

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 3, 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, MacCorkle, Price, Mayor LaRue
Absent: Councilman Johnson

Invocation was delivered by REVEREND FRANK B. WALKER, First Southern Presbyterian Church.

APPROVAL OF MINUTES

Councilman Price moved the Minutes of the Regular Meeting of August 6, 1970, be approved. The motion, seconded by Councilman Gage, carried by the following vote:

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

ANNEXATION

Mayor LaRue introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 17.99 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APPELGAIT SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.
(Requested by owner's representative)

The ordinance was read the first time and Councilman MacCorkle moved 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
Absent: Councilman Johnson

The ordinance was read the second time and Councilman MacCorkle moved the ordinance be 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
Absent: Councilman Johnson

REFUND CONTRACTS

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 JOHN McPAUL; AND DECLARING AN EMERGENCY. (Water and sewer mains in Northcape, Section 3 - (\$46,303.63)

The ordinance was read the first time and Councilman Price moved 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
Absent: Councilman Johnson

The ordinance was read the second time and Councilman Price moved 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, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Johnson

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

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

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 AUSTEX DEVELOPMENT COMPANY, LTD.; AND DECLARING AN EMERGENCY. (Water and sewer mains in Windsor Hills, Section 1 - \$75,154.16)

The ordinance was read the first time and Councilman Price moved 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
Absent: Councilman Johnson

The ordinance was read the second time and Councilman Price moved 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, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Johnson

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

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

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:

TRACT 1: BLOCK "D" IN KEALING SUBDIVISION, LOCALLY KNOWN AS 1400-1718 ROSEWOOD AVENUE, 1151-1169 ANGELINA STREET, 1171-1189 COMAL STREET, 1150-1158 SALINA STREET AND REAR OF 1503-1719; 1501 PENNSYLVANIA AVENUE, FROM "A" RESIDENCE, "B" RESIDENCE AND "C" COMMERCIAL, FIRST AND SECOND HEIGHT AND AREA DISTRICT TO "A" RESIDENCE FIRST HEIGHT AND AREA DISTRICT;

TRACT 2: THE EASTERN 87 FEET OF LOT 2, BLOCK 2, AND SOUTHERN 141.5 FEET OF LOT 3, BLOCK 2, GEORGE L. ROBERTSON SUBDIVISION, OUTLOT 56, DIVISION "B", LOCALLY KNOWN AS 1150-1162 ANGELINA STREET, 1320-1326 ROSEWOOD AVENUE, FROM "A" RESIDENCE AND "C" COMMERCIAL, FIRST AND SECOND HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT;

TRACT 3: LOT 3A OF THE RESUBDIVISION OF LOT 1, BLOCK "A" KEALING SUBDIVISION, LOCALLY KNOWN AS 1413-1419 COTTON STREET; 1184-1189 COMAL STREET FROM "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

TRACT 4: LOTS 1, 2, 3, 4 AND 5 RESUBDIVISION OF BLOCK 11 C. R. JOHNS SUBDIVISION AND PORTIONS OF SALINA STREET,

LOCALLY KNOWN AS 1700-1800 PENNSYLVANIA AVENUE; 1181-1183 LEONA STREET, FROM "BB" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;
TRACT 5: LOTS 1, 2, 4, 5 AND 7 RESUBDIVISION OF BLOCKS 8 AND 9, GEORGE L. ROBERTSON SUBDIVISION, LOCALLY KNOWN AS 1306-1410 COTTON STREET; 1190-1194½ ANGELINA STREET; 1191-1195½ NAGELINA STREET; 1194 COMAL STREET, FROM "A" RESIDENCE AND "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

TRACT 6: THE EASTERN 87.5 FEET OF NORTHERN 149 FEET OF LOT 3, BLOCK 9, GEORGE L. ROBERTSON SUBDIVISION, OUTLOT 56, DIVISION "B", LOCALLY KNOWN AS 1421-1427 EAST 12TH STREET; 1194½-1198½ COMAL STREET, FROM "C" COMMERCIAL SECOND HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL DISTRICT, SECOND HEIGHT AND AREA;

TRACT 7: NORTHERN ONE-HALF OF BLOCKS 15 AND 16, J. H. PATTERSON SUBDIVISION OF BLOCKS 15 AND 16, THE NORTH ONE-HALF OF BLOCKS 9, 10 AND 11, AND PART OF BLOCK 14 OF C. R. JOHNS SUBDIVISION, OUTLOT 57, DIVISION "B", LOCALLY KNOWN AS 1501-1619 EAST 12TH STREET; 1193½-1199 COMAL STREET; 1192½-1198 LEONA STREET, FROM "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT TO "B" RESIDENCE SECOND HEIGHT AND AREA DISTRICT;

TRACT 8: THE EASTERN 350 FEET OF THE NORTHERN ONE-HALF OF BLOCKS 13 AND 14 OF C. R. JOHNS SUBDIVISION (INCLUDING ONE-HALF OF ADJACENT ALLEY) AND LOTS "A, B, C, D, AND E" OF THE C. Q. HORTON ESTATE SUBDIVISION, LOCALLY KNOWN AS 1701-1819 EAST 12TH STREET; 1193½-1199 LEONA STREET; 1194-1198 CHICON STREET; FROM "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, SECOND HEIGHT AND AREA DISTRICT;

