

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 19, 1970  
9:00 A.M.

COUNCIL CHAMBERS, CITY HALL

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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 given by REVEREND WARD H. N. GREGG, Koenig Lane Christian Church.

SPECIAL RECOGNITIONS

The Mayor and Council recognized the 7th grade government class from O'Henry Junior High School.

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The Mayor and Council greeted and welcomed a group of students from Peru in an exchange program. Honorary Austin citizenship was conferred upon each student.

FINANCIAL REPORT - DECEMBER, 1969

Councilman Price moved the Council accept and note the receipt of the financial report for December, 1969. The motion, seconded by Councilman Johnson, carried by the following vote:

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

Noes: None

## ZONING DECISION

LEE E. BURDITT  
C14-69-327

1406 Cometa St.

From "A" Residence to "LR"  
Local Retail  
NOT RECOMMENDED by the  
Planning Commission

Councilman Price moved the Council grant "LR" Local Retail. The motion, seconded by Councilman Atkison, failed to carry by the following vote:

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

The Mayor announced that the motion had FAILED.

Councilman Janes then moved the Council deny the zoning change. The motion, seconded by Councilman Gage, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

## TAX APPEAL

The Council heard the following Tax Appeal:

HARRY M. WHITTINGTON, TRUSTEE		Full Value by the Tax Dept. 1968	Full Value by the Tax Dept. 1969	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
St. Mary's Tract	Land	\$529,431	\$761,760	\$571,320	Not	\$514,190
All of Block 85,	Improve-	3,645	3,645	2,730	Signed	2,730
Original City	ments					
Parcel #2-0603-1301	Total	\$533,076	\$765,405	\$574,050		\$516,920

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

HARRY M. WHITTINGTON, TRUSTEE		Assessed Value Fixed by Board	Council Action
St. Mary's Tract	Land	\$514,190	\$514,190
All of Block 85,	Improve-	2,730	2,730
Original City	ments		
Parcel #2-0603-1301	Total	\$516,920	\$516,920

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

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

Mr. Jack Klitgaard pointed out that Mr. Whittington had also appealed the assessment on Lot 1, Block 112, Original City, located at 901-907 Brazos Street and owned by Mr. Richard D. Bass. The item was placed on the Agenda for February 26, 1970, since it had been omitted from the February 19, 1970 Agenda and could not be legally heard at this time.

#### ANNEXATION ORDINANCES

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 23.81 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APPLGAI 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 third time and Councilman Johnson moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

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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 0.66 OF ONE ACRES OF LAND, SAME BEING LOTS 2 AND 3, ALBIN JOHNSON SUBDIVISION, A SUB-DIVISION OF A PORTION OF THE J. C. TANNEHILL LEAGUE 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 third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Atkison, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

## ZONING ORDINANCE

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:

SOUTH 50 FEET OF EAST 144.1, LOT 36, BLOCK 4, BROADACRES SUBDIVISION, LOCALLY KNOWN AS 1700-1702 HOUSTON STREET AND 5500 JEFF DAVIS AVENUE FROM "A" RESIDENCE DISTRICT TO "B" 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 Janes 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 Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

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 Gage, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

## PATHOLOGISTS CONTRACT - BRACKENRIDGE HOSPITAL

Councilman Janes moved the Council authorize the City Manager to sign a two-year contract with Pathologists at Brackenridge Hospital. The motion, seconded by Councilman Atkison, carried by the following vote:

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

## ANNEXATION ORDINANCE

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 9.833 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APPLGAI 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 Gage moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Atkison, carried by the following vote:

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

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

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

## PAVING ASSESSMENTS HEARING

Mayor LaRue opened the public hearing scheduled for 9:30 A.M. to consider paving assessments. Mrs. Barbara Herwig, speaking for her mother, Mrs. Annie Krause, 1108 West Mary, objected to the assessment because the curbing bordered a creek which cut off access to her mother's property. Mr. Reuben Rountree, Director of Public Works, recommended that Mrs. Krause be relieved of the assessment. Councilman Johnson moved the Council close the public hearing, relieve Mrs. Krause of the assessment and levy an assessment on the following:

- (1) Avenue A and sundry other streets
- (2) Berger Street and sundry other streets
- (3) Anderson Lane and sundry other streets
- (4) West Mary Street
- (5) Graham Street

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

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

Mayor LaRue introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR: FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE,

(Avenue A and sundry other streets)

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 Atkison, carried by the following vote:

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

Noes: None

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 Atkison, carried by the following vote:

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

Noes: None

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

Ayes: Councilmen Atkison, 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 CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR: FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES: DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

(Berger Street and sundry other streets)

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 Atkison, carried by the following vote:

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

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 Atkison, carried by the following vote:

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

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

Ayes: Councilmen Atkison, 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 CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

*(Anderson Lane and sundry other streets)*

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 Atkison, carried by the following vote:

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

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 Atkison, carried by the following vote:

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

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

Ayes: Councilmen Atkison, 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 CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREET WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREET WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREET WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND A LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

(West Mary Street)

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 Atkison, carried by the following vote:

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

Noes: None

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 Atkison, carried by the following vote:

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

Noes: None

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

Ayes: Councilmen Atkison, 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 CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREET WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREET WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREET WITHIN THE LIMITS DEFINED, FIXING A CHARGE AND A LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF, PROVIDING FOR THE ISSUANCE OF ASSIGNABLE CERTIFICATES UPON THE COMPLETION AND ACCEPTANCE OF SAID WORK, THE MANNER AND TIME OF PAYMENT THEREOF, AND PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND CERTIFICATES; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.  
(Graham Street)

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 Atkison, carried by the following vote:

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

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 Atkison, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

## ZONING HEARING

Mayor LaRue opened the zoning hearing scheduled for 9:30 A.M. Pursuant to published notice thereof, the following application was publicly heard:

WILL THURMAN	5111-5302 Wasson Rd.	From "A" Residence to "GR" General
C14-69-328		Retail
		RECOMMENDED by the Planning
		Commission

Councilman Janes moved the Council grant "GR" General Retail, as recommended by the Planning Commission. The motion, seconded by Councilman Gage, carried by the following vote:

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

The Mayor announced that the change had been granted to "GR" General Retail as recommended by the Planning Commission and instructed the City Attorney to draw the necessary ordinance to cover.

## ANNEXATION HEARING SET

Councilman Gage offered the following resolution and moved its adoption:

## (RESOLUTION)

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

That a public hearing be held at 9:30 o'clock A.M., in the City Council Chambers of the City of Austin on the 5th day of March, 1970, for the purpose of providing an opportunity for all interested persons to be heard on consideration of the institution of annexation proceedings with respect to the below described property, to-wit:

0.18 of one acre of land, same being out of and a part of the William Cannon League in Travis County, Texas, which 0.18 of one acre of land is more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the present corporate limit line of the City of Austin as adopted by ordinance dated October 16, 1969, same being a line one hundred and fifty (150.00) feet east of and parallel to the east line of Wasson Road, with the proposed corporate limit line of the City of Austin, same being the northwest corner of the herein described tract of land, and from which point of BEGINNING the intersection of the south line of Mockingbird Lane with the west line of Wasson Road bears in a northeasterly direction 565 feet, more or less;

THENCE, with the proposed corporate limit line of the City of Austin, S 50° 53' E 50.00 feet to an iron pin at the northeast corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin, S 38° 50' W 155.00 feet to an iron pin at the southeast corner of the herein described tract of land; same being a point in the north line of that certain tract of land conveyed to Tom Carson in a deed of record in Volume 725 at page 467 of the Deed Records of Travis County, Texas;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said north line of the Carson tract of land, N 50° 53' W 50.00 feet to a point in the aforesaid present corporate limit line of the City of Austin as adopted by ordinance dated October 16, 1969;

THENCE, with said present corporate limit line of the City of Austin in a northerly direction to the point of BEGINNING.

