

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 8, 1971
9:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor LaRue presiding.

Roll call:

Present: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Absent: None

Present also: Lynn H. Andrew, City Manager; Don R. Butler, City Attorney

The Invocation was delivered by FATHER RICHARD E. McCABE, Catholic Charities.

PROCLAMATION

Mayor LaRue read a proclamation designating APRIL 18-24 as "Secretaries Week" and asking all businesses and industries to join in giving due recognition of the Secretaries group.

PLANS FOR SHOAL CREEK PARK

Mr. Richard Lillie, Director of Planning, reviewed the plans for the area of Shoal Creek and the park, stating the Doctors Building Corporation began acquiring land for a Doctors' building and Seton Hospital. A contract ultimately was worked out for street and easement vacations, street and easement dedications, provisions for an eventual right of way for 34th Street expressway, and the development of a park from 34th Street to 38th Street on Shoal Creek. Mr. Pinkney developed the original plan. In February, 1970, the Planning Staff was instructed to finish the plan and to bring it to the Council as soon as possible. The Pinkney plan was reviewed by the Doctors, Parks and Recreation Department, Public Works Department, and the City Manager's Office. The Plan as exhibited today has been agreed upon by all of the agencies. Mr. Lillie displayed the plan, pointing out walkways, a natural spring, at which a historical marker is to be erected, and a reflecting pool. The Doctors Corporation asked that the old bridge remain and be beautified. Until any flood problem became serious, the bridge could remain for pedestrian use. Pointed out were path entries from 34th and 38th Streets and other entries from the Medical Park Tower and the Shoal Creek Hospital into the area. The park improvements would be constructed by the Doctors' Corporation, which will maintain the park

for a reasonable time after construction and turn it over to the City. The "reasonable time" follows similar contracts, which provided for a five year maintenance. Liability would be included in the contract. Access to the park would be available to all citizens, as the park has been dedicated to the City of Austin, and parts of the streets in the area were vacated and rededicated as park land. The City Manager recommended the approval of the plan.

Councilman Gage moved the Council approved the plan as exhibited this date. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

(Plan as exhibited to the Council is on the following page.)

RECOGNITION OF RECRUIT CLASS 60 FIRE FIGHTERS

MR. STANTON WEISS introduced 14 fire fighters who had finished basic training and are ready to begin training-on-the-job. The City Manager stated this program is coordinated to fit in with the fire station construction.

REDUCTION OF FIRE RATES

In connection with the addition of fire fighters, the City Manager, Mr. Andrews, announced a reduction of 5% in the fire rates to Austin, which would be about \$180,000 savings to the citizens a year. Credit was given to the citizens for cooperation with the Fire Prevention Bureau in eliminating fire hazards. He said the Fire Department had done a terrific job in extinguishing the fires before spreading and had reduced the losses. Mayor LaRue noted numerous letters from those whose homes had been saved and the loss reduced, commending the Fire Department.

ANNEXATION ORDINANCE

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 7.58 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. O. RICE 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. (Proposed Windsor Hills, Section Two, Phase One.

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

The Mayor announced that the ordinance had been finally passed.

REFUND CONTRACT

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH AUSTEX DEVELOPMENT COMPANY, LTD.; AND DECLARING AN EMERGENCY. (Water and sewer mains in Quail Creek, Phase 2, Section 1 - \$46,753.54)

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

The Mayor announced that the ordinance had been finally passed.

COST DIFFERENCE

Councilman MacCorkle moved the Council adopt a resolution authorizing pay to AUSTEX DEVELOPMENT COMPANY, LTD., Nash Phillips, Attorney-in-Fact, for cost difference of 12"/8" C.I. water main in Quail Creek, Phase 2, Section 1 - \$922.90. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

RIGHT OF WAY FOR MONTOPOLIS DRIVE

Councilman Gage moved the Council adopt a resolution authorizing Eminent Domain proceedings for right of way at 619 Montopolis Drive. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

IMPROVEMENTS TO MONTOPOLIS DRIVE

Mayor LaRue introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY. (Montopolis Drive from N.P.L. Club Terrace to a point 227' north of N.P.L. El Mirando Street, covering 8½ blocks - Capital Improvements Program)

