

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 12, 1970

9:00 A.M.

COUNCIL CHAMBERS, CITY HALL

The meeting was called to order with Mayor LaRue presiding.

Roll Call:

Present: Councilmen Atkison, Gage, Johnson, MacCorkle, Price,
Mayor LaRue

Absent: Councilman Janes

The Invocation was delivered by REVEREND MERLE G. FRANKE, First English Lutheran Church.

APPROVAL OF MINUTES

Councilman Johnson moved the Council approve the Minutes of October 29, 1970. The motion, seconded by Councilman Gage, carried by the following vote:

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

Noes: None

Absent: Councilman Janes

PROCLAMATION

Mayor LaRue read and presented a proclamation to Mr. Matthews designating the week of November 16-21, 1970, as "RUB OUT RUBELLA WEEK" in Austin.

CHECK FROM BRACKENRIDGE HOSPITAL AUXILIARY

Brackenridge Hospital Administrator Ben Tobias introduced Mrs. Harvey Stone, President, and Mrs. Wyatt Driscoll, Treasurer, Brackenridge Hospital Auxiliary, who presented a check to the City of Austin to furnish Room 601 at the Hospital. For the year 1969 the Auxiliary had contributed 22,296 unpaid hours to the Hospital and from 1952 to 1969, 213,620 hours.

REROUTING OF BUS TRAFFIC

Mr. Gibson R. Randle, Attorney for White Pharmacy did not appear before the Council to discuss the rerouting of bus traffic. The City Manager stated that he had discussed the matter with Mr. Randle and that Mr. Randle was in agreement with the City Manager's proposal and would not appear before the Council.

PERMISSION TO CONDUCT BONFIRE

Mr. Al Lundstedt appeared before the Council on behalf of The University of Texas Cowboy Organization to request permission to conduct a bonfire. Councilman Gage moved the Council approve the request. The motion, seconded by Councilman Johnson, carried by the following vote:

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

At this point, Councilman Janes entered the Council Chambers.

REFUND CONTRACTS

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH DESSAU LAND COMPANY; 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 MacCorkle, carried by the following vote:

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

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 MacCorkle, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO
A CERTAIN REFUND CONTRACT WITH AUSTIN CORPORATION AND DAVID B.
BARROW; AND DECLARING AN EMERGENCY.

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

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

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

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO
A CERTAIN REFUND CONTRACT WITH PEYTON GIN, INCORPORATED; AND
DECLARING AN EMERGENCY.

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

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

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

BUS RATE ORDINANCE - FINAL READING

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

AN ORDINANCE MODIFYING RATE SCHEDULE OF TRANSPORTATION ENTERPRISES, INC.

Members of the Council questioned a representative from Transportation Enterprises, Inc. as to how operations of the City bus service would be kept separate from the University of Texas shuttle bus service, both of which were owned by the same parent organization. There was also discussion with regard to zone fares and the distance between zones.

Mayor LaRue opened the public hearing scheduled for 9:30 A.M. Councilman Gage moved the Council recess the hearing. The motion, seconded by Councilman Johnson, carried by the following vote:

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

Mrs. William Johnson, representing the Austin PTA, spoke in favor of reducing school bus fares as conditions permitted.

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

The Mayor announced that the ordinance had been finally passed.

HEARING - SPECIAL PERMIT FOR DAY CARE CENTER

Mayor LaRue opened the recessed hearing scheduled for 9:30 A.M. to hear the appeal from the Planning Commission decision granting a special permit to Jeffie Mae Lee for a Day Care Center, filed by Thomas G. Muir and others.

Mr. Richard Baker, representing the applicant, presented information to the Council to support the application.

Mr. Thomas G. Muir and Mr. Joe Stanley, area residents, spoke against granting the permit.

After some questioning and discussion by the Council, Councilman Janes moved the Council accept the recommendation to grant the permit. The motion, seconded by Councilman Atkison, carried by the following vote:

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

HEARING - PROPOSED MASTER PLAN CHANGE
WALNUT HOLLOW BUSINESS PARK, INC.

Mayor LaRue opened the hearing scheduled for 9:30 A.M. regarding the request for Walnut Hollow Business Park, Inc. by Harvey Smith to amend the Austin Development Plan from Suburban Residential to Manufacturing and Related Uses for approximately 48 acres located north of Highway 969 (East 19th Street) between M.K.T. Railroad and T & N.O. Railroad (Southern Pacific); and 110 acres of additional area located on both sides of the subject property.