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

That the City Clerk be authorized and directed to cause a notice of such hearing to be published in a newspaper having general circulation in this City and in the area proposed to be annexed, such publication to be made not more than twenty (20) days, nor less than ten (10) days prior to the hearing.

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

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

Noes: None

#### RELEASE OF EASEMENTS

Councilman Johnson offered the following resolution and moved its adoption:

#### (RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes by map or plat of Matthews Place, a subdivision in the City of Austin, Travis County, Texas, of record in Book 5 at Page 83 of the Plat Records of Travis County, Texas, said easement being out of and a part of Lots 1 and 3, in said Matthews Place; and,

WHEREAS, the owners of the above described property have requested the City Council of the City of Austin to release the hereinafter described portion of said easement; and,

WHEREAS, the City Council has determined that the hereinafter described portion of said easement is not now needed and will not be required in the future; Now, Therefore,

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

That the Deputy City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described portion of said public utility easement, to-wit:

Two (2) strips of land, each of the said two (2) strips of land being five (5.00) feet in width and being out of and a part of Matthews Place, a subdivision in the City of Austin, Travis County, Texas, of record in Book 5 at Page 83 of the Plat Records of Travis County, Texas, the strip of land hereinafter described as Number One being out of and a part of Lot 1 in said Matthews Place and the strip of land hereinafter described as Number Two being out of and a part of Lot 3 in said Matthews Place; each of the said two (2) strips of land five (5.00) feet in width being more particularly described as follows:

NUMBER ONE, BEING all of the east five (5.00) feet of said Lot 1, Matthews Place.

NUMBER TWO, the centerline of said strip of land five (5.00) feet in width being more particularly described as follows:

BEGINNING, at a point in the south line of an existing five (5.00) foot public utilities easement, and from which point of beginning an iron pin at the northwest corner of said Lot 3, same being the northeast corner of said Lot 1, bears N 60° 13' W 0.77 of one foot and N 12° 37' E 5.23 feet;

THENCE, S 12° 37' W 225.72 feet to point of termination.

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

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

Noes: None

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Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes by map or plat of Northwest Terrace Section Two, a subdivision in the City of Austin, Travis County, Texas, of record in Book 39 at Page 41 of the Plat Records of Travis County, Texas, said easement being in, upon, over and across a part of Lot 23, Block G, of the said Northwest Terrace, Section Two; and,

WHEREAS, the owners of the above described property have requested the City Council of the City of Austin to release the hereinafter described portion of said easement; and,

WHEREAS, the City Council has determined that the hereinafter described portion of said easement is not now needed and will not be required in the future; Now, Therefore,

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

That the Deputy City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described portion of said public utility easement, to-wit:

Being all of the south seventy-five (75.00) feet of the east seven and one-half (7.50) feet of Lot 23, Block G, Northwest Terrace, Section Two, a subdivision in the City of Austin, Travis County, Texas, of record in Book 39 at Page 41 of the Plat Records of Travis County, Texas.

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

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

#### ESTABLISHMENT OF NEW PRECINCT BOUNDARIES

Mayor LaRue introduced the following ordinance:

AN ORDINANCE RE-ESTABLISHING VOTING PRECINCTS OF THE CITY OF AUSTIN AND FIXING THE BOUNDARIES THEREOF SO AS TO CONFORM TO THE BOUNDARIES OF THOSE VOTING PRECINCTS OF TRAVIS COUNTY WHICH ARE WITHIN THE CITY LIMITS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

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 Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

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 Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

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

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

The Mayor announced that the ordinance had been finally passed.

## VACATION OF ALLEYS

Mayor LaRue introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF WEST OLTORF STREET ALLEY IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT 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 Atkison, 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 Atkison, 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 Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

The Mayor announced that the ordinance had been finally passed.

