

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

REGULAR MEETING

August 21, 1969
9:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor LaRue presiding.

Roll Call:

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

Absent: None

Invocation was delivered by REVEREND CLIFFORD ZIRKEL, JR., Tarrytown
United Methodist Church.

MAYOR LaRUE announced the amendment to the Zoning Text pertaining to
Interim Designation of newly annexed territory was included in the Agenda
material for information, and that no public hearing had been scheduled for
this time.

FINAL PASSAGE OF ANNEXATION ORDINANCE

The Mayor introduced the following:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE
CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING
OF 52.77 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE 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 James moved that the
ordinance be finally passed. The motion, seconded by Councilman Price, carried
by the following vote:

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

The Mayor announced that the ordinance has been passed.

PUBLIC HEARING ON ANNEXATION ORDINANCE

Pursuant to published notice the Mayor opened the hearing scheduled for 9:30 A.M. to pass the following ordinance through its first and second readings.

Mayor LaRue introduced the following:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 14.24 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

No one appeared to be heard. Councilman Gage inquired if Balcones Drive were in the City limits. The Director of Public Works stated part of Balcones was in the City; in this case, it was not. However, it was included in one of the ordinances submitted last week covering areas in the county but not incorporated in the City. In answer to Councilman Johnson's inquiry about certain property in the area, the Public Works Director reported this property likewise was under consideration last week as being an island not a part of the corporate limits of the City.

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

ZONING ORDINANCE PASSED

The Mayor introduced the following:

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 1, BLOCK G, LA PERLA SUBDIVISION, LOCALLY KNOWN AS 2421-2423 SOUTH 4TH STREET AND 814-816 JUANITA STREET, FROM "A" RESIDENCE DISTRICT TO "BB" 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 pass to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

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

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

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

The ordinance was read the third time and Councilman 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.

ANNEXATION ORDINANCES SET FOR PUBLIC HEARING
SEPTEMBER 4, 1969

Councilman Gage moved the Council introduce, order published and set for public hearings at 9:30 A.M., September 4, 1969, the following annexation ordinances:

- (1) Requested by owner or representative:
 - (a) 0.34 of one acre of land out of the George W. Davis Survey - unplatted land.
 - (b) 33.40 acres of land out of the George W. Davis Survey - unplatted land.
- (2) Islands of County within the corporate limits of Austin:
 - (a) 3.05 acres of land out of the George W. Davis Survey - unplatted land.

- (b) 0.88 of one acre of land out of the
George W. Davis Survey - unplatted
land.

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

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

EASEMENTS RELEASED

Councilman Gage moved the adoption of the following resolution:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for
Sanitary sewer purposes by instrument dated June 27, 1969, of record in
Volume 3552 at Page 1247 of the Deed Records of Travis County, Texas; said
easement being out of and a part of that certain 21.63 acre tract of land out
of the William Cannon League No. 19 in the City of Austin, 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 City Manager of the City of Austin be, and he is hereby
authorized to execute a release of the following described portion of said
sanitary sewer easement, to-wit:

Two (2) strips of land five (5.00) feet in width, same
being out of and a part of that certain 21.63 acre tract
of land out of the William Cannon League No. 19 in the
City of Austin, Travis County, Texas, which said 21.63
acre tract of land was conveyed unto Edward R. Rathgeber,
Jr. and Donald L. West by warranty deed dated March 17,
1969, of record in Volume 3641 at Page 2091 of the Deed
Records of Travis County, Texas; the centerline of said
two (2) strips of land five (5.00) feet in width being
more particularly described as follows:

NO. 1 BEGINNING at a point in the south line of said 21.63 acre tract
of land, same being a point in the north right-of-way line of Matthews Lane,
and from which point of beginning the most southerly corner of said 21.63

acre tract of land, same being the point of intersection of the north right-of-way line of Matthews Lane and the west right-of-way line of the International and Great Northern Railroad, bears S 60° 16' E 2.50 feet;

THENCE, N 31° 29' E 1215.10 feet to point of termination.

NO. 2 BEGINNING at a point in the east line of said 21.63 acre tract of land, same being a point in the west right-of-way line of the International and Great Northern Railroad, and from which point of beginning the most southerly corner of said 21.63 acre tract of land, same being the west right-of-way line of the International and Great Northern Railroad, bears S 31° 29' W 743.06 feet;

THENCE, N 59° 59' W 714.2 feet to point of termination in the west one of said 21.63 acre tract of land, same being a point in the east right-of-way line of Cannon League Drive, and from which point of termination the most northerly corner of said 21.63 acre tract of land, same being the point of intersection of the east right-of-way line of Cannon League Drive and the south right-of-way line of said 21.63 acre tract of land, same being a point in the east line of Bissel Lane, bears N 30° 00' E 838.18 feet.

