

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 26, 1970  
9:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor LaRue presiding.

Roll call:

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

Absent: None

Present also: Lynn Andrews, City Manager; Dan Womack, Assistant City  
Attorney

Invocation was delivered by REVEREND THOMAS WHITCOMB, Trinity United  
Church of Christ.

MR. LYNN ANDREWS, City Manager, announced that in order to continue the  
program of developing a team of City employees who can do the most for the  
citizens and the Council, a "Second-Man Day" has been established whereby the  
chief assistants of most of the departments would handle items before the Council  
from the respective departments thus providing communication and giving the  
assistants an opportunity to get the thinking of the Council policy and its way  
of doing business. The objective is to familiarize every employee with City  
operations, and to provide a training exercise for these assistants. MR. DAN  
DAVIDSON, Deputy City Manager, acted as City Manager during this meeting.

ACTION DEFERRED ON ZONING ORDINANCE

In view of receipt of a letter from Mr. Jackson, representing the appli-  
cant, requesting that the ordinance not be passed today due to a discrepancy  
between the subdivision and zoning dimensions, Councilman Johnson moved the  
Council grant this written request to withhold action on the following zoning  
ordinance:

RICHARD M. PETERSON,  
ET AL

Tract 1  
4001-4007 Lewis Lane  
1200-1212 West 40th St.

From "A" Residence and  
"C" Commercial 1st  
Height & Area  
To "B" Residence 2nd  
Height & Area

RICHARD M. PETERSON,  
ET AL  
(continued)

Tract 2  
1100-1106 West 40th St.  
4000-4008 Medical Pky.

From "A" Residence and  
"C" Commercial 1st  
Height & Area  
To "C" Commercial 2nd  
Height & Area

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

#### SISTER CITY SALTILLO - DECLARATION OF APPRECIATION

MAYOR LaRUE read a Resolution covering the Sister City program between students of Saltillo and those of McCallum High School.

Councilman Janes offered the following resolution and moved its adoption:

#### (RESOLUTION)

WHEREAS, the Austin Chapter of The International Good Neighbor Council and the McCallum High School of Austin, Texas, initiated a STUDENT EXCHANGE PROGRAM with our Sister City - Saltillo, Coahuila, Mexico; and,

WHEREAS, the McCallum students were guests of the City of Saltillo in December, 1969; and,

WHEREAS, the students, representing various schools in the State of Coahuila and the City of Saltillo, Mexico, are guests in our city; and,

WHEREAS, the participants in this Student Exchange Program are learning the customs, culture, family traditions and education facilities offered by both countries; and,

WHEREAS, we feel that the spirit of International Friendship can be achieved more quickly by living together, sharing together and thus discovering together that all people of goodwill have compassion for others and a desire to understand one another,

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN that we hereby declare a general appreciation of the people of Austin be publicly expressed to the students of Saltillo, Coahuila, Mexico, and the students of McCallum High School of Austin, Texas, for their fine portrayal of outstanding expressions of International Goodwill.

WITNESS OUR HANDS AND THE OFFICIAL SEAL OF THE CITY OF AUSTIN, TEXAS, this 26th day of March, 1970.

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

## OPERATION SUNSHINE FOR THE MENTALLY RETARDED

Mr. King Moody appeared regarding "Operation Sunshine" for the Mentally Retarded which is co-sponsored with the Recreation Department. Mr. Davidson, Deputy City Manager, reported the Council had asked from where the funds would be appropriated should the request be granted, and the Finance Director had stated money would come from the un-appropriated balance of the General Fund. Mayor LaRue recalled this program had been provided for since 1966; and if it had been by custom standardized, the Council might want to look at including the operation in the budget. Councilman Janes stated this should have been included as a Budget item.

Councilman Gage offered the following resolution and moved its adoption:

## (RESOLUTION)

WHEREAS, the organization "Operation Sunshine" has requested that \$3,000.00 be appropriated out of the Council Contingency Fund to promote the "Operation Sunshine" program for the mentally retarded which is co-sponsored by the Parks and Recreation Department of the City of Austin; and,

WHEREAS, said money is to be paid out of the Council Contingency Fund of the City of Austin from balances not otherwise appropriated; and

WHEREAS, this request was submitted to the City Council; Now, Therefore,

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

That \$3,000.00 be appropriated and transferred from the Council Contingency Fund to "Operation Sunshine."

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

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

## FINANCIAL STATEMENT

Councilman Price moved the Council receive the Financial Statements for the four month period ending January 31, 1970. The motion, seconded by Councilman Johnson, carried by the following vote:

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

Mr. Davidson introduced MR. A. W. HITE, Budget Officer, who has been with the City eleven months, having been previously with an accounting and auditing firm for the past ten years, a University Graduate, with a major in accounting.

## ANNEXATION - PUBLIC HEARING TO BE SET APRIL 9, 1970

MR. ROBERT BECKHAM, Assistant Director of Public Works, registered Engineer, who has been with the City 13 years, explained everything was requested in this annexation except sections of St. Elmo Road, Frederick Lane, and Teri Road which would be extending the City limits down to take in the two tracts. On the 32.06 acre tract, it was proposed by the City that 150' from the right of way be annexed. The Deputy City Manager stated the Council extended the City limits by annexing rights of way, or by extending a certain number of feet from the right of way, in order to exercise control of development. Tract Number I could be served by all utilities, and he recommended that only Tract Number I be considered, leaving Tract Number II until more information could be obtained for the Council.

