

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 11, 1970
9:00 A.M.

COUNCIL CHAMBERS, CITY HALL

The meeting was called to order with Mayor LaRue presiding.

Roll Call:

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

The Invocation was given by REVEREND CHARLES H. HUFFMAN, Assistant Pastor,
St. David's Episcopal Church.

APPROVAL OF MINUTES

Councilman Gage moved the Council approve the Minutes of May 7, 1970.
The motion, seconded by Councilman Atkison, carried by the following vote:

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

Councilman Gage moved the Council approve the Minutes of May 21, 1970, as
corrected. The motion, seconded by Councilman Johnson, carried by the following
vote:

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

EMPLOYEE RELATIONS

Mr. Don McCullar, representing the American Federation of State, County and
Municipal Employees, presented a list of requests to the Council regarding employee
benefits. The requests had been voted on by City employees who were members of the
Union. Mr. McCullar asked that a meeting be set up in the near future between a
committee of City union employees and a committee selected by the Council to dis-
cuss the non-cost items in the requests.

ONE-DAY USE OF MOTOR BOAT ON TOWN LAKE

Councilman Gage moved the Council grant permission to Commco Construction Division to use a motor boat on Town Lake on June 16, 1970, in connection with replacing TV cable. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

RIGHT-OF-WAY ACQUISITION

Mr. Hub Bechtol, representing Mr. R. E. Leigh, before making his presentation, stated that the Joint Health Study Committee was ready to make its report whenever the Council was ready to receive it. The item would be placed on the Agenda for June 18, 1970.

Mr. Bechtol stated that on January 15, 1970, Mr. Leigh had received a letter from the City of Austin offering him \$5,812.00 for right-of-way needed by the City at the southwest corner of Riverside Drive and South Congress. Mr. Leigh had countered with an appraisal by Mr. Bechtol of \$9,798.60. The City then obtained two appraisals: one of \$1,600.00 and \$2,200.00. The average-of-appraisals offer by the City then was \$1,900.00, which figured out to be \$1.30 per square foot. The City had taken adjacent property owned by Mr. M. K. Hage and paid \$3.00 per square foot for that property. The City had withdrawn its original offer of \$5,800.00, and Mr. Leigh now was faced with accepting the \$1,900.00 offer or going to condemnation proceedings.

After lengthy discussion among the Council, Mr. Bechtol, Mr. Joe Morahan, the City Attorney and the City Manager, Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin, in consideration of the cash payment of \$5,812.00 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

SEE ATTACHED EXHIBIT "A"

(See original Resolution for Exhibit "A")

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

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

Noes: None

MO-PAC PLANNING AND CONSTRUCTION

Mr. James T. Peal, Vice Chairman, Parks and Recreation Board, did not appear before the Council, since the item of discussion had been settled between the Parks and Recreation Board and the Texas Highway Department.

ANNEXATION ORDINANCES

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 40.38 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE HENRY P. HILL 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.

Mr. Tom Bradfield, representing the owners of the property, spoke in favor of annexation. He asked that annexation not be delayed again, as it had been in the past on two other occasions. After a brief discussion among the Council, Councilman Price moved the Council annex the subject property and buy the property lying 100 feet along each side of Barton Creek. The motion died for lack of a second.

Father Joe Znotas, representing the Human Opportunities Corporation, read and presented a resolution to the Council asking that the City of Austin take all necessary action to preserve the flood plain area of Barton Springs.

Mr. Russell Fish, representing the Austin Environmental Council, spoke in opposition to the annexation. He was concerned about an overall development plan for the Barton Creek area, rather than a piecemeal approach.

Mrs. Fagan Dixon supported the City Manager's recommendation that the land be annexed, but that the Planning Commission hold it in abeyance for further decision as to its subdivision usage. She asked that the City follow the Master Plan for the development of the Barton Creek area.

