

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 14, 1969
9:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor LaRue presiding.

Roll Call:

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

Absent: None

Invocation was delivered by REVEREND WARD H. N. GREGG, Koenig Lane Christian Church.

MINUTES APPROVED

Councilman Gage moved that the Council approve the Minutes of the Meeting of August 7th, 1969. The motion, seconded by Councilman Price, carried by the following vote:

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

Noes: None

PUBLIC RECOGNITION

MAYOR LaRUE read a Resolution commending JAMES DeBERRY, Assistant City Manager, on his character and ability, his congenial manner and sincere devotion to his work; and expressed appreciation of the City of Austin to Jim DeBerry, wishing him the best for outstanding success in his new public service opportunity as City Manager of Edinburg, Texas. Mr. DeBerry, having served with the City for over five years, expressed his pleasure of this experience with the people in the City and those in the City organization.

Councilman Gage offered the following resolution and moved its adoption: ✓

(RESOLUTION)

WHEREAS, the City of Austin has been fortunate to have had in its employ a man of top character and ability in the person of James DeBerry, last serving as Assistant City Manager of the City of Austin; and,

WHEREAS, his congenial manner and sincere devotion to his work have made him a respected and well-liked employee of the City and those same

qualities will make him sorely missed by all those who come in contact with him, both inside and outside the City government; Now, Therefore,

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

That the grateful appreciation of the City of Austin be publicly expressed to Jim DeBerry and best wishes be extended for outstanding success in his new public service opportunity as City Manager of Edinburg, Texas.

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

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

MAYOR LaRUE read a Resolution expressing appreciation to LINDA LONG in behalf of the Council for the valuable and effective services as Receptionist in the City Hall, and for a job well done, and wishing her success in her new endeavor.

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Linda Long has contributed valuable and effective services to the City of Austin as Receptionist in City Hall; and,

WHEREAS, her friendly smile and helpful manner have made her a valuable City employee; and,

WHEREAS, she is leaving the employ of the City of Austin to join the teaching profession; Now, Therefore,

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

That the City of Austin expresses to Linda Long its appreciation for a job well done and best wishes for success in her new endeavor.

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

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

MAYOR LaRUE read a Resolution, noting a young lady with a combination of beauty and high intelligence, who had brought much credit to the City of Austin as having been named MISS AUSTIN AQUA BEAUTY of 1970, and expressing congratulations to CAROLYN BARKLEY and her family.

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin is fortunate to have in its employ Carolyn Barkley, a young lady with a combination of beauty and high intelligence; and,

WHEREAS, Carolyn Barkley has been named Miss Austin Aqua Beauty of 1970 at the 1969 Aqua Festival and thereby has brought much credit to the City of Austin; Now, Therefore,

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

That the appreciation and congratulations of the City of Austin be expressed to Carolyn Barkley and her family, and that a permanent record of this public recognition be set apart in the official minutes of the City Council, and that a copy of this Resolution be presented to the said Carolyn Barkley.

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

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

Noes: None

MAYOR LaRUE asked the Director of Aviation, COLONEL VANCE MURPHY to introduce the new Base Commander at Bergstrom Air Force Base. Colonel Murphy gave a resumé of the interesting background of Colonel Farley Peebles, and introduced both COLONEL and MRS. PEEBLES; Colonel Peebles to be in command of Bergstrom Air Force Base.

AUSTIN TRANSIT CORPORATION COMMUNICATION

MR. CLYDE R. MALONE, Manager, Austin Transit Corporation, read a statement, recalling that a year ago the Company advised the Council of its operations and discussed certain problems facing the City transit system. Because of continued difficulties they must report to the Council again that they are faced with transit difficulties and, in fact, a crisis is developing. Austin Transit is the only franchised bus company in the City, required to provide comprehensive, comfortable and safe services to the general public at fair rates. Within 30 days all City routes will be served by fully air-conditioned busses, under a 30 year franchise which expires December 12, 1969. Within 120 days reconsideration of the franchise will be necessary by both the City and Austin Transit. Since 1939 Austin Transit has been the City's bus system and now operates 65 busses at a base rate of \$.25 as set by the City. As a regulated utility they have the duty to serve throughout the City while realizing no more than revenues needed to meet the cost with a reasonable profit. In 1968 they became aware of a major competition to their existing service. The Council adopted a comprehensive bus ordinance in November of 1968 requiring bus operators to have a franchise, pay the City for the use of its streets, and meet the public needs. In February of 1969 a request of a second bus company for a franchise was denied. In April, Transportation Enterprise, Inc., applied for a private contract to provide 17 busses for shuttle service for some 150 city blocks in the University area, duplicating almost a half of his routes, and

being in the heart of his present service in the City. As low bidder with the University, this second bus company necessarily received the first option to provide service only on the conditions on which it was legally qualified to perform. A District Court Ruling, on August 7, has in effect declared duplicating service can proceed without any regulations by the City, although the City Charter declares the streets to be subject to control when used by a public utility. A second fleet of busses may be operated this fall. Consequences of Urban transportation are clear -- (1) no need for duplicating service, or for added congestion on the streets, so Austin Transit should revise its existing routes in the University area, and (2) the general public should not have to bear the costs of serving that special area. Austin Transit should not be required to operate under strict regulations imposed by the City while a second major bus system has no regulations whatsoever. If the second Company operates school type busses, Austin Transit should be allowed to do so also. Neither bus company should pay a gross receipt tax. If one company can choose and pick its routes, so should the other company. Since one company has no regulations on its income it might earn, the same rule should be applied to Austin Transit, particularly being true where two-thirds of their profit margin comes from charter service. Without this, they may have to re-evaluate many routes, or raise rates drastically. This is the situation confronting the City's bus service. He believed one company, if it does the job, is fully adequate; and if there be several companies, the same rule should apply to all. He requested the Council's consideration on the following:

- (1) That the present litigation be appealed with the City's Legal Department continuing its support in the public interest of regulating bus service.
- (2) That the existing ordinance be properly clarified to require all busses using the streets to be fully regulated.
- (3) That consideration start now on the City franchise with Austin Transit. Reconsideration of the franchise is urgent because of the short time to follow all procedures.

MR. MALONE pointed out the urgency in view of the fact their franchise expired December 12th, and all of these matters will have some bearing on renewing the franchise.

COUNCILMAN MacCORKLE asked who would use this shuttle bus service. Mr. Malone stated any student, faculty member, or employee of the University would be eligible, and there would be no identification card required to board the bus, nor any fare collected, as the fares would be included in the student's fees. The Shuttle contract goes into effect around September 15.

It was pointed out that Transportation Enterprise wanted to be heard on this matter also, but their Attorney was out of the City. Councilman MacCorkle stated even hearing this on August 28th would be late, and it should be settled before then. The Assistant City Attorney, MR. CHARLES DIPPEL, reported on the status of the litigation in that there was a hearing on a temporary injunction to determine if the City had the right to restrain Transportation Enterprise from operating any vehicles on the City streets, and the question was whether or not they came within the purview of the Ordinance. The decision was that they did not; and this type of operation was not controlled by the City Ordinance. The merits have not been determined. Members of the Council asked for copies of the present bus ordinance and the 30 year old franchise.