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor LaRue 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 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
TRACT 1: LOTS 1-3 AND WEST 1/2 OF LOTS 4-13, BLOCK 2, ELIZABETH M. PATTERSON STREET; AND 3207-3211 WABASH STREET, FROM "A" RESIDENCE FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE THIRD HEIGHT AND AREA DISTRICT; TRACT 2: THE EAST 1/2 OF LOTS 4-6 AND THE WEST 1/2 OF LOTS 7-9, BLOCK 2, ELIZABETH M. PATTERSON SUBDIVISION, LOCALLY KNOWN AS 1001-1007 WEST 33RD STREET; 1000-1002 WEST 32ND STREET; AND 3200-3220 NORTH LAMAR BOULEVARD, FROM "C" COMMERCIAL FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL THIRD HEIGHT AND AREA DISTRICT; TRACT 3: LOTS 8-14, BLOCK 4, WHITTEN ADDITION, LOCALLY KNOWN AS 1100-1112 WEST 33RD STREET; 3301-3305 BAILEY LANE; AND 3300-3304 WABASH AVENUE, FROM "A" RESIDENCE FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE SECOND HEIGHT AND AREA DISTRICT; TRACT 4A: LOTS 12-14, BLOCK 1, ELIZABETH M. PATTERSON SUBDIVISION, LOCALLY KNOWN AS 3301-3305 WABASH AVENUE AND 1008-1012 WEST 33RD STREET, FROM "A" RESIDENCE FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE FIRST HEIGHT AND AREA DISTRICT; TRACT 4B: LOTS 1-3, BLOCK 5, WHITTEN ADDITION, LOCALLY KNOWN AS 1200-1204 WEST 33RD STREET AND 3300-3304 BAILEY LANE, FROM "A" RESIDENCE FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS. (Austin Doctor Building Corporation) (C14-70-244)

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOT 14, BLOCK 11, BROAD ACRES ADDITION, LOCALLY KNOWN AS 5210 JOE SAYERS AVENUE, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TEAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS. (Don Jackson C14-70-194)

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

The Mayor announced that the ordinance had been finally passed.

CORRECTION OF ORDINANCE

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 690814-F, ENACTED BY THE CITY COUNCIL, AUGUST 14, 1969, BY AMENDING THE LEGAL DESCRIPTION OF THE PROPERTY REFERRED TO IN SAID ORDINANCE AS TRACT 2 AND TRACT 3; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS. (Parkinson Estates, Inc., Regan Terrace and South Interregional Highway)

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

The Mayor announced that the ordinance had been finally passed.

SIDEWALK ORDINANCE

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

AN ORDINANCE AMENDING SECTION 31-4, CHAPTER 31, AUSTIN CITY CODE OF 1967, PROHIBITING THE PLACING OR DISPLAYING OF ITEMS UPON PUBLIC STREETS, SIDEWALKS AND OTHER PUBLIC BY-WAYS; PROHIBITING THE SALE OF MERCHANDISE AND WARES PLACED OR DISPLAYED THEREON; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

Councilman Price moved the Ordinance be tabled until it was more complete and other provisions added to it as he has asked for in the past. (that a public market square be provided for the vendors). The motion died for lack of a second.

Mr. Roland De Noie asked that this matter be continued into the next era with the different Council.

After further discussion of the Ordinance, Councilman MacCorkle moved that the ordinance be passed through its third reading. The motion, seconded by Councilman Johnson, failed to carry by a tie vote as follows:

Ayes: Councilmen Johnson, MacCorkle, Mayor LaRue
Noes: Councilmen Gage, Janes, Price

Councilman Price made a statement for the record, that an ordinance was needed, but the Council should look further into this before it passed this type of ordinance.

PROPOSED TAX PROGRAM

Mr. Andrews, City Manager, estimated it would take \$86,857 for the remainder of this fiscal year to implement the Council policy to appraise half of the City for 1972. He reviewed a program of a two or a one year program of reappraisal. Automatically new structures would be placed on the

rolls, and the present appraisal of property would be utilized in the 1971 tax bills, but what is being considered is reappraising at a time where reappraisals could be made and property owners notified early in the calendar year so they would know what to anticipate in general. The tax bill could not be figured exactly, as the Council sets a tax rate, which could be changed if necessary. In this plan, the reappraisal is being carried forward this year for Area 4 with Area 1 added, and the two areas combined would be reappraised over a period of time from now until about March 1, 1972, at which time the reappraisals would be made known to the owners of those properties, for the tax bill sent out in October, 1972.