Both the Planning staff and the Planning Commission recommended that at that time only the subject tract of 39 acres and a triangle with about 400 to 450 feet of frontage on East 19th Street be considered. The 110 acres was not recommended at present. After a brief discussion, Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Planning Commission of the City of Austin has held a public hearing attended by interested citizens, and after intense study and careful consideration, has recommended that the Land Use Map of the Austin Development Plan be amended; and,

WHEREAS, such proposed amendment has been forwarded to the City Manager who has submitted the same to the City Council with the recommendations thereon; and,

WHEREAS, the City Council of the City of Austin has duly held a public hearing on the proposed action, and having carefully considered such proposed change is of the opinion that such proposed change should be modified and that the Land Use Map or the Austin Development Plan should be amended so as to reflect the recommendations made by the Planning Commission, as modified by the Council; Now, Therefore,

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

That the Land Use Map which is a part of and attached to the Austin Development Plan adopted June 8, 1961, as amended, is hereby amended so as to reflect and indicate thereon the land use pattern in accordance with the map attached hereto entitled "Exhibit A."

(See original Resolution for Exhibit A)

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

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

ANNEXATION HEARING

Mayor LaRue opened the public hearing scheduled for 9:30 A.M. on the following annexation.

Approximately 400 acres of land essentially bounded on the north by Spicewood Springs Road and the current City Limits of the City of Austin north of Spicewood Springs Road, on the east by Balcones Drive, on the south by current City limits and on the west by a line approximately 2,200 feet west of and parallel to Mesa Drive right of way.

The following individuals spoke against annexation of the subject property: Mr. David Barrow, Mr. Egbert Smith, Mr. Oscar Jones and Mr. Claud Sproul, Jr., who represented Mrs. Leta K. McFaddin,

The following individuals spoke in favor of the annexation: Mr. Julian Smith, President, Northwest Austin Civic Association, who also spoke for the Balcones Civic Association, and Mr. Irwin Salmonson, legal counsel for the Northwest Austin Civic Association.

Dr. James Hughes, veterinarian and owner of the Spicewood Springs Veterinary Clinic stated that he officially opened the Clinic on October 26, 1970 and was in business at 4606 Spicewood Springs Road.

Mrs. Tommy Williams asked when utilities would be available to the area and was told that the City had up to three years in which to provide all of the City services.

There was discussion among the Council regarding the possibility of limited annexation proposed by Councilman Johnson. The City Manager was to get a legal opinion on the matter. No action was taken on annexation proceedings at this time. The item was placed on the Agenda for November 19, 1970.

VACATION OF STREETS

Mayor LaRue introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THOSE CERTAIN PORTIONS OF GRANDVIEW STREET, WEST AVENUE AND ASSMAN'S ADDITION ALLEY IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR WASTE WATER PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

AMENDMENT OF ORDINANCE NO. 700910-B

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 700910-B BY AMENDING PART 1, PARAGRAPH 7, SUBPARAGRAPHS (b), (c), (d), (e) and (f) OF SAID ORDINANCE; ORDERING A CHANGE IN USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 TO CONFORM TO THE AMENDMENTS PROVIDED IN THIS ORDINANCE; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

ZONING ORDINANCES

Mayor LaRue introduced the following ordinance:

AN ORDINANCE CHANGING THE USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: WEST ONE-HALF OF LOT 5 AND EAST 29 FEET OF LOT 4, BLOCK 12, GYPSY GROVE SUBDIVISION, LOCALLY KNOWN AS 618-620 WEST 31 1/2 STREET, FROM "BB" RESIDENCE DISTRICT, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT, SECOND HEIGHT AND AREA; 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 Janes, carried by the following vote:

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

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

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

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: TEN FEET OF LAND BEING OUT OF AND A PART OF LOTS 16, 17 AND 18, AND THE REMAINING PORTION OF LOT 19, WOODWARD INDUSTRIAL DISTRICT, LOCALLY KNOWN AS 200-218 BEN WHITE BOULEVARD AND 3900-4024 WOODBURY FROM "A" RESIDENCE DISTRICT TO "D" INDUSTRIAL 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 Atkison, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present But Not
Voting: Councilman Janes
Out of Room at
Roll Call: Councilman Gage

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, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present But Not
Voting: Councilman Janes
Out of Room at
Roll Call: Councilman Gage

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, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present But Not Voting: Councilman Janes
Out of Room at Roll Call: Councilman Gage

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
A .75 ACRE TRACT OF LAND LOCALLY KNOWN AS 2408 SOUTH THIRD STREET, 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 Janes 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, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Out of Room at Roll Call: Councilman Gage