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Mayor LaRue introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF EVANS STREET ALLEY 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 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 Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

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 Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

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 Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### VACATION OF STREET

Mayor LaRue introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF VINSON DRIVE 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 Janes 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 Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

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 Price, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

## GAS MAIN SPACE ASSIGNMENTS

Councilman Gage offered the following resolution and moved its adoption:

## (RESOLUTION)

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

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

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

- (1) A gas main in VALLEYRIDGE DRIVE, from Clawson Road easterly 641 feet; the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said VALLEYRIDGE DRIVE.
- (2) A gas main in SOUTH OAK DRIVE, from Valleyridge Drive, northerly 184 feet; the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said SOUTH OAK DRIVE.
- (3) A gas main in SOUTH OAK DRIVE, from Valleyridge Drive to Dolphin Drive; the centerline of which gas main shall be 15 feet west of and parallel to the east property line of said SOUTH OAK DRIVE.
- (4) A gas main in DOLPHIN DRIVE, from Southridge Drive, northerly 305 feet; the centerline of which gas main shall be 15 feet west of and parallel to the east property line of said DOLPHIN DRIVE.
- (5) A gas main in CACTUS TERRACE, from a point 110 feet west of the west property line of Carnation Drive, easterly 323 feet; the centerline of which gas main shall be 3 feet south of and parallel to the north property line of said CACTUS TERRACE.
- (6) A gas main in SILVER RIDGE DRIVE, from Steck Avenue, easterly 406 feet; the centerline of which gas main shall be 15 feet north of and parallel to the south property line of said SILVER RIDGE DRIVE.
- (7) A gas main in OAK GLEN DRIVE, from Steck Avenue, easterly 971 feet; the centerline of which gas main shall be 15 feet south of and parallel to the north property line of said OAK GLEN DRIVE.
- (8) A gas main in GREENFLINT DRIVE, from Mesa Drive, westerly and northerly 451 feet; the centerline of which gas main shall be 15 feet south and west of and parallel to the north and east property lines of said GREENFLINT DRIVE.

- (9) A gas main in SOUTHRIDGE DRIVE, from Clawson Road, easterly 425 feet; the centerline of which gas main shall be 25 feet south of and parallel to the north property line of said SOUTHRIDGE DRIVE.
- (10) A gas main in MARGARITA TERRACE, from Montopolis Drive, westerly 1167 feet; the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said MARGARITA TERRACE.
- (11) A gas main in PALM CIRCLE, from Margarita Terrace, northerly and westerly 1261 feet; the centerline of which gas main shall be 6.5 feet west and south of and parallel to the east and north property lines of said PALM CIRCLE.
- (12) A gas main in CARNATION DRIVE, from Cactus Terrace, northerly 1105 feet; the centerline of which gas main shall be 6.5 feet east of and parallel to the west property line of said CARNATION DRIVE.
- (13) A gas main in MESA DRIVE, from a point 125 feet south of the south property line of Greenflint Drive, northerly 1374 feet; the centerline of which gas main shall be 20 feet west of and parallel to the east property line of said MESA DRIVE.
- (14) A gas main in ROCKFORD LANE, from a point 20 feet west of the east property line of Mesa Drive, westerly 129 feet; the centerline of which gas main shall be 15 feet south of and parallel to the north property line of said ROCKFORD LANE.
- (15) A gas main in STECK AVENUE, from a point 130 feet north of the north property line of Silver Ridge Drive southerly 600 feet; the centerline of which gas main shall be 25 feet west of and parallel to the east property line of said STECK AVENUE.
- (16) A gas main in EMERALD FOREST DRIVE, from Stassney Lane, northerly 1272 feet; the centerline of which gas main shall be 22 feet west of and parallel to the east property line of said EMERALD FOREST DRIVE.
- (17) A gas main in PINE MEADOW DRIVE, from Emerald Forest Drive, easterly 150 feet; the centerline of which gas main shall be 14.5 feet south of and parallel to the north property line of said PINE MEADOW DRIVE.
- (18) A gas main in SALEM HILL DRIVE, from Emerald Forest Drive, westerly and northerly 1,432 feet; the centerline of which gas main shall be 15 feet south and west of and parallel to the north and east property lines of said SALEM HILL DRIVE.
- (19) A gas main in RADAM CIRCLE, from a point 161 feet west of the west property line of Salem Hill Drive, easterly 1626 feet, the centerline of which gas main shall be 15 feet south of and parallel to the north property line of said RADAM CIRCLE.

