

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting  
March 6, 1969  
9:00 A.M.

COUNCIL CHAMBERS, CITY HALL

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The meeting was called to order with Mayor Akin presiding.

Roll Call:

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

The Invocation was delivered by REVEREND JOHN BARCLAY, Central Christian Church.

RECOGNITION OF JESSE W. COPELAND

Col. Vance Murphy presented Mr. Jesse W. Copeland, who was retiring after 33 years of employment, 31 of which were spent with the Austin Municipal Airport. The Mayor gave Mr. Copeland a key to the City. Councilwoman Long moved the Council pass the appropriate resolution to present to Mr. Copeland. The motion, seconded by Councilman Nichols, carried by the following vote:

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

PRESENTATION OF THE ANNUAL AUDIT

Mr. Henry Ramsey of Sublett, Ramsey, Ramsey and Fehr, the City's auditing firm, appeared before the Council to express his thanks for the opportunity to make the audit. Councilman Nichols moved the Council note receipt of the Annual Audit. The motion, seconded by Councilman LaRue, carried by the following vote:

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

WAR ON POVERTY NEIGHBORHOOD ELECTIONS

Mayor Akin presented to the Council a resolution expressing interest in and urging all residents of neighborhood service areas to vote in the 1969 elections conducted by the Human Opportunities Corp. of Austin to place members on the

Neighborhood Advisory Committee. Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by virtue of neighborhood elections to be conducted by the Human Opportunities Corporation of Austin, Travis County, for citizens in the various neighborhood service areas from March 8 to March 14, 1969, Neighborhood Advisory Committee Members are to be elected by such citizens to represent their best interest in the Community Action Program for said area; and,

WHEREAS, the Members of said Advisory Committees for each area will directly assist in evaluating and monitoring community action programs for their areas; and,

WHEREAS, DULY ELECTED committee members from all the city areas will represent their respective neighborhood service area citizens on the policy making board of the Human Opportunities Corporation in Austin and Travis County, in administering War on Poverty Programs; and,

WHEREAS, the Human Opportunities Corporation of Austin and Travis County seeks the widest participation in such elections in order that community action programs be well understood and received by the beneficiaries of such programs;  
NOW THEREFORE:

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

That all residents of the neighborhood service area are urged to vote in their elections.

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

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

Mr. Louis Martinez appeared before the Council on behalf of the Human Opportunities Corporation to explain the purpose of the elections. Councilwoman Long and Mr. Martinez discussed the composition of the Neighborhood Advisory Board and the Human Opportunities Corporation, and their functions. Councilwoman Long and City Manager Robert Tinstman discussed the relationships of the Model Cities Program and the HOC Board. Mr. Tinstman also announced to the Council that he had received that morning a letter from the Department of Housing and Urban Development advising its approval of the planning grant, program, and budget for the Model Neighborhood program.

PRESENTATION OF MRS. JEAN ELLIOTT

Mayor Akin introduced to the Council Mrs. Jean Elliott, MRS. HOUSTON, who read a message from Mayor Louis Welch of Houston making Mayor Akin an honorary citizen of Houston. She and Mayor Akin exchanged keys of the City.

## ZONING HEARING OPENED AND RECESSED

Mayor Akin announced the opening and recession of the hearing scheduled for 10:30. Councilman LaRue moved the Council recess the hearing. The motion, seconded by Councilman Nichols, carried by the following vote:

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

## FIRE MