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MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 28, 1971  
9:00 A.M.

COUNCIL CHAMBERS, CITY HALL

The meeting was called to order with Mayor LaRue presiding.

Roll Call:

Present: Councilmen Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Absent: Councilman Atkinson

The Invocation was delivered by REVEREND J. RALPH HESS, Lutheran Chaplain.

APPROVAL OF MINUTES

Councilman Janes moved the Council approve the Minutes of the Regular Meeting of December 22, 1970. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

RECOGNITION OF RETIRING ELECTRIC UTILITY DIRECTOR,  
MR. DEXTER KINNEY

Mayor LaRue, on behalf of the Council, recognized the contributions made to the community by MR. DEXTER KINNEY, Director of Electric Utilities, who was retiring after 39 years of service. The Mayor gave a resume of the large projects sponsored under Mr. Kinney's tenure, and of the results to the system of increases in revenues. By standing vote, the following members of the City Council resolved that Mr. Kinney be honored and given recognition for the measure of the man that he had proven to be, and instructed that a special page of the Official Minutes of the Council be set aside for this resolution:

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

Members of the Council expressed appreciation to Mr. Kinney for his endeavors and achievements.

## RESOLUTION

WHEREAS, it may be said that if a man serves faithfully for many years, the measure of his life is not that of time alone; or if a man completes a number of tasks, the measure is not merely the number; or if a man achieves some definite goals, the fact of achievement may serve as some measure; but if a man throughout the years involves himself in the negotiations of life and obtains to a system of life that decisively deals with each task set before him, then the true measure of the man is that system; and,

WHEREAS, Dexter Cleveland Kinney, for thirty-two years has faithfully served the City and the People of Austin, beginning in 1932 as a Mechanical Engineer, in 1942 as Power Plant Superintendent, during World War II as Electrical Distribution Superintendent and Assistant Director of Electrical Utilities, in 1946 as Superintendent of the Electrical Division of the Utility Department, in 1950 as Chairman of the Electric Board, and from 1956 to 1971 as Director of Electric Utility--years and positions that counted but they are inadequate to measure the man; and,

WHEREAS, Dexter Kinney contributed his energies to the completion of a number of tasks: Bolm Road, Govalle Sewage Treatment Plant, the Pistol Range, Old Market Square, the 150 ton incinerator, the Service Building, the Auto Repair Shops, the Steam Turbine for the Old Johnson Power Plant, Longhorn Dam, Town Lake, Tom Miller Dam, Seaholm Power Plant, Holly Power Plant, Decker Lake, Decker Power Plant, an increase in the Electrical power systems capacity from 16,000 kilowatts in 1932 to 785,000 kilowatts in 1971, and an increase in system revenue from \$843,000 in 1932 to \$29,900,000 in 1970--goals that are set, striven for and obtained are surely some measure of a man; and,

WHEREAS, Dexter Kinney involved himself in the 1938 negotiations between the City of Austin and the Lower Colorado River Authority for the construction of Tom Miller Dam and the Associated Power Supply and Leasing Agreements, in the 1962 negotiations for gas fuel for the Seaholm and Holly Power Plant, in the 1966 renegotiations with the LCRA for water and interchange agreements, in the 1968 negotiations to extend the gas fuel supply to the Decker Power Plant, and in the 1969 negotiations with the University of Texas for the electrical power and standby service--involvement enriched by achievement; and,

WHEREAS, over the years Dexter Kinney obtained to a system of life that had its beginning in Austin High School and the University of Texas, and that was instrumental in the creation and nurturing of other systems: The Southwest Power Pool, The South Texas Interconnected Power System, and finally, The Texas Interconnected Systems which covers approximately 80% of the State of Texas--his is a system of life that decisively dealt with each task set before him, and is a true measure of the man, Dexter Kinney; Now, Therefore

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

That upon the occasion of his retirement, Dexter Cleveland Kinney, be honored and given recognition for the measure of the man that he has proven to be, for the faithful performance of the many tasks that were set before him, and for his energetic involvement and leadership in the expansion of the Electric Power Systems to meet the needs of the City of Austin and the surrounding areas, and that a page be especially set apart for that purpose in the Official Minutes of the City Council and that a copy of this Resolution be presented to the said Dexter Cleveland Kinney.

WITNESS OUR HANDS and the Official Seal of the City of Austin, Texas,  
this the 28th day of January, 1971, A.D.