- (20) A gas main in HUNTERS GLEN from Radam Circle, westerly 401 feet; the centerline of which gas main shall be 15 feet west of and parallel to the east property line of said HUNTERS GLEN.

Said gas mains described above and Number 1 through Number 20 shall have a cover of not less than 2 1/2 feet.

be and the same is hereby granted and the Director of Public Works is hereby authorized to issue a permit for the construction of such improvements, said grant and permit to be subject to the following conditions:

(1) The improvements shall be constructed and maintained in compliance with all ordinances relating thereto.

(2) The permit shall be issued and accepted subject to all reasonable police, traffic, fire and health regulation as the City of Austin, now existing or hereafter adopted.

(3) The repair or relocation of any and all utilities in the vicinity necessitated by the laying of these improvements shall be done at the expense of the Southern Union Gas Company of Austin, Texas.

(4) The Southern Union Gas Company of Austin, Texas, will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the construction or maintenance of said improvements.

(5) That all backfill under street surfaces between existing or future proposed curbs and under driveways and alleys, shall be tamped with mechanical tampers in six (6) inch layers. Each layer shall be compacted to not less than 90 per cent of maximum density as determined by the Standard Method of Test for Compaction and Density of Soils, A.A.S.H.O. Designation T99-49.

(6) The City of Austin may revoke such permit for good cause after notice to the Southern Union Gas Company, in Austin, and hearing thereon, and upon such revocation the owner of such improvements will remove the same and pay all costs and expenses attendant therewith.

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

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

#### ELECTRICAL DUCT BANK SPACE ASSIGNMENTS

Councilman Johnson offered the following resolution and moved its adoption:

## (RESOLUTION)

WHEREAS, The University of Texas has presented to the City Council tentative maps or plans showing the proposed construction of its underground electrical duct bank in the street in the City of Austin hereafter named, and said maps or plans have been considered by the City Council: therefore,

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

THAT The University of Texas be and the same is hereby permitted to lay and construct its underground electrical duct bank in and upon the following street:

- (1) A nine foot ditch in proposed EAST 26th STREET, from a point 66.5 feet west of the west property line of San Jacinto Boulevard, westerly 604 feet; the centerline of which nine foot ditch shall be 21 feet south of and parallel to the north property line of said proposed EAST 26th STREET.
- (2) A twelve foot ditch in proposed EAST 26th STREET, from the point of intersection of a line 66.5 feet west of and parallel to the west property line of San Jacinto Boulevard and 21 feet south of and parallel to the north property line of said proposed EAST 26th STREET; to the point of intersection of a line 67 feet west of and parallel to the west property line of said San Jacinto Boulevard and on the south property line of said proposed EAST 26th STREET.

be and the same is hereby granted and the Director of Public Works is hereby authorized to issue a permit for the construction of such improvements, said grant and permit to be subject to the following conditions:

- (1) The improvements shall be constructed and maintained in compliance with all ordinances relating thereto.
- (2) The permit shall be issued and accepted subject to all reasonable police, traffic, fire and health regulation as the City of Austin, now existing or hereafter adopted.
- (3) The repair or relocation of any and all utilities in the vicinity necessitated by the laying of these improvements shall be done at the expense of the University of Texas.
- (4) The University of Texas will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the construction or maintenance of said improvements.
- (5) That all backfill under street surfaces between existing or future proposed curbs and under driveways and alleys, shall be tamped with mechanical tampers in six (6) inch layers. Each layer shall be compacted to not less than

90 per cent of maximum density as determined by the Standard Method of Test for Compaction and Density of Soils, A.A.S.H.O. Designation T99-49.