MAYOR LaRUE stated it appeared there would need to be a full scale hearing on this case. MR. CONWELL SMITH, Transportation Enterprise, reported his Attorney, MR. DAN FELTS, would not be in the City until September 4th. He believed the 11th would be a more appropriate time. Mr. Smith stated they planned to go into operation on September 15 under the contract with the University, and the District Judge had held that the contract was valid.

The City Attorney, MR. GLENN BROWN, noted the extreme importance one way or the other that the Council declare its intent by either amending the ordinance or making it clear that the ordinance should stand as written, as early as possible. Mayor LaRue stated to have a full scale hearing, they should give sufficient amount of time to both parties to appear with their Attorneys.

MR. DIPPEL announced the question before the Council is what the intent is of regulating certain vehicles within the City; not a question of who is going to get a franchise or routing; involvement of the economic contentions of the two companies; nor determining whether or not the Judge made a wrong decision. His decision depended on the reading of the ordinance. The question, as far as the Legal Staff is concerned, is the intent now for any bus operating over a 25 year period of time as contemplated by the Charter. The only two items of urgency are (1) The time required to enact and prepare a franchise ordinance before December 12; takes 90 days; (2) Whether or not Transportation Enterprise, or any other bus company that operates a shuttle bus service at the University, is going to be imposed upon to be required to take their vehicles that they have acquired for the use out there off the streets, and save them time and money in equipping themselves to operate under the contract. Mayor LaRue emphasized the real problem before the Council is to interpret the present ordinance and determine whether it wants to change it or not. In order to do this, it must hear the proponents and the opponents and every opportunity must be offered them to present their case in a satisfactory manner.

COUNCILMAN MacCORKLE withdrew his motion that the Council be prepared to pass on this ordinance two weeks from today.

COUNCILMAN JANES moved that this matter be heard and placed on the agenda for September 4th. The motion, seconded by Councilman Johnson, carried by the following vote:

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

HOSPITAL PERSONNEL POLICIES

The Associate City Manager reported in 1953 some hospital employees were excluded from the personnel policies due to Federal Labor Laws, and this seemed to be a discrimination factor against some of the employees who want to come under the present policies. The administration recommends this change. MR. BEN TOBIAS, Hospital Administrator based this request on two things:

- (1) Under the Wage and Hour Law they are required to pay time and a half for over time, and the existing personnel policies of the City do not allow this. One point of the recommendation is that the conflict be abolished.

- (2) The Hospital is the only City Department not entitled to pay the employees on call the four hours on-call amount when needed.

MR. TOBIAS calculated the extra cost to be about \$2,000 a month; however, this is not an additional cost as those who are called back are paid over time. He could not estimate the amount, what the additional amount would be over the over time now. He believed the other hospitals were paying on-call time. Mr. Tobias explained the over time pay at time and a half, and the on-call pay on straight time.

COUNCILMAN MacCORKLE moved that the Council adopt the amendment to the Personnel Policies to make those provisions suggested and pointed out by Mr. Tobias. The motion, seconded by Councilman Atkison, carried by the following vote:

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

SALE OF HOUSES

The City Manager submitted the following:

" Bids were opened in my office, Monday, August 11, 1969, at 10:00 a.m., for the Sale of Houses that Urban Renewal had turned over to us for disposal. Of these One(1) was to be moved and Ten (10) were to be demolished. Bids were received from Eleven (11) bidders and a breakdown of the bidding is enclosed.

The high bid is underscored in red on each of the houses. Due to the fact that Ten (10) of these structures are to be demolished it is recommended that the bids be accepted as it would cost this office several hundred dollars if we had to demolish them ourselves.

If the bids are acceptable, the contracts will be forwarded to you for your signature and they should then be returned to this office for attestation and distribution. "

(See Tabulation of Bids on following page)

BID OPENING, MONDAY, AUGUST 11, 1969

	WALT COLLINS	AUGUST HEYER	WELDON JOHNSTON	MARVIN BELL	J. R. JOHNSTON	R. H. GLISSMAN	LILY HOLLINS	SAM WILLIAMS	J. H. A.M. MEANS DEBERRY	J. B. FRANK
900 Wayne	\$350.00	\$ -0-	\$50.00	\$1,180.00	\$620.00	\$1,250.00	\$ -0-	\$ -0-	\$ -0-	\$826.85 \$152.07
2601 E. 12th	72.50	36.20	30.00	-0-	-0-	-0-	-0-	28.90	21.00	-0- 16.32
2910 Kuhlman (F)	77.50	61.10	37.00	-0-	-0-	-0-	-0-	-0-	17.00	-0- 30.72
2511 New York	7.50	27.60	3.00	-0-	-0-	-0-	-0-	-0-	17.00	-0- 5.12
2217 Rosewood (R)	39.50	1.00	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0- -0-
2606 Vaiden	62.50	21.10	7.50	-0-	-0-	-0-	-0-	-0-	-0-	-0- 5.03
708 Wayne	39.50	42.65	33.00	-0-	-0-	-0-	-0-	33.78	-0-	-0- 12.10
910 Wayne	7.50	5.10	17.00	-0-	-0-	-0-	-0-	22.60	16.00	-0- -0-
912 Wayne	42.50	36.25	17.00	-0-	-0-	-0-	70.00	27.89	16.00	-0- 12.00
2730 Webber- ville	5.00	2.50	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0- 17.50
2748 Webberville	5.00	11.10	-0-	-0-	-0-	-0-	-0-	-0-	16.00	-0- 12.12

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 11, 1969, for the sale of eleven (11) houses that Urban Renewal had turned over to the City for disposal; and,

WHEREAS, the bids of Walt Collins in the sum of \$72.50 for the house located at 2601 East 12th, in the sum of \$77.50 for the house located at 2910 Kuhlman (F), in the sum of \$39.50 for the house located at 2217 Rosewood (R), and in the sum of \$62.50 for the house located at 2606 Vaiden; the bids of August Heyer in the sum of \$27.60 for the house located at 2511 New York and in the sum of \$42.65 for the house located at 708 Wayne; the bid of R. H. Glissman in the sum of \$1,250.00 for the house located at 900 Wayne; the bid of Lily Hollins in the sum of \$70.00 for the house located at 912 Wayne; the bid of Sam Williams in the sum of \$22.60 for the house located at 910 Wayne; the bid of J. H. Means in the sum of \$16.00 for the house located at 2748 Webberville; and the bid of J. B. Frank in the sum of \$17.50 for the house located at 2730 Webberville, were the highest and best bids therefor, and the acceptance of such bids has been recommended by the Building Official of the City of Austin and by the City Manager; Now, Therefore,

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

That the above enumerated bids of Walt Collins, August Heyer, R. H. Glissman, Lily Hollins, Sam Williams, J. H. Means, and J. B. Frank, 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 Price, carried by the following vote:

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

Noes: None

CORPORATION COURT POLICIES

COUNCILMAN GAGE inquired if the members of the Council had an opportunity to read the Municipal Court Procedures which were an enclosure with the Agenda; and if not, that they do and make some comment on them.

PAVING IN MONTOPOLIS AREA

COUNCILMAN GAGE inquired about the progress of Montopolis Drive, which had been delayed for some years. The hinderances have never been cured so that storm sewers could be installed and the streets paved. He asked what was the situation. The City Manager read a status report, covering acquisition of right of way of 17 parcels out of 26. Two more owners may agree; two of the remaining seven are being sued for delinquent taxes, and the other five have not agreed to the plan. Condemnation proceedings may have to be authorized on those five,

and possibly the two who are delinquent on their taxes. The property acquisition department has been asked to proceed as soon as possible since relocation of underground utilities as well as other work needs to be done before the paving. Now, the right of way is the first item. Councilman Gage stated this should be one of the priorities and the paving be expedited as quickly as possible. The City Manager stated this would be worked on and he would ask both the Land Division and Public Works Departments to continue diligently.