Mr. Larry Smith presented a copy of the Texas Water Plan prepared by the Texas Water Development Board. He called the Council's attention to a section in the Plan which dealt with the Federal Flood Plain Program whereby the City might acquire Federal funds to develop a one-hundred-year flood plain for the Barton Creek area. Simultaneously, Mr. Smith presented a petition, signed by 350 people, which read: "We, the undersigned, endorse this petition for the City of Austin, Texas, to purchase Barton Creek property for the purpose of enlarging Zilker Park and protecting Barton Springs for the enjoyment of future generations."

After further discussion among the Council, 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, Price, Mayor LaRue
Noes: Councilman MacCorkle

The Mayor announced that the ordinance had been finally passed.

Councilman Gage further moved that Item B 1a. (annexation of 40.38 acres out of the Henry P. Hill League) be brought back to the Council for final approval of the subdivision plans and plats. The motion, seconded by Councilman Johnson, carried by the following vote:

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

The City Manager pointed out that the Council could only request that the Planning Commission refer the subdivision plat plans to the Council for its recommendations and that the Planning Commission was the final authority.

Mrs. Dixon pointed out that she understood the City Manager, Mr. Andrews, to say that he recommended that the Council annex the land and recommend to the Planning Commission that they withhold plans for subdivision.

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 21.986 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE T. J. CHAMBERS GRANT, BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Gage 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.

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 0.05 OF ONE ACRE OF LAND, SAME BEING OUT OF AND A PART OF THE T. J. CHAMBERS GRANT, LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman 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 brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 13.04 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE WILLIAM BARTON LABOR, 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.

Mr. Phil Mockford, representing Mr. Jack Andrewartha, owner of the property, spoke in favor of annexation. He stated that he did not think that the flood plain ordinance, as proposed, would prohibit development in the area and that the property was a classic example of the hole-in-the-doughnut and should be annexed for that reason.

Father Joseph Znotas, speaking for the Human Opportunities Corporation, opposed annexation of the property primarily because of the City's switch in its approach to the park. He felt that the action would be unjust to poor Blacks and Mexican-Americans who use the park extensively on the weekends.

Mr. Russell Fish, representing the Austin Environmental Council, asked that the annexation be delayed until August so that the various interested parties could sit down and work out a development plan for the Barton Creek area.

Mr. Woodrow Sledge asked that once the property is annexed and a subdivision is brought in that conforms with the subdivision ordinance and is not in violation of any other ordinance, is the City not obligated to accept the subdivision or face a court order? The City Attorney responded that basically Mr. Sledge was correct.

Mrs. Fagan Dixon felt that a flood plain ordinance should be brought in by August 7th, the 90-day period within which the annexation ordinance could be passed on third reading, and that the ordinance would be applicable to the Barton Creek area as well as the rest of the City. She felt that the Council had been dragging its feet with regard to enactment of the flood plain ordinance.

After an extensive discussion among the Council and other interested parties present, Councilman Gage moved the Council extend the hearing until June 25, 1970. The motion was seconded by Councilman MacCorkle.

Substitute Motion

Councilman Janes offered a substitute motion that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Councilman Johnson then moved the Council ask the City Manager to do the necessary engineering and bring forth a recommendation including an adequate number of appraisals for the Council's consideration at the earliest possible date. The motion, seconded by Councilman Atkison, carried by the following vote:

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

At Mayor LaRue's recommendation, Councilman Johnson moved the Council go on record asking the City Manager to now formally get as much cooperation to expedite the completion of the study by the Planning Commission of the flood plain ordinance. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

At the recommendation of the City Manager, Councilman Gage moved the Council request that the Planning Commission hold the final approval of the subdivision plat until the Council has had an opportunity to review it on the Andrewartha property. 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

Mayor LaRue opened the public hearing scheduled for 10:00 A.M. on the following annexation. No one appeared to participate. Councilman Price moved the Council close the hearing and direct the administration to institute annexation proceedings to annex the following:

9.076 acres of land out of the William Cannon League -
proposed Flournoy's Sweetbriar, Section VI.

