

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 29, 1968

9:00 A.M.

COUNCIL CHAMBERS, CITY HALL

The meeting was called to order with Mayor Akin presiding.

Roll Call:

Present: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Absent: None

The Invocation was delivered by REVEREND W. A. IRVIN, Austin Baptist Association.

APPROVAL OF MINUTES

Councilman Long moved the Council approve the Minutes of the Special Meeting of February 23, 1968, with corrections. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

EMMA LONG DAY

Councilman Janes moved that the City Council set apart and designate February 29th as Emma Long Day, all day long, in sincere appreciation and with best wishes of the people of Austin for her many years of public service. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
Noes: None
Present but Not Voting: Councilman Long

Mr. Stuart Long, Mr. Jeb Long, and many other friends were present for the birthday celebration.

JUNK ORDINANCE REQUEST

Mr. C.T. Johnson appeared before the Council to call attention to the tremendous flow of tourists into the Austin area, and to the importance of getting the City in good shape. He pointed out the great number of wrecked and junked automobiles strewn along the highways to Austin and the eye-sore they created for tourists. He suggested that the ordinance governing junk dealers' operations be amended to change the date of conformance to 30 days hence rather than 6 months from December 21, 1967, the date of passage.

Councilman LaRue remarked that he had noticed on highways in other parts of the State that hedges had been planted in front of part of the automobile graveyards, and that the hedges seemed effective.

Councilman LaRue then moved that the Mayor send a letter to the individuals who have the automobile yards, requesting that they take into consideration the Hemisfair and Olympics visitors who would be in the Austin area. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

ANNEXATION HEARING OPENED AND RECESSED

Councilman Long moved the Council open and recess the public hearing on annexation ordinances scheduled for 10:30 A.M. until 2:30 P.M. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

RECOGNITION OF MR. IVAN SMITH

Special recognition was given to Mr. Ivan Smith, who was retiring from the City of Austin after 34 years of service. Mayor Akin presented a plaque to him, and extended the best of wishes and appreciation of himself and the Council for his 34 years of loyal service. Councilman LaRue moved the Council express its appreciation to Mr. Smith. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

RECEIVE MONTHLY FINANCIAL STATEMENT

City Manager Robert Tinstman presented the monthly Financial Statement for the period ending January 31, 1968 to the Council, stating that with this particular report he was initiating a new policy of mailing copies to some of the financial institutions in the community which would have an interest in it.

Councilman Nichols moved the Council note receipt of the Monthly Financial Statement. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

AMBULANCE FRANCHISE PETITION

Mr. Tinstman reported that representatives of Austin Ambulance Service had met with him and indicated their decision to submit a letter to the Council, stating that their records indicated that, for Austin to have a satisfactory ambulance service, one and only one operation should be franchised. The letter further stated that if the Council was not satisfied with Austin Ambulance's service, it could begin immediate negotiations for a cash sale of the Service to the City or any other interested party.

Councilman Long noted that Austin Ambulance Company was not trying to prove whether or not the petition in question was valid. She agreed that it was none of its business. She did not think that the letter would affect the City one way or the other, unless someone did want to buy the Ambulance Company. She, however, did not think the City had ever shown any interest in operating an ambulance service when there was another company interested in going into that business.

Mayor Akin thought the City Council's ability to issue franchises was being called into question by the petition opposing the Austin Ambulance Franchise. He felt the number of signatures required for the petition might be too low for today's population figures, since the number 500 was based on the 1913 population statistics. Councilman Long pointed out that the statute was still a law and that if the petition were valid, the Council would have to obey the law.

Councilman LaRue did not think the 1913 statute applied to the Austin Ambulance case. He thought the law applied to franchises that involved stringing poles and lines on City streets, but not to the Austin Ambulance situation.

He also felt that Item 4 of a letter sent to all signers of the petition was misleading and should have read: "if a franchise should be taken from Austin Ambulance Service," or something less ambiguous.

Mr. Maurice Angly, Jr., representing Austin Ambulance Company, stated that the law was valid and had to be followed. He also thought the statute applied to ambulances, even though they did not need poles or lines to operate. He described the process of compiling the questions to be addressed to the signees of the petition, to inquire if they were bona fide voters as is required by state law. He and the City Attorney had tried to state the questions as clearly as possible, he said.

Mr. Doren Eskew, City Attorney, did not want his silence to be construed as total agreement with Mr. Angly's statements. He had stated in writing that he felt the 1913 statute was applicable to ambulance services, but he saw two large areas of doubt surrounding the question:

(1) As the Mayor had already pointed out, it would appear as though .002% of Austin's population was not enough people to operate a government democratically.

(2) He did recognize that the statute could very reasonably be held to be applicable only to those permanent types of easements which permanently occupy portions of the street.

Mr. Eskew stated that Mr. Angly had suggested that the letter be sent out to the signees of the petition, and if the response were not sufficient or if the people did not send them back, that a follow-up be sent out to see whether or not there were enough voters to call a referendum on the ambulance franchise question. Possible ways to contact the petitioners were discussed. Mr. Janes also suggested that a note about the seriousness of the questionnaire be attached.

