

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 4, 1971
9:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor LaRue presiding.

Roll Call:

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

The Invocation was delivered by REVEREND JOHN BARCLAY, Central Christian Church.

APPROVAL OF MINUTES

Councilman Price moved the Council approve the Minutes of the Regular Meeting of January 21, 1971, with the two corrections given to them at the meeting. 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

ZONING ORDINANCES

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: EAST 34 FEET OF LOT 15, ROBERTSON SUBDIVISION, LOCALLY KNOWN AS 1011-1015 EAST 12TH STREET, FROM "B" RESIDENCE DISTRICT AND "C" COMMERCIAL DISTRICT TO "C" COMMERCIAL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS.

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

Ayes: Councilmen Janes, Johnson, MacCorkle, Mayor LaRue
Noes: Councilman Gage
Present but not voting: Councilmen Atkison, Price

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: LOTS 1-6, WALNUT HILLS, SECTION 5, LOCALLY KNOWN AS 6224-6304 MANOR ROAD, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; 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
Present but not voting: Councilman Atkison

The ordinance was read the second time, and Councilman Price moved 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
Present but not voting: Councilman Atkison

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
Present but not voting: Councilman Atkison

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: LOTS 3-6, UNIVERSITY OF SAN ANTONIO SUBDIVISION LESS AND SAVE AND EXCEPT NORTH 7 1/2 FEET OF SAID LOTS 3-6, LOCALLY KNOWN AS 2309-2315 EAST 2ND STREET, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; 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 Johnson, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Out of room at roll call: Councilman Gage
Present but not voting: 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 Johnson, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Out of room at roll call: Councilman Gage
Present but not voting: Councilman Atkison

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 Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Out of room at roll call: Councilman Gage
Present but not voting: Councilman Atkison

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: TRACT 1: A 3 ACRE TRACT OF LAND, LOCALLY KNOWN AS 8400-8408 U. S. HIGHWAY 183; 8304-8320 LAZY LANE, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; TRACT 2: A 3 ACRE TRACT OF LAND, LOCALLY KNOWN AS 8408-8416 U. S. HIGHWAY 183, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; TRACT 3: A .5 ACRE TRACT OF LAND, LOCALLY KNOWN AS REAR 8312-8318 LAZY LANE FROM "A" RESIDENCE DISTRICT TO "DL" LIGHT INDUSTRIAL 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 Johnson 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 Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Out of room at roll call: Councilman Gage
Present but not voting: Councilman Atkison

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

Ayes: Councilman Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Out of room at roll call: Councilman Gage
Present but not voting: Councilman Atkison

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

Ayes: Councilman Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Out of room at roll call: Councilman Gage
Present but not voting: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue brought up the following ordinance for its third 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 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 Janes, MacCorkle, Price, Mayor LaRue
Noes: Councilman Johnson
Present but not voting: Councilmen Atkison, Gage

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance for its 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: 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 second time and Councilman Janes moved the ordinance be passed to its third reading. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Price, Mayor LaRue
Noes: Councilman Johnson
Out of room at roll call: Councilman MacCorkle
Present but not voting: Councilman Atkison

It being 9:30 A.M., Mayor LaRue opened the hearing scheduled for this time. No one appeared to participate in the hearing. Messrs. C. R. Wroe, and Calvin Moerbe, two property owners who did not request annexation, were notified, but did not appear at the hearing. Councilman Gage moved the Council close the hearing and direct the administration to institute annexation proceedings on the following:

197.31 acres of land out of the James M. Mitchell
and James Coleman Surveys. (195.98 acres requested
by owner's representative)

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison

ZONING HEARINGS

The Mayor announced it was 9:30 A.M., and the Council would now hear the zoning cases advertised for public hearing at this time, as follows:

FRANK BARRON

7508-7642 Cameron
Road

From "A" Residence
To "GR" General Retail
RECOMMENDED

The Council publicly heard all interested parties. Councilman Gage moved the Council grant the change to "GR" General Retail. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison

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

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DAVID D. FORD
ET UX, ET AL
By Robert C. Sneed

Tract 1
6400-6622 Manchaca
Road

From Interim "A" Residence
1st Height and Area
To "B" Residence
1st Height and Area
on west 64' strip and
south 64' strip; and
"GR" General Retail
1st Height and Area
on remainder (as
amended)
RECOMMENDED by the Planning
Commission as amended

Tract 2
Rear of 6400-6622
Manchaca Road

The Council publicly heard all interested parties. Councilman Johnson moved the Council grant the change to "B" Residence 1st Height and Area on the west 64' strip and the south 64' strip and "GR" General Retail 1st Height and Area on the remainder as recommended. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison

The Mayor announced that the change had been granted to "B" Residence 1st Height and Area District and "GR" General Retail 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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TOM W. BRADFIELD
ET AL
By Bryant-Curington,
Incorporated

Rear of 1500-1910
Barton Hills Drive

From Interim "A" Residence
1st Height and Area
To "BB" Residence
2nd Height and Area
(as amended)
RECOMMENDED by the Planning
Commission as amended

The Council publicly heard all interested parties. Councilman Gage moved the Council grant the change to "BB" Residence 2nd Height and Area as recommended. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison

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

AUSTEX DEVELOPMENT
COMPANY, LTD.
By W.T. Williams, Jr.

Tract 1
11201-11213 U.S.
Highway 183
Tract 2
11111-11127 U.S.
Highway 183

From Interim "A" Residence
To "GR" General Retail
1st Height and Area
(as amended)
RECOMMENDED by the Planning
Commission as amended
subject to subdivision
approval

The Council publicly heard all interested parties. Councilman Price moved the Council grant the change to "GR" General Retail 1st Height and Area as recommended. 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

The Mayor announced that the change had been granted to "GR" General Retail 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

JESSE L. BOZARTH
ET UX
By Russell Rowland

4208-4210 Medical
Parkway

From "A" Residence
To "O" Office
RECOMMENDED by the Planning
Commission subject to 5'
of right-of-way and 5' of
sidewalk and utility ease-
ment on Medical Parkway

The Council publicly heard all interested parties. Councilman Gage moved the Council grant the change to "O" Office as recommended. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison

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

JOHN P. SCHNEIDER
By Glenn H. Foster

101-105 East 38th
Street
3705-3707 Speedway

From "B" Residence
2nd Height and Area
To "LR" Local Retail
2nd Height and Area
RECOMMENDED by the Planning
Commission subject to 10'
of right-of-way on 38th
Street

The Council publicly heard all interested parties. Councilman Gage moved the Council grant the change to "LR" Local Retail 2nd Height and Area

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison

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

FRANCIS LEE KARBER 8312-8316 North
By Dorothy G. Croom Lamar Boulevard

From "C" Commercial 6th
Height and Area
To "C-2" Commercial 6th
Height and Area
RECOMMENDED by the Planning
Commission

The Council publicly heard all interested parties. Councilman Johnson moved the Council grant the change to "C-2" Commercial 6th Height and Area as recommended. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison

The Mayor announced that the change had been granted to "C-2" Commercial 6th Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

AUSTIN NATIONAL BANK
TRUSTEE: VERA WOODS
SMITH ET AL TRUST
By Kirk Williamson

Rear of 6421-6511
North Lamar
Boulevard

From "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission
RECOMMENDED "C" between
Lamar Boulevard and the
extension of Burns Street
subject to subdivision
including the extension of
Burns as it effects
subject property with no
access to Irma Drive

The Council publicly heard all interested parties. Mr. Kirk Williamson was not satisfied with the Planning Commission recommendation concerning the extension of Shirley Street to the south which would cross this tract as well as the adjoining tract to connect with Lamar. He was in disagreement. Mr. Charles Boon opposed the zoning; but as an alternative or second choice, stated the opposition would accept the plan recommended by the Planning Commission; i.e., to approve all property between Burns and North Lamar Boulevard (as projected) to "C" Commercial; change the property eastward of Burns from "A" Residence to "B" Residence District; that the cul-de-sacs terminating at

the westward ends of Wilmes and Irma Streets remain unchanged; and that these streets not be opened on the western ends, all of which is the Planning Commission's recommendation. The Council discussed this zoning in great length. Councilman Price moved that the zoning be granted on this property, deleting the street coming all the way through - Shirley coming into it from one side. The Mayor stated this motion would be that the recommendation would be the same, "C" on the front and "B" on the back and that Shirley would be opened up into the property permitting traffic to move from Shirley to Lamar. The motion seconded by Councilman Janes, failed to carry by the following tie vote:

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

Motion

Councilman Gage moved the Council grant the change to "C" Commercial between Lamar Boulevard and the extension of Burns Street and "B" Residence east of Burns Street subject to subdivision including the extension of Burns as it effects subject property with no access to Irma Drive. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

The Assistant City Attorney stated that Mr. Williamson would not want a zoning ordinance passed under those conditions, and asked that the Council instruct the staff to take no further action on bringing the ordinance back in. It was stated if Mr. Williamson did not want the zoning, he should bring in a letter to that effect; and in the meantime, the matter will be held in abeyance.

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E. T. McGREGOR
 By J. J. Raisch

3913-3915 Red River
 901-905 East 40th
 Street

From "A" Residence 1st
 Height and Area
 To "B" Residence 2nd
 Height and Area
 NOT Recommended by the
 Planning Commission
 RECOMMENDED "B" Residence
 1st Height and Area subject
 to right-of-way on East
 40th Street ranging from
 0' to 10' from east to west

The Council publicly heard all interested parties. Councilman Janes moved the Council grant the change to "B" Residence, 1st Height and Area District as recommended. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle, Price, Mayor LaRue
 Noes: Councilman Johnson
 Present but not voting: Councilman Atkison

The Mayor announced that the change had been granted to "B" Residence 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance.

RICHARD F. GRIGGS

2802-2804 Wheless
Lane

From "A" Residence
To "C" Commercial
RECOMMENDED by the Planning
Commission

Mr. J. D. Fisk represented the applicant, stating all Mr. Griggs wanted to do was to maintain the existing garage building as a storage place for his materials. Mr. Fisk described the adjoining lot on which Coastal States Gas Company had a pipe line easement, the lot being zoned "C" Commercial. Mr. Griggs' lot is not suitable for residential. Discussion covered the possibility that this lot and its enclosed warehouse would not need rezoning. Mr. Togie Baylor, 5908 Manor Road, represented Mr. Richard Griggs who is in the hospital. Opposition was expressed by Mrs. J. L. Curlee, Lee Hunter, Mrs. E. N. Bohls, Mr. Harvey Herring, and Mrs. Lee Hesler, to the change from Residential. Mr. Lillie, Director of Planning, said after the four year period past annexation, Mr. Griggs is required to store materials inside the building. The Mayor said if this material is stored inside the building, there is no problem. Councilman Price moved the Council leave the property "A" Residential and deny the request for "C" Commercial. 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

The Mayor announced the change had been DENIED.

ZONING WITHDRAWN

The following zoning applications were withdrawn from consideration:

R. C. LITTLEFIELD

3500-3510 Red River

From "A" Residence
To "BB" Residence
NOT Recommended by the
Planning Commission

JAMES W. SYKES

By Wayne M. Laymon

2501-2505 Parker Lane

From "A" Residence
To "BB" Residence
Planning Commission recom-
mended to withdraw

ZONING POSTPONED

The following zoning application was postponed for 60 days:

RICHARD CRISS

2104-2404 Stassney

From Interim "A" 1st Height
and AreaTo "A" Residence 1st
Height and Area and
"BB" Residence 1st
Height and Area as
amendedRECOMMENDED as amended by
the Planning Commission

ZONING POSTPONED AND WITHDRAWN

Portions, as indicated, of this zoning application were withdrawn, the remainder to be heard February 11, 1971:

AUSTIN DOCTORS
BUILDING CORPORATION
By Robert C. SneedTract 1
1007-1013 West 33rd
Street
1004-1010 West 32nd
Street
3207-3211 Wabash
AvenueFrom "A" Residence 1st
Height and Area
To "O" Office 3rd Height
and Area
RECOMMENDED by the Planning
Commission

POSTPONED until February 11, 1971

Tract 2
1001-1007 West 33rd
Street
1000-1002 West 32nd
Street
3200-3220 North Lamar
BoulevardFrom "C" Commercial 1st
Height and Area
To "C" Commercial 3rd
Height and Area
RECOMMENDED by the Planning
Commission

