

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 6, 1969  
9:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor LaRue presiding.

Roll Call:

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

Invocation was delivered by REVEREND N. W. BACON, Greater Mount Zion Baptist Church.

SPECIAL RECOGNITION - KENNY BOSWELL

Mayor LaRue announced the Council wanted to recognize a product of Austin's School System, and one in whom they took considerable pride.

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Kenny Boswell is a product of Austin, its public school system and of various schoolboy baseball teams in Austin; and,

WHEREAS, he is the son of an Austin couple, Mr. and Mrs. Claude Boswell; and,

WHEREAS, he has gone on to become one of the outstanding baseball players in the major leagues; and,

WHEREAS, he is a member of the amazing New York Mets; World Champions of our national pastime; and,

WHEREAS, Kenny Boswell, by his accomplishments, has brought much honor and credit to the City, his family and all of his former Austin associates who coached or played with him in his Austin school years; Now, Therefore,

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

That the feeling of pride of the citizens of Austin in this achievement and their sincere congratulations be conveyed to him by copy of this Resolution as well as their best wishes for his continued future success in his baseball career.

WITNESS OUR HANDS AND THE OFFICIAL SEAL OF THE CITY OF AUSTIN, this 6th day of November, 1969, A.D.

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

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

Noes: None

Mayor LaRue presented the Official Resolution to Mr. Kenny Boswell.

#### CHIEF WILLIAM RED FOX

Mayor LaRue recognized CHIEF WILLIAM RED FOX, presenting him a certificate making him an honorary citizen of Austin. Chief Red Fox, 99 years old, a recognized authority on Custer's Last Stand, having been on the Battleground some two hours after the Battle of the Little Big Horn; was graduated from Carlisle Indian School, and attended two years of Law School at the University of Wisconsin; spent four years in the U. S. Navy, travelled for 15 years the world over with the Buffalo Bill Cody. Chief Red Fox presented the Mayor with a feathered head-dress, making him a 101% American.

#### INVITATION TO OPENING OF THE FIRST HALFWAY HOUSE FOR THE DEAF IN THE NATION

Mrs. Conn, Social Concern Task Force, Texas Rehabilitation Commission, invited the Council to the opening of Halfway House for the Deaf, 1314 The Circle, at 3:00 P.M., November 16th. She announced this Halfway House for the multiple handicapped deaf was the first in the nation to be established. The Mayor stated circumstances permitting, the Council would be there, and thanked her for the invitation.

#### DISCH FIELD - (Butler Tract)

Mr. D. D. Johnson, life member of the Jaycees, who are baseball enthusiasts, and who spearheaded a drive to raise funds to defray the cost of the ball park, read a statement citing the history of the ball park, beginning the early part of 1941, when a group of Jaycees appeared before the Council and discussed the need and building of a ball park. The Jaycees located the tract along the north side of Barton Springs Road, and negotiated for the land with Messrs. Tom and John Butler, for \$60,000. The City later acquired the land and the Jaycees raised \$16,000 from the merchants and citizens of Austin to pay part of the cost and build the stadium, which had to be deferred due to the Pearl Harbor incident, December 7, 1941. War bonds were purchased with the \$16,000. At the end of the war, the Jaycees turned over the money and interest to the City, and the building of the ball park commenced. The City entered into an agreement with Mr. Ed Kneble permitting him to build the park at a cost of \$250,000.00, and Mr. Kneble leased the park for \$1,000 a year. The park was a successful venture for over 10 years. Mr. Johnson was enthusiastic in trying to get baseball started again in Austin in a big way.

MR. JOHNSON considered baseball and sports as an industry bringing in outside capital. Austin no longer has a major baseball park, and Disch Field had been torn down to the regrets of many who helped contribute to the cost of the building. He suggested that an award in the form of a plaque of commendation be given the Austin Junior Chamber of Commerce, who contributed so much in securing the land before someone else might have bought it for some other use, and for their tireless efforts in having been responsible to see that the ball park became a reality rather than a dream. Mayor LaRue vouched for Mr. Johnson's report, as he well was aware of these endeavors. Members of the Council asked for copies of this statement.

#### EMINENT DOMAIN PROCEEDINGS FOR RIGHT OF WAY

The City Manager, Mr. Barker, recommended approval of eminent domain proceedings to give authority to secure the full 1.967 acres of which 1.236 lie within the City limits and will be paid for by the City of Austin, the balance being paid for by the County of Travis. The Resolution quotes the description of land as a conveyance by Bryant Collins to BEN HUR TEMPLE. Councilmen Atkison and Janes disqualified themselves from participating in this matter, as they were each a member of the Ben Hur Shrine.

Councilman MacCorkle offered the following resolution and moved its adoption:

#### (RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the widening and improvement of the intersection formed by U. S. Highway 183 (Research Boulevard), Loop 275 (North Lamar Boulevard), and Anderson Lane, in the City of Austin, to provide for the free and safe flow of traffic in said area within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right-of-way to permit the widening and improvement of such intersection in the City of Austin; and,

WHEREAS, the City of Austin has negotiated with the owners of said land and has been unable to agree with such owners 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 owners 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 two separate tract of land containing 1.967 acres of land, more or less, out of and a part of that certain 22.0 acre tract of land lying and being in the James P. Wallace Survey No. 57 in Travis County, Texas, with the land lying along the U. S. Highway 183 Eastern right of way line and the Loop Highway 275 Western right of way line and being part of the same land described in conveyance to Ben Hur Temple A.A.O.N.M.S. and recorded in the Deed Records of Travis County, Texas, as follows:

<u>Grantor</u>	<u>Date</u>	<u>Volume</u>	<u>Page</u>
Bryant M. Colling	August 2, 1955	1610	119
Bryant M. Collins	December 24, 1955	1797	536

PART I.

0.619 of one acre of land, more or less, described by metes and bounds as follows:

BEGINNING at a nail in the existing East right of way line of U. S. Highway 183, said nail being the Southwest corner of the 20.0 acre tract of land described in Volume 1610, Page 119, Deed Records of Travis County, Texas, and being located 45.00 feet to the left of and at right angles to the proposed Engineer's left lane centerline station 372+84.31;

THENCE, S 62° 31' E, 94.59 feet with the South line of the said 20.0 acre tract to a point on the proposed East right of way of U. S. Highway 183, from which an iron pin at the most Southerly corner of the said 20.0 acre tract bears S 62° 31' E, at 477.90 feet;

THENCE, N 20° 33' W, 852.12 feet with the said proposed East right of way line to a brass right of way marker embedded in concrete on the said existing East right of way line, said marker being 45.00 feet to the left of and at right angles to the proposed Engineer's left lane centerline station 364+99.97;

THENCE, S 15° 56' E, 784.34 feet along the said existing East right of way line and the West line of the said 20.0 acre tract to the point of beginning and containing 0.619 of one acre of land, more or less all of which lies outside the Corporate Limits of the City of Austin.