- (6) The City of Austin may revoke such permit for good cause after notice to the University of Texas, and hearing thereon, and upon such revocation the owner of such improvements will remove the same and pay all costs and expenses attendant therewith.

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

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

#### UTILITY AGREEMENT - TEXAS HIGHWAY DEPARTMENT

Councilman Janes offered the following resolution and moved its adoption:

#### (RESOLUTION)

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

That the City Manager be and he is hereby authorized and directed to enter into a certain Standard Utility Agreement and Utility Joint Use Agreement with Texas Highway Department, in connection with Interstate Highway 35, Project No. I35-3(56)238, and in accordance with the terms and provisions of those certain agreements exhibited to the City Council; and,

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

That the City Clerk is hereby directed to file a copy of said agreements in the permanent records of her office without recordation in the Minutes of the City Council.

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

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

#### IMPROVEMENTS ON LAKE AUSTIN

Councilman Johnson moved the Council authorize the following improvements on Lake Austin:

- |                           |                              |
|---------------------------|------------------------------|
| (1) Mr. Vestal Lemmon     | boat slip                    |
| (2) Mr. Ernest J. Raithel | boat dock                    |
| (3) Mr. Will D. Davis     | boathouse                    |
| (4) Mr. T. N. Taylor      | boat slip and retaining wall |
| (5) Mr. Leif Johnson      | retaining wall               |

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

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

Noes: None

#### CONTRACT AWARDED

Councilman Gage offered the following resolution and moved its adoption:

#### (RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 10, 1970 for the installation of 852 linear feet of 6-inch water main to be used for the proposed J. D. Frazee Subdivision; and,

WHEREAS, the bid of Griffin Construction Company in the sum of \$5,452.00 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of the Water and Waste Water Department of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Griffin Construction Company, in the sum of \$5,452.00 be and the same is hereby accepted and that L. H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Griffin Construction Company.

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

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

Noes: None

#### SUBSTANDARD HOUSES

Councilman Johnson moved the Council uphold the recommendation of the Building Standards Commission on the following substandard house:

Mr. Bill Simpson                      1407 East 1st Street

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

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

Noes: None

Councilman MacCorkle moved that the Council uphold the recommendation of the Building Standards Commission on the following substandard house:

Mr. Jesus Resas

803 West Jewell (rear)

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

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

Noes: None

Councilman Johnson moved the Council uphold the recommendation of the Building Standards Commission on the following substandard house:

Mr. Joe Amezcuita Estate

1810 Holly Street

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

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

Noes: None

#### CONTRACTS AWARDED

Councilman Johnson offered the following resolution and moved its adoption:

#### (RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 11, 1970 for a two (2) year contract to pick up, impound, and dispose of abandoned vehicles; and,

WHEREAS, the bid of Eddie Slack's Conoco in the sum of \$18.51 per vehicle was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Eddie Slack's Conoco, in the sum of \$18.51 per vehicle be and the same is hereby accepted and that L. H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Eddie Slack's Conoco.

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

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

Noes: None

Councilman Gage offered the following resolution and moved its adoption:

## (RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 9, 1970 for a two (2) year contract to furnish Wooden Electric Utility Poles to be used by the Electric Distribution Division; and,

WHEREAS, the bid of International Paper Company in the sum of \$318,883.25 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of International Paper Company, in the sum of \$318,883.25 be and the same is hereby accepted and that L. H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with International Paper Company.