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

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

Mayor LaRue opened the public hearing scheduled for 10:00 A.M. on the following annexation. No one appeared to participate. Councilman Price moved the Council close the hearing and direct the administration to institute annexation proceedings to annex the following:

2.17 acres of land out of the John Applegait Survey -
unplatted land.

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

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

Mayor LaRue opened the public hearing scheduled for 10:00 A.M. on the following annexation. No one appeared to participate. Councilman MacCorkle moved the Council close the hearing and direct the administration to institute annexation proceedings to annex the following:

85.82 acres of land out of the James P. Wallace and James Rogers Surveys - proposed BALCONES WOODS, SECTION ONE and a portion of U. S. Highway 183

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

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

RECESSED MEETING

2:00 A.M.

Mayor LaRue called the Council to order after the morning recess.

BRACKENRIDGE SCHOOL OF NURSING

The City Manager, Mr. Andrews, stated that the Council had received a memorandum from his office regarding the status of the Brackenridge School of Nursing and that a firm policy decision should be made before the upcoming enrollment on August 10, 1970.

The City Attorney, Mr. Glenn Cortez, then read two resolutions, one favoring the closing of the School of Nursing and one requesting a salary increase for the nurses.

The following individuals then spoke in favor of retaining the School of Nursing: Dr. Bud Dryden, Dr. Maurice Hood, Dr. Greenwood Wooten, Dr. Roy Ross, Dr. Sam Todaro, Miss Linda J. Quintanilla, Dr. J. J. Seabrook, Miss Lura Belle Stewart, LVN, Rev. Joseph Znotas, Miss Connie Moreno, Miss Andrea Touchet, Mr. Terrell Blodgett, Miss Betty Longoria, Mrs. Leroy Dorris and Mrs. Ann Sherrod.

After more discussion among the Council, Councilman Janes moved the Council continue the operation of Brackenridge School of Nursing three years and accept the freshman class of 1970. The motion, seconded by Councilman Atkison, carried by the following vote:

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

The City Attorney pointed out that the motion was merely a policy statement by the Council at this time.

ANNEXATION ORDINANCE

Mayor LaRue brought up the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 69.59 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APPLGAIIT AND J. O. RICE SURVEYS AND 24.08 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE, ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

REFUND CONTRACT

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH AUSTEX DEVELOPMENT COMPANY, LTD.; 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 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 rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Atkison, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH TOM MOSES ATTAL; AND DECLARING AN EMERGENCY.

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor LaRue introduced the following ordinance:

AN ORDINANCE 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 19,328 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 708-710 WEST 28TH STREET AND 2801-2807 SALADO STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" 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 passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

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:

TRACT 1: LOTS 1-7 OF THE LOUISA PETERSON ESTATES SUBDIVISION AND A 8,484 SQUARE FOOT TRACT OF LAND LOCALLY KNOWN AS 4001-4007 LEWIS LANE AND 1200-1212 WEST 40TH STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT;

TRACT 2: LOTS 1-3 OF THE RESUBDIVISION OF LOT A OF MRS. LOUISA PETERSON ESTATES SUBDIVISION AND A 10,487 SQUARE FOOT TRACT OF LAND LOCALLY KNOWN AS 1100-1106 WEST 40TH STREET AND 4000-4008 MEDICAL PARKWAY FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL SECOND HEIGHT AND AREA 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 Janes moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Price, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