POSTPONED until February 11, 1971

Tract 3
1100-1112 West 33rd
Street
3301-3305 Bailey Lane
3300-3304 Wabash
AvenueFrom "A" Residence 1st
Height and Area
To "O" Office 2nd Height
and Area (as amended)
RECOMMENDED as amended by
the Planning Commission

POSTPONED until February 11, 1971

Tract 4a
3301-3305 Wabash
Avenue
1008-1012 West 33rd
Street

From "A" Residence
To "O" Office (as amended)
RECOMMENDED as amended by
the Planning Commission

POSTPONED until February 11, 1971

Tract 4b
1200-1204 West 33rd
Street
3300-3304 Bailey Lane

From "A" Residence
To "O" Office (as amended)
RECOMMENDED as amended by
the Planning Commission

POSTPONED until February 11, 1971

Tract 4c
3200-3208 Bailey Lane
1207-1209 West 33rd
Street

From "A" Residence 1st
Height and Area and
"B" Residence 2nd
Height and Area
To "O" Office 2nd Height
and Area
Planning Commission recom-
mended to withdraw

WITHDRAWN

Tract 4d
1011-1015 West 32nd
Street

From "A" Residence 1st
Height and Area
To "O" Office 2nd Height
and Area
RECOMMENDED by the Planning
Commission

WITHDRAWN

Tract 5a
3105 Wabash Avenue
Tract 5b
1010 West 31st Street
Tract 5c
1012-1016 West 31st
Street

From "A" Residence 1st
Height and Area
To "B" Residence 2nd
Height and Area
RECOMMENDED by the Planning
Commission subject to 20'
of right-of-way on Lamar
Boulevard and bringing
remainder of the streets up
to 50' of right-of-way

WITHDRAWN

Mr. Robert Sneed, representing the Austin Doctors Building Corporation, amended their application by requesting withdrawal of Tracts 4c, 4d, 5a, 5b, and 5c; they could negotiate further with the Episcopal School in the area, that they be granted a postponement of another week. Mr. Garwood, representing the School, would like to have two weeks. Mr. Sneed wanted to meet with the Traffic and Planning Departments to solve some controversies and problems. Mr. Garwood was agreeable to the week's postponement. Mr. Sneed expressed to the Council their sincere appreciation of the Planning and Traffic and Transportation Departments for their help in all matters.

ANNEXATION HEARING SET

Councilman Janes moved the Council adopt a resolution setting a public hearing at 9:30 A.M., February 18, 1971, to consider annexing the following:

7.58 acres of land out of the J. O. Rice
Survey - proposed WINDSOR HILLS, SECTION
TWO, PHASE ONE.(requested by owner's representative)

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison

EASEMENTS RELEASED

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

A portion of a 30-foot drainage easement across Lot
5B, Austin Mall Subdivision

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison

Councilman Price moved the Council adopt a resolution authorizing the release of the following easements:

Nine (9) public utilities easements out of the
Lawnmont Subdivision

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison

DELETION OF SPEED LIMITS

Councilman MacCorkle moved the Council adopt a resolution authorizing the deletion of the following speed limit:

30 Miles Per Hour - When flashing, on Airport
Boulevard from 300 feet west of Guadalupe to
300 feet east of Guadalupe

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison

Councilman MacCorkle moved the Council adopt a resolution authorizing the deletion of the following speed limit:

20 Miles Per Hour, less than 30 Miles Per Hour
when signs are flashing, on Airport Boulevard
from 300 feet west of Guadalupe to 300 feet east
of Guadalupe.

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison

CONTRACTS AWARDED

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

STAR FIELD CONSTRUCTORS, - For voluntary paving consisting of one unit
INC. on Rio Grande Street Alley from Seton Hospital
to West 28th Street, Contract No. 70-Pv-137 -
\$7,385.76. (City's estimate - \$5,655.00)
(20 working days for completion)

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison

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

MIDWEST ROOF DECK & - Six (6) months contract for furnishing Portland
SUPPLY CO. Cement - \$6,199.20.

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

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present but not voting: Councilman Atkison

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

EAGLE EQUIPMENT COMPANY - Two (2) each trailer mounted air compressors - \$6,601.28.