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 STREET PATTERN AROUND STADIUM DURING UNIVERSITY FOOTBALL GAMES

The Traffic Engineer, having distributed a map and plan for the temporary one-way movement, reported this had been discussed with the Division of the University Police and the University Officials. He pointed out the pattern, stating Manor Road would be reversed from west bound before the game to east bound after the game, the change-over taking place at the half-time. Regular traffic control devices will be placed--some portable, and some will be permanently placed on the grounds, and these will be connected into the computer system.

Councilman Gage moved the adoption of the following resolution:

(RESOLUTION)

WHEREAS, the experience of past years has shown that much traffic congestion and hampered traffic movement has been experienced on streets in the area around Memorial Stadium on the days of home football games of the University of Texas; and,

WHEREAS, after an engineering and traffic investigation, the City Council has found that the free flow and expeditious handling of traffic under conditions existing on Manor Road from Red River Street to the West Service Road of I. H. 35 requires that traffic upon such street move West-bound only in a one-way direction during the following times:

FROMTO

12:01 A.M., September 27, 1969
 12:01 A.M., October 4, 1969
 12:01 A.M., October 25, 1969
 12:01 A.M., November 8, 1969
 12:01 A.M., November 15, 1969

9:00 P.M., September 27, 1969
 9:00 P.M., October 4, 1969
 3:30 P.M., October 25, 1969
 3:30 P.M. November 8, 1969
 3:30 P.M., November 15, 1969;

and,

WHEREAS, after an engineering and traffic investigation, the City Council has found that the free flow and expeditious handling of traffic under conditions existing on Manor Road from Red River Street to the West Service Road of I. H. 35 requires that traffic upon such street move East-bound only in a one way direction during the following times:

FROMTO

9:00 P.M., Septebmer 27, 1969
 9:00 P.M., October 4, 1969
 3:30 P.M., October 25, 1969
 3:30 P.M., November 8, 1969
 3:30 P.M., N vember 15, 1969

12:01 A.M., September 28, 1969
 12:01 A.M., October 5, 1969
 12:01 A.M., October 26, 1969
 12:01 A.M., November 9, 1969
 12:01 A.M., November 16, 1969;

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 Janes, carried by the following vote:

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

Noes: None

HEARINGS SET FOR AUGUST 28, 1969

Councilman Janes moved the Council set a hearing at 9:30 A.M., August 28, 1969, on ordinances regarding:

- (1) Parking and unloading in alleys.
- (2) Parking in loading zones.

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

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

Noes: None

TELEPHONE UTILITY SPACE ASSIGNMENTS

The Mayor introduced the following:

"August 15, 1969

"Honorable Mayor and City Council
City of Austin, Texas

"Gentlemen:

"Attached is a preliminary plan of our buried telephone facilities designed to serve Willow Creek Section One in Southeast Austin.

"Our line is proposed along the east side of Willow Creek Drive from our existing manhole at marker 882 near Riverside Drive, to the southern entrance to Phase One of the Willow Creek Apartment area. Our Cable is proposed to be buried behind the curb line at a depth of thirty (30) inches below the finished grade.

"We respectfully request that this utility assignment be granted.

"Thank you for your consideration.

"Sincerely,

s/ J. R. Doolittle
District Engineer-North

Councilman Gage moved the adoption of the following resolution:

(RESOLUTION)

WHEREAS, Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduit lines 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 Southwestern Bell Telephone Company be and the same is hereby permitted to lay and construct its underground telephone conduit lines in and upon the following streets:

- (1) An underground telephone conduit line in SPRINGDALE ROAD, from a point 1928 feet north of the Centerline of Rogge Lane, northerly 25 feet; the centerline of which underground telephone conduit line shall be 19 feet east of and parallel to the west property line of said SPRINGDALE ROAD.
- (2) An underground telephone conduit line in SPRINGDALE ROAD, from a point 18 feet east of the west property line of said SPRINGDALE ROAD, easterly 25 feet; the centerline of which underground telephone conduit line

shall be 1953 feet north of and parallel to the centerline of Rogge Lane.

- (3) An underground telephone conduit line in a WILLOW CREEK DRIVE, from the south property line of Old East Riverside Drive, southerly 690 feet; the centerline of which underground telephone conduit line shall be 22 feet east of and parallel to the centerline of said WILLOW CREEK DRIVE.
- (4) An underground telephone conduit line in WILLOW CREEK DRIVE, from a point 690 feet south of the south property line of Old Riverside Drive, southerly 413 feet; the centerline of which underground telephone conduit line shall be 27 feet east of and parallel to the centerline of said WILLOW CREEK DRIVE.
- (5) An underground telephone conduit line in WILLOW CREEK DRIVE, from a point 1103 feet south of the south property line of Old East Riverside Drive, southerly 557 feet; the centerline of which underground telephone conduit line shall be 27 feet east of and parallel to the centerline of said WILLOW CREEK DRIVE.

