

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 14, 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

The Invocation was delivered by REVEREND D. RHEA ALLISON, Shettles United Methodist Church.

AUDITORIUM POLICIES

Councilman Janes moved that the present management practices of the Auditorium and Coliseum be continued. The motion, seconded by Councilman Atkison, 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)

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

That it shall be the established policy of the City of Austin that at the auditorium and coliseum facilities all dances to which admission is charged at the door shall be classified as Class I; and,

That the classification of Class II shall be limited to dances to which no admission is charged at the door and admission is by invitation only; and,

That the rates to be applied to the respective Classes as defined above shall be as follows:

Class I

Auditorium, \$500.00 any rental period

Coliseum, \$200.00 any rental period

Class II

Auditorium \$210.00 any rental period

Coliseum \$100.00 any rental period.

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

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

Noes: None

FINANCIAL REPORT

Councilman MacCorkle moved that the Council receive the Financial Report for March, 1970. The motion, seconded by Councilman Price, carried by the following vote:

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

Noes: None

RIGHT OF WAY - MO - PAC BOULEVARD

Councilman Gage moved that the following property for the Mo-Pac Boulevard right-of-way be acquired at the average of appraisals:

712 Theresa Avenue
2003 Sunset Avenue

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

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

Noes: None

ANNEXATION HEARINGS SET

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

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

That a public hearing be held at 10:00 o'clock A.M., in the City Council Chambers of the City of Austin on the 28th day of May, 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:

69.59 acres of land, same being out of and a part of the John Applegait and J. O. Rice Surveys in Travis County, Texas, which 69.59 acres of land are more particularly described by metes and bounds as follows:

BEGINNING at an iron pin at the southeast corner of Northcape, Section One, a subdivision of record in Book 20 at page 4 of the Plat Records of Travis County, Texas, same being the most westerly northwest corner of the herein described tract of land, same also being a point in the present corporate limit line of the City of Austin as adopted by ordinance dated June 18, 1964, which point of BEGINNING is in the proposed corporate limit line of the City of Austin, and from which point of BEGINNING the intersection of the north line of Rundberg Lane with the east line of Hansford Drive bears northwesterly 163 feet, more or less;

THENCE, with the proposed corporate limit line of the City of Austin, same being said north line of Rundberg Lane, in a southeasterly direction to a concrete monument on the west line of Teasdale Terrace as dedicated in a deed of record in Volume 2577 at page 51 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, same being said west line of Teasdale Terrace, N 29° 10' E 946.23 feet to a concrete monument on the westerly prolongation of the north line of an unnamed street as dedicated in said deed of record in Volume 2577 at page 51 of the Deed Records of Travis County, Texas, 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 north line of said unnamed street and its westerly and easterly prolongations, S 60° 50' E 1,038.61 feet to a concrete monument on the east line of Cloud Drive as dedicated in said deed of record in Volume 2577 at page 51 of the Deed Records of Travis County, Texas, 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 east line of Cloud Drive, S 29° 06' W 736.00 feet to a concrete monument at the point of curvature of a curve having an angle of intersection of 10° 38', a radius of 1,396.98 feet and a tangent distance of 130.00 feet;

THENCE, continuing with the proposed corporate limit line of the City of Austin along said curve to the right an arc distance of 259.26 feet, the longchord of which arc bears S 34° 25' W 258.89 feet to the point of tangency of said curve;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said east line of Cloud Drive, S 39° 44' W 53.55 feet to a concrete monument on the aforesaid north line of Rundberg Lane, 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, same being said north line of Rundberg Lane, S 54° 13' E 130.00 feet to an iron pin at an interior ell 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 39° 33' E 994.00 feet to an iron pin;
(2) N 60° 02' W 145.60 feet to an iron pin;
(3) N 29° 06' E 339.82 feet to an iron pin;
(4) S 78° 08' E 212.75 feet to an iron pin on a curve having an angle of intersection of 22° 32', a radius of 443.49 feet and a tangent distance of 88.28 feet;

THENCE, continuing with the proposed corporate limit line of the City of Austin along said curve to the left an arc distance of 43.64 feet, the chord of which arc bears S 09° 03' W 43.62 feet to an iron pin at an interior ell corner of the herein described tract of land;

THENCE, continuing with the proposed corporation limit line of the City of Austin in an easterly direction with the following ten (10) courses:

(1) S 83° 46' E 115.00 feet to an iron pin;
(2) N 19° 17' E 58.36 feet to an iron pin;
(3) N 21° 37' E 84.05 feet to an iron pin;
(4) N 28° 50' E 539.11 feet to a concrete monument;
(5) N 14° 10' E 52.30 feet to an iron pin;
(6) N 51° 50' E 130.00 feet to an iron pin;
(7) S 38° 10' E 7.00 feet to an iron pin;
(8) N 51° 50' E 110.00 feet to an iron pin;
(9) S 38° 10' E 195.00 feet to an iron pin;
(10) N 50° 14' E 167.89 feet to an iron pin at the point of curvature of a curve having an angle of intersection of 21° 28', a radius of 370.00 feet and a tangent distance of 70.14 feet, for the most northerly northwest corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin along said curve an arc distance of 138.63 feet, the longchord of which arc bears S 50° 30' E 137.83 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, S 61° 14' E 154.81 feet to an iron pin at the most northerly northeast corner of the herein described tract of land, same being a point in the west line of Cameron Road;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said west line of Cameron Road and its southerly prolongation S 28° 50' W 2,537 feet, more or less, to the southeast corner of the herein described tract of land, same being a point in the south line of Rundberg Lane;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said south line of Rundberg Lane and its westerly prolongation, in a westerly direction to the southwest 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 February 19, 1970;

THENCE, with said present corporate limit line of the City of Austin, as adopted by said ordinance dated February 19, 1970, and the aforesaid ordinance dated June 18, 1964, in a northeasterly direction to the point of BEGINNING.

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

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

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

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

Noes: None

Present But Not Voting: Councilman Johnson.

Councilman Johnson was present but not voting as he owned property in the area.

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

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

That a public hearing be held at 10:00 o'clock A.M., in the City Council Chambers of the City of Austin on the 28th day of May, 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:

24.08 acres of land, same being out of and a part of the J. C. Tannehill League in Travis County, Texas, which 24.08 acres of land are more particularly described by metes and bounds as follows:

BEGINNING at a concrete monument on the present corporate limit line of the City of Austin as adopted by ordinance dated January 16, 1969, which point of BEGINNING is the southeast corner of Lot 9, Block A, Craigwood, Section One, a subdivision of record in Book 46 at page 26 of the Plat Records of Travis County, Texas, same being the northeast corner of the herein described tract of land, which point of BEGINNING is in the proposed corporate limit line of the City of Austin, and from which point of BEGINNING the intersection of the west line of Craigwood Drive with the south line of Huntleigh Way bears northwesterly 220 feet, more or less;

THENCE, with the proposed corporate limit line of the City of Austin, S 11° 43' W 1,210.98 feet to a concrete monument at the southeast corner of the herein described tract of land;

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

(1) N 59° 47' W 1,109.91 feet to a steel pin;
(2) N 24° 10' W 249.35 feet to a concrete monument at the most westerly corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin, N 30° 07' E 126.21 feet to a steel pin at the most westerly north-west corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin, S 60° 43' E 118.41 feet to a steel pin at 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 29° 18' E 604.98 feet to a concrete monument at the northwest corner of the herein described tract of land, same being the southwest corner of Lot 8, Block C, in the aforesaid Craigwood Section One, same being a point in the aforesaid present corporate limit line of the City of Austin as adopted by ordinance dated January 16, 1969;

THENCE, with said present corporate limit line of the City of Austin as adopted by ordinance dated January 16, 1969, in an easterly direction to the point of BEGINNING.

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

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

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

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

Noes: None

Present but not voting: Councilman Johnson

Councilman Johnson was present but not voting as he was a property owner in the area.

EASEMENTS RELEASED

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain easements were granted to the City of Austin for public utility purposes in, upon and across a portion of Barton Hollow, a subdivision in the City of Austin, Travis County, Texas, according to a map or plat of said Barton Hollow of Record in Book 46 at Page 31 of the Plat Records of 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 portions of said easements; and,

WHEREAS, the City Council has determined that the hereinafter described portions of said easements are 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 portions of said public utility easements, to-wit:

Three (3) strips of land, each of the said three (3) strips of land being out of and a part of Barton Hollow, a subdivision in the City of Austin, Travis County, Texas, according to a map or plat of said Barton Hollow of record in Book 46 at Page 31 of the Plat Records of Travis County, Texas; the strip of land hereinafter described as Number One being five (5.00) feet in width and being out of and a part of Lot 30, Block One, said Barton Hollow; the strip of land hereinafter described as Number Two being five (5.00) feet in width and being out of and a part of Lot 31, Block One, said Barton Hollow; the strip of land hereinafter described as Number Three being ten (10.00) feet in width and being out of and a part of Lots 16 and 17, Block Two, said Barton Hollow; each of the said three (3) strips of land being more particularly described as follows:

NUMBER ONE, BEING all the west five (5.00) feet of the north 211.72 feet of said Lot 30, Block One, Barton Hollow.

NUMBER TWO, BEING all the east five (5.00) feet of the north 211.72 feet of said Lot 31, Block One, Barton Hollow.