The City Manager stated at some time this summer or fall, the Council could determine whether or not it wished to appraise half the City ever two years, or move into a reappraisal of all properties of the City each year. When that policy is made by the Council, the program would be adjusted accordingly.

The City Manager pointed out several factors: (1) The cost of doing the speed up work - an additional \$86,857 for this fiscal year; (2) The Council should be aware that if Area 4 were reappraised for 1971 tax bills as it had been for many years, the results in additional tax revenue anticipated would be approximately a million or more dollars. However, this million-plus dollars would not be lost under the program proposed, but it would be deferred for a year, as this reappraisal would be realized in 1972 tax bills. The net loss on failure to collect this in October, 1971, as against October, 1972, would depend on whatever interest rate the Council wanted to figure. Presently, there is a five or six percent on invested monies. It would amount to \$60,000 or \$70,000 interest loss; (3) The City would need to adjust the 1971-72 budget, working at less revenue of approximately a million dollars less than it normally would have. It does not mean that much could not be budgeted, but it does mean, because the finances are in such shape, that it could be pro-rated over two years. Mr. Andrews saw no material effects to the 1971-72 budget. There would be a million dollars that did not show up as revenue, and an additional million would be picked up in 1972-73. He said it was a matter of adjusting priorities or adjusting programs.

It was his belief that this same situation would apply to the school system, which has a larger tax situation than the City. The school system would come short by some million or more dollars in 1972 collections, and this is a factor which it should consider.

The City Manager explained that no matter when the Council, as a matter of policy, should move to each two year reappraisal or even annual, this same situation would occur. Everyone should be cognizant of this problem; and since the City is the assessor and collector for the school system, everyone should be well apprised of this matter.

If the Council desires this program, Areas 1 and 4 would be reassessed; and if the Council then decided to go into one year reappraisal, then the following year, 1973, Areas 2, 3 and 1 and 4 could be reassessed to go on a one year basis, or stay on a two year basis. If the School Board raised their tax rate as anticipated, the public would understand that this new reappraisal program did not cause the problem.

Councilman Gage asked that the City Manager submit the plan as outlined this morning for the Council to review it for a week; and at the same time furnish the plan to the School Board. Then the Council could be prepared to

act the following week. (April 15)

Councilman Johnson agreed this seemed to be a good plan, and is an attempt in a more evenly manner to equalize taxes on a more frequent basis. The first year's loss of revenue would be picked up the second year, the revenues then would be coming in much quicker, and the values would be current. Councils in the past for many years have not had to adjust the tax rate because of the inflation built in the four year system.

It seemed to be the concensus of the Council that everyone wanted a change regarding taxation.

CONTRACTS AWARDED

Councilman Price moved the Council adopt a resolution awarding the following contract:

JACK A. MILLER, INC. - For construction of reinforced concrete box culvert across Westgate Boulevard at Coatsbridge Drive, Contract 71-Cc-101 - \$24,456.25. (City estimate - \$22,514.00; 45 working days; Capital Improvement Program)

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

Councilman Price moved the Council adopt a resolution awarding the following contract:

DeLAVAL TURBINE, INC. - One (1) each pumping unit and motor starters - \$36,514.00.

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

Councilman MacCorkle moved the Council adopt a resolution awarding the following contract:

ELGIN-BUTLER BRICK COMPANY - Twelve (12) month Supply Agreement for 160,000 each 3 hole Bricks - \$7,056.00.

The motion, seconded by Councilman Janes, carried by the following vote:
Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

Councilman Price moved the Council adopt a resolution awarding the following contract:

FORD-WEHMEYER

- For the installation of electric conduit and concrete foundations for street lighting on 5th Street from San Antonio Street to I H 35 - \$53,637.25. (130 working days)

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

Councilman Johnson moved the Council adopt a resolution awarding the following contract:

SCHMIDT CONSTRUCTION
COMPANY

- Amending the original contract by \$5,840.55 to permit the additional expenditure for the extra required construction of North Lamar Boulevard 24-inch C.S.C. water main from Rundberg Lane to Braker Lane. (Original contract \$157,480.45 authorized May 12, 1970.)

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

Councilman Gage moved the Council adopt a resolution awarding the following contract:

LANFORD EQUIPMENT
COMPANY

- One (1) each Tractor with Hydraulic Extension Mower - \$11,598.00.