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

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

(6) The City of Austin may revoke such permit for good cause after notice to the Southwestern Bell Telephone 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 there with.

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

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

AWARD CONTRACT

The Director of Water and Waste Water Utilities, Mr. Vic Schmidt, noted this was a case where the subdivider was required to put in an 8" line to serve his subdivision; but because the long range plan calls for 16" to serve this subdivision and beyond, they made a cash settlement on the basis of the 8" line, and installed the 16" line for the future. This was handled on the basis of one-third cost of the 8" line, and it is better to meet the long range factor now.

The City Manager submitted the following:

"August 15, 1969

"Victor R. Schmidt, Jr.
Water and Waste Water Department

"WATER MAIN - ALLENDALE ESTATES, SECTION 3. Sealed bids were received until 3:00 P.M., Friday, August 1, 1969 at the office of Oscar W. Holmes, Consulting-Engineer, 5508 Parkcrest Drive, Austin, Texas for the installation of 1,110 feet of 16-inch concrete steel cylinder water main in Allendale Estates, Section 3. The purpose of this project is to improve the water service to the surrounding area.

"The following is a tabulation of bids ereceived:

<u>NAME</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
"Schmidt Construction Company	\$ 16,074.00	80
Ford-Wehmeyer, Incorporated	19,483.00	30
J. C. Evans Construction Company	22,471.50	35
Eland Construction Company	29,206.00	90
Griffin Construction Company	29,390.00	45
"City of Austin (Estimate)	17,000.00	

"Allendale Estate Development Company, owner of this subdivision, will pay the equivalent of one-third (1/3) of the cost of installing 1,110 feet of 8- inch castiron water main, that amount being \$1,809.30. The City of Austin will pay the balance of the actual cost of construction.

"It is recommended that the contract be awarded to Schmidt Construction Company on its low bid of \$16,074.00 with 80 working days.

s/ Victor R. Schmidt, Jr.
Director
Water and Waste Water Department

Councilman Janes noted additional contingency was added to the cost in the clean-up work required under the specifications. The Director of Water and Waste Water Utilities stated they were dealing with the property owner who had given the City an easement and he was interested in his land's being restored. It could be that the City could perform this finish-off part.

Councilman MacCorkle moved the adoption of the following resolution:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 1, 1969, for the installation of 1,110 feet of 16-inch concrete steel cylinder water main in Allandale Estates, Section 3; and,

WHEREAS, the bid of Schmidt Construction Company, in the sum of \$16,074.00, 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 Schmidt Construction Company, in the sum of \$16,074.00, 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 Schmidt Construction Company.

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

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

LICENSE AGREEMENT WITH SOUTHERN PACIFIC CO.

The Council considered authorizing the City Manager to enter into a license agreement with SOUTHERN PACIFIC COMPANY to install a 20" cast iron sanitary sewer main beneath the Llano Branch railroad tracts at Mile Post 11.51, near Fromme Station, North of Austin.

The City Manager introduced the following:

"August 15, 1969

"Victor R. Schmidt, Jr.
Water and Waste Water Dept.

"This is to request that a resolution be prepared authorizing the City Manager to enter into a license agreement with Southern Pacific Company to install a 20-inch cast iron sanitary sewer main beneath the Llano Branch railroad tracks at Mile Post 11.51, near Fromme Station, North of Austin.

"The agreement has been forwarded to the Legal Department for checking.

"Cost of the City of Austin: \$25.00 Standard Pipe Line License
Preparation Fee

s/Victor R. Schmidt, Jr.
Director
Water and Waste Water Department

Councilman Janes moved the adoption of the following resolution:

(RESOLUTION)

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

That the City Manager be and he is hereby authorized and directed to enter into a License Agreement on behalf of the City of Austin, with Southern Pacific Company, for the installation of one certain 20-inch cast iron sanitary sewer main beneath the Llano Branch railroad tracks at Mile Post 11.51, near Fromme Station, North of Austin; and in accordance with the terms and provisions of that certain license exhibited to the City Council; and,

BE IT FURTHER RESOLVED:

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

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

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

RIGHT OF WAY - MO-PAC BOULEVARD, PHASE I

The Council discussed authorizing the land acquisition of 1801 Northwood Road for Missouri Pacific Boulevard Phase 1, right of way, at the average of appraisals. Councilman Gage moved the adoption of the land acquisition at the average of appraisals.