NUMBER THREE, the centerline being more particularly described by metes and bounds as follows:

BEGINNING at a point in the east line of said Lot 16, Block Two, Barton Hollow, same being the west line of Hollow Creek Drive, and from which point of beginning the most easterly corner of said Lot 16, same being the most northerly corner of Lot 15, Block Two, Barton Hollow, bears S 38° 01' E 59.64 feet;

THENCE, S 51° 59' W 159.13 feet to a point;

THENCE, S 79° 44' W, at 148.42 feet crossing the west line of said Lot 16, same being the east line of said Lot 17, in all a distance of 369.26 feet to point of termination in the west line of said Lot 17 and from which point of termination the southwest corner of said Lot 17 bears S 05° 15' E 95.02 feet.

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

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

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain easements were granted to the City of Austin for drainage purposes in, upon and across a portion of Blocks One and Two, Barton Hollow, a subdivision in the City of Austin, Travis County, Texas, according to a map or plat of said Barton Hollow of Record in Book 46 at Page 31 of the Plat Records of Travis County, Texas; and,

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

WHEREAS, the City Council has determined that the hereinafter described portions of said easements are 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 portions of said drainage easements, to-wit:

Thirteen (13) tracts of land, each of the said thirteen (13) tracts of land being out of and a part of Barton Hollow, a subdivision in the City of Austin, Travis County, Texas, according to a map or plat of said Barton Hollow of record in Book 46 at Page 31 of the Plat Records of Travis County, Texas; the tract of land hereinafter described as Number One being a strip of land five (5.00) feet in width and being out of and a part of Lot 10, Block One, said Barton Hollow; the tracts of land hereinafter described as Number Two and Number Three being strips of land five (5.00) feet in width and being out of and a part of Lot 11, Block One, said Barton Hollow; the tracts of land hereinafter described as Number Four and Number Five being strips of land five (5.00) feet in width and being out of and a part of Lot 12, Block One, said Barton Hollow; the tract of land hereinafter described as Number Six being a strip of land five (5.00) feet in width and being out of and a part of Lot 13, Block One, said Barton Hollow; the tract of land hereinafter described as Number Seven being a strip of land five (5.00) feet in width and being out of and a part of Lot 39, Block One, said Barton Hollow; the tract of land hereinafter described as Number Eight being a strip of land five (5.00) feet in width and being out of and a part of Lot 6, Block Two, said Barton Hollow; the tract of land hereinafter described as Number Nine being a strip of land five (5.00) feet in width and being out of and a part of Lot 7, Block Two, said Barton Hollow; the tract of land hereinafter described as Number Ten being ten (10.00) feet in width and being out of and a part of Lot 18, Block Two, said Barton Hollow; the tract of land hereinafter described as Number Eleven being twenty (20.00) feet in width and being out of and a part of Lot 26, Block One, said Barton Hollow; the tract of land hereinafter described as Number Twelve containing 119 square feet of land and being out of and a part of Lot 37, Block One, said Barton Hollow; the strip of land hereinafter described as Number Thirteen containing 1,389 square feet of land and being out of and a part of Lot 38, Block One, said Barton Hollow; each of the said thirteen (13) tracts of land being more particularly described as follows:

NUMBER ONE, BEING all the southeast five (5.00) feet of said Lot 10, Block One, Barton Hollow.

NUMBER TWO, BEING all the northwest five (5.00) feet of said Lot 11, Block One, Barton Hollow.

NUMBER THREE, BEING all the northeast five (5.00) feet of said Lot 11, Block One, Barton Hollow.

NUMBER FOUR, BEING all the north five (5.00) feet of said Lot 12, Block One, Barton Hollow.

NUMBER FIVE, BEING all the west five (5.00) feet of said Lot 12, Block One, Barton Hollow.

NUMBER SIX, BEING all the east five (5.00) feet of said Lot 13, Block One, Barton Hollow.

NUMBER SEVEN, BEING all the east five (5.00) feet of the north 124.87 feet of said Lot 39, Block One, Barton Hollow.

NUMBER EIGHT, BEING all the east five (5.00) feet of said Lot 6, Block Two, Barton Hollow.

NUMBER NINE, BEING all the west five (5.00) feet of said Lot 7, Block Two, Barton Hollow.

NUMBER TEN, the centerline being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin at the most easterly corner of said Lot 6, Block Two, Barton Hollow, same being the northwest corner of said Lot 7, Block Two, Barton Hollow, which point of beginning is in the southwest line of said Lot 18, Block Two, Barton Hollow;

THENCE, N 22° 05' E 49.06 feet to point of termination in a line 5.00 feet west of and parallel to the east line of said Lot 18, and from which point of termination an iron pin at the most southerly corner of said Lot 18 bears N 22° 05' E 10.89 feet and S 05° 15' E 60.00 feet.

