

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 21, 1968
9:00 A.M.

COUNCIL CHAMBER, CITY HALL

The meeting was called to order with Mayor Akin presiding.

Roll Call:

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

The Invocation was delivered by REVEREND JOHN EVANS of the Westminster Presbyterian Church.

CITIZEN APPEARANCE

Mr. Frank Ramirez, Chairman of the Employees Committee for Fair and Equal Treatment, appeared before the Council to protest the membership of Mr. Milton Smith on the Human Relations Commission. Mr. Grey Mojica, also a member of the Committee for Fair and Equal Treatment stated that Mr. Smith was guilty of prejudice against the Mexican-American employees within his factory by the use of derogatory and discriminating statements against the race. Mayor Akin stated that the Human Relations Commission comprised of 24 members appointed by the Council would consider it their responsibility to investigate into any practices of discrimination. City Manager Tinstman stated that the Commission would consider the matter the following Monday.

BUS FRANCHISE ORDINANCE

Mr. Barry McClellan appeared before the Council representing Austin Transit to report that their company was satisfied with the proposed ordinance and ready for it to become effective. Mr. Morgan Nesbitt, representing Transportation Enterprises, stated that the two companies were basically in agreement, the difference being primarily a matter of procedure. Mr. Nesbitt stated that Trans-

portation Enterprises was providing and conducting a bona fide bus service which had proven to be a public necessity, and that the company would need some type of assurance that they could continue their business. At the Council's request, Mr. Nesbitt designated the routes that the Transportation bus service covered. Mr. Nesbitt further stated that, if the ordinance passed and Transportation Enterprises decided to extend their services, the company would file an application for "convenience and necessity", and thereby eliminate the problem of adding a grandfather clause to the franchise ordinance.

Mayor Akin introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 31 OF THE AUSTIN CITY CODE OF 1954
PERTAINING TO THE OPERATION OF BUSES.

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 Long, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

ANNEXATION HEARING

Mayor Akin opened the public hearing scheduled for 10:30 A.M. on the following annexation. Councilman Nichols moved the Council close the hearing and direct the administration to institute annexation proceedings to annex the following:

12.07 acres of land out of the William Cannon League -
proposed TURTLE CREEK ESTATES and a portion of South
First Street.

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

Ayes: Councilmen Janes, Nichols, LaRue, Long, 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 12.07 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

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

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

ZONING ORDINANCE

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

AN ORDINANCE AMENDING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 BY AMENDING SECTION 2, DEFINITIONS, BY ADDING CERTAIN DEFINITIONS; BY ADDING SECTION 3-A, "SR" SUBURBAN RESIDENCE DISTRICT; BY ADDING SECTION 3-B, "AA" RESIDENCE DISTRICT; BY AMENDING ALL OF SECTION 4, "A" RESIDENCE DISTRICT; BY AMENDING SECTION 10-C, OFF STREET PARKING; AND BY AMENDING SECTION 14, FIRST HEIGHT AND AREA DISTRICT; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

ANNEXATION ORDINANCES

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 16.85 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE THEODORE BISSELL LEAGUE; 10.64 ACRES OF LAND, SAME BEING OUT OF THE JAMES P. WALLACE SURVEY NO. 57 AND THE JOHN APPELEGATE SURVEY; AND 21.25 ACRES OF LAND, SAME BEING OUT OF AND A PART 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 LaRue moved that the ordinance be finally passed. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF THAT CERTAIN TRACT OF LAND COMMONLY KNOWN, IN PART, AS "LAKE AUSTIN INN PROPERTY", THE SAME BEING THE LAND CONVEYED TO MAURICE DOKE BY DEED DATED NOVEMBER 13, 1964, RECORDED IN VOLUME 2884, PAGES 381-385 OF THE DEED RECORDS OF 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 Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman Long, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE

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 2.17 ACRE TRACT OF LAND, LOCALLY KNOWN AS 2512 DURWOOD STREET

AND THE REAR OF 2502-2514 WILSON STREET, 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 Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Nichols, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