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

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

SUPPLEMENTAL AGREEMENT - F.A.A.

The Director of Aviation introduced the following:

"August 18, 1969

"Vance D. Murphy, Director
Aviation

"To approve Supplemental Agreement to contract with the Federal Aviation Administration outlining responsibilities of the City and the FAA for financing relocation, replacement, or modification of FAA facilities.

"In general, this agreement provides that if we request relocation of facilities we will be expected to pay for it. If the FAA desires to relocate a facility they pay for it.

The Director of Aviation gave a resume of possible relocations of facilities; those initiated by the City would be paid for by the City; those initiated by the Federal Aviation Administration would be its responsibility. This is a standard agreement.

Councilman MacCorkle moved the adoption of the following resolution:

(RESOLUTION)

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

That the City Manager be and he is hereby authorized and directed to enter into a Supplemental Agreement, on behalf of the City of Austin, with the Federal Aviation Administration outlining responsibilities of the City and the Federal Aviation Administration for financing relocation, replacement, or modification of Federal Aviation Administration facilities; and in accordance with the terms and provisions of that certain Supplemental Agreement exhibited to the City Council; and,

BE IT FURTHER RESOLVED:

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

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

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

SALE OF HOUSES

The City Manager introduced the following:

"August 19, 1969

"S. Reuben Rountree, Jr.
Director of Public Works

"Authorization of sale of improvements as shown in the tabulation of bids below as Council action is necessary to dispose of City-owned capital assets. Bids were received August 19, 1969.

		<u>"2421 Winsted Lane</u>	<u>2105 Winsted Lane</u>	<u>2400 Hartford Road</u>	<u>1809 Mohle Drive</u>	<u>1803 Northwood Road</u>	<u>2102 W. 35th Street</u>
"Earl Rosen	\$	350.00	555.00			650.00	
Mrs. Edna Jones		802.00					
M. J. Kouri		1,021.87	<u>2,222.22</u>				
Mrs. H. Warren Smith		995.00	1,170.00		605.00	<u>1,105.00</u>	<u>350.00</u>
Monty W. Smith				853.00	253.00		
Wesley Dahl				100.00	50.00	100.00	
N. A. Giblin		<u>1,251.00</u>	1,751.00		200.00		
M. E. Bell		968.23	1,388.22	1,682.12	<u>682.17</u>	985.62	
Lee W. Rowe			2,178.00	<u>2,578.00</u>			
Clyde P. Borwn		51.50					
Booker T. Moore		157.95	312.95		15.00	312.95	

"Amount underlined indicates high bid.

s/ City Manager

Councilman Janes moved the adoption of the following resolution:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 19, 1969, for the sale of city-owned capital assets; and,

WHEREAS, the bid of N. A. Giblin in the sum of \$1,251.00 for the house located at 2421 Winsted Lane; the bid of M. J. Kouri in the sum of \$2,222.22 for the house located at 2105 Winsted Lane; the bid of Lee W. Rowe in the sum of \$2,578.00 for the house located at 2400 Hartford Road; the bid of M. E. Bell in the sum of \$682.17 for the house located at 1809 Mohle Drive; the bids of Mrs. H. Warren Smith in the sum of \$1,105.00 for the house located at 1803 Northwood Road and in the sum of \$350.00 for the house located at 2102 West 35th St Street, were the highest and best bids therefor, and the acceptance of such bids has been recommended by the Director of Public Works of the City of Austin and by the City Manager; Now, Therefore,

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

That the above enumerated bids of N. A. Biglin, M. J. Kouri, Lee W. Rowe, M. E. Bell and Mrs. H. Warren Smith, 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

AUSTIN INDEPENDENT SCHOOL DISTRICT TAX COLLECTING

Councilman MacCorkle asked if the Independent School District were paying at the present time the cost of assessing and collecting their taxes as performed by the City of Austin. The Associate City Manager reported this had been discussed within the Staff, and a new contract is being drawn. It was brought out the present amount does not cover the cost. Councilman MacCorkle asked for a recommendation from the Tax Department.

AIRPORT-FIXED BASE OPERATIONS

Councilman Janes' stated Mr. Ben Howell had expressed an interest in an additional fixed base operation at the Airport, and had presented his case to the Director of Aviation, Colonel Murphy, with the request that he present this application to the Airport consultants. Colonel Murphy reported R. H. Burton, Associates of Chicago, would have enough of a plan submitted between September 5 and 10th, that the City could see where it stood and start planning on what it could do. Two other requests to established fixed base operations had been made, one prior to this one and is still pending.

BOAT SAFETY ON LAKE AUSTIN

Councilman Janes inquired of the action taken on the recommendation about boat safety on the lake. The Associate City Manager, Mr. Higgins, re-

ported signs were being made, and pamphlets that are going to be handed out were ready to be printed. He estimated this would be accomplished in about 30 days.

