the bed or banks or water of the river. The Mayor noted a guardian could not waive the rights of a youngster. Points brought out were that people with river frontage could have a seining permit and swim in the lake and the difficult enforcement. Councilman Shanks inquired if this man did not get his permit, where would he get his minnows. Councilman Long stated he would have to go 200' down the river, and have to go to the expense of getting an aeriator, whereas he could seine in front of his house, as he has been doing all of these years. Councilman White noted the mother said this was the only way this boy had for making a living. Councilman LaRue feared if children saw these other people seining, they would not know it was necessary to have a permit to seine or get into the water. Councilman Shanks believed this amendment would be letting the bars down although he did sympathize with the man requesting this, and would like to work something out for him. Councilman Long suggested passing this; and if it did not work, it could be rescinded. There would not be many people asking for such a permit--possibly a half dozen at the most. Councilman LaRue stated this would take care of the man who wanted to swim off his property. Mayor Palmer said he would like to look this over more, and take it up again next week.

Councilman Logg inquired if the Red Cross had made any recent communication regarding a possible location for their new building. The City Manager stated no recent communication had been received; but they had asked the City to help them find a site. She inquired about the West 10th Street property, and that on 24th Street. It was stated the property on 10th Street was purchased for Park and Boulevard purposes and numerous requests for leasing this property had been received; and that on 24th would be involved in an interchange. Mayor Palmer stated no formal inquiry had been made.

The City Manager stated on May 12, 1964, the Council approved the recommendation of the Building Standards Commission and directed that the house at 1408 Canterbury Street be repaired within 90 days, and if the owner did not comply the Council would refer the matter to the Legal Department. The owner is MR. MAX SILBERSTEIN. Mayor Palmer inquired if proper notification and procedure had been followed. Councilman Shanks suggested that the Legal Department report back no later than 30 days as to what had been done. After discussion, Councilman Long moved to refer the case of MAX SILBERSTEIN, 1408 Canterbury, to the Legal Department and the Legal Department report back as to what had been done in 30 days. 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 he had a letter from MR. DON HILL, from the National Safety Council, requesting a date to present the Audit on Inventory of Traffic Safety Activities. Councilman LaRue moved to ask Mr. Hill to give his report on September 3, 1964. The motion, seconded by Councilman Shanks, carried by the following vote:

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

Councilman LaRue moved that the Council grant the SOUTH AUSTIN OPTIMIST CLUB permission to sell Christmas Trees, beginning December 1, 1964, at the same place they had last year on the right hand side of South Lamar, adjacent to the Kash-Karry Store. The motion, seconded by Councilman Shanks, carried by the following vote:

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

The City Manager reported MR. JIM FRITZ, President of Travis Water Control District No. 5 had requested a transfer of funds of the District into this account to meet the payment of bonds. Experience has been that the deposit funds are restored to full amount in a month or two after the transfer, and it was his suggestion that the transfer be made. Councilman Shanks moved that the City Manager's suggestion be followed. The motion, seconded by Councilman White, carried by the following vote:

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

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

MR. HORSFALL suggested removing or making some alterations in the Library fines, which are two cents a day with a dollar maximum. There is nothing on the Library Walls regarding the fines, nor does the Library notify people when their books are overdue until the fine reaches 50¢. His suggestion was for the Council to require the Library to issue a notice seven days after the book becomes overdue. Mayor Palmer said many people figured the costs of sending notices at about 25 or 30¢ a notice, and this would be a 30¢ notice for a 14¢ fine. He also said when a library permit was issued the rules of the Library are explained. Councilman Shanks stated this suggestion of Mr. Horsfall was a good one, and should be turned over to the Library Commission for study and report back. The Mayor said the Council would refer his request to the Library Commission and discuss it with them. Mr. Horsfall said he found the Library quite good and well organized; his only complaint was the fine.

The City Manager stated DR. GARCIA had inquired about extending his Doctor's Office on 16th and Sabine Streets, and this site is within the area that will be needed for expansion of the hospital grounds. He said they could be making inquiries into the values. Plans were shown on the proposed office expansion. The Mayor suggested looking at the property and getting some appraisals. The Mayor stated the Council would instruct the City Manager to get some appraisals and bring them in. The City Manager said it might be pointed out to Dr. Garcia that this property would be needed, and ask him to postpone his enlargement. Councilman Long inquired about Dr. Dryden's property. The City Manager reported he had discussed this with Dr. Dryden. He may want to stay there as long as he can.

The City Manager called attention to the filing of the Electric Department Capital Improvement Progress Report, Monthly Report of the Corporation Court, and the Street Paving Report of July.

The City Manager stated the Council had talked with DR. WILLIAM R. HAZARD, who had been recommended by the Planning Director and Mrs. Mitchell for the Sociological Consultant in connection with the Community Development Program, and that he could sign the contract for the employment. Councilman LaRue stated he would like to see the questionnaire that would be presented to the public, and all of the research work that is going to be done; and there had been two or three suggestions which made him believe the questions that are going to be included should be defined. He had talked with Dr. Hazard, who had said he would be glad to review the various questions and questionnaires. The City Manager said he would remind Dr. Hazard that he is to do that. He stated in view of the monetary amount he would not need a formal resolution to authorize him to enter into this contract.