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) A 2.99 ACRE TRACT OF LAND, LOCALLY KNOWN AS 7311-7321 EAST RIVERSIDE DRIVE AND REAR OF 7321-7327 EAST RIVERSIDE DRIVE, FROM "A" RESIDENCE TO "LR" LOCAL RETAIL DISTRICT;
- (2) A .98 ACRE TRACT OF LAND OUT OF THE WILLIE AVERY SURVEY, LOCALLY KNOWN AS 7701-7723 CAMERON ROAD AND 1441-1449 U.S. HIGHWAY 183, FROM "A" RESIDENCE TO "C" COMMERCIAL DISTRICT;
- (3) A 1.2 ACRE TRACT OF LAND, LOCALLY KNOWN AS 2704-2716 EAST 7TH STREET, FROM "A" RESIDENCE TO "C" COMMERCIAL DISTRICT;
- (4) LOT 3 BERKMAN DRIVE ADDITION, SECTION 2, LOCALLY KNOWN AS REAR 6611-6701 BERKMAN DRIVE; 6701-6719 BERKMAN DRIVE, FROM "O" OFFICE TO "LR" LOCAL RETAIL DISTRICT;
- (5) LOT 8, BLOCK 3, DRISKILL & RAINEY SUBDIVISION, LOCALLY KNOWN AS 91 RED RIVER AND 601-609 DAVIS STREET, FROM "A" RESIDENCE TO "C" COMMERCIAL DISTRICT;
- (6) A 640 SQUARE FOOT TRACT OF LAND OUT OF A 40,000 SQUARE FOOT TRACT OF LAND LOCALLY KNOWN AS 5300-5332 MANCHACA ROAD, FROM "GR" GENERAL RETAIL DISTRICT TO "C-2" COMMERCIAL DISTRICT;
- (7) LOT 6, BLOCK 15, BRASWELL SUBDIVISION, NO. 2, LOCALLY KNOWN AS 5513 WOODROW AVENUE, FROM "A" RESIDENCE TO "B" RESIDENCE DISTRICT;
- (8) LOTS 6 AND 7, BLOCK G, RAYMOND SUBDIVISION, LOCALLY KNOWN AS 609-611 WOOD STREET FROM "A" RESIDENCE TO "C" COMMERCIAL DISTRICT;
- (9) A 8,400 SQUARE FOOT TRACT OF LAND LOCALLY KNOWN AS 2514-2516 BUELL AVENUE FROM "A" RESIDENCE TO "C" COMMERCIAL DISTRICT;
- (10) A 24,500 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 6731-6737 U.S. HIGHWAY 290, FROM "O" OFFICE DISTRICT TO "LR" LOCAL RETAIL DISTRICT;

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

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman 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 ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: SOUTH 73.835 FEET OF LOT 4, BLOCK 4, C. R. JOHNS SUBDIVISION, LOCALLY KNOWN AS 1814-1818 EAST 12TH STREET; 1200-1206 CHICON STREET, FROM "C" COMMERCIAL DISTRICT TO "C-2" 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 Janes moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Price, carried by the following vote:

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

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, MacCorkle, Price,
Mayor LaRue
Noes: None
Present But Not
Voting: Councilman Johnson

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, MacCorkle, Price,
Mayor LaRue
Noes: None
Present But Not
Voting: Councilman Johnson

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: A 11.4 ACRE TRACT OF LAND LOCALLY KNOWN AS 3901-4039 SOUTH LAMAR BOULEVARD FROM "A" RESIDENCE TO "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 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, MacCorkle, Price,
Mayor LaRue
Noes: None
Present But Not
Voting: Councilman Johnson

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, MacCorkle, Price,
Mayor LaRue
Noes: None
Present But Not
Voting: Councilman Johnson

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, MacCorkle, Price,
Mayor LaRue
Noes: None
Present But Not
Voting: Councilman Johnson

The Mayor announced that the ordinance had been finally passed.

ZONING HEARING

Mayor LaRue announced that it was 10:00 A.M. and the Council would hear the zoning case scheduled for public hearing at this time. Pursuant to published notice thereof, the following zoning application was publicly heard:

GUSTAF JOHNSON by Howard Brunson	Rear 690-698 Pleasant Valley Road Rear 2608-2712 Gonzales Street	From "A" Residence to "LR" Local Retail RECOMMENDED by the Planning Commission subject to a 20 foot setback on Gonzales Street and a 20 foot setback on Pleasant Valley Road and a 6 foot privacy fence on the property line between the "A" Residence property and the subject tract
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Councilman Janes moved the Council grant the change from "A" Residence to "LR" Local Retail subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilman Johnson, carried by the following vote:

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

The Mayor announced that the change had been granted to "LR" Local Retail subject to conditions and instructed the City Attorney to draw the necessary ordinance to cover.