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 Atkison, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOT 6, BLOCK A, SUNSET TERRACE, LOCALLY KNOWN AS 1909 KOENIG LANE, 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 Janes 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, Janes, MacCorkle, Price, Mayor LaRue
Noes: Councilman Johnson
Out of Room at
Roll Call: Councilman Gage

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 Atkison, carried by the following vote:

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

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

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

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:
(1) LOTS 7, 8 AND 9, BLOCK 6, HYDE PARK ADDITION NO. 2, LOCALLY KNOWN AS 4007-4009 AVENUE B, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;
(2) A 8,050 SQUARE FOOT TRACT OF LAND LOCALLY KNOWN AS 908-912 EAST 49 1/2 STREET, FROM "LR" LOCAL RETAIL DISTRICT AND "GR" GENERAL RETAIL DISTRICT TO "GR" GENERAL RETAIL DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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 MacCorkle, carried by the following vote:

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

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

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

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 96 ACRE TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT LOCALLY KNOWN AS 4501-4715 EAST RIVERSIDE DRIVE, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; AND

TRACT 2: AN 80 ACRE TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT LOCALLY KNOWN AS REAR OF 4501-4715 EAST RIVERSIDE DRIVE, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT;

ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

ANNEXATION ORDINANCES - 3RD READING

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 20.69 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APPLGAI SURVEY; AND 74.2 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE THEODORE BISSEL LEAGUE; ALL OF SAID PROPERTY BEING LOCATED 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 Janes, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

ANNEXATION ORDINANCE - 1ST & 2ND READINGS

Mayor LaRue introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 32.63 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE GEORGE W. DAVIS 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 Price 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, Janes, Johnson, MacCorkle, Price,
Mayor LaRue
Noes: None
Out of Room at
Roll Call: Councilman Gage

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 MacCorkle, carried by the following vote:

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

Councilman Gage enters

ZONING HEARINGS

Mayor LaRue opened the zoning hearings scheduled for this time. Pursuant to published notice thereof, the following zoning cases were heard:

HELEN D. NOHRA
by W. R. Cavett
C14-70-169

4213 Avenue G

From "A" Residence to "B"
Residence
RECOMMENDED by the Planning
Commission

Mr. Dick Lillie stated that there had been a request by the Council to check the validity of a petition submitted by area property owners opposed to the zoning change. The City Attorney stated that the petition was valid and therefore required six votes to grant the change.

Councilman Janes moved the change be granted from "A" Residence to "B" Residence and "BB" Residence on the southerly 25 feet of the tract with a restrictive covenant allowing curb cuts only from East 43rd Street and not from the north-south street. The motion, seconded by Councilman Atkison, failed to carry by the following vote:

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

The Mayor announced that the change had been DENIED.

ALTENHEIM a Division of 4009-4015 Avenue H
Lutheran Social Service, Inc. 401-403 East 41st
by Rolf A. Normann Street
C14-70-175

From "A" Residence to "B"
Residence
RECOMMENDED by the Planning
Commission

Councilman Price moved the Council grant the change from "A" Residence to "B" Residence, as recommended by the Planning Commission. The motion, seconded by Councilman Gage, carried by the following vote:

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

The Mayor announced that the change had been granted to "B" Residence and instructed the City Attorney to draw the necessary ordinance to cover.

Mr. Dick Lillie stated that a petition was filed, but that it was not a valid petition.

PURCHASE OF POLE MOUNTED TRANSFORMERS

City Manager Andrews stated that the Purchasing Department had failed to advertise for bids as required by law on the item. He recommended that the bids be thrown out and that he be authorized to purchase transformers for an emergency period while the City readvertised from the low bidder received today.

Mr. Robert Carmen, a representative of RTE Corporation, the nation's third largest manufacturer of distribution transformers, cited the qualifications of his Company as a supplier. The Company presently was not on the approved bidder's list for the City.

After some discussion among the Council, Mr. Carmen and City Manager Andrews, Councilman Janes moved the Council accept the City Manager's recommendations on rebidding the transformers and authorize him to make emergency purchases in the interim. The motion, seconded by Councilman Atkison, carried by the following vote:

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

RECESSED MEETING

2:00 P.M.

Mayor LaRue called the afternoon session to order.

COST PARTICIPATION - WATER MAIN

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the owners of Quail Creek West, Section 3, have installed a 12 inch cast iron water main in lieu of an 8 inch cast iron water main with a cost difference of \$4,486.97, pursuant to a subdivision plan called Quail Creek West, Section 3 and have requested that the City participate in the added cost of the 12 inch cast iron water main; and,

WHEREAS, the Deputy City Manager and the Director of Water and Waste Water Department of the City of Austin have recommended said participation;
Now, Therefore,

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

That Dan H. Davidson, Deputy City Manager, be and he is hereby authorized and directed to enter into a participation agreement under the terms of which the City of Austin shall acquire title to the above described main from Peyton Gin, Incorporated, the actual cost of said participation not to exceed \$4,486.97.

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

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

CASH SETTLEMENT

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the owners of Walnut Place, Section 4 have installed a 6 inch cast iron water main that replaced the 2 1/4 inch P.V.C. pipe with a cost of \$2,551.50, pursuant to a subdivision plan called Walnut Place, Section 4, and have requested that the City participate 100% in the cost of the 6 inch cast iron water main; and,

WHEREAS, the owners of Walnut Place, Section 4 have installed additional water mains at a cost of \$11,183.43, pursuant to a subdivision plan called Walnut Place, Section 4, and have requested a 60%/40% cash settlement of the above amount in lieu of a refund contract; and,

WHEREAS, 60% of the aforementioned \$11,182.43 equals \$6,709.46, which amount is agreed upon as the cash settlement value of said utility lines, in lieu of refund contract; and,

WHEREAS, the Deputy City Manager and the Director of Water and Waste Water Department of the City of Austin have recommended said participation agreement and a cash settlement in lieu of a refund contract; Now, Therefore,

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

That Dan H. Davidson, Deputy City Manager of the City of Austin, be and he is hereby authorized and directed to enter into participation agreement and to execute a cash settlement contract under the terms of which the City of Austin shall acquire title to the above described mains from Vara Corporation, actual cost of said participation not to exceed \$2,531.50 on the 6 inch cast iron water main that replaced the 2 1/4 inch P.V.C. pipe, and to pay to Vara Corporation 60% of the actual cost of the other mains not to exceed \$6,709.46.

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

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

Noes: None

After the vote, City Manager Andrews stated that the City was encountering a cash flow problem with regard to cash settlements. He requested that for the time being that cash settlements be limited to \$5,000 each, until the problem could be studied further. There was some discussion among the Council regarding refund contracts. The City Manager was to bring in a report on the matter.

RELEASE OF EASEMENTS

Councilman Janes 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 Westover Hills, Section Five, a subdivision in the City of Austin, Travis County, Texas, of record in Book 50 at Page 65 of the Plat Records of Travis County, Texas, same being out of and a part of Lot 24, Block A, of said Westover Hills, Section Five; 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:

A strip of land ten (10.00) feet in width, same being out of and a part of Lot 24, Block A, Westover Hills, Section Five, a subdivision in the City of Austin, Travis County, Texas, of record in Book 50 at Page 65 of the Plat Records of Travis County, Texas; the centerline of said strip of land ten (10.00) feet in width being more particularly described as follows:

BEGINNING at a point in the west line of an existing fifteen (15.00) foot public utilities easement, and from which point of beginning an iron pin at the southeast corner of said Lot 24, same being the northeast corner of Lot 23, Block A, in said Westover Hills, section Five, bears N 76° 49' E 7.86 feet and S 30° 34' E 15.01 feet;

THENCE, S 76° 49' W 32.14 feet to point of termination.

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

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

Noes: None

Councilman Janes offered the following resolution and moved its adoption:
(RESOLUTION)

WHEREAS, a certain electric easement was granted to the City of Austin by instrument of record in Volume 455 at Page 169 of the Deed Records of Travis County, Texas, same being out of and a part of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas; 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 electric easement, to-wit:

Being all that electric easement out of and a part of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, provided for in an instrument recorded in Volume 455 at Page 169 of the Deed Records of Travis County, Texas.

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

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

Noes: None

ITEM WITHDRAWN

The following item was withdrawn from consideration at this time:

Drainage easement out of Lot 1, Block 4, Manchaca Estates.

CONTRACTS AWARDED

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 3, 1970 for the construction of a reinforced concrete pipe culvert across Fort Clark Drive at Colonial Park; and,

WHEREAS, the bid of Pat Canion Excavating Company in the sum of \$5,699.60, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Public Works and by the City Manager; Now, Therefore,

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

That the bid of Pat Canion Excavating Company in the sum of \$5,699.60 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 Pat Canion Excavating Company.

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

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

Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 29, 1970, for installation of electric ductline and concrete foundations at Kingsbery Transmission and Kingsbery Unit Substations located at the east end of Alf Avenue; and,

WHEREAS, the bid of E. E. Stuessy Contractors, Inc. in the sum of \$129,979.95 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of the Electric 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 E. E. Stuessy Contractors, Inc. in the sum of \$129,979.95 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 E. E. Stuessy Contractors, Inc.