COUNCILMAN MacCORKLE stated he was not convinced yet as to the status of the Audit and how much the City was to pay. He read from a memo a paragraph on "AUDIT COST SAVINGS", concerning City personnel's preparing certain working papers, schedules, reports, etc., and giving as much clerical assistance as possible to keep the cost of the audit to a minimum. The City Manager explained a certain amount is done by the City Staff, and it should be stipulated that this work would be only a nominal amount, and not any abnormal work. Councilman MacCorkle noted the average fee would range between \$19,000 and \$22,500; and for extra special work, there would be another \$3,000. The present audit is \$16,500; and with this new route the cost would be about \$25,500. He stated this new audit was about a 50% increase, and no one had told him what the audit would cover to justify this expenditure. The City Manager stated the independent auditors are selected by the Council, and the firm prepared its contract document. The firm is one of national reputation and would do a good audit; and they had indicated in view of the Hospital and Utilities that they would bring in people particularly experienced in hospital and utility accounting. The City Manager discussed the bond market, particularly on utilities; noting the bonds are sold on a nation wide basis; and to the one who buys bonds, it could be a matter of attractiveness as to what name was on the Audit. He stated he would recommend the payment of this fee. Councilman Gage wanted to see the prevailing rate for professionals in this trade for the number of hours executed for the City of Austin. Councilman MacCorkle stated he did question these figures; and comparing them with what was paid last year, and realizing the present auditor had been here only one year, he was not convinced the City would gain by change. Mayor LaRue stated it would take a year for one to become proficient with the operation as large as the City of Austin, particularly when the hospital and utility systems are included. He stated if the City was going to change Auditors from year to year, the City was going to be paying for it. It was his thinking the independent auditor should serve from five to seven years. Councilman Janes viewed the matter in line with the bonds in that quite a bit could be saved in interest on their bonds as the City Manager had pointed out. He made a motion that the City Manager be authorized to execute the contract.

COUNCILMAN ATKISON wanted to make a statement concerning his previous vote, in that he felt the audit should be rotated, and that was the reason he took that stand. Councilman Gage said this had been authorized previously. The Mayor explained the question had been raised and should be explored in full. Councilman MacCorkle stated he would not pursue the matter further.

PETITION CONCERNING SUNKEN GARDENS

COUNCILMAN JOHNSON called attention to the petition received concerning the Sunken Gardens, and the chemicals that were noted. The City Manager stated they were getting a report, and would share their information with the Council.

ANNEXATION ORDINANCE HEARD AND PASSED
THROUGH FIRST AND SECOND READINGS

MAYOR LaRUE announced it was 9:30 and opened the hearing on the scheduled annexation ordinance covering the following:

5.95 acres out of Santiago Del Valle Grant - VILLA SUENA,
SECTION 2.

22.30 acres out of the Santiago Del Valle Grant - FAIRWAY
STREET and unplatted land.

7.06 acres out of Thomas Eldridge Survey - unplatted land.

(Councilman Gage noted Springdale Road was not included)

No one appeared to be heard. Councilman Gage moved that the hearing be closed. The motion, seconded by Councilman Johnson, carried by the following vote:

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

Noes: None

Mayor LaRue introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN
BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEX-
ATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF
5.95 ACRES OF LAND, SAME BEING OUT OF AND A PART OF
THE SANTIAGO DEL VALLE GRANT; 7.06 ACRES OF LAND,
SAME BEING OUT OF AND A PART OF THE THOMAS ELDRIDGE
SURVEY; AND 22.30 ACRES OF LAND, SAME BEING TWO (2)
TRACTS OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT;
ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH
SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND AD-
JOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF
AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time and Councilman Gage moved that the rule be suspended and the ordinance be 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 ordinance be 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

ZONING ORDINANCES FINALLY PASSED

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

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

A 22,575 SQUARE FOOT TRACT OF LAND, GEORGE W. SPEAR LEAGUE, LOCALLY KNOWN AS 1007-1009 WEST 31ST STREET, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE 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 third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

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

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

TRACT 1: 7.80 ACRES, WILLIAM CANNON LEAGUE, LOCALLY KNOWN AS (REAR) 816-1126 STASSNEY LANE; FROM INTERIM "A" RESIDENCE INTERIM FIRST HEIGHT AND AREA TO "BB" FIRST HEIGHT AND AREA; AND

TRACT 2: 5.22 ACRES, WILLIAM CANNON LEAGUE, LOCALLY KNOWN AS (REAR) 116-1200 STASSNEY LANE, INTERIM "A" RESIDENCE INTERIM FIRST HEIGHT AND AREA TO "BB" FIRST HEIGHT AND AREA; AND

TRACT 3: 43.99 ACRES WILLIAM CANNON LEAGUE, LOCALLY KNOWN AS 5301-5419 VINSON DRIVE AND 5300-5418 VINSON FROM INTERIM "A" INTERIM FIRST HEIGHT AND AREA TO "BB" FIRST HEIGHT AND AREA; AND

TRACT 4: 14.5 ACRES WILLIAM CANNON LEAGUE, LOCALLY KNOWN AS 800-1600 STASSNEY LANE; FROM INTERIM "A" INTERIM FIRST HEIGHT AND AREA TO "GR" GENERAL RETAIL FIRST HEIGHT AND AREA; AND

TRACT 5: 3.5 ACRES WILLIAM CANNON LEAGUE, LOCALLY KNOWN AS 5421-5439 VINSON DRIVE; FROM INTERIM "A" INTERIM FIRST HEIGHT AND AREA TO "B" FIRST HEIGHT AND AREA.

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

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES - ALL THREE READINGS

The Mayor introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT
AND AREA AND CHANGING THE USE AND HEIGHT AND AREA
MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY
CODE OF 1967 AS FOLLOWS:
A 4.16 ACRE TRACT OF LAND LOCALLY KNOWN AS 508-610
STASSNEY LANE AND 5511-5545 SOUTH FIRST STREET, FROM
INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST
HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL DISTRICT
AND FIRST 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 Gage moved that the rule be suspended and the ordinance be passed to its second reading. The motion, seconded by Councilman Janes, 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 be passed to its third reading. The motion, seconded by Councilman Janes, 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 Janes, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

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

TRACT 1: A 5.78 ACRE TRACT OF LAND, LOCALLY KNOWN AS 6914-7014 MANCHACA ROAD, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;

TRACT 2: A 2.74 ACRE TRACT OF LAND, LOCALLY KNOWN AS REAR OF 6914-7014 MANCHACA ROAD, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE DISTRICT AND FIRST 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 MacCorkle moved that the rule be suspended and the ordinance be passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

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

Noes: None

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

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

Noes: None

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

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

LOTS 19 AND 20, NORTH END ADDITION, LOCALLY KNOWN AS 809-901 WEST 37TH 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 Janes moved that the rule be suspended and the ordinance be passed to its second reading. The

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

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

Noes: None

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

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

Noes: None

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

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

TRACT 1: CONTAINING 176,651 SQUARE FEET OF LAND
OR 4.055 ACRES OF LAND, BEING A PORTION OF A 9.61
ACRE TRACT DESIGNATED AS FIRST TRACT AND A PORTION
OF A 7.50 ACRE TRACT DESIGNATED AS THIRD TRACT IN
A DEED FROM BEN A. PARKINSON AND HENRY S. PARKINSON
ESTATES, INC. AS RECORDED IN VOLUME 1109, PAGE 442,
TRAVIS COUNTY DEED RECORDS, ALL IN THE SANTIAGO
DEL VALLE GRANT IN THE CITY OF AUSTIN, TRAVIS COUNTY,
TEXAS, LOCALLY KNOWN AS 1418-1608 SOUTH INTERREGIONAL
HIGHWAY, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT
AND AREA DISTRICT TO "LR" LOCAL RETAIL DISTRICT AND
FIFTH HEIGHT AND AREA DISTRICT; AND

TRACT 2: CONTAINING 7.147 ACRES OF LAND OR 311,334
SQUARE FEET OF LAND, BEING A PORTION OF THE SANTIAGO
DEL VALLE GRANT IN THE CITY OF AUSTIN, TRAVIS COUNTY,
TEXAS, AND BEING A PORTION OF THOSE TRACTS OF LAND
CONVEYED TO PARKINSON ESTATES, INC. IN VOLUME 1109,
PAGE 442, TRAVIS COUNTY DEED RECORDS, AND BEING ALL
OF THOSE TRACTS CONVEYED TO PARKINSON ESTATES, INC.
IN VOLUME 2606, PAGE 563, TRAVIS COUNTY DEED RECORDS,
AND BEING A PORTION OF LOT "B" OF PARKINSON PLACE RE-
SUBDIVISION NO. 1 AS SHOWN ON A MAP OF RECORD IN PLAT
BOOK 10, PAGE 13, TRAVIS COUNTY PLAT RECORDS, AND
BEING A PORTION OF LOT 2 OF THE KEMP MORENO SUBDIVISION
AS SHOWN ON A MAP OF RECORD IN PLAT BOOK 29, PAGE 23,
TRAVIS COUNTY PLAT RECORDS, LOCALLY KNOWN AS 1118-1412

SOUTH INTERREGIONAL HIGHWAY, FROM "A" RESIDENCE DISTRICT AND "O" OFFICE DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT; AND

TRACT 3: 1.367 ACRES OF LAND; OF WHICH 0.620 OF ONE ACRE BEING THE AVERAGE 75 FOOT STRIP ALONG THE WEST LINE OF LOT "B" OF PARKINSON PLACE RESUBDIVISION #1, A SUBDIVISION OF A PORTION OF THE SANTIAGO DEL VALLE GRANT IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS SHOWN ON A MAP OR PLAT AS RECORDED IN PLAT BOOK 10, PAGE 13, TRAVIS COUNTY PLAT RECORDS, AND 0.747 OF ONE ACRE BEING THE AVERAGE 75 FOOT STRIP ALONG THE WEST LINE OF LOT 2 OF THE KEMP MORENO SUBDIVISION, A SUBDIVISION OF A PORTION OF THE SANTIAGO DEL VALLE GRANT IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, LOCALLY KNOWN AS THE MOST WESTERLY REAR PORTION OF 1118-1412 SOUTH INTERREGIONAL HIGHWAY, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "O" OFFICE DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; AND

TRACT 4: A TEN FOOT STRIP, BEING 0.062 OF ONE ACRE OF LAND OR 2714 SQUARE FEET OF LAND, A PORTION OF THE SANTIAGO DEL VALLE GRANT IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A 9.61 ACRE TRACT DESIGNATED AS FIRST TRACT AND A PORTION OF A 6.13 ACRE TRACT DESIGNATED AS SECOND TRACT IN A DEED FROM BEN A. PARKINSON AND HENRY S. PARKINSON TO PARKINSON ESTATES, INC. AS RECORDED IN VOLUME 1109, PAGE 442, TRAVIS COUNTY DEED RECORDS, AND BEING A PORTION OF LOT "B" OF PARKINSON PLACE RESUBDIVISION NO. 1 AS SHOWN ON A MAP OR PLAT AS RECORDED IN PLAT BOOK 10, PAGE 13, TRAVIS COUNTY PLAT RECORDS, LOCALLY KNOWN AS THE MOST EASTERLY AND SOUTHERLY REAR PORTION OF 1118-1412 SOUTH INTERREGIONAL HIGHWAY, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE 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 MacCorkle moved that the rule be suspended and the ordinance be passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

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

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

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

The ordinance was read the third time and Councilman MacCorkle moved

that the ordinance be finally passed. The motion, seconded by Councilman Janes, carried by the following vote:

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

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:

LOT NO. ONE (1) AND LOT NO. TWO (2), IN BLOCK TWO (2), FREEWATER ADDITION, AN ADDITION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 235, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT (a) THAT PORTION CONVEYED IN WARRANTY DEED RECORDED IN VOL. 683, PAGE 328, IN VOL. 714, PAGE 258, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND (b) THE NORTH TEN FEET (N 10') OF LOT NO. ONE (1), BLOCK NO. TWO (2), OF FREEWATER ADDITION, HERETOFORE CONVEYED TO CITY OF AUSTIN, A MUNICIPAL CORPORATION, BY WARRANTY DEED OF RECORD IN THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, LOCALLY KNOWN AS 3400-3410 SOUTH FIRST STREET AND 601-615 CARDINAL LANE, 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 be passed to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

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

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

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

The 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, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Present But Not Voting: Councilman Janes

The Mayor announced that the ordinance had been finally passed.

ORDINANCES TO ANNEX ISLANDS IN COUNTY WITHIN
CORPORATE LIMITS OF THE CITY

Twenty-seven ordinances to annex unplatted islands of the County within the corporate limits of Austin were before the Council, which had been concerned about annexation and leaving unannexed territory. The ordinances covered all areas within the City limit line that had not been incorporated within the boundaries. Councilman Johnson did not favor annexing the large tracts, but preferred a policy wherein small tracts with no utility problems should be brought in; however, there should be some solution concerning the large undeveloped tracts. He did not believe everyone of these tracts under consideration today should be annexed now. MRS. FAGAN DIXON stated none of her land included in this list is developed. The Director of Public Works pointed out on a map all of these areas within the City limits that had not been annexed, noting those which had utility services; the I.R.S., those being subdivided, and others. Councilman Janes' philosophy on the annexation was not favorable to annexation was not favorable to annexing an island just because it was one. He pointed out sometime back there were a number of these small islands enjoying City services and police protection. As a matter of fairness and equity to other citizens, he felt they should have been annexed. If an area is created by annexing other property and is not receiving City services, he was not in favor of annexing those properties. He asked for information as to the areas enjoying City facilities and those which are not. Councilman MacCorkle discussed the large undeveloped areas annexed and the taxation. It was brought out there is a provision for an agricultural tax exemption status; and some tracts could be taxed on an agricultural basis, under certain conditions.

COUNCILMAN JANES pointed out about two years ago there were some real "holes in the doughnut" down town, and other large tracts left out of annexation. Those had been cleared up now. Mayor LaRue stated in the past when an unannexed area within the City limits interfered with the orderly progress of the City, it had to be corrected, and this generally had been the policy of the Council. Mayor LaRue read the policy established by the previous Council, on October 26, 1967, and which the Council had been following, noting however, it was subject to change by the present Council. He asked that the City Manager bring in a report on the status of these tracts and the availability of utilities on each one, and that these Ordinances to annex the following tracts be deferred to a later time.