ANNEXATION HEARING SET

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 25th day of June, 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:

1.30 acres of land, same being two (2) tracts of land out of the T. J. Chambers Grant in Travis County, Texas; the tract of land hereinafter described as Number One containing 1.00 acre of land and the tract of land hereinafter described as Number Two containing 0.30 of one acre of land; each of the said two (2) tracts of land is more particularly described by metes and bounds as follows:

NUMBER ONE, BEGINNING at an iron pin on the corporate limit line of the City of Austin now pending before the City Council of the City of Austin, which point of BEGINNING is the most easterly corner of the herein described tract of land, same being a point in the proposed corporate limit line of the City of Austin, from which point of BEGINNING the most westerly corner of Lot 9-A, Resubdivision of Lot 9, Block W, Northwest Hills, Belo Horizonte Section, a subdivision of record in Book 42 at page 32 of the Plat Records of Travis County, Texas, bears N 74° 44' E 1,700.12 feet, and from which point of BEGINNING the intersection of the south or southeast line of Cat Mountain Drive with the west or southwest line of Belo Horizonte Circle bears northeasterly 1,884 feet, more or less;

THENCE, with the proposed corporate limit line of the City of Austin, N 75° 04' W 250.64 feet to a concrete monument 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 southerly direction with the following four (4) courses:

- (1) S 34° 46' W 149.30 feet to an iron pin;
- (2) S 51° 00' W 89.40 feet to an iron pin;
- (3) S 20° 31' W 219.60 feet to an iron pin;

(4) S 69° 09' W 106.10 feet to an iron pin at an exterior ell corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin, N 75° 40' W 59.05 feet to an iron pin at the most westerly corner of the herein described tract of land, same being a point in the aforesaid corporate limit line of the City of Austin now pending before the City Council of the City of Austin;

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

NUMBER TWO, BEGINNING at an iron pin on the corporate limit line of the City of Austin now pending before the City Council of the City of Austin, which point of BEGINNING is the most easterly northeast corner of the herein described tract of land, same being a point in the proposed corporate limit line of the City of Austin, from which point of BEGINNING the most westerly corner of Lot 9-A, Resubdivision of Lot 9, Block W, Northwest Hills, Belo Horizonte Section, a subdivision of record in Book 42 at page 32 of the Plat Records of Travis County, Texas, bears N 68° 35' E 1,088.69 feet, and from which point of BEGINNING the intersection of the south or southeast line of Cat Mountain Drive with the west or southwest line of Belo Horizonte Circle bears northeasterly 1,100 feet, more or less;

THENCE, with the proposed corporate limit line of the City of Austin, S 06° 41' W 1.88 feet to an iron pin at the point of curvature of a curve having an angle of intersection of 6° 41', a radius of 138.08 feet and a tangent distance of 8.06 feet;

THENCE, continuing with the proposed corporate limit line of the City of Austin along said curve to the left an arc distance of 16.11 feet, the chord of which arc bears S 03° 21' W 16.10 feet to an iron pin at the southeast corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin, N 87° 40' W 202.98 feet to an iron pin at the point of curvature of a curve having an angle of intersection of 22° 24', a radius of 303.75 feet and a tangent distance of 60.14 feet;

THENCE, continuing with the proposed corporate limit line of the City of Austin along said curve to the right an arc distance of 118.75 feet, the longchord of which arc bears S 73° 39' E 118.00 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, N 62° 27' W 186.88 feet to an iron pin at the point of curvature of a curve having an angle of intersection of 4° 09', a radius of 381.73 feet and a tangent distance of 13.83 feet, and which point is the southwest corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin, N 23° 25' E, at 45.98 feet passing an iron pin on the aforesaid pending corporate limit line of the City of Austin, in all a distance of 116.76 feet to an iron pin at the northwest corner of the herein described tract of land, same being a point in said pending corporate limit line of the City of Austin;

THENCE, with said pending corporate limit line of the City of Austin, in an easterly and southerly 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 Johnson, carried by the following vote:

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

RELEASE OF EASEMENT

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for electrical overhang purposes, same being out of and a part of Lot 12, Block A, South Lamar Square, a subdivision in the City of Austin, Travis County, Texas, according to a map or plat of said South Lamar Square of record in Book 35 at Page 22 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 electrical overhang easement, to-wit:

A strip of land ten (10.00) feet in width, same being out of and a part of Lot 12, Block A, South Lamar Square, a subdivision in the City of Austin, Travis County, Texas, according to a map or plat of said South Lamar Square of record in Book 35 at Page 22 of the Plat Records of Travis County, Texas; the center-line of said strip of land ten (10.00) feet in width being more particularly described as follows:

BEGINNING at a point in the north line of a five (5.00) foot public utilities easement and from which point of beginning an iron pin at the most westerly corner of said Lot 12 bears S 29° 50' W 5.00 feet and N 60° 10' W 40.00 feet;

THENCE, N 15° W 43.08 feet to point of termination in the east line of a ten (10.00) foot public utilities easement.

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

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

STREET NAME CHANGES

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on a map or plat of Westover Hill, Section Six, a Subdivision of record in Book 49 at page 91 of the Plat Records of Travis County, Texas, a certain street extending from the east or southeast line of Steck Avenue easterly 814 feet, more or less, to Greenflint Circle, is designated as Oak Glen Drive; and,

WHEREAS, the owners of lots abutting the hereinafter described street have requested that the name of Oak Glen Drive be changed to High Oak Drive; Now, Therefore,

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

That the name of the following described street designated as Oak Glen Drive, as the name appears on maps or plats of the City of Austin, be and the same is hereby changed to High Oak Drive, said street so changed being described as follows:

Being all that certain street in the City of Austin, Travis County, Texas, known as Oak Glen Drive as shown on a map or plat of Westover Hill, Section Six, a subdivision in the City of Austin, Travis County, Texas, of record in Book 49 at page 91 of the Plat Records of Travis County, Texas; which Oak Glen Drive extends from the east or southeast line of Steck Avenue easterly 814 feet, more or less, to Greenflint Circle.

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

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

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on a map or plat of Westover Hills, Section Four, a Subdivision of record in Book 41 at page 5 of the Plat Records of Travis County, Texas, a certain street extending from the west or southwest line of Greenflint Lane in a westerly direction 87 feet, more or less, to Oak Glen Drive, is designated as Greenflint Circle; and,

WHEREAS, the owners of lots abutting the hereinafter described street have requested that the name of Greenflint Circle be changed to High Oak Drive; Now, Therefore,

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

That the name of the following described street designated as Greenflint Circle, as the name appears on maps or plats of the City of Austin, be and the same is hereby changed to High Oak Drive, said street so changed being described as follows:

Being all that certain street in the City of Austin, Travis County, Texas, known as Greenflint Circle as shown on a map or plat of Westover Hills, Section Four, a Subdivision in the City of Austin, Travis County, Texas, of record in Book 41 at page 5 of the Plat Records of Travis County, Texas; which Greenflint Circle extends from the west or southwest line of Greenflint Lane in a westerly direction 87 feet, more or less, to Oak Glen Drive.

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

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

CONTRACTS AWARDED

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 25, 1970, for Parts for a Westinghouse 100,000 KW Steam Turbine to be used at the Holly Street Power Plant; and,

WHEREAS, the bid of Westinghouse Electric Corporation in the sum of \$6,276.28 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 Westinghouse Electric Corporation in the sum of \$6,276.28 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 Westinghouse Electric Corporation.