TRACT 9: THE EASTERN 75 FEET OF THE SOUTHERN 155 FEET (INCLUDING ONE-HALF OF ADJACENT ALLEY) OF BLOCK 13 IN C. R. JOHNS SUBDIVISION, LOCALLY KNOWN AS 1806-1808 NEW YORK AVENUE; 1190-1192 3/4 CHICON STREET, FROM "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST 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 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
Absent: Councilman Johnson

The ordinance was read the second time and Councilman Janes moved 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, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Johnson

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

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: 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: LOT 1, BLOCK 1, HARTKOPE ANNEX, LOCALLY KNOWN AS 4406-4408 SOUTH FIRST STREET, FROM "A" RESIDENCE DISTRICT 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 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
Absent: Councilman Johnson

The ordinance was read the second time and Councilman Price moved 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, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Johnson

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

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: 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 PORTION OF LOT 4, ALL OF LOTS 5 AND 6, BLOCK F, RAYMOND SUBDIVISION, LOCALLY KNOWN AS 703-707 HENDERSON STREET, FROM

"B" RESIDENCE DISTRICT 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 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, Price, Mayor LaRue
Noes: None
Absent: Councilman Johnson
Present but not voting: Councilman MacCorkle

The ordinance was read the second time and Councilman Price moved 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, Price, Mayor LaRue
Noes: None
Absent: Councilman Johnson
Present but not voting: Councilman MacCorkle

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

Ayes: Councilmen Atkison, Gage, Janes, Price, Mayor LaRue
Noes: None
Absent: Councilman Johnson
Present but not voting: Councilman MacCorkle

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 2,000 SQUARE FOOT TRACT OF
LAND, LOCALLY KNOWN AS 403Z BEN WHICH BOULEVARD, FROM
"D" INDUSTRIAL 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 Price moved 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
Absent: Councilman Johnson

The ordinance was read the second time and Councilman Price moved 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, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Johnson

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

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

The Mayor a-nounced that the ordinance had been finally passed.

ZONING HEARINGS

The Mayor announced it was 9:30 A.M., and the Council would hear the zoning cases scheduled for public hearing at this time. The Director of Planning reviewed each case, locating them in the area, describing the uses of surrounding properties, and adequacy of streets.

The Council publicly heard the following zoning applications:

PAUL S. HILL	501 West 39th Street	From "A" Residence 1st
C14-70-125	500 West 38½ Street	Height & Area
		To "B" Residence 2nd
		Height & Area
		RECOMMENDED by the
		Planning Commission

Councilman MacCorkle moved the change to "B" Residence 2nd Height and Area be granted as recommended. The motion, seconded by Councilman Price, carried by the following vote:

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

The Mayor announced that the change had been granted to "B" Residence 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

B. F. McCOY, ET AL	9414-9532 North I. H.	From Interim "A" Residence
By John Selman	35	1st Height & Area
C14-70-140		To "C" Commercial
		5th Height & Area
		RECOMMENDED by the
		Planning Commission

Councilman Price moved the change to "C" Commercial 5th Height and Area be granted as recommended. The motion, seconded by Councilman Gage, carried by the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial 5th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

MRS. NORA BROWN	4400-4410 Avenue B	From "A" Residence 1st
By John Scott	400 West 44th Street	Height & Area
C14-70-144		To "B" Residence 2nd
		Height & Area
		RECOMMENDED by the
		Planning Commission

Councilman MacCorkle moved the change to "B" Residence 2nd Height and Area be granted as recommended. The motion, seconded by Councilman Gage, carried by the following vote:

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

The Mayor announced that the change had been granted to "B" Residence 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

ESTATE OF WILLIAM H. MEACHAM	6713-6803 Manor Road	From "LR" Local Retail
By John Selman		To "GR" General Retail
C14-70-147		RECOMMENDED by the
		Planning Commission

The Assistant Planning Director, Mr. Dick Lillie, called attention to the location of the Crosstown Expressway. Councilman Price moved the change to "GR" General Retail be granted as recommended. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

The Mayor announced that the change had been granted to "GR" General Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

CECIL D. PERKINS
C14-70-148

403-Z Ben White Blvd.

From "D" Industrial
To "C-2" Commercial
RECOMMENDED by the
Planning Commission

Councilman Price moved the change to "C-2" Commercial be granted as recommended. The motion, seconded by Councilman Gage, carried by the following vote:

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

The Mayor announced that the change had been granted to "C-2" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

(Ordinance also passed on this zoning)

- - - - -

ROBERT E. WINTERS
C14-70-129

2201-2203 Northland Dr.
5610-5614 Montview St.

From "A" Residence
To "O" Office
RECOMMENDED by the
Planning Commission

Councilman Price moved the change to "O" Office be granted as recommended. The motion, seconded by Councilman Gage, carried by the following vote:

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

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

- - - - -

HAROLD GENE PATTERSON
C14-70-133

8425-8433 U. S. Highway
183

From "A" Residence
To "C" Commercial
RECOMMENDED by the
Planning Commission
subject to short form
subdivision

Councilman Gage moved the change be granted to "C" Commercial subject to short form subdivision as recommended. The motion, seconded by Councilman Janes, carried by the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial subject to short form subdivision and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

From "A" Residence and
"C" Commercial 1st
Height & Area
To "C" Commercial 3rd
Height & Area
RECOMMENDED by the
Planning Commission
subject to Department
requirements

Councilman Price moved the change be granted to "C" Commercial 3rd Height and Area subject to Department requirements as recommended. The motion, seconded by Councilman Gage, carried by the following vote:

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

The Mayor announced that the change had been granted "C" Commercial 3rd Height and Area subject to Department requirements and the City Attorney was instructed to draw the necessary ordinance to cover.