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

SUBSTANDARD STRUCTURES

Councilman Gage moved the Council accept the recommendation from the Building Standards Commission that the Law Department take proper legal disposition on the following substandard structures which have not been repaired or demolished within the required time:

1114 (D) Terry Drive
Sixto Acosta

- That the structure located on this lot be declared a public nuisance by the City Council; that the owner of such property be given sixty days from January 13, 1971, in which to repair or demolish the structure and clean the premises, the Legal

1114 (D) Terry Drive
(Continued)

- Department of the City of Austin be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; that upon a termination of the legal proceedings in favor of the City of Austin the failure of the defendant to abate the nuisance, the forces of the City of Austin, with permission of the court, be empowered to demolish the structure and affix the costs thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.

1110 (E) Lott Avenue
Gil Guadalupe

- That the structure located on this lot be declared a public nuisance by the City Council; that the owner of such property be given sixty days from January 13, 1971, in which to repair or demolish the structure and clean the premises; that after expiration of the sixty day period, the owner has failed to repair or demolish the structure and clean the premises, the Legal Department of the City of Austin be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; that upon a termination of the legal proceedings in favor of the City of Austin, the failure of the defendant to abate the nuisance, the forces of the City of Austin, with permission of the court be empowered to demolish the structure and affix the costs thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.

3311 East 12th Street

- That the structure located on this lot be declared a public nuisance by the City Council; that the owner of such property be given ninety days from February 12, 1969, in which to repair or demolish the structure and clean the premises; that after the expiration of the ninety day period, the owner has failed to repair or demolish the structure and clean the premises, the Legal Department of the City of Austin be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; that upon a termination of the legal proceedings in favor of the City of Austin, the failure of the defendant to abate the nuisance, the forces of the City of Austin, with permission of the court, be empowered to demolish the structure and affix the costs thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.

610 Navasota
Mrs. Soledad Guajardo

- That the structure located on this lot be declared a public nuisance by the City Council; that the owner of such property be given ninety days from September 10, 1969, in which to repair or demolish the structure and clean the premises; that after expiration of the ninety day period, the owner has at that time failed to repair or demolish the structure and clean the premises, the Legal Department of the City of Austin be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; that upon a termination of the legal proceedings in favor of the City of Austin, the failure of the defendant to abate the nuisance, the forces of the City of Austin, with the permission of the court, be empowered to demolish the structure and affix the costs thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.

The motion, seconded by Councilman Price, carried by the following vote:
Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

MODEL CITIES PLAN HEALTH COMPONENT

Councilman Price moved the Council adopt a resolution authorizing an amendment to the Model Cities Plan Health Component, Community Crises Center, to reflect the following changes:

Adult and Children Service Center - total \$195,629
(100% Model Cities funds) Project duration seven months.

Alcoholism and Drug Abuse Treatment Center - total cost \$593,245. Project duration 12 months.

Model Cities Share for Alcoholism Phase	- \$204,029
Model Cities Share for Drug Abuse Phase	- <u>\$ 64,564</u>
Model Cities Share for Alcoholism and Drug Abuse Phase	- \$268,593

Total Model Cities Share - \$464,222.

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

PUBLIC HEARING SET
AUSTIN DEVELOPMENT PLAN

Councilman Price moved the Council set a public hearing on proposed change of the Austin Development Plan for 9:30 A.M., April 29, 1971. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

PUBLIC HEARING SET
RECEIVE BIDS ON BONDS

Councilman Johnson moved the Council set a public hearing for May 20, 1971, at 10:30 A.M. C.D.T., to receive bids on the following:

ELECTRIC, LIGHT AND POWER, WATERWORKS
AND SEWER SYSTEM BONDS of - \$6,500,000

GENERAL OBLIGATION TAX BONDS of - \$6,600,000.

The motion, seconded by Councilman Price, carried by the following vote:
Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

FEDERAL GRANT
POLICE COMMUNITY RELATIONSHIP PROJECT

Councilman Gage moved the Council adopt a resolution authorizing the City Manager to make application to the Texas Criminal Justice Council for a Federal Grant to expand the Police Community Relationship Project through the Model Cities Program. (\$115,771.00) The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

ANNEXATION HEARING SET

Councilman Janes moved the Council adopt a resolution setting a public hearing at 9:30 A.M., April 22, 1971, to consider annexing the following:

10.07 acres of land out of the James Rogers
Survey - proposed MESA PARK, SECTION THREE.
(Requested by owner's representative)

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

EASEMENT RELEASED

Councilman Johnson moved the Council adopt a resolution authorizing the release of the following easement:

Public utilities easement out of Lot 2.B resub of
Lot No. 2 of the resubdivision of a portion of
Outlot 18, Division C.