NUMBER ELEVEN, the centerline being more particularly described by metes and bounds as follows:

BEGINNING at a point in the north line of said Lot 26, Block One, Barton Hollow, same being the south line of Barton Hills Drive, and from which point of beginning an iron pin at the point of curvature of a curve at the northwest corner of said Lot 26 whose angle of intersection is 122° 46', a radius is 18.99 feet and tangent distance is 34.80 feet bears S 84° 45' W 50.00 feet;

THENCE, S 28° 54' E 30.28 feet to point of termination in the northwest line of a twenty (20.00) foot drainage easement, and from which point of termination an iron pin at the point of tangency of the aforesaid curve at the northwest corner of Lot 26 bears S 49° 30' W 66.58 feet and N 38° 01' W 43.87 feet.

THENCE, N 33° 15' E 114.95 feet to a point in the north line of said Lot 38, same being in the aforesaid curving south line of Hollow Creek Drive;

THENCE, along said curve to the right, an arc distance of 5.00 feet, the chord of which arc bears N 57° 49' W 5.00 feet to the point of beginning.

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, a certain easement for sidewalk and public utility purposes was granted to the City of Austin in, upon, and across a portion of Lots 1-A and 2-A, Jackson Heights, a subdivision of record in Book 49 at Page 67 of the Plat Records of 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 sidewalk and public utility easement, to-wit:

Two (2) strips of land, each of the said two (2) strips of land being five (5.00) feet in width and each of the said two (2) strips of land being out of and a part of Jackson Heights, a subdivision in the City of Austin, Travis County, Texas, according to a map or plat of said Jackson Heights of record in Book 49 at Page 67 of the Plat Records of Travis County, Texas; the strip of land hereinafter described as Number One being out of and a part of Lot 1-A, said Jackson Heights and the strip of land hereinafter described as Number Two being out of and a part of Lot 2-A, said Jackson Heights; each of the said two (2) strips of land being more particularly described as follows:

NUMBER ONE, BEING all the east five (5.00) feet of said Lot 1-A, Jackson Heights.

NUMBER TWO, BEING all the east five (5.00) feet of said Lot 2-A, Jackson Heights.

NUMBER TWELVE, being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin at the southwest corner of said Lot 37, Block One, Barton Hollow;

THENCE, with the south line of said Lot 37, S 79° 00' E 20.99 feet to an iron pin at the northeast corner of Lot 11, Block One, Barton Hollow, same being the northwest corner of Lot 12, Block One, Barton Hollow;

THENCE, continuing with the said south line of Lot 37, N 77° 43' E 5.01 feet to a point;

THENCE, N 15° 20' W 3.37 feet to a point;

THENCE, N 79° 00' W 23.32 feet to a point in the west line of said Lot 37.

THENCE, with the said west line of Lot 37, S 19° 53' W 5.06 feet to the point of beginning.

NUMBER THIRTEEN, being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin at the northwest corner of said Lot 38, Block One, Barton Hollow, same being the northeast corner of Lot 39, Block One Barton Hollow, which point of beginning is in the curving south line of Hollow Creek Drive, said curve having an angle of intersection of 41° 00', a radius of 147.10 feet and a tangent distance of 55.00 feet and from which point of beginning an iron pin at the point of tangency of said curve, same being the northeast corner of said Lot 38 bears S 69° 10' E 62.76 feet;

THENCE, with the west line of said Lot 38, S 33° 15' W 124.87 feet to a point;

THENCE, S 03° 33' E 34.16 feet to a point in the south line of said Lot 38;

THENCE, with the said south line of Lot 38, S 41° 12' E 63.19 feet to an iron pin at the most easterly corner of Lot 11, Block One, Barton Hollow, same being the northwest corner of Lot 12, Block One, Barton Hollow;

THENCE, continuing with the said south line of Lot 38, S 79° 00' E 23.00 feet to an iron pin at the southeast corner of Lot 38;

THENCE, with the east line of said Lot 38, N 19° 53' E 5.06 feet to a point;

THENCE, N 79° 00' W 22.07 feet to a point;

THENCE, N 41° 12' W 51.59 feet to a point;

THENCE, N 03° 33' W 43.96 feet to a point;

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

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

STREET PAVING - CHANGE ORDER

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 approve a certain change order in the amount of \$9,585.00 for the removal and replacement of 713 LF of concrete pipe with 713 LF of reinforced concrete pipe to Contract 69-A-12 regarding the paving of a portion of West Mary Street.

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 change order with Contract 69-A-12 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

SPACE ASSIGNMENTS

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone duct lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council: therefore,

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

THAT Southwestern Bell Telephone Company be and the same is hereby permitted to lay and construct its underground telephone duct lines in and upon the following streets:

- (1) An underground telephone duct line in GUADALUPE STREET, from West 42nd Street to West 45th Street; the centerline of which underground telephone duct line shall be 7 feet south of and parallel to the north property line of said GUADALUPE STREET.