From "A" Residence
To "BB" Residence
RECOMMENDED by the
Planning Commission
subject to 5' of right of
way on Franklin and depart-
mental requirements

Councilman Price moved the change be granted to "BB" Residence subject to 5' of right of way on Franklin and departmental requirements as recommended. The motion, seconded by Councilman Gage, carried by the following vote:

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

The Mayor announced that the change had been granted to "BB" Residence subject to 5' of right of way on Franklin and departmental requirements and the City Attorney was instructed to draw the necessary ordinance to cover.

The Mayor announced it was 2:00 P.M. and the Council would hear the zoning cases scheduled for public hearing at this time. The Director of Planning reviewed each case, locating them in the area, describing the uses of surrounding properties, and adequacy of streets.

The Council publicly heard the following zoning applications:

From "D" Industrial 3rd
Height & Area
To "C-2" Commercial 3rd
Height & Area

CHARLES VILLASENOR 300-308 Allen St.
(continued)

NOT Recommended by the
Planning Commission

Councilman Atkison moved the change to "C-2" Commercial 3rd Height and Area be granted. The motion, seconded by Councilman Price, carried by the following vote:

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

The Mayor announced that the change had been granted to "C-2" Commercial 3rd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

CHARLES VILLASENOR 6213-6217 Caddie St.
C14-70-127 1700 Montopolis Drive

From "A" Residence
To "C-2" Commercial
NOT Recommended by the
Planning Commission
RECOMMENDED "GR" General
Retail subject to right
of way on Caddie Street

Councilman Price moved the change to "GR" General Retail be granted subject to right of way on Caddie Street as recommended. The motion, seconded by Councilman Atkison, carried by the following vote:

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

The Mayor announced that the change had been granted to "GR" General Retail subject to right of way on Caddie Street and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

CHARLES VILLASENOR 1213-1215 Montopolis
C14-70-128 Drive
6300 Porter Street

From "A" Residence
To "GR" General Retail
RECOMMENDED by the
Planning Commission
subject to 5' of right of
way on Porter Street

Councilman Price moved the change to "GR" General Retail be granted subject to 5' of right of way on Porter Street. The motion, seconded by Councilman Janes, carried by the following vote:

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

The Mayor announced that the change to "GR" General Retail had been granted subject to 5' of right of way on Porter Street and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

AUSTEX DEVELOPMENT
COMPANY, LTD.
By Bill Williams
C14-70-139

306-312 East Rundberg
Lane
9400-9403 North Street

From Interim "A" Resi-
dence 1st Height &
Area
To "C" Commercial 1st
Height & Area
NOT Recommended
RECOMMENDED "GR" General
Retail 1st Height & Area
subject to 5' sidewalk
easement on either side
of North Street

Councilman Gage moved the change to "GR" General Retail be granted subject to 5' sidewalk easement on either side of North Street. The motion, seconded by Councilman Price, carried by the following vote:

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

The Mayor announced that the change had been granted to "GR" General Retail subject to 5' sidewalk easement on either side of North Street and the City Attorney was instructed to draw the necessary ordinance to cover.

- - - - -

JOHN W. TABOR
By Russell Rowland
C14-70-130

2025 Ivy Trail
2022-2026 Ben White Blvd.

From "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission

Councilman MacCorkle moved the change be denied. The motion, seconded by Councilman Price, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

- - - - -

VIOLET MANOS
By Mike Manos
C14-70-131

703-709 Hearn Street
702-708 Deep Eddy Avenue

From "A" Residence
To "B" Residence
NOT Recommended by the
Planning Commission

Councilman Gage moved the change be denied. The motion, seconded by Councilman Janes, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

- - - - -

PAUL SALDANA
C14-70-132

2015 Thrasher Lane

From "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission

Councilman Price moved the change be denied. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

- - - - -

CHURCH OF THE
NAZARENE
By Steve Price
C14-70-138

1001 and 1003 West
Milton
1700-1702 South 5th
Street

From "A" Residence
To "O" Office
NOT Recommended by the
Planning Commission

Councilman MacCorkle moved the change be denied. The motion, seconded by Councilman Janes, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

- - - - -

RAY SHAW
C14-70-143

713-715 Patterson Avenue

From "A" Residence
To "BB" Residence as
amended
RECOMMENDED by the
Planning Commission as
amended

Foe Lawrence represented the applicant. The daughter of Mrs. McCutchen expressed opposition as did Mrs. E. L. Kampe, Joe Bowling, and others. Councilman Gage moved the change be denied. The motion, seconded by Councilman Janes, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

- - - - -

AUSTIN URBAN RENEWAL	1170-1190 Hargrave St.	From "A" Residence
AGENCY & CITY OF	1187½-1199½ Chestnut Ave.	"B" Residence
AUSTIN	2300-2350 Rosewood Ave.	"GR" General Retail
C14-70-146	1150-1152 Walnut Ave.	"C" Commercial &
	2603-2903, 2301-2413 and	"C-2" Commercial
	2503 East 12th Street	1st & 2nd Height &
		Area and
		"E" Industrial 2nd
		Height & Area
		To "A" Residence and "O"
		Office 1st Height &
		Area and
		"B" Residence 2nd
		Height & Area
		RECOMMENDED by the
		Planning Commission