Councilman Janes 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 9th day of April, 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:

114.62 acres of land, same being out of and a part of the Santiago Del Valle Grant in Travis County, Texas, which 114.62 acres of land are more particularly described by metes and bounds as follows:

BEGINNING at the most northerly corner of the herein described tract of land, same being a point in the present corporate limit line of the City of Austin as adopted by ordinance dated August 31, 1961, same being the east right-of-way line of Interstate Highway 35, also known as the Interregional Highway, and which point of beginning is in the proposed corporate limit line of the City of Austin, same being the north line of St. Elmo Road;

THENCE, with the proposed corporate limit line of the City of Austin, same being said north line of St. Elmo Road, S 59° 30' E 1,600 feet, more or less to the most northerly northeast corner of the herein described tract of land, same being a point in the northerly prolongation of the east line of Friedrich Lane;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said east line of Friedrich Lane and its northerly prolongation, S 30° 00' W 3,200 feet, more or less, to an iron pin at an interior ell corner of the herein described tract of land, same being a point in the curving north line of Teri Road, said curve having an angle of intersection of 4° 21', a radius of 2,034.94 feet and a tangent distance of 77.37 feet;

THENCE, continuing with the proposed corporate limit line of the City of Austin along said curve to the right an arc distance of 154.67 feet, the long chord of which arc bears S 51° 25' E 154.64 feet to an iron pin at the point of tangency of said curve;

THENCE , continuing with the proposed corporate limit line of the City of Austin, same being said north line of Teri Road, S 49° 14' E 1,018.20 feet to an iron pin at the point of curvature of a curve having an angle of intersection of 10° 43', a radius of 2,092.34 feet and a tangent distance of 196.24 feet;

THENCE, continuing with the proposed corporate limit line of the City of Austin along said curve to the left an arc distance of 391.35 feet, the long chord of which arc bears S 54° 36' E 390.78 feet to an iron pin at the point of tangency of said curve;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said north line of Teri Road, S 59° 57' E 73.58 feet to the most southerly northeast corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin in a southerly direction with the following twelve (12) courses:

- (1) S 30° 03' W. 80.00 feet to a concrete monument;
- (2) S 17° 16' W 705.01 feet to an iron pin;
- (3) S 20° 00' W 145.07 feet to an iron pin;
- (4) S 31° 15' W 784.82 feet to a concrete monument;
- (5) S 03° 30' W 190.53 feet to an iron pin;
- (6) S 73° 30' W 210.00 feet to an iron pin;
- (7) N 16° 30' W 120.00 feet to an iron pin;
- (8) S 73° 30' W 330.00 feet to an iron pin;
- (9) N 16° 30' W 15.00 feet to an iron pin;
- (10) S 73° 30' W 330.00 feet to an iron pin;
- (11) S 16° 30' E 20.00 feet to a concrete monument;
- (12) S 45° 54' W 380.00 feet to an iron pin at the most southerly corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin in a northerly direction with the following two (2) courses:

- (1) N 44° 06' W 805.00 feet to a concrete monument;
- (2) N 29° 30' E 1,251.00 feet to a concrete monument at the most southerly northwest corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin in an easterly direction with the following four (4) courses:

- (1) S 60° 30' E 513.73 feet to an iron pin;
- (2) S 74° 00' E 301.48 feet to a concrete monument;
- (3) N 16° 00' E 525 .00 feet to an iron pin;
- (4) N 14° 02' E 786.07 feet to a concrete monument at an interior ell corner of the herein described tract of land, same being a point in the south line of Teri Road;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said south line of Teri Road, N 49° 14' W 628.88 feet to an iron pin at the point of curvature of a curve having an angle of intersection of 4° 05', a radius of 1,954.94 feet and a tangent distance of 69.83 feet;

THENCE, continuing with the proposed corporate limit line of the City of Austin along said curve to the left an arc distance of 139.60 feet, the chord of which arc bears N 51° 17' W 139.57 feet to an iron pin on the east line of Friedrich Lane;

THENCE, continuing with the proposed corporate limit line of the City of Austin in a northwesterly direction to the intersection of said south line of Teri Road with the west line of Friedrich Lane, for an exterior ell corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said west line of Friedrich Lane and its northerly prolongation N 30° 00' E 1,158 feet, more or less, to an iron pin at the most southerly corner of that certain 43.17 acre tract of land conveyed to the Austin Independent School District by deed of record in Volume 2129 at Page 488 of the Deed Records of Travis County, Texas, for an interior ell corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin, N 59° 30' W 985.31 feet to an iron pin at the southwest corner of said School tract of land, for the most northerly southwest corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin in a northerly direction with the following four (4) courses:

- (1) N 32° 35' E 468.10 feet to an iron pin;
- (2) N 28° 49' E 623.36 feet to an iron pin;
- (3) N 34° 56' E 704.32 feet to an iron pin;
- (4) N 28° 49' E 168.90 feet to an iron pin at the northwest corner of said School tract of land, same being an interior ell corner of the herein described tract of land, and which point is in the south line of S. Elmo Road;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said south line of St. Elmo Road, N 59° 30' W 630 feet, more or less, to a point in the aforesaid east right-of-way of Interstate Highway 35, same being the aforesaid present corporate limit line of the City of Austin as

adopted by an ordinance dated August 31, 1961;

THENCE, with said present corporate limit line of the City of Austin as adopted by ordinance dated August 31, 1961, in a northeasterly direction to the point of beginning.

Now, Therefore,

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 Gage, carried by the following vote:

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

Noes: None

On the 32.06 acre tract (Friedrich Lane and Teri Road), Councilman Gage asked that the property owners be notified. Councilman Johnson favored annexing this area quickly before development started on the substandard street. Councilman MacCorkle asked if this had been studied by the Planning Department. MR. LILLIE, Assistant Director of Planning, stated the subdivision plat had been before the Planning Commission and the stadium site had been in both the School and City plans for some time.

The extension of the City limits 150' back had not been an item of study. There would be only one way of controlling land use in this area and that would be through subdividing, in which necessary dedication would be required through subdivision approval. There would be no zoning nor building control provided. Councilman MacCorkle asked for recommendations from the Planning Commission. No action was taken on the 32.06 acres for annexation.

#### STREET VACATION

Mayor LaRue introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF EVANS AVENUE IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR DRAINAGE 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 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 Gage 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 Gage 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.

#### SPEED ZONES

MR. JOHN GERMAN was introduced, as Assistant Traffic Engineer, a Graduate of Texas A & M, with a M.A. from Yale, and formerly with the City of San Antonio. Mr. German explained the speed zones were based upon an engineering survey were recommended, as follows:

- (1) 35 MPH - Cameron Road from Corona Drive to 485' north of U.S. 290 - recommendation of the Traffic Engineer as it is an arterial street.
- (2) 45 MPH - Cameron Road (FM 3015) from 485' north of U. S. 290 to 420' south of U.S. 183 (Now 30 MPH) - recommended by Texas Highway Department.
- (3) "30 MPH When Flashing" on Cameron Road from 485' north of U. S. 290 to 200' north of St. John's Avenue. (School speed limit - High School level) Councilman Johnson questioned the raising of speed limits around high schools, stating complaints had been received that speed limits were not reduced sufficiently to give a driver adequate stopping time. Discussion pointed out the school along there was fenced, and the buildings were removed from the thoroughfare.