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

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

Noes: None

The City Manager pointed out that the following three bids were not advertised under the ordinance and under the law. He requested that the bids be accepted as emergency lettings.

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 27, 1970 for the installation of approximately 2714 linear feet of 8-inch water pipe; 1047 feet of 8-inch and 732 feet of 6-inch sanitary sewer pipe and appurtenances to be located in Burleson Road east of Todd Lane and south of Burleson Road to Crossett Drive; and,

WHEREAS, the bid of Underground Utilities Company in the sum of \$26,917.05 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of 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 Underground Utilities Company in the sum of \$26,917.05 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 Underground Utilities Company.

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

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

Noes: None

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 30, 1970 for a Contract to furnish estimated quantities of Cluster Mounted Capacitor Banks

(21 each 900 KVAR and 14 each 1200 KVAR) to be used by the Electric Distribution Division; and,

WHEREAS, the bid of R. D. Erb Company in the sum of \$34,146.00 for 21 each 900 KVAR and in the sum of \$28,434.00 for 14 each 1200 KVAR, 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 R. D. Erb Company as enumerated above 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 R. D. Erb Company.

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

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

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 26, 1970 for One (1) each Wrecker Truck consisting of Homes Model 600 wrecker body and a Ford F750 Cab and Chassis, to be used by the Fleet Administration Department; and,

WHEREAS, the bid of R. E. Welch Equipment Sales in the sum of \$12,350.89 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 R. E. Welch Equipment Sales in the sum of \$12,350.89 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 R. E. Welch Equipment Sales.

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

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

PURCHASE OF SEWER TREATMENT PLANT

The sewer treatment plant had been installed by Texas Instruments on a temporary basis until the City of Austin had extended a sewer line to the location. A prior City Council had agreed to purchase the treatment plant when it was no longer needed by Texas Instruments. There was some discussion among the Council as to what use the plant would be put.

Councilman Price moved the Council pay Texas Instruments \$15,302.92 for the plant and move it wherever the City saw fit. The motion, seconded by Councilman Johnson, carried by the following vote:

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

LICENSE AGREEMENT

Councilman Price 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 license agreement with Southern Pacific Transportation Company for the installation of an 8-inch sanitary sewer pipe line to cross the Railroad's property and under its Llano Branch main track at Engineer's Station 504+50.5 (Mile Post 10.98); and in accordance with the terms and provisions of that certain license agreement 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 agreement 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

RENEWAL OF WINDSOR VILLAGE BRANCH LIBRARY LEASE

Councilman Price moved the Council renew the lease of the Windsor Village Branch Library. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

LAND ACQUISITIONS

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

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 \$14,750.00 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:

SEE ATTACHED EXHIBIT "A".

1100-1106 Brodie Street and
1101-1111 West Johanna Street

(See original Resolution for Exhibit "A")

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

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

Councilman Priceon offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the offers of the owners and claimants of the hereinafter described tracts of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payments in the amounts indicated therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tracts of land, to-wit:

SEE ATTACHED EXHIBITS

428 Montopolis Drive	\$225.00
518 Montopolis Drive	95.00
602 Montopolis Drive	80.00
913 Montopolis Drive	240.00

(See original Resolution for Exhibits)

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

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

Noes: None

CHANGE ORDERS TO CONTRACTS

Councilman Price moved the Council authorize the following change orders to contracts X-120 and X-122, Decker Creek Power Station No. 1 (J. M. Odom Construction Co.):

<u>Change Order No.</u>	<u>Contract No.</u>	<u>Contract Description</u>	<u>Amt. of Change Order</u>
10	X-122	Power Wiring	\$1,729.43
11	X-122	Power Wiring	\$2,015.07
20	X-120	General Construction	\$2,927.14
21	X-120	General Construction	<u>\$2,926.18</u>
Total			\$9,597.82

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

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

Noes: None

SALE OF STRUCTURES

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, APPROVING THE PRICES AND CONDITIONS SET FORTH IN THE BID OF Charles L. Frazier, Jr. FOR THE PURCHASE OF STRUCTURES LOCATED ON PARCEL 10-1, University East PROJECT NO. TEX. R-103.

WHEREAS, on November 3, 1970, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 358-70, by which the Board accepted the bid of Charles L. Frazier, Jr. for the purchase of structures located on Parcel 10-1, situated in the University East Project, No. Tex. R-103, and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 358-70, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

this book was indexed

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WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 4th day of November, 1970, by the Executive Director of the Urban Renewal Agency for approval of the prices and conditions of the proposed sale of said structures; and,

WHEREAS, the City Council finds nothing objectionable concerning the prices and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 358-70.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

That the prices and conditions set forth in the bid of Charles L. Frazier, Jr. for the purchase of structures located on Parcel 10-1, University East Project, Tex. R-103, are hereby approved.