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

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

Noes: None

Present but not voting: Councilman Atkison

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

A. W. BRYANT CONSTRUCTION - For the construction of Fire Station No. 8 -
COMPANY, INC. \$156,920.00 (Capital Improvement Project.
Architect's estimate - \$155,500.00. 260 consecu-
tive calendar days for completion.)

The Council was shown the architect's perspective of the Fire Station. The Deputy City Manager stated this plan complied with the Master Fire Protection Plan which the Council has approved. There may be a new arterial street adjoining the station to the west. This plan had been coordinated with the Highway Department regarding a grade separation at Research Boulevard over the railroad. Councilman Gage was concerned about access should the grade separation be built. Mr. Davidson stated there was no certainty the grade separation would be constructed; but if it is, the design will accommodate access to and from the fire station. Councilman Gage asked that the records reflect this.

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

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

Noes: None

Present but not voting: Councilman Atkison

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AUTHORIZATION TO SIGN DOCUMENTS

Councilman MacCorkle moved the Council adopt a resolution authorizing V. R. Schmidt, Jr., Director of the Water and Sewer Department, to sign the necessary documents required to complete Project WPC-Tex-506. (Bergstrom Air Force Base Outfall and Treatment Facilities.) The motion, seconded by Councilman Gage, carried by the following vote:

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

Noes: None

Out of room at roll call: Councilman Johnson

Present but not voting: Councilman Atkison

PROCLAMATION - NATIONAL CRIME PREVENTION WEEK

Mayor LaRue read a proclamation sponsored by the Exchange Clubs, not only in Austin but throughout the United States and Puerto Rico, setting February 7

through February 13 as NATIONAL CRIME PREVENTION WEEK in Austin, and appealing to all citizens to do their part to "crunch" crime by renewing their commitment to uphold the laws of the land and by pledging complete cooperation and support of law enforcement efforts in the community.

PROCLAMATION - DRUG EDUCATION MONTH

Mr. Robert F. Schenkkan, K.L.R.N. Television, and Mr. John Nash, appeared in the interest of drug abuses, and received the proclamation from Mayor LaRue, setting aside the month of February, 1971, as "Drug Education Month," urging the citizenry to avail itself of the opportunity to learn more about drug abuse.

AUSTIN LIVESTOCK SHOW GRANTED PERMISSION TO USE BUTLER TRACT TO CONDUCT CARNIVAL

Representatives from the Austin Livestock Show requested, in connection with the Livestock Show, that a carnival be conducted simultaneously during March 20-28. (The Bob Hammond Carnival.) The Deputy City Manager, Mr. Davidson, had checked with the departments involved, the Chamber of Commerce, and the Livestock officials concerning the various facets as well as sanitary facilities in connection with the carnival. He was certain those in charge could work out the requirements with no problems. Councilman Janes moved the Council grant the request. The motion, seconded by Councilman Price, carried by the following vote:

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

Noes: None

Present but not voting: Councilman Atkison

AUSTIN CHICANO HUELGO

Mr. Lorenzo Hernandez stated their people were requesting the Council to recognize Cesar Chavez as some other entities had done. The Mayor stated there appeared to be a labor-management conflict, and the Council should not take an official position injecting into it this labor dispute. Since there had been an appeal in the 5th Circuit Court, Councilman Gage likewise thought it inappropriate for the Council to take any action. Miss Brenda Silvas, resident of the East Austin community, read the resolution, and asked the Council to adopt such a resolution. Mr. Jim Albani and Dr. John Barclay appeared in this interest. Members of the Council extended a welcome to Mr. Chavez the same as other visitors to the City, but felt it was improper to adopt the resolution submitted.

SELECTION OF ENGINEERING TESTING SERVICES

Councilman Gage moved the Council select Trinity Engineering Testing Corporation (3601 Manor Road) for engineering testing services for Fire Station No. 8. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

Noes: None

Out of room ~~at~~ call: Councilman Johnson

Present but not voting: Councilman Atkison

WITHDRAWAL OF ZONING CASE

J. ALAN ST. JOHN

5401-5403 Overbrook
Drive
2908 Pecan Springs
RoadFrom "A" Residence
To "BB" Residence

Mr. J. Alan St. John had requested withdrawal of his zoning case, as set out by Council policy. Councilman Gage moved the Council grant his request to withdraw the zoning. The motion, seconded by Councilman Johnson, carried by the following vote:

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

Noes: None

Present but not voting: Councilman Atkison

AUTHORIZATION OF COST DIFFERENCE BETWEEN THE INSTALLATION
OF 15" AND 8" SANITARY SEWER LINE TO PROVIDE SEWER TO WINDSOR
VILLAGE TO AUSTEX DEVELOPMENT COMPANY, LIMITED

It was explained this procedure is covered in the subdivision ordinance where the sewer line going through a subdivision be built of sufficient size to serve subdivisions on either side and upstream. Mr. W. T. Williams, Jr., Austex Development Company, noted this was a long-standing policy that the City participate in the cost of such lines that are built in excess of the needs of the subdivision. In this case, a 15" line is requested by the City in order to serve territory considerably beyond the subdivision, over an 8" line which would have been satisfactory for the subdivision. The figure of \$20,077.15 quoted here, is only the cost of the material, assembly of the pipe in the ditch, digging of the ditch and the backfilling. It does not include the cost of design. The main cost of design is just as much a part of the cost of a job as the material, etc. He stated as the Council approved what it has here, that it give consideration to the fact that Austex Development Company had an expense in the construction of the 15" pipe more than it would have had in the construction of an 8" pipe because a design engineer charges on the basis of a percentage of the cost of the other part of the work. Mayor LaRue stated this was something to keep in mind. Councilman Price moved the Council authorize the cost difference between the installation of a 15" and an 8" sanitary sewer line to provide sewer to Windsor Village -- Austex Development, Ltd. The motion, seconded by Councilman Gage, carried by the following vote:

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

Noes: None

Out of room at roll call: Councilman Johnson

Present but not voting: Councilman Atkison

ENGINEERING SERVICES FOR CROSS-TOWN WASTEWATER INTERCEPTOR
PULLED FROM CONSIDERATION

The Deputy City Manager, Mr. Davidson, stated this item was being removed from the Agenda as it is still under study by the City's consultant.

EMINENT DOMAIN PROCEEDINGS

Councilman Price moved the Council adopt a resolution authorizing eminent domain proceedings in connection with proposed park in Meadowbrook Neighborhood Program on the following:

1109 West Johanna and 1108-1112 Brodie

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 is to send a schedule of Phases.

LANDSCAPE ARCHITECTURAL SERVICES
TOWN LAKE IMPROVEMENTS

Mr. Dan Davidson, Deputy City Manager, stated the item of landscape architectural services was before the Council so that the City could complete a project undertaken through a grant by the Texas Parks and Wildlife Department and the Bureau of Outdoor Recreation. The Director of Recreation projected a slide on the screen showing the proposal, and pointed out a walk and bikeway along Town Lake to Waller Creek for the senior citizens, and showed the proposed foot crossing under the Congress Avenue bridge.

Starting in the area by the Auditorium, by the Gazebo, the walkway would be taken along Auditorium Shores with a rest stop by the railroad bridge; then under Lamar Bridge on up to Barton Creek. He pointed to the area to be landscaped and maintained by a watering system. A lighting system is to be installed. In order to get the plan ready so that it could be submitted to the two Departments, a consultant architect, planners and engineers are necessary to provide this service. Mayor LaRue asked if this would take care of the \$100,000 Parks and Wildlife money that has been under discussion (a \$150,000 retaining wall on Town Lake). Mr. Davidson stated this would permit the City to have a consultant to design this work as described and make certain that they are able to accomplish this work with private enterprise through contract.

In line with Councilman MacCorkle's inquiry about the percentage for the landscape architect, Mr. Davidson stated once the consultant is selected by the Council, Mr. Eldridge would meet with him to determine a savings through the preliminary planning that had already been done, thus reducing the amount to be paid to the consultant. The authorization for the City's share of the funds would come through the present Capital Improvements Program.

Councilman Gage moved the Council award the contract to PARKS AND RECREATION PLANNING ASSOCIATES, INC. The motion, seconded by Councilman Janes, carried by the following vote:

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

Noes: None

Out of the room at roll call: Councilman Atkison

ACQUISITION OF 1711 WEST 5TH STREET
MO-PAC EXPRESSWAY

Mr. Joe Morahan stated that a portion of land, at 1711 West 5th Street, is required for Phase 3 of the Mo-Pac right-of-way as shown in the exhibit supplied each Councilman.

Mayor LaRue asked Mr. Morahan for a report on Phases 1, 2, and 3. Mr. Morahan stated Phases 1 and 2 were those already under construction --- Phase 1 being the first three overpasses; Phase 2 covering the Windsor Road, Westover Road, and Enfield overpasses; Phase 3 being the major interchange extending from Enfield Road to the river. This is proposed for a June letting by the Highway Department. The City lacks 23 parcels to be acquired, this one being among those. March 1st is set for having acquired the right-of-way. Notices to vacate have been given to the people. Twelve unimproved parcels will be acquired subsequent to March 1st. In reply to Councilman MacCorkle's inquiry, Mr. Morahan said the 24th Street overpass was in the 1971 Capital Improvements Program; probably a TOPICS program.

The Deputy City Manager, Mr. Davidson, told the Council he would provide a copy of the schedule. Councilman Johnson moved the Council adopt a resolution authorizing the acquisition of 1711 West 5th Street (John Broad). 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

CONTINUATION OF HEARING ON DELUXE TAXICAB COMPANY

The Mayor opened the continued hearing on the Deluxe Taxicab Company. No one appeared at this time. The Deputy City Manager distributed a memorandum from the Traffic Engineer, as to the current status of this whole matter. After discussion, Councilman Price moved the Council cancel the franchise. 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

Later, in the afternoon meeting, MR. IRWIN SALMANSON appeared before the Council representing Mr. Hawkins, Deluxe Taxicab Company, stating that Mr. Hawkins had reached an assignment of his franchise and permits to Harlem Cab Company. Councilman Janes moved the Council reconsider the action taken this morning. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Price, Mayor LaRue
Noes: Councilman Price
Out of the room at roll call: Councilman Johnson
Absent: Councilman Atkison

Mr. Salmonsan reported the money received is for the purpose of paying his taxes, and Mr. Hawkins will not retain any ownership interest. Mr. Salmonsan was to instruct the other attorney to see that when the \$816.29 check is made out, that the City will be protected. The other \$500 permit fee

will also be paid. In order to conduct a thorough review of the financial and managerial arrangements, the Council deferred action until the following week. It was the Council's instructions that this matter be placed on the agenda for February 11th, 1971.

CLARIFICATION OF MAJORITY VOTE

Councilman Johnson brought up for clarification that the Planning Commission had passed legislation with three members of the Commission voting favorably. It was pointed out the quorum being five, that three members would constitute enough to pass legislation -- a simple majority. The Commission is set up differently from the Council structure.

AUSTIN-TRAVIS COUNTY EMERGENCY OPERATIONS PLAN

Mr. O. A. Lansdowne, Civil Defense Co-ordinator for City of Austin, explained the Austin-Travis County Civil Defense Office was a joint City-County activity formed by agreement many years ago to serve both the City of Austin and the unincorporated areas of Travis County. He stated one of the several requirements for eligibility for Federal matching funds was to develop and publish an approved emergency operation plan. He said the new plan had been reviewed and approved by the City Manager, who serves also as the City-County Civil Defense Director.

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, foreign powers have the capability of attacking the United States with nuclear, chemical, biological, and other weapons, and the United States does not have capability of completely preventing attack therewith as to all areas of the county; and

WHEREAS, Austin and Travis County are vulnerable to natural disasters (such as tornadoes, hurricanes, and other acts of nature), accidental disasters (such as fires, explosions, nuclear, and chemical accidents), and domestic emergencies (such as produced by riots, demonstrations, strikes, and public panic); and

WHEREAS, recognizing that civil defense is an official emergency function of government, the City Council of the City of Austin and the Commissioners' Court of Travis County agree upon a joint civil defense effort with the objectives being to save the maximum number of lives, protect property, maintain and preserve civil government, and recover from the effects of natural disaster, major accidental disaster, domestic emergencies or enemy attack; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN AND THE COMMISSIONERS' COURT OF TRAVIS COUNTY, TEXAS:

That the City Manager of the City of Austin be, and he is hereby, upon joint agreement, designated as Civil Defense Director for Austin and Travis County, Texas; and,

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN
AND THE COMMISSIONERS' COURT OF TRAVIS COUNTY, TEXAS:

That the "Austin-Travis County Emergency Operations Plan of 1971",
filed simultaneously with the adoption hereof in the Office of the City Clerk
of the City of Austin, be, and it is hereby, upon joint agreement and approval,
adopted; superceding the Emergency Operations Plan for Austin and Travis
County of 1964; and,

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN
AND THE COMMISSIONERS' COURT OF TRAVIS COUNTY, TEXAS:

That officials of the City and County Governmental Agencies are author-
ized to prepare and maintain all annexes, appendices, standard operating pro-
cedures and other written directives which are necessary and proper to assure
effective implementation of respective functions and respective functions and
responsibilities thereunder.