ATTEST:

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Mayor

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Mayor Pro Tem

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Councilman

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Councilman

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City Clerk

## PROCLAMATION

Mayor LaRue read a Proclamation expressing pride in the spirit of cooperation between the law enforcement officers of the City, the County Sheriff's Department and the Department of Public Safety, all exhibiting the highest degree of interest in the youth of the community. Through their efforts, two football teams will meet in Memorial Stadium, February 7, 1971, to raise money for the development of Girlstown U.S.A., a new Austin facility. The Mayor named Sunday, February 7, 1971, as "Peace Officers Appreciation Day," and urged all citizens to attend the second annual Peace Officers Bowl Football Game.

CAPTAIN HALLMARK, Department of Public Safety, LIEUTENANT MIKE BELVIN, Austin Police Department, and DAVID HALE, Deputy Sheriff, Travis County, accepted the Proclamation.

## HUMAN RELATIONS COMMISSION REPORT

Dr. John Barclay, speaking for the Human Relations Commission, thanked the Council for appointing the new members. He stated that at the Commission meeting last Monday the Commission had voted that no report be made to the City Council regarding police brutality charges until a Director for the Commission was appointed.

The City Manager, Mr. Andrews, stated that he had interviewed 11 potential Directors, that two had been tested thoroughly and jobs offered to both of them. Both individuals had declined, possibly because no program or goals for Human Relations had been established. Also, recent events in the City concerning police brutality charges may have left the impression with applicants that the Director would be a police investigator and investigator of the Police Department. The City Manager did not feel that it was the Council's intent to have a Director for that purpose. He did ask that the matter be clarified by the Council.

Dr. Barclay stated that when the Human Relations Commission was created, that 12 duties and functions were assigned by the Council, all dealing with race relations. He felt that the 12 areas specified were broad enough to encompass any desire or intention of the Director or the Commission.

After some additional discussion, it was decided not to try to resolve at this time the problem of whether the Director should work on police investigations of the Police Department. Dr. Barclay was to report back to the Council in two weeks.

## OPENING OF WATER PIPE SPECIFICATIONS

Mr. William R. Perrell and Mr. A. Bennett Stapp II, Cement Asbestos Products Company, appeared before the Council to discuss the possibility of opening the City of Austin specifications to include 12 inch asbestos cement pipe. Current City specifications included 6 inch and 8 inch pipe, but in diameters of 12 inches and above, only cast iron and concrete cylinder pipe were used. Mr. Perrell pointed out the cost savings per mile for asbestos cement pipe in 12 inch diameter.

Mayor LaRue asked that Mr. Perrell present his company's specifications for 12 inch AC pipe to the City Manager and that the City Manager would have a report available in about two weeks.

#### PETITION TO LOWER LAKE AUSTIN

Mr. Wroe Owens presented to the Council over 1,500 signatures from individuals throughout the City requesting that Lake Austin be lowered for no less than 30 days during the next 90 days. The purpose of the lowering was to permit removal of duckweed, weeds, junk, debris and contamination from the Lake. Mr. Owens asked that the City not maintain its two-year schedule of lowering the lake, but lower it as needed.

Mr. Dudley Fowler also spoke in favor of lowering the lake. He felt that lowering the lake during cold weather was the most effective way to get rid of the weeds, rather than use mechanical weed cutters or chemicals.

Miss Patricia Cuney spoke against lowering the lake. She felt that the City should consider a better way to deal with the problem of a stagnant and polluted lake other than accept the petition to lower it. She also asked the Council to consider banning motor boats on Lake Austin.

Mayor LaRue stated that the Council would take the matter under advisement and make a decision within the next week or two. The item was placed on the Agenda for February 11, 1971.

#### COUNCILMAN ATKISON ENTERS

#### PARADE PERMIT FOR SCOUT-O-RAMA

Brigadier General James M. Rose requested a parade permit for the Capital Area Council of the Boy Scouts of America for a Scout-O-Rama parade on February 6, 1971.

Councilman MacCorkle moved the Council approve the parade permit. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes:	Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes:	None
Present But Not Voting:	Councilman Atkison

#### INAUGURAL PARADE INCIDENT

Mrs. John Barrow, representing Mr. Volma Overton, President, Austin Chapter, NAACP, who was out of town, presented a short statement to the Council regarding the arrest of some Black teenagers during the Inaugural parade. The arrests resulted from disorderly conduct charges by the Austin Police Department. The following individuals spoke in support of the persons who were arrested: Larry Jackson, Mrs. Velma Roberts, Peter Van Bazel, Casey Donovan, Miss Judith Smith, Miss Karen Salzman, and Miss Frances Gail Clements, who was involved and arrested during the incident.

