

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 17, 1964  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Pro-tem LaRue presiding.

Roll call:

Present: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue  
Absent: Mayor Palmer

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 ROBERT L. WROE, Ebenezer Baptist Church.

The Director of Aviation introduced the new Meteorologist, MR. JAMES C. FIDLER, replacing Mr. Hoyle Dunham. The Council greeted and welcomed MR. FIDLER.

Councilman White moved that the Minutes of the Regular Meeting of September 3, 1964 and of the Special Meeting of September 1, 1964, be approved. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Pro-tem LaRue  
Noes: None  
Absent: Mayor Palmer

Councilman Long voting for the approval with the reservation of the right to amend them in case there were an error.

Mayor Pro-tem LaRue stated the Council would now open the public hearing on the Budget for 1964-1965, and he asked the City Manager to read the letter of transmittal that accompanies the budget when it is presented to the Council.

At this point MAYOR PALMER entered the Council Room and presided.

The City Manager read the letter of transmittal which noted the major reductions, additions or changes in appropriations for the various departments. In conclusion he expressed appreciation to the Department Heads and employees of the

City as their consistent high quality of work was worthy of commendation; and expressed appreciation from all for the leadership and farsightedness of the City Council and interest of its members in the affairs of the City and the problems of the Departments, and stated they were grateful for the opportunity of working with the Council in providing governmental services to the people of Austin.

Mayor Palmer said the Council was glad to see so many present at this hearing, and it was good to see members of the Commission and representatives from some of the Departments present. The Mayor pointed out the two separate distinct lines drawn between the General Governmental operation and the Utility System stating the Water, Light and Sewer Services are projected on very fine engineering services. He suggested that the services falling under General Government be discussed first. The Budget has been submitted to the Council by the City Manager based on information developed by the Department Heads requests from the general public for services.

MR. C. T. JOHNSON said the Council had not anticipated any change in the tax rate; but the property valuations had increased considerably, so there is no relief in the taxes. The City Manager stated the area that was reappraised last year includes the area in which Mr. Johnson lives, and the overall increase in land value was around \$3,000,000 while the overall decrease in improvements value was \$5,600,000 a net decrease in the area of \$2,000,000. The purpose of increases and decreases that occurred was to provide for equalization between properties within the city to try to provide for a fairer and more uniform policy for a basis of taxing. He pointed out the total valuations of this year's roll over last year's was not even 50% of the amount of the building permits for new construction or private buildings. Councilman Long said the Budget is set up on values now established and not on anticipated tax increases on property for next year. Councilman LaRue said out of 18,000 tax notices sent out 80% remained the same or were lowered. The City Manager pointed out to Mr. Johnson that his valuations were not increased for the purpose of providing additional revenue to the City. If his valuations were increased it was to place him in line with other property owners in Austin.

MR. AMOS HEROLD referred to the Revenue Schedule, stating he did not find any revenue from the golf courses and swimming pools. It was explained the total Revenue from the Recreation Department was shown but not broken down in the various items. Total recreation revenue is anticipated to amount to \$290,800.

MRS. A. W. HARRIS inquired about widening Shoal Creek Boulevard at 24th Street and providing for a left turn at 24th. The City Manager stated an overpass over 24th was planned for sometime in the next bond program.

MR. AMOS HEROLD read a statement "Pay-as-you-go Economy", comparing the amount available for 59 State Parks, with the amount budgeted for the Austin Park System, being nearly double of that of the State and discussed the use of bonds for financing. Mayor Palmer said if Mr. Herold would check the records of the 10 leading cities in the State of Texas, he would find the bonded indebtedness per capita of Austin among the lowest, and the annual per capita tax for Austin is less than seven of the ten leading cities of the State. The bonded indebtedness of the City is never permitted to get above 10% of its total assessed valuation. He explained the covenant in the Utility Bonds. MR. FRANK QUINN, who was Chairman of the State Parks Board for 25 years, stated the Park System was built by the U. S. Government by the CCC at a cost of \$36,000,000; but due to lack of sufficient appropriations these parks have been allowed to deteriorate and

depreciate. To keep the system in order, it takes about 50¢ per person, which is the national average, and which is just about where the City of Austin is now in keeping up its system. DR. D. K. BRACE stated there was needed more coordination between the Parks and Recreation Departments, and part of the increase in the present budget is involved in the Park Maintenance coming under the Recreation Department.

MR. C. T. JOHNSON called attention to the size of the pool in Reed Park as being only 60 x 40' and that whole section of town had been developed extensively and a pool is badly needed to take care of that area. He asked that this pool be increased to 100' in length. Mayor Palmer noted the cost of acquisition of land in this highly developed section would be prohibitive, and that the FAGAN DICKSON'S gave the land for REED PARK. Councilman Long observed the reasons the costs of recreation were as much as they are were because people demanded recreation. There are three pools in north Austin, and some areas do not have that many. To have pools, staff them, and keep them in good condition, it takes money. Comparisons of City Parks with State Parks are out of reason, because City Parks have to be staffed. She also noted the State Parks were in a deplorable condition, and she hoped the Legislature would appropriate enough money so the State Parks would not be in such a state of decay.

MR. REX KITCHENS asked if the Budget included the money for enlarging the Coliseum so that the Travis County Livestock Shows and other shows could be handled. The City Manager explained the estimated cost for enlarging the Coliseum would be about \$25,000 and \$100,000 was available for miscellaneous land purchases and improvements. It had been figured that \$100,000 would cover that \$25,000 expenditure.

MRS. GEORGE FRANCISCO mentioned the volunteer hours at the Hospital. Councilman Long stated these volunteers were appreciated; the Council puts in many hours of hard work, and she felt it, too, was appreciated. The Mayor said of the time and amount of free services that the doctors give, he would guess their services would be \$500-\$600,000 a year.

MR. W. L. BERGSTROM, speaking for the Veterans Service Office stated the work load had been increased 46% now, due to the closing of the Regional Office. He listed the salaries of those in this particular office stating there was a part time disabled employee who had been giving his time but they were now asking for \$1800 for this employee. He reported the County Commissioners went along with their request and raised those salaries listed and added the \$1800 for the part time employee and it would behoove this Council to look into this matter and see that Veterans Office be granted this request. Mr. Bergstrom stated \$9,150 was appropriated by the City and \$12,160 would be the City's expense of the Veterans Service Office, the expense being divided equally between the City and the County. He said 90% of the people who contact the Service Office are residents and tax payers of the City of Austin. The City Manager said the office was a Countywide service, and the City people pay County Taxes. The Commissioners Court, County Auditor, and County Judge requested years ago that the City participate in this service and it did participate on the basis of \$2100 a year. The increase in the work load of the Department had become a matter of such significance moneywise that the County Officials did ask the City to increase its participation; and at the request of the Commissioners Court, the City went from \$2100 to \$9,150 for next year. The County Officers had not asked for any additional money in excess of the \$9,150, for increasing the pay of these employees. The Mayor thanked Mr. Bergstrom for his comments.

MRS. A. W. HARRIS, member of the Library Commission thanked the Council individually and as a group for the wonderful work it does for the Library.

MAYOR PALMER announced if there were no other discussions, the Council would discuss with the City Manager some of these appropriations in more detail and see if a Budget can be adopted that will provide the services that the City of Austin wants.

Councilman Long, with respect to Mr. Kitchen's request, stated she certainly did not want to see anything permanent built onto the Coliseum. If it is something temporary and needed, that would be fine. She said some day she wanted to see that Coliseum moved to a larger area where there could be a real Coliseum.

At 10:45 A.M. the Mayor opened the hearing on an ordinance annexing proposed DEER PARK, SECTION 3, and proposed BALCONES HILLS, SECTION 1. 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 ANNEXA-  
TION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF  
(A) 21.26 ACRES OF LAND, SAME BEING OUT OF AND A PART  
OF THE WILLIAM CANNON LEAGUE, IN TRAVIS COUNTY, TEXAS,  
AND (B) 8.74 ACRES OF LAND, SAME BEING OUT OF AND A PART  
OF THE JAMES MITCHELL SURVEY, IN TRAVIS COUNTY, TEXAS;  
WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND  
ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF  
AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.  
(Deer Park, Section 3 and Balcones Hills, Section 1)

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

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 ANNEXA-  
TION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF

September 17, 1964

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)

The ordinance was read the third time and Councilman Long 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.

