

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 18, 1969
9:00 A.M.

COUNCIL CHAMBER, CITY HALL

The meeting was called to order with Mayor LaRue presiding.

Roll Call:

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

The Invocation was delivered by REVEREND THOMAS J. SEAY, JR. of Highland Village Church of Christ.

ZONING ORDINANCES

Mayor LaRue introduced the following ordinance:

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

TRACT 1: A 1.99 ACRE TRACT OF LAND OUT OF THE JAMES P. WALLACE SURVEY, LOCALLY KNOWN AS 101-105 EAST WONSLEY DRIVE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;

TRACT 2: A 1.98 ACRE TRACT OF LAND OUT OF A PORTION OF A 75.51 ACRE TRACT OUT OF THE JAMES P. WALLACE LEAGUE SURVEY #57, SAVE AND EXCEPT A ONE-HALF (1/2) ACRE TRACT OF LAND OUT OF A 1.98 ACRE TRACT OUT OF THE JAMES P. WALLACE LEAGUE NO. 57 LOCALLY KNOWN AS 107-201 EAST WONSLEY DRIVE AND REAR OF 203-205 EAST WONSLEY DRIVE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; AND

TRACT 3: A 1.524 ACRE TRACT OF LAND BEING A PORTION OF THE JAMES P. WALLACE SURVEY, LOCALLY KNOWN AS 207-209 EAST WONSLEY DRIVE AND REAR OF 301-303 EAST WONSLEY DRIVE, 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 Johnson 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, Mayor LaRue
Noes: None
Absent: Councilman Price

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: A 1.6 ACRE TRACT OF LAND OUT OF THE J. C. TANNEHILL LEAGUE, LOCALLY KNOWN AS 5904-6000 BOLM 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 Gage 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, Mayor LaRue
Noes: None
Absent: Councilman Price

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

The ordinance was read the third time and Councilman Gage 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, Mayor LaRue
 Noes: None
 Absent: Councilman Price

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

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

TRACT 1: A 65 ACRE TRACT OF LAND OUT OF THE GEORGE W. DAVIS SURVEY IN TRAVIS COUNTY, TEXAS, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT, AND

TRACT 2: A 0.25 OF ONE ACRE TRACT OUT OF THE GEORGE W. DAVIS SURVEY IN TRAVIS COUNTY, TEXAS, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; THE ABOVE TWO (2) TRACTS BEING LOCALLY KNOWN AS 7554-7846 BURNET ROAD, 2401-2805 ANDERSON LANE, AND 2601-2911 FOSTER LANE; 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 MacCorkle, carried by the following vote:

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

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, Mayor LaRue
 Noes: None
 Absent: Councilman Price

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,
Mayor LaRue
Noes: None
Absent: Councilman Price

The Mayor announced that the ordinance had been finally passed.

ACQUISITION OF RIGHT-OF-WAY
FOR PLEASANT VALLEY ROAD

Councilman Gage offered the following resolution and moved its
adoption:

(RESOLUTION)

691218.05
Gustaf Johnson

(Pleasant Valley Road)

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

That the City Manager or his designate be and he is hereby authorized and directed to enter into a certain agreement with Gustaf Johnson as owner, and Howard Brunson, as leaseholder, for the sale of a tract of land owned by the City of Austin, and the granting of an option on land owned by Gustaf Johnson as described in the agreement attached hereto.

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

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

VACATION OF STREET

Mayor LaRue introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF GONZALES STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING ANY AND ALL EASEMENTS IN THE CITY; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE PASSED

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: A 5 ACRE TRACT, MORE OR LESS, OUT OF OUTLOT 25, DIVISION A OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 680-698 PLEASANT VALLEY ROAD AND 2614-2716 GONZALES STREET, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

At this point, Councilman Price entered the Council Chamber.