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

The item of consideration of the release of a portion of a drainage easement out of Lot 1, HAVERTY ADDITION, was withdrawn from the Agenda.

APPEARANCE OF MR. ROBERT BOND POSTPONED

The appearance of Mr. Robert Bond regarding city owned property was postponed.

COUNCIL RUN-OFF ELECTION CALLED

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A RUN-OFF ELECTION IN THE CITY OF AUSTIN FOR THE PURPOSE OF ELECTING COUNCILMEN TO PLACES NO. 2, 5 AND 6 ON THE CITY COUNCIL OF THE CITY OF AUSTIN FOR A TERM OF TWO YEARS BEGINNING MAY 15, 1971; PROVIDING THAT THE ABSENTEE BALLOTS BE COUNTED BY A CANVASSING BOARD; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

The Mayor announced that the ordinance had been finally passed.

CREATION OF CANVASSING BOARD

Councilman Price moved the Council adopt a resolution creating a Canvassing Board for canvassing the returns of the May 1st Absentee Balloting. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

MAY 15TH - COUNCIL ELECT TAKE OFFICE

The Council discussed the May 15th meeting when candidates would take office. The City Manager stated he would consult with the Council Elect to see how and when they wanted to hold this meeting.

BINDER INSURANCE ON DECKER POWER PLANT

Councilman MacCorkle moved the Council authorize payment for a binder insurance on Decker Power Plant covering boiler and machinery insurance for Decker Power Station, with Hartford Steam Boiler Company. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

2:00 P.M. AFTERNOON SESSION

TAX APPEALS

At 2:00 P.M. Mayor LaRue opened the hearings on Tax Appeals scheduled for this time.

On each appeal, the appellant or his representative presented the case which was discussed thoroughly with the Council and at length. The Tax Assessor, Mr. Jack Klitgaard, reviewed maps, pointed out recent sales in each area that might indicate the fair market value, discussed topography, and pointed out all factors that effect or have bearings on the value of each parcel in question.

Each of the following cases was carefully considered by the Council before a decision was reached, and action on each appeal is indicated as follows:

DR. HORACE O. POOLE

The Tax Assessor reported having contacted Dr. Poole several times, and had sent a certified letter and the signed receipt was returned. His appeal has been set four times. After discussion, Councilman Gage moved that the Council uphold the Board of Equalization as follows:

Assessed Value

Parcel No. 2-2502-1201, Legal: Lot 10, Block 24,
Melrose Terrace

Land	\$ 9,020
Improvements	<u>8,430</u>
Total	\$17,450

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

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue

Noes: None

Not Present at roll call: Councilman Johnson

JOHN L. WILDER, JR.

After discussion, Councilman Janes moved the Council sustain the action
of the Board of Equalization as follows:

Assessed Value

Parcel No. 2-2217-1008, Legal: Lot 8, Block C,
Delwood 4 East Section 1

Land	\$ 2,530
Improvements	<u>13,460</u>
Total	\$15,990

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

MS. JUANITA V. THOMPSON WILLEFORD

The Tax Department had been unable to contact Mrs. Willeford, and had
sent a certified letter notifying her of the tax hearing, and had the return
receipt. Councilman Price moved the Council uphold the recommendation of the
Board of Equalization as follows:

Assessed Value

Parcel No. 2-3002-0119, Legal: Lot 4, Block C,
Shoalmont Addition Sec. 4

Land	\$ 2,370
Improvements	<u>6,250</u>
Total	\$ 8,620

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

CHARLES ZLATKOVICH

Councilman Janes moved the Council uphold the Board of Equalization as follows:

Assessed Value

Parcel No. 2-3201-0224, Legal: Lot 5 less Southwest triangle plus Northeast triangle of Lot 4, Block B, Allandale Oaks

Land	\$ 4,140
Improvements	<u>11,150</u>
Total	\$15,290

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Janes, Johnson, MacCorkle, Mayor LaRue
Noes: Councilmen Gage, Price

EMIL A. ZOGHEIB

Councilman Price moved the Council uphold the Board of Equalization as follows:

Assessed Value

Parcel No. 2-2119-0302, Legal: Lot 20, Block C, Delwood 4 East Section 3

Land	\$ 2,450
Improvements	<u>8,910</u>
Total	\$11,360

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

WADE WALKER, JR.