PART II.

1.348 acres of land, more or less, being described by metes and bounds as follows:

BEGINNING at a point in the existing West right of way line of Loop 275, said point being the Southeast corner of the 2.0 acre tract of land described in Volume 1797, Page 536, Deed Records of Travis County, Texas, and being located 58.95 feet to the right of and at right angles to the proposed Engineer's left lane centerline station 157+84.40;

THENCE, N 62° 33' W, 185.49 feet with the South line of the said 2.0 acre tract to a point on the proposed West right of way line of Loop 275, from which an iron pin at the Southwest corner of the said 2.0 acre tract, same being the most Southerly corner of the said 20.0 acre tract bears N 62° 33' W, at 64.41 feet;

THENCE, along the said proposed West right of way line the following courses:

N 42° 07' E, 55.29 feet to a point, same being 90.00 feet to the left of and at right angles to the said proposed Engineer's left lane centerline station 158+00.00;

N 48° 24' E, 312.29 feet to a point, same being 90.00 feet to the left of and at right angles to the said proposed Engineer's left lane centerline station 161+00.00;

N 56° 40' E, 5.73 feet to a point on the North line of the said 2.0 acre tract;

THENCE, S 62° 30' E, 146.49 feet with the said North line to a point at the Northeast corner of the said 2.0 acre tract, said point being on the said existing West right of way line;

THENCE, along the said existing West right of way line with a curve to the left, having a radius of 7,689.44 feet, for an arc distance of 361.30 feet, for which a chord bears S 41° 47' W, at 361.26 feet, to the point of beginning and containing 1.348 acres of land, more or less, of which 0.112 of one acre, more or less, lies outside the Corporate Limits of the City of Austin.

SUMMARY:

PART 1	0.619 Acre
PART 11	1.348 Acres
TOTAL	1.967 Acres

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

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

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

Noes: None

Present but not voting: Councilmen Atkison, Janes

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the widening and improvement of the intersection formed by U. S. Highway 183 (Research Boulevard), Loop 275 (North Lamar Boulevard), and Anderson Lane, in the City of Austin, to provide for the free and safe flow of traffic in said area within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right-of-way to permit the widening and improvement of such intersection in the City of Austin; and,

WHEREAS, the City of Austin has negotiated with the owners of said land and has been unable to agree with such owners 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 owners 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 0.717 of one acre of land, more or less, out of and a part of a 4.21 acre tract of land lying and being in the James P. Wallace Survey No. 57 in Travis County, Texas, said 4.21 acre tract being a part of the same land conveyed from American Legion Post No. 76 to Printing Craft, Inc. by Deed dated September 2, 1964, and recorded in Volume 2891, Page 465, Deed Records of Travis County, Texas, said 0.717 of one acre of land, more, or less, being more particularly described by metes and bounds as follows:

BEGINNING at a point at the Grantor's Northeast property corner, same being on the existing West right of way line of Loop 275, and being 20.73 feet to the right of and at right angles to the proposed Engineer's left lane centerline station 164 54.12;

THENCE, along the said existing West right of way line, same being the Grantor's East property line, with a curvey to the left, having a radius of 7,689.44 feet, for an arc distance of 299.60 feet, for which a chord bears S 44° 15' W, at 299.58 feet, to a point at the Grantor's Southeast property corner;

THENCE, N 62° 30' W, 146.49 feet with the Grantor's South property line to a point on the proposed West right of way line of Loop 275;

THENCE, N 56° 40' E, 281.38 feet with the said proposed West right of way line to a point 50.00 feet to the left of and at right angles to the said proposed Engineer's left lane centerline station 163 77.64;

THENCE, continuing with the said proposed West right of way line N 51° 38' E, 45.13 feet to a point on the Grantor's North Property line, from which an iron pin at the Grantor's Northwest property corner bears N 62° 30' W, at 605.40 feet;

THENCE, S 62° 30' E, 77.23 feet with the said North property line at the point of BEGINNING.

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

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

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

#### REFUND CONTRACT

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ASSISTANT TO THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH WESTCREST, INCORPORATED FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance were read the first time and Councilman Janes moved that the rule be suspended and the ordinance pass 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 pass 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 the ordinance had been finally passed.

#### CONTRACT

The City Manager submitted the following:

"DATE: November 3, 1969

"TO: Mr. F. D. Glenn - Purchasing Agent

"SUBJECT: Bid Request 9177X, 138 KV Insulators

"Bids were opened at 10:00 A.M., October 13, 1969, for 36 138 KV insulators.

"We have not purchased any of the subject 138 KV insulators and do not have any record of past prices. We had estimated the cost of the insulators to be approximately \$205.00.

"Payment is to be made from current funds, if available, or authorized bond funds in the 1970 Fiscal Year and charged to account number 81135600.

"The construction of an overpass structure on MoPac Boulevard will compel us to relocate 69 KV circuit number 810, Northland Substation to Magnesium Plant Substation. Long range plans call for converting this circuit to 138 KV operation in the future. The relocated section will be insulated for 138 KV at the time of relocation.

"Bid prices were received as shown below:

"Elgin B. Robertson, Houston  
\$190.25 each, Total \$6,849.00

"Priester-Mell Company, Austin  
\$200.26 each, Total \$7,209.36

"We recommend the award of the order to Elgin B. Robertson on the basis of low bid and compliance with specifications.

"FROM: R. L. Hancock  
Asst. Director, Electric Utility

"SIGNED: R. L. Hancock

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 20, 1969, for the purchase of thirty six (36) each 138 KV Insulators for the Electric Distribution Division; and,

WHEREAS, the bid of Elgin B. Robertson, Inc., in the sum of \$6,849.00, 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 Elgin B. Robertson, Inc., in the sum of \$6,849.00, be and the same is hereby accepted, and that Norman McK Barker, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Elgin B. Robertson, Inc.

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

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

APPOINTMENT OF ARCHITECT

The City Manager explained the expansion of the PARD Administrative Office already had been approved in effect by the City Council, and this is the request of the Director of Recreation to engage an architect for the expansion of this facility, estimated to be between \$25,000 and \$50,000. The policy of appointing an architect has been reserved for the City Council. The staff calls attention to the Council and recommends the appointment of MR. EARL DILLARD, as he was associated with the Architect on the original construction. This is budgeted bond money.

Councilman MacCorkle moved the Council authorize the architectural contract with Mr. Earl Dillard. The motion, seconded by Councilman Janes, carried by the following vote:

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

SPECIAL RECOGNITION - PROCLAMATION MUSCULAR DYSTROPHY WEEK

MAYOR LARUE noted in the Council Chamber a very young lady from Saginaw, Michigan, the Poster Girl for Muscular Dystrophy Week. He read the Proclamation, setting November 6 through December 6, as Muscular Dystrophy Month in Austin, and urging all citizens to fully support the work of the Muscular Dystrophy Association of America. He presented the Original Proclamation to the young person.



## ZONING APPLICATIONS

Pursuant to published notice thereof the following zoning applications were publicly heard:

KIRBY W. PERRY	206 West 38th Street	From "B" Residence 2nd
By Conway Taylor	207 West 38 $\frac{1}{2}$ Street	Height and Area
		To "O" Office 2nd
		Height and Area
		RECOMMENDED By the Planning
		Commission

Councilman MacCorkle moved that the change from "B" Residence 2nd Height and Area to "O" Office 2nd Height and Area be granted. 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 change to "O" Office 2nd Height and Area had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

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A. E. RHODES	3701 Tom Green Street	From "A" Residence
		To "B" Residence
		RECOMMENDED By the Planning
		Commission

Councilman Janes' moved that the change from "A" Residence to "B" Residence be granted. 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 change to "B" Residence had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

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LEROY BEDNAR	4111-4113 Marathon Blvd.	From "A" Residence
		To "O" Office
		RECOMMENDED By the Planning
		Commission

Councilman Price moved that the change from "A" Residence to "O" Office be granted. 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 change to "O" Office had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

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MIKE ARNN        2213 Bluebonnet Lane  
By John B. Selman

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

Councilman Janes moved that the change from "A" Residence to "B" Residence be granted. 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 change to "B" Residence had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

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TENNIE TAYLOR        1108 East 51st Street  
By Terry J. Sasser

From "A" Residence  
To "C" Commercial  
RECOMMENDED Subject to  
r-o-w for widening E. 51st  
Street by the Planning Com-  
mission

Councilman Janes moved that the change from "A" Residence to "C" Commercial be granted. 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 change to "C" Commercial had been granted subject to the right of way for widening East 51st Street, and the City Attorney was instructed to draw the necessary ordinance to cover.

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FRED B. WERKENTHIN    6101-6403 Bolm Road  
Rear of 876-998  
Ed Bluestein Blvd.  
750-826 Ed Bluestein  
Boulevard

From Interim "A" Residence  
1st Height and Area  
To "B" Residence 1st  
Height and Area  
RECOMMENDED subject to  
r-o-w for future widening  
of Bolm Road and subject to  
change in Master Plan for  
Manufacturing to Medium  
Density Residential by  
Planning Commission

Councilman Gage moved that the change from Interim "A" Residence 1st Height and Area to "B" Residence 1st Height and Area be granted. 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 change to "B" Residence 1st Height and Area had been granted subject to the right of way for future widening of Bolm Road and subject to change in the Master Plan for Manufacturing to Medium Density Residential and the City Attorney was instructed to draw the necessary ordinance to cover.

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JOHN O. RANEY

120-124 Alpine Road

From "B" Residence 3rd  
Height and Area  
To "C" Commercial 3rd  
Height and Area  
NOT Recommended  
RECOMMENDED "O" Office 3rd  
Height and Area subject to  
5' of r-o-w for Alpine Rd.  
By Planning Commission

Councilman Price moved that the change from "B" Residence 3rd Height and Area to "O" Office 3rd Height and Area subject to 5' of right of way for Alpine Road had been granted. 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 change to "O" Office 3rd Height and Area had been granted subject to 5' of right of way for Alpine Road and the City Attorney was instructed to draw the necessary ordinance to cover.

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DAVID L. HEARN  
By George Hyde

3717-3811 Manchaca Road

From "A" Residence 1st  
Height and Area  
To "LR" Local Retail 2nd  
Height and Area  
NOT Recommended  
RECOMMENDED "O" Office 1st  
Height and Area by  
Planning Commission

Councilman Janes moved that the change from "A" Residence 1st Height and Area to "O" Office 1st Height and Area be granted. 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 change to "O" Office 1st Height and Area had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

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MARIE NOACK, E, J. ALFF, JR.

& JOSEPHINE NENDELL

By Martin Nassour

2000-2008 East 19th St.

1900-1910 Alamo Street

2001-2009 East 20th St.

1901-1911 Poquito

From "A" Residence

To "C" Commercial

NOT Recommended

RECOMMENDED "LR" Local Retail

for south  $\frac{1}{2}$  fronting on E. 19th Street; "BB" Residence for north  $\frac{1}{2}$  fronting on E. 20th St.; subject to 15' r-o-w for E. 19th St., 5' r-o-w for E. 20th St., 7' r-o-w for Poquito St. and 7' r-o-w for Alamo St.

By the Planning Commission

No one appeared to be heard. The Assistant Planning Director reported the applicants were interested in selling the block. "LR" is compatible with Zoning across the street. The Planning Commission recommended "BB" for the remaining portion of the block.

Councilman Janes moved that the change from "A" Residence District to the recommendation of the Planning Commission be granted. 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 change to "LR" Local Retail, "BB" Residence had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

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W. H. BULLARD

2003 Airport Boulevard

From "C" Commercial

To "C-2" Commercial

RECOMMENDED By the Planning Commission

Councilman Price moved that the change from "C" Commercial to "C-2" Commercial be granted. 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 change to "C-2" Commercial had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

WILLIAM MARK DAY  
By Jack Dempsey

6313-6325 Cameron Road  
6327-6417 State Highway  
20  
1335-1401 Wheless Lane

From "GR" General Retail  
TO "C-2" Commercial  
RECOMMENDED BY the Planning  
Commission

MR. ROBERT SNEED, representing the applicant, said this change of zoning was requested for on premises consumption or for the operation of a liquor store. The zoning was recommended by the Planning Staff Planning Committee, and by a majority of the Planning Commission. He displayed a schematic drawing of the proposed shopping center showing the location of the proposed lounge, which would be a part of the overall center. He pointed out areas zoned "C-2", and a pizza parlor where beer was sold. This application is limited to a particular area. He said opposition was expressed as such a place would be detrimental to teenagers, to whom of course, no alcohol could be sold, or the lounge would cease to operate. There would be no pool halls or coin operated games on the premises. It was his understanding that the lessees had agreed to the particular provisions mentioned. There would be no light damage, as there would be a 6' privacy fence, and the building was sound proof.