The City Manager submitted the following:

"September 15, 1964

"To: W. T. Williams, Jr., City Manager      Subject: Assessment Paving Contract  
No. 64-A-17

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, September 15, 1964 for the construction of approximately forty (40) blocks of pavement and accessories known as Assessment Paving Contract Number 64-A-17 consisting of 13 units.

Pat Canion Excavating Co.	\$109,228.64
Jack A. Miller	\$113,248.04
Lee Maners	\$114,066.84
Ed H. Page	\$131,983.28
City's Estimate	\$122,695.20

"I recommend that Pat Canion Excavating Company with their low bid of \$109,228.64 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 September 15, 1964, for the construction of approximately forty (40) blocks of pavement and accessories, known as Assessment Paving Contract Number 64-A-17, consisting of 13 units; and,

WHEREAS, the bid of Pat Canion Excavating Company, in the sum of \$109,228.64, 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 Pat Canion Excavating Company, in the sum of \$109,228.64, 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 Pat Canion Excavating Company.

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:

"September 14, 1964

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

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, September 11, 1964 at the office of the Director of the Water and Sewer Department for the relocation and installation of 12-inch and 8-inch water mains and 42-inch and 8-inch sanitary sewer mains along TRAVIS COUNTY LOOP 111. The purpose of this installation is to complete the water and sanitary sewer mains, stubs, and encasement prior to the highway construction. The bids were publicly opened and read in the second floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>Firm</u>	<u>Amount</u>	<u>Working Days</u>
Austin Engineering Company	84,105.50	60
Bland Construction Company	93,812.75	90
Walter W. Schmidt	94,734.45	95
H & M Construction Company	102,412.25	90
Ford-Wehmeyer, Incorporated	110,222.80	120
City of Austin (Estimate)	83,960.30	

"It is recommended that the contract be awarded to Austin Engineering Company on their low bid of \$84,105.50 with 60 working days.

"Yours truly,  
s/ W. K. Hunkler, Jr.  
W. K. Hunkler, Jr., Acting Superintendent  
Water Distribution  
s/ Rodger H. White  
Rodger H. White, Acting Superintendent  
Sanitary Sewer Division  
s/ Victor R. Schmidt, Jr., Director  
Water and Sewer Department"

Councilman Long inquired how much relocating would the City have to do in this group. The City Manager referring to the sketch, stated there would be work

at Cameron Road where it crosses Highway 290 and where it crosses the Old Manor Road, and F.M. 969. She inquired about Highway 290. The Director of Water Utilities said new lines would be placed where the Walnut Creek sewer is coming in; also there will be some relocation of some of the water mains. That contract on the loop will be let the last week in this month, and the City's work would have to be done. Councilman Long inquired about the right of way, and also the amount of lines. It was stated there would be 5-6000' of line that would have to be laid ahead of relocated before the paving, as there is going to be a grade separation and nearly all the lines will have to be practically relaid. Councilman Long inquired if the lines would be placed all along the road. It was stated the lines would cross the highway.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on September 11, 1964, the City of Austin received bids for the relocation and installation of 12-inch and 8-inch water mains and 42-inch and 8-inch sanitary sewer mains along Travis County Loop 111; and,

WHEREAS, the bid of Austin Engineering Company, in the sum of \$84,105.50, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of Austin Engineering Company, in the sum of \$84,105.50, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Austin Engineering Company.

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:

"September 11, 1964

"TO: Honorable Mayor and Members of the City Council

SUBJECT: Bids for Welding Gases (Oxygen and Acetylene) for all City Departments and Hydrogen, Nitrogen and CO<sub>2</sub> for the Power Plants for a twelve (12) months period.

"Sealed bids were opened in the office of the Purchasing Agent at 10:00 A.M. September 9, 1964 for the estimated requirements of Welding Gases (Oxygen and Acetylene) for all City Departments and Hydrogen, Nitrogen and CO<sub>2</sub> for the Power Plants for a period of twelve (12) months. These gases are to be delivered to the various City Departments as required during this period. Invitations to bid were sent to all local suppliers of this type of material.

"The bids received are as follows:

		<u>Welding Gases</u>	<u>Hydrogen, Nitro- gen and CO<sub>2</sub></u>
"Big Three Welding Equipment Co.	Net Total	<u>\$2020.00</u>	<u>\$3370.00</u>
Austin Oxygen Company	Net Total	3212.00	No Bid

"Austin Carbonic returned their invitation to bid stating they were unable to bid at this time. A bid was received too late to consider from Wilson Oxygen and Supply Co.

"Prospective bidders that did not respond to our invitation to bid were contacted after the bid opening to inquire as to why they did not bid. Austin Oxygen stated they did not distribute all of the types of gases that are used by the Power Plants. East End Pipe Supply Company stated they did not distribute this type of material at this time. National Welding Supply Company stated they did not choose to bid this year as the prices had become very competitive. Alamo Welding Supply stated they were not in a position to service the City's requirements at this time.

"The Unit prices received this year from Big Three Welding were the same as we received last year from the same company. Our present contract is with Big Three Welding and their service has been excellent.

"RECOMMENDATION: It is recommended a contract be made with Big Three Welding Equipment Company to furnish Welding Gases (Oxygen and Acetylene) to all City Departments and Hydrogen, Nitrogen and CO<sub>2</sub> to the Power Plants for a period of twelve (12) months beginning October 1, 1964 and ending September 30, 1965.

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

Councilman Long inquired if other companies had been bidding on this. The City Manager stated there had been two and sometimes three; in this case Wilson Oxygen & Supply Co. did send a bid, but it was a day late, and it was returned unopened. They were one of the bidders in the past but were not the low bidder.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 9, 1964, for welding gases (oxygen and acetylene) for all City Departments and Hydrogen, Nitrogen and CO<sub>2</sub> for the Power Plants for a twelve (12) months period; and,

WHEREAS, the bids of Big Three Welding Equipment Company, in the sum of \$2,020.00 for welding gases, and in the sum of \$3,370.00 for hydrogen, nitrogen and CO<sub>2</sub>, were the lowest and best bids therefor, and the acceptance of such bids has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bids of Big Three Welding Equipment Company, in the sum of

\$2,020.00 for welding gases and in the sum of \$3,370.00 for hydrogen, nitrogen and CO<sub>2</sub>, be and the same are hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Big Three Welding Company.

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

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, an easement five (5.00) feet in width for public utility purposes was granted the City of Austin in, upon and across two (2) strips of land, each of said strips of land being out of and a part of Lot 6, Block 4, Brykerwoods "E", a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Brykerwoods "E" of record in Book 4 at page 104 of the Plat Records of Travis County, Texas; and,

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

WHEREAS, the City Council has determined that the hereinafter described easement for public utility purposes is not now needed and will not be required in the future, SAVE and EXCEPT that an overhead aerial easement over, above and across the entire public utilities easements to be vacated be retained in the City; Now, Therefore,

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

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described public utility easement, SAVE and EXCEPT that an overhead aerial easement over, above and across said public utilities easements be retained in the City, to-wit:

Two (2) strips of land, each of the said two (2) strips of land being five (5.00) feet in width, and each being out of and a part of Lot 6, Block 4, Brykerwoods "E", a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Brykerwoods "E", of record in Book 4 at page 104 of the Plat Records of Travis County, Texas, which said two (2) strips of land are more particularly described as follows:

NUMBER ONE, BEING all of the west one-hundred and twenty-five (125.00) feet of the south five (5.00) feet of said Lot 6, Block 4, Brykerwoods "E";

NUMBER TWO, BEING all of the south fifty-five (55.00) feet of the east five (5.00) feet of said Lot 6, Block 4, Brykerwoods "E".

THERE is to be retained, however, an overhead aerial easement over, above and across the entire public utilities easements to be vacated as described above.