- (2) An underground telephone duct line in WEST GUADALUPE STREET, from West 45th Street northerly 1,744 feet; the centerline of which underground telephone duct line shall be 17 feet south of and parallel to the north property line of said WEST GUADALUPE STREET.
- (3) An underground telephone duct line in LAMAR BOULEVARD, from a point 65 feet south of West 51st Street northerly to North Loop Boulevard; the centerline of which underground telephone duct line shall be 12.5 feet south of and parallel to the north property line of said LAMAR BOULEVARD.

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

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

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

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

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

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

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

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

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

LEASE AGREEMENT

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 Earl Cole, regarding City-owned scales located in the 2900 Block of East 5th Street; 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 MacCorkle, carried by the following vote:

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

Noes: None

CONTRACTS

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 1, 1970, for the purchase of One (1) each Frequency Meter Measuring Instrument to be used by the Communications Division; and,

WHEREAS, the bid of Cushman Electronics, Inc. in the sum of \$5,328.00 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 Cushman Electronics, Inc. in the sum of \$5,328.00 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 Cushman Electronics, Inc.

The motion, seconded by Councilman Janes, 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, bids were received by the City of Austin on April 28, 1970, for the purchase of Forty (40) each Pretimed Traffic Signal Controller and Cabinets to be used by the Traffic and Transportation Department; and,

WHEREAS, the bid of Signal Engineering Company in the sum of \$42,755.00 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 Signal Engineering Company in the sum of \$42,755.00 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 Signal Engineering Company.

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

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

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 1, 1970, for the purchase of 526 Mercury Vapor Luminaires to be used by the Electric Distribution Division; and,

WHEREAS, the bid of Techline, Incorporated in the sum of \$16,648.00 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 Techline, Incorporated in the sum of \$16,648.00 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 Techline, Incorporated.

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 IN LIEU OF REFUND CONTRACT

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the owners of Barton Hills West, Section 1, have requested a cash settlement based on the difference in the cost of installing a 12 inch over an 8 inch water main; and,

WHEREAS, said difference equals \$4,082.10 which amount is agreed upon as the cash settlement value of 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 Kirkwood Development Company, Inc., and to pay to Kirkwood Development Company, Inc. the actual cost thereof not to exceed \$4,082.10.

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

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

STREET VACATION

Mayor LaRue introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF LEWIS LANE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING ANY AND ALL EASEMENTS IN THE CITY; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

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

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

Noes: None

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

ANNEXATION ORDINANCE
1st and 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 ANNEX-
ATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF
2.38 ACRES OF LAND, SAME BEING OUT OF AND A PART OF
THE WILLIAM CANNON LEAGUE IN TRAVIS COUNTY, TEXAS;
WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND
ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF
AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

Noes: None

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

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

Noes: None

REFUND CONTRACTS

Mayor LaRue introduced the following ordinance:

AN ORDINANCE 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 Gage, carried by the following vote:

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

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

Ayes: Councilmen 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 Gage, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.
Mayor LaRue introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER
INTO A CERTAIN REFUND CONTRACT WITH M. H. FLOURNOY; 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

Mayor LaRue 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 KIRKWOOD DEVELOPMENT COMPANY, 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 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 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, 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 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.

ZONING ORDINANCES

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
A 2.189 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1144¹/₂-1146 GUNTER STREET; REAR 1146-1148 GUNTER STREET, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT AND "C" COMMERCIAL 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 Gage moved that the rule be suspended and the ordinance be 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 ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

(1) THE WEST 140 FEET AND THE SOUTH 37 FEET OF LOT 2; THE WEST 140 FEET OF LOTS 3, 4, 5, 6 AND 7, ALL OF MRS. O. M. ROBERTS ESTATE, LOCALLY KNOWN AS 9325-9517 FARM-TO-MARKET ROAD 1325, FROM "A" RESIDENCE DISTRICT TO "D" INDUSTRIAL DISTRICT;

(2) A 32.8 ACRE TRACT OF LAND OUT OF THE WILLIAM CANNON LEAGUE, LOCALLY KNOWN AS REAR 918-1426 STASSNEY LANE; REAR 5301-5503 VINSON ROAD; AND 5304-5412 VINSON ROAD, FROM "BB" RESIDENCE TO "A" RESIDENCE DISTRICT;

(3) THE SOUTH 58.08 FEET OF THE WEST 117.245 FEET OF LOT NO. 7, BLOCK V, RIDGETOP FOURTH ADDITION, LOCALLY KNOWN AS 4701 HARMON AVENUE, FROM "A" RESIDENCE TO "O" OFFICE DISTRICT;

(4) A 1.78 ACRE TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE, LOCALLY KNOWN AS 201-219 SOUTH LAMAR BOULEVARD; 200-218 BARTON DRIVE; AND 1301-1319 RIVERSIDE DRIVE FROM "A" RESIDENCE AND "C" COMMERCIAL DISTRICT TO "C" COMMERCIAL DISTRICT;