Councilman Gage moved the change be granted as recommended by the Planning Commission. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

The Mayor announced the change had been granted to "A" Residence and "O" Office 1st and 2nd Height and Area and "B" Residence 2nd Height and Area District as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

ANNEXATION HEARING SET

(Requested by owners' representatives)

Councilman Price 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 17th day of September, 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:

TRACT 1: 20.69 acres of land, same being out of and a part of the John Applegait Survey in Travis County, Texas, which 20.69 acres of land are more particularly described by metes and bounds as follows:

BEGINNING at an iron pin on the present corporate limit line of the City of Austin as adopted by ordinance dated October 2, 1969, which point of BEGINNING is the most easterly corner of Lot 1, Block N, Northcape, Section

Three, a subdivision of record in Book 50 at page 13 of the Plat Records of Travis County, Texas, same being a point in the proposed corporate limit line of the City of Austin, and from which point of BEGINNING the intersection of the east line of Childress Drive with the north line of Floyd Drive bears southwesterly 167 feet, more or less;

THENCE, with the proposed corporate limit line of the City of Austin, N 29° 51' E 659.17 feet to an iron pin at the northwest corner of the herein described tract of land, same being a point in the south line of North Acres, Section Three, a subdivision of record in Book 37 at page 12 of the Plat Records of Travis County, Texas;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said south line of North Acres, Section Three, S 60° 19' E 846.82 feet to a concrete monument at the most northerly northeast corner of the herein described tract of land;

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

(1) S 29° 51' W 115.00 feet to an iron pin;

(2) S 37° 37' W 50.48 feet to an iron pin;

(3) S 29° 51' W 895.00 feet to an iron pin;

(4) S 60° 27' E 280.00 feet to a concrete monument at the most southerly northeast corner of the herein described tract of land;

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

(1) S 29° 51' W 70.00 feet to an iron pin;

(2) S 29° 33' W 60.00 feet to an iron pin;

(3) N 60° 27' W 19.28 feet to an iron pin;

(4) S 29° 33' W 115.36 feet to an iron pin at the most southerly southeast corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin, N 60° 27' W 540.00 feet to an iron pin at the most southerly corner of Lot 15, Block L, in the aforesaid Northcape, Section Three, same being the most southerly southwest corner of the herein described tract of land, and which point is in the aforesaid present corporate limit line of the City of Austin as adopted by ordinance dated October 2, 1969;

THENCE, with said present corporate limit line of the City of Austin as adopted by ordinance dated October 2, 1969, in a northerly and easterly direction to the point of BEGINNING.

TRACT 2: 74.2 acres of land, same being out of and a part of the Theodore Bissel League in Travis County, Texas, which 74.2 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 9, 1969, which point of BEGINNING is the most easterly southwest corner of Cherry Creek IV, a subdivision of record in Book 46 at page 13 of the Plat Records of Travis County, Texas, same being the most southerly 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 Gateshead Drive with the south line of Coatbridge Drive bears N 30° 10' E 120.00 feet;

THENCE, with the proposed corporate limit line of the City of Austin in a westerly direction with the following seven (7) courses:

- (1) N 60° 26' 780.00 feet to a point;
- (2) N 85° 36' W 18.26 feet to a point;
- (3) N 50° 11' W 33.07 feet to a point;
- (4) N 60° 04' W 496.50 feet to a point;
- (5) N 60° 05' W 93.91 feet to an iron pin;
- (6) N 60° 04' W 122.87 feet to an iron pin;

(7) N 60° 19' W 84.55 feet to an iron pin at the southwest corner of the herein described tract of land, same being a point in the present corporate limit line of the City of Sunset Valley;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said present corporate limit line of the City of Sunset Valley, in a northerly direction with the following two (2) courses:

- (1) N 29° 40' E 260.10 feet to an iron pin;
- (2) N 29° 41' E 510.23 feet to an iron pin in the centerline of Williamson Creek;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said present corporate limit line of the City of Sunset Valley, same also being the centerline of Williamson Creek and its meanderings, in an easterly direction with the following eleven (11) courses:

- (1) S 88° 19' E 78.00 feet to an iron pin;
- (2) N 50° 41' E 296.00 feet to an iron pin;
- (3) N 51° 16' E 171.76 feet to an iron pin;
- (4) N 57° 28' E 103.19 feet to an iron pin;
- (5) N 28° 54' E 140.0- feet to an iron pin;
- (6) N 22° 30' E 141.37 feet to an iron pin;
- (7) N 37° 15' E 160.24 feet to an iron pin;

- (8) S 84° 06' E 199.53 feet to an iron pin;
- (9) N 79° 24' E 267.06 feet to an iron pin;
- (10) S 72° 01' E 173.10 feet to an iron pin;

(11) S 59° 40' E 12.46 feet to an iron pin at an exterior ell corner of the herein described tract of land, same being the most southerly corner of Lot 16, Flournoy Acres, Section Three, a subdivision of record in Book 6 at page 152 of the Plat Records of Travis County, Texas, and which point is in the east line of that certain 33.276 acre tract of land conveyed to C. R. Flournoy by deed of record in Volume 846 at page 4 of the Deed Records of Travis County, Texas;

THENCE, continuing with the proposed corporate limit line of the City of Austin, same being said east line of the Flournoy tract of land, S 31° 44' W 147.10 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, S 60° 01' E 1,053 feet to a concrete monument at the southwest corner of Lot 18, Block A, Southern Oaks, Section 6 a subdivision of record in Book 18, at page 5 of the Plat Records of Travis County, Texas, same being a point in the present corporate limit line of the City of Austin as adopted by ordinance dated June 26, 1969;

THENCE, with said present corporate limit line of the City of Austin as adopted by said ordinance dated June 26, 1969, and an ordinance dated August 7, 1969, and the aforesaid ordinance dated January 9, 1969, in a southerly, easterly and westerly 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 Gage, carried by the following vote:
Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Johnson

EASEMENT RELEASED

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes by map or plat of Northwest Hills, Section Five, Phase Two, a subdivision in the City of Austin, Travis County, Texas, of record in Book 17 at Page 62 of the Plat Records of Travis County, Texas; same being out of and a part of Lot 5, Block S, of said subdivision; and,

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

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

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

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

Being all of the west five (5.00) feet of the south one hundred and twenty-five (125.00) feet of Lot 5, Block S, Northwest Hills, Section Five, Phase Two, a subdivision in the City of Austin, Travis County, Texas, of record in Book 17 at Page 62 of the Plat Records of Travis County, Texas.

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

UNDERGROUND PASSAGEWAY

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 application of the Board of Regents of the University of Texas to construct and maintain the hereinafter described underground improvement:

A proposed underground pedestrian passageway crossing Colorado Street for the Claudia Taylor Johnson Park Complex; said Colorado Street being a street in the City of Austin, Travis County, Texas, as shown on a map or plat of the Original City of Austin on file in the General Land Office of the State of Texas; the centerline of which underground pedestrian passageway shall be 37 feet, more or less, north of and parallel to the north property line of West 6th Street. The top of the outer casing of said underground pedestrian passage shall be at least 14.25 feet below the top of the street curb;

be and the same is hereby granted and the Building Inspector 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 regulations of 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 Board of Regents of the University of Texas.
- (4) The Board of Regents of the University of Texas will assume such liability, if any, as may be imposed by law for any damage to property or injury to or death of persons growing out of or connected with the construction or maintenance of said improvements or resulting from its use of the premises.
- (5) The City of Austin may revoke such permit for good cause after notice to the Board of Regents of the University of Texas and hearing thereon, and upon such revocation the owner of such improvements will remove the same and pay all costs and expenses attendant therewith.
- (6) Such excavation shall be performed in accordance with the letter of request, dated August 18, 1970, from the Chairman of the Board of Regents of the University of Texas and the supporting letter of August 21, 1970 from the firm Brooks, Barr, Graeber & White; both of said letters being incorporated by reference as though fully copied herein.

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

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

LICENSE AGREEMENT

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 City Council hereby approves, in principle, the proposed plans by the State Highway Department for the usage of a portion of the sidewalk area and area beneath the sidewalk on the North side of the 100 Block of Tenth Street, the South side of the 100 Block of Eleventh Street, and the East side of the 1000 Block of Colorado, in accordance with plans therefor presented to the Council by Mr. J. C. Dingwall, State Highway Engineer by letter of August 13, 1970, such approval being subject, however, to the following:

- (1) Construction and maintenance of public sidewalks as indicated on such plans at the expense of the State on the State's property.
- (2) Payment by the State of the costs of all utility relocation necessitated by such proposal and payment by the State of any extra costs of

installing parking meters, street lighting, storm sewers and other facilities which may be necessitated by such proposed construction of ramps, curbs, sidewalks and other facilities by the State in accordance with applicable City regulations.

(3) Assumption by the State of responsibility for the loss of any lateral support or damage to the City streets or facilities as a result of such proposed construction by the State.

(4) Assumption by the State of all liability which may be imposed by law for any damage to property or injury to or death of persons resulting from the State's use of the land.

It is further understood that this Resolution constitutes a preliminary approval in principle only and that the above conditions, together with such other conditions as the City may determine to be necessary and consistent for the purposes hereof to effect the plan proposed by the State will be set forth in an agreement to be executed by the City and the State prior to construction.

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

RENEWAL OF CONTRACT

The Council had before it a resolution authorizing the City Manager to exercise the option to renew contract with Capital Aggregates for the removal of rock, sand and gravel from certain tracts within Town Lake, for a period of five years. Original agreement executed October 1960 for ten years with an option for an additional five years. 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 an extension agreement of that certain contract executed October 18, 1960; and in accordance with the terms and provisions of that certain extension agreement as 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 extension 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, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Johnson

Councilman MacCoklke offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, After an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum, reasonable and safe speed for the operation of vehicles at the following locations is less than thirty (30) miles per hour on school days during the hours of 7:30 to 8:30 A.M. and from 2:30 to 4:00 P.M.; and,

WHEREAS, after said investigation, the City Council has found that the maximum, reasonable and safe speed for the operation of vehicles is twenty (20) miles per hour on such days and during such hours at the following locations:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
Turtle Creek Boulevard	Centerline of Cougar Avenue	Centerline of Emerald Forest Drive
Sahara Drive	Centerline of Cougar Avenue	Centerline of Mojave Drive
Hyridge Drive	Centerline of Oak Mountain Circle	200 feet west of the centerline of Tallwood Drive
Tannehill Street	Centerline of Samuel Huston Avenue	500 feet south of the centerline of Sam Huston Avenue
Susquchana Lane	Centerline of Springdale Road	Centerline of Dubuque Lane
North Hills Drive	Centerline of Edgefield Drive	200 feet east of the centerline of Northledge Drive
Northledge Drive	Centerline of Far West Boulevard	Centerline of North Hills Drive;

and,

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

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
Airport Boulevard	500 feet north of the centerline of Gunter St.	500 feet south of the centerline of Gunter St.

