

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

REGULAR MEETING

November 13, 1969  
9:00 A.M.

COUNCIL CHAMBERS, CITY HALL

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The meeting was called to order with Mayor LaRue presiding.

Roll Call:

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

The Invocation was delivered by REVEREND J. RALPH HESS, Lutheran Chaplain.

PRESENTATION OF BRIGADIER GENERAL  
JOHN H. BUCKNER

Colonel Murphy introduced to the Council Brigadier General John H. Buckner, the Vice Commander of the 12th Air Force of the Command at Bergstrom Air Force base. As the Vice Commander, General Buckner shares responsibility for the overall training and combat readiness of Tactical Fighters, Air Lift and Reconnaissance units west of the Mississippi River. General Buckner thanked the Colonel, the Mayor and Councilmen for his warm reception and expressed his optimism for future cooperation in working with the local leaders for the betterment of the community.

AUSTIN POLICE WIVES CLUB

Mrs. Sharley of the Austin Police Wives Club announced to the Council the fund raising chili supper occurring on Saturday, November 22nd. The funds are to be used for the Club's work at Gardner House and for purchasing recreational equipment.

~~CITY OF AUSTIN, TEXAS~~

RESIGNATION OF CITY MANAGER

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the City Council hereby accepts the resignation of Norman McK Barker in accordance with his letter dated November 7, 1969, which was presented to the City Council on November 13, 1969, during regular session.

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

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

CITY MANAGER APPOINTED

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

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

That Lynn H. Andrews be, and he is hereby, appointed City Manager of the City of Austin, to assume the duties of that position as soon as he may qualify therefor, and for such tenure and consideration as may be determined by the City Council through appropriate action, whether by motion, resolution, ordinance or otherwise.

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

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

FINANCIAL REPORT RECEIVED

City Manager Norman Barker noted that the unaudited report consisted of the financial affairs of the City of Austin for the 12 months ending September 30, 1969. Councilman Price moved the Council note the receipt of the report. The motion, seconded by Councilman Janes, carried by the following vote:

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

## UNIVERSITY Y.M.C.A. TAX STATUS

Mr. C.T. Johnson appeared before the Council to request that the City Council investigate the tax exempt status of the University of Texas Y.M.C.A. to see if they were engaging in activities not within the framework of a Christian organization. Mr. Johnson remarked that if they were found to be violating the tax exempt status, they should be penalized from the time violations began.

## ANNEXATION ORDINANCES

Mayor LaRue brought up the following ordinance for its final 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 238.06 ACRES OF LAND OUT OF THE ISAAC DECKER LEAGUE IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue brought up the following ordinance for its final 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 216.25 ACRES OF LAND OUT OF AND A PART OF THE ISAAC DECKER 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.

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue brought up the following ordinance for its final 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 2.51 ACRES OF LAND, SAME BEING 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 MacCorkle, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue brought up the following ordinance for its final 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 12.00 ACRES OF LAND, SAME BEING 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 MacCorkle, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

#### ZONING ORDINANCE

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:

W. 42' x 261' OF LOT 4, OUTLOT 78-D, LEE SUBDIVISION, LOCALLY KNOWN AS 206 WEST 38TH STREET AND 207 WEST 38 1/2 STREET, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT:

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

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

(1) A 25,875 SQUARE FOOT TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE #20, LOCALLY KNOWN AS 120-124 ALPINE ROAD, FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT;

(2) LOT 5 BLOCK 3 OF HARPERS RESUBDIVISION, LOCALLY KNOWN AS 3701 TOM GREEN STREET, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;

- (3) LOTS 27 AND 28, BLOCK 3 OF LEES HILL ADDITION, LOCALLY KNOWN AS 4111-4113 MARATHON BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT;
- (4) LOT 21, RESUBDIVISION OF DELORES SUBDIVISION, LOCALLY KNOWN AS 2003 AIRPORT BOULEVARD, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; AND
- (5) LOT 1 OF STELLA ADDCOX SUBDIVISION, LOCALLY KNOWN AS 2213 BLUEBONNET, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
A 5.81 ACRE TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE, LOCALLY KNOWN AS 3717-3811 MANCHACA ROAD, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

#### CONTRACT AWARDED

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 29, 1969 for the installation of 6,497 lf. of 66" and 204 lf. of 42" Water Transmission Main, from San Antonio Street to Navasota Street; and,

WHEREAS, the bid of H & H Construction Company, in the sum of \$980,671.00, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Assistant Director of Water and Waste Water Department of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of H & H Construction Company, in the sum of \$980,671.00, 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 H & H Construction Company.