RELEASE OF EASEMENTS

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for down-guy purposes in, upon and across a part of Lot 20, Block G, Northwest Hills Mesa Oaks, Phase Three, a subdivision of a portion of the T. J. Chambers Grant in the City of Austin, Travis County, Texas, according to a map or plat of said Northwest Hills Mesa Oaks, Phase Three, of record in Book 33 at Page 37 of the Plat Records of Travis County, Texas; said easement was provided on said map or plat of Northwest Hills Mesa Oaks, Phase Three, and by deed dated May 28, 1965 of record in Volume 2989 at Page 29 of the Deed Records of Travis County, Texas; and,

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

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

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

That the Assistant to 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 down-guy easement, to-wit:

A strip of land five (5.00) feet in width, same being out of and a part of Lot 20, Block G, Northwest Hills Mesa Oaks, Phase Three, a subdivision of a portion of the T. J. Chambers Grant in the City of Austin, Travis County, Texas, according to a map or plat of said Northwest Hills Mesa Oaks Phase Three, of record in Book 33 at Page 37 of the Plat Records of Travis County, Texas; the centerline of said strip of land (5.00) feet in width being more particularly described as follows:

BEGINNING at the intersection of the northerly prolongation of the west line of Lot 7, Block G, Northwest Hills Mesa Oaks, Phase Two, a subdivision of record in Book 23 at Page 33 of the Plat Records of Travis County, Texas, and the north line of an existing public utilities 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 20, Block G, Northwest Hills Mesa Oaks, Phase Three;

THENCE, with the said northerly prolongation of the west line of Lot 7, Block G, Northwest Hills Mesa Oaks, Phase Two, N 19° 02' E 35.00 feet to point of termination.

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

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

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility and down-guy purposes in, upon and across a part of Lot 2, Block H, Wooten Terrace, Section Two, 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 Wooten Terrace, Section Two, of record in Book 33 at Page 35 of the Plat Records of Travis County, Texas; and,

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

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

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

That the Assistant to 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 and down-guy easement, to-wit:

452 square feet of land, same being out of and a part of Lot 2, Block H, Wooten Terrace, Section Two, 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 Wooten Terrace, Section Two, of record in Book 33 at Page 35 of the Plat Records of Travis County, Texas; which 452 square feet of land are more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the south line of said Lot 2, Block H, Wooten Terrace, Section Two, same being the north line of Teton Drive, with a line three (3.00) feet east of and parallel to the west line of said Lot 2, same being the east line of Lot 3, which point of beginning is the southwest corner of the herein described tract of land, and from which point of beginning a steel pin at the southwest corner of said Lot 2 $81^{\circ} 02' W$ 3.03 feet;

THENCE, with the said line three (3.00) feet east of and parallel to the west line of Lot 2, $N 00^{\circ} 44' E$ 100.65 feet to a point in the westerly prolongation of the south line of an existing public utilities 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 2, and which point is the northwest corner of the herein described tract of land;

THENCE, with the said westerly prolongation of the south line of an existing public utilities easement ten (10.00) feet in width, $S 82^{\circ} 38' E$ 2.01 feet to a point in the east line of another existing public utilities easement ten (10.00) feet in width, which point is the northeast corner of the herein described tract of land;

THENCE, with the said east line of another existing public utilities easement ten (10.00) feet in width, $S 02^{\circ} 05' E$ 101.55 feet to a point in the aforesaid north line of Teton Drive, which point is the southeast corner of the herein described tract of land;

THENCE, with the said north line of Teton Drive, $N 81^{\circ} 03' W$ 7.07 feet to the point of beginning.