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

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a sanitary sewer easement ten (10.00) feet in width was granted the City of Austin by instrument dated November 16, 1963, of record in Volume 2689 at page 328 of the Deed Records of Travis County, Texas; said easement being in, upon and across two (2) strips of land out of and a part of that certain 105.5 acre tract of land out of and a part of the Santiago Del Valle Grant in Travis County, Texas, which 105.5 acre tract of land was conveyed to T. C. Steiner by Warranty Deed dated September 15, 1938 of record in Volume 594 at page 538 of the Deed Records of Travis County, Texas; and,

WHEREAS, the owner of said premises has heretofore granted an easement at a more desirable location; and,

WHEREAS, the owner of said premises has requested the City Council of the City of Austin to release the above described sanitary sewer easement; and,

WHEREAS, the City Council has determined that said easement in, upon and across the following 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 the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described sanitary sewer easement, to-wit:

Two (2) strips of land, each being ten (10.00) feet in width, each being out of and a part of that certain 105.5 acre tract of land out of and a part of the Santiago Del Valle Grant in Travis County, Texas, which certain 105.5 acre tract of land was conveyed to T. C. Steiner by Warranty Deed dated September 15, 1938, of record in Volume 594 at page 538 of the Deed Records of Travis County, Texas, which said two (2) strips of land ten (10.00) feet in width are more particularly described as follows:

NUMBER ONE: BEGINNING at a point in the south line of the aforesaid T. C. Steiner 105.5 acre tract of land and from which point of beginning the southeast corner of said T. C. Steiner 105.5 acre tract of land bears S 60° 00' E 11.57 feet;

THENCE, N 53° 21' E 3.36 feet to a point;

THENCE, N 30° 00' E 31.35 feet to a point;

THENCE, N 81° 20' E 13.11 feet to point of termination in the east line of the said T. C. Steiner 105.5 acre tract of land and from which point of termination the southeast corner of said T. C. Steiner 105.5 acre tract of land bears S 30° 00' W 42.62 feet;

NUMBER TWO: BEGINNING at a point in the east line of said T. C. Steiner 105.5 acre tract of land and from which point of beginning the southeast corner of said T. C. Steiner 105.5 acre tract of land bears S 30° 00' W 1536.87 feet;

THENCE, N 9° 22' E 29.06 feet to a point;

THENCE, N 30° 00' E 555.82 feet to a point;

THENCE, N 52° 30' E 22.18 feet to point of termination in the east line of said T. C. Steiner 105.5 acre tract of land and from which point of termination the southeast corner of said T. C. Steiner 105.5 acre tract of land bears S 30° 00' W 1853.43 feet.

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

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by instrument of record in Volume 2680 at Page 471 of the Deed Records of Travis County, Texas, an easement five (5.00) feet in width, for electric purposes, was granted to the City of Austin, in, upon and across a part of Lot 7, Block 4, Brinwood, Section Four, a resubdivision of portions of Blocks 1, 2 and 10, Brackenridge Heights, a subdivision of record in Book 3 at Page 133 of the Plat Records of Travis County, Texas; a map or plat of said Brinwood, Section Four, being of record in Book 18 at Page 25 of the Plat Records of Travis County, Texas; and,

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

WHEREAS, the City Council has determined that the hereinafter described easement should be released, SAVE and EXCEPT that an easement be retained in the City for electric overhang purposes; 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 electric easement, SAVE and EXCEPT that an easement is to be retained in the City of Electric Overhang purposes, to-wit:

A strip of land five (5.00) feet in width, same being out of and a part of Lot 7, Block 4, Brinwood, Section Four, a resubdivision of portions of Blocks 1, 2 and 10, Brackenridge Heights, a subdivision of record in Book 3 at Page 133 of the Plat Records of Travis County, Texas; a map or plat of Brinwood, Section Four, being of record in Book 18 at Page 25 of the Plat Records of Travis County, Texas; which strip of land five (5.00) feet in width is to be released from the electric easement provided by an instrument of record in

Volume 2680 at Page 471 of the Deed Records of Travis County, Texas; and which strip of land five (5.00) feet in width is more particularly described as follows:

BEING all of the north five (5.00) feet of the south thirty (30.00) feet of said Lot 7, Block 4, Brinwood, Section Four.

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

The City Manager submitted the following:

"Following are the offers received on the various buildings:

1204 Red River	Frank Quinonez	<u>\$15.00</u>		
504 East 13th	J. B. Flink	<u>\$ 9.40</u>	Jessie Sharpe	\$1.50
507 East 14th	Frank Quinonez	<u>\$15.00</u>		
1202 Sabine	J. B. Flink	<u>\$ 8.50</u>	Jessie Sharpe	\$1.50
1211 Sabine	J. B. Flink	<u>\$ 5.00</u>	Jessie Sharpe	\$1.50
1213 Sabine	J. B. Flink	<u>\$ 3.50</u>	Jessie Sharpe	\$1.50
1215 Sabine	J. B. Flink	<u>\$ 3.00</u>	Jessie Sharpe	\$1.50
1204 East Avenue	(J. B. Flink	<u>\$26.10</u>	Jessie Sharpe	\$7.50
	(Frank Quinonez	\$25.00		

"It is my recommendation that J. B. Flink and Frank Quinonez be awarded these units.

"s/ W. T. Ward  
W. T. Ward  
Property Agent  
September 16, 1964"

The City Attorney discussed the list of houses to be demolished in the Hospital area, stating the lots would be cleared. Councilman Long moved that the Council authorize the sale and demolition of the following houses:

1204 Red River	Frank Quinonez	\$15.00
504 East 13th	J. B. Flink	9.40
507 East 14th	Frank Quinonez	15.00
1202 Sabine	J. B. Flink	8.50
1211 Sabine	J. B. Flink	5.00
1213 Sabine	J. B. Flink	3.50
1215 Sabine	J. B. Flink	3.00
1204 East Avenue	J. B. Flink	26.10

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

Mayor Palmer introduced the following ordinance:

AN ORDINANCE 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) LOT 9 OF THE SCHWINGE ADDITION, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (2) TRACT 1: LOCALLY KNOWN AS 200-202 EAST 17TH STREET AND 1701-1705 BRAZOS STREET FROM "O" OFFICE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND THIRD HEIGHT AND AREA DISTRICT; TRACT 2: LOCALLY KNOWN AS 204 EAST 17TH STREET, FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; TRACT 3: LOCALLY KNOWN AS 1707 BRAZOS STREET FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; TRACT 4: LOCALLY KNOWN AS 1709 BRAZOS STREET FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; AND TRACT 5: LOCALLY KNOWN AS 1711 BRAZOS STREET AND 201-205 EAST 18TH STREET, FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; (3) LOTS 12, 13, 14 AND 15, AND WEST 35 FEET OF LOT 16 OF BLOCK W OF THE VIOLET CROWN HEIGHTS, FROM "IR" LOCAL RETAIL DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND (4) A 9216 SQ. FT. TRACT AT THE REAR OF 1116-1124 COLORADO STREET, THE REAR OF 203-209 WEST 12TH STREET AND THE REAR OF 1117-1123 LAVACA STREET, FROM "C" COMMERCIAL DISTRICT TO "C-1" 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 White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOTS 20, 21 AND 22 OF THE LAZY LANE

VILLAGE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

The Council took no action on the following zoning application, deferred from last week, until it could make an on-site inspection of the area:

RICHARD F. LANNERT	300 East 34th Street	From "A" Residence 1st
By William J. Scudder	3401-3405 Grooms Street	Height & Area
		To "B" Residence 2nd
		Height & Area
		NOT Recommended by the
		Planning Commission

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

AN ORDINANCE DETERMINING AND FIXING THE RATES TO BE CHARGED BY SOUTHERN UNION GAS COMPANY WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN; SETTING THE EFFECTIVE DATE FOR SAID RATES; MAKING IT UNLAWFUL FOR SOUTHERN UNION GAS COMPANY, OR ANY OTHER PERSON, FIRM, CORPORATION, RECEIVER OR LESSEE OPERATING A GAS DISTRIBUTION SYSTEM, OR ENGAGED IN THE BUSINESS OF FURNISHING NATURAL GAS SERVICE IN THE CITY OF AUSTIN, OR ANY OFFICER, AGENT, REPRESENTATIVE OR EMPLOYEE THEREOF TO DEMAND, EXACT OR COLLECT FROM ANY CONSUMER ANY CHARGE FOR NATURAL GAS OTHER THAN THE RATES FIXED HEREIN; PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE OF NOT MORE THAN \$200.00 FOR EACH OFFENSE; REPEALING ORDINANCE NO. 620614-B PASSED AND APPROVED JUNE 14, 1962;

REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, BUT ONLY INSOFAR AS THE SAME MAY BE IN CONFLICT; PROVIDING FOR THE ATTESTATION, FILING AND PUBLICATION OF THIS ORDINANCE, AND PROVIDING THAT THE EFFECTIVE DATE SHALL BE TEN DAYS AFTER THE PASSAGE HEREOF.

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

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

Councilman Long voting against the motion stating the Council should decrease the rate.