The City Manager noted that Austin Ambulance Company had indicated that it preferred to pursue the matter no further if there were legal procedures surrounding the petition. However, there was always a possibility that the Company would change its mind and challenge the procedure of validating the petition in a court.

Discussion was held on initiative and referendum petitions and their differences. Mr. Angly discussed with the Council the procedure for validating the petition.

Mr. Angly felt that the courts would in all probability hold that the statute did apply to the ambulance franchise situation. He also felt that if the Council were to move for or against the petitioners at that time, litigation would ensue, the matter would go to the courts and be returned for further verification.

Mr. Tinstman remarked that if the petition could be declared invalid through the questionnaire, the City would be saved the cost of the referendum. He and Councilman Long were in favor of regulating ambulance service by ordinance rather than franchise.

After discussing ways of verifying the signatures, Councilman Long moved that the Council accept the language as amended on the questionnaire that was presented by the two attorneys that morning; that the City Clerk report back by or within 60 days; that a follow-up questionnaire be done if appropriate; and that there be a warning about false swearing on the questionnaire.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

ANNEXATION ORDINANCES—FIRST AND SECOND READINGS

Mayor Akin opened the public hearing scheduled for this time on the following annexation:

7.80 acres of land out of the Santiago Del Valle Grant - proposed MISSION HILLS, SECTION 3 and two unplatted tracts. (Partially requested, with one owner not desiring annexation)

5.59 acres of land, a portion of a 5.84 acre tract out of the Santiago Del Valle Grant. (requested by owner)

Councilman Nichols moved to close the hearing. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

Mayor Akin 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 7.80 ACRES OF LAND, SAME BEING OUT OF AND A PART OF 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 first time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
Noes: Councilman Long

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

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
Noes: Councilman Long

Councilman Long stated that she voted "no" because she made a policy of not making people come into the City when they were not ready.

Mayor Akin 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 5.59 ACRES OF LAND, SAME BEING OUT OF AND A PART OF 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 first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

ANNEXATION ORDINANCES - FINAL PASSAGE

Mayor Akin 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 2.25 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY; 27.29 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE HENRY P. HILL LEAGUE AND THE WM. BARTON LABOR; 92.40 ACRES OF LAND OUT OF THE ISAAC DECKER LEAGUE, THE JAMES TRAMMEL AND THE CHARLES H. RIDDLE SURVEYS; 495 SQUARE FEET OF LAND OUT OF THE JAMES P. WALLACE SURVEY NUMBER 18; AND 5.00 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, 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 Long moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Akin 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 14.74 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 Long moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES-THREE READINGS

Mayor Akin 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 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:

- (1) LOT 1-B RE-SUBDIVISION OF A PORTION OF MRS. CLOTILDE IDA MANSBENDEL SUBDIVISION AND A 30,000 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 3700-3708 KING STREET AND 701-713 WEST 38TH STREET, FROM "O" OFFICE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "GR" GENERAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;
- (2) LOTS 1 AND 2 OF SWARTZ ADDITION, LOCALLY KNOWN AS 206-210 COMAL AND 1505-1511 EAST 3RD STREET, FROM "B" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT;
- (3) A 1.71 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1300-1402 PARKER LANE AND 1713-1717 LUPINE LANE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;
- (4) A 4.42 ACRE TRACT OF LAND, LOCALLY KNOWN AS 3605-3627 CATALINA DRIVE, FROM "GR" GENERAL RETAIL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;

(5) A 5,050 SQUARE FOOT PARCEL OF LAND, LOCALLY KNOWN AS 6123 CHERRYLAWN CIRCLE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;

(6) TRACT 1: A 1.68 ACRE TRACT OF LAND, LOCALLY KNOWN AS 5004-5032 MANOR ROAD, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT;

TRACT 2: A 1.68 ACRE TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 5004-5032 MANOR ROAD, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;

(7) LOTS 1 AND 2, BLOCK I, LOTS 24 AND 25, BLOCK G OF WOOTEN VILLAGE SECTION 4, LOCALLY KNOWN AS 8806-8808 AND 8807-8809 REDFIELD LANE, AND 1405-1413 PEYTON GIN ROAD, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;

(8) LOT 7, BLOCK E, LOT 28, BLOCK N AND LOTS 21 AND 22, BLOCK R OF WOOTEN VILLAGE SECTION 4, LOCALLY KNOWN AS 8500-8506 AND 8501-8503 DRYFIELD DRIVE, 8500 AND 8501 REMINGTON LANE, 8503 AND 8504 BEECH DRIVE, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;