(5) LOT B-1 OF LAS PLAYAS, SECTION 2, LOCALLY KNOWN AS 8311-8327 LAZY LANE FROM "B" RESIDENCE AND "C" COMMERCIAL DISTRICT TO "O" OFFICE DISTRICT;

(6) TRACT 1: A 3.86 ACRE TRACT OF LAND OUT OF THE WILLIAM CANNON, JR. LEAGUE NO. 19, LOCALLY KNOWN AS 1502-1614 STASSNEY LANE, FROM "GR" GENERAL RETAIL DISTRICT TO "C" COMMERCIAL DISTRICT;

TRACT 2: A STRIP OF LAND 25 FEET IN WIDTH ALL AROUND THE OUTSIDE EDGE OF TRACT 1, LOCALLY KNOWN AS 1500-1616 STASSNEY LANE, FROM "GR" GENERAL RETAIL DISTRICT TO "LR" LOCAL RETAIL DISTRICT;

(7) LOTS 1 AND 2, BLOCK 5, OUTLOT "D", BUDDINGTON SUBDIVISION, LOCALLY KNOWN AS 408-410 WEST 34TH STREET FROM "A" RESIDENCE TO "B" 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, 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 ORDERING A CHANGE IN 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:
A 30,139 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 2100-2106 NICKERSON STREET AND 107-111 LELAND STREET, FROM "A" RESIDENCE FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE SECOND HEIGHT AND AREA 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 be passed to its second reading. The motion, seconded by Councilman Price, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

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

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE
USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE
OF 1967 AS FOLLOWS:
LOT 36, BLOCK 1, C. R. JOHNS SUBDIVISION, LOCALLY KNOWN
AS 1213-1217 COMAL STREET AND 1501 EAST 13TH STREET
(PEACH STREET) FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL
RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN,
TRAVIS COUNTY, TEXAS.

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

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

The Mayor announced that the ordinance had been finally passed.

SUBSTANDARD STRUCTURES RECOMMENDATIONS FROM BUILDING STANDARDS COMMISSION

Councilman Gage moved that the recommendation of the Building Standards Commission be upheld on the following:

W. L. Boyette
1902 Whitis

- That the structure located on this lot be declared a fire hazard, health hazard, and public nuisance by the City Council; That this unit be referred to the City Council of the City of Austin with the recommendation it be closed as a Rooming House until such time as it does comply with the requirements of the Minimum Housing Code of the City of Austin.

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

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

ORDINANCE REGULATING PARADES - SECOND READING

The City Manager noted two adjustments in the ordinance -- reducing the fee and defining the number of paid police supervising the parade. Council members discussed the various provisions. REVEREND CLIFFORD ZIRKEI, wanted freedom of speech, right of dissent, demonstrations, assemblies, etc., not to be hampered by ordinances, and noted certain items he considered questionable. MR. BOB BRYAN, Campus Minister for the Methodist Church, pointed out areas of his opposition to the ordinance. MR. DAVIS, MR. MUEGGE, filing a letter and petition; MR. TOM MURTON, law student, and others discussed the ordinance as in their opinion to be unconstitutional.

After lengthy discussion, Mayor LaRue brought up the following ordinance for its second reading:

AN ORDINANCE AMENDING CHAPTER 31 OF THE AUSTIN CITY CODE OF 1967 BY AMENDING SECTION 31-12 THEREOF; REGULATING PARADES; PROVIDING FOR PROHIBITING TIME OF PARADES; PROVIDING ROUTE OF PARADES; PROVIDING A RESIDENCY REQUIREMENT; AUTHORIZING THE CITY COUNCIL TO RECEIVE APPLICATIONS AND GRANT PERMITS; PROVIDING STANDARDS FOR ISSUANCE THEREOF; PROVIDING FOR A CASH DEPOSIT; PROVIDING FOR NOTICE OF REJECTION; PRESCRIBING DUTIES OF PERMITTEES; MAKING IT UNLAWFUL TO CONDUCT A PARADE WITHOUT PERMIT AND REQUIRING COMPLIANCE WITH PERMIT CONDITIONS AND APPLICABLE LAWS AND ORDINANCES; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

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

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

FURTHER CONSIDERATION OF THE BUS ORDINANCE

MR. DAN FELTS, representing TRANSPORTATION ENTERPRISE, INC., reported their transporting from 12 to 15,000 students daily in the University area under contract with the University had eliminated a great amount of traffic in that area. He understood the University desired this contract to be extended, and bids for shuttle bus service were taken, and TEI was the low bidder.