Mr. Clarence E. Saegert, who officed in the Littlefield Building, near where the incident occurred, stated that he was an eyewitness to the incident and supported the Austin Police Department in their actions.

After some additional discussion, Councilman Gage recommended that a final decision on the incident be delayed until Dr. Barclay reported back to the Council from the Human Relations Commission and that the matter be resolved at that time.

Mayor LaRue then closed the hearing.

#### VACATION OF STREETS

Mayor LaRue introduced the following ordinances

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THOSE CERTAIN PORTIONS OF WARREN STREET AND MAYWOOD AVENUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Gage moved that 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  
Out of Room at  
Roll Call: Councilman Atkisson

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 Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None  
Out of Room at  
Roll Call: Councilman Atkisson

The ordinance was read the third time and Councilman Gage moved that 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  
Out of Room at  
Roll Call: Councilman Atkisson

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THOSE CERTAIN PORTIONS OF WEST JOHANNA STREET AND WEST JOHANNA STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING ANY AND ALL EASEMENTS IN THE CITY; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman 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  
Out of Room at  
Roll Call: Councilman Atkisson

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  
Out of Room at  
Roll Call: Councilman Atkisson

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  
Out of Room at  
Roll Call: Councilman Atkisson

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 NORTHGATE BOULEVARD, INCORPORATED; AND DECLARING AN EMERGENCY.

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 Janes, carried by the following vote:

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

Noes: None

Out of Room at

Roll Call: Councilman Atkisson

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 Janes, carried by the following vote:

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

Noes: None

Out of Room at

Roll Call: Councilman Atkisson

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

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

Noes: None

Out of Room at

Roll Call: Councilman Atkisson

The Mayor announced that the ordinance had been finally passed.

#### ZONING ORDINANCES

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

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 25 OF WOODLAWN ADDITION, LOCALLY KNOWN AS 609 ACADEMY  
DRIVE; 701-703 RIVERSIDE DRIVE, FROM "B" RESIDENCE DISTRICT  
TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN,  
TRAVIS COUNTY, TEXAS.

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

Ayes: Councilmen Gage, Janes, Price, Mayor LaRue

Noes: Councilman Johnson

Present But Not

Voting: Councilman MacCorkle

Out of Room at

Roll Call: Councilman Atkisson



Mayor LaRue brought up the following ordinance for the second reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOTS 35-A AND 38-A, BLOCK 4, C. L. ANGELL SUBDIVISION, LOCALLY KNOWN AS 6208-6212 LANGHAM STREET; 1706-1708 MONTOPOLIS DRIVE, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS.

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

Ayes: Councilmen Janes, MacCorkle, Price, Mayor LaRue  
Noes: Councilmen Gage, Johnson  
Out of Room at  
Roll Call: Councilman Atkison

Mayor LaRue introduced the following ordinance:

AN ORDINANCE FINALLY DETERMINING THE PROPER ZONING CLASSIFICATION AND ORDERING THE ORIGINAL DESIGNATION THEREOF UPON THE USE MAPS AND THE HEIGHT AND AREA MAPS, AND ORDERING A CHANGE IN THE 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:  
(1) 31.27 ACRES OF LAND, MORE OR LESS, OUT OF THE JOHN APPELGATE SURVEY NO. 58 AND THE JAMES P. WALLACE SURVEY NO. 57, LOCALLY KNOWN AS 8506-8858 I.H. 35 AS "C" COMMERCIAL DISTRICT FIFTH HEIGHT AND AREA DISTRICT;  
(2) 4.62 ACRES, LOCALLY KNOWN AS 8858-8906 I.H. 35, FROM "D" INDUSTRIAL DISTRICT SIXTH HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT FIFTH 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.

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 Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue  
Noes: None  
Out of Room at  
Roll Call: Councilman Atkison

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 Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None  
Out of Room at  
Roll Call: Councilman Atkison

The ordinance was read the third time and Councilman Price moved that 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  
Out of Room at  
Roll Call: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

City Manager Andrews noted that although no subdivision was required for the subject property, there would be times when a subdivision would be needed for a piece of similar land. He did not feel that the Council was setting a precedent. He further stated that there would be times in the future when the Council would want to consider getting a dedication to service a zoned area. In this instance, no street was needed through the middle of the property, so no dedication was required.

#### ANIMAL CONTROL REPORT

Dr. John Sessums presented the Health Department report on Animal Control in Austin. Effective with the last budget adoption, responsibility for animal control had been shifted from the Police Department to the Health Department. The report covered ten recommendations which the City Manager had asked Dr. Sessums to develop regarding the new program.