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

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

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, APPROVING THE PRICES AND CONDITIONS SET FORTH IN THE BID OF J. A. MILLER COMPANY FOR THE PURCHASE OF STRUCTURES LOCATED ON PARCEL 11-1, UNIVERSITY EAST PROJECT NO. TEX. R-103.

WHEREAS, on November 3, 1970, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 359-70, by which the Board accepted the bid of J. A. Miller Company for the purchase of structures located on Parcel 11-1, situated in the University East Project, No. Tex. R-103, and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 359-70, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 4th day of November, 1970, by the Executive Director of the Urban Renewal Agency for approval of the prices and conditions of the proposed sale of said structures; and,

WHEREAS, the City Council finds nothing objectionable concerning the prices and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 359-70.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

That the prices and conditions set forth in the bid of J. A. Miller Company for the purchase of structures located on Parcel 11-1, University East Project, Tex. R-103, are hereby approved.

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

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

Noes: None

SALE OF LAND

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on November 3, 1970, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 372-70, by which the Board accepted the bid of \$2550.00 for the purchase of parcel R-1, a tract of land situated in the Glen Oaks Urban Renewal Project No. Tex R-70 and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 372-70, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street; and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 4th day of November, by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said property; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 372-70;

NOW, THEREFORE:

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

That the price and conditions set forth, in the Bid of Austin Independent School District for the purchase of parcel No. R-1 in the Glen Oaks Urban Renewal Project No. Tex R-70 is hereby approved.

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

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

Noes: None

REVISION OF EAST END BUS ROUTE

Mr. Joe Ternus outlined for the Council the proposed 30-day trial basis change in the East End bus route. There was discussion among the Council, City Manager Andrews and Mr. Ternus as to the feasibility of the suggested route. After the discussion, Councilman MacCorkle moved the Council approve the revision for 30 days. The motion, seconded by Councilman Price, carried by the following vote:

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

MODEL CITIES PROGRAM

Mr. Tony Ojeda answered questions from the Council regarding the City's participation in the Model Cities Program. In the proposed agreement with Housing and Urban Development (HUD), Councilman Johnson asked if the manner of selecting a commercial depository would be in violation of the City Charter. City Attorney Butler felt that HUD could be persuaded to accept the resolution subject to applicable provisions of the City Charter.

After some further discussion, Councilman Gage offered the following resolution and moved its adoption.

(RESOLUTION)

WHEREAS, the City of Austin, Texas, desires to carry out a comprehensive city demonstration program (herein referred to as the "Program," attached hereto and made a part hereof) with Federal financial assistance under Title I of the Demonstration Cities and Metropolitan Development Act of 1966 (herein called "Act"); and

WHEREAS, the Act requires local governing body approval of the Program as a condition for the eligibility for assistance; Now, Therefore,

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

That (1) the program, including the projects and activities set forth in the grant agreement, is hereby approved; (2) the Mayor is authorized to execute a grant agreement with the United States of America and to do all things necessary in order to carry out the Program including the submission of such reports, certifications and other material as the Secretary of Housing and Urban Development shall require; (3) the City Council of the City of Austin, Texas, assumes full responsibility for assuring that all grant funds will be used in an economical and efficient manner in carrying out the Program and assures the necessary non-Federal share of the cost of Program Administration; and (4) the Director of Finance of the City of Austin, Texas, or his successor or delegate, may do all things required to be done in order to obtain payment of the grant, including but not limited to the selection of a commercial bank to receive payment vouchers, the submission of signature specimens, and the filing of requests for payment.

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

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

SUBSTANDARD STRUCTURES - LEGAL DISPOSITION

Councilman Janes moved the Council approve the recommendations from the Building standards Commission and authorize the Legal Department to take proper legal disposition of the following substandard structure which has not been repaired or demolished within the required time:

1411 East 3rd Street - Messrs. J. C. Currey & Hubert J. Packenuis

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

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

Mr. Dick Jordan, Building Official, reported on a grant from the Federal government for a Code Enforcement Project which had just been received. \$774,266 was the full budget figure, including grants, but not loans. \$399,000 was provided for grants. The City's share of costs would be \$172,000. Mayor LaRue suggested that the Council make a tour of the project.

OPERATION OF TAXICAB COMPANIES - ANNUAL REVIEW

Mr. Joe Ternus reviewed the matters of vehicle inspection and uniforms for cab drivers. Where discrepancies had been found during inspections, copies of discrepancy sheets had been sent to each franchise holder requesting it.