EXTRA PARKING SPACE FOR MEXICAN CONSULATE

Councilman Jones favored granting the request for an additional parking space for the Consulate's office. After discussion, the Council by 5 to 2 vote, granted the request.

COUNCIL DEPUTIZED

Councilman Price, stated Mr. Charles Jones could not be present, but he wants to let the Council know that they are in full cooperation with the City's Safety Program. Councilman Price distributed despositions and cards from Mr. Jones, to each Council member. Mayor LaRue read the deposition appointing the Council members as true and lawful Deputy Constables, as of August 11, 1969. The Council members were pleased and were glad to be able to help in the traffic and transportation problems in the County of Travis as well as the City of Austin.

PROPERTY ACQUISITION - MO PAC

Councilman Johnson, noting sometime in July there were 150 parcels needed, asked if at the rate the property is being acquired, if the dead line could be met, as it seemed only one or two parcels a week are being submitted. The Associated City Manager reported a number of these parcels were the 10' and 15' strips off the back of properties that do not require Council approval. An analysis of the parcels that are acquired would reflect quite a greater number that require Council action. The Highway Department is revising the schedules to permit part of the construction to proceed on a more realistic, and some schedules have been set up that the City can meet. Councilman Johnson asked for a periodic progress report on land acquisition perhaps a monthly report. The Associate City Manager stated the City was acquiring property in the Phases set up by the Highway Department which has decided now to have December lettings on the overpasses or structures at 35th, 45th, and Northland Drive; which are clear from the acquisition standpoint, except perhaps one house. Westover, Windsor and Enfield construction will begin this spring. About 13 to 15 parcels are needed for this development. The primary acquisition will be in the Enfield south section for the next year as opposed to the Northland-Enfield section. Councilman Johnson stated after this discussion, it seems that real good headway is being made, and he would like to be informed all along. Mayor LaRue said the reason they did not meet their first priority was the Highway Department suggested a change of priorities from the north section to the south. He emphasized the intent of the Council is, if possible, to meet all the deadlines established by the State Highway Department. The fact that they are paying for the construction inside the City limits is something for which Austin can always be thankful. He urged doing everything possible to meet these deadlines; and if it ever looks as though there is a problem, it should be brought back to the City Council. It was stated a status report on the latest phase is being worked up, and the Highway Department will have a report stating where they want the City to concentrate

its efforts, and this report will be brought to the Council.

YIELD SIGN - POSSOM TROT AT 9th STREET

Councilman Johnson asked if the Traffic Department had received a copy of correspondence concerning the possibility of installing a yield sign at 9th and Possum Trot. At this time, the report was it had not.

STASSNEY LANE RAILROAD CROSSING SIGNAL

Councilman Johnson asked about the status of the Stassney Lane Railroad Crossing signal. The Director of Public Works reported an official of the Railroad was impressed and was working on getting approval in St. Louis to have this ready before School started; but due to shortage of materials, this project may not meet the deadline. The Traffic Engineer did place a railroad warning sign, and the Parks Department is keeping the weeds cut to clear the visibility.

Councilman Johnson asked also that an effort be made through the Parks Department to check all rights of way in and around all school areas, making sure the weeds are cut so that whether or not there are sidewalks, the children would not have to walk through the weeds and sunflowers.

SAFETY CAMPAIGN

Mr. John Kirkley, 3101 Tom Green recalled proposing a city-wide public safety campaign, and asked what response was made to that idea, or if there were anything else he could do. Councilman Johnson reported he had some contacts with various news media, and the Traffic and Transportation Department is getting together a good program. Mr. Wick Fowler has added information from other cities, and a beneficial program is being worked out, possibly by next week. Mr. Kirkley was to get in touch with the Traffic Department. Councilman LaRue stated the Council should name a Chairman of this Committee next week, as it is essential to have the Traffic and Transportation Committee working on this and be the coordinating agency.

RESOLUTION APPROVING FIRST AMENDATORY CONTRACT AMENDMENT GRANT CONTRACT FOR CODE ENFORCEMENT (NO. TEX E-3(G)

The Building Official stated in estimating the number of grants in a Code program which is financed strictly by the Federal Government, they estimated short, and came up with more people eligible for grants than anticipated. Some months ago they had asked the Council to allow an amendment to provide more funds from the Federal Government to people in the Meadowbrook project and \$45,000 had been asked for and approved by the Government. This resolution amends the original contract including the \$45,000 additional grant money at no cost to the City.