Now, Therefore,

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

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

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

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

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the twenty (20) miles per hour speed limit controlling traffic on school days from 7:30 to 8:30 A.M. and from 2:30 to 4:00 P.M. is no longer needed and should be DELETED at the following locations:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
Manor Road	200 feet south of Overbrook	200 feet north of Rogge Lane
Oltorf Street	200 feet west of East Side Drive	200 feet east of East Side Drive;

and,

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the twenty (20) miles per hour when flashing speed limit is no longer needed and should be DELETED at the following location:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
Manor Road	200 feet south of Overbrook	200 feet north of Rogge Lane;

and,

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the thirty-five (35) miles per hour when flashing speed limit is no longer needed and should be DELETED at the following location:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
U. S. 183	100 feet west of Fairfield Drive	200 feet east of Clearview Drive

Now, Therefore,

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

That the record of the above-referenced locations be marked "DELETED" so as to reflect the tenor of this Resolution and the findings herein.

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

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

CONTRACTS AWARDED

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 21, 1970 for 1100 Mercury Vapor Luminaires; 800 Mercury Vapor Luminaires and 600 Galvanized Steel Street Lighting Poles; 1200 Mast Arms and 100 Mast Arms, to be used by the Electric Distribution Division; and,

WHEREAS, the bid of Westinghouse Electric Corporation in the sum of \$34,775.00 for 1100 Mercury Vapor Luminaires; the bid of Techline, Incorporated, in the sum of \$97,242.00 for 800 Mercury Vapor Luminaires and 600 Galvanized Steel Lighting Poles; the bid of Priester-Mell Company in the sum of \$30,864.00 for 1200 Mast Arms; and the bid of Sterett Supply Company in the sum of \$2,005.00 for 100 Mast Arms, were the lowest and best bids therefor and the acceptance of such bids has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

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

That the bids as enumerated above be and the same are hereby accepted and that L. H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute contracts on behalf of the City with Westinghouse Electric Corporation; Techline, Incorporated; Priester-Mell Company and Sterett Supply Company.

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

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

*Councilman Atkison voting against the Sterett Supply Company, stating he did not want to waste \$500.00 of the taxpayer's money.

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 21, 1970 for 24,000 Barrels of Fuel Oil #2 to be used by the Electric Production Division at the Decker Power Plant; and,

WHEREAS, the bid of Gulf Oil Company in the sum of \$109,166.40 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 Gulf Oil Company in the sum of \$109,166.40 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 Gulf Oil Company.

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

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

Noes: None

Absent: Councilman Johnson

Not in Council Room when roll was called: Councilman MacCorkle

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 24, 1970, for the purchase of Ready Mix Concrete to be used by various City departments; and,

WHEREAS, the bid of Capitol Aggregates, Incorporated, in the sum of \$61,150.00 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 Capitol Aggregates, Incorporated in the sum of \$61,150.00 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 Capitol Aggregates, Incorporated.

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

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

Noes: None

Absent: Councilman Johnson

Not in Council Room when roll was called: Councilman MacCorkle

Councilman Price noted crews were on emergency duties on week-ends and had to mix their own concrete, as the companies did not deliver on Saturdays or Sundays. He asked that the contractor give this service any time the City needed it. The City Manager stated he would check into this.

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 25, 1970,

for the construction of a Restroom and Concession Facility at Pan Am Park; and,

WHEREAS, the bid of Lane Associates, Inc. in the sum of \$11,021.00 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Construction Engineering 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 Lane Associates, Inc. in the sum of \$11,021.00 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 Lane Associates, Inc.

The motion, seconded by Councilman Price, carried by the following vote:
Ayes: Councilmen Atkison, Gage, Janes, Price, Mayor LaRue
Noes: None
Absent: Councilman Johnson
Not in Council Room when roll was called: Councilman MacCorkle

ZONING WITHDRAWN

Councilman Gage moved the Council authorize withdrawal of the following zoning applications:

AUSTIN/HIGHLANDS INVESTMENTS, INC. By John Selman	501-509 Eberhart Lane 6400-6402 South Meadows Boulevard	From "A" Residence To "BB" Residence RECOMMEND Request be withdrawn by the Planning Commission
ABRAHAM P. YUJA By Clay Netherland	2115 Northland Drive	From "LR" Local Retail To "C" Commercial NOT Recommended by the Planning Commission RECOMMEND Council accept the withdrawal of this request

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

ZONING DEFERRED

The Council postponed action until all members of the Council were present on the following zoning applications:

O. C. HARDIN	3606 Clawson Road	From "A" Residence To "BB" Residence NOT Recommended by the Planning Commission
--------------	-------------------	--

NON-COMMISSIONED
OFFICERS' LIFE
INSURANCE COMPANY
By Silas Maxwell

506-508 East 38th Street

From "A" Residence
To "O" Office
NOT Recommended by the
Planning Commission

J. V. WALDEN
By Phil Mockford

3613-3617 Munson Street

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

A tie vote resulted on both the motion to deny
and the motion to grant.