OPERATION OF DELUXE TAXI CAB COMPANY

The City Manager requested that the item be postponed for one week and placed on the Agenda at that time. The Council agreed to the request.

TRAFFIC ON INTERREGIONAL HIGHWAY

Councilman MacCorkle brought up a communication from Mr. John McIntire regarding traffic controls on Interregional Highway. It was stated that most of the matters were under State supervision.

CLEANUP OF CEMETERY

Councilman MacCorkle complimented the City Manager on the excellent cleanup job at the Cemetery.

WAIVER OF COMMISSION CHARGE

Councilman Gage stated that he had been asked to present a request from the Parents League to waive the 15 per cent commission charge for books sold at the Municipal Auditorium during the program.

The City Manager stated that the City had a contract on such matters and that the policy had been followed consistently. He did not feel that the City should vary from its basic policy toward the Auditorium. It was the consensus of the Council that the policy was a good one and that the Council would not deviate from the policy.

PLAYGROUND EQUIPMENT

Councilman Price had an inquiry about playground equipment on playgrounds. It was stated that the party should ask for the desired equipment. Councilman Price was to furnish more information.

RESCHEDULING OF COUNCIL MEETINGS

Councilman Johnson moved the Council reschedule the following Council meetings:

From November 26, 1970 to November 24, 1970

From December 24, 1970 to December 22, 1970

From December 31, 1970 to December 29, 1970

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

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

Noes: None

EXECUTIVE SESSION

The Council went into Executive Session to consider appointments to various Boards. After the Executive Session, the following appointments were announced.

MEMBERS TO VARIOUS BOARDS
APPOINTED NOVEMBER 12, 1970

Councilman Johnson moved the Council appoint the following member to the Charitable Solicitation Board: Francis Amsler. The motion, seconded by Councilman Janes, carried by the following vote:

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

Noes: None

Present But Not

Voting: Councilman Gage

Out of Room at

Roll Call: Councilman Atkison

Councilman Price moved the Council appoint the following members to the Retirement Board: Willard Houser, Gatewood Newberry, and W. P. Watts. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present But Not Voting: Councilman Gage
Out of Room at Roll Call: Councilman Atkison

Councilman Janes moved the Council appoint the following member to the Building Code Board of Appeals: Glenn Garner. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present But Not Voting: Councilman Gage
Out of Room at Roll Call: Councilman Atkison

Councilman MacCorkle moved the Council appoint the following members to the Pest Control Advisory Committee: Harold Bush and Cecil Thompson. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present But Not Voting: Councilman Gage
Out of Room at Roll Call: Councilman Atkison

Councilman Price moved the Council appoint the following member to the Electric Board: Max Ladusch. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present But Not Voting: Councilman Gage
Out of Room at Roll Call: Councilman Atkison

Councilman Johnson moved the Council appoint the following members to the Human Relations Commission: Mr. Fred Eppinger, Dr. Edgar Roy, T. W. Kincheon, Sr., Mrs. William F. Kemp, Mr. Joe R. Lung, Mr. John Kemp, Mr. Fidel Estrada, Mrs. Geneva Conally, Mr. Charles A. Betts. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
 Noes: None
 Present But Not Voting: Councilman Gage
 Out of Room at Roll Call: Councilman Atkison

Councilman Janes moved the Council appoint the following members to the Capital Area Planning Council: Jack Goodman, Vincent Arnold. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Janes, Johnson, MacCorkle, Price, Mayor LaRue
 Noes: None
 Present But Not Voting: Councilman Gage
 Out of Room at Roll Call: Councilman Atkison

ZONINGS SET FOR PUBLIC HEARING JANUARY 7, 1971

The City Manager reported that the following zoning applications had been referred to the Planning Commission for recommendation and had been set for public hearing on January 7, 1971:

Curtis D. McClish C14-70-206	5004-5006 Harmon 945-947 East 51st St.	From "A" Residence, 1st Height and Area to "LR" Local Retail, 1st Height and Area
W. R. Coleman by Bobby Judd C14-70-207	606-614 West 28th St. 2800-2802 Nueces	From "B" Residence, 3rd Height and Area to "O" Office 3rd Height and Area
Heirs of Willie H. Mewis by Robert D. Jones C14-70-208	8601-8617 Putnam Dr. 1929-1939 Peyton Gin Rd.	From "A" Residence, 1st Height and Area to "B" Residence, 2nd Height and Area
Alicia Hernandez C14-70-209	5407 Evans Ave.	From "A" Residence, 1st Height and Area to "C" Commercial, 1st Height and Area