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)

WHEREAS, bids were received by the City of Austin on May 27, 1970, for One (1) each Tractor-Loader-Backhoe to be used by the Fleet Administration Department and by the Electric Department; and,

WHEREAS, the bid of Austin Ford Tractor, Inc. in the sum of \$11,675.80 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 Austin Ford Tractor, Inc. in the sum of \$11,675.80 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 Austin Ford Tractor, 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 Johnson offered the following resolution and moved its adoption

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 15, 1970, for Twenty-Two (22) each Mobile Radio Transmitter-Receivers and Thirty-Seven (37) each Mobile Radio Transmitter-Receivers to be used by the Fleet Administration Department and by various other departments of the City of Austin; and,

WHEREAS, the bid of RCA Corporation in the sum of \$15,037.11 for Twenty-Two (22) each Mobile Radio Transmitter-Receivers; and the bid of Motorola Communications and Electronics, Inc. in the sum of \$20,098.00, 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 bid of RCA Corporation in the sum of \$15,037.11, and the bid of Motorola Communications and Electronics, Inc. in the sum of \$20,098.00 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 contracts on behalf of the City with RCA Corporation and Motorola Communications and Electronics, Inc.

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

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

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 12, 1970, for Two (2) each Instrument Air Compressors to be used by the Electric Department at Holly Street Power Plant; and,

WHEREAS, the bid of Harley Sales Company, in the sum of \$11,632.60 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 Harley Sales Company in the sum of \$11,632.60 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 Harley Sales Company.

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

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

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on April 24, 1970, for Twelve (12) months contract for furnishing Firemen's Uniform Clothing; and,

WHEREAS, the bid of Austin Army and Navy Store in the sum of \$21,746.69 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 Austin Army and Navy Store in the sum of \$21,746.69 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 Austin Army and Navy Store.

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

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

Noes: None

CASH SETTLEMENT

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the owners of Greenwood Hills, Section 6, have installed a sewer approach main at a cost of \$2,921.36, pursuant to a subdivision plan called Greenwood Hills, Section 6 and have requested an 18%/82% cash settlement of the above amount in lieu of a refund contract; and,

WHEREAS, 82% of the aforementioned \$2,931.36 equals \$2,395.52, which amount is agreed upon as the cash settlement value of said utility lines, in lieu of refund contract; and,

WHEREAS, the Deputy City Manager and the Director of Water and Waste Water Department of the City of Austin have recommended said 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 main from Tom Moses Attal, 82% of the actual cost not to exceed \$2,395.52.

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)

WHEREAS, the owners of Greenwood Hills, Section 6, have installed a 12 inch cast iron water main in lieu of an 8 inch cast iron water main with a cost difference of \$1,467.38, pursuant to a subdivision plan called Greenwood Hills,

Section 6, and have requested that the City participate in the added cost of the 12 inch cast iron water main; and,

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

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

That Dan H. Davidson, Deputy City Manager, be and he is hereby authorized and directed to enter into a participation agreement under the terms of which the City of Austin shall acquire title to the above described main from Tom Moses Attal, the actual cost of said participation not to exceed \$1,467.38.

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

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

MO-PAC RIGHT-OF-WAY ACQUISITION

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$9,095.00 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

All of Lot 17, Block 4, Sunset Heights Addition, a subdivision in the City of Austin, Travis County, Texas, of record in Book 3 at Page 86 of the Deed Records of Travis County, Texas, which Lot 17 was conveyed to Bertha Haenel by Warranty Deed dated January 1, 1953, of record in Volume 1341 at Page 262 of the Deed 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

EMINENT DOMAIN PROCEEDINGS FOR MO-PAC RIGHT-OF-WAY

Councilman MacCorkle 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 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:

Being all of Lot 6, Block 2, Sunset Heights, a subdivision in the City of Austin, Travis County, Texas, of record in Volume 333 at Page 65 of the Deed Records of Travis County, Texas, and according to the map thereof of record in Volume 3, Page 86 of the Map Records of Travis County, Texas, which Lot 6 was conveyed to Clifton T. Eckert, et ux, by warranty deed dated April 26, 1957, of record in Volume 1814 at Page 351 of the Deed 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 MacCorkle 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 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:

Being all of Lot 4, Block 2, Sunset Heights, a subdivision in the City of Austin, Travis County, Texas, of record in Volume 333 at Page 65 of the Deed Records of Travis County Texas, and according to the map thereof of record in Volume 3, Page 86 of the Map Records of Travis County, Texas, which Lot 4 was conveyed to Anthony Colonna by warranty deed dated December 6, 1949, of record in Volume 1014 at Page 29 of the Deed 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

LEASE AGREEMENT POSTPONED

The City Manager requested that consideration of the lease agreement for a Library Branch in the Windsor Village Shopping Center be postponed for one week.