MR. MARSHAL EDWARDS, Minister of Windsor Park Baptist Church, representing a large number of people, expressed opposition. He had filed a petition containing 250 names of those in the area protesting the zoning; also a Resolution unanimously passed by the Windsor Baptist Church of 1200 members who objected to rezoning this property. A large number attended the Council meeting and stood to be counted. The lounge or tavern is very close to many residential homes in the area, one home being less than 250' from the back of the establishment. Many lives and homes will be affected by this development. Reverend Edwards noted the Police Department had been called to the pizza parlor many times in the last five weeks. Another tavern could increase this type of problem. He reported this request for opposition came to him from irate young people, stating that they did not produce dirty movies, put out propaganda nor build taverns. Many Reagan students come to this shopping center. The Minister asked, "Was this the best for the dollar's worth and big business, or the best for the people?" He urged that the change NOT be granted.

MR. DILLY M. KELLY, speaking as a parent and administrator of the school asked the Council to give serious thought to permitting such a business across the street from one of the largest high schools in Austin.

MR. SNEED, in rebuttal, asked the Council to look at the property in relationship to its proximity to Reagan High School. He mentioned children's watching football games on TV and seeing much about beer in front of them, and narrators going into great details about the merits of beer. He explained there was not way to keep children from being exposed to seeing or hearing about beer. This application deals with the standards of the City with regulations and not whether or not beer can be sold. Councilman Gage, stated in the shopping center, the A & P sells wine; the pizza parlor sells beer; there is a liquor store; across the street is Cameron Lounge, and a 7-11 store across the street from Reagan School sells beer to go. The Council discussed the application among itself and with the attorney for the applicant.

DORIS RICHTER noted the noise element was outside the building late at night-- people gun their motors, honk, curse, talk loudly, fight, and sing.

MR. NELSON PUETT stated he had developed a number of shopping centers, and that if Mr. Day, a friend of his, wants to kill a shopping center, he can just put a tavern or lounge in it. This will not be good for Bill in the long run; nor is it good for the City of Austin to have those lounges.

The Council wanted to make an onsite inspection of this location. Councilman Price wanted to visit among the people and see if the Council had all of the sentiments of the people in the community. Mayor LaRue stated the Council would go look at the area and arrive at a decision.

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NELSON PUETT

1629-1647 Rutland Drive

From Interim "A" Residence  
1st Height and Area  
To "GR" General Retail 2nd  
Height and Area  
NOT Recommended  
RECOMMENDED "BB" Residence  
1st Height and Area subject  
to 25' building setback line  
along the east property  
line; solid fence along EPL  
extension of Colony Creek  
Drive. & Roundberg Lane;  
r-o-w for future widening of  
Peyton Gin Road by the  
Planning Commission

MR. NELSON PUETT asked for a seven-day extension of the hearing, as he was selling this property within that time. Mayor LaRue explained there was some to be heard in opposition, and that the Council would let those present their views, and hear Mr. Puett the following week. This was agreeable to Mr. Puett.

MR. R. W. COIL, 9006 Pointers Lane West, reported having filed a petition in opposition with the Zoning Committee, the petition bearing signatures of all families currently in Quail Creek West. He furnished the Council a copy of this petition in which vigorous protest to any change of zoning was expressed. Justification for the opposition was: devaluation of new residential property after rezoning; and already semi-congested traffic condition generated by the schools; and by the fact Peyton Gin Road is a principle link between U. S. 183 and IH 35, the traffic would be multiplied many fold by development possible after this zoning change. Increased environmental pollutions as to the air, and physical rubbish, trash, etc., brought about by the proposed development; would continually harass family life, and increase health hazards to the residents. Development exceeding single residence height limits, includes signs, billboards, service station standards, parking lot lights, multi-level apartments, etc., a perpetual invasion of privacy for home

owners adjacent or nearby. Noise, littering, disruptive character of all-night and drive-in variety restaurants; all-hours truck activities, etc., all inconsistent with residential environment. Should a commercial center develop, property adjacent would become more valuable as commercial land, but would do the homeowner no good at all. He noted the current housing situation with the influx of new industry, and the amount of money the owners had to pay for their homes at this time, creating a significant investment.

Mayor LaRue announced this application would be held in abeyance until next week.

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WESLEY PEARSON

Tract 1  
3800-3810 So. Congress  
101-123 Post Road Drive  
100-124 Krebs Road

From "A" Residence 1st  
Height and Area and  
"C" Commercial 6th  
Height and Area  
To "DL" Light Industrial  
3rd Height and Area

Tract 2  
118-120 Post Road Drive

From "A" Residence 1st  
Height and Area and  
"C" 6th Commercial  
Height and Area  
To "B" Residence 1st  
Height and Area

RECOMMENDED subject to r-o-w  
for widening Post Road dr.;  
and with condition that if  
Tract 2 is not used for  
parking purposes only the  
zoning would revert to  
existing "A" Residence 1st  
Height and Area by Planning  
Commission

MR. WESLEY PEARSON had been called out of the City. Mayor LaRue stated the hearing would be continued and the Council would hear anyone interested in this zoning case.

MR. A. L. HOEFELDER, 114 and 112 Post Road Drive, displayed pictures showing cars parked across the highway on state property. He did not want a parking lot coming up to 7' from his house. He had lived at this location 34 years; worked along with the City giving easements for sanitary sewers and a storm sewer, and helped in the building. His renters work at night. A parking lot next to them with the excessive noises would decrease the value of his property and destroy the rental of the property. The street is in a dead-end, and narrow, and the big trucks which could not turn around on this street, and their backing up to the business, honking their horns, and causing confusion. She did not want this next door to her home.

Mayor LaRue announced this application would be carried over until next week.

ROSS D. TERRY ESTATE  
By Robert H. McIntyre

4507-4509 No. Inter-  
regional Highway  
4506-4508 Elwood Road.