- (a) 21.35 acres of land out of the William Cannon League.
- (b) 58.08 acres of land out of the Henry P. Hill League.
- (c) 64.05 acres of land out of the William Cannon League.
- (d) 266.07 acres of land out of the Santiago Del Valle Grant.
- (e) 605.83 acres of land out of the Santiago Del Valle Grant.
- (f) 394.40 acres of land out of the Santiago Del Valle Grant.
- (g) 93.89 acres of land out of the James P. Wallace Survey No. 57,
John Applegait and Willis Avery Surveys.
- (h) 70.71 acres of land out of the George W. Davis Survey.
- (i) 34.21 acres of land out of the James P. Wallace Survey No. 18.
- (j) 65.66 acres of land out of the James P. Wallace Survey No. 18.
- (k) 23.19 acres of land out of the James. M. Mitchell Survey.
- (l) 22.27 acres of land out of the James. M. Mitchell Survey.
- (m) 300.73 acres of land out of the James P. Davis Survey and the
T. J. Chambers Grant.

- (n) 13.31 acres of land out of the George W. Davis Survey.
- (o) 59.46 acres of land out of the James P. Wallace Survey No. 18.
(Cima Serena Drive and unplatted land)
- (p) 55.10 acres of land out of the James P. Wallace Survey No. 57.
(Humble Subdivision and unplatted tracts)
- (q) 216.25 acres of land out of the Isaac Decker League and the
Santiago Del Valle Grant (Assumption Cemetery, Wood-
ward Industrial District, Twin Oaks Industrial Sub-
division and unplatted tracts)
- (r) 80.35 acres of land out of the James P. Wallace Survey No. 57
(Shell Subdivision, Joe Crow Subdivision and unplatted
tracts)
- (s) 12.40 acres of land out of the J. A. G. Brooks, John Applegait,
and H. T. Davis Surveys.
- (t) 10.79 acres of land out of the George W. Davis Survey.
- (u) 10.56 acres of land out of the Santiago Del Valle Grant.
- (v) 9.41 acres of land out of the James P. Wallace Survey No. 18.
- (w) 4.82 acres of land out of the George W. Davis Survey and the
T. J. Chambers Grant.
- (x) Two unplatted tracts of land:
 - (1) 6.89 acres out of the J. A. G. Brooks Survey
 - (2) 6.20 acres out of the James P. Wallace Survey No. 57
- (y) Three unplatted tracts out of the Santiago Del Valle Grant:
 - (1) 6.00 acres
 - (2) 4.13 acres
 - (3) 3.44 acres
- (z) Five unplatted tracts of land:
 - (1) 3.21 acres out of the William Cannon League
 - (2) 6.89 acres out of the William Cannon League
 - (3) 7.35 acres out of the Isaac Decker League
 - (4) 1.61 acres out of the Isaac Decker League
 - (5) 7.35 acres out of the Isaac Decker League
- (aa) Four unplatted tracts of land out of and a part of the James
P. Wallace Survey No. 57:
 - (1) 5.97 acres
 - (2) 0.46 acres
 - (3) 1.38 acres
 - (4) 5.51 acres

ANNEXATION ORDINANCE SET FOR HEARING AUGUST 28

Mayor LaRue introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN
BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEX-
ATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF
39.26 ACRES OF LAND OUT OF THE J. C. TANNEHILL LEAGUE
AND 0.60 OF ONE ACRE OF LAND OUT 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 OF
AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman Gage moved that the ordinance be published and set for public
hearing, in accordance with Article I, Section 6, of the Charter of the City of
Austin, on August 28, 1969, at 9:30 A.M.

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

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

Noes: None

BUILDING LINE ESTABLISHED ON EAST 9TH STREET SOUTH SIDE
FROM CONGRESS TO CONGRESS AVENUE ALLEY

The Associate City Manager reported this request from the City National Bank, for establishing the building line on East 9th Street from Congress to the Alley had been reviewed and is recommended by the Staff. Adjustments had been made to keep a firm building line on Congress in the past. MR. GEORGE PAGE, Architect, stated they proposed to stay right on the property line on Congress and the alley, but to use the 90° turn which is 5" over along the 9th Street side diminishing to zero.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ESTABLISHING A PROPOSED BUILDING LINE PARALLEL AND NORTH OF THE SOUTH LINE OF EAST NINTH STREET WHICH ABUTS BLOCK 97 OF THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO A MAP OR PLAT OF SAID ORIGINAL CITY OF AUSTIN ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS; WAIVING ANY CLAIM WHICH THE CITY OF AUSTIN MAY HAVE FOR REAL OR SUPPOSED ENCROACHMENT IN SAID ALLEY; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

Noes: None

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

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

Noes: None

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

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

That R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute Right-of-Way Agreements granting gas pipeline easements to Lo-Vaca Gathering Company in connection with service to the Decker Lake Power Plant, as exhibited to the City Council and on file in the City Clerk's Office in Right-of-Way Agreements Nos. LL#9, 21095 and LL#3, 21095.

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

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

Noes: None

ONE WAY TRAFFIC BETWEEN 29TH AND 30TH STREETS
(East of Fruth)

After a report by the Traffic Engineer, Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the free flow and expeditious handling of traffic under conditions existing at the locations described below require that traffic upon such streets move only in a one-way direction, such locations and streets being described as follows:

<u>STREET</u>	<u>FROM - TO</u>	<u>DIRECTION OF ONE- WAY MOVEMENT</u>
West Drive	30th Street - Fruth Street	Southwest
East Drive	Fruth Street - 30th Street	Northeast;

Now, Therefore,

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

That the City Clerk be and she is hereby authorized and directed to record this finding in Section 21-39 of the Traffic Register.

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

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

Noes: None

RELEASE OF ELECTRIC EASEMENTS

Councilman Janes 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 deed of record in Volume 2179 at Page 395 of the Deed Records of Travis County, Texas, same being out of and a part of Lot B-4, Las Plazas, Section Two, a subdivision in the City of Austin, Travis County, Texas, of record in Book 46 at Page 80 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 electric and telephone easement, to-wit:

A strip of land five (5.00) feet in width, same being out of and a part of Lot B-4, Las Plazas, Section Two, a subdivision in the City of Austin, Travis County, Texas, of record in Book 46 at Page 80 of the Plat Records of Travis County, Texas; the centerline of said strip of land five (5.00) feet in width being more particularly described as follows:

BEGINNING at a point in the west line of said Lot B-4, Las Plazas, Section Two, same being the east line of Wooten Park, Section 3, a subdivision of record in Book 9 at Page 47 of the Plat Records of Travis County, Texas, from which point of beginning an iron pin at the northwest corner of said Lot B-4, same being the northeast corner of Lot 23, said Wooten Park, Section 3, bears N 30° 12' E 230.00 feet;

THENCE, S 59° 54' E 282.00 feet to point of termination.