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

ABANDONMENT OF RAILROAD RIGHT OF WAY
POSSIBLY UTILITIES EASEMENT IN BLOCKS C & D,
INDUSTRIAL TERRACE SUBDIVISION

Assistant City Attorney, Mr. Charles Dippel, stated although the land
is out of the City limits and the Council would not usually be involved in a
release or enforcement of easement, this problem has arisen. When the tract
to the west comes in for development, the Planning Commission would require
some extension of the railroad right of way indicated on the plat to the east.
The developers do not wish to have any railroad coming through; neither do the
owners abutting the easement; and the railroads do not desire to have it.
Abutting owners have executed abandonment agreements relinquishing their rights
to the easement for the purpose stated. The Council is asked to authorize a
release or quitclaim of any interest the City may have as a representative of
the public. This right of way serves no useful purpose, and there are no
public utilities in the ground. The subdividers originally dedicated the right
of way by plat.

Councilman Gage moved the adoption of a resolution authorizing abandon-
ment of the railroad right of way and utilities easement in Blocks C and D,
Industrial Terrace Subdivision. 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

PROPOSED CHARTER AMENDMENT
REGARDING TAX APPEALS

Councilman MacCorkle, noting that most of the cities in Texas did not hear tax appeals, said that should Austin decide to make the decision of the Equalization Board final, with the appeal to the Courts, it would require an amendment to the City Charter. Mayor LaRue suggested that the Council pass this suggestion on to the City Manager - that this is the consensus of the Council - and have a report brought back. Councilman Janes and Johnson expressed themselves as pursuing this suggesting.
on

FLUORIDATION

Councilman Janes stated personally he would like to see the issue of "Fluoridation" placed on the ballot at the general election for a straw vote. Members of the Council concurred. Mayor LaRue asked if the City Manager would look into the ramifications and if there are any legal requirements, they would like to be sure they are met.

PETITION FOR LIBRARY FACILITIES

Mayor LaRue noted receipt of a petition which each member of the Council had received, asking for permanent library facilities in lieu of the mobile unit located at the intersection of Anderson Lane and Highway 183. This permanent facility would not only improve the existing unit but would serve a rapid urban expansion now in northwest Austin. Councilman Gage stated the Library Commission as well as the staff had been keenly aware of this situation, and they have explored possibilities.

NEWS ARTICLE - BRACKENRIDGE HOSPITAL
SCHOOL OF NURSING

Councilman Gage reported having read an article in the morning's newspaper date line San Marcos, regarding Southwest Texas State University's operating the Brackenridge Hospital School of Nursing in Austin: "the nursing proposal grew out of a request by the Austin City Council". Mr. Gage said he did not recall the Council's ever having made that request. Mayor LaRue said this was in keeping with the same procedure used with the Central Texas College on the LVN program; and that at some time Dr. Jones will present such a possibility to the City Manager. This was not at the request of the Council. Councilman Price asked that before any decision is made on the School of Nursing, that the Council meet with the staff and the Board at the Hospital and hear their recommendations.

COMMENDATION OF LEGAL STAFF

Mayor LaRue noted in the local newspaper the interesting article commending the legal discussion before the Railroad Commission, and asked that a commendation be made for the fine presentation the Legal Staff made before the Railroad Commission concerning the gas rate increase. The Deputy City Manager, Mr. Davidson, said he would see that Mr. Butler and others working on this case would know of these comments.

EXECUTIVE SESSION

The Council went into Executive Session to discuss the purchase of land.

ADJOURNMENT

Councilman Price moved the Council adjourn. 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 Council adjourned.

APPROVED:

Mayor

ATTESTED:

City Clerk