Councilman Gage offered the following resolution and moved its adoption:

#### (RESOLUTION)

WHEREAS, after an engineering and traffic investigation the City Council has found that the maximum, reasonable and safe speed for the operation of vehicles is thirty (30) miles per hour when flashing at the following location:

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Cameron Road	485 feet north of the centerline of U.S. 290	200 feet north of the centerline of St. Johns Avenue;

and,



WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum, reasonable and safe speed for the operation of vehicles at the following locations is more than thirty (30) miles per hour; and,

WHEREAS, after said investigation, the City Council has found that the maximum, reasonable and safe speed for the operation of vehicles is thirty-five (35) miles per hour at the following location:

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Cameron Road	Centerline of Corona Drive	485 feet north of the centerline of U.S. 290;

and,

WHEREAS, after said investigation, the City Council has found that the maximum, reasonable and safe speed for the operation of vehicles is forty-five (45) miles per hour at the following location:

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Cameron Road (FM 3015)	485 feet north of the centerline of U.S. 290	420 feet south of the centerline of U.S. 183;

Now, Therefore,

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

That the City Clerk be authorized and instructed to record these findings in Section 21-40 and 21-42, respectively, of the Traffic Register.

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

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

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum, reasonable and safe speed for the operation of vehicles at the following location is more than thirty (30) miles per hour; and,

WHEREAS, after said investigation, the City Council has found that the maximum, reasonable and safe speed for the operation of vehicles is thirty-five (35) miles per hour at the following location:

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Riverside Drive	Centerline of Lamar Boulevard	Centerline of South First Street;

Now, Therefore,

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

That the City Clerk be authorized and instructed to record these findings in Section 21-42 of the Traffic Register.

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

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

Noes: None

#### CONTRACTS

After explanation by MR. BILL PARR, Assistant Purchasing Agent, who has been with the City 15 1/2 years, the Council awarded the following contracts:

Gasoline, Kerosene, Naptha, etc.

Mr. Parr stated this was the annual requirement for one year for the regular premium gasoline, kerosene, naptha, diesel fuel and various lubricating oils. Inquiries had been sent to the fourteen vendors, and six were received. The Fleet Administrator had approved the specifications and endorsed the awarding of contracts with the low bidders. Mayor LaRue noted most of these were lower than last year.

The Deputy City Manager stated after conferring with Mr. Rogers, Fleet Administrator, the staff had reduced some of the varieties of purchases, i.e. standardizing on oil-types. The multi-purpose oil will suffice, cut down on the inventory, and reduce the price. Councilman MacCorkle asked if tests were being made. It was stated that tests would be made. Mr. Parr listed the various uses for the items.

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 18, 1970, for the estimated annual requirements for gasoline and related petroleum products for a twelve (12) month period beginning April 1, 1970, to be used by all Departments of the City of Austin; and,

WHEREAS, the bids of Atlantic-Richfield Co. for regular and premium gasoline in the sum of \$176,709.00; Mobil Oil Corporation for derosene in the sum of \$1,210.00; Gulf Oil Corporation for naphtha in the sum of \$874.00; Atlantic-Richfield Co. for diesel fuel in the sum of \$14,430.00; and Gulf Oil Corporation for lubricating oils in the sum of \$15,676.11 were the lowest and best bids therefor and the acceptance of such bids 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 bids of Atlantic-Richfield Co., in the sum of \$176,709.00; Mobil Oil Corporation, in the sum of \$1,210.00; Gulf Oil Corporation, in the sum of \$874.00; Atlantic-Richfield Co., in the sum of \$14,430.00; and Gulf Oil Corporation, in the sum of \$15,676.11 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 with Atlantic-Richfield Co., Mobil Oil Corporation and Gulf Oil Corporation.

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

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

#### Mercury Vapor Luminaries

Councilman Johnson offered the following resolution and moved its adoption:

#### (RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 16, 1970 for the purchase of Seventy-three (73) each 1000 Watt Mercury Vapor Luminaries in accordance with specifications EL-912 to be used by the Electrical Distribution Division; and,

WHEREAS, the bid of Graybar Electric Company in the sum of \$6,862.00 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 Graybar Electric Company, in the sum of \$6,862.00 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 Graybar Electric Company.

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

#### Street Lighting Standards

Mr. Davidson, Deputy City Manager, stated these standards were for installation on new street lighting along Congress Avenue; and a contract had been awarded for this installation.

Councilman Johnson offered the following resolution and moved its adoption:

#### (RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 16, 1970, for the purchase of Sixty-nine (69) each Street Lighting Standards in accordance with specification EL-913 to be used by the Electric Distribution Division; and,

WHEREAS, the bid of General Electric Supply Co. in the sum of \$21,148.50 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 General Electric Supply Co., in the sum of \$21,148.50 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 General Electric Supply Co.

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

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

Noes: None

#### Electric Duct Line and Foundations

Mr. R. L. Hancock, Assistant Director of Electric Utilities, stated this project anticipated installation, foundation, manholes, and duct lines to add two new transformers to existing substation locations, to be completed before the summer peak.

Councilman Price offered the following resolution and moved its adoption:

#### (RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 17, 1970 for the installation of electric ductline and concrete foundations at Northland Substation and at Fiskville Substation; and,

WHEREAS, the bid of E. E. Stuessy Contractor, Inc. in the sum of \$59,912.00 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 Contractor, Inc., in the sum of \$59,912.00 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 E. E. Stuessy Contractor, Inc.

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

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

Noes: None

## Water and Sewer Pipe

Councilman Price offered the following resolution and moved its adoption:

## (RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 18, 1970 for the installation of approximately 860 linear feet of 8-inch; 1,925 linear feet of 6-inch water pipe and appurtenances and 724 linear feet of 8-inch sewer pipe and appurtenances at Koerner Drive, U.S. Highway 183 at Purnell Drive and Cameron Road and East 19th Street at Airport Boulevard; and,

WHEREAS, the bid of Schmidt Construction Company in the sum of \$19,139.60 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Assistant 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 Schmidt Construction Company, in the sum of \$19,139.60 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 Schmidt 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

Reinforced Thermosetting Plastic  
and Cast Iron Sewer Pipe

Mr. Dewey Nicholson, registered Engineer, who has been with the City 16 years, explained this project would extend the main Shoal Creek Line northerly from Highway 183 to pick up proposed development west of the railroad tracks and north of 183. The price did exceed the City estimate, the primary difference being rainy weather and wet working conditions.