SISTER CITY COMMITTEE

Councilman Johnson moved the Council approve the nomination of Mr. Moton Crockett as the Chairman of the Sister City Committee for Saltillo, Mexico with Mrs. Kelly McAdams, Miss Nettie Moore, Mr. Joe Hannan, Mrs. Anne Byrd Nalle, Mrs. J. D. Halton, Mrs. Carter Clopton, Mr. Sam Wood, Mr. Jess Kellam, Mr. John Kingsbery, Mr. Nash Moreno, Mr. S. A. Garza, Mr. Rudy Cisneros, and Dr. Joe Neal to serve as members of the Sister City Committee. The motion, seconded by Councilman Atkison, carried by the following vote:

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

NEIGHBORHOOD DEVELOPMENT PROGRAM

Mr. Leon Lurie, Executive Director of the Urban Renewal Agency presented to the Council the Neighborhood Development Program.

Mayor LaRue noted that a request had been made to change the Blackshear Urban Renewal Agency to the Neighborhood Development Program. The Council heard various proponents and opponents and after a review, Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, following publication of notice as required by the Texas Urban Renewal Law, this Council held a public hearing on the Blackshear Urban Renewal Project No. Tex. R-95 on November 5, 1969; and,

WHEREAS, this Council has heretofore, on May 8, 1969, approved the conversion of the Kealing Project No. Tex. R-20 and the Brackenridge Project No. Tex. R-94 to a Neighborhood Development Program; and,

WHEREAS, this Council deems it in the best interest of the City of Austin that the Blackshear Project No. Tex. R-95 likewise be converted to the Neighborhood Development Program; Now, Therefore,

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

1. That the resolution enacted by this Council on May 22, 1969, relative to the abandonment of the Blackshear Urban Renewal Project, be and the same is hereby, rescinded;
2. That the Blackshear Urban Renewal Project No. Tex. R-95 be converted to the Neighborhood Development Program; and,
3. That the Urban Renewal Agency of the City of Austin be, and it is hereby, directed to prepare the necessary documents for filing with the Department of Housing and Urban Development to effect the purpose of this resolution.

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

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

MASTER PLAN HEARING

Mayor LaRue opened the public hearing scheduled for this time on the change to the Master Plan for 12.35 acres in Colorado Hills Estates.

Councilman MacCorkle moved the Council grant the request for a change in the Master Plan from low density residential to medium density residential as recommended and amended by the Planning Commission. The motion, seconded by Councilman Atkison, carried by the following vote:

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

ZONING CASE CONTINUED

A. E. CRAUS
by Brian Schuller
C14-69-288

2033-2223 East Riverside Dr. From Interim "A" Residence, 1st Height and Area to "B" Residence 1st Height and Area
RECOMMENDED by the Planning Commission subject to the extension of Woodland Drive and Tinnin Ford Road, the necessary right-of-way for future widening of Riverside Drive and with condition that a special permit and a subdivision be submitted because of the size of the tract

Councilman Price moved the Council grant the change from Interim "A" Residence, 1st Height and Area to "B" Residence, 1st Height and Area subject to conditions as recommended by the Planning Commission. The motion, seconded by Councilman Gage, carried by the following vote:

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

The Mayor announced that the change had been granted to "B" Residence, 1st Height and Area subject to conditions and instructed the City Attorney to draw the necessary ordinance to cover.

ANNEXATION HEARING

Mayor LaRue opened the public hearing scheduled for this time on the following annexation. Councilman Price moved the Council close the hearing and direct the administration to institute annexation proceedings to annex the following

5.43 acres of unplatted land out of the Thomas Eldridge and J.A.G. Brooks Surveys - portions of Manor Road, Northeast Drive and unplatted adjacent land.