Councilman Price moved the adoption of the following resolution:

(RESOLUTION)

WHEREAS, under Title I of the Housing Act of 1949, as amended, the United States of American (herein called the "Government") has tendered to the City of Austin (herein called the "Public Body") a proposed amendment to Grant Contract for Code Enforcement Program No. Tex. E-3, dated September 22, 1967.

WHEREAS, this Public Body has given due consideration to said proposed Amendatory Contract and has found it to be in the interest of this locality to execute such Amendatory Contract; and,

WHEREAS, this Public Body is duly authorized, under and pursuant to the Consitution and laws of the State of Texas, to undertake and carry out the preparatiom of the Program; and,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS AS FOLLOWS:

SECTION 1. The pending Amendatory Contract, designated "First Amendatory Contract Amending Grant Contract for Code Enforcement Program, Contract No. Tex. E-3 (G)," is hereby approved in all respects.

SECTION 2. The Mayor of this Public Body in its behalf is hereby authorized and directed to execute said proposed amendatory Contract in two counterparts, and the City Clerk of this Public Body is hereby authorized and directed to impress and attest the official seal of the Public Body on each such counterpart and to forward such counterparts to the Department of Housing and Urban Development, together with two certified copies of the proceedings in connection with the passage of this Resolution, two certified copies of this Resolution, and such other and further documents relative to the approval and execution of the Contract as may be required by the Government.

SECTION 3. The Building Official of this Public Body is hereby authorized to file requisitions, together with necessary supporting documents, with the Government, from time to time as Grant funds are required, requesting payments to be made to it on account of the Grant provided for in the Amendatory Contract, and to do and perform all other things and acts required to be done or performed in order to obtain such payments.

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

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

Noes: None

RESIGNATIONS

Councilman Johnson moved the Council accept the resignations of Mr. Bob Armstrong as Chairman of the Traffic Safety Board, and of Mr. Bill Wroe from the Planning Commission, with regrets.

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

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

Noes: None

PLANNING COMMISSION VACANCY

Councilman Price noted with regret that Mr. Bill Wroe resigned due to his inability to attend the sessions of the Planning Commission, and he moved to name a replacement. After discussion, the Council tabled Councilman Price's motion, and decided to take this matter up in an Executive Session.

ANNOUNCEMENT OF POSTPONEMENT OF BRACKENRIDGE ALUMNI ASSOCIATION CEREMONY.

Mayor LaRue announced the postponement of the Brackenridge Alumni Association Ceremony which was to honor Mrs. Edith Huck Turner since her Mother was very ill.

MEETING WITH HOUSING AUTHORITY

Councilman Gage inquired if a meeting with the local Housing Authority had been arranged. The Mayor stated the Council had appointed this Commission, and he felt sure the Housing Authority would be more than willing to meet with the Council at any time.

SUSQUEHANNA LANE SITUATION

Councilman Gage inquired about the status and if there were any kind of conclusion reached. The Director of Public Works reported the developer had assumed the responsibility, the work is to be accomplished and taken out of the refund contract. Nothing can be done to the street until the water line is relocated. The developer has authorized a local consulting firm to prepare the plans to relocate the water line from under the street back on private property. Then, his Department will do the necessary repair work to the street. Councilman Gage asked if Mr. Schmidt, Director of Water and Sewer Utilities, could give a schedule of timing as the schools are anxious to know when the street will be opened as are others.

ORDINANCE AMENDING RETIREMENT & PENSION SYSTEM TO PROVIDE FOR AN ANNUAL COST OF LIVING ADJUSTMENT.

The Associate City Manager, Mr. Gene Higgins reported the Retirement and Pensioning System had been under study for some time; had been studied by the Actuary, the Retirement System Board, and the staff, all recommending the provi-

sions to provide for an annual cost-of-living adjustment. After all obligations have been met by the retirement fund, then an increase to the City's retirees could be made up to $1\frac{1}{2}\%$. The Finance Director explained the Charter specified that the Retirement system have an annual study to determine its actuarial soundness. Two increases in the benefits had been provided for during the past five years. In reviewing the system, he stated that five years ago, $1\frac{1}{8}\%$ times one's years of service for the best five years of the last 10 years was paid. This percentage was increased to 1.25 times approximately three years ago. The value of the fund had been increasing at such a rate, the Actuary and the Administration felt that further improvements could be made in the benefits. In lieu of making another $1\frac{1}{8}$ of 1% increase now, both the Actuary and Administration felt that some consideration should be given to those already retired. A percentage to one's earnings applies only to future retirees; but a cost-of-living index based on the Bureau of Labor statistics as outlined in this ordinance. The Retirement Board unanimously adopted this recommendation, and in turn recommended that an ordinance be brought to the City Council. A percentage to one's earnings applies only to future retirees; but a cost-of-living-index increase influences those who have retired. The Actuary in his study last December recommended to the Retirement Board that it adopt the cost-of-living-index based on the Bureau of Labor statistics as outlined in this ordinance. Mr. Barker, in answer to Mayor LaRue's question, stated the benefits would decrease when the cost-of-living payments go down. He explained the technical provisions that this amendment was a supplement to the base formula.