Councilman Janes suggested that the Manager consider the feasibility of establishing a reasonable working time, not accepting bids based on contractors' estimates, as there might be problems if contractors bid within \$10.00 of each other, one completing the job in 30 days, and the other in 60 days.

Councilman Price offered the following resolution and moved its adoption:

## (RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 4, 1970 for the installation of approximately 1,040 feet of 15-inch reinforced thermosetting plastic and 110 feet of 8-inch cast iron sewer pipe and appurtenances along Shoal Creek from U.S. 183 Northerly; and,

WHEREAS, the bid of Bland Construction Company in the sum of \$24,627.15 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Assistant 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 Bland Construction Company, in the sum of \$24,627.15 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 Bland Construction Company.

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

LICENSE AGREEMENT WITH MISSOURI PACIFIC RAILROAD CO.

Councilman Gage 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 license agreement with Missouri Pacific Railroad Company, for the installation of a 30-inch concrete steel cylinder water main beneath railroad tracks in Stassney Lane, east of Manchaca Road, in accordance with the terms of said license agreement; 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 Janes, carried by the following vote:  
Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None

REFUND CONTRACTS

Mayor LaRue introduced the following ordinance:

AN ORDINANCE RESCINDING ORDINANCE NO. 700129-F  
AND AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER  
INTO A CERTAIN REFUND CONTRACT WITH BRADFIELD-  
CUMMINS, INC.; 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.

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 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.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER  
TO ENTER INTO A CERTAIN REFUND CONTRACT WITH C. L.  
REEVES; 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.

#### APPROACH MAIN

Councilman MacCorkle offered the following resolution and moved its adoption:

#### (RESOLUTION)

WHEREAS, the owner of Shadow Park, Section 2, has installed water and sewer approach mains at a cost of \$33,899.72, pursuant to a subdivision plan called Shadow Park, Section 2 and has requested an 18%/82% cash settlement of the above amount in lieu of a refund contract; and,

WHEREAS 82% of the aforementioned \$33,899.72 equals \$27,809.77, which amount is agreed upon as the cash settlement value of said utility lines, in lieu of a refund contract; and,

WHEREAS, the Deputy City Manager and the Director of Water and Waste Water Department have recommended said 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, be and he is hereby authorized and directed to execute a cash settlement contract under the terms of which the City of Austin shall acquire title to the above described mains, from C. L. Reeves, and to pay to C. L. Reeves the actual cost thereof not to exceed \$27,809.77.

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



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

APPEAL OF DR. A. KLEIMAN & DELLA GRIFFIN  
FROM DECISION OF PLANNING COMMISSION ON  
DENYING SPECIAL PERMIT  
SET FOR HEARING

MR. DICK LILLIE, Assistant Planning Director explained the appeal to the Council from those aggrieved from the decision of the Planning Commission on special permits. The applicant for a Special Permit for a vocational school is appealing the denial of the permit by the Planning Commission. They are operating on Enfield Road with 30 adult students during the day, 10 at a time, and training them in light vocations.

Councilman Gage moved the Council set a public hearing on this case at 10:00 A.M., April 23, 1970. The motion, seconded by Councilman Johnson, 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  
Missouri Pacific Boulevard

Councilman Janes moved the Council authorize acquisition of 1901 and 1903 West 11th Street - Average of Appraisals. The motion, seconded by Councilman Gage, carried by the following vote:

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

Councilman Price moved the Council authorize the acquisition of 1902 West 11th Street - Average of Appraisals. The motion, seconded by Councilman Gage, carried by the following vote:

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

RIGHT OF WAY FOR SPICEWOOD SPRINGS

Mr. Davidson reported the right of way policy is being studied. This particular tract was underway and agreed to by the City some time ago, but an overall policy will be forthcoming shortly.

Councilman Price moved the Council authorize acquisition of right of way for Spicewood Springs Road in accordance with the right of way acquisition policy, as follows:

A. L. Fitzgerald, 1756 square feet out of .935 acre tract out of James M. Mitchell Survey.

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

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

Noes: None

EMINENT DOMAIN PROCEEDINGS FOR MO-PAC RIGHT OF WAY

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION) (J. W. Huskins, et al - 1906 West 7th Street)

WHEREAS, the Master Plan of the City of Austin, duly adopted by the City Council of the City of Austin on the 8th day of June, 1961, contemplated the development of Missouri-Pacific Boulevard (now Loop 1) as an indispensable component of the Circulation Plan for the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition in fee simple of the hereinafter described property for the development and construction of said Missouri-Pacific Boulevard, together with overpasses, underpasses, access roads, connecting and interconnecting streets and other public facilities and improvements in connection therewith; and for other public purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

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 file or cause to be filed against the owner and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

Lot Two (2), Theresa Martin Resubdivision in the  
City of Austin, Travis County, Texas, according to  
the map or plat of record in Volume 3, Page 130,  
Plat Records of Travis County, Texas.

The motion, seconded by Councilman Johnson, 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) (J. W. Huskins, et al - 2000 West 7th Street)

WHEREAS, the Master Plan of the City of Austin, duly adopted by the City Council of the City of Austin on the 8th day of June, 1961, contemplated

the development of Missouri-Pacific Boulevard (now Loop 1) as an indispensable component of the Circulation Plan for the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition in fee simple of the hereinafter described property for the development and construction of said Missouri-Pacific Boulevard, together with overpasses, underpasses, access roads, connecting, and interconnecting streets and other public facilities and improvements in connection therewith; and for other public purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

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 file or cause to be filed against the owner and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

Lots Nos. Five (5) and Six (6), Theresa Martin  
Resubdivision in the City of Austin, Travis County,  
Texas, according to the map or plat of record in  
Volume 3, Page 130, Plat Records of Travis County,  
Texas.