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

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

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 5.43 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE THOMAS ELDRIDGE AND J.A.G. BROOKS SURVEYS IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

Ayes: Councilmen Atkison, Gage, 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 Atkison, carried by the following vote:

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

RELEASE OF EASEMENTS

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for electric and telephone purposes by an instrument of record in Volume 1704 at Page 345 of the Deed Records of Travis County, Texas; same being out of and a part of the John Applegate Survey in Travis County, Texas; and,

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

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

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

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

Two (2) strips of land, each being twenty (20.00) feet in width and each being out of and a part of that certain tract of land out of the John Applegate Survey in Travis County, Texas, which was conveyed to W. H. Chenault by warranty deed dated December 31, 1940, of record in Volume 666 at Page 134 of the Deed Records of Travis County, Texas; the centerline of each of the said two strips of land twenty (20.00) feet in width being more particularly described as follows:

NUMBER ONE, BEGINNING at a point in the north line of an existing electric and telephone easement twenty (20.00) feet in width, from which point of beginning a steel pin at the northeast corner of the said Chenault tract of land bears N 61° 53' E 506.80 feet;

THENCE, N 20° 30' E 39.87 feet to point of termination.

NUMBER TWO, BEGINNING at a point in a line ten (10.00) feet east of and parallel to the east line of North Creek, a subdivision of record in Book 47 at Page 13 of the Plat Records of Travis County, Texas, from which point of beginning a steel pin at the northeast corner of said North Creek bears N 05° 16' W 17.87 feet;

THENCE, with the said line ten (10.00) feet east of and parallel to the east line, and its northerly prolongation, of North Creek, N 29° 30' E 348.50 feet to point of termination, from which point of termination the said steel pin at the northeast corner of North Creek bears S 31° 15' W 333.98 feet.

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

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

Noes: None

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for electric and telephone purposes by an instrument of record in Volume 1209 at Page 62 of the Deed Records of Travis County, Texas; said easement being out of and a part of the John Applegate Survey in Travis County, Texas; and,

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

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

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

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

A strip of land thirty (30.00) feet in width, same being out of and a part of those certain tracts of land out of the John Applegate Survey in Travis County, Texas, which were conveyed to W. H. Chenault by the following two (2) warranty deeds:

- (1) Dated December 14, 1939, of record in Volume 632 at Page 575 of the Deed Records of Travis County, Texas;
- (2) Dated December 31, 1940, of record in Volume 666 at Page 134 of the Deed Records of Travis County, Texas;

the centerline of said strip of land thirty (30.00) feet in width being more particularly described as follows:

BEGINNING at a point in the west line of the Chenault tract of land as described in said deed of record in Volume 666 at Page 134 of the Deed Records of Travis County, Texas, from which point of beginning a steel pin at the southwest corner of the said Chenault tract of land bears S 28° 27' W 30.00 feet;

THENCE, S 59° 44' E 1841.86 feet to point of termination in the east line of the Chenault tract of land as described in said deed of record in Volume 632 at Page 575 of the Deed Records of Travis County, Texas, from which point of termination a steel pin at the northeast corner of the said Chenault tract of land bears N 29° 35' E 809.3 feet.

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

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

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for electric purposes by an instrument of record in Volume 543 at Page 387 of the Deed Records of Travis County, Texas; said easement being out of and a part of the John Applegate Survey in Travis County, Texas; and,

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

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

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

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

A strip of land fifty (50.00) feet in width, same being out of and a part of those certain tracts of land out of the John Applegate Survey in Travis County, Texas; which were conveyed to W. H. Chenault by the following two (2) warranty deeds:

(1) Dated December 14, 1939, of record in Volume 632 at Page 575 of the Deed Records of Travis County, Texas;

(2) Dated December 31, 1940, of record in Volume 666 at Page 575 of the Deed Records of Travis County, Texas;

the centerline of said strip of land fifty (50.00) feet in width being more particularly described as follows:

BEGINNING at a point in the east line of the Chenault tract of land as described in said deed of record in Volume 632 at Page 575 of the Deed Records of Travis County, Texas, from which point of beginning a steel pin at the northeast corner of the said Chenault tract of land bears N 29° 35' E 1538.03 feet;

THENCE, N 04° 17' W 1332.92 feet to point of termination, from which point of termination the said steel pin at the northeast corner of the Chenault tract of land bears N 89° 27' E 859.07 feet.