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 City Manager noted this was for water only and the pay back is only 80% out of 37½% of the water bill.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

The Council had before it an ordinance recommended by the Electrical Board requiring that apprentice electricians be 16 years of age. Councilman Shanks inquired if this matter came under the Wage and Hour Law. The Mayor pointed out parents could not sign a waiver of a child's interest, and what would control under the Federal Law would be separate and apart under the City Code. Councilman Long wanted to read the Minutes of the Electrical Board before

passing on this, and asked why it was brought up. The Council deferred action at this time.

MR. ROBERT FREDLEY, Manager Capital Plaza Cinema, asked that the ordinance amending the fire code to allow smoking in areas of theaters specially supervised, ventilated and equipped with fire resistive material be passed. All Cinema Theaters permit smoking except the one in Austin and all of their theaters have a smoking section completely fireproof, properly ventilated; have constantly supervised; are used only for adults; and are built so there would be no fire hazards in that there are no stages; no draperies of any kind; or no plaster walls, fixtures, paintings or coatings. They are all steel walls inside and out, with stone block outside. Every precaution has been taken to meet and far exceed the fire regulations. The Fire Marshal sanctioned and condoned everything they laid out and the State Fire Marshal was behind what they had done 100%, Mr. Fredley said. Smoking in theaters is a local situation. The City Attorney explained this would not repeal the no-smoking provision in the fire code, but it would only allow smoking in areas where these special conditions exist. Smoking in theaters is prohibited, but the exception is where there is a specially designed area built of fire resistive material and where there is constant supervision provided, and special ventilating. Opposition to amending this ordinance was expressed by a citizen in the audience stating once this was started, in one theater, people would be prone to smoke in other theaters as people do smoke even where it is prohibited. She asked the Council to consider this further, as this passage would influence the habit of smoking in other theaters. Councilman Shanks wanted to go look at this area. Councilman Long withdrew her previous motion to pass this amendment until the Council had an opportunity to go out to the Cinema and look at this smoking area. Later in the meeting Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 11.41 OF CHAPTER 11  
OF THE AUSTIN CITY CODE OF 1954 PERTAINING TO  
SMOKING IN THEATERS; AND DECLARING AN EMERGENCY.

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

Councilman Shanks made the following statement regarding his vote:

"I am going to take one of my few times to ever qualify a vote, that I think we are letting the gate wide open with this ordinance if we do not enforce it a lot more than we enforce other things. This is something we just cannot close our eyes and lie back and say we are letting this one do it and that one do it, etc. This is something in which we are fooling with peoples' lives; we are fooling with catastrophes; and if we do not enforce this ordinance to the hilt we can create a Boston catastrophe here in Austin. I will vote for it, but I intend to personally look and see and report it to the proper authorities in case there is any, in my opinion, lacking of all the requirements of the ordinance."

Councilman Long made the following statement concerning her vote:

"This is a new ordinance which pertains to new buildings that can qualify under the ordinance setting out where there is certain fire protection; and not any of the present theaters that we have now have these fireproof provisions except the new one, which does provide these fireproof provisions as set up in this ordinance. When any theater in the City makes an application and if they can qualify under this new ordinance, certainly they will be allowed to operate; but in the meantime there is no intention on my part, as a Council Member to relax on the present existing ordinance that has very strict rules and regulations set up for the theaters that do not have these fireproof conditions as set out in the Code."

Mayor Palmer stated they were inspected twice a week, and it must be certain that they comply and furnish the necessary proof. It is one, as all other ordinances, that the City will try its best to see that they do comply.

Councilman Long moved that MR. MORRIS MOORE, Route 7, Box 972, be heard. The motion was seconded by Councilman LaRue. Roll call showed a unanimous vote.

MR. MOORE stated he lived outside the City Limits. He wanted to propose a change in the City Charter, Article 8, Section 4, dealing with the Board of Equalization to provide for 12 members instead of 3; and to set out that property in Austin would be classified as provided in the State Constitution into four classes--commercial, residential, residential "A" and multiple unit residential property, and personal property; all to be classified and that the tax roll be made up and presented to the Board of Equalization in this manner. He explained the amendment would provide for four groups of three of the Equalization Board to check the properties, but no vote would be taken except by the entire Board.

Another amendment would require the Board of Equalization to take the oath as set out in the State Statutes for Boards of Equalization and not some vague oath of office.

Suggestions made by Mr. Moore were that an ordinance be passed providing that every parcel of property entered on the tax roll be accompanied by a photograph which must be available to the Board of Equalization, and that these

pictures be taken by the City so that they would be uniform; that the complete tax roll be made available in a prominent place in the City Hall, with a desk and chairs available so any citizen could investigate the tax roll at his own leisure and check any one's property; that the Council should request cooperation of the professional real estate people in Austin to see that all properties are as fairly assessed as possible, although they would not attempt to reappraise everything for the City unless the City wanted to spend \$2,000,000 for such a job. Councilman Long said in 1954 an overall tax appraisal was made, and it might be well to have another expert come in and do another overall tax evaluation; but as far as getting the real estate members here to do it, that was out of the question. If there were a lot of dissatisfaction and inequities, it might be best to have a tax expert make a reappraisal as it had been 10 years since one had been made. The City Manager stated the method which had been used since 1954 to attempt to keep the appraisal updated, is a continual reappraisal of one fourth of the City each year. The trouble this year was that some properties in the area that was reappraised were increased. Councilman Shanks inquired as to the cost of an appraisal by outside experts. The City Manager stated when it was done by outsiders in 1947, the cost was between \$50-\$60,000, and there was less than half the number of items on the tax roll then; and at that time the hourly rates of pay were materially lower. Councilman Shanks estimated the cost would be about \$250,000. Mr. Moore said it would cost \$500,000 to get the job done right. Mr. Moore said he had no criticism about the Appraisal Section of the Tax Department, or anyone; but the City had not put the proper emphasis on the only remedy and protection that the tax payers had, and that is on the Board of Equalization. Councilman Long inquired how much property Mr. Moore owned in Austin, and he stated he did not own any in the City. She asked why he was arguing and saying people were not being fairly treated when he had not been mistreated himself. Mr. Moore said he had been making a living out of Austin real estate for 19 years. He stated there were only two things with which he was concerned, and they were the tax roll had to stand up legally, and everybody should pay their fair share. Councilman LaRue noted Mr. Moore was the only one who had suggested there was property under valued. Mr. Moore said the Board of Equalization should know if land had jumped in price and they should check into those things before they certify the tax rolls. Councilman Long stated the Tax Department worked continuously and had appraisers on the field all the time, keeping up with all the market values and sales, and keeping a daily watch on all the sales, and they were continually revaluing this. She said the Board was not set up to be a year around operation, but they examine values, see that they are fair and equitable, and hear appeals. Mayor Palmer said the City Attorney had been requested last week to brief the Council on the legality of Mr. Moore's suggestions. The City Attorney distributed copies of his opinion concerning these suggestions stating the Charter provides for the equalization of taxes in Austin by only one Board of Equalization composed of three members; and the Constitution of Texas, provides that "Taxation shall be equal and uniform." The City Attorney explained this section of the Constitution. Section 18 of the same Article constitutes one body of five (the County Commissioner's Court) as a board of equalization. Inasmuch as it is the composite judgment of one board, applying one set of standards, criteria, and opinions to the comparative values of all properties of a taxing agency (both real and personal), it is doubtful that a system of multiple or plural boards of equalization could be devised which would not subject an entire ad valorem tax structure to attack as being violative of the constitutional mandate for equality and uniformity of taxation as between all properties.

The Mayor stated the Council would consider these requests, and when anyone offered good constructive suggestions, the City wanted to look into them

within the limits of its jurisdiction. Councilman Long suggested checking with the League of Municipalities to see how other cities handled their Boards of Equalization. Councilman Shanks expressed appreciation for a man like MR. MOORE coming up to give constructive criticism.

Councilman Long moved that the Council recess until 2:30 P.M. The motion, seconded by Councilman LaRue, carried by the following vote:

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

## RECESSED MEETING

2:30 P.M.

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

Councilman White moved that the Council grant the following requests to use city property for locations to sell Christmas trees:

WESTERN HILLS OPTIMIST CLUB - the area north of the High School Stadium on Lamar.

AUSTIN OPTIMIST CLUB - the same location they used last year. (Lamar and San Gabriel)

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 zoning application deferred from last week:

RICHARD F. LANNERT	300 East 34th Street	From "A" Residence 1st
By William J. Scudder	3401-3405 Grooms Street	Height & Area
		To "B" Residence 2nd
		Height & Area
		NOT Recommended by the
		Planning Commission

The Council, after making an on-site inspection of MR. RICHARD F. LANNERT'S property, heard a report from the Planning Director and explanation of the Planning Commission's recognition that this was a well defined predominately single family residential area, and that the rezoning of one lot at a time in the area would not be the best way. He said there was "BB" Residence 1st Height and Area immediately south of this area. After discussion, Councilman Shanks moved that MR. LANNERT or his Architect, Mr. Scudder, be asked to come up next Thursday to be heard. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Long voting against the motion, stating the man has had an opportunity to appear; he has had two weeks; last week he was notified to appear

and this week the Council had held it over for him, and he still is not here, and she would vote 'no'.

The Mayor opened the discussion on the Budget for inquiries and observations from the Council Members.

COUNCILMAN WHITE said he did not see anything in the Budget for the Southwest Swimming Pool. The City Manager stated it was included in the first year of the next bond program, starting in 1965-66. Councilman White asked the Recreation Director why he was asking for an Architect then, if there were two years in which to work on this. The Recreation Director stated they would start planning sometime this year to be able to go the following year. Councilman White was under the impression that the preliminary work would be started on this pool the last of this year--that it would start in 1965.

Councilman White stated there had been articles in the paper about City automobiles and he had received lots of complaints. He wanted the people working for the City of Austin that needed these cars to have them, but he understood there were a number of people using the cars that should not be using them. If this could be cut down, the savings on gas, cars and upkeep would be quite noticeable. He asked how many cars there were in this 1965-66 budget. The City Manager stated most were for the Police Department, and some replacements to make; however there were two or three additional cars scheduled for purchase this year. Councilman White stated if he did not have but a few, no one could complain about that. Councilman White stated he had complaints on some of those who had pickups and lived out of town. The City Manager stated requests had been made repeatedly that anyone who suspected that a City vehicle was being improperly used to report it; but it was necessary to know in each case, in order to make the proper investigation, the time of the occurrence, location and some description of the vehicle so that it could be identified. Councilman White stated they could not get exactly the time of the occurrence. Councilman White reported there was a complaint last week, and the Department Head checked on it and said it was in error--that there was not a man out of town at that time. This was one that was up on the Pedernales River. The City Manager stated they used to receive a number of these complaints; but when they checked into them, it was found they were not city vehicles, but were State or other agency vehicles. Mr. White said he would not reveal who told him. The City Manager stated it was not necessary to know who reported the abuse just as long as the City people received enough information to check on the complaint. He said there were City vehicles that must leave the City limits and go up in the Marshall Ford area, and they have vehicles moving out all over the water districts. There have been complaints about Recreation cars going to the parks. Councilman White suggested that the City employees have their own cars and be paid \$50.00 or \$60.00 a month, or even \$75.00. He believed the City would make money, if the employee furnished his own car and gasoline. The City Manager reported that they would prefer that employees use their own vehicles if it were more economical for the City; but on taxes alone the City can operate vehicles cheaper than private individuals. The cost is \$.06  $\frac{2}{3}$  a mile for operation, including depreciation. No excise or use taxes are required, and the license plates are exempt. If an individual is reimbursed for his actual cost, it would be more than that. Councilman White suggested paying the individual a certain amount a month. The City Manager stated the mileage cost of private operation was higher than the mileage cost of the City. Councilman Long asked that someone find out exactly how many cars they were purchasing, and she made a motion in connection with the budget that these vehicles be purchased through sealed bids for more than one at a time; and in

that manner they would get cars that were alike and they would not have to carry parts for the different makes, and said certain people go out and buy one car at a time and pay more than if they purchased three, four or five. The City Manager stated cars were grouped as much as possible. She said there was a Dodge purchase listed in the morning paper, and she had asked for figures about the difference in price in buying cars in a fleet and buying them one at a time.

Councilman White stated he wanted it thoroughly understood with all the people who have cars that have to have them, that he was not complaining; if an employee had to have a car, get him one; but have that car put in the pound. It was stated the pound was still operated. Councilman White asked if it were possible, to have each of the Departments give him a note of how many cars they will have to buy or trade in this year. Councilman Shanks inquired how these complaints could be investigated. The City Manager said only if they had enough information where they could identify the vehicle and find out whether or not there was actually an abuse or if it were a situation of a City vehicle at a park, which was there on business. Councilman Shanks stated he had never had a complaint.

Councilman White reported one complaint about one particular employee who lives way down on Montopolis Drive across Riverside Drive, and he had seen that car early in the morning--he did not know whether the man lived over there or what he was doing down there, but it was early in the morning. He stated this had been about a year ago. He thought he was coming to work.

Mayor Palmer stated these automobiles with a City insignia on them belong to 200,000; and if any individual sees the abuse of a City automobile, if he would just get the license number, time and place, then the Department Heads could investigate. Citizens who think people are abusing the City automobiles should report them. The Mayor stated it was necessary to get the complaint when it happened--the hour, the license number, and the place, and it would not be necessary for the man reporting it to give his name, but just report it promptly.

Councilman Long moved that a policy be established that the City buy its cars at least in fleets of five and not one at a time and take sealed bids. Councilman Shanks said he would be in favor of doing it as it has been done, as when the City Manager brings the matter in for the Council to appropriate the money, the Council could either turn it down or accept it. Councilman White inquired if perhaps there were only four needed? Councilman Long stated they had asked that a figure of the number of cars to be purchased this year be brought in; and certainly there would be more than five cars brought in. Councilman White stated he did not think he wanted to encourage the purchase of more than were needed. The City Manager stated the requests would be held. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Shanks voting against the motion stating he was still in favor of following the procedure they always did, and he knew sometimes a car could be purchased cheaper than it could in a fleet.

Mayor Palmer said if there were a specific occasion, the City Manager could come in and check with the Council.

Councilman Long had some items to discuss in the budget stating there were over \$1,000,000 of the tax monies allocated that were not spent last year and there were some things that should be in this Budget, but not try to put things in the budget and then not spend the money.

Councilman Long stated she was told the South Austin Swimming Pool would be finished by September 1965; and unless there were some money allocated in this year's budget to start that pool, it will not be completed by September 1965; and she thought those people had waited long enough.

Councilman Long moved that the Budget be amended to start the South Austin Swimming Pool in 1964-65 so that it could be completed by September of 1965. The motion was seconded by Councilman White.

Councilman White inquired again if it were stated the pool would be started in 1965 and finished in 1966. The City Manager stated it was planned to include it in the next bond program beginning in 1965-66. Councilman Long suggested using some of the Recreation funds from the Berkman tract and other things for this pool. The City Manager stated that money set up for projects for this year, could be revised. Councilman Long stated she was not for taking it away from projects, but for taking it away from possible extra land purchases and going ahead and building this pool and putting this pool in this year's budget so that it could be finished by September 1965, as that was when she was told it would be.

The Recreation Director outlined plans for locating the pool in conjunction with School Architects' plans for the school building, and starting in the early part of this new bond program, beginning in 1965-66. When the Schools started their architect on plans then the City would get its engineer and start the planning so it would be ready to go when the money was available to build the swimming pool. Councilman White said Mr. Sheffield was going to ask the Council for an Architect, and asked if this were going to be put off that long, why would he want to get an Architect now, as it would not take two years to draw a little swimming pool. The Recreation Director stated he was trying to get a head start on this. Councilman Shanks asked Councilman Long when this was brought up in the bond talks when did she understand, when the bond issue was explained, that this pool was to be scheduled? He said he thought most of the people in South Austin actually understood what the timing was. Councilman Long said she was speaking of her conversation with some of the Park Board members who told her that this park would be ready, working in conjunction with the schools by September 1965.