The motion, seconded by Councilman Johnson, 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) (Ben H. Green - 1302 Newfield Lane)

WHEREAS, the Master Plan of the City of Austin, duly adopted by the City Council of the City of Austin on the 8th day of June, 1961, contemplated the development of Missouri-Pacific Boulevard (now Loop 1) as an indispensable component of the Circulation Plan for the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition in fee simple of the hereinafter described property for the development and construction of said Missouri-Pacific Boulevard, together with overpasses, underpasses, access roads, connecting, and interconnecting streets and other public facilities and improvements in connection therewith; and for other public purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

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 file or cause to be filed against the owner and lienholders, a suit in eminent

domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

A portion of the George W. Spear League, in the City of Austin, Travis County, Texas, and being the north portion of that undeveloped section as shown on a map or plat of Enfield "H" South Extension, a subdivision of a portion of the George W. Spear League, according to the map or plat of record in Book 4, Page 206, of the Travis County Plat Records, and more particularly described by metes and bounds as follows:

BEGINNING at an iron pipe set in the West line of Newfield Lane and the east line of a 0.46 acre tract as shown on map of Enfield "H" as an unplatted lot, for the northeast corner of the tract here described, from which an iron stake at the southeast corner of Lot No. 13 of Enfield "H" bears N 30° 17' E 50.0 feet;

THENCE, with the west line of Newfield Lane and the east line of the said unplatted tract, S 30° 17' W a distance of 50.0 feet to an iron stake found at the southeast corner of this tract;

THENCE, N 58° 41' W a distance of 190.65 feet to an iron fence post in the east right-of-way line of the I & G N RR for the southwest corner of this tract;

THENCE, with the east right-of-way line of the said railroad on a curve to the right, the chord of which bears N 26° 30' E 50.1 feet to an iron stake set for the northwest corner of this tract;

THENCE, S 58° 41' E a distance of 193.95 feet to the place of beginning; the same being the South 50 feet of that certain tract of land described in the warranty deed dated January 24, 1946, recorded in Volume 783, Page 282, of the Travis County Deed Records.

The motion, seconded by Councilman Johnson, 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) (Robert M. Browning - 701 Winsted Lane)

WHEREAS, the Master Plan of the City of Austin, duly adopted by the City Council of the City of Austin on the 8th day of June, 1961, contemplated the development of Missouri-Pacific Boulevard (now Loop 1) as an indispensable component of the Circulation Plan for the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition in fee simple of the hereinafter described property for the development and construction of said Missouri-Pacific Boulevard, together with overpasses, underpasses, access roads, connecting and interconnecting streets and other public facilities and improvements in connection therewith; and for other public purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

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 file or cause to be filed against the owner and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

Part of Lots Nos. Twenty-seven (27) and Twenty-eight (28) in Block "B", of Roal Oak, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of said subdivision of record in Book 4, Page 287, of the Travis County Plat Records, and more particularly described as follows:

BEGINNING at the most southerly corner of said Lot No. 28, same being the most easterly corner of said Lot No. 27, in Block "B" of Roal Oak;

THENCE, N 63° 03' E 59.58 feet along the south line of said Lot No. 28 to its most easterly corner;

THENCE, N 41° 26' W 160.61 feet to an iron stake in the west line of said Lot No. 28 and the east line of the cul-de-sac at the south end of Winsted Lane;

THENCE, around a curve at the east and south line of the said cul-de-sac and the northwest line of said Lot No. 28 and the north line of said Lot No. 27, having a central angle of 43° 56', a radius of 57.74 feet and a chord which bears S 70° 03' W 43.20 feet a curve distance of 44.27 feet to an iron stake in the north line of said Lot No. 27 and the south line of said cul-de-sac;

THENCE, S 3° 48' W 145.88 feet to a point in the south line of said Lot No. 27;

THENCE, N 84° 14' E 41.23 feet and N 82° 01' E 63.02 feet along the south line of said Lot No. 27 to the place of beginning.

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

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

Noes: None

Mayor LaRue noted the City always left time for negotiations; and should any of the owners care to discuss this matter further, the City is prepared to hear and negotiate with them.

1905 West 11th Street - Eugene Brown

MR. DAN WOMACK, Assistant City Attorney, noted the owner is a city employee and under the Charter in land purchases from city employees, it is necessary to proceed through a Commissioners' hearing. Mr. W. T. Ward, Chief Property Agent, who has been with the City for over 13 years, described the property and structure, and listed its location. MR. PAUL JONES, Staff Attorney, Travis County Legal Aid Association, represented Mrs. Brown in the eminent domain proceedings, stating the question transcended the issue of the follar value on the house. He then went into the question of relocation, discussing relocation generally and a possible suit concerning the Mo-Pac project. Mrs. Brown is a part of the Clarksville community. Mr. Jones started discussing a cross-town thoroughfare encompassing Clarksville, and asked the Council to consider the whole concept in line with the relocation issue. Mayor LaRue pointed out this issue was not on the agenda for this time. The item is to consider eminent domain proceedings for Mo-Pac Right of Way, and at this point has no connection with any "cross-town" future proposal. The Mayor asked if any purchases were made in the proposed cross town right of way, and when. Mr. Davidson stated a project for such a cross-town leg had not been authorized by the State or the City, and there are no funds or authority to acquire right of way parcels within that section. Mr. Jones asked, if they could not be heard now, that a full hearing be held on this whole area. The Mayor explained the 72 hour notice necessary prior to such discussions. Mr. Jones requested a hearing, and Mr. Davidson asked that he send his request in writing, so there would be no misunderstanding. Mr. Jones asked postponment of this item. It was stated this section was scheduled by the Highway Department for June 1. After discussion of the appraisals, Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Master Plan of the City of Austin, duly adopted by the City Council of the City of Austin on the 8th day of June, 1961, contemplated the development of Missouri-Pacific Boulevard (now Loop 1) as an indispensable component of the Circulation Plan for the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition in fee simple of the hereinafter described property for the development and construction of said Missouri-Pacific Boulevard, together with overpasses, underpasses, access roads, connecting and inter-connecting streets and other public facilities and improvements in connection therewith; and for other public purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

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 file or cause to be filed against the owner and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

Being all of Lot 7, Block 1, T. H. Martin Addition, a subdivision in the City of Austin, Travis County, Texas,

according to a map or plat of said T. H. Martin Addition, of record in Book 1 at Page 61 of the Plat Records of Travis County, Texas, which Lot 7 was conveyed to Eugene Brown by warranty deed dated March 22, 1950, of record in Volume 1035 at Page 403 of the Deed 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

#### AMENDMENT TO ZONING TEXT

#### HEARING

Mayor LaRue opened the hearing on amendment to the Zoning Text (1) To increase the number of outside employees from 1 to 3 in offices in "B" Residence; and (2) Reducing size of lot requirements for lots 60' or less from 15' to 10'. The Assistant Planning Director explained that "B" Residence permitted individual offices for professional or semi-professional occupations when they are incidental to the primary use, as a residence or dwelling unit. He gave the background of this request for change. The Planning Commission had recommended a change from one to three employees as appropriate. The use would not establish a separate office. Councilman Janes stated this appeared to be establishing a "sub-'0'" Office zoning in a residential area.