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

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

STREET VACATION

Mayor LaRue introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF QUAIL PARK DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING EASEMENTS IN THE CITY FOR PUBLIC UTILITY AND DRAINAGE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

NO SETBACK DENIED

Councilman Gage moved the Council deny the request to provide no setback from Interregional Highway for a commercial building at the southeast corner of Interregional Highway and East 13th Street. The motion, seconded by Councilman Johnson, carried by the following vote:

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

PARKING GARAGE

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the application of the University of Texas System, through the Board of Regents, to construct and maintain the hereinafter described underground improvements:

Excavation and underground construction in the following locations:

(a) under the sidewalk area of West 6th Street 2.38 feet south of the south property line from the old Post Office building to Colorado Street;

(b) under the sidewalk area of Colorado Street 8.94 feet east of the east property line from West 6th Street to the north alley of West 6th Street; and,

(c) under the north alley of West 6th Street 0.96 feet north of the north property line from Colorado Street to the old Post Office building;

be, and the same is hereby granted, and the Building Official is hereby authorized to issue a permit for the construction of such improvements; such grant and permit to be subject to the following conditions:

- (1) the improvements shall be constructed and maintained in compliance with all laws and ordinances;
- (2) the permit shall be issued and accepted subject to all reasonable police, traffic, fire, and health regulations of the City of Austin, now existing or hereafter adopted;
- (3) the repair or relocation of any and all utilities in the vicinity due to these improvements shall be done at the expense of the University of Texas System;
- (4) the University of Texas System will agree to 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 on a form to be approved by the City Attorney's Office of said City;
- (5) that the inlet on Colorado Street that will be destroyed due to the construction, will be replaced at the University of Texas System's request;

(6) the City of Austin may revoke such permit at any time and upon such revocation the owner of the building will construct the necessary walls and footing to separate such space from any buildings or other improvements, and pay all costs and expenses attendant therewith.

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

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

BOAT DOCK

Councilman MacCorkle moved the Council grant the authorizing of construction of a boat dock on Lot 10, Block A, Aqua Monte by Sammy Oates. The motion, seconded by Councilman Gage, carried by the following vote:

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

FAA AMENDMENT

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the City Manager be and he is hereby authorized and directed to enter into Supplemental Agreement No. 3, Lease C2ca-5091-A; Supplemental Agreement No. 2, Lease FA2-2080; and Supplemental Agreement No. 1, Lease FA67 SW-4024; and in accordance with the terms and provisions of those certain agreements exhibited to the City Council; and,

BE IT FURTHER RESOLVED:

That the City Clerk is hereby directed to file a copy of said agreements in the permanent records of her office without recordation in the Minutes of the City Council.

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

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

SPEED LIMIT CHANGE

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

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

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
Shady Lane	Glissman	200 feet west of Gonzales;

Now, Therefore,

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

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

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

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

Noes: None

CONTRACTS AWARDED

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 3, 1969, for the installation of approximately 1,650 feet of 8-inch, 24 feet of 6-inch cast iron water main and 538 feet of sewer main, to provide water and sewer service to the new Kroger Family Center site; and,

WHEREAS, the bid of Bland Construction Company in the sum of \$17,743.20 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the 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 Bland Construction Company in the sum of \$17,743.20 be and the same is hereby accepted and that L. H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Bland Construction Company.

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

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

Noes: None

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 3, 1969, for the installation of approximately 2,150 feet of sanitary sewer main to provide service to a portion of force main on City property to Little Walnut Creek Treatment Plant; and,

WHEREAS, the bid of Capitol City Utilities in the sum of \$14,712.00 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the 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 Capitol City Utilities in the sum of \$14,712.00 be and the same is hereby accepted and that L. H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Capitol City Utilities.