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

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

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes in, upon and across a part of Block C, Delwood Terrace, Section One, a subdivision of portions of the D. Simpson, A. W. Canfield and Thomas Eldridge Surveys in the City of Austin, Travis County, Texas, according to a map or plat of said Delwood Terrace, Section One, of record in Book 13 at Page 58 of the Plat Records of Travis County, Texas; and,

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

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

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

That the Assistant to 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 utilities easement, to-wit:

Eight (8) strips of land, each being ten (10.00) feet in width and each being out of and a part of Block C, Delwood Terrace, Section One, a subdivision of portions of the D. Simpson, A. W. Canfield and Thomas Eldridge Surveys in the City of Austin, Travis County, Texas, according to a map or plat of said Delwood Terrace, Section One, of record in Book 13 at Page 58 of the Plat Records of Travis County, Texas; the centerline of each of the said eight (8) strips of land being more particularly described as follows:

NUMBER ONE, BEGINNING at a point in the north line of Lot 9, said Block C, Delwood Terrace, Section One, same being the south line of Lot 8, and from which point of beginning an iron pin at the northeast corner of said Lot 9 bears S 87° 43' E 30.63 feet;

THENCE, with the said north line of Lot 9, N 87° 43' W 45.00 feet to an iron pin at the most easterly corner of Lot 10;

THENCE, with the north or northeast lines of Lots 10 and 11, same being the west or southwest lines of Lots 7 and 8, N 41° 05' W 169.04 feet to an iron pin at the northeast corner of Lot 12;

THENCE, with the north lines of Lots 12 and 13, same being the south lines of Lots 4 and 5, N 60° 05' W 115.00 feet to an iron pin at the most easterly corner of Lot 2;

THENCE, with the east line of Lot 2, same being a west line of Lot 4, and its northerly prolongation N 11° 07' W, at 53.03 feet passing an iron pin, in all a distance of 58.03 feet to point of termination.

NUMBER TWO, BEGINNING at a point in the westerly prolongation of the south line of Lot 2, same being the north line of Lot 13, and from which point of beginning an iron pin at the most southerly corner of said Lot 2 bears N 71° 01' E 5.00 feet;

THENCE, with the said south line of Lot 2 and its westerly prolongation, N 71° 01' E to point of termination in the west line of Strip Number One described above.

NUMBER THREE, BEGINNING at an iron pin at the most westerly corner of Lot 12, same being the most southerly corner of Lot 13, and which point of beginning is in the north line of Cheshire Drive;

THENCE, with the west line of Lot 12, same being the east line of Lot 13, N 34° 00' E to point of termination in the south line of Strip Number One described above.

NUMBER FOUR, BEGINNING at an iron pin at the most easterly corner of Lot 4, same being the most northerly corner of Lot 5, and which point is in the south line of Dexmoor Drive;

THENCE, with the west line of Lot 5, same being the east line of Lot 4, S 29° 55' W to point of termination in the north line of Strip Number One described above.

NUMBER FIVE, BEGINNING at a point in the east line of Lot 5, same being the west line of Lot 6, and from which point of beginning an iron pin at the most easterly corner of said Lot 5 bears N 29° 55' E 65.00 feet;

THENCE, with the said east line of Lot 5, same being the west lines of Lots 6 and 7, S 29° 55' W to point of termination in the north line of Strip Number One described above.

NUMBER SIX, BEGINNING at a point in the south line of Lot 6, same being the north line of Lot 7, and from which point of beginning an iron pin at the southeast corner of said Lot 6 bears S 87° 20' E 112.59 feet;

THENCE, with the said south line of Lot 6, N 87° 20' W to point of termination in the east line of Strip Number Five described above.

NUMBER SEVEN, BEGINNING at a point in the east line of Lot 11, same being the west line of Lot 10, and from which point of beginning an iron pin at the southeast corner of said Lot 11 bears S 29° 55' W 69.18 feet;

THENCE, with the said east line of Lot 11, N 29° 55' E to point of termination in the south line of Strip Number One described above.

NUMBER EIGHT, BEGINNING at a point in the east line of Lot 10, same being the west line of Lot 9, and from which point of beginning an iron pin at the southeast corner of said Lot 10 bears S 29° 55' W 40.00 feet;

THENCE, with the said east line of Lot 10, N 29° 55' E to point of termination in the south line of Strip Number One described above.

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

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

ELECTRICAL CODE AMENDMENT

Mayor Akin introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 9 OF THE AUSTIN CITY CODE OF 1954 SO AS TO ADOPT THE 1968 EDITION OF THE NATIONAL ELECTRICAL CODE IN LIEU OF THE 1965 EDITION; AND DECLARING AN EMERGENCY.