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

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

Councilman Gage offered the following resolution and moved its adoption:

## (RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 11, 1970 for the purchase of 150,000 gallons EA-11M Asphalt Emulsion; 400,000 gallons RS-2 Asphalt Emulsion; and 5,000 gallons RC-2 Cut-Back Asphalt, to be used by the Street and Bridge Division; and,

WHEREAS, the bids of Texas Emulsions, Inc. in the sum of \$16,125.00 for 150,000 gallons EA-11M Asphalt Emulsion and in the sum of \$43,800.00 for 400,000 gallons RS-2 Asphalt Emulsion; and the bid of Wright Asphalt Products in the sum of \$592.02 for 5,000 gallons RC-2 Cut-Back Asphalt were the lowest and best bids therefor and the acceptance of such bids have been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

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

That the bids as enumerated above be and the same are hereby accepted and that L. H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute contracts on behalf of the City of Austin with Texas Emulsions, Inc. and a contract with Wright Asphalt Products.

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

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

REFUND CONTRACT

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH ALLENDALE ESTATES DEVELOPMENT COMPANY, INC., FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman 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 Atkison, 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 Janes, carried by the following vote:

Ayes: Councilmen Atkison, 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 Janes, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

CASH SETTLEMENT

Councilman Atkison offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the owner of a proposed subdivision, designated Pan Texas East Subdivision, has requested a formal indication by the City Council of its willingness to make a cash settlement in lieu of a refund contract for the water and sewer mains in said proposed subdivision; and,

WHEREAS, the Deputy City Manager and the Director of Water and Sewer Department have recommended the extension to said water and sewer mains, above described; Now, Therefore,

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

That the City Council hereby expresses its willingness to execute a contract under the terms of which the City of Austin shall participate in the construction of the above referenced facilities and shall acquire title to the above described water and sewer mains, from M. J. Anderson, the owner of said proposed subdivision, and to pay to him therefor the sum of 60% of the actual cost thereof, such facilities to be installed according to City approved specifications.

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

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

#### REJECTION OF BID

The City Manager stated that the bid came in rather high for a reinforced concrete box culvert across Airport Boulevard and he recommended rejection. Councilman Johnson moved the Council reject the bid. The motion, seconded by Councilman Gage, carried by the following vote:

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

#### ACQUISITION OF PROPERTY FOR MO-PAC RIGHT-OF-WAY

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

Glenn Cater  
(MoPac Blvd.)

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

That the offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$20,225.00 therefor be accepted, and that the City Manager of his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

Lot No. Twenty-Four (24), Block "B", Royal Oaks, an addition to the City of Austin, Travis County, Texas, according to the map or plat of record in Vol. 4, Page 287, Plat Records of Travis County, Texas.

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

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

Councilman Johnson offered the following resolution and moved its adoption:

## (RESOLUTION)

1801 West 6th St.  
Dan P. Craddock  
(MoPac Blvd.)

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

That the offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$21,506.50 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

Lots One (1) and Two (2), R. Niles Graham Subdivision No. 2, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of said subdivision of record in Book 3, Page 43, Travis County, Plat Records.

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

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

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Councilman Johnson offered the following resolution and moved its adoption

## (RESOLUTION)

600 Theresa  
Alice B. Blackwell  
(MoPac Blvd.)

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

That the offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$10,730.00 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

Lot One (1) of Cedar Terrace Addition in the City of Austin, Travis County, Texas, according to the map thereof of record in Vol. 3, Page 98, of the Travis County Map Records.

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

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

## CONTRACT AWARDED - AERIAL MAPPING

Councilman MacCorkle moved the Council award a contract to International Air Mapping Company for aerial mapping. The motion, seconded by Councilman Johnson, carried by the following vote:

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

## LEASE OF LAND FOR CIRCUS - EXCHANGE CLUB OF NORTH AUSTIN

Mr. Charles W. Croslin, The Exchange Club of North Austin, addressed the Council to request the leasing of City land adjacent to the Coliseum to sponsor the Carson and Barnes Circus on March 27, 1970, 4:15 to 8:00 P.M. After some discussion as to the location, liability, cleanup and maintenance and control of a sideshow being given in conjunction with the circus (through a separate contract between the Exchange Club and the sideshow), Councilman Johnson moved the Council authorize the City Manager to enter into a contract with the Exchange Club as discussed. The motion, seconded by Councilman Price, carried by the following vote:

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

## PROPOSAL TO ADJUST WATER AND SEWER RATES

Mr. Vic Schmidt made a presentation to the Council regarding the proposed adjustment to water and sewer rates. The analysis, based on 1969 income from water and sewer charges, indicated that the City was losing money at the 10,000 gallon minimum rate. Austin's rate at that level was lower than four of the six largest cities in the State.