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

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

Noes: None

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 3, 1969, for the construction of a Roadway, Water Main and Conduit Ductline crossing the Maurice Doke Tract on the West Bank of Lake Austin, North of Bee Creek to provide water service and fire protection along West Bank of Lake Austin; and,

WHEREAS, the bid of Bland Construction Company in the sum of \$50,520.00 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the 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 Bland Construction Company in the sum of \$50,520.00 be and the same is hereby accepted and that L. H. Andrews, City Manager of the City of Austin be and he is hereby authorized to execute a contract on behalf of the City with Bland Construction Company.

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

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

Noes: None

BRACKENRIDGE HOSPITAL
SCHOOL OF NURSING

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the City Manager be and he is hereby authorized and directed to enter into a certain affiliation agreement with the Board of Regents of The University of Texas System concerning Brackenridge Hospital School of Nursing and The University of Texas Nursing School; and in accordance with the terms and provisions of that certain agreement exhibited to the City Council; and,

BE IT FURTHER RESOLVED:

That the City Clerk is hereby directed to file a copy of said agreement in the permanent records of her office without recordation in the Minutes of the City Council.

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 Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 5, 1969, for the purchase of a Chain Link Fence for Kingsbury Substation for the Electric Distribution Division; and,

WHEREAS, the bid of Evans Metal Products in the sum of \$5,134.01 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 Evans Metal Products in the sum of \$5,134.01 be and the same is hereby accepted and that L. H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Evans Metal Products.

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

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

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 1, 1969, for 6,000 feet, 2 1/2" Fire Hose, 600 lb. test; 1,500 feet 1 1/2" Fire Hose, 600 lb. test; and 500 feet 1 1/2" Fire Hose, 800 lb. test for use by the Fire Department; and,

WHEREAS, the bid of Houston Gasket and Packing Company, Inc. in the sum of \$5,896.46 for 6,000 feet, 2 1/2" Fire Hose, 600 lb. test; the bid of Alamo Fire Equipment Company in the sum of \$1,043.70 for 1,500 feet, 1 1/2" Fire Hose, 600 lb. test; and the bid of Art Simon, Modus Operandi Unlimited in the sum of \$441.00 for 500 feet, 1 1/2" Fire Hose, 800 lb. test, 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 bids of Houston Gasket and Packing Company, Inc., Alamo Fire Equipment Company and Art Simon, Modus Operandi Unlimited as enumerated above be and the same are hereby accepted and that L. H. Andrews, City Manager of the City of Austin be and he is hereby authorized to execute contracts on behalf of the City.

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

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

EMINENT DOMAIN

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, it has been determined by federal and local authorities that it is necessary and desirable to acquire and maintain a clearance easement over and across the hereinafter described property in order to provide for the safe and free landing and departure of aircraft from Robert Mueller Municipal Airport; and,

WHEREAS, the extent of said easement has been determined as consistent with the airport zoning regulations for Robert Mueller Municipal Airport duly enacted by the Joint Airport Zoning Board of Austin and Travis County, Texas; and,

WHEREAS, the City of Austin has negotiated with the owners of said land and has been unable to agree with such owners as to the amount that said owners should be paid for such easement; Now, Therefore,

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

That the City Manager be, and he is hereby, authorized and directed to file or cause to be filed against all the owners and lienholders of the below described property a suit in eminent domain to acquire an easement of way in and across the air space over and above the hereinafter described tract of land for the landing and taking off of aircraft to and from the Robert Mueller Municipal Airport, together with the right of ingress and egress for the purpose of trimming and lowering objects of natural growth or other objects now existing or that may hereinafter exist on said land insofar as the same may extend more than 45.00 feet above the surface of said land as it presently exists upon the following described property, to-wit:

A clearance easement above the entirety of Lot 12, C. D. N. Addition No. 2, 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 C. D. N. Addition No. 2 of record in Book 10 at Page 70 of the Plat Records of Travis County, Texas, which Lot 12 was conveyed to Fred J. Mueller, Sr., et ux, by warranty deed dated September 9, 1967, of record in Volume 3345 at Page 1055 of the Deed Records of Travis County, Texas.