Mayor Palmer asked if there were any specific recommendations from the Parks and Recreation Board as to the timing of this pool. The Recreation Director stated he was of the impression it was the first year of the bond program, 1965-66. The Mayor asked if this was what the Board wanted, and asked Mr. Sheffield if the bond year of 1965-66 was what he was proposing in his schedule. The Mayor looked at the schedule that had been laid out before the Council previously and noted the Southwest District Park was listed in 1965-66. Mayor Palmer asked if the Parks and Recreation Board recommended the pool to be in the 1965-66 bond issue, and the Recreation Director stated that was true. Some members of the Board felt it should be done simultaneously with the schools and others were perfectly willing for it to start before. The Mayor asked that a recommendation from the Recreation Board as to the timing of this pool be brought in to the Council. He said he had felt all along that they were talking in terms of a covered pool with coordinated facilities with the schools; and if the City would complete the pool by September, 1965, the schools may not have started or even

know its plans by then. Finally, after discussion, Councilman Long's motion that the Budget be amended to start the South Austin Swimming Pool in 1964-65, so that they could work toward completion by 1965, failed to carry by the following vote:

Ayes: Councilmen Long, White

Noes: Councilmen LaRue, Shanks, Mayor Palmer

Councilman LaRue made the following statement regarding his vote:

"I vote 'no'. It was my understanding at one time that we had coordinated this to a certain extent with the school authorities and I believe it is going to require more coordination that we can get possibly with the thought in mind that we might complete this by September, 1965."

Mayor Palmer made the following statement:

"I think this is so important; and as Mr. LaRue pointed out it needs to be coordinated with the overall development of the Parks and Playgrounds and the Schools that to set a specific time for completion, I'll vote 'no'."

Councilman Long stated she made the time flexible and her idea was to pitch in and work with the schools and she did not have any intention of trying to build a pool contrary to what the schools would do to help out. She said they could have public pools, but if they dragged their heels like they did on many things last year and have a million dollars left over, that they would have a lot of projects that these people had wanted for a long time still dangling, and that she wanted to put a workable date so that they could get started on that pool.

Councilman Shanks stated the Council promised those people in South Austin a good lay out, out there--a good spread, and he wanted to keep faith with them.

Councilman Long had a question (Transmittal letter, page M-5) concerning the reduction of the TB Hospital Budget of \$6,000. She referred to page 94 of the Budget, stating the estimate for next year would be \$12,100 above the estimate for this year, where it was supposed to be \$6,000 less. Mayor Palmer stated last year \$10,460 was appropriated to the TB Hospital. On the actual expenditures and estimates, this figure is \$6,000 less than what had been budgeted last year. The City Manager stated they were estimating the Hospital would need \$6,000 less than what had been estimated this year.

Discussion was held on the \$1,000,000 carried over. The City Manager stated this was not budgeted, and there was not \$1,000,000 more left over that they had not intended to spend. The Mayor stated this was an unusually good year due to the weather and overage in the estimates in the Utility Department. Councilman Shanks said he took pride in the way the City handled the budget, spending only what is needed and he considered anything that could be saved would be in the taxpayers' favor, and this was a mighty good and intelligent system instead of going out and spending the money just because it was appropriated. Mayor Palmer pointed out there was an unusual hot and dry summer, and an unusual amount of water and electricity was sold. It is hard to estimate exactly revenues of the Utility Departments. A cool or rainy summer would cut a budget by that same million dollars, and expenses would have to be cut.

Fortunately the revenue of the Utility Department came out above. Councilman Long suggested a different make-up for the budget using four columns including last year's budgeted amounts by the proposals.

Councilman Long referring to Page 10, Municipal Courts, noted there are the same number of employees shown and no salary increases; yet there is about \$4,500 more provided in the Budget. The City Manager explained the rates shown are now being paid as a result of this year's budget, down the line to the last two items, "Merit Increases - \$1096, and Extra Help - \$900". There is an extra week's pay this year, figured at about 2% of the payroll, plus a provision for increase in Social Security, which will carry through on all of the payroll items in the Budget.

Councilman Long referred to Page M-6 - Auditorium and Coliseum. She said she thought they had just completed spending money for improvements to the Rathskeller. The City Manager stated when the Rathskeller was being used separately, the rest of the Auditorium, could be locked, and that was the reason for the separate rest rooms and separate air conditioning unit. The Mayor stated when the Rathskeller got to be so popular, the Council felt it should do something about improving the rough walls, etc. Councilman Shanks said he made that suggestion himself, and that it had even been discussed that there be a separate entrance. Councilman Long discussed the reroofing for the Coliseum. The City Manager reported the condition of the roof stating to treat the entire roof would cost between \$4 and \$6,000 and \$6,000 was set up to do a good satisfactory job of repair.

Councilman Long inquired about the \$25,000 expenditure Mr. Kitchens mentioned, and asked where it was reflected in the Budget. The City Manager said there was an amount in the Overhead Account for Capital Outlay of \$106,000 which is proposed as a contingency fund to be used for the purchase of land or other miscellaneous improvements that may arise. Mr. Kitchen's request is for an expansion of the barn on the west entrance of the Coliseum to provide more area for the 4-H boys, and F.H.A.

Councilman Long noted the increase in operating and maintenance budget of the Electric Utility and inquired about the additional personnel as to the number proposed to be trained and the number that are being trained to operate the units that are being operated now. The City Manager explained the insurance company which just paid for a boiler explosion said there were not enough operators and supervision, and that is the reason for that additional crew. He listed the personnel in the various categories--the supervisory engineers for operation and maintenance of the plants and assistance in inspection of erection of Holly Street Unit No. 3; ( and assistance in inspection of erection of Holly Street Unit No. 3) a supervisor of boiler and turbine installation, especially the pneumatic and electronic combustion controls; 5 operators per shift for operation of the first unit at Holly Street; and 21 for Unit 3, since it is larger and more complex; an additional electrician due to the increase in number of generating units; master mechanics to assist in the maintenance of the present equipment and erection of Holly Unit No. 3 and for maintenance of the present equipment; inspectors to supervise the erection of Unit No. 3; and to operate it after it is placed in operation. This amounts to 23 people.

Councilman Long asked how many people per shift were there at the Seaholm Plant. The Electric Utility Director, Mr. Kinney, stated there were seven per shift, and the Insurance Company requires that extra supervision be provided. Councilman Shanks noted what the City was doing was in conformance with the

Insurance Company's request. Councilman Long inquired about the 21 people that are being trained in 1965, and Holly No. 3 would not be in operation until 1966. Mr. Kinney stated they would be erecting the unit; and when it is complete, they would be operating it. The City Manager explained the contractor constructs the building and the City installs its own generators. Salaries of the engineers and operators were discussed.

Councilman Long inquired about the East 7th Street Cut-off. The City Manager explained this would run from 7th Street to 8th Street on the east side of the Interregional Highway to separate the one-way streets that occur beyond the Interregional Highway. Westbound traffic on 7th Street will take the cut-off into 8th Street.

Councilman Long inquired about West 15th Street. The City Manager stated the east side development was several years down the line.

Councilman Long inquired about the vague reference to two new playgrounds mentioned on Page M-9. The Director of Recreation stated a group of people from Barton Hills were anxious for them to move out there and start a playground, and the Principal at Ortega is very interested in an operation in that area. At Barton Hills, the City has an agreement with the Schools that it would buy 25% of the open land. He expressed interest also in the Walnut Springs area and at Fannie Andrews, and he would like to study which location would serve the greatest number of people. Councilman Long stated he had two playgrounds but four locations. The Recreation Director stated the group from Barton Hills were really ready to go and are ready to support the park. Councilman Long stated that area was so developed they needed the facility.

Councilman Long inquired about the \$30,000 for covering Ramsey Pool. The Recreation Director stated this would come sometime in the next bond program. She said she would not say she did not want this project, but did think the money in overall planning could be used to better advantage. The Recreation Director stated it was hoped to have private money to come in and help on that.

Councilman Long inquired just how much was allocated in the Budget for the Recreation Department to take over the planting of trees, landscaping and following through on the new horticulturist recently employed, and asked if he had enough man power, shovels and equipment that he could do his job without having to requisition those things from the Public Works Department. She said she noted an amount was set up, but she did not think it was enough. The City Manager stated the amount the Recreation Department had asked for was set up. Councilman Long said it was not enough, and she would like to propose about \$30,000 more. The City Manager listed the equipment for which \$12,600 was to be appropriated. Councilman Long said more money for man power, for upkeep and for help in setting up the new Department was needed and \$50,000 would not be too much to make it a strong working Department, and it could get busy in the Town Lake Area and other parks to see that the work allocated could be carried out. Councilman Long moved that the Council allocate \$50,000 above the \$77,500 of last year's operating budget for the Parks and Recreation Departments.