Additional water treatment facilities would be required within the next three years and additional sewage treatment facilities would be needed within four to five years. Residential water rates had not been increased in 30 to 40 years. Within four to five years, treatment of wastewater to make it potable would be necessary at a great cost.

## Opponents

Mrs. Karl Schmitt, President, League of Women Voters, questioned the proposed rate increase while retaining the current rebate policy toward developers. Speaking for the League, she proposed that the 3 per cent interest on any unpaid balance due developers be eliminated and that the 60 per cent rebate policy either be eliminated or reduced sharply.

Mr. Bob Lusk stated that he spoke in behalf of low income people and that he opposed any increase in the single family rate.

# Motion

Councilman Johnson moved the Council adopt the passing of the proposed rate increase. The motion, seconded by Councilman Gage, carried by the following vote:

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

## CITIZEN APPEARANCE

Mrs. Ruth Epstein, Chairman, Travis County Democratic Women's Committee, did not appear to discuss bills and charges issued by the Water and Light Department in regard to the Truth in Lending regulations.

RECESSED MEETING

2:00 P.M.

## CAPITAL IMPROVEMENTS PROGRAM/BOND ELECTION

Mayor LaRue opened the afternoon session for further discussion on the upcoming bond election and the Capital Improvements Program.

### Convention Center

#### Proponents

The following individuals spoke for the building of a convention center in Austin, to be financed by a bond election: Mr. John Nash, Dr. J. Neils Thompson and Mr. Vic Mathias, of the Chamber of Commerce; Mr. Hub Bechtol; Mr. Lincoln Ferris, representing the Shrine Circus; Mr. Jack Wilson, President, Austin Real Estate Board; Mr. Raymond Donnelly; Mr. Bob Paulason, Downtown Austin Exchange Club.

#### Opponents

The following individuals spoke against the building of the convention center: Mr. Lee Sloan; Mrs. Hicks; Mrs. John Yeaman, representing the American Association of University Women; Mr. George Boyer; Mr. Dan Willard; Mr. Bob Lusk; Mrs. Emma Kelly; Mr. Phillip Creer, University of Texas architecture professor, who wanted to make the convention center a separate issue; former Councilman Louis Shanks and Mr. Goodwin of the Planning Commission, who questioned the timing of the presentation; Mr. Volma Overton, President, Austin Chapter, National Association for the Advancement of Colored People.

### Capital Improvements Program

Mr. Dan Dillard, Chairman, Regional Group, Sierra Club, presented a petition requesting the creation of Barton Creek Park as an extension of Zilker Park.

Mrs. J. M. Holloway, Precinct Chairman of Precinct No. 128, requested that something be done for East Austin in the way of paved streets, street lighting and park and recreational facilities.

Mr. Jim Hart, President, Friends of the Austin Public Library, spoke in regard to the need for a new central library.

Mr. Wally Pryor, Austin Aquatic Club, asked that Ramsey Pool be enclosed for year round use and that a new indoor year round pool be built.

After a lengthy discussion regarding the effect on the City's bond rating of placing the additional \$14 million for the convention center on the bond election ballot, Councilman Johnson moved the Council place on the ballot a total of 35.5 million: 21.5 million in the recommendation as received from the City Manager and the Planning Commission and 14 million dollars for the sports arena complex. The motion, seconded by Councilman Atkison, carried by the following vote:

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

#### ADJOURNMENT

The Council then adjourned.

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

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