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

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Akin introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN HEIGHT AND AREA AND CHANGING THE HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:
LOTS 2 AND 3, INSURANCE ADDITION, LOCALLY KNOWN AS 1200-1222 AND 1201-1227 ALGARITA AVENUE, 2000-2022 FARMERS DRIVE AND 1201-1225 MARIPOSA DRIVE, FROM SIXTH HEIGHT AND AREA DISTRICT TO SECOND HEIGHT AND AREA DISTRICT;
SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS;
AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Akin 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 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:
LOTS 26, 27 AND 28, BLOCK 8 OF THE ANGELL SUBDIVISION, LOCALLY KNOWN AS 6211-6215 KASPER STREET, 1900 AND 1904-1908 MONTOPOLIS DRIVE, 6212-6216 RIVERSIDE DRIVE, AND A .95 ACRE TRACT OF LAND, LOCALLY KNOWN AS 6205-6209 KASPER STREET AND 6206-6210 RIVERSIDE DRIVE, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT;
SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS;
AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

~~CITY OF AUSTIN, TEXAS~~

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 LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Akin introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:

A TRACT OF LAND, LOCALLY KNOWN AS 5705-5709 MANOR ROAD AND THE REAR OF 5711-5811 MANOR ROAD, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS, AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Janes, LaRue, Long, Mayor Akin
Noes: None
Present but Not Voting: Councilman Nichols

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 LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Mayor Akin
Noes: None
Present but Not Voting: Councilman Nichols

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

Ayes: Councilmen Janes, LaRue, Long, Mayor Akin
 Noes: None
 Present but Not Voting: Councilman Nichols

The Mayor announced that the ordinance had been finally passed.

GLEN OAKS URBAN RENEWAL PLAN

Mr. Tinstman suggested that the Council postpone action on setting the public hearing for the amendment to the Glen Oaks Urban Renewal Plan until after Mr. Clarence Flournoy had made a written statement. Councilman Long moved the Council continue the matter for one week. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
 Noes: None

ZONING HEARING CONTINUED

CROW DEVELOPMENT CO.	7241-7261 Cameron Road	From "A" Residence 1st Height and Area To "B" Residence 2nd Height and Area NOT Recommended by the Planning Commission RECOMMENDED "BB" Residence 1st Height and Area
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Mr. Osborne stated that Mr. Crow was in no hurry to have the application acted upon and that Mr. Crow would be happy for the Council to continue it for another week or so. Councilman Long moved the Council continue the matter until it was requested that it be put back on the agenda. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
 Noes: None

REPRESENTATIVE ADDED TO URBAN TRANSPORTATION ADVISORY COMMISSION

Councilman Long moved that the President of the A.I.A. Chapter be designated as the City's additional representative on the Urban Transportation Advisory Committee. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
 Noes: None

DISPOSAL OF SURPLUS PROPERTY

There was some discussion as to whether it was necessary to get an independent appraisal of unuseable property since the property would as easily be sold to the adjoining property owner at a negotiated price. It was suggested that the extent that an unuseable piece of property would enhance the adjoining property was a factor in deciding its value.

RECESSED MEETING

2:00 P.M.

DISPOSAL OF SURPLUS PROPERTY CONTINUED

The Council discussed the three lists in Mr. Tinstman's proposal: A--Unuseable property, substandard in size and of use only to the adjoining property owner; B--Unuseable property to be auctioned; C--Useable property to be sold by receipt of proposals. It was decided that List C would be better disposed of by taking proposals and reserving the right to negotiate after. There was also a suggestion to sell the parcels on this list separately or together, whichever would bring more money to the City. The Council felt that all of the properties should go to the Planning Department for possible zoning changes.

Councilman Long moved the Council set out the policy for disposal of surplus property as outlined in Item 3A of the City Manager's proposal. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

ANNEXATION HEARING SET

Mayor Akin 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 89.70 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY, 5.24 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES MITCHELL SURVEY, 5.37 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES M. MITCHELL SURVEY, 5.54 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES M. MITCHELL SURVEY, 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.

Councilman Janes moved that the ordinance be published in accordance with Article I, Section 6 of the Charter of the City of Austin and set for public hearing on March 14, 1968 at 10:30 A.M. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

RELEASE OF EASEMENTS

Councilman Long 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 that certain portion of Lot 14, Block E, Cameron Park, Section Three, 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 Cameron Park, Section Three, of record in Book 33 at Page 43 of the Plat Records of Travis County, Texas; and,

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

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

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

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

A strip of land one (1.00) foot in width, same being out of and a part of Lot 14, Block E, Cameron Park, Section Three, 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 Cameron Park, Section Three, of record in Book 33 at Page 43 of the Plat Records of Travis County, Texas; which strip of land one (1.00) foot in width is more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the east line of an existing guy easement five (5.00) feet in width and the northeast line of an existing public utilities easement five (5.00) feet in width, which point of beginning is the most northerly

corner of the herein described tract of land, and from which point of beginning a steel pin at the most westerly corner of said Lot 14, Block E, Cameron Park, Section Three, bears S 80° 55' W 5.13 feet;

THENCE, with the said northeast line of an existing public utilities easement five (5.00) feet in width, S 21° 53' E 44.88 feet to a point in the north line of another existing public utilities easement five (5.00) feet in width, and which point is the most easterly corner of the herein described tract of land;

THENCE, with the westerly prolongation of the said north line of an existing public utilities easement five (5.00) feet in width, N 60° 41' W 1.60 feet to a point in a line one (1.00) foot southwest of and parallel to the aforesaid northeast line of an existing public utilities easement five (5.00) feet in width;