Councilman White inquired if the Recreation Director needed all of this equipment. The Recreation Director stated they started out gradually to transfer certain areas that the Public Works Department now maintained over the Parks Department. It depends on how rapidly this transition was desired to be made. Councilman White was a little uncertain about this extra money; and said had the

Director of Recreation wanted the money he would have included it in his budget. Councilman Long stated it was important that this new Department be built up. Councilman White wanted to look into this further. The Mayor stated every member on the Council agreed; but the Recreation Director and Mr. Smith and all had studied it carefully on just how much could be assumed this next year. The Mayor announced Councilman Long's motion died for lack of a second. Councilman LaRue stated he would be happy to look at the possibility of transferring more rapidly some of the Public Works Director's responsibilities insofar as that pertaining to the parks, and transferring some of that responsibility to the Parks and Recreation under Mr. Sheffield's care. How much faster this could be done he did not know without some study. He suggested that this be looked at again to see if something could be worked to speed up this transfer of Mr. Rountree's responsibility over to Mr. Sheffield. Councilman Shanks moved that the City Manager be requested to study the situation discussed con by Councilman Long and pro by the rest of the Council and come up with a recommendation. The City Manager stated they had the recommendation of two Department Heads now. Councilman Shanks said even after the Budget is adopted this could be done later and he thought the study should be an intelligent one. Councilman Shanks' motion died for lack of a second.

Councilman LaRue moved that the City Manager be asked to study the possibility of transferring additional funds from the Public Works Department to the Parks and Recreation Department with the thought in mind that he could carry on more of the duties that are being handled now by the Public Works Department. The motion was seconded by Councilman Shanks.

Councilman Long moved to amend that motion to have the City Manager study and bring back a recommendation in the very near future of the proposition of recommending an additional sum of money to be spent by the Parks and Recreation Department in the area of park maintenance, planting, and taking care of the parks. The motion lost for lack of a second.

Roll call on Councilman LaRue's motion showed the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Councilman Long stated she would vote "aye" on this, because it was a step in the right direction, but she thought it was a step in the wrong direction to take the money away from Reuben Rountree's Department.

Councilman Long inquired about allocations for purchasing the right of way for widening Springdale Road between 7th and Airport Boulevard. The City Manager stated the major projects that involved the most expenditures were listed on M-8; however that list did not include all of the projects, as they had in addition, miscellaneous streets all over town. On Springdale there is not a continuous right of way all the way through, and there may be just a few areas that need widening, and it was not considered of sufficient consequence to list it as a right of way project.

Councilman Long stated there was another very important thing and that was the five percent pay increase for the firemen. After looking over the figures the firemen supplied her at her request, showing their base pay compared with other cities she believed that they should be given the \$30.00 a month increase that had been mentioned, instead of a 5% increase. The Mayor stated the Council would study the entire pay schedule in light of it all and vote the whole thing.

Councilman Long suggested that the 5% increase should be cut off at the \$10,000 level, and then review all the other employees' salaries from the 5% up and give them increases as merited and not just on a 5% basis. She suggested that the Council study those salaries at the \$10,000 level and give those increases on a different basis than the overall 5% increase. She suggested the Fire Chief's salary needed to be increased. She said the \$10,000 was the cut-off point on the 5%; and those over the \$10,000 would be studied. Mayor Palmer asked if they would be given more than five percent, or less? Councilman Long replied some less, or she did not know if any of them would fall above the 5%, but they should be evaluated on their own merits. Councilman Long discussed the City Manager's salary and the 5% increase.

Councilman LaRue stated the salary that is paid an individual of Mr. William's caliber could be the cheapest money this Council could ever spend. Councilman Shanks stated the City Manager, for the 3300 of people for whom he is responsible is probably the most underpaid man in the City of Austin. Councilman Shanks said he was for the firemen and for all of the City employees, and he thought everything should be on an equitable basis. His only contention with Councilman Long was when they stoop to penalize the key men they would be doing the entire City of Austin an injustice. Key men help other men. A banker, an industrialist or anyone who had any degree of intelligence would say the same thing--that it takes key men, and that good key men are the cheapest men that could be had regardless of what they are paid. The Mayor stated the greatest inequities in the City payrolls compared to other cities are at the Department Head levels. He pointed out the loss of one of the finest hospital administrators to Houston for a salary much larger than is being paid Austin's City Manager. Austin lost one of its finest Assistant City Attorneys to a neighboring city at a salary probably as much if not greater than is being paid Austin's City Attorney. If a city had to employ a City Manager in a city that had a Power Plant, a Hospital and all of the other facilities Austin has it could not interest anyone for less than \$25,000. He pointed out one person who had only a utility system under his jurisdiction and he was paid \$25,000 annually. The turn-over in personnel of Austin's trained long time employees from the Department Head level is one of the most costly items that the tax payer has. He stated he felt very strongly on this particular level, to say to cut off any type of increase at an arbitrary \$10,000 figure would be a great, great mistake. Councilman Long stated he was saying those men were not going to get an increase. She said these were increases as far as she was concerned, and that they would be given separately.

The Mayor said this should be looked at as "what would this job be worth so far as any other city was concerned." The Mayor stated the head of Austin's electric utility which is larger on a KW basis than the entire L.C.R.A. system is paid far less than the gentlemen who heads the L.C.R.A. system at a salary of \$25,000 a year; and what Austin is paying its Director of Utilities is completely out of line. The Assistant City Manager listed the salaries paid the City Managers in the 9 largest cities, the City Manager of Austin being the only one with a hospital and utility system under his supervision. Councilman White stated just recently there was a fine gentleman who was in training as a Department Head and he left to take a position for twice as much as he would have received. There are some others down the line that will be finding that kind of a job, and the City will be losing them.

Mayor Palmer stated Austin had some of the finest men in the Department Head levels, and that is borne out by the fact other cities are trying to employ them. This is why it is so important to give attention to that level. It is a

good investment as far as the citizens are concerned not to have this turn-over in good trained personnel. Councilman Long stated there were junior executives and department heads that were suffering and that was where it was necessary to study the individual cases--not on personalities, but the jobs. Councilman White stated the idea of checking on this other was all right but it seems the Council had settled on the firemen; and with the other 5% if there were some more that actually need it give it to them.

After discussion of the Firemen Classification Ordinance, Councilman Long moved that the "Deputy Chief" be deleted from the Classification Ordinance. The motion, seconded by Councilman White, carried by the following vote:

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

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 620510-G  
PERTAINING TO THE CLASSIFICATION OF CERTAIN  
FIREMEN; AND DECLARING AN EMERGENCY.

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

Councilman Long moved that the Firemen be increased \$30.00 a month straight across the board and exclude the Fire Chief, giving him the 5% increase. The motion, seconded by Councilman White, carried by the following vote:

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

The City Manager pointed out there was no rate set for Driver II, and it would be necessary that a rate be established. The Mayor stated the Driver II would be \$405.00 after the \$30.00 increase. The Council informally agreed.

Councilman Shanks moved that the salaries for the Fire Prevention Department be set as follows:

Inspector I	\$370	
Inspector II	\$395	
Inspector III	\$439	to coincide with the new Captain I position in the Fire Department
Chief Inspector and Educational Director	\$465	
Assistant Fire Marshal	\$540	

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 AMENDING ORDINANCE NO. 620510-H PERTAINING TO SALARIES FOR TRAINEES AND CLASSIFIED EMPLOYEES IN THE FIRE FIGHTER DIVISION AND FIRE PREVENTION DIVISION OF THE FIRE DEPARTMENT; AND DECLARING AN EMERGENCY.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman LaRue moved that a five percent pay increase across the board be granted to all other City employees not covered by the action today such as the firemen and the pay increase that was granted to the Police Department. The motion, seconded by Councilman White, carried by the following vote:

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

Councilman Long made the following statement:

"I am disappointed in this particular way of granting the increase because I think above the \$10,000 classification that it creates inequities as compared to the very highly paid City employees with the ones making \$1.25 or a little bit more per month, and it creates inequities, but we have to have the pay increases and I certainly would not want to vote against this, so I will vote 'aye' for the 5% increase."

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE ADOPTING AND ESTABLISHING A WAGE AND SALARY PLAN AND SCHEDULE FOR OFFICES AND EMPLOYMENTS OF THE CITY OF AUSTIN; DEFINING THE SCOPE OF THE WAGE AND SALARY PLAN; CREATING THE WAGE AND SALARY COMMITTEE; PROVIDING FOR THE CONTROL OF WAGE AND SALARY ADMINISTRATION; PROVIDING A SAVING CLAUSE, AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL JULY 12, 1951, AND IS RECORDED IN BOOK "Q", PAGES 363-370 OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, IN SUBSECTION (3) (a) OF SECTION 5 THEREOF, RELATING TO THE MASTER WAGE-SALARY SCHEDULE; 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 LaRue, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer asked if there were any other questions concerning the Budget. Councilman White stated he thought someone wanted to study it further. Councilman LaRue stated there was a study coming in. Councilman Long stated, "in view of all of the opposition that I have had on my very constructive ideas concerning the Budget that I see it is almost folly to bring up any more recommendations, so I guess I will have to throw in the sponge and go ahead and vote today."