AUSTIN PROPERTY OWNERS ASSOCIATION
TO DISCUSS TAX EVALUATIONS

MR. ROGAN GILES represented the Austin Property Owners Association, comprised mostly of large property owners and business operators in the north-east tax quadrant of the City, including: Delwood Center; Sears - Hancock Center; Capital Plaza; Cameron Village; Reagan Square; Henna Chevrolet; Austin Truck and Machinery; Volkswagon; Lone Star Beer; Central Freight Lines; Butter Krust Bread; Austin Baking Company; Joe Crow; Nash Phillips-Copus; Walter Carrington; Jimmy Connolly Real Estate; Scarbrough interests; Elgin Butler Brick Company; Citizens National Bank; C. L. Reeves Construction Company; Chevy Chase Apartments; Kingston Village Apartments; LaFontana Apartments; Sage Department Store; Chariot Motor Inn; Hunter Schieffers Investments; and others.

Mr. Giles presented their case, stating this northeast quadrant had been re-evaluated, and the results were a minimum of 200% increase up to 900% at least. The 1970-71 figures are 188% larger than the 1969-70 increases. He asked that this group be given a chance to work with the City Manager in an investigation as to what had been done in this quadrant and to see what relief might be appropriate. This association of large tax payers asked that the entire City be evaluated this way before these new values are applied with the tax rate. Contrary to general belief, these tax payers could not pass the tax on to the customers or clients, as some had competition in areas in the City that had not been re-evaluated; and could not raise their rates due to national or state control.

Mr. Giles asked for information and a break down as to new annexations, new construction, as well as the properties re-evaluated. MESSRS. RALPH ANDERSON, Real Estate; McCrary; W. H. JOHNSON, Central Freight Lines; JOE CROW: WOODROW PATTERSON: WOODROW SLEDGE spoke in opposition to the one quadrant's being re-evaluated at the high increase, while other parts of the City were not.

In behalf of the Austin Property Owners Association, Mr. Giles filed a petition requesting the following:

- (1) That the Council suspend and not place into effect any new tax valuations on real property made by the Tax Department in 1970, except on new construction and newly annexed properties, until all real property in the City and the School District is first re-evaluated on a uniform basis.

- (2) That the Tax Department be directed to undertake a complete and uniform re-evaluation of all real property in the school district and City before any changes are made, except new construction and newly annexed property.
- (3) To change the tax evaluation procedures and make them effective following January 1st.
- (4) Seek other revenues -- increased sales tax; room taxes; or a City income tax.

Mayor LaRue listed the various revenues open to the City, including the water rate, which, for the first time in 20 years, had been increased.

In conclusion, Mr. Giles asked that the Council authorize the City Manager to investigate the tax procedures that have been used by the Tax Department, and that he be authorized to hire consultants if necessary; and said his group would like to be included in the discussions.

The Mayor stated the Council would ask the City Manager to get all information concerning comparisons of the same types of properties, new construction, and annexed areas.

He stated serious consideration should be given to the suggestion of taking the four years, coming up at one time with a completion of the re-appraisal process, and making the change for the entire City simultaneous. There might not be any additional cost, but a loss in revenue, which must be made up in some way.

The Mayor stated the Council would ask the City Manager to accumulate information on the comparisons as asked for.

AUSTIN TAXPAYERS LEAGUE - TAXES

At 11:00 A.M., the Council heard representatives from the Austin Taxpayers League. Mr. George Shepherd and the Executive Committee appeared. Three Resolutions adopted by the League were read pointing out: (1) The 26th Street North and Shoal Creek East area had been assessed at a 100% - 400% increase, placing hardships on retired property owners or those limited salaries; and requesting the Council to rescind the 1970 tax plan, "re-evaluations", until all areas of Austin had likewise been reappraised in order to more fairly distribute the tax burden to all citizens; and that the Council study other methods of maintaining current property value records; (2) That the Council study other sources of income to supplement increased property taxes which harm the fixed wage earner and retired home owner; (3) That the Council thoroughly explain to the taxpayers the need for increased taxes so the citizens might understand the cause for recent drastic property valuation increases; and that the Council establish as a policy not to enter into projects that will materially increase the present tax structure without allowing public notifications and reasonable time for citizens to be heard.

Mr. Shepherd also asked for break-down figures in the quadrants. The Mayor reported that the City Manager had been asked to get the information for which Mr. Shepherd had asked.

MR. WILLIAM ARNOT, member of the Executive Committee, stated the League was concerned really about the fairness of the assessments, in that one section of town found itself faced with bearing a disproportionate share of the tax burden of the City. He asked consideration of the resolutions presented, and asked that the tax plan not be approved until action was taken on the three resolutions.

MR. JACK RITTER, representing the Austin Taxpayers League, expressed the grave concern of the membership of the League.

Different spokesmen mentioned a meeting with the City Manager and Council regarding the taxing processes. The Mayor stated the Council would be happy to meet with the groups at a time when the greatest number of members could be present.

TRAFFIC ON NORTH EAST DRIVE AND HIGHWAY 290

MS. MAXINE TATE who was to discuss traffic on Northeast Drive and Highway 290 had asked that she be re-scheduled for September 17th.

BUS FRANCHISE ORDINANCE - SECOND READING AND PUBLIC HEARING SET FOR 10:00 A.M., SEPTEMBER 24, 1970

MR. DAN FELTS, Attorney for Transportation Enterprises, stated although there were features of the second drafted ordinance, he would urge the passage through the second reading. One area of discussion was the special school bus rate which had been included in the franchise ordinance; but which was believed by the Transportation Enterprise, Inc., to be a charter service, with rates contracted. Councilman Gage was concerned about the school child fare's being half the adult fare, stating that the 20¢ was excessive. Mr. Felts pointed out a 10¢ rate would be confiscatory, as the buses were 44 passenger, and if they had 44 students at 10¢, their revenue would be \$4.40, and they would pay their driver \$5.90 to make the run. Gasoline, overhead, etc. were not included in that figure.