THENCE, with the said line one (1.00) foot southwest of and parallel to the northeast line of an existing public utilities easement five (5.00) feet in width, N 21° 53' W 43.60 feet to a point in the southerly prolongation of the aforesaid east line of an existing guy easement five (5.00) feet in width and which point is the most westerly corner of the herein described tract of land;

THENCE, with the said southerly prolongation of the east line of an existing guy easement five (5.00) feet in width, N 29° 19' E 2.31 feet to the point of beginning.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain easements were granted to the City of Austin for public utility purposes in, upon and across that certain portion of Lots 1, 12 and 13, Dixie Terrace, a subdivision of a portion of the George W. Davis Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Dixie Terrace of record in Book 5 at Page 65 of the Plat Records of Travis County, Texas, and,

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

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

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

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

Five (5.00) strips of land, each being five (5.00) feet in width and each being out of and a part of Dixie Terrace, a subdivision of a portion of the George W. Davis Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Dixie Terrace of record in Book 5 at Page 65 of the Plat Records of Travis County, Texas; the strips of land hereinafter described as Number One and Number Two being out of and a part of Lot 1, said Dixie Terrace, the strip of land hereinafter described as Number Three being out of and a part of Lot 13, said Dixie Terrace, and the strips of land hereinafter described as Numbers Four and Five being out of and a part of Lot 12, said Dixie Terrace; each of the said five (5) strips of land five (5.00) feet in width being more particularly described as follows:

NUMBER ONE, BEING all of the west 125.10 feet of the south five (5.00) feet of said Lot 1, Dixie Terrace.

NUMBER TWO, BEING all of the east five (5.00) feet of said Lot 1, Dixie Terrace.

NUMBER THREE, BEING all of the west five (5.00) feet of said Lot 13, Dixie Terrace.

NUMBER FOUR, BEING all of the west five (5.00) feet of said Lot 12, Dixie Terrace.

NUMBER FIVE, BEING all of the east 125.10 feet of the south five (5.00) feet of said Lot 12, Dixie Terrace.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin

Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain easements were granted to the City of Austin for public utility and drainage purposes, in, upon and across two tracts of land, out of Lots 36 and 37, Block J, Highland Park West, a subdivision of portions of the Daniel J. Gilbert, the C.J. Strother and the Albert Silsbee Surveys in the City of Austin, Travis County, Texas, according to a map or plat of said Highland Park West of record in Book 4 at Page 299 of the Plat Records of Travis County, Texas; and,

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

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

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

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

Two (2) tracts of land, each being out of and a part of Block J, Highland Park West, a subdivision of portions of the Daniel J. Gilbert, the C.J. Strother and the Albert Silsbee Surveys in the City of Austin, Travis County, Texas, according to a map or plat of said Highland Park West of record in Book 4 at Page 299 of the Plat Records of Travis County, Texas; the tract of land hereinafter described as Number One being out of and a part of Lot 36, Block J, Highland Park West, and containing 46.80 square feet of land and the tract of land hereinafter described as Number Two being out of and a part of Lots 36 and 37, said Block J, Highland Park West, and being ten (10.00) feet in width; each of the said two (2) tracts of land is more particularly described by metes and bounds as follows:

NUMBER ONE, BEGINNING at the intersection of the south line of an existing public utilities and drainage easement ten (10.00) feet in width, same being a line five (5.00) feet south of and parallel to the north line of said Lot 36, and the east line of another existing public utilities and drainage easement ten (10.00) feet in width, same being a line five (5.00) feet east of and parallel to the west line of said Lot 36, which point of beginning is the most southerly corner of the herein described tract of land;

THENCE, with the northerly prolongation of the said line five (5.00) feet east of and parallel to the west line of Lot 36, N 29° 55' W 4.26 feet to the most westerly corner of the herein described tract of land;

THENCE, N 53° 29' E 22.02 feet to a point in the aforesaid line five (5.00) feet south of and parallel to the north line of Lot 36, and which point is the most easterly corner of the herein described tract of land;

THENCE, with the said line five (5.00) feet south of and parallel to the north line of Lot 36, S 42° 50' W 22.90 feet to the point of beginning.

NUMBER TWO, BEGINNING at the intersection of the north line of an existing public utilities and drainage easement ten (10.00) feet in width, same being a line five (5.00) feet north of and parallel to the south line of said Lot 36, and the curving west line of Valley Oak Drive, which point of beginning is the northeast corner of the herein described tract of land;

THENCE, with the said curving west line of Valley Oak Drive, in a southeasterly direction to a point in the south line of said existing public utilities and drainage easement ten (10.00) feet in width, same being a line five (5.00) feet south of and parallel to the said south line of Lot 36, and which point is the southeast corner of the herein described tract of land;

THENCE, with the said line five (5.00) feet south of and parallel to the south line of Lot 36, S 40° 14' W to a point in the east line of another existing public utilities and drainage easement ten (10.00) feet in width, same being a line five (5.00) feet east of and parallel to the west line of the aforesaid Lot 37, and which point is the southwest corner of the herein described tract of land;