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ADOPTING AND APPROVING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1964, AND TERMINATING SEPTEMBER 30, 1965, AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT, PROJECT AND ACCOUNT; AND DECLARING AN EMERGENCY. (Budget at end of meeting)

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 LaRue, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

MR. STEEN SMITH expressed appreciation for the confidence shown in the Fire Department, believing they merited this increase and stated they would continue to try to do their best.

Councilman White moved that two petitions for fogging be referred to the Health Department -- one in the Willow Street and East First Street area, and the other covers the area of Carver Avenue, Blackson, Bathum, etc. The motion, seconded by Councilman Long, carried by the following vote:

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

The City Manager had a letter from COLONEL MURPHY, President of the Austin Aqua Festival for 1965, stating the sports car race had been so successful they would like to conduct it for two days next year on August 14th and 15th. The approval has to be submitted to the national headquarters of the Sports Car Club by October 1, 1964. Councilman Shanks moved that clearance for these two days be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager called attention to the filing of the monthly Progress Report on the Electric Capital Improvements which was sent out to the Council.

The City Manager reported on a conference held with BROOKS & BARR, and BARNES, LANDES, GOODMAN & YOUNGBLOOD, Architects for the Hospital, and MR. AL ELDRIDGE, Construction Engineer, and the City Attorney on the contract, stating it was on the regular AIA form providing for 7% construction costs for the project. The project is described as the plan for ultimate development of the Brackenridge Hospital complex and the construction of the first increment of the new hospital. They assume the obligation of the master plan of the whole building complex as a part of this first phase under this 7%. On the development of the land use plan of the whole area, that will be on the cost plus 150%. The Mayor explained in detail what the 150% of the cost covered. Councilman Long asked about the estimate of the cost. The City Manager stated they had good control of the costs as when they went into the land use development, the Architects would be working closely with the Planning Department so that they would be familiar from day to day with the time they had spent. He could not give an estimate, nor could the Architects, as they did not know what all the City would ask them to do. He said the Architects were familiar with what they are required to do and how to go about the matter. They say they cannot accurately estimate the costs as it will depend on how much work they will be asked to do in research, etc. Each time they are given an assignment, they would know exactly what the Architects anticipated the cost of the particular assignment would be. He believed they could keep good control over all of this. The Director of Planning stated he had been working with a number of consultants--Town Lake, Zoning Ordinance, etc., and the amount per hour which they state is considerably more than the rate in this contract. Councilman Long asked if the Council could review this from time to time. Councilman LaRue stated the policy might be a minimum development of a general area leaving enough leeway for changes later on. After more discussion, Councilman Shanks moved that the City Manager be instructed to execute the contract. The motion, seconded by Councilman White, carried by the following vote:

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

The City Attorney explained the Council approved a lease with MR. C. B. SMITH in May, 1964 at \$125.00 a month for ten years on the property at 3rd and Lamar, but Mr. Smith never executed the lease. Mr. Smith now proposes that the City give him an option beginning January 15, 1965 to lease this property for which option he would pay \$125.00, and that \$125.00 would be applied to the rental in the event he exercised the option to lease. He then proposed a ten year lease at \$100.00 a month for the first year and \$125.00 a month on a renewal year-to-year basis for nine years. Mr. Smith also wants the City to agree to widen and open the street so there would be ready vehicular access from Lamar over to the street east of that on 4th Street. Two other conditions are that the street be at least 20' in width for auto traffic adjacent to this property and the City would bear the cost of paving on its portion; and that he also be given the right of refusal to buy the property in the event anyone else wanted to buy it before January 15, 1965, for the same price offered by the prospective purchaser. Councilman Long stated he was using the land and he will have to be told he must pay \$125.00 a month rent. Councilman Long moved that the offer of MR. C. B. SMITH on the property at 3rd and Lamar be declined. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager stated inquiry had been made about the City's acquiring property on the north side of the Airport on 51st Street. Councilman Shanks moved that this property at 1509 East 51st Street be purchased at no more than \$12,000. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager stated the Electric Department would like to receive bids in the Council Room at 10:00 A.M., October 8th on the following equipment for Holly Street No. 3:

Contract 129 - Line Control Panel  
Contract 124 - Low Voltage Distribution Apparatus  
Contract 131 - Battery and Charger

Councilman Long moved that the Council invite these bids to be received at 10:00 A.M. on October 8th. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager stated the Council wanted to make a trip out to look over Santa Monica South on which application for change in the Master Plan was still pending.

The City Attorney stated the Director of Aviation brought in a matter that needs action, authorizing the City Manager to execute an agreement with the U.S. Army Engineers to pay the City \$575.00 for refurbishing the houses adjacent to the Airport which Air Recovery Squadron had used. Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin, Lessors, and the United States of America, Lessees, have agreed to a Supplemental Agreement to their lease whereby the Lessors leased certain property to the Lessees for the use of the United States Air Force Reserve; and,

WHEREAS, the Supplemental Agreement provides that the City of Austin will accept payment from the United States of America of the sum of \$575.00, which sum is in lieu of restoration of the premises; and,

WHEREAS, the City Council of the City of Austin, a municipal corporation, has approved said Supplemental Agreement; Now, Therefore,

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

That the City Manager be given authority and is now hereby given authority to execute the Supplemental Agreement to the Lease on behalf of 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 Attorney stated the City owned some property acquired in 1961 for the purpose of extending Barton Skyway, and an additional property owner, MR. F. O. CULLEN owns some property that is needed by the City. This would be an even exchange of land between the City and Mr. Cullen. The City Attorney showed on a map the area the City would be trading for Mr. Cullen's property. Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

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

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

.06 of one acre of land, same being out of and a part of that certain portion of Lot 2 of F. O. Cullen 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 said F. O. Cullen Subdivision of record in Book 9 at page 44 of the Plat Records of Travis County, Texas, which certain portion of Lot 2 was conveyed to Lucky E. McKee, et ux by warranty deed dated November 14, 1961 of record in Volume 2398 at page 430 of the Deed Records of Travis County, Texas; and being also the same tract of land which was thereafter conveyed by Lucky E. McKee and wife, to George S. Nalle, Jr. by deed dated February 22, 1962 and recorded in Volume 2436 at page 516-517 of the Deed Records of Travis County, Texas; said 0.06 of one acre of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake at the northwest corner of the said Lucky E. McKee, et ux tract of land, same being on the curving east line of Manchaca Road, said curve having an intersection angle of  $22^{\circ} 22'$ , a radius of 545.62 feet and a tangent distance of 107.87 feet;

THENCE, with the north line of the said Lucky E. McKee tract of land south  $61^{\circ} 26'$  East 94.91 feet to an iron stake for the northwest corner of the herein described tract of land, same being the point of beginning for these field notes:

THENCE, South  $61^{\circ} 26'$  East 165.66 feet to an iron stake at the northeast corner of the said Lucky E. McKee tract of land;

THENCE, with the east line of the said McKee tract of land, same being

the east line of Lot 2, South 62° 52' West 38.52 feet to an iron stake in the north line of Barton Skyway;

THENCE, North 49° 00' West 147.47 feet 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

Councilman Long moved that the City Manager be authorized to execute a short form subdivision to effect the dedication of the property being acquired. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Noes: None

Mayor Palmer suggested that the Planning Engineer bring in the revised Committee report on the Zoning Ordinance. The Planning Director said he would like to make a preliminary report on October 1st. The Mayor stated if he would give the Council a summary, it may be that the Council would set a public hearing. Councilman Shanks asked how long would it take to get the ordinance all worked out. The Planning Director stated he thought it could be covered in a period of about two or three months. The Mayor stated after this review, the schedule in November called for a review of the Building Code. The Building Official stated he would have the Plumbing Code ready by Thursday week. (October 1)

There being no further business, Councilman White moved that the Council 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 5:55 P.M. subject to the call of the Mayor.

APPROVED

*Robert E. Palmer*  
Mayor

ATTEST:

*Olivia Hensley*  
City Clerk