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, a certain easement was granted to the City of Austin for electrical purposes on map or plat of Resubdivision of Lot 3-A of the Second Resubdivision of South Congress Square, a subdivision in the City of Austin, Travis County, Texas, of record in Book 26 at Page 47 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 electrical easement, to-wit:

A strip of land five (5.00) feet in width, same being out of and a part of Lot 3-B, Resubdivision of Lot 3-A of the Second Resubdivision of South Congress Square, a subdivision in the City of Austin, Travis County, Texas, of record in Book 26 at Page 47 of the Plat Records of Travis County, Texas; the centerline of said strip of land five (5.00) feet in width being more particularly described as follows:

BEGINNING at a point in the most westerly west line of said Lot 3-B, same being the east line of South Congress Avenue, from which point of beginning the most westerly northwest corner of said Lot 3-A bears N 37° 21' E 48.00 feet;

THENCE, with a line forty-eight (48.00) feet south of and parallel to the most westerly north line of said Lot 3-B, S 52° 53' E 140.00 feet to point of termination.

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

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

Noes: None

RIGHT OF WAY FOR MoPAC BOULEVARD, PHASE 1
EMINENT DOMAIN

MR. JOE MORAHAN reported negotiations had broken down, the right-of-way is needed immediately by the Highway Department, and the Department was asking authorization to proceed. Mayor LaRue urged that the continue negotiations in the meantime.

Councilman MacCorkle 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,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition in fee simple of the hereinafter described property for the development and construction of said Missouri-Pacific Boulevard, together with overpasses, underpasses, access roads, connecting, and inter-connecting streets and other public facilities and improvements in connection therewith; and for other public purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

Being all of Lot 1, Enfield H, a subdivision of record in Book 499 at Page 605 of the Plat Records of Travis County, Texas, which said Lot 1 was conveyed to W. S. Martin, et ux by warranty deed dated February 26, 1951, of record in Volume 1111 at Page 240 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

CONTRACT FOR LAND PURCHASE FOR RIVERSIDE DRIVE EXPRESSWAY

MR. JOE MORAHAN reported this was a contract entered into about two years ago, and the attorneys for both the City and the property owner are ready to close the transaction. This action today is to ratify this agreement and authorize them to proceed. It appears to be a good agreement both in the terms and price. Councilman Johnson stated he wished there were more agreements as this, where the City paid out on long time with no interest. Councilman Gage asked if the Arterial Plan had been approved covered this Expressway. The Traffic Engineer reported this expressway had been approved in general terms when the previous Council adopted the Expressway and Major Arterial Plan. The City has indicated its desire to build such an expressway and the right of way is needed as soon as possible. Mayor LaRue stated these expressways were adopted in general terms, and they were not pin-pointed. In any event it is subject to change. Councilman Janes moved that the Council authorize the City Manager to enter into the contract for land for the Riverside Drive Expressway, as described in the memorandum furnished the Council with its Agenda. The motion, seconded by Councilman Price, carried by the following vote:

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

Noes: None

ALTERATION 4TH FLOOR OF STECK BUILDING

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 12, 1969 for office alterations - 4th floor Steck Building, to provide for office space to house Property Management, Human Relations, Parkaidettes, Traffic & Transportation and conference room space; and,

WHEREAS, the bid of Floyd Gibson Construction Company in the sum of \$6,645.00 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Supervising Engineer of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Floyd Gibson Construction Company in the sum of \$6,645.00 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 the said Floyd Gibson Construction Company.

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

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

Noes: None

APPROVAL OF SALE OF PROPERTY AS FOLLOWS:

In University East Urban Renewal Project:

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS
APPROVING THE PRICES AND CONDITIONS SET FORTH IN THE BID OF
M. J. KOURI FOR THE PURCHASE OF STRUCTURES LOCATED ON PARCEL
27-2 AND PARCEL 28-4, UNIVERSITY EAST PROJECT, NO. TEX. R-103

WHEREAS, on August 5, 1969, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 134-69, by which the Board accepted the bid of M. J. Kouri for the purchase of structures located on parcel 27-2 and parcel 28-4, situated in the University East Project, No. Tex. 103, and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 134-69, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 11th day of August, 1969, by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said structures; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 134-69.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL
OF THE CITY OF AUSTIN

That the prices and conditions set forth in the bid of
M. J. Kouri for the purchase of structures located on Parcel
27-2 and Parcel 28-4, University East Project, No. Tex.
R-103, are hereby approved.

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

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

Councilman MacCorkle offered the following resolution and moved its
adoption:

(RESOLUTION)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUSTIN,
TEXAS APPROVING THE PRICES AND CONDITIONS SET FORTH
IN THE BID OF J. W. BRADLEY FOR THE PURCHASE OF A
STRUCTURE LOCATED ON PARCEL 8-7, UNIVERSITY EAST PRO-
JECT NO. TEX. R-103

WHEREAS, on August 5, 1969, the Board of Commissioners of the
Urban Renewal Agency of the City of Austin adopted Resolution Number 136-69,
by which the Board accepted the bid of J. W. Bradley for the purchase of a
structure located on parcel 8-7, situated in the University East Project, No.
Tex. R-103, and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 136-69, as an official action of the
Urban Renewal Agency of the City of Austin, is a public record on file in the
office of said Agency at 614 West 6th Street, and said Resolution is incorporated
herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the
City Council on the 11th day of August, 1969, by the Executive Director of the
Urban Renewal Agency for approval of the price and conditions of the proposed
sale of said structures; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 136-69.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

That the price and conditions set forth in the bid of J. W. Bradley for the purchase of a structure located on Parcel 8-7, University East Project, No. Tex. R-103, are hereby approved.

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

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

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUSTIN,
TEXAS APPROVING THE PRICES AND CONDITIONS SET FORTH
IN THE BID OF J. A. MILLER FOR THE PURCHASE OF A STRUC-
TURE LOCATED ON PARCEL 18-9, UNIVERSITY EAST PROJECT
NO. TEX. R-103

WHEREAS, on August 5, 1969, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 135-69, by which the Board accepted the bid of J. A. Miller for the purchase of a structure located on parcel 18-9, situated in the University East Project, No. Tex. R-103, and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 135-69, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 11th day of August, 1969, by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said structures; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 135-69.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

That the price and conditions set forth in the bid of J. A. Miller for the purchase of a structure located on Parcel 18-9, University East Project, No. Tex. R-103, are hereby approved.

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

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

Noes: None

Glen Oaks Project:

Councilman MacCorkle offered the following resolution and moved its adoption:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS
APPROVING THE PRICES AND CONDITIONS SET FORTH IN THE BID OF
NORMAN MILLER FOR THE PURCHASE OF A STRUCTURE LOCATED ON
PARCEL K-7, GLEN OAKS PROJECT, TEX. R-70

WHEREAS, on August 5, 1969, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 133-69, by which the Board accepted the bid of Norman Miller for the purchase of a structure located on parcel K-7, situated in the Glen Oaks Project, No. Tex. R-70, and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 133-69, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 11th day of August, 1969, by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said structures; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 133-69.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

That the price and conditions set forth in the bid of Norman Miller for the purchase of a structure located on Parcel K-7, Glen Oaks Project, No. Tex. R-70 are hereby approved.

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

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

Noes: None

PURCHASE OF METAL LATHES
DECKER LAKE

The Associate City Manager, Mr. Gene Higgins, reported this item concerned the purchase of metal lathes for Decker Power Plant. The Director of Electric Utilities described the disposition of the various lathes, these under

August 14, 1969

order to be moved into the future machine shop at Decker; and were bid on standard specifications by several bidders. General discussion was held concerning the need, if the various sized lathes could be substituted for other sized lathes, if they were going to be stored, and the advisability of purchasing this equipment later should a different type be desired. The Director of Utilities explained the necessity of having these machines immediately available at each plant for emergencies, over and above the necessity for the annual maintenance check.