From "A" Residence 1st &  
5th Height and Area  
To "C" Commercial 1st & 5th  
Height and Area  
NOT Recommended  
RECOMMENDED "O" Office 5th  
Height and Area on front  
portion of tract and retain  
"A" Residence 1st Height  
and Area on balance of  
tracy by the Planning Com-  
mission

MR. ROBERT McINTYRE, Trust Officer of the Austin National Bank administering the estate of Ross D. Terry said no plans for the development of this area were in the making now; however due to extensive frontage on the Interregional, they would like to develop the tract to its highest and best use. The Highway Department is taking approximately 20' off this property, as well as from other residences next to this property, reducing the desirability for residential use at these locations. Opposition was expressed by MR. HOWARD MOORE, 4331 Airport Boulevard, who filed a petition objecting to any zoning change, pointing out the property was surrounded on three sides by property with deed restrictions for "A" Residence 5th Height and Area. The only property zoned "C" Commercial is a block away and is developed as an apartment use, creating traffic and parking problems in this area. MR. EARL DEATHE, 1208 Fernwood Road, objected, stating the apartment house had created problems in his block, as he could not enter into his driveway for parked cars.

MR. JOE MANOR urged that this zoning change not be granted, as any more commercial would only create more chaos. MR. CALVIN WALLACE appeared in protest.

MR. DAN KILLEN filed a petition signed by a sufficient number of property owners within 200' of the property to require six votes to make any change from "A" Residence.

COUNCILMAN JANES disqualified himself from participating in any way in this zoning application, as he was a Director of the Bank.

COUNCILMAN GAGE, stated he did not think in good conscience that he could vote to grant the zoning, in that the rear lots facing Elwood Road are zoned "A" Residential and cannot be used for any other purpose except "A" Residential. No driveway could be put through nor parking facilities could be placed upon this tract. Councilman gage moved that the zoning as recommended by the Planning commission ("O" 5th Height and Area for the front portion of the tract facing Elwood Road and "A" for the rear tract facing Inter-regional Highway.) There being no second, Mayor LaRue ruled the motion died for the lack of a second.

The Mayor announced that the change had been denied.



NATIVIDAD CARMONA

2500 East 6th Street

From "D" Industrial 3rd  
Height and Area  
To "C-2" Commercial 3rd  
Height and Area  
NOT Recommended by the  
Planning Commission

No one appeared to represent the applicant.

Opposition was expressed by MRS. DORIS RICHTER, stating the applicants wanted to use this lot for a tavern. She pointed out the disadvantages to the neighborhood in making a tavern development -- narrow street; the bad situation at the intersection; people park in front of the fire plug, and in the safety zone before entering the intersection; there is no off street parking; the area is composed of many elderly people, many who cannot understand English. The tavern on the corner is a nuisance, as after closing hours there are lots of noises, gunshots, and fights. This is a neighborhood of 50 homeowners. She asked that the Council deny this request.

MR. LOUIS ROCHA, 5407 Link Avenue, speaking for MR. MARTIN TORRES, who lives next door to the proposed tavern, protested the rezoning due to the bottles that will be thrown there, drunks, and chaotic parking.

Councilman Janes moved the Council uphold the recommendation of the Planning Commission and deny the change. 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 change had been denied.

B. V. DICKSON

1201- 1203 East 2nd Street  
111-115 Waller Street

From "A" Residence 2nd  
Height and Area  
To "B" Residence 2nd  
Height and Area  
NOT Recommended by the  
Planning Commission

MR. CARL SHOOTER stated he had a few scattered rent houses in the area, and he had worked his house over, and was instrumental in getting others to paint their homes. The people in the neighborhood do not want the zoning changed.

Councilman Gage moved that the change to "B" Residence 2nd Height and Area be denied. 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

November 6, 1969

The Mayor announced that the change had been denied.

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HORACE THOMPSON

4105-4109 Avenue G

From "A" Residence  
To "B" Residence  
NOT Recommended

MR. HAROLD BYLER, represented the applicant stating four girls were moved 10 blocks north to this location. In the zoning, the City required that two sinks be torn out. They are requesting this zoning so that the sinks can be installed.

Opposition was expressed by GONZALES - GIRTH, 4109 Avenue G, asking that the nice residential areas be preserved, and filed a petition in opposition signed by 68 people living in the immediate block and spreading out from 38th to 43rd along Speedway and Duval. He gave a background of this location and use, stating in December they were given a variance. Different owners moved in prefab structures. There are now seven water and light meters, and six telephone lines, six mailboxes and seven cars. At the October 6th hearing before the Zoning Committee, the Planning Staff recommended that a change not be granted. The Committee was split two to two against the request for "BB" Residence. He believed there were more than just two duplexes, since there are so many telephone lines, utility met4rs, and cars.

MR. BYLER stated this was in an apartment area, and pointed out various multi-family developments in the area. MRS. IRENE SMITH, property owner on 43rd Street saw no reason why this should not be "B" Residence. MR. GIRTH challenged the building of apartment houses within the limits of the city ordinances when these structures can be moved in on wheels in the middle of the night.

Councilman Gage moved the Council uphold the recommendation of the Planning Commission and deny the application. The motion, seconded by Councilman Janes, carried by the following vote:

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

The Mayor announced that the change had been denied.

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ANNEXATION ORDINANCES  
Final Passage

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 93.89 ACRES OF LAND OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NO. 57 AND THE JOHN APPLGAIIT AND WILLIS AVERY SURVEYS IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

Ayes: Councilmen Atkison, 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 70.71 ACRES OF LAND OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 55.10 ACRES OF LAND OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NO. 57 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 Price, carried by the following vote:

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING

OF 12.40 ACRES OF LAND OUT OF AND A PART OF THE J. A. G. BROOKS, JOHN APPELGAIT AND THE H. T. DAVIS SURVEYS 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 10.79 ACRES OF LAND OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

Ayes: Councilmen Atkison, 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 6.89 ACRES OF LAND OUT OF THE J. A. G. BROOKS SURVEY AND 6.20 ACRES OF LAND OUT OF THE JAMES P. WALLACE SURVEY NO. 57, 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 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 13.32 ACRES OF LAND, SAME BEING FOUR (4) TRACTS OF LAND OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY AND THE JAMES P. WALLACE SURVEY NO. 57 IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

Ayes: Councilmen Atkison, 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 53.72 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NO. 57; AND 26.63 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NO. 57; 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 third time and Councilman Gage moved that the portion pertaining to 53.72 acres of land out of the James P. Wallace Survey No. 57 be finally passed. The motion, seconded by Councilman Price, carried by the following vote:

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

The ordinance was read the third time and Councilman Johnson moved that the portion pertaining to 26.63 acres of land out of the James P. Wallace Survey No. 57 be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

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 2.09 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APPLGAIIT SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Johnson 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.