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 Long, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

ANNEXATION HEARINGS 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 35.19 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE THEODORE BISSEL LEAGUE; 3.44 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY

CONTRACT AWARDED

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 12, 1968 for the installation of 1,410 feet of 6-inch cast iron water main and 1,340 feet of 8-inch concrete sanitary sewer main in Hogan Avenue; and,

WHEREAS, the bid of J. C. Evans Construction Company, in the sum of \$20,935.00, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Water and Wastewater 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 J. C. Evans Construction Company, in the sum of \$20,935.00, be and the same is hereby accepted, and that R. M. Tintsman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with J. C. Evans Construction Company.

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

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

PUBLIC RIGHT OF WAY SPACE FOR NATURAL GAS UTILITY

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

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

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

- (1) A gas main in OAK SPRINGS DRIVE, from a point 20 feet west of the west property line of Airport Blvd., westerly 115 feet; the centerline of which gas main shall be 4.5 feet south of and parallel to the north property line of said OAK SPRINGS DRIVE.

- (2) A gas main in PONCA STREET, from a point 772 feet west of the west property line of Kemp Street, westerly 263 feet; the centerline of which gas main shall be 5.5 feet south of and parallel to the north property line of said PONCA STREET.
- (3) A gas main in KEMP STREET, from a point 317 feet north of the north property line of Walker Lane, northerly 202 feet; the centerline of which gas main shall be 6.5 feet west of and parallel to the north property line of said KEMP STREET.
- (4) A gas main in COLONY NORTH DRIVE, from Peyton Gin Road, southerly 1,059 feet; the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said COLONY NORTH DRIVE.
- (5) A gas main in MONTCLAIRE STREET, from La Casa Drive, northerly and easterly 535 feet; the centerline of which gas main shall be 15 feet east and south of and parallel to the west and north property lines of said MONTCLAIRE STREET.
- (6) A gas main in ARPDAL STREET, from a point 120 feet west of the west property line of Rae Dell Avenue, westerly 306 feet; the centerline of which gas main shall be 15 feet south of and parallel to the north property line of said ARPDAL STREET.
- (7) A gas main in LA CASA DRIVE, from 120 feet west of the west property line of Rae Dell Avenue, westerly 744 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said LA CASA DRIVE.
- (8) A gas main in JAIN LANE, from a point 501 feet east of the east property line of Shady Lane, easterly 125 feet; the centerline of which gas main shall be 9 feet north of and parallel to the south property line of said JAIN LANE.

Said gas mains described above and Number 1 through 8 shall have a cover of not less than 2-1/2 feet.

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

(1) The improvements shall be constructed and maintained in compliance with all ordinances relating thereto.

(2) The permit shall be issued and accepted subject to all reasonable police, traffic, fire and health regulations as the City of Austin, now existing or hereafter adopted.

(3) The repair or relocation of any and all utilities in the vicinity necessitated by the laying of these improvements shall be done at the expense of the Southern Union Gas Company of Austin, Texas.

(4) The Southern Union Gas Company of Austin, Texas, will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the construction or maintenance of said improvements.

(5) That all backfill under street surfaces between existing or future proposed curbs and under driveways and alleys, shall be tamped with mechanical tampers in six (6) inch layers. Each layer shall be compacted to not less than 90 per cent of maximum density as determined by the Standard Method of Test for Compaction and Density of Soils, A.S.S.H.O. Designation T99-49.

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

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

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

SUBSTANDARD STRUCTURES - LEGAL DISPOSITION

Councilman Long moved the Council approve the recommendations from the Building Standards Commission and authorize the Legal Department to take proper legal disposition of the following substandard structures which have not been repaired or demolished within the required time:

- (1) Mrs. S. Y. Hamilton Estate, 1104 Lawson
- (2) Mrs. Della Ford, 1618 East 11th Street
- (3) Mrs. Gene I. Carnegie, 1103 Concho, 1614 & 1616 East 11th Street

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

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

CONTRACTS AWARDED

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 20, 1968, for the installation of approximately 1,300 feet of 8-inch cast iron force main, 2,514 feet of 12-inch ductile iron and cast iron sanitary sewer main, and 3,800 feet of 12-inch cast iron water main along the west bank of Lake Austin; and,

WHEREAS, the bid of Austin Engineering Company, in the sum of \$267,063.00, 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 Austin Engineering Company, in the sum of \$267,063.00, 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 Austin Engineering Company.