Davidson and Associates by Bill W. Davidson C14-70-210	8506-8906 North Interstate Highway 35	From Interim "A" Residence, Interim 1st Height and Area to "C" Commercial, 5th Height and Area
Jack Brown by Richard Baker C14-70-211	Rear of 1900-1920 Hearthstone Drive	From "A" Residence, 1st Height and Area to "B" Residence, 1st Height and Area
Northcross Associates by Richard Baker C14-70-212	7602-7634 Burnet Rd.	From "GR" General Retail, 1st and 3rd Height and Area to "GR" General Retail, 3rd Height and Area
Jack R. Barnes by Richard Baker C14-70-213	8500-8708 North Interstate Highway 35 (rear)	From Interim "A" Residence, Interim 1st Height and Area to "O" Office, 1st Height and Area
Estate of Mae Crockett by M. H. Crockett, Jr., Executor C14-70-214	2811-2813 San Jacinto Blvd.	From "C" Commercial, 2nd Height and Area to "C-2" Commercial, 2nd Height and Area
Florence E. Gilbey C14-70-215	1209-1211 Montopolis Dr.	From "A" Residence, 1st Height and Area to "GR" General Retail, 1st Height and Area
Texas L-P Gas Association by Tom Curtis C14-70-216	8408 North Interstate Highway 35	From Interim "A" Residence, Interim 1st Height and Area to "GR" General Retail, 1st Height and Area
Jim Hartfield C14-70-217	303 West 35th St.	From "A" Residence, 1st Height and Area to "B" Residence, 2nd Height and Area
B. H. Belk by Robert W. Norris C14-70-218	1505-1507 North St.	From "B" Residence, 1st Height and Area and "C" Commercial, 2nd Height and Area to "O" Office, 1st Height and Area
Ed A. Glenewinkle C14-70-219	5701 Clay Ave.	From "A" Residence, 1st Height and Area to "B" Residence, 1st Height and Area
Tom Moses Attal, John McPhaul by Hale and Associates C14-70-220	4922-5024 Weidemar Ln.	From Interim "A" Residence, Interim 1st Height and Area to "C" Commercial, 1st Height and Area

Don Jackson by John Van Winkle C14-70-221	513-515 O'dell St. 7205-7207 Guadalupe St.	From "A" Residence, 1st Height and Area to "B" Residence, 2nd Height and Area
William H. Leach C14-70-222	1011-1015 East 12th St.	From "B" Residence and "C" Commercial, 2nd Height and Area to "C" Commercial, 2nd Height and Area
Richard Dorrell C14-70-223	9212-9302 North Interstate Highway 35	From "A" Residence and "GR" General Retail, 1st Height and Area to "GR" General Retail, 1st Height and Area
Richard Dorrell C14-70-224	7543-7561 Cameron Rd.	From Interim "A" Residence, Interim 1st Height and Area to "GR" General Retail, 1st Height and Area
Edward Joseph by Roger Joseph C14-70-225	1705-1707 West 6th St.	From "B" Residence, 2nd Height and Area to "C" Commercial, 2nd Height and Area
Roger Joseph C14-70-226	600 West 17th St. 1700-1704 Nueces St.	From "O" Office, 2nd Height and Area to "GR" General Retail, 2nd Height and Area
Steve Price C14-70-227	5301 Martin Ave. 700-706 East 53rd St.	From "A" Residence and "LR" Local Retail, 1st Height and Area to "C" Commercial, 1st Height and Area
Sun Tex Industries, Inc. by John Selman C14-70-228	2309-2315 East Second St.	From "A" Residence, 1st Height and Area to "C" Commercial, 1st Height and Area
C. L. Briggs by John Selman C14-70-229	6224-6304 Manor Rd.	From "A" Residence, 1st Height and Area to "BB" Residence, 1st Height and Area
Fay C. Sawyer by John Selman C14-70-230	1601-1607 Fort View Rd.	From "O" Office, 1st Height and Area to "GR" General Retail, 1st Height and Area
Fred Wong C14-70-231	2512-2514 Thornton Rd.	From "A" Residence, 1st Height and Area to "B" Residence, 1st Height and Area

Jack Andrewartha and/or Rear of 1212-1700 Barton
Austin Southwest Development Hills Drive
Company
by Richard Baker
C14-70-092

From Interim "A" Residence,
Interim 1st Height and Area
to "B" Residence, 1st
Height and Area

ADJOURNMENT

The Council adjourned at 4:20 P.M.

APPROVED: _____

Mayor

ATTEST: _____

City Clerk