The City Attorney, Mr. Butler, stated under the Austin Transit, Inc. franchise, that there were no special school bus services, or regular routes; nor did the Council regulate any special school routes. The rates were included. He stated the guaranteed operating ratio of 92% was not in the Transportation Enterprise franchise, this being unfavorable to this Company.

MR. CONWELL SMITH stated they were being licensed for City buses, passenger buses, and railroad commission permits; and after the Council makes its decision they would either have to buy more buses or discontinue some, as they could not continue co-mingling the buses back and forth once they are registered.

Mr. Felts suggested amending the ordinance on Page 2, II - Special School Buses, to the effect that this service is construed to be a charter operation, and omit the fares; and that Section IX - Rate of Fare, be amended to show that it only be for the operations under this particular franchise, thus eliminating the consideration of the shuttle bus revenue or losses in any rate of fare adjustment. The Mayor stated it was the consensus of the Council that these two operations be separated as suggested. Lengthy discussion followed on the school bus fares. Mayor LaRue asked if the Company could

provide information on amount of revenue generated by the zone fare.

Mr. Felts stated the principals of the Company had asked the Council to vote on the fare for the children, as they did not have a sufficient number of buses to run this special service; and placing an order for additional buses depended upon the Council's action.

Mr. Corwell Smith stated they were in the process of securing 20 additional buses to handle the school routes; but they could not purchase any more buses to operate school buses for \$4.40 in the morning and \$4.40 in the evening. Buses were not easy to secure, and they had already drained the United States Market of buses. He said he could not recommend to the other principals an investment of \$75,000 for buses.

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

AN ORDINANCE GRANTING TO TRANSPORTATION ENTERPRISES, INC., A FRANCHISE FOR FIVE (5) YEARS TO OPERATE AND MAINTAIN A MOTOR BUS SYSTEM FOR THE TRANSPORTATION OF PERSONS AND PROPERTY UPON THE PUBLIC STREETS AND HIGHWAYS OF THE CITY OF AUSTIN, TEXAS, PURSUANT TO THE PROVISIONS OF THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, THE CHARTER OF THE CITY OF AUSTIN, AND THE CODES AND ORDINANCES OF THE CITY OF AUSTIN.

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

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

Councilman Janes moved a public hearing be set for September 24, 1970 at 10:00 A.M. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

TRANSFER POINTS AND ROUTE CHANGES - EAST END AND OIL MILL

MR. P. R. BENNIGHT, General Manager of Transportation Enterprises, asked to change two downtown routes for transfer points to provide more convenience and protection to the passengers transferring. He asked that the routes be changed where the EAST END Bus would stop in front of White's Pharmacy, and the Oil Mill Bus stop at Woolworths, both transfer points at 6th and Congress. Councilman MacCorkle moved the Council approve the change as set forth. The motion, seconded by Councilman Price, carried by the following vote:

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

PROJECT REHAB

MR. S. L. AUSTIN, President of the Housing Rehab Corporation, explained briefly the project, and asked the City to supply a letter approving the idea of Project Rehab without committing the City in any way, monetarily, or by service.

Such letter would indicate approval that Austin would be designated as a "Project Rehab City". No action was taken at this time by the Council. Councilman Gage asked that the City Manager's office meet with Mr. Austin and bring back a recommendation for the Council.

BIDS REJECTED

Councilman Janes moved the Council reject bids for 1000 Each Mercury Vapor Ballasts. The motion, seconded by Councilman Gage, carried by the following vote:

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

Pole Mounted Transformers

The City Manager reported that 35 out of 36 bids for pole mounted transformers were identical. This being a half million dollar contract, he believed that competitive bidding would save the City money. Councilman Atkison suggested that other brands of transformers be considered, as there are more than six different brands manufactured - some equal to these; some that would not meet the standards as set out but still are better transformers. He asked that this be explored. MR. BILL PENN, President of Techline, Inc., and a supplier of distribution of transformers, asked for an opportunity to discuss this matter with the City Manager, stating it would be more advantageous to take shorter term bids than long-term bids. The City Manager saw no problem in taking annual bids and following Mr. Penn's suggestion, too. As the bids come in, the Council still would make the decision. Councilman Janes moved the Council reject the bids and authorize the City Manager to take bids on an annual basis. The motion lost for the lack of a second. After discussion, Councilman Janes moved to reject the bids. The motion, seconded by Councilman Gage, carried by the following vote:

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

GAS RATE

The City Manager reported that the City Attorney and Staff were to meet in Dallas with Southern Union Gas officials.

DOCTOR APPROVED

Councilman Gage moved the Council approve Dr. Bwonlua Yardo as O.B. Gyn. Resident at Brackenridge Hospital. The motion, seconded by Councilman Atkison, carried by the following vote:

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

MAYOR PRO-TEM

Councilman Gage, who was to become Mayor Pro-Tem on September 15th, withdrew his name as he could not serve. Councilman Atkison moved the Council start on rotation. The motion, seconded by Councilman Price, carried by the following vote:

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

ADJOURNMENT

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

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

The Council adjourned at 6:30 P.M.

APPROVED _____

Mayor

ATTEST:



City Clerk