Councilman Janes moved that an ordinance be prepared to amend the zoning text pertaining to number of employees in offices in "B" Residence, as recommended. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, Price, Mayor LaRue  
Noes: None  
Not in Council Room when roll was called: Councilmen Atkison, MacCorkle

The Assistant Planning Director reported the staff had been asked to look into the reduction of side yard requirements from 15' to 10' in subdivisions that have lots less than 60' of frontage per lot. He explained the areas to which this might apply and under which Urban Renewal or Model Cities might be appropriate. A significant factor is the number of applications for variances before the Board of Adjustment. In these small lot subdivisions, it was felt 10' side yard on each lot was adequate. The Planning Commission recommended this amendment unanimously. Councilman Johnson was concerned about extreme density and creating future problems. He suggested alternate development - condominium, or cluster development. Councilman Gage suggested that the Planning Commission consider some "cluster" zoning ordinances. Councilman Gage moved that the Legal Staff be instructed to prepare an ordinance in relation to this side lot amendment. The motion, seconded by Councilman Janes, carried by the following vote:

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

The Assistant Director of Planning, Mr. Lillie, pointed out the existing ordinance did provide in the two-single family districts opportunities to reduce lot size for cluster development; and in some instances, density can be transferred. He reviewed briefly the various ideas along this line -- set-backs, town houses, etc.

#### LIBRARY LEASE - SOUTHWOOD SHOPPING CENTER

MRS. ANN BOWDEN, Assistant Librarian, associated with the City since 1963, stated the City has a most successful branch in Southwood Shopping Center. Since 1966 the Library has occupied a space of 1260 square feet, and an opportunity has been offered to move the library to the southeast corner of the mall at twice the space, 2,500 square feet at the same rent, \$170.00 per month or 6.8¢ a square foot. The Deputy City Manager described the new location and stated this was recommended. Councilman MacCorkle stated he was pleasantly surprised at the extensive use that is being made of these branch libraries.

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 City Manager be and he is hereby authorized and directed to enter into a certain lease agreement with Walter Wendlandt and Charles Wendlandt for branch library space in Southwood Shopping Center; and in accordance with the terms and provisions of that certain lease 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 Gage, carried by the following vote:

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

Noes: None

#### DEED TO THE STATE HIGHWAY DEPARTMENT

Right of Way for Highway 183 - Lamar Boulevard Intersection

The Assistant City Attorney explained the earlier transaction, stating the whole tract was purchased, but the City is transferring only a partial to the Highway Department

Councilman Johnson offered the following resolution and moved its adoption:

#### (RESOLUTION)



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

That L. H. Andrews, City Manager, be and he is hereby authorized to execute a warranty deed for conveyance by the City of Austin of the hereinafter described land to the State of Texas, for the purposes as stated in, and pursuant to, that certain Contractual Agreement for Right-of-Way Procurement dated May 2, 1968, for Travis County Project No. 8014-1, at Highway U.S 183 and Loop 275, between said State of Texas and City of Austin; and the act and deed of said City Manager in signing said deed on February 11, 1970, is hereby ratified and confirmed as the act and deed of the City of Austin; said tract of land being described as follows:

Being 0.493 of one acre of land, more or less, out of and a part of Lot 2, Santa Maria Village Subdivision in Travis County, Texas, according to the Plat of the said Subdivision, recorded in Book 30, Page 13, of the Plat Records of Travis County, Texas, lying in the James P. Wallace Survey No. 57, and being located along the northern right of way of U. S. Highway 183 and the eastern right of way of the Loop Highway 275; the above tract of land being more particularly described by metes and bounds as follows:

BEGINNING At a point on the existing north right of way line of U.S. Highway 183, same being the southeast corner of the said Lot 2, being located 97.45 feet to the left of and at right angles to the proposed Engineer's left land centerline station 387+31.39;

THENCE, N 62° 09' W, 250.04 feet with the said existing north right of way line of U. S. Highway 183 and the south line of the said Lot 2 to a point at a southwest corner of the said Lot 2;

THENCE, N 18° 35' W, 71.76 feet along the southwest line of the said Lot 2, same being a common line to the said existing north right of way line of U.S. Highway 183 and the existing east right of way line of Loop 275, to a point at a southwest corner of the said Lot 2, same being 110.19 feet to the right of and at right angles to the proposed Engineer's right lane centerline station 151+64.38 of Loop 275;

THENCE, N 24° 51' E, 100.47 feet with the said existing east right of way line of Loop 275, same being the west line of the said Lot 2, to a point at the northwest corner of the said Lot 2;

THENCE, S 62° 21' E, 38.83 feet along the north line of the said Lot 2 to a point on a line common to the proposed east right of way line of Loop 275 and the proposed north right of way line of U. S. Highway 183;

THENCE, S 9° 31' E, 84.53 feet with the said common right of way line to a point, same being 160.00 feet to the left of and at right angles to the said proposed Engineer's left land centerline station 384+78.69 of U. S. Highway 183;

THENCE, S 46° 48' E, 225.32 feet along the said proposed north right of way line of U. S. Highway 183 to a point on the east line of the said Lot 2, from which an iron pin at the northeast corner of the said Lot 2 bears N 28° 10' E, at 127.79 feet;

THENCE, S 28° 10' W, 23.10 feet with the said east line of Lot 2 to the point of BEGINNING.

All bearings and distances are based on Texas Plane Coordinate System, Central Zone (3).

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

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

Noes: None

#### STUDY OF CREEKS AND WATERCOURSES

The Assistant Planning Director stated this request would cover a study by the Corps of Engineers to determine 50 and 100 year flood plains of all major creeks and streams in the Austin area, including the technical study necessary to determine the flood plain elevations. For the Barton Creek area the 25 flood plain was determined by the Public Works Department in an interim report. The time table for a study of the metropolitan area would be from one to two years. The work would be done at no charge to the City, and would provide the elements of flood danger, zoning, pollution population and land use forecasts, and all with which the City is vitally concerned. Councilman MacCorkle asked if a proposed ordinance would be available at the time of the public hearing on April 16th. The Assistant City Attorney stated there were three possibilities, and the Legal Department intended to have ordinances prepared to encompass all three. The Assistant City Manager stated the Council would have copies in advance of the hearing.