Mr. Felts stated the effect of the three ordinances proposed to the Council would put TEI out of business. When the Board of Regents is assured that TEI can continue to operate, they will formalize the three year contract to continue the shuttle bus operation. Should this ordinance be considered, he asked, since it takes 90 days for a franchise to become effective, that the September 7th date in the ordinance be extended. He pointed out TEI was a company composed solely of Austin citizens. He asked if the Council did pass this ordinance that it be amended in the definition of a government bus, that the effective date be extended, and that a grandfather clause be included.

In answer to Councilman Gage's question, MR. CONWELL SMITH, a principal owner of Transportation Enterprises, stated that last week he had made a statement that TEI would subject themselves to franchising, surrender their rights to charter within the City, if they were permitted to service the University of Texas as they had bid to do. Mr. Felts pointed out the return they were bidding on included service to the Riverside apartment complex.

MR. BARR McCLELLAN, representing AUSTIN TRANSIT CORPORATION, stated they would ask that all bus operations be regulated.

MR. FRANK HORSTFELT spoke about bus service in general.

After discussion, Mayor LaRue brought up the following ordinance for its second reading:

AN ORDINANCE AMENDING SECTION 34-79 OF THE AUSTIN CITY CODE OF 1967 TO PROVIDE FOR EFFECTIVE REGULATION, FRANCHISING AND CONTROL OF BUSES OPERATING WITHIN THE CITY OF AUSTIN OR ITS ENVIRONS.

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

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

Noes: None

Councilman Johnson moved that the Council go on record as extending this date if deemed necessary through Court action by an outsider. The motion, seconded by Councilman Atkison, failed to carry by the following vote:

Ayes: Councilmen Atkison, Johnson, Price

Noes: Councilmen Gage, James, MacCorkle, Mayor LaRue

DISCUSSION OF PAYMENT FOR RIGHT-OF-WAY
IN EXCESS OF 70 FEET - WILLIAM CANNON DRIVE

The City Manager stated there was a request for the payment of right-of-way in the excess of 70', pointing out the right-of-way was granted en toto when the agreement was made with the City purchasing the excess right-of-way. Along side of this right-of-way, two zoning cases had been filed, and right-of-way dedicated to the full width. There is a price factor that has not been resolved as to whether or not the City is due to pay for the excess right-of-way. The Director of Planning discussed the subdivision dedication of right-of-way, the zoning, and right-of-way dedication, vacating of a street in connection with zoning, and other related details. MR. GERALD HART, Project Engineer for Whispering Oaks and Shier Cliff I, discussed a thoroughfare plan which had been relocated between this property and the Brewington property, Mr. Brewington dedicating part of the right-of-way.

After extensive discussion by the Council members, the City Manager, the Director of Planning, and Mr. Hart, Councilman Johnson moved that the Council to on record as upholding the 70' right-of-way policy and ask the City Manager to negotiate some settlement on the property above 70'. The motion, seconded by Councilman Price, carried by the following vote:

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

Noes: None

The City Manager reported he would bring back to the Council a plan to tie the payment to the assessed value for the preceding years.

REQUEST FOR RE-ROUTING HEAVY TRUCK TRAFFIC OFF OF I. H. 35

MR. DAN KILLEN spoke in the interest of re-routing heavy trucks from I. H. 35 via Bluestein Boulevard and Ben White Boulevard, establishing a lower speed limit on I. H. 35 to encourage the trucks to use Ed Bluestein Boulevard at a higher speed. The visibility on I. H. 35 is about a fourth of a mile. Brief discussion was held on crash warning systems. The City Manager stated work was being done on most of the speedways over the country on which the flashing lights are used when an accident occurs.

AUSTIN DISTRICT SOCIETY OF MEDICAL TECHNOLOGISTS

MR. PAUL BOZEMAN, President of Austin District Society of Medical Technologists, representing also about 130 petitioners from Brackenridge as well as other Hospitals in Austin, who believed the salaries of the medical technologists in Austin are lower than what they should be. No pay for longevity is realized in Austin. Other Technologists throughout the state and nation do receive longevity pay. It was Mr. Bozeman's suggestion if Brackenridge would increase its salaries, the other Hospitals would follow suit.

Councilman Johnson asked for a comparison with other local hospitals as well as with other cities.

HIKE AND BIKE TRAIL ALONG MO-PAC RIGHT-OF-WAY

MR. JAMES T. PEAL, Vice Chairman Parks and Recreation Board, was to appear before the Council regarding utilization of Mo-Pac right-of-way for bike and hike trails. Mr. Peal was not present at this time, and the matter was deferred. MR. JOHN CHRISTIAN appeared regarding Mo-Pac Boulevard in the area, and the over-population problem. These subjects were not on the Agenda.