#### ANNEXATION ORDINANCE Second Reading

Mayor LaRue brought up the following ordinance for its second 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 300.73 ACRES OF LAND OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY, THE JAMES P. DAVIS SURVEY AND THE T. J. CHAMBERS GRANT 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 second time and Councilman Prive moved that the ordinance pass to its third reading. The motion, seconded by Councilman Atkison, carried by the following vote:

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

The Mayor announced that the ordinance had been passed to its third reading.

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

AN ORDINANCE AMENDING THE SEVERAL PROVISIONS OF CHAPTER 42 OF THE AUSTIN CITY CODE OF 1967 SO AS TO INCLUDE PLUMBING FIXTURES AND PIPING COMPOSED OF NEWER MATERIALS AMONG THE SUBJECT MATTER OF THE CHAPTER; PROVIDING AN EXCEPTION FOR THE MANNER OF FITTING AND JOINING INACCESSIBLE PIPES OF THE WATER DISTRIBUTION SYSTEM; FURTHER PROVIDING FOR THE MANNER OF CONSTRUCTING RELIEF VALVE DISCHARGING FROM WATER HEATERS;; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read the third time and Councilman Gage 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.

#### ZONING ORDINANCES

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOT 19 AND NORTH 106' OF LOT 20, BLOCK 1 OF FREDERICKSBURG ROAD ACRES, LOCALLY KNOWN AS 2301-2311 THORNTON ROAD, 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 Johnson moved that the rule be suspended and the ordinance pass 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 Johnson moved that the rule be suspended and the ordinance pass 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 Johnson 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: LOTS 1 AND 2, SECTION 1, WOOTEN PARK SUBDIVISION, LOCALLY KNOWN AS 1506-1510 ANDERSON LANE AND 7900-7902 BURRELL DRIVE, FROM "O" OFFICE DISTRICT TO "GR" GENERAL RETAIL 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 pass 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 pass 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:  
A 10,000 SQUARE FOOT TRACT OF LAND OUT OF THE HENRY P. HILL LEAGUE, LOCALLY KNOWN AS 2416-2418 SOUTH LAMAR BOULEVARD, 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 Price moved that the rule be suspended and the ordinance pass 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 pass 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 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.



Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, it has been decided by the City Council to develop Brush Square of the City in the manner so as to preserve, for the time being, much of the area thereof, without having such preservation being construed in any manner as having dedicated said square for public park purposes; and,

WHEREAS, in order to make clear its intent with regard to said Brush Square, it is deemed desirable to adopt a Resolution setting forth its intentions with regard to said Brush Square; Now, Therefore,

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

That, the aforementioned Brush Square, designated as a public square by virtue of the certain map or plat of the Original City of Austin, which map or plat is on file in the General Land Office of the State of Texas, be improved pursuant to that certain plan which was presented to the City Council on the 9th day of October, 1969, which plan was approved by the said City Council; and,

BE IT FURTHER RESOLVED:

That the improvements herein mentioned of said Brush Square be deemed to be consistent with a public square, and that it in no way should be deemed to be a dedication of such square as a park, and that the City Manager be authorized to use such appropriate funds to carry out said improvements.

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

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

Noes: None

PURCHASE OF MOTORCYCLES

The consideration of purchase of ten (10) three wheel police motorcycles was discussed and continued for 30 days. The City Manager is to supply more information to the Council.

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 19.07 ACRES OF LAND, SAME BEING TWO (2) TRACTS OF LAND OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE AND THE SANTIAGO DEL VALLE GRANT 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.

Councilman Gage moved that the ordinance be published in accordance with Article 1, Section 6 of the Charter of the City of Austin and set for public hearing on November 20, 1969, at 9:30 A.M.

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

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

#### ORDINANCE VACATING STREET

Mayor LaRue introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF EAST 19TH STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR DRAINAGE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Johnson moved that the rule be suspended and the ordinance pass 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 Johnson moved that the rule be suspended and the ordinance pass 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 Johnson 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 VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THOSE CERTAIN PORTIONS OF BELMOOR DRIVE AND DEXMOOR DRIVE STREET AREAS IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman MacCorkle, moved that the rule be suspended and the ordinance pass 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 MacCorkle moved that the rule be suspended and the ordinance pass 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 MacCorkle, 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.

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes in, upon and across a part of Lot 10-A of a resubdivision of Lots 10 and 11, Block A, South Lamar Square, a subdivision in the City of Austin, Travis County, Texas; a map or plat of South Lamar Square being of record in Book 35 at Page 22 of the Plat Records of Travis County, Texas and a map or plat of the resubdivision of Lots 10 and 11, Block A, South Lamar Square, being of record in Book 44 at page 21 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, SAVE AND EXCEPT there is to be retained an electric overhead easement over and across the entire public utilities easement to be released; Now, Therefore,

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

That the Associate 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 utilities easement to be released. Said portion to be released being more particularly described as follows:

A strip of land five (5.00) feet in width, same being out of and a part of Lot 10-A of a resubdivision of Lots 10 and 11, Block A, South Lamar Square, a subdivision in the City of Austin, Travis County, Texas; a map or plat of South Lamar Square being of record in Book 35 at Page 22 of the Plat Records of Travis County, Texas and a map or plat of the resubdivision of Lots 10 and 11, Block A, South Lamar Square, being of record in Book 44 at Page 21 of the Plat Records of Travis County, Texas; the centerline of said strip of land five (5.00) feet in width being more particularly described as follows:

BEGINNING at the intersection of the south line of said Lot 10-A, Block A, and a line seven and one-half (7.50) feet east of and parallel to the west line of said Lot 10-A;

THENCE, with the said line seven and one-half (7.50) feet east of and parallel to the west line of Lot 10-A, in a northeasterly direction 100 feet, more or less, to point of termination in the south line of an existing public utilities easement ten (10.00) feet in width.

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

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

A Resolution awarding contract to H & H CONSTRUCTION COMPANY for the installation of 6,497 lf. of 66" and 204 lf. of 42" water transmission main (\$980,671.00) was delayed by the Council for one week for more background and information.

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 24, 1969, for clarifier equipment and appurtenances for the Govalle Auxiliary Facilities at the Govalle Wastewater Treatment Plant; and,

WHEREAS, the bid of Robert H. Pyle, Inc., in the sum of \$100,618.00, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Associate Director of Water and Wastewater Treatment Department of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Robert H. Pyle, Inc., in the sum of \$100,618.00, be and the same is hereby accepted, and that Norman McK Barker, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Robert H. Pyle, Inc.