The City Manager reported the School Board had fixed its tax rate, and it's customary for the Council to fix the tentative City rate in August, so that preparation of the tax statements could begin. The tentative rate is as follows:

General Government	\$.81
Debt Service	.34
	<u>\$1.15</u>

Councilman Shanks inquired if this were an increase. It was stated it was not an increase. Councilman Shanks commended the City Manager for anticipating a Budget that would fit within the set tax figure the City has had for the last six years. He asked that the tentative figures be quoted about the number of tax notices sent out, and how much property remained about the same, and how much was lowered. MR. JIM WILSON, Assistant City Manager, reported the Tax Assessor had told him the quadrant which had been evaluated generally is the area from the north City limits west of Lamar to the river, approximately in the neighborhood of Lake Austin Boulevard; and also between the north bank of the river to 5th Street and from Lamar on the west to the east City limits. Mr. Wilson reported there were about 30,000 tax notices sent out on reevaluations this year, of which approximately 80% either remained the same or were reduced. The other 20% that received increases in the evaluations of the property fell in a category of a change in the highest and best use of the property due to improvements, additions, or major improvements of the property. In addition to these 30,000 notices, there were

August 13, 1964

18,000 new appraisals which are voluntary annexations or annexations to the City and new private and commercial construction. Councilman Shanks noted the same identical tax rate that had been in effect is still being used; and as far as valuations the same policy, on an equalization basis is followed in that as the evaluation goes down, the assessment goes down; and if the evaluation has gone up, the assessment would be brought back up. Mr. Wilson stated the Council was aware that approximately one fourth of the property is reviewed each year for the purpose of keeping like properties and similar properties at the same values. Councilman Long inquired if it were possible in the Tenth Ward that since some of the streets were paved, that the taxes went up. The City Manager explained when the land values are studied, they are reviewed not from the point of whether or not the streets are paved, but if the properties are selling for more money. Frequently if a street is paved, property may sell for more money. It cannot be said that street paving would not influence or affect the values in some way, but it is not direct. Councilman LaRue inquired what part of the 20% that received increases would be due to improvements. The Assistant City Manager stated it would be a lengthy process to separate these, but a majority was due to maintenance and improvements to the property. Councilman LaRue moved that the tentative tax rate be set as follows:

General Government	\$.81
Debt Service	.34
	<u>\$1.15</u>

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

The City Manager stated it had been their thought in view of the Council's having been through the preparation of the Budget with each of the Departments, last year that if the working papers were sent to each member there would be no need to have those long meetings, as the Council would have the details and could discuss them; and if there were questions a meeting of the Department Heads could be called. The Mayor stated this was a good idea. The City Manager said one copy would be filed with the City Clerk on August 20th, and the Council would receive their copies about the first part of next week. Mayor Palmer said the Council could review them and make notations, and if there are any questions, the Department Heads could be called in. The City Manager stated next week the Council could formally set the public hearing to discuss the Budget. Mayor Palmer announced it would be set for September 17th next week.

The Assistant City Manager made a report on the Bond Proposal stating KTBC-TV was taping news spots from a number of the citizens on the Committee, and this time is a contribution by KTBC-TV.

Councilman Shanks had a reply regarding the telegram the Mayor sent to the State Champions, in Arkansas, stating his son was on the team and was very thrilled to receive the Mayor's telegram, and the one from Governor John Connally. The Mayor noted this team was going right on up, and was date lining Austin.

Councilman Long stated if it looked as though people were not going to vote on Election Day, and that there might be needed some precinct work done, if a list of taxpayers who are eligible to vote were provided she would be happy to get some people to call others and get them out to vote. It was stated the

property owners list was being prepared and would be finished perhaps this week.

Mayor Palmer inquired about the zoning cases on the pending list. The City Attorney stated the Planning Director was reviewing each one, and finds different circumstances in each file. The Mayor stated half of the applicants are no longer concerned, and he would like to get these cases off the pending list.

Councilman Long stated another thing that was pending was a review on the Civil Rights Bill and a discussion on whether or not the Council was going to appoint a Commission. The City Attorney stated he thought the review might be finished possibly next week, but he was not certain. If he could finish it he would reduce it to usable form by next week, but he would hate to be committed to do that, since this was the Election week and there is much preparation to be done. Councilman Long stated in view of the circumstances it would be wise for the Council to go ahead and hear this and try to take some action on setting up the Commission, and not to continue putting it off.

Mayor Palmer inquired about the scheduling of various codes. The Building Official stated 12 Chapters of the Building Code would be ready about the latter part of September and all of it the later part of December. The Plumbing Code will be ready on September 24th.