DISCUSSION OF LETTER FROM WATER QUALITY BOARD

The City Manager stated subsequent to the Council's receiving a letter from the Water Quality Board based on a newspaper story, the Staff is attempting

to determine where the pollution problems are, and what is necessary to correct them. They have not evaluated the problems ahead yet as to the time it will take to make corrections to the waste water collection system now, although it is estimated it will take some three years or more to solve the problems. Putting storm sewer waters into the sanitary sewer system is not the answer, but would render that system useless. The City Manager said he would have a preliminary report for the Council on the findings, and have a final report by the 28th. Councilman MacCorkle urged the citizens to do an individual clean-up of their properties. MR. DIXON spoke on pollution, and environmental controls. MR. JOHN PRAGER, 3405 Avenue D discussed low flow augmentation of Shoal Creek or Waller Creek. MR. JOHN CHRISTIAN, economist, discussed population growth reduction.

PROPOSED SALE OF SURPLUS REAL PROPERTY

MR. JOE MORAHAN, Land Division, reported the Council had a list of approximately 25 tracts of land, which all departments had indicated they would have no need for, and these lots can be offered for sale with certain reservations as shown on the individual plats. There are perhaps 250 small pieces of land or remnants which cannot be sold alone. The City Manager stated these parcels could be advertised and the adjacent owners could bid. Negotiations could be made with the adjacent owners but under the new statute, the land must be put up for sealed bids. Council members agreed that the properties should be sold. The City Manager stated he would bring these tracts back to the Council for action on the bids. The Mayor stated this should be clear that the intent of the Council is to proceed, as this is a program that dragged out for many years. Council members commended the City Manager and staff on their recommendation.

Councilman Johnson moved that the Council follow the recommendation as presented to the Council by the Staff on the sale. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

U.S.D.A. LUNCH PROGRAM

MR. DAN DAVIDSON, Deputy City Manager, reported the City Manager's Office had made a concentrated study of this program, and summarized points which are essential for consideration of such a program. The youth centers under the summer recreation programs, close for a lunch period, allowing the children to return to their homes for parental supervision, naps, or for other requirements that are not provided by the Recreation Program. This policy is wide spread throughout the cities. Mr. Davidson said this Lunch Program is one that should be offered by institutions already dealing in nutritional problems for underprivileged youths, and familiar with the needs. This program would not fit in with the established recreation program, and the administration does not recommend that the lunch program be sponsored by the City of Austin. The Mayor stated such a program would fill the needs of children in the low income area in a day camp, and the U.S.D.A. would qualify any other agency who is operating as a day camp. The Sunshine Camp is interested; church groups would qualify and public non-profit private institutions would be eligible. It was suggested by

Council members that this information be made available through the press and from the Manager's office to organizations or entities that would want to participate in this program.

REQUEST TO DISCUSS PARADE ORDINANCE

MR. DANNIE G. DAVIS, interested in an item on the agenda scheduled for the afternoon session, could not be present at that time, and wanted to make a presentation at the morning session. As his topic was to be heard in the afternoon meeting, the Council could not hear him before 2:00 P.M. Mr. Davis filed a published article under his by-line, regarding parade laws for the Council's consideration.

MAYOR PRO-TEM

Councilman Janes announced his desire to decline the four months' service as Mayor Pro-Tem and suggested that the two Council members who had not been Mayor Pro-Tem, divide the balance of time between them equally. Mayor LaRue suggested that if this were Councilman Janes' decision, then the best thing would be to have the title move along in rotation; and if the Council wanted to make a decision later, it could. Next in line was Councilman Johnson, who on May 16th would become Mayor Pro-Tem Johnson.

APPROVAL OF MINUTES

Councilman Price moved that the Council approve the Minutes of the City Council Meetings of April 9, 1970; April 23, 1970; and April 25, 1970. The motion, seconded by Councilman Johnson, 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 discuss the selection of an Architect and an Auditor to audit the City's accounts for the coming year.

The Council resumed its Regular Meeting.

AUDITOR FOR 1970-1971

Councilman Janes moved that the Council select PEAT, MARWICK, and MITCHELL as the auditors for one year. The motion, seconded by Councilman Atkison, carried by the following vote:

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

APPOINTMENT OF AUDITOR TO AUDIT THE ACCOUNTS
PRIOR TO BOND BIDS May 21st.

Councilman Gage moved that the Council select PEAT, MARWICK, and MITCHELL as the auditing firm for special audit of funds prior to reviewing bids on Bonds on May 21st. The motion, seconded by Councilman Janes, carried by the following vote:

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

ARCHITECT FOR EAST SERVICE CENTER BUILDING

Councilman Janes moved that the Council select MR. JACK DEMPSEY as the Architect on the East Service Center, Building "E" (Fleet Administration Department). The motion, seconded by Councilman Atkison, carried by the following vote:

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

ADJOURNMENT

Councilman Price moved that the Council adjourn at 5:50 P.M. 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

ATTESTED:

City Clerk