The City Manager submitted the following:

- " 1. One (1) each South Bend 17" Metal Lathe @ \$7,443.25,
and one (1) each Rockwell 11" Metal Lathe @ \$1,994.00
to Alamo Iron Works.
2. For use by the Electric Department, Electric Production Division
at Decker Power Plant.
3. The attached memorandum from Mr. J. C. Blankenship explains the need
for this equipment and recommends the award be made as indicated. "
- " To: D. C. Kinney - Director From: Metal Lathes for Decker Power
of Electric Utility Plant Maintenance Shop

DESCRIPTION: Geared Head Engine Lathe with a 17" minimum swing over bed, 66" minimum center to center distance, and 5 horsepower minimum capacity motor; complete with standard equipment and optional accessories.

Engine Lathe with an 11" minimum swing over bed, 33" minimum center to center distance and 1 horsepower minimum capacity motor; complete with standard equipment and optional accessories.

PURPOSE: The purpose of these lathes is for cylindrical work, plain surface operations, centering, drilling, boring, reaming, cutting threads, turning tapers and other operations necessary for the proper maintenance of all power plant equipment. These lathes will also be used in the erection of the next three Decker unit installations.

USED BY: These lathes will be used by employees of the Power Plant Maintenance Division.

LOCATION: Decker Power Plant Maintenance Shop.

BID TABULATION: Bids were received from the following companies on the 17" Lathe:

Alamo Iron Works.....	\$7,443.25
K & M Supply Co.....	\$10,777.28
Wessendorff, Nelms & Co.....	\$7,849.43

Bids were received from the following companies on the 11" Lathe:

Alamo Iron Works.....	\$1,994.00
Texas Industrial Tools.....	\$2,048.10
Briggs-Weaver Machinery Co.....	\$2,239.75
K & M Supply Co.....	\$3,728.40
Wessendorff, Nelms & Co.....	\$2,380.01

RECOMMENDATION: The Electric Department recommends the bid for the 17" lathe be awarded to Alamo Iron Works for the sum of \$7,443.25, and for the 11" lathe for the sum of \$1,994.00. Their submittal is in accordance with the specifications and is the lowest price.

J. C. Blankenship
Superintendent, Power Production "

" City of Austin Sealed Bids were opened 2:00 PM, July
Bid Tabulation on Metal Lathes 7, 1969 - Tabulated by F. D. Glenn,
 Purchasing Department

<u>Description:</u>	17" Metal Lathe - 10 1/2' Bed Length	11" Metal Lathe - 4 1/2' Bed Length
---------------------	---	--

COMPANY

Alamo Iron Works	\$7,443.25 <u>South Bend</u>	\$1,994.00 <u>Rockwell</u>
Texas Industrial Tools	No Bid	\$2,048.10 Rockwell
Briggs-Weaver	No Bid	*\$2,239.75 Rockwell
K & M Supply Co.	\$10,777.28 Sheldon	\$3,728.40 Sheldon
Wessendorff, Nelms & Co.	\$7,849.43 South Bend	\$2,380.01 South Bend "

After detailed technical discussion by Councilman Price and Councilman Atkison, Councilman Gage offered the following Resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 7, 1969 for metal lathes for use by the Electric Department, Electric Production Division at Decker Power Plant; and,

WHEREAS, the bid of Alamo Iron Works in the total sum of \$9,437.25 for 11" and 17" metal lathes 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 Alamo Iron Works in the sum of \$9,437.25 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 the said Alamo Iron Works.

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

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

FINAL PASSAGE OF ANNEXATION ORDINANCES

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 9.18 ACRES OF LAND OUT OF THE WILLIAM CANNON LEAGUE; 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 Janes moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 0.115 OF ONE ACRE OF LAND OUT OF THE T. J. CHAMBERS GRANT; 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 Janes moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

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

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 8.27 ACRES OF LAND OUT OF THE WILLIAM CANNON LEAGUE; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman MacCorkle moved

that the ordinance be finally passed. The motion, seconded by Councilman Janes, carried by the following vote:

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

SWIMMING POOL ORDINANCE HEARING

The Council had before it an ordinance amending the Austin City Code concerning enclosure regulations for swimming pools as follows:

AN ORDINANCE AMENDING CHAPTER 43 OF THE AUSTIN CITY CODE OF 1967 BY ADDITIONS THERETO AND AMENDMENTS THEREOF REQUIRING A SHIELDING ENCLOSURE DEVICE AROUND PRIVATE RESIDENTIAL SWIMMING POOLS; REQUIRING BUILDING PERMITS FOR ENCLOSURE DEVICES; EXTENDING ENFORCEMENT RESPONSIBILITY; STATING SEVERABILITY AND PENALTY PROVISIONS; AND DECLARING AN EMERGENCY.

It being scheduled for this time, Mayor LaRue opened the hearing. The Assistant City Attorney, MR. CHARLES DIPPEL, said Councilman Gage had requested an ordinance that would require the enclosing or fencing of private residential swimming pools. The ordinance does not require fencing on public or semi-public pools as those pools are defined in the present swimming pool ordinance. It would require an enclosure device, a fence or any structure that would completely enclose the swimming pool. This is considered due to the danger of small children's stungling into the pools in residential areas. Various ordinances throughout the nation have been passed. This ordinance requires that any plans submitted for swimming pools have adequate provisions in them for enclosure devices. Dual responsibility for enforcement of the ordinance is given to the Health Inspector and the Building Official. The operational permit was under the Health Inspector, and the fencing requirements would be enforced by the Building Inspector. Councilman Gage requested that an ordinance be brought before the Council, as he had been concerned about the private swimming pools in the City. There have been a number of deaths in Texas by drowning, some of which were in the homes at private pools. Some concerned citizens had brought this matter to his attention and asked that the Council consider it. Councilman Atkison wanted consideration given as to whether a hazard was being prevented or created. He would like to have some background statistics on this. He would want a study made to see if a totally enclosed pool might prevent a mother from seeing the child wander in the pool area. Mr. Dippel stated the theory behind these ordinances was not aimed at the immediate family living in the home, but at other children in the neighborhood, the idea being that the family would police its own pool.

COUNCILMAN MacCORKLE requested a complete copy of the ordinance as amended before he voted on it.

Opposition was expressed by MR. JOHN COATS, wholesale distributor of swimming pool equipment for 13 years. The National Swimming Pool Institute was organized 12 years ago; and at every meeting the swimming pool safety subject had been on the agenda. It was found that some laws similar to this had been

passed hastily; but in nearly every instance where a real analysis was made, the opinion had been that a fence around a swimming pool is not a safety factor but is more a hazard, as a fence is a challenge to a child to crawl over it and get into the pool. In studies, it has been found that drownings would not have been prevented had there been a fence around the pool. Enclosures give a false security. He described the schools held annually on swimming pool safety. About the present ordinance, Mr. Coats stated three years ago a citizen's committee was appointed to review all the public health ordinances of the City -- the milk ordinance, food ordinance, lake pollution and other ordinances, and the committee was asked to write a swimming pool ordinance. After extensive study of all the swimming pool ordinances, and clearing the proposed ordinance with the various groups affected -- the Motel Association, Real Estate Board, Apartment Association, the Swimming Pool Industries, operators of public pools, local and state health departments -- they approved it. The ordinance is good in its present form. He pointed out there were many plastic pools for children, and this back-yard pool is included in this ordinance, whereby a 4' fence would be required.