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 November 13, 1968, for the estimated requirement (35,000 tons) of Flexible Base Material for a period of 12 months beginning from the date of notification of award; and,

WHEREAS, the bid of Texas Crushed Stone Company, in the sum of \$44,250.00, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Texas Crushed Stone Company, in the sum of \$44,250.00 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 Texas Crushed Stone Company.

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 November 12, 1968, for three (3) each of 69 KV Potential Transformers for the Electric Department; and,

WHEREAS, the bid of Graybar Electric Company, in the sum of \$5,527.20, 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 Graybar Electric Company, in the sum of \$5,527.20, 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 Graybar Electric Company.

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 November 15, 1968, for estimated requirements of Fire Hydrants for a twelve (12) months period beginning December 1, 1968; and,

WHEREAS, the bid of Trans-Tex Supply Company in the sum of \$13,737.06, 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 Trans-Tex Supply Company in the sum of \$13,737.06, 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 Trans-Tex Supply Company.

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 November 15, 1968, for estimated requirements of Automotive Replacement Batteries for a twelve (12) months period beginning December 1, 1968 and ending November 30, 1969; and,

WHEREAS, the bid of Austin Battery and Electrical Company, in the sum of \$8,010.52, 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 Austin Battery and Electrical Company, in the sum of \$8,010.52, 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 Austin Battery and Electrical Company.

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 -oved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 7, 1968, for twenty-four (24) each Galvanized Traffic Signal Light Poles with 24 foot mast arms for the Traffic and Transportation Department; and,

WHEREAS, the bid of Graybar Electric Company, Incorporated, in the sum of \$9,596.16, 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 Graybar Electric Company, Incorporated in the sum of \$9,596.16, 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 Graybar Electric Company, Incorporated.

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

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

REFUND CONTRACT

Mayor Akin introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ASSISTANT TO THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH JACK ANDREWARTHA AND R.L. STRUHALL, JR., FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long 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 Long 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 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.

TAX APPEAL HEARING SET

Councilman Long moved the Council set December 5, 1968 at 2:30 p.m. for an appeal from the Board of Equalization by South Shore Apartments, represented by Mr. Richard Baker, Attorney. The motion, seconded by Councilman LaRue, carried by the following vote:

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

FIESTA GARDENS WINTER RATES

Councilman LaRue moved the Council set the following rates for Fiesta Gardens until approximately March 1, 1969:

1. Dances - Cocktail Parties \$100
 - (a) 10% of total food catering
 - (b) 25% of total concession service
2. Catering dance - dinner dances \$50.00
 - (a) 10% of total food catering
 - (b) 25% of total concession service
3. City's fair market value percentage for lessees furnishing their own beverages.
 - (a) Beer
 1. Keg \$10.00
 2. Case \$ 2.25
 - (b) Soft drinks - \$ 1.25

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

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

TRANSFER OF APPROPRIATIONS DEFERRED

Councilman Long moved the Council note the receipt of request for transfer of appropriations for year-end 1967-1968 and continue the matter the following week. The motion, seconded by Councilman Nichols, carried by the following vote:

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

HEARING SET FOR APPEAL - SPECIAL PERMIT

City Manager Tinstman requested that the Council note their copy of the appeal from the decision of the Planning Commission in granting a Special Permit for a 53-unit apartment development at 5001-5017 Balcones Drive and 5012 Fairview Drive. Councilman Nichols moved the Council set a hearing on the appeal for December 12, 1968 at 10:30 a.m. The motion, seconded by Councilman LaRue, carried by the following vote:

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

ADJOURNMENT

The Council then adjourned.

APPROVED: _____

Mayor

ATTEST: _____

Grace Monroe
Asst. City Clerk