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

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

Councilmen MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, it has been determined by federal and local authorities that it is necessary and desirable to acquire and maintain a clearance easement over and across the hereinafter described property in order to provide for the safe and free landing and departure of aircraft from Robert Mueller Municipal Airport; and,

WHEREAS, the extent of said easement has been determined as consistent with the airport zoning regulations for Robert Mueller Municipal Airport duly enacted by the Joint Airport Zoning Board of Austin and Travis County, Texas; and,

WHEREAS, the City of Austin has negotiated with the owners of said land and has been unable to agree with such owners as to the amount that said owners should be paid for such easement; Now, Therefore,

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

That the City Manager be, and he is hereby, authorized and directed to file or cause to be filed against all the owners and lienholders of the below described property a suit in eminent domain to acquire an easement of way in and across the air space over and above the hereinafter described tract of land for the landing and taking off of aircraft to and from the Robert Mueller Municipal Airport, together with the right of ingress and egress for the purpose of trimming and lowering objects of natural growth or other objects now existing or that may hereinafter exist on said land insofar as the same may extend more than 45.00 feet above the surface of said land as it presently exists upon the following described property, to-wit:

A clearance easement above the entirety of Lot 15, C. D. N. Addition No. 2, 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 C. D. N. Addition No. 2 of record in Book 10 at Page 70 of the Plat Records of Travis County, Texas, which Lot 15 was conveyed to Julian Vasquez, et ux, by warranty deed dated August 30, 1967, of record in Volume 3345 at Page 804 of the Deed Records of Travis County, Texas.

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

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

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, it has been determined by federal and local authorities that it is necessary and desirable to acquire and maintain a clearance easement over and across the hereinafter described property in order to provide for the safe and free landing and departure of aircraft from Robert Mueller Municipal Airport; and,

WHEREAS, the extent of said easement has been determined as consistent with the airport zoning regulations for Robert Mueller Municipal Airport duly enacted by the Joint Airport Zoning Board of Austin and Travis County, Texas; and,

WHEREAS, the City of Austin has negotiated with the owners of said land and has been unable to agree with such owners as to the amount that said owners should be paid for such easement; Now, Therefore,

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

That the City Manager be, and he is hereby, authorized and directed to file or cause to be filed against all the owners and lienholders of the below described property a suit in eminent domain to acquire an easement of way in and across the air space over and above the hereinafter described tract of land for the landing and taking off of aircraft to and from the Robert Mueller Municipal Airport, together with the right of ingress and egress for the purpose of trimming and lowering objects of natural growth or other objects now existing or that may hereinafter exist on said land insofar as the same may extend more than 38.00 feet above the surface of said land as it presently exists upon the following described property to-wit:

A clearance easement above the entirety of Lot 21, Block A, Manor Hill, a subdivision of portions of Outlots 35 and 36, Division C, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas; a map or plat of said Manor Hill being of record in Book 6 at Page 10 of the Plat Records of Travis County, Texas; which Lot 21, Block A, was conveyed to Louis Dwaine Kincheloe, et ux by warranty deed dated July 22, 1955, of record in Volume 1601 at Page 514 of the Deed Records of Travis County, Texas.

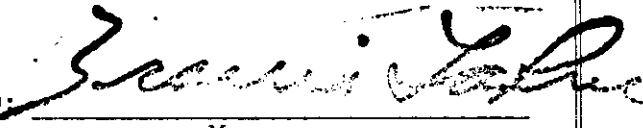
The motion, seconded by Councilman Gage, carried by the following vote:

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

ADJOURNMENT

The Council then adjourned.

APPROVED: _____



Mayor

ATTEST: _____


Asst. City Clerk