FIRE PROTECTION PLAN

Councilman Gage moved the Council accept the Fire Protection Plan for 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

LEASE AGREEMENT

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 concession contract with Thurman Dobbins for operation of the concession stand at Brackenridge Hospital; and in accordance with the terms and provisions of that certain contract 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 contract in the permanent records of her office without recordation in the Minutes of the City Council.

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

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

CONSIDERATION OF 1970 CAPITAL IMPROVEMENTS PROGRAM POSTPONED

Consideration of the total 1970 Capital Improvements Program was postponed until June 25, 1970.

REFUND CONTRACT POLICY

The City Manager had stated previously that the Refund Contract Policy would be ready by June 18, 1970, but he was requesting that the date now be left open so that additional interested parties might be contacted to get their thinking on the matter.

MAINTENANCE OF PRIVATE PROPERTY
IN SANITARY CONDITION

The Deputy City Manager, Mr. Dan Davidson, stated that at the last Council meeting the City Manager had been requested to investigate complaints about the premises of housing along the 600 block of West 33rd Street. Complaints had been received about junk automobiles, scrap metal, lumber, tin cans, etc. and the uncontrolled growth of weeds. After the investigation had been completed, the following recommendations were made:

1. That the City administration organize to enforce the authority created in Vol. 1, Chapter 13, Article 1, Sections 13-4 and 13-5 of the Austin City Code.

2. That an inspection team be organized composed of one health inspector, one fire inspector and one housing inspector and that the team be activated under the supervision of Mr. Dick Jordan. The team will concentrate its activities in such areas as the West 33rd Street location.
3. That a communication be sent to the Municipal Court advising it of the enforcement effort so that the Court will know what is being done under the health and sanitary conditions of the City Code to correct the conditions that are being found. The results of the inspections would be brought to the attention of the property owner through the proper legal notice, and if compliance was not obtained voluntarily, then court action would be taken.

Mr. Dick Jordan had already contacted the property owners to see if voluntary compliance could be obtained.

Councilman MacCorkle moved the Council accept the recommendations of the City Manager. The motion, seconded by Councilman Price, carried by the following vote:

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

ATTENDANCE AT CITY MANAGER'S MEETING

The City Manager stated that he would be in Dallas for the City Manager's Meeting on Saturday, Sunday, Monday and Tuesday. On Tuesday afternoon he would fly to New York to deliver bonds on Wednesday. He hoped to be back in Austin either Wednesday afternoon or evening.

UTILITIES FOR STATE PARK SITE

Mr. Dan Davidson stated that the State Parks and Wildlife Commission had approached the City about providing electric service and water service to a proposed park site located south of the City. The State would provide a small package treatment plant, and at this time, the City would not extend a sewer line into the area. Cost to the City of extending a six-inch water main to the park site would be \$25,000. The State had also requested the City turn over to the State a scenic easement located along the easternmost part of a City wastewater treatment plant site. The South Austin site abutted a creek which was fairly wooded and had native plant materials on it. The site contained about five acres of land. Total cost to the City would be about \$28,000.

Councilman Price moved the Council authorize the City Manager to work out the details with the State. The motion, seconded by Councilman Johnson, carried by the following vote:

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

ACQUISITION OF PROPERTY

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 offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$16,700.00 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

The South Sixty Feet (60') of Lot No. Eight (8), in Block No. 143, in the City of Austin, Travis County, Texas, according to the map or plan of said City on file in the General Land Office of the State of Texas.

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

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

EXECUTIVE SESSION

The Council went into Executive Session.

ADJOURNMENT

The Council then adjourned.

APPROVED: _____
Mayor

ATTEST: _____
City Clerk