Councilman Johnson brought up the question of full retirement based on length of service. The Finance Director explained the results of a study made along with this line, stating in lieu of the present cost of 4% to the City and 4% to the employee, with a certain portion for an employee's base pay guaranteed, the annual input into the system would be $30\% - 15\%$ for the employee and 15% for the City. The Charter limits the City's contribution to 5% . He also explained the basis of the actuarial reduction, should one withdraw the reduced amount and invest in at 6% . Councilman MacCorkle noted this system is better than the Texas Municipal Retirement System. The Finance Director stated the benefits are better, and the system is actuarially sound.

The Mayor introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING A RETIREMENT AND PENSIONING SYSTEM FOR CERTAIN EMPLOYEES OF THE CITY OF AUSTIN, PURSUANT TO THE AUTHORITY GRANTED THE CITY COUNCIL UNDER SECTION 4, OF ARTICLE IX, OF THE CHARTER OF THE CITY OF AUSTIN; CREATING A RETIREMENT BOARD TO ADMINISTER AND OPERATE THE RETIREMENT AND PENSIONING SYSTEM AND DEFINING ITS POWERS, DUTIES AND FUNCTIONS; PROVIDING A METHOD OF FINANCING THE SYSTEM; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HERewith; PROVIDING A SEVERABILITY AND SAVINGS CLAUSE AND DECLARING AN EMERGENCY:, AS PASSED BY THE CITY COUNCIL ON OCTOBER 10, 1940, AND AS AMENDED FROM TIME TO TIME THEREAFTER; BY AMENDING SECTION 1 OF ARTICLE VI THEREOF, BY ADDING A SUBSECTION "(e)" EMPOWERING THE BOARD TO AUTHORIZE AN ANNUAL COSTS OF LIVING ADJUSTMENT PAYMENT, WHICH SHALL BE ADDED ON TO THE BASE PAYMENT OF ALL RETIREMENT ANNUITIES, PENSIONS, OR ALLOWANCES, AND SETTING FORTH THE CONDITIONS, CONSIDERATIONS, LIMITATIONS, RESTRICTIONS AND GUIDELINES WHEREBY THE BOARD MAY AUTHORIZE SUCH ADJUSTMENT PAYMENTS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman MacCorkle moved that the rule be suspended and the ordinance pass to its second reading.

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

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

Noes: None

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

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

Noes: None

The ordinance was read the third time and Councilman MacCorkle 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.

REFUND CONTRACT

The Associate City Manager reported this refund contract was routine, a standard agreement with 80% of the cost of the one being paid back from the revenue in 25 years.

The City Manager introduced the following:

"August 15, 1969

"Requested by Victor R. Schmidt Water and Waste Water Department

"CASTLEWOOD FOREST, SECTION 1 - 08-68-36

Owner: Harris-Wagner, Incorporated

Location: Castlewood Drive, South of Davis Lane and West of
Manchaca Road

Size: 18.0 Acres

Number of Lots: 36

Average Lot Size: 100' x 140'

Type Subdivision: Residential

Classification: Suburban

"Amount of Utility Refund Contract No. B-30 = \$30,465.80

Acceptance Dates for Utilities:

Water Mains: November 25, 1969

Contractor Paid in Full: None - Owner and Contractor same party

"A. E. Brady

Fiscal Officer

Water and Waste Water Department

s/ Norman McK. Barker

The Mayor introduced the following:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH HARRIS WAGNER, INCORPORATED, 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 Janes moved that the rule be suspended and the ordinance pass 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 Janes moved that the rule be suspended and the ordinance pass to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

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

Noes: None

The ordinance was read the third time and Councilman Janes 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.