THENCE, with the said line five (5.00) feet east of and parallel to the west line of Lot 37, and its northerly prolongation, N 29° 55' W to a point in the aforesaid line five (5.00) feet north of and parallel to the south line of Lot 36, and which point is the northwest corner of the herein described tract of land;

THENCE, with the said line five (5.00) feet north of and parallel to the south line of Lot 36, N 40° 14' E to the point of beginning.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin

Noes: None

SHORELINE IMPROVEMENTS APPROVED

Councilman Long 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 of the City of Austin hereby approves the shoreline improvements as described below and shown on the attached plan on the property owned by MALDO B. JOHNSON as described in Travis County Deed Records and known as Lot 1, Windy Cove Subdivision and hereby authorizes the said MALDO B. JOHNSON to construct and maintain a retaining wall as described on the attached plan in

compliance with all laws and ordinances relating thereto. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper and present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said MALDO B. JOHNSON has failed and refused and will continue to fail and refuse to comply with any such conditions, regulations, laws and ordinances.

(See Original Resolution for Attached Plan)

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

PARADE PERMIT APPROVED

Councilman Long moved the Council approve the parade permit for the Round-Up Parade Committee. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

CITY FACILITIES REQUESTED FOR PRIMARY ELECTIONS

Councilman Long moved the Council approve a request by the County Democratic Executive Committee to use certain city facilities in the Primary Elections. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

FEDERAL GRANT ACCEPTED

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED by the City Council of the City of Austin, Texas:

That the City Council of the City of Austin, Texas, shall and they do hereby accept a Grant offer of Federal Funds not to exceed \$28,400.00, as made by the Area Manager, Houston Area, Federal Aviation Administration, under date of

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February 20, 1968, for the purposes therein set out; that said City Council do hereby accept all the terms, conditions, and obligations therein and thereby imposed and by our acceptance of same do hereby ratify the Project Application and do hereby acknowledge said instruments as constituting a solemn and binding agreement with the United States Government, for the purposes of obtaining Federal Aid in the development of the Robert Mueller Municipal Airport, and that a copy of such agreement is annexed hereto and made part hereof as if set forth at length herein.

That the City Manager of the City of Austin, Texas is hereby authorized and directed to evidence the City's agreement by affixing his signature to such agreement, which is hereby executed in quintuplicate, and the City Clerk is hereby authorized and directed to impress the official seal of the City of Austin, Texas thereon and to attest said execution.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

REMOVAL OF MOONLIGHT TOWER

Mr. Tinstman noted that in response to a request to vacate an area near the State Building Commission new office building, the City decided to remove the Moonlight Tower at 16th and Brazos. He added that there was some deterioration in the structural members and the joints. Councilman Long noted that the towers were a great tourist attraction, and asked for some sort of replacement for the light.

Councilman Nichols then moved that the Moonlight Tower at 16th and Brazos be removed and stored in Clark substation. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

SICK CITY EMPLOYEE REMEMBERED

Councilman Nichols moved the City send a card or flowers to Mr. Dick Smith, who was ill in the hospital. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

CONTRACT AWARDED

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 16, 1968, for the installation of 1,382 feet of 30-inch C.S.C. water main in Shoal Creek Boulevard from Steck Avenue north 1,382 feet; and,

WHEREAS, the bid of Ford-Wehmeyer, Inc., in the sum of \$31,576.70, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Water and Sewer 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 Ford-Wehmeyer, Inc., in the sum of \$31,576.70, be and the same is hereby accepted, and that R.M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Ford-Wehmeyer, Inc.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

WASTE WATER TREATMENT PLANT

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the City Manager, R.M. Tinstman, be and he is hereby authorized and directed to execute an agreement by and between JOHN ROBERTS, INC., a Delaware corporation, duly entitled to do business in Texas, and the CITY OF AUSTIN, whereby The City of Austin agrees to operate and maintain a waste water treatment plant for the said JOHN ROBERTS, INC., under the terms and conditions of said agreement.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

BIDS REJECTED FOR BEE CREEK FACILITIES

Mr. Dewey Nicholson, Assistant Director, Water and Sewer Department, appeared before the Council to request that the bids received for the construction of a sanitary sewer line and lift station on the west side of Lake Austin above Bee Creek be rejected and that new bids be called for approximately June 1. He felt that the construction could be done during two months in the winter, necessitating lowering the Lake again. At this point, however, he stated the bids were considerably in excess of the City's estimate and the working period was too short to get the job done.

Mr. Tinstman remarked that with more time, the City Water and Sewer Department could develop better designs, drawings, and locations, as well as allow a more reasonable working period, and perhaps lower the installation costs.

It was recommended that the Lake remain lowered for 10 days, until March 10th, at which time it be gradually raised. Councilman Long felt that the City could save money by laying the sewer line then instead of raising and relowering the Lake.

Councilman Janes moved the Council reject the bids in view of the recommendations of the staff. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

CONFIRM EXTENSION OF LOW LEVEL ON LAKE AUSTIN

Councilman LaRue moved that the lower level on Lake Austin be continued until March 10th with cognizance of the telegram request from the public contractor. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

MOPAC BOULEVARD (LOOP 1)

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Master Plan of the City of Austin, duly adopted by the City Council of the City of Austin on the 8th day of June, 1961, contemplated the development of Missouri-Pacific Boulevard (now Loop 1) as an indispensable component of the Circulation Plan for the City of Austin; and,

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WHEREAS, the joint studies in depth of the traffic and transportation needs of the Austin Metropolitan Area by the City of Austin, County of Travis, Texas Highway Department, and United States Commerce Bureau of Public Roads resulted in development and adoption of the Austin Transportation Plan 1962-1982 which (subject to further study and evaluation of Central Expressway south of 38th Street and 1st Street Expressway east of Missouri-Pacific Boulevard) was specifically incorporated into the Master Plan of the City of Austin; and,

WHEREAS, the implementation of the Master Plan of the City requires as a matter of first priority, the development of Missouri-Pacific Boulevard (Loop 1) as an expressway through the western part of the City; and,

WHEREAS, there is no feasible and prudent alternative to the planned route of said Missouri-Pacific Boulevard (Loop 1) through portions of Zilker and Westenfield Parks; and,

WHEREAS, the plans for said transportation facility have been designed; (1) to allow free and unimpeded movement in, and use of, park facilities; (2) to conform to the comprehensive development plans for the parks themselves by (i) affording greatly improved access to both parks without utilizing park lands for interchanges, (ii) providing a useful portion of a large botanical and native garden, and a proposed site for a natural science complex, (iii) improving the drainage facilities in Westenfield Park, and (iv) improving the access to, and the parking facilities in Westenfield Park in connection with additional land being added thereto; and (3) to include all possible planning to minimize any harm to such parks and sites resulting from the minimal use of such lands for small portions of such traffic facility; and,

WHEREAS, the Texas Highway Department which has had the prime responsibility for designing the facility, has demonstrated such a quality of intergovernmental cooperation in eliminating hazards to safety of vehicular, pedestrian, and rail traffic, in separating local from through traffic for safe, comfortable, and swift movement of people and goods, in selecting alignments which complement the natural terrain of the parks, and in using elevated sections to improve safe and free movement of persons enjoying the park and other public facilities, as to merit public recognition and the unqualified gratitude of all the people of Austin;

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

That the plans of the Texas Highway Department for the development of Missouri-Pacific Boulevard (Loop 1) be and they are hereby approved; and the Texas Highway Department and United States Department of Commerce Bureau of Public Roads be encouraged and assisted in every way to proceed with the execution of the plans for this essential traffic facility as expeditiously as possible; and,

BE IT FURTHER RESOLVED:

That the appreciation of the City of Austin for a most difficult plan being most satisfactorily completed, be expressed to the Texas Highway Department, the United States Department of Commerce Bureau of Public Roads, the County of Travis, and the Missouri-Pacific Railroad Company.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin

Noes: None

EXECUTION OF DEED - BANNISTER ACRES

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin by Resolution dated September 12, 1957, authorized the City Manager to enter into a contract for the acquisition of right-of-way for the highway known as Ben White Boulevard and designated by the Texas Highway Department as Highway No. 293, between the west city limits of the City of Austin near U.S. Highway No. 290 and the city limits of the City of Austin east of Congress Avenue; and,

WHEREAS, acting in compliance with the terms of this contract, the City of Austin has taken the fee simple title by Final Judgment to that certain tract of land described in a condemnation cause of action Number 244, styled City of Austin v. J.R. Durbin et al. in the County Court of Travis County, Texas; and,

WHEREAS, it is now necessary to convey the fee simple title to the above referenced tract of land to the State of Texas pursuant to said contract;
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 transfer the fee simple title to the following described tract of land to the State of Texas in compliance with the above described contract:

0.016 of one acre of land, same being out of and a part of that certain portion of Lot 1, Block 2, of Banister Acres a subdivision of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of said Banister Acres of record in Book 4, at Page 178 of the Plat Records of Travis County, Texas, which was conveyed to J.R. Durbin, et ux. Lake Durbin by warranty deed dated April 15, 1959, of record in Volume 2055 at Page 202 of the Deed Records of Travis County, Texas, said 0.016 of one acre of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake set in the west line of the said J.R. Durbin et ux. tract of land same being in the proposed south line of Ben White Boulevard same being in the east line of Gillis Street and from which point of beginning another iron stake at the southwest corner of the said Lot 1, Block 2, of Banister Acres bears South 30° 15' West 40.69 feet;

THENCE, with the east line of Gillis Street North 30° 15' East 27.39 feet to an iron stake at the northwest corner of the said J.R. Durbin et ux. tract of land;

THENCE, with the north line of the said J.R. Durbin et ux. tract of land South 59° 38' East 52.36 feet to an iron stake set in the proposed south line of Ben White Boulevard;

THENCE, with the proposed south line of Ben White Boulevard North 87° 18' West 59.07 feet to the point of beginning.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