After discussion, Councilman Gage moved that the ordinance be passed. There being no second, the Mayor announced the motion died for lack of a second.

MINUTES APPROVED

Councilman Gage moved that the Minutes of the Meeting of August 7, 1969, be approved. The motion, seconded by Councilman Price, carried by the following vote:

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

Noes: None

ZONING HEARING SET FOR SEPTEMBER 11TH

MAYOR LaRUE had a request from the Planning Director reporting the AUSTIN GERIATRICS CENTER had applied for rezoning of property known as the Fish Hatchery tract and were requesting a hearing at 9:30 A.M. September 11th. Councilman Atkison moved that the Council set the following zoning at 9:30 A.M., September 11, 1969:

AUSTIN GERIATRICS
CENTER INC.
By Richard Baker

1201-1511 Haskell St.
25-49 Water St.

From Interim "A"
Residence,
1st Height and
Area
To "C" Commercial
4th Height and
Area
and
"B" Residence
1st Height and
Area

ZONING ORDINANCE FINALLY PASSED

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

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
EAST 46 FEET OF LOT 7, OUTLOT NO. 19 HORST SUBDIVISION, LOCALLY KNOWN AS 105 WEST 20TH STREET, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE 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 third time and Councilman Janes moved that the ordinance be finally passed. The motion, seconded by Councilman Atkison, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

RESIGNATION OF CHAIRMAN OF THE
AUSTIN SAFETY COMMITTEE

The Mayor read a letter from MR. BOB ARMSTRONG, Chairman of the Austin Safety Committee appointed by Governor John Connally. He gave a report on the work of the Committee stating Austin was No. 1 in the Nation according to an Editorial in 1967. He anned those on the Committee, stating it had not been active for some time and he asked to resign as Chairman, and that a new Chairman be appointed. There was a bank balance he would turn over to a new committee along with other records. Mayor LaRue stated they would accept this resignation next week.

.....

The City Manager distributed a report from the PUBLIC HEALTH DEPARTMENT on the progress of its Rodent Control Program.

.....

The City Manager filed a Budget Summary Schedule, Balances Forward as well as the Revenue Estimates, stating this is the information that will be in the budget document when it comes out.

.....

The Mayor listed the three departments to be heard Wednesday on their Budgets and stated the Council would like to visit with the LEGAL DEPARTMENT, FIESTA GARDENS, and SPECIAL SERVICES, at 2:00 P.M. today.

CONSIDERATION OF CONTRACT FOR CONSTRUCTION
OF TOWN LAKE FOUNTAINS

The Council had before it the consideration of a contract for construction of Town Lake Fountains with G. & M. Construction Company, in the amount of \$48,985. The City Manager stated this item had been approved by the Council in a supplemental appropriation. The Park Staff included in the plans and specifications a base bid plus an alternate to give some flexibility. The Recreation Director, conscious of the Budget limitations, wanted to stay within the appropriation. The City Manager recommended since the bids were in; and there was good competition, that the Council award the base bid plus the alternate and complete the project at one time. This would be a part of the Town Lake Development Plan. He said the bid could be awarded with or without the alternate and use unappropriated funds as necessary. Mayor LaRue asked if this included the original fountains as presented to the City by the Lion's Club. The City Manager stated they would be incorporated to whatever extent they could be used. MRS. ROBERTA DIXON strongly urged the Council to adopt the plan in its effect. Leaving out the alternatives, the City would have a less attractive fountain. She displayed a plan of the fountain with landscaping and a brick walk. She stated this would be the Lion's Club Fountains which the City had a moral obligation to get back to place somewhere, as they did not work satisfactorily in the lake because of the algae situation, and causing a large maintenance problem. The Town Lake Planners have agreed this fountain would be a beautiful accent. The Alternate I was the brick walkway surrounding the fountain. In discussion it was pointed out the construction without the brick walkway would be \$36,285, and purchase of fountain equipment, \$7,000. Mrs. Dixon stated this was not an alternate, but was a necessity to utilize the combination of the present equipment plus some additional. She stated the total figure would be \$48,985. Discussion was held over the two bids and the analysis between the G. & M. COMPANY and the CANNION COMPANY. Mrs. Dixon stated in saving the \$5,000 or \$6,000 additional the total concept of beauty the design had created would be forfeited. No Federal aid was available, and it was stated this might require a supplemental appropriation to the Department to whatever extent necessary to make up the over-run. Discussion was held on the financing.

COUNCILMAN JOHNSON concurred with Councilman MacCorkle that if this is to be done, it should be done right; however, with the financial climate in the community now, he could not justify spending \$50,000. He stated the City did not have money at this time to put in to this type of improvement. He expressed keen appreciation for what the Lion's Club contributed; stating if there were funds in the future, he would like to see this project done, and he suggested holding this in abeyance until after the bond issue. He said there were some citizens on Boggy Creek that are being flooded and they need \$20,000 for a bridge and drainage control, and they have been told it will be three years because there are no funds for this. He said he had difficulty in weighing individual health and safety over this type of improvement under consideration today. He hoped the people would respond to the call and that bond money for this project would be available. Councilman Janes stated the Recreation Director had not been heard on this. Councilman Janes moved that the Council continue this matter one week. The motion, seconded by Councilman Atkison, carried by the following vote:

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

Noes: None

PAYROLL DEDUCTION RECONSIDERATION

COUNCILMAN JOHNSON recalled he made a motion on July 17 concerning the payroll deductions that were currently being made by computer. Since then he had continuously looked into this situation and had found enlightening facts that are of tremendous benefit to the City employees. For their protection, however, he wanted to make a motion to allow the items now under consideration to be completed so that the Council could have time to make and implement the decision. Councilman MacCorkle agreed that the Council acted hastily; and to resolve the question it should look into it more thoroughly. The City Manager stated the 60 day extension would be no problem, and there is no conflict concerning the present insurance carrier.

The Council along with the payroll deduction matter added discussion of the additional insurance benefits' accruing to the employees which they and the City had earned. The City Manager pointed out there is no conflict between the group policy and what the employees themselves carry with or without the benefit of payroll deduction.

COUNCILMAN GAGE said he would be delighted to extend the policy for an additional 60 days, although he had not received any of the additional information that was accumulating. It was brought out the information had been only through calls from various people, and that he had been contacted also.

MAYOR LaRUE submitted a petition which he received yesterday afternoon from a number of employees requesting the Council that payroll deductions, for insurance companies that have policies with not less than 25 City employees, be reinstated. He filed the petition as a part of the Minutes of the Meeting today.

COUNCILMAN JOHNSON moved that the Council (for the employees' protection) extend the time period 60 days beyond the fiscal year for a completion date, to allow the items now under consideration to be completed, so that the Council may have time to make and implement the decision, and that there would be no lapse of coverage on behalf of the employees that was not necessary. The motion, seconded by Councilman Atkison, carried by the following vote:

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

Noes: None

The Council adjourned at 12:20 P.M.

APPROVED

Mayor

ATTEST:

City Clerk