Councilman Price moved the Council uphold the Board of Equalization as follows:

Parcel No. 2-1227-0212, Legal: Lot 14, Block B, Craigwood, Section 1

Land	\$ 1,760
Improvements	<u>0</u>
Total	\$ 1,760

The motion, seconded by Councilman Janes, carried by the following vote:
Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: Councilman Gage

CHARLIE J. BIRDWELL

Councilman Price moved the Council uphold the Board of Equalization as follows:

Assessed Value

Parcel No. 2-3005-0303, Legal: Lot 14, Block V,
Violet Crown Heights, Sec. 2

Land	\$ 2,320
Improvements	<u>6,000</u>
Total	\$ 8,320

The motion, seconded by Councilman Janes, carried by the following vote:
Ayes: Councilmen Janes, MacCorkle, Price, Mayor LaRue
Noes: Councilmen Gage, Johnson

CLIFF B. GREEN

Councilman Price moved the Council uphold the Board of Equalization as follows:

Assessed Value

Parcel No. 2-3206-0909, Legal: Lot 1, Block C,
Bellaire Heights, Section 1

Land	\$ 2,400
Improvements	<u>7,790</u>
Total	\$10,190

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

O. L. CANADY

Mr. Canady did not appear although he was notified by certified mail. After discussion, Councilman Price moved the Council uphold the Board of Equalization as follows:

Assessed Value

Parcel No. 2-3212-0803, Legal: Lot 3, Block E,
Bills Addition Section 1

Land	\$ 2,410
Improvements	<u>7,330</u>
Total	\$ 9,740

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

The Tax Assessor reported there were a few people to be contacted again and they would like to schedule the rest of those appeals. Six properties have been held; and Mr. Klitgaard said he would have the figures to present to the Council.

Action was deferred on the following appeals:

Mrs. Marie Price White

4802 Red River Street
Legal: Lot 2, Worley
Parcel No. 2-2010-1315

800 Block East 48th Street
Legal: Lot 6, Worley Addition
Parcel No. 2-2010-1319

806 East 48th Street
Legal: Lot 7, Worley Addition
Parcel No. 2-2010-1320

Earl O and J. Eugene
Wukasch
By Earl O. Wukasch

4205 Avenue H
Legal: Lots 10 and 11,
Block 19, Hyde Park 1
Parcel No. 2-2008-0203

4207 A and B Avenue H
Legal: Lots 8 and 9, Block 19,
Hyde Park 1
Parcel No. 2-2008-0204

4213 Avenue H
Legal: Lots 3 and 4, Block 19,
Hyde Park 1
Parcel No. 2-2008-0206

Mrs. Joe Wukasch
By Earl O. Wukasch

106 West 38th Street
Legal: Lot 8 and West 8 feet
Lot 7, Outlot 78, Division D,
Oakland Square
Parcel No. 2-1906-0113

4209 Avenue H
Legal: Lots 5, 6 and 7,
Block 19, Hyde Park 1
Parcel No. 2-2008-0205

4215 Avenue H
Legal: Lots 1 and 2, Block 19,
Hyde Park 1
Parcel No. 2-2008-0207

4212 Duval Street
Legal: Lots 1 and 2,
Block B, Statesman
Parcel No. 2-2008-0208

Mrs. Joe Wukasch
(continued)

4210 Duval Street
Legal: Lots 3 and 4,
Block B, Statesman
Parcel No. 2-2008-0209

4208 Duval Street
Legal: Lots 5 and 6,
Block B, Statesman
Parcel No. 2-2008-0210

Alma W. Wukasch
By Earl O. Wukasch

5225 North Lamar
Legal: Lot 10, Block B,
Murray Place
Parcel No. 2-2407-0305

405 Nelray
Legal: Lot 112, Northfield
Parcel No. 2-2509-1008

ADJOURNMENT

The Council adjourned.

APPROVED _____

Mayor

ATTEST:

City Clerk