SALE OF HOUSES

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 20, 1968, for the sale of eight (8) houses to be demolished or moved; and

WHEREAS, the bid of Joseph S. Lanning in the sum of \$103.00 for the Lynn House (Blue Bluff Road at Hog Eye Road), to be demolished; the bid of Moses Kouri in the sum of \$857.87 for the house located at 604 East 15th Street, to be moved; the bid of Mary Shaw in the sum of \$120.00 for the house located at 702 East 15th Street, to be moved; the bid of Jimmy Farrell in the sum of \$101.50 for the house located at 1501 Sabine, to be demolished; the bid of J.A. Miller Company in the sum of \$304.01 for the house located at 18 Chicon, to be moved; the bid of J.A. Miller Company in the sum of \$421.51, for the house located at 22 Chicon, to be moved; the bid of Clinton Alberthal, in the sum of \$80.00, for the house located at 27 Chalmers Street, to be demolished; and the bid of Paul Guerro in the sum of \$25.00 for the house located at 29 Chalmers, to be demolished, were the highest and best bids therefor, and the acceptance of such bids has been recommended by the Director of Public Works 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 Joseph S. Lanning, Moses Kouri, Mary Shaw, Jimmy Farrell, J.A. Miller Company, Clinton Alberthal, and Paul Guerro, be

and the same are hereby accepted, and that R.M. Tinstman, 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 Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

GOVALLE SEWAGE TREATMENT PLANT

Councilman Long moved the Council approve the proposed professional engineering contract for preparation of plans and specifications for additional sewage treatment facilities at the Govalle Sewage Treatment Plant. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

CONTRACT AWARDED

The Council noted that two of the bids for network protectors were identical. Councilman Long moved the Council send the two bids to the Attorney General for observation. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 19, 1968, for the purchase of Network Protectors for use by the Electric Transmission and Distribution; and,

WHEREAS, the bids of The Walter Tips Company in the sum of \$48,060.00 for twelve (12) each network protectors, 1600 Amperes, 480Y/277 Volt and in the sum of \$27,920.00 for eight (8) each network protectors, 1600 Amperes, 216Y/125 Volt were the lowest and best bids therefor and the acceptance of such bids has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

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

That the bids of The Walter Tips Company in the sums of \$48,060.00 and \$27,920.00, be and the same are hereby accepted, and that R.M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute contracts on behalf of the City with The Walter Tips Company.

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

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
Noes: Councilman Long

CONTRACTS AWARDED

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 16, 1968, for the purchase of asphalt for use by the Street and Bridge Division; and,

WHEREAS, the bids of Texas Emulsions, Inc., in the sum of \$15,300.00 for 150,000 Gallons of EA-11M Asphalt Emulsion, in the sum of \$32,700.00 for 300,000 Gallons of RS-2 Asphalt Emulsion; the bids of Gulf States Asphalt Co., in the sum of \$666.79 for 6,000 Gallons of RC-2 Cut-Back Asphalt, in the sum of \$2,810.64 for 30,000 Gallons of OA Asphalt, were the lowest and best bids therefor and the acceptance of such bids has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

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

That the bids of Texas Emulsion, Inc. and the bids of Gulf States Asphalt Co. as enumerated above, be and the same are hereby accepted, and that R.M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute contracts on behalf of the City with Texas Emulsion, Inc. and Gulf States Asphalt Co.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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WHEREAS, bids were received by the City of Austin on February 13, 1968, for the purchase of Heavy Equipment; and,

WHEREAS, the bid of Jess McNeel Machinery, in the sum of \$19,400.00, for one (1) 115 H.P. Diesel Motor Grader and one (1) trade-in; the bid of Acme Iron Works, in the sum of \$11,025.00, for one (1) 10 ton 3-wheel Roller and one (1) trade-in; the bids of Girard Machinery & Supply, in the sum of \$3,478.02, for two (2) Vibrating Rollers and two (2) trade-ins, in the sum of \$6,624.16, for two (2) Asphalt Spray Units, in the sum of \$12,805.00, for one (1) 4-Wheel Tractor Shovel; the bid of Cooper Equipment, in the sum of \$6,067.00, for one (1) Street Flusher; and the bid of Austin Ford Tractor, in the sum of \$5,703.24, for one (1) Tractor-Loader-Backhoe and one (1) trade-in, were the lowest and best bids therefore and the acceptance of such bids have been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

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

That the bids of Jess McNeel Machinery, Acme Iron Works, Girard Machinery & Supply, Cooper Equipment and Austin Ford Tractor, as enumerated above, be and the same are hereby accepted, and that R.M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute contracts on behalf of the City with Jess McNeel Machinery, Acme Iron Works, Girard Machinery & Supply, Cooper Equipment and Austin Ford Tractor.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin

Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 7, 1968, for the purchase of Radio Communication Equipment for all Departments of the City; and,

WHEREAS, the bids of Motorola Communications & Electronics, in the sum of \$14,720.00, for fourteen (14) each and trade-in of eleven (11) each Mobile Radio Transmitter-Receiver, 4 Frequency, 150-174 M.C., in the sum of \$7,200.00 for six (6) each Mobile Radio Transmitter-Receiver, 4 Frequency, 150-174 M.C. for Police 3-Wheel Motorcycles, in the sum of \$10,700.00, for twenty each Mobile Radio Transmitter-Receiver 2 Frequency, 150-174 M.C., in the sum of \$3,575.00, for five (5) each Mobile Radio Transmitter-Receiver, 1 Frequency, 450-470 M.C., in the sum of \$715.00 for one (1) each Base Console Radio Transmitter-Receiver, in the sum of \$6,600.00, for four (4) each Mobile Relay Radio Transmitter-Receiver; and the bids of General Electric Company, in the sum of \$2,184.00, for four (4) each

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Duplexer, and in the sum of \$1,078.00, for four (4) each antenna and line kit, were the lowest and best bids therefor and the acceptance of such bids have been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

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

That the bids of Motorola Communications & Electronics and General Electric Company, as enumerated above, be and the same are hereby accepted, and that R.M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute contracts on behalf of the City, with Motorola Communications & Electronics and General Electric Company.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin

Noes: None

REQUEST TO SEEK CITY OF AUSTIN BOND BIDS

Mr. Tinstman presented the bond issue to the Council. Councilman Janes offered the following resolution and moved its adoption:

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 advertise for bids on the sale of Bonds of the City of Austin at 10:30 A.M., May 16, 1968, as follows:

Electric Light and Power, Waterworks and Sewer System Revenue Bonds, authorized at an election April 2, 1966	\$13,000,000.00
Hospital Building General Obligation Bonds, authorized at an election August 22, 1964	1,200,000.00
Parks, Playground and Recreation General Obligation Bonds, authorized at an election August 22, 1964	350,000.00
Streets, Bridges and Drainage General Obligation Bonds, authorized at an election August 22, 1964	1,450,000.00
General Obligation Bonds Total	3,000,000.00

Advertisements for such bids shall be in the usual and customary form and shall be published at least once in The Austin Statesman, Austin, Texas, and in The Bond Buyer, New York, New York, and in addition shall be given such circulation as will invite attention to the proposed sale. The right shall be reserved to the City of Austin to reject any and all bids, and advertisements shall direct the filing of sealed bids to be opened by the City Council at regular meeting held for such purpose in the City Hall at the time and date hereinbefore set forth.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

In further discussion the Council suggested adding a "miscellaneous" section to the bonds, to provide flexible funds. The bond market seemed fairly good to Mr. Tinstman.

Councilman Nichols asked what influence the increase in the tax rate for the school district and the sale of their bonds had on the sale of City of Austin bonds. Mr. Norman Barker thought there was none.

The Council also discussed storm sewers and paving in Springdale Road, and the cash outlay for such Urban Renewal Projects as the Kealing Park development. Councilman Long brought out the fact that the Council and Beverly Sheffield, Director of the Parks and Recreation Department, were not advised that \$250,000.00 was being spent for parks out of the Parks and Recreation funds. This money was matched by Urban Renewal funds but they were not directly returned to that particular department.

Councilman Long stated that the next time a contract of that sort was drawn up she wanted the terms to be spelled out to the Council.

PURCHASE OF PROPERTY

The property at 1004 West Lynn Street was needed for the 15th Street crosstown expressway, Mr. Tinstman explained. The owner wished to improve the property and had requested a building permit from the City. The City did not need the land for 10 years but at that time they would have to pay for the improvement. If the land were bought at the present time, the cost would be less.

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

Anthony Colonnetta
(Widening W. Lynn)

650515.43
1004 West Lynn

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 \$17,142.50 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 LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

TAX VALUE OF VACANT LAND

Councilman Long noted that the Tax Department had overlooked the value of the property at 1004 West Lynn by about 1/3. She encouraged the City Manager to have the Tax Department take a close look at all vacant land for reappraisal. Mr. Tinstman agreed that the tax assessor was having considerable difficulty keeping up with the increase in land values in all parts of the City.

COMMENTS ON LAND PURCHASES BY THE CITY

Mayor Akin recognized two people in the Council Chamber, Mr. Barrow and Mr. Goodman from the Planning Development Commission. Mr. Barrow was in favor of the City's purchasing land for right of way ahead of time. He felt that there was not enough emphasis placed on what the probable value of the land would be in future years.

COUNCIL OF GOVERNMENTS

Mr. Barrow then stated that he was appearing before the Council to discuss the matter of converting the Regional Planning Commission into the Council of Governments. He asked for the support of the Council members in pushing this change. He was especially interested in the conversion of a Commission composed of all appointed officials to one with 51% elected officials.

The Council discussed the specific need for a Council of Governments and the members felt that they needed more information. They were not ready to endorse the plan. Mr. Barrow and Mr. Goodman agreed to study the question further and report back to the Council. Mayor Akin stated that the Council was interested in getting more information and was receptive to exploring the program and its possibilities.

ADJOURNMENT

The Council then adjourned.

APPROVED: *Harry Akin*
Mayor

ATTEST: *Grace Monroe*
Asst City Clerk