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

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

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Noes: None

## ZONING CASES CONTINUED

Mayor LaRue announced that it was 9:30 A.M. and the Council would hear the zoning cases scheduled to be continued at this time for public hearing. Pursuant to published notice thereof, the following zoning applications were publicly heard:

ROY HOCKER &  
TOM DAVIS  
By Tom Wiley  
C14-69-257

1311-1317 So. Inter-  
regional Highway

From "A" Residence  
1st Height and Area  
To "O" Office  
2nd Height and Area  
NOT RECOMMENDED by the  
Planning Commission  
RECOMMENDED "O" Office  
5th Height and Area  
with condition that no  
wall of structure extend  
over 60' in height from  
the foundation

Councilman Johnson informed the Council that the proponents and opponents of the above zoning application #C14-69-257 had agreed to postpone the hearing for one week, November 20, 1969.

NELSON PUETT  
C14-69-252

1629-1647 Rutland Dr.  
1722-1824 Peyton Gin Rd.

From Interim "A" Residence  
1st Height and Area  
To "GR" General Retail  
2nd Height and Area  
NOT RECOMMENDED by the  
Planning Commission  
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 Dr. &  
Rundberg Lane; right of  
way for future widening  
of Peyton Gin Road

Councilman Janes moved the Council grant the change from Interim "A" Residence 1st Height and Area to "BB" Residence 1st Height and Area, as recommended by the Planning Commission, subject to 25' building setback line along the east property line; solid fence along EPL; extension of Colony Creek Dr. & Rundberg Lane; right of way for future widening of Peyton Gin Road (as amended). The motion, seconded by Councilman MacCorkle, carried by the following vote:



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

Noes: None

The Mayor announced that the change had been granted to "BB" Residence, subject to conditions, and instructed the City Attorney to draw the necessary ordinance to cover.

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WILLIAM MARK DAY By Jack Dempsey C14-69-263	6313-6325 Cameron Rd. 6327-6417 State Highway No. 20 1335-1401 Wheless Lane	From "GR" General Retail To "C-2" Commercial RECOMMENDED by the Planning Commission
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Councilman Janes moved the Council grant the change from "GR" General Retail to "C-2" Commercial, as recommended by the Planning Commission. The motion died for lack of a second. Since the motion did not receive a second, the change in zoning did not carry.

The Mayor announced that the change in zoning had been denied.

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WESLEY PEARSON C14-69-261	<p>Tract 1</p> <p>3800-3810 So. Congress 101-123 Post Road Dr. 100-124 Krebs Road</p> <p>Tract 2</p> <p>118-120 Post Road Dr.</p>	<p>From "A" Residence 1st Height and Area and "C" Commercial 6th Height and Area To "DL" Light Industrial 3rd Height and Area</p> <p>From "A" Residence 1st Height and Area and "C" Commercial 6th Height and Area To "B" Residence 1st Height and Area RECOMMENDED by the Planning Commission subject to right of way 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</p>
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Councilman Janes moved the Council grant the change from "A" Residence 1st Height and Area and "C" Commercial 6th Height and Area to "DL" Light Industrial 3rd Height and Area for Tract 1 and from "A" Residence 1st Height and Area and "C" Commercial 6th Height and Area to "B" Residence 1st Height and Area for Tract 2, subject to right of way for widening Post Road Drive with the exception the parking restriction on Tract 2 be removed. 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 had been granted as recommended, subject to conditions and instructed the City Attorney to draw the necessary ordinance to cover.

#### BRACKENRIDGE URBAN RENEWAL PROJECT

Mr. Les King appeared before the Council to present a petition drawn up by various citizens regarding the Brackenridge project. Several of the opposing citizens spoke their individual grievances concerning the project. Mr. King summarized the petition and urged the Council reassess their position regarding Urban Renewal and to come to a decision whereby the citizens involved would be duly considered and given a fair exchange for their cooperation. Councilman Johnson suggested that all the opponents draw up their objections in an organized manner that would enable the Council to act most expediently.

#### ANNEXATION ORDINANCES

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 22.27 ACRES OF LAND OUT OF AND A PART OF THE JAMES M. MITCHELL 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 first time and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

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

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

Mayor LaRue brought up the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 23.19 ACRES OF LAND OUT OF AND PART OF THE JAMES M. MITCHELL 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 first time and Councilman Janes moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Price, carried by the following vote:

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

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

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

## 1967 CITY CODE AMENDMENT

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 21-1 OF THE AUSTIN CITY CODE OF 1967 BY ADDING A DEFINITION FOR TRAFFIC ENGINEER; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND SUSPENDING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

Noes: None

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

SOUTHERN UNION GAS COMPANY  
SPACE ASSIGNMENT

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

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

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

- (1) A 7' x 8' x 7' concrete gas regulator pit in a triangular island, shown as "Park" in an intersection formed by HARTFORD ROAD and ENFIELD ROAD; the long axis of said concrete gas regulator pit shall be 115 feet east of the east property line of Wethersfield Road and the short axis of said concrete gas regulator pit shall be 37 feet south of the south property line of said ENFIELD ROAD.
- (2) A gas main in a triangular island, shown as "Park" in an intersection formed by Hartford Road and Enfield Road, from a point 8 feet north of the south property line of said ENFIELD ROAD, southerly 25 feet; the centerline of which gas main shall be 115 feet east of and parallel to the east property line of Wethersfield Road.