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

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

Noes: None

#### SALE OF HOUSES

The City Manager submitted the following:

"Date: November 3, 1969

"TO: Norman McK Barker, City Manager

"From: Dick T. Jordan, Building Official

"Subject: Bids on Sale of Houses (5)

"Bids were opened in my office, Monday, November 3, 1969, at 10:00 A.M., for the Sale of Five (5) houses that Urban Renewal had turned over to us for disposal. Bids were received from four bidders and a breakdown of the bidding is outlined below, with the highest bidders underscored.

"Due to the fact all five are to be demolished it is recommended that the bids be accepted, as it would cost this office several hundred dollars if we had to demolish them ourselves. If the bids are acceptable the contracts will be forwarded to your office for signature and attention should then be returned to us for distribution.

	JESSIE BATY	JEFF GILMORE	AUGUST HEYER	WELDON JOHNSTON
2307 E. 12th	\$ -0-	\$ -0-	<u>\$15.10</u>	\$ 9.00
1111 Border	21.00	20.00	<u>27.60</u>	18.00
2703 Vaiden	16.00	-0-	<u>18.75</u>	-0-
2910 Conway	<u>21.00</u>	-0-	11.25	8.00
3004 Conway	<u>55.00</u>	-0-	32.50	18.00

Councilman Gage offered the following resolution and moved its adoption:

#### (RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 3, 1969 for the sale of five (5) houses that Urban Renewal had turned over to the City for disposal; and,

WHEREAS, the bids of August Heyer in the sum of \$15.10 for the house located at 2307 East 12th, in the sum of \$27.60 for the house located at 1111 Border and \$18.75 for the house located at 2703 Vaiden; and the bids of Jessie Baty in the sum of \$21.00 for the house located at 2910 Conway and in the sum of \$55.00 for

the house located at 3004 Conway, were the highest and best bids therefor, and the acceptance of such bids has been recommended by the Building Official 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 above enumerated bids of August Heyer and Jessie Baty, be and the same are hereby accepted, and that Norman McK Barker, City Manager of the City of Austin, be and he is hereby authorized to execute contracts on behalf of the City with said named parties.

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

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

Mayor LaRue

Noes: None

#### DISCONTINUANCE OF BUSES AT PORTER AND CROCKETT SCHOOLS

Councilman Gage reported he had been called about the discontinuance of the bus at Porter Junior High and Crockett High Schools, and asked if this could be checked into with the Austin Transit Corporation, to see if this is a permanent situation or not and just what the situation is. He did not believe the students should be penalized for the action of a few. Councilman Johnson stated he had been working on this situation, and suggested that the Council go with him and inspect the buses. The Attorneys had assured him the buses would run on their regular schedule to complete the week. The Company invited those interested in seeing the buses that were victims of the vandalism. Councilman Gage was interested in seeing the buses continue to run. Mayor LaRue suggested complying with Councilman Atkison's suggestion to recess early during the lunch hour and go by the company and see this vandalism.

#### DELINQUENT TAXES ON TAXICABS

The City Manager, Mr. Barker, reported that taxes have been paid now by every taxi franchise holder, except a \$300 delinquent tax owed by Harlem Taxicab Company. The Law Department is briefing the matter in regards to the franchise in regards to granting or reaffirming a franchise. The City Manager distributed opinions to the Council members. As to the status, the City Attorney, Mr. Cortez, stated the memorandum affirmed that was stated last week, that the Council has the authority to cancel a franchise based on taxes which are delinquent, but which may be barred by limitations. He read from the franchise setting out the conditions... "It must be kept in mind that the limitation statute as it affects a debt does not release or extinguish such debt, but merely effects the remedy when enforcement is sought in court." The City Manager recommended that the Council direct him to apprise this individual that the City of Austin considers this a just and due debt, and that he be given a certain period in which to pay this debt, or his franchise will be withdrawn. He suggested 30 days.

#### LEAGUE OF WOMEN VOTERS REQUEST

The City Manager stated the office awaits direction on the statement by the League of Women Voters last night on the feasibility of appointing a committee. The Council needed to do more study on this for a few days, and no action was taken.

## POSTING OF NOTICE OF MEETING-LAND PURCHASE

The City Manager, Mr. Barker, having a matter of land purchase, asked the City Council to go into Executive Session. The City Attorney, Mr. Cortez, stated the statute relating to notice specifically excludes it from sessions involving acquisition of land, so it would not be required. Discussion was held on the Statute on the Open Meeting Act. The City Attorney read Section 2. The Council went into Executive Session. In open session, the City Manager read the resolution regarding public necessity's requiring the widening and improvement of the intersection of U. S. 183 (Research Boulevard) and Loop 275, (North Lamar Boulevard) and Anderson Lane.

Councilman Johnson offered the following resolution and moved its adoption:

## (RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the widening and improvement of the intersection formed by U. S. Highway 183 (Research Boulevard), Loop 275 (North Lamar Boulevard), and Anderson Lane, in the City of Austin, to provide for the free and safe flow of traffic in said area within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right-of-way to permit the widening and improvement of such intersection in the City of Austin, and for other municipal purposes; and,

WHEREAS, the owners of said land have brought legal action against the City of Austin involving said land, and in answer to said action, a cross-action in eminent domain for said land has been asserted as provided by law; Now, Therefore,

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

That the cross-action in eminent domain in said lawsuit is hereby ratified and confirmed, and that the City Manager be and he is hereby authorized and directed to pursue said cross-action against the owners and lienholders to acquire fee simple title for said purposes to the following described tract of land, to-wit:

1.017 acres of land, same being all of Lot 2, Santa Maria Village, a subdivision of a portion of the James P. Wallace Survey Number 57 in the City of Austin, Travis County, Texas, according to a map or plat of said Santa Maria Village of record in Book 30 at Page 13 of the Plat Records of Travis County, Texas; which 1.017 acres of land were conveyed to Kim Realty Co. by warranty deed dated December 26, 1967, of record in Volume 3476 at Page 264 of the Deed Records of Travis County, Texas, and which 1.017 acres of land are more particularly described by metes and bounds as follows:

BEGINNING at a steel pin at the southeast corner of said Lot 2, Santa Maria Village, same being the most southerly southwest corner of Lot 1, which point of beginning is in the north right of way line of U. S. Highway 183, also known as Anderson Lane, and from which point of beginning a steel pin at the southwest corner of said Lot 1 bears S 59° 37' E 711.60 feet;

THENCE, with the said north right of way line of U. S. Highway 183, N 59° 37' W 250.00 feet to a steel pin on the east or northeast line of the intersection of U. S. Highway 183 and Lamar Boulevard;

THENCE, with the said east line of Lamar Boulevard, N 27° 35' E 100.20 feet to a steel pin at the northwest corner of said Lot 2, same being the northwest corner of the herein described tract of land;

THENCE, S 59° 37' E 307.35 feet to a steel pin at the northeast corner of said Lot 2, same being the northeast corner of the herein described tract of land;

THENCE, S 30° 23' W 150.00 feet to the point of beginning.