Mr. John Davenport, President, Austin Humane Society, spoke to the Council about the operation of the Animal Shelter. He stated that Dr. Sessums' proposal would pay about one-third of the Shelter's operating costs, but since about two-thirds of the Shelter's work was City business, he felt that the City should pay the latter figure.

After some additional discussion, Councilman Price moved the Council adopt the City Manager's recommendations regarding Animal Control and that the City Manager bring back the necessary contracts and ordinances for the Council's approval. The motion, seconded by Councilman Johnson, carried by the following vote:

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

## HEARING SET ON TAXICAB ORDINANCE

In an unscheduled appearance before the Council, Mr. Robinett, President, Yellow-Checker Cab Company, pointed out that as of February 1, 1971, the City would be without the service of 18 custom-built taxicabs due to the City ordinance requiring that taxicabs be replaced after five years.

The City Manager requested that the one provision of the ordinance enforcing the five-year replacement provision be set aside until February 15, 1971, until the hearing could be held on February 11, 1971.

After some discussion, Councilman Johnson moved the Council set a hearing for 9:00 A.M., Monday, February 1, 1971, to hear only the subject now being talked about. The motion, seconded by Councilman Janes, carried by the following vote:

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

RECESSED MEETING

1:00 P.M.

## AMENDED ZONING ORDINANCES

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 701112-H ENACTED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON NOVEMBER 12, 1970, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY; ORDERING A CHANGE IN THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

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Mayor LaRue introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 690424-B ENACTED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON APRIL 24, 1969; ORDERING A CHANGE IN 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.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

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Mayor LaRue introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 701008-C ENACTED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON OCTOBER 8, 1970; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

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#### ANNEXATION ORDINANCE

Mayor LaRue brought up the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 295 ACRES OF LAND, MORE OR LESS, 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.

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

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

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

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

## ANNEXATION HEARING

Mayor LaRue opened the public hearing scheduled for 9:30 A.M., to consider annexation. No one appeared regarding this annexation. Councilman Price moved the Council close the public hearing and direct the administration to institute annexation proceedings to annex the following:

Approximately 36.00 acres of unplatted land out of the John Applegait and George W. Davis Surveys - portion of proposed QUAIL CREEK, PHASE II.

9.87 acres of land out of the J. C. Tannehill League - proposed CAVALIER PARK, SECTION TWO.

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

Ayes:	Councilmen Gage, Janes, Johnson, Price, Mayor LaRue
Noes:	None
Present But Not Voting:	Councilman MacCorkle
Absent:	Councilman Atkison

## PUBLIC HEARING SET ON ANNEXATION

Councilman Price moved the Council adopt a resolution setting a public hearing at 9:30 A.M., February 11, 1971, to consider annexing the following:

39.30 acres of land out of the Henry P. Hill League and the William Barton Labor - proposed BARTON HILLS, SECTION SEVEN, and unplatted land.

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

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

## WATER MAIN - COST DIFFERENCE

Councilman MacCorkle moved the Council adopt a resolution authorizing the payment to Northgate Boulevard, Inc., Tom McCrummen, Jr., President, of the cost difference between 12 inch and 8 inch C. I. Water Main in Northgate Terrace, Section 1. The motion, seconded by Councilman Johnson, carried by the following vote:

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

## CONTRACTS AWARDED

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

BLUE BELL CREAMERIES

For furnishing Ice Cream Products  
to Brackenridge Hospital for 1 year  
\$5,610.00

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

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

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

MRS. BAIRD'S BAKERIES, INC.

For furnishing Bread Products Contract  
to Brackenridge Hospital for 1 year  
\$6,448.10

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

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

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

BORDEN, INC.

For furnishing Milk and Cream Products  
to Brackenridge Hospital for 1 year  
\$34,832.25

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

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

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City Manager Andrews noted that Mr. William A. Harrison was reviewing procedures for purchasing food products for Brackenridge Hospital. A number of items which had not been bid in the past would now be bid and brought before the Council at regular intervals over the next few months as changes were made.

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

ACME VENDING SERVICE

Twelve (12) months contract for Cigarette Concession through Coin Vending Machines at the Municipal Auditorium and Coliseum - guaranteed annual amount of \$600.00 plus 4% of gross receipts.