- (3) A gas main in a triangular island, shown as "Park" in an intersection formed by HARTFORD ROAD and ENFIELD ROAD, from the point of intersection of a line 29 feet south of the south property line of said ENFIELD ROAD and 115 feet east of the east property line of Wethersfield Road, to the point of intersection of a line 44 feet south of the south property line of said ENFIELD ROAD and 136 feet east of the east property line of said Wethersfield Road.
- (4) A gas main in ELMONT DRIVE, from a point 4 feet north of the south property line of said ELMONT DRIVE, northerly 76 feet, the centerline of which gas main shall be a mean distance of 180 feet west of the west property line of Town Lake Circle.
- (5) A gas main in HARTFORD ROAD, from the point of intersection of a line 44 feet south of the south property line of Enfield Road and 136 feet east of the east property line of Wethersfield Road, to the point of intersection of a line 68 feet south of the south property line of said Enfield Road and 174 feet east of the east property line of said Wethersfield Road.

Said gas mains described above and Number 1 through Number 5 shall have a cover of not less than 2 1/2 feet.

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

- (1) The improvements shall be constructed and maintained in compliance with all ordinances relating thereto.
- (2) The permit shall be issued and accepted subject to all reasonable police, traffic, fire and health regulation as the City of Austin, now existing or hereafter adopted.
- (3) The repair or relocation of any and all utilities in the vicinity necessitated by the laying of these improvements shall be done at the expense of the Southern Union Gas Company of Austin, Texas.
- (4) The Southern Union Gas Company of Austin, Texas, will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the construction or maintenance of said improvements.
- (5) That all backfill under street surfaces between existing or future proposed curbs and under driveways and alleys, shall be tamped with mechanical tampers in six (6) inch layers. Each layer shall be compacted to not less than 90 per cent of maximum density as determined by the Standard Method of Test for Compaction and Density of Soils, A.A.S.H.O. Designation T99-49.

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

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

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

Noes: None

#### EMINENT DOMAIN

Councilman Janes 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 owners of said land have brought legal action against the City of Austin involving said land; 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 in said lawsuit, against the owners and lienholders, a cross-action in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

Being 2.748 acres of land, more or less, out of and a part of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 40, Block D, Northgate Addition Subdivision in Travis County, Texas, according to the Plat of said Subdivision, recorded in Book 3, Page 196, of the Plat Records of Travis County, Texas, and lying in the George W. Spear League, save and except a total of 0.195 of one acre of land as described and recorded in the Deed Records of Travis County, Texas, as follows:

## CITY OF AUSTIN, TEXAS

<u>Grantor</u>	<u>Grantee</u>	<u>Date</u>	<u>Volume</u>	<u>Page</u>
Raymond Myers, et ux.	State of Texas	March 4, 1954	1440	32
Louise L. Eyres, et al.	City of Austin	March 13, 1954	1440	389
S. Webb Ruff, et ux.	State of Texas	March 19, 1954	1441	453

The said 2.748 acres of land, more or less, being more particularly described by metes and bounds as follows:

BEGINNING at a brass right of way marker embedded in concrete, same being the Northeast corner of the said Lot 18, which is at the intersection of the existing West right of way line of Loop 275 and the South line of Anderson Lane, and also being 123.48 feet to the left of and at right angles to the proposed Engineer's left lane centerline station 149+43.55;

THENCE, with the said existing West right of way line the following courses:

S 1° 42' E, 95.30 feet to a point;

S 27° 43' W, 116.87 feet to a brass right of way marker embedded in concrete, same being at the Northeast corner of the said Lot 10 and the Southeast corner of the said Lot 11;

S 21° 09' W, 180.14 feet to a point, passing an iron pin at 0.70 feet;

THENCE, continuing with the said existing West right of way line along a curve to the left having a radius of 7,689.44 feet, an arc distance of 72.94 feet, for which a chord bears S 31° 06' W at 72.94 feet, to a point at the Southeast corner of the said Lot 1, same being in the North line of Stobaugh Street;

THENCE, N 62° 13' W, 164.05 feet along the said North line of Stobaugh Street, same being the South line of the said Lot 1, to a point on the proposed West right of way line of Loop 275 from which an iron pin at the Southwest corner of Lot 37 of the said Northgate Subdivision, Block D, bears N 62° 13' W at 374.75 feet;

THENCE, with the said proposed West right of way line the following four (4) courses:

N 13° 07' E, 213.71 feet to a point 280.00 feet to the left of and at right angles to the said proposed Engineer's left lane centerline station 147+00.00;

N 7° 03' W, 141.74 feet to a point 360.00 feet to the left of and at right angles to the said proposed Engineer's left lane centerline station 148+17.00;

N 33° 49' W, 165.94 feet to a point 505.31 feet to the left of and at right angles to the said proposed Engineer's left lane centerline station 148+97.14;

N 51° 55' W, 196.93 feet to a point at the Northwest corner of the said Lot 23, said point being on the said South line of Anderson Lane, and being located 698.77 feet to the left of and at right angles to the said proposed Engineer's left lane centerline station 149+33.96;

THENCE, S 62° 09' E, 97.32 feet along the said South line of Anderson Lane, same being the North line of the said Lot 23, to a point on the West line of the said Lot 22;

THENCE, N 27° 51' E, 15.00 feet with the said West line of Lot 22, same being the said South line of Anderson Lane, to a point;

THENCE, S 62° 09' E, 477.85 feet along the said South line of Anderson Lane and including the North lines of the said Lots 22, 21, 20, 19, and 18 to 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

#### MO-PAC RIGHT OF WAY ACQUISITIONS

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

Alex Warren  
(MoPac Blvd.)

680201.199  
1904 Waterson

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

That the offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$5,450.00 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

SEE ATTACHED EXHIBIT "A".

(See original resolution for attached exhibits)



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

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

Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

J.F. Smith, Jr. et ux.  
(MoPac Blvd.)

680201.150  
2408 Hartford Rd.

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

That the offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$49,300.00 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

The South Five (5) feet of Lot no. Nine (9), all of Lots Ten (10) and Eleven (11), and the North Twenty-five (25) feet of Lot No. Twelve (12) in Block No. Thirty-three (33) of Pemberton Heights, Section 10, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of said subdivision of record in Book 4, Page 154, of the Travis County Plat Records.

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

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

Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

Morris Young, et ux.  
(MoPac Blvd.)

680201.353  
1902 W. 10th St.

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

That the offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin

in consideration of the cash payment of \$5,890.00 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

West 45 feet of Lot 3, Block 1, Mrs. Theresa Martin's Subdivision of the eastern portion of 252 acres out of the George W. Spear League, an addition in the City of Austin, Travis County, Texas, according to the map or plat thereof recorded in Plat Book 1, Page 61, Plat Records of Travis County, Texas.

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

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

#### CONTRACTS AWARDED

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 28, 1969, for the purchase of nineteen (19) each 900 KVAR, 7.2 KV Cluster Mounted Capacitor Banks and thirteen (13) each 1200 KVAR, 7.2 KV Cluster Mounted Capacitor Banks, to be used by the Electric Distribution Division; and,

WHEREAS, the bid of Priester-Mell Co., in the sum of \$46,929.00, 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 Priester-Mell Co., in the sum of \$46,929.00, 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 Priester-Mell Co.

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

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

Since identical bids were received on the above contract, Councilman Janes moved copies of the bids be sent to the Attorney General's office. The motion, seconded by Councilman Johnson, carried by the following vote:

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

CITY OF AUSTIN, TEXAS

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 3, 1969 for a twelve (12) months contract to furnish uniform clothing to the Police Department; and,

WHEREAS, the bid of Joseph's Men's Shop in the sum of \$16,561.60, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Joseph's Men's Shop, in the sum of \$16,561.60 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 of Austin.

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

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

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 6, 1969, for the construction of New Partitions in the Pipe Cleaning Building; and,

WHEREAS, the bid of Thomas Brothers Construction Company, in the sum of \$6,351.00, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Construction Engineer 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 Thomas Brothers Construction Company, in the sum of \$6,351.00, 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 Thomas Brothers Construction Company.

CAPITOL COLLECTIONS BUREAU  
CONTRACT

Councilman Gage moved the Council extend the contract to Capitol Collections Bureau for delinquent utility accounts for another year. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None  
Out of Room at Roll Call: Councilman Janes

The Council instructed the City Manager to look into the possibility of transferring Brackenridge Hospital delinquent accounts to Capitol Collections Bureau.

## EXECUTIVE SESSION

The Council then went into Executive Session

## APPOINTMENTS TO HUMAN RELATIONS COMMISSION

Councilman Johnson moved the Council appoint Mr. William Kohn, Jr., Mr. Romero Diaz, Mrs. Connie Moreno, Dr. Ned Roy to the Human Relations Commission and that Dr. John Barclay be elected Chairman. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price,  
Mayor LaRue  
Noes: None  
Out of Room at Roll Call: Councilman Janes

## ADJOURNMENT

The Council then adjourned.

  
APPROVED: \_\_\_\_\_

Mayor

ATTEST:   
\_\_\_\_\_

Asst. City Clerk