Councilman Gage offered the following resolution and moved its adoption:

#### (RESOLUTION)

WHEREAS, after engineering studies and investigations, the City Council has found that information pertaining to flood plain and related areas on all the major creeks and streams in the Austin area is needed to enable the City Council to regulate the developments in such areas to protect the health and welfare of the citizens of Austin; and,

WHEREAS, the U.S. Corps of Engineers is equipped with the personnel and expertise to make such studies which would include corrective measures for managing floods, possible construction of flood control structure, flood proofing of existing and new developments, forecasting of possibility of flooding, and forecasting of pollution and contamination factors in all streams; and,

WHEREAS, such information provided by the U. S. Corps of Engineers would be useful to the City Council in establishing guidelines for preventive measures of flooding damage, land use control, subdivision regulations, building codes, pollution controls, health regulations and other development policies; Now, Therefore,

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

That the City Council hereby authorize the City Manager of the City of Austin to prepare and file a request with the necessary parties to obtain such a study from the U. S. Corps of Engineers for flood plain studies of the major creeks and streams in the Austin, Texas area.

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

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

Noes: None

#### ONE-WAY ALLEY

MR. JOHN GERMAN, Assistant Traffic Engineer, stated this one way alley was requested by FARMERS' HOME AND SAVINGS ASSOCIATION. The Traffic Department surveyed the movement through the alley and determined it would be a better operation to make the alley one way west from Lavaca to West Avenue. Notices to 86 property owners had been mailed. There was concern from two property owners in the block of Colorado and Lavaca as traffic is oriented toward the capitol. At their request and after a restudy, the Traffic Engineer decided to leave this portion a two-way alley. The Deputy City Manager stated this was the recommendation.

Councilman MacCorkle offered the following resolution and moved its adoption:

#### (RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the free flow and expeditious handling of traffic, under conditions existing at the location described below, requires that traffic upon such alley move only in a one-way direction, such location and alley being described as follows:

<u>BETWEEN</u>	<u>FROM</u>	<u>TO</u>	<u>DIRECTION OF ONE-WAY MOVEMENT</u>
14th Street - 15th Street	Lavaca	West Avenue	Westbound;

Now, Therefore,

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

That the City Clerk be, and she is hereby authorized and directed to record this finding in Section 21-39 of the Traffic Register of the City of Austin.

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

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

Noes: None

#### APPROPRIATION OF \$15,000 FOR SUNSHINE CAMP

This appropriation request was made by Mr. Tim Brown, President of the Young Men's Business League. They had complied with the procedure discussed by the Council in that plans for construction had been approved by the City, and bids taken. The City's concern was that there be a confirmed price for the

construction and a guarantee of funds to cover the project. A letter of credit to guarantee up to \$25,000 had been received. This amount with the \$15,000 would be adequate to complete the structure. Upon receipt of the signed contract, the City would issue the \$15,000 check to the Y.M.B.L. Mr. Davidson reported this \$15,000 was insurance money received when the Sunshine Youth Camp burned last fall, and this money has been held in a special fund until such time the structure could be rebuilt. The Y.M.B.L. has agreed to provide the necessary funds over and above the \$15,000.

Councilman Johnson offered the following resolution and moved its adoption:

WHEREAS, the Young Men's Business League of Austin has requested that \$15,000.00 be appropriated out of the General Fund of the City of Austin to the Young Men's Business League of Austin for reconstruction of the Sunshine Camp; and,

WHEREAS, said money has been earmarked for reconstruction of Sunshine Camp, and is the proceeds from an insurance policy on Sunshine Camp; and,

WHEREAS, this request was submitted to the City Council; Now, Therefore,

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

That \$15,000.00 be appropriated and transferred from the General Fund to the Young Men's Business League of Austin for reconstruction of Sunshine Camp.

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

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

Noes: None

#### ITEMS PERTAINING TO THE BOND PROGRAM

Mr. Bob Lusk discussed recreation in East Austin in connection with the bond issue, and expressed opposition to each of the propositions being submitted at the Bond Election, including Recreation. It was brought out the Capital Improvement Program included a major item for the construction of new playgrounds and rehabilitation of existing playgrounds, many of which are in the area Mr. Lusk mentioned. Mr. Lusk disapproved of the policy of putting new playgrounds in at new school sites.. Mayor La Rue stated previous Councils had asked that this be considered on the per capita expenditure. The per capita of the area has more than its share of park area.

Mr. Robert Kinser, East Austin Echo, supported the swimming pool at Comal Park. The Park is in bad shape, and there are despicable conditions.

#### PARADE PERMIT

MR. DAN WOMACK announced that he had attempted to contact MR. CROWLEY, representing the Knights of Columbus in that their request for a parade permit

failed to meet the requirement under the ordinance in that it was filed too early. This could be dated for next week and it would then meet the charter requirements. Mr. Crowley stated they would change their time of the parade to 3:50 - 4:20 P.M., so as not to create a hardship on the citizens and Police Department.

MR. LAREDO COLE, President of New American Coalition, asked for a parade permit last week to commemorate the death of Martin Luther King, April 4th. The non-violent parade was planned from East 1st and Congress to the Capitol. He stated members from the N.A.A.C.P. and S.M.C. would participate, but NAACP was not sponsoring the parade nor officially involved. It was found the application was erroneously filled out -- the address was incorrect, the officers were incorrectly named. Mr. Cole said the purpose of New American Coalition is to build statues in memory of Martin Luther King and President Kennedy, and is to work with the SMC to end the war in Viet Nam. He discussed the parade organization. Councilman MacCorkle stated the time set out for the parade was a very busy time on Congress Avenue. He said since there were so many parade requests that a day should be set up for those parades, and perhaps a Sunday afternoon would be more appropriate. He suggested a study be made and a policy established on parades. Councilman Janes expressed concern about the large number of parade requests, each parade costing the Police Department in man power and there be only a small number of paraders. Some kind of criterion must be established. Councilman Gage also stressed a need for setting up a criterion for parades. Councilman Johnson emphasized the importance of understanding who is applying and the reason. He suggested revising the application whereby the applicant would be completely identified, and that he sign the City's copy of the application, and he be furnished a copy.