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

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

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

GOULD, INCORPORATED

One (1) each 24 volt and one (1) each 120 volt storage batteries, chargers and accessories - \$8,089.95

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

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

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

ALAMO PRODUCTS COMPANY

Twelve (12) months contract for Custodial Cleaning of Electric Building and Electric Service Building \$11,460.00

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

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

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



ROCKWELL MANUFACTURING CO.

Twelve (12) months contract for  
supplying Compound Type and Positive  
Displacement Type Cold Water Meters  
\$117,338.28 (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  
Absent: Councilman Atkison

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

IBM CORPORATION

Addition to Data Acquisition and  
Control System - \$53,450.00  
(Budgeted Item)

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

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

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

AUSTIN PIPE AND SUPPLY CO.

2,000 each Standard Traffic Sign  
Posts - \$10,956.40

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

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

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

ODELL GEER CONSTRUCTION CO.

Installation of approximately 1,521  
linear feet of 18-inch reinforced con-  
crete sewer pipe; 2,318 linear feet of  
10-inch asbestos cement sewer pipe;  
3,728 linear feet of 8-inch F.V.C.  
sewer pipe; 4,142 linear feet of 8-inch  
concrete sewer pipe; two (2) lift

stations and associated appurtenances  
\$180,344.94. (90 working days; City's  
estimate - \$231,999.26; Capital  
Improvement Project)

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

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

The following contract was not considered at this time:

HARLEY SALES COMPANY

Item I, Contract No. 409, Instrument  
Air Compressors and Accessories for  
Holly Power Station, Unit No. 4 - for  
lump sum price, including maximum  
escalation, of \$16,973.28 (Engineer's  
estimate - \$18,500.00)

#### SPEED LIMITS ESTABLISHED

Councilman Price moved the Council adopt a resolution establishing speed  
limits, as recommended by the Texas State Highway Department, on the following:

U. S. 183 (Research Boulevard)  
Loop 111 (Airport Boulevard)  
Loop 343 (East 7th Street)  
1st Street  
5th Street  
Montopolis Drive  
State Highway 71  
Loop 360 (Ben White Boulevard)

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

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

Councilman Price moved the Council adopt a resolution to establish a 35  
mile per hour speed limit on the following (existing speed limit 30 mph):

St. Johns Avenue from Martin Avenue to Lamar Boulevard

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

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

Councilman Gage moved the Council adopt a resolution to establish a 35 mile per hour speed limit on the following (existing 30 mph):

Parker Lane from Oltorf Street to East Riverside Drive  
Duval Street from East 30th Street to East 51st Street

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

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

#### EMINENT DOMAIN PROCEEDINGS

Councilman Price moved the Council adopt a resolution authorizing eminent domain proceedings on the following for Mo-Pac Boulevard right-of-way:

603-608 Arlington  
1916 Lake Austin Boulevard

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

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

Councilman Johnson moved the Council adopt a resolution authorizing eminent domain proceedings on the following for Brackenridge Hospital expansion:

602 East 13th Street or 1301 Red River

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price  
Noes: None  
Present But Not Voting: Mayor LaRue  
Absent: Councilman Atkison

#### REJECTION OF BIDS

Councilman Gage moved the Council reject the following bids and have the City Manager reprepare them:

1. Truck mounted air compressors
2. Truck bodies
3. Photographic supplies

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

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

#### SALE OF STRUCTURES

Councilman Johnson moved the Council adopt a resolution authorizing the sale of structures in the Urban Renewal areas as follows:

1. Parcel 16-4	Frank Viktorin	\$ 420.00
2. Parcel 32-1	Bell Construction	\$ 203.21
3. Parcel 28-13	Ida Mae Spikes (former owner)	\$ 25.00
4. Parcel 9-2	John F. Carter, Jr.	\$6,000.00

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

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

The City Manager pointed out that a staff member would inspect the parcels and bring back a report for the Council. Councilman MacCorkle agreed that some follow-up was desirable.

Councilman Price moved the Council adopt a resolution authorizing the sale of structures in the Brackenridge Area, Tex. A-11-1 as follows:

1. Parcel 6-7	John F. Carter, Jr.	\$ 100.00
2. Parcel 10-2	Frank Viktorin	\$ 200.00

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

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

#### CONSIDERATION OF LEASE AGREEMENT

The item to consider a lease agreement for 21,852 additional square feet of office space in the Travis Building located at 205 West 9th Street was withdrawn from the Agenda.