The City Manager reviewed a letter from MR. ALAN TANIGUCHI outlining what he thought might be appropriate in coordinating work with Architects that have been commissioned to design various projects on Town Lake. Consultation on decisions that may affect relationship of projects to the over all plan would be a service they would fulfill, and Mr. Taniguchi listed some of those decisions which would affect the overall scheme, such as:

1. Appropriate siting or location of the building to fit in with the other planned activities.
2. Consideration of the project to support future adjacent development.
3. Character of the Building--selection of materials, color, type of construction, orientation, etc. could make the difference between a harmonious development or chaotic one.
4. To incorporate provisions for compatible landscaping.

In a long range development, it is important to maintain continuity, and coordination could be accomplished with conferences with the architects, city officials, and Mr. Taniguchi. He listed different phases of planning in which conferences might be held, and the number of hours in each phase, the maximum number being 15 hours. The City Manager read from the agreement between the Consultant and the City in that the Consultant agreed to perform technical and various services at the request of the City's Planning Director and City Manager, and then services may include but are not necessarily limited to:

1. Comprehensive planning of the Town Lake and other areas.
2. Preparation of working drawings and specifications for constructions and landscaping in the Town Lake Area.
3. Supervision of construction and landscaping in the Town Lake Area.

4. Advice and assistance to the Town Lake Study Committee on matters pertaining to the Town Lake Planning and Development.
5. Advice and assistance on landscaping and architectural planning development standards and control.

The City Manager stated this was in the contract at a fee of \$10.00 an hour. The City Manager pointed out the advantages of such service in that an Architect might be influenced in what plans and materials he would use if he knew what other buildings were going to be. Councilman LaRue stated Mr. Taniguchi could orient them one to another. Councilman Shanks expressed the belief that the relations to the type of project, landscaping, etc., would be fine; but to suggest to an architect would be a deterrent. The City Manager stated the Architect for the Fire Marshal's Department had made inquiry when and where could he review the plans with Mr. Taniguchi, as he welcomed the opportunity to meet with him. However, this is the only building that will be constructed in the area for quite a while. The City Manager stated he would know exactly when the Architects would meet, and how many hours, etc. Councilman Long inquired if the landscaping for the new hotel would go through Mr. Taniguchi. The City Manager stated it certainly could; the Hotel had the obligation of preparing the plans, but they could be reviewed. The Recreation Director stated the City's own landscape architect could do a lot in this manner.

Mayor Palmer asked if the Council were ready to state that all public land would be under the Director of Parks and Recreation, and any private land development would still be referred to the Town Lake Study Committee. After discussion, Councilman Long moved that the Parks and Recreation Department be in charge of all public lands within the vicinity of Town Lake. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Mayor Palmer stated it would be appropriate if the Council expressed its sincere thanks and appreciation to the Town Lake Study Committee for all the help it had given, and for continuing to serve in the area of privately owned land. Councilman Long moved that the Council express its appreciation to the Town Lake Study Committee as suggested by the Mayor. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman Long moved that the Council approve the Town Lake Development Plan for the north bank of the river east of the Interregional Highway. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

SECTION 1. WHEREAS, after an engineering and traffic investigation, the City Council has found that traffic conditions are such that there is an urgent need for enforcement of strict limits upon the time of parking of vehicles at the street locations hereinafter described, and that such need makes it advisable to use mechanical devices in such enforcement, and has found that such locations should be removed from unmetered 2 hour parking zones as hereinbelow indicated:

<u>ZONE</u>	<u>STREET</u>	<u>BLOCK</u>	<u>SIDE</u>
2 hour parking	West 13th Street	200	North and South
2 hour parking	Colorado Street	1300	West to Alley

SECTION 2. And WHEREAS, after an engineering and traffic investigation, the City Council has found that traffic conditions have changed and are now such that an urgent need for enforcement of strict limits upon the time of parking of vehicles at the street locations hereinafter described makes it advisable to use mechanical devices in such enforcement, and has found that such locations should now be placed in Parking Meter Zones as hereinbelow indicated:

<u>ZONE</u>	<u>STREET</u>	<u>BLOCK</u>	<u>SIDE</u>
120	West 13th Street	200	North and South
120	Colorado Street	1300	West to Alley
60/120	San Antonio Street	1000	East

Now, Therefore,

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

SECTION 3. That the locations upon the streets of the City of Austin as described in Section 1 hereof be and the same are hereby removed from unmetered 2 hour parking zones:

BE IT FURTHER RESOLVED:

SECTION 4. That the locations upon the streets of the City of Austin as described in Section 2 hereof be and the same are hereby placed in the Parking Meter Zones respectively indicated; and

SECTION 5. That the City Clerk be, and she is hereby authorized and instructed to record these findings in Section 33.43 of the Traffic Register.

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

There being no further business Councilman White moved that the Council

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

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

The Council adjourned at 4:15 P.M. subject to the call of the Mayor.

APPROVED

L. H. E. Palmer
Mayor

ATTEST:

Chris Hootley
City Clerk