Councilman Price stated he would like to see each parade covered under liability by the organization, and that be included in the study, as well as a study of what it costs the Police Department in these cases, and that those sponsoring the parade pay the costs of the Police protection on the streets. Mr. Cole stated to deny the parade permit would necessitate more policemen. He said there would be a parade. Councilman Price discussed the accounting of funds received from the benefit dances and what projects were benefitted. As to the application for a parade permit, Councilman Janes urged the City Manager to have a recommendation no later than the next Council meeting. Councilman Janes stated this parade did not seem to be in the public interest, but according to policies established in the past the Council could not in good conscience deny the request.

Councilman Janes moved that the parade permit be granted as requested. The motion failed to receive a second and the Mayor announced the motion died for lack of a second.

Councilman MacCorkle moved that the parade be granted for Sunday, April 5th, from 12:00 to 12:30 P.M. The motion, seconded by Councilman Gage, lost by the following vote:

Ayes: Councilmen Gage, Janes, MacCorkle

Noes: Councilmen Atkison, Johnson, Price, Mayor LaRue

Councilman Johnson voted "NO" stating he would have voted in the affirmative if any sponsoring organization had come before the Council and showed reasonable proof that there would be a parade.

### STUDENT MOBILIZATION COMMITTEE REGARDING BANNER REQUEST

Laura Richardson, Student Mobilization Committee, stated they were requesting a banner to be placed between 19th and San Jacinto and would apply for a parade permit next week, for April 18th. It was stated this would be an agenda item for April 2nd.

### CLOSING STRATFORD DRIVE

Mayor LaRue read the request of the Natural Science Center to close Stratford Drive at the west end of Zilker Drive, April 11th from 10:00 A.M. to 5:00 P.M.; and Sunday April 12th, from 12:00 Noon to 5:00 P.M. in conjunction with the Science Center Safari. The Deputy City Manager reported this request had been checked by the Traffic and Transportation, Police, and the Emergency Departments. This closing will present no problem to any of these. Councilman MacCorkle moved the Council authorize the temporary closing of Stratford Drive as set out. The motion, seconded by Councilman Price, carried by the following vote:

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

### SPECIAL MEETING TO CANVAS RETURNS OF ELECTION

The Council called a Special Meeting for 10:00 A.M., Monday, March 30, 1970, to canvas the returns on the Bond Election held March 28, 1970.

### SISTER CITY REPORT

MR. WOODROW SLEDGE made a report on the Sister City Saltillo-Austin, stating 34 young people from Saltillo will arrive in Austin today at 5:00 P.M., and will be received by the citizens of Austin. This Sister City is sponsored by the International Good Will group, locally headed by MR. MOTOR CROCKETT. Generally the program is centered in the McCallum High School Area, and the Pan American Club of McCallum takes the responsibility for this program. Mrs. Sledge sponsors the Club. The citizens of this area compete in receiving these young people. Mr. Sledge expressed appreciation to the City administration in its cooperation, and helping with the transportation.

### SLIDES OF BARTON CREEK SHOWN

MISS MARGARET HARMON showed slides of Barton Creek, portraying the beauty of the area, as well as area in which debris and pollutants had accumulated, ruining the beauty and the usefulness of the open space.

### EXECUTIVE SESSION

The Council went into Executive Session to discuss appointments.

The Council in open meeting made the following appointments:

ELECTION OFFICIALS

Councilman Atkison moved the Council appoint clerks to fill vacancies which have occurred as follows:

Precinct 241 - Mrs. Tim Ryan  
Mrs. J. W. Wells  
Mr. John H. Waggoner

Precinct 428 - Mr. W. T. Barron  
Mrs. W. T. Barron  
Ms. Mada Smith Hester  
Mr. Jim T. Noton

Precinct 325 - Mr. Sidney C. Hughes

Precinct 436 - Ms. Mary Dodson

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

Councilman Atkison offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, both of the election officials appointed to serve as Presiding Judge and Alternate Judge for Precinct Number 243 will be unable to serve during the March 28, 1970 bond election; and,

WHEREAS, the City Council has had timely notice of the present vacancy of their respective offices; Now, Therefore,

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

That the following named persons shall be and the same are hereby appointed to serve as election officials in the March 28, 1970 bond election in the respectively indicated capacities, to-wit:

Joe W. Farmer, Jr., shall be Presiding Judge of Precinct Number 243.

Jack Puryear shall be Alternate Judge of Precinct Number 243.

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

## PLUMBING BOARD - APPOINTMENT

Councilman Atkison moved the Council appoint the following in the capacity indicated for a term extending to May 22, 1970:

MR. ARTHUR SCHROEDER - Property Owner

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

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

Noes: None

## SISTER CITY COMMITTEE APPOINTMENTS

Councilman Atkison moved the following be appointed to the Sister City Committee (Saltillo):

MR. LEON STONE

MR. ROBERT L. RANGSDALE

MR. JOHN BURNS

MISS LYBIA ORTEGA

MR. JOHN NASH

MR. CURTIS WEEKS

MR. GLEN GARRETT

MR. ROY BUTLER

DR. IRBY CARRUTH

MRS. ALICE REYNOLDS

MR. W. E. JASPER

MR. H. C. PFANNKUCHE

MR. HAL HENDRIX

SENATOR CHARLES HERRING

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

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

Noes: None

## BOARD OF ADJUSTMENT APPOINTMENTS

Councilman Atkison moved the following be appointed to the Board of Adjustment for the term extending to December 31, 1970:

MR. BURRELL JOHNSON

MR. TRIGG FORRESTER - Alternate

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

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

## ELECTION PROCEDURES

The Deputy City Manager, Mr. Davidson, reported on the revised procedures in connection with carrying out the Election, changing the location for the called meeting with the Judges, to the Auditorium at which place they would also pick up their election supplies and ballots. The Officials would bring their returns and required boxes back to the City Hall, first to a location assigned; then to the Council Room where they would deposit their completed returns for tabulation. Security for ballots and supplies had been provided.



Councilman Price moved that the Council adjourn. The motion, seconded by Councilman Atkison, carried by the following vote:

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

Noes: None

The Council adjourned.

APPROVED \_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_  
City Clerk