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

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

Noes: None

Out of room at time of roll call: Councilman Janes

#### FOUNTAINS PRESENTED BY LIONS CLUB

The City Manager reported the desire of the Lion's Club that the City Council authorize repayment to the club of approximately \$13,000 given to the City for a suitable memorial. He explained the original amount had been expended on maintenance to make the fountains work. A new plan to expend not more than \$13,000 has been worked out for the fountains on Town Lake, and this is agreeable with the Lion's Club. He asked that the Council authorize the expenditure of monies not to exceed \$13,525 to proceed with the plan, when the written agreement from the Lion's Club is received; and that this expenditure would be on the relocated fountains, rather than returning it to the Club. The money would be appropriated from the Council contingency fund. Councilman Johnson favored this approach over spending \$50,000 to relocate and redesign the fountains. With this private individual who is expending a great deal of time and expense to his firm in cooperation with the City to help solve this problem, this project would be a 50-50 project, the Lion's Club purchasing the fountains and the City displaying and establishing the fountains on the lake. Councilman Johnson moved the Council follow the recommendation of the City Manager and that a release for obligation be received. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

Mayor LaRue

Noes: None

The City Manager reported that the representative of the Lion's Club had been contacted regarding the City's plan to reinstall the fountains, and he had orally agreed to giving the City a letter agreeing that if this plan of placing the fountains is used, it would be satisfactory to the Club from now on, and he would follow up by letter.

#### ZONING APPLICATION WITHDRAWN

The Council had before it the request of Mr. Richard Baker, representing Maufrais Brothers zoning applicant, to withdraw the zoning application.



Councilman Janes moved the Council grant the request of Mr. Richard Baker, representing the applicant, to withdraw the following zoning application:

MAUFRAIS BROTHERS	Tract 1	From "A" Residence 1st
By Richard C. Baker	5516-5540 Vinson Road	Height and Area
	1400-1418 Stassney Lane	Tb "GR" General Retail
	Tract 2	1st Height and Area
	5504-5516 Vinson Road	

The Director of Planning stated the application was filed on a smaller tract than intended, and a new application is being filed. Both the Staff and Commission recommended the withdrawal.

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

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

#### TRANSFER OF FUNDS 1968-69 FISCAL YEAR

The City Manager distributed information regarding two items, requesting transfers between departments or additional appropriations, as required by the Charter which grants only to the City Council the authority to transfer funds between Departments.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 680923-A TO APPROPRIATE UNAPPROPRIATED FUNDS FOR VARIOUS ESSENTIAL PURPOSES; AND DECLARING AN EMERGENCY.

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

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

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

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

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

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

## EXHIBIT "A"

CITY OF AUSTIN, TEXAS  
OVER EXPENDITURE OF GENERAL FUND APPROPRIATIONS  
 1968-69 Fiscal Year

## CORRECTABLE BY COUNCIL AUTHORITY

<u>ACCOUNT NUMBER</u>	<u>DEPARTMENT</u>	<u>EXCESS EXPENDITURE</u>	<u>CORRECTABLE BY TRANSFER FROM</u>
1001	City Council	\$ 5,100.00	1002 City Manager
1102	Tax Office	9,150.00	1504 Civil Defense
1202	Property Division	1,165.00	1004 Const. Engineering
1501	Personnel	1,475.00	1101 Accounting
1711	Municipal Building	4,755.00	1101 Accounting
1901	Special Services	76,410.00	1502 Planning \$5,000.00 1508 Glen Oaks 14,790.00 1513 Meadowbrook Project 56,620.00 \$76,410.00
2204	Fire Department Garage	4,000.00	9002 Print Shop
2600	Electric Inspections	1,310.00	2400 Building Inspections
4100	Health Office	3,000.00	4300 Brackenridge Hospital- East

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 680923-A TO APPROPRIATE FUNDS FOR AN OVER EXPENDITURE OF UTILITY FUND APPROPRIATIONS; AND DECLARING AN EMERGENCY.

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

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

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

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

Mayor LaRue

Noes: None

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

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

Mayor LaRue

Noes: None

The Mayor announced that the ordinance had been finally passed.

#### REPAYMENT TO CITY BY STATE FOR REIMBURSING RELOCATION OF UTILITIES

The City Manager submitted a resolution which is a part of the required papers of the Highway Department to authorize the City Manager to enter into a contract with the Highway Department, as Interstate 35 by the Railroad cross-over close to Airport Boulevard is being redone, and there will have to be some relocation of utilities. There are electric utilities, and the relocation will incur a cost to the City of about \$6,000, which will be reimbursed 100% by the State. This resolution authorizes the City to enter into a contract whereby this payment will take place.

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 proposed agreements between the State of Texas and the City of Austin for the adjustment and relocation of all water utilities, electric utilities, and sanitary sewers within the proposed areas of construction on Interstate Highway 35 from 46th Street South to 39th Street in Austin are hereby approved by the City Manager who is here authorized to execute said agreements on behalf of the City of Austin and to transmit the same to the State of Texas for appropriate action.

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

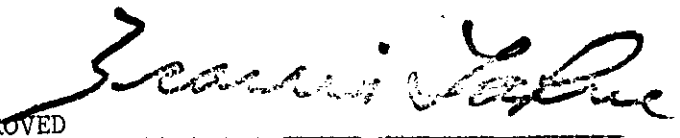
## ADJOURNMENT

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

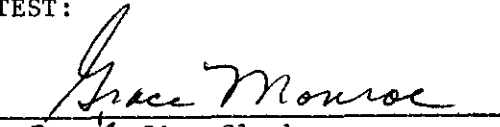
Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,  
Mayor LaRue

Noes: None

APPROVED

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Asst. City Clerk