#### SELECTION OF ENGINEERING CONSULTING FIRM

Councilman Janes moved the Council select the following firm to provide test borings and soils engineering reports for the Electric Department:

Snowden and Meyer

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

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

#### SELECTION OF ENGINEERING SERVICES IN TESTING LABORATORY

Councilman Janes moved the Council select the following firm to provide design and job control for asphaltic concrete for street paving - random for subdivision work and assessment paving for the Public Works Department:

Trinity Engineering Testing Laboratories

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

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

Councilman Janes moved the Council select the following firm to provide testing of subgrade materials, quality control of flexible base material and portland cement concrete in connection with subdivision work and street and drainage construction for the Public Works Department;

Frank G. Bryant and Associates

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

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

#### PRESENTATION OF ANNUAL AUDIT

Mr. Norman Barker, Finance Administrator, introduced Mr. E. L. Tankersley, CPA, and Managing Partner of Peat, Marwick, Mitchell and Company, the firm hired to conduct the City's annual audit. Mr. Tankersley discussed the audit for the fiscal year ending September 30, 1970.

Councilman Gage moved the Council note the receipt of the Report. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Mayor LaRue  
 Noes: None  
 Absent: Councilman Atkison  
 Out of Room at  
 Roll Call: Councilman Price

Mayor LaRue recommended and the Council agreed to place the Report on the Agenda for February 18, 1971, so that the Council would have time to study it before approval.

### TAX APPEALS

Mayor LaRue opened the tax appeal hearing scheduled for 2:00 P.M. The Council heard the following tax Appeals:

THEO F. KEELLEN, JR.	Full Value by the Tax Dept. 1969	Full Value by the Tax Dept. 1970	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
Land	\$ 6,510	\$13,950	\$10,460	\$ 4,880	\$10,460
Improvements	<u>7,943</u>	<u>8,058</u>	<u>6,040</u>	<u>5,960</u>	<u>6,040</u>
Total	\$14,453	\$22,008	\$16,500	\$10,840	\$16,500

3109 Walling Drive  
Lots 26, 27 and 28,  
Speedway Heights  
Parcel No. 2-1505-0504

On Mr. Keelen's previous appearance before the Council to appeal the assessment, there was not a decisive vote. He was appealing only the assessment on the land, which consisted of three lots. Since full usage could not be made presently of the lots, the Tax Department had reduced the front-footage on the Tom Green Street side from 309.5 feet to 155 feet. Mr. Keelen felt, that since his house fronted on Walling Drive, which had 230 feet of frontage, that the arbitrary reduction should have been 115 feet (one-half of 230 feet).

### Motion

Councilman Johnson moved the Council assess the land value based on one-half of the 230-foot Walling Drive frontage (115 feet). The motion, seconded by Councilman Gage, failed to carry by the following vote:

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

### Substitute Motion

Councilman Janes then moved the Council assess the land value based on 135 feet of frontage and set the assessed value as follows:

THEO F. KEELLEN, JR.		Assessed Value Fixed by Board	Council Action
3109 Walling Drive			
Lots 26, 27 and 28,			
Speedway Heights	Land	\$10,460	\$ 9,110
Parcel No. 2-1505-0504	Improvements	<u>6,040</u>	<u>6,040</u>
	Total	\$16,500	\$15,150

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

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

MRS. S. ETTA MCALLISTER	Full Value by the Tax Dept. 1969	Full Value by the Tax Dept. 1970	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
Land	\$1,037	\$2,073	\$1,550	\$780	\$1,550
Improvements	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	\$1,037	\$2,073	\$1,550	\$780	\$1,550

1406 Houston St.  
 Center 62 feet Lot  
 13, Block 12, Broadacres.  
 Parcel No. 2-2705-0209

Mrs. McAllister appeared before the Council for the third and final appeal. She stated that the lot, 62 feet by 80 feet, was too small to build on and asked that a lower assessment be placed on it.

Mr. Jack Klitgaard verified through the Building Department that even though the lot was small, it had been subdivided prior to March 14, 1946, and as such the right to build on it could not be denied.

Councilman Janes moved that the Council sustain the value set by the Board of Equalization as follows:

MRS. S. ETTA MCALLISTER		Assessed Value Fixed by Board	Council Action
1406 Houston Street			
Center 62 feet Lot			
13, Block 12, Broadacres	Land	\$1,550	\$1,550
Parcel No. 2-2705-0209	Improvements	<u>0</u>	<u>0</u>
	Total	\$1,550	\$1,550

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

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

#### ADJOURNMENT

The Council then adjourned.

APPROVED: \_\_\_\_\_  
 Mayor

ATTEST: \_\_\_\_\_  
 City Clerk