ZONINGS SET FOR PUBLIC HEARING ON OCTOBER 2, 1969

The City Manager reported that the following zoning applications had been referred to the Planning Commission for recommendation and had been set for public hearing on October 2, 1969:

H. T. BAKER By Edgar E. Jackson	405-501 Kenniston St.	From "A" 1st H&A To "O" 1st H&A
FRANK NEWMAN	1315-1525 Town Creek Dr. 1314-1574 Tinnin Ford 2000-2022 E. Riverside Drive	From "B" 1st H&A To "GR" 1st H&A
JOHN SCHOEDEL JR. By Sam Chamberlain	407-501 Swanee	From "A" 1st H&A To "BB" 1st H&A
EUGENE NELSON By W. B. Carsson	1900-1902 San Gabriel 1000-1004 W. 19th St.	From "B" 2nd H&A To "IR" 2nd H&A

BIRNIE BALKE	2817-2819 Manchaca Rd.	From "A" 1st H&A To "C" 6th H&A
RICHARD & DON STATHOS By E. A. Smart	Rear of 5400 Jeff Davis	From "B" 1st H&A To "C-2" 1st H&A
JESSE MITCHELL	6900-6902 Guadalupe St. 600-604 Kenniston Dr.	From "LR" 1st H&A To "C" 1st H&A
RANDOLPH A. HAYNES, JR.	2412 Ventura Dr.	From Int. "A" 1st H&A To "B" 1st H&A
BILL MILBURN By Richard Baker	7403-7405 Langston Dr. 7490-7498 Ed. Eluestein Drive	From Int. "A" 1st H&A To "B" 1st H&A
PAUL E. PRESSLER	304 E. 30th St.	From "B" 2nd H&A To "O" 2nd H&A
JERRY N. WALLACE	Tract 1: 1620-1722 Rutland Dr.	From Int. "A" 1st H&A To "GR" 1st H&A
	Tract 2: 1214-1330 Rutland Dr.	From Int. "A" 1st H&A To "GR" 1st H&A
	Tract 3: Rear of 9512-10016 North Lamar	From Int. "A" 1st H&A To "B" 3rd H&A
	Tract 4: 9324-9730 N. Lamar	From Int. "A" 1st H&A To "GR" 1st H&A
REV. J. L. BRICE	2902 East 12th St.	From "A" 1st H&A To "O" 1st H&A
CHAS. MORRISON, JOHN D. BYRAM, ROBERTA P. DICKSON By Robert C. Sneed	4501-4517 E. Riverside Tract 1: Tract 2: Lot 42	From Int. "A" 1st H&A To "BB" 1st H&A
HENRY WETZEL, JR. By John Selman	906 West Mary St.	From "A" 1st H&A To "B" 1st H&A
ESTELLE LAND & ANN BIRDWELL By John Selman	3300-3306 Mancha Rd.	From Int. "A" 1st H&A To "B" 1st H&A
WESTGATE SQUARE, INC. By John Selman	Tract 1: 4620-4642 Westgate Blvd. 4651 Sunset Trail	From "B" 1st H&A To "C" 1st H&A

	Tract 2:	From "B" 1st H&A
	4642-4716 Westgate Blvd.	To "C" 1st H&A
NASH PHILLIPS-COPUS	Rear of 7100-7126	From Int. "A" 1st H&A
By W. T. Williams, Jr.	7032-7058 Hwy. 290 East	To "B" 1st H&A
R. E. BLACK	Tract 1:	
By W. T. Williams, Jr.	1411-1421 Broadmoor Dr.	From "A" 1st H&A
	Rear of 1407-1409	To "B" 1st H&A
	Broadmoor Drive	
	Rear of 1423-1611	
	Broadmoor Drive	
	Tract 2:	
	1512-1522 East 51st St.	From "A" 1st H&A
		To "B" 1st H&A
JOHN T. & MITZIE DAVIS	400-410 W. 17th Street	From "C" 1st H&A
By W. R. Bray	1700-1708 Guadalupe	To "C-2" 1st H&A
CHRISS CROW	7740-7752 U. S. Hwy. 290	From "GR" 1st H&A
By Richard C. Baker		To "C" 1st H&A

ZONING SET FOR PUBLIC HEARING ON SEPTEMBER 11, 1969

AUSTIN GERIATRICS CENTER, INC.		
By Richar C. Baker	23-41 Waller Street	From "A" 1st H&A
	Rear of 41 $\frac{1}{2}$ -49 3/4	To Tract 1:
	Waller	"C" 4th H&A
	Rear of 1201-1205 Haskell	Tract 2:
	Rear of 36-56 Comal St.	"B" 1st H&A
	22 $\frac{1}{2}$ -34 $\frac{1}{2}$ Comal Street	
	1501-1511 Haskell St.	

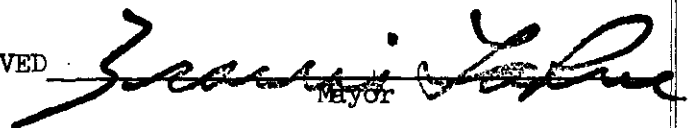
There being no further business Councilman Janes moved that the Council adjourn. The motion, seconded by Councilman Gage, carried by the following vote:

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

The Council adjourned subject to the call of the Mayor.

The Council went into Executive Session.

APPROVED


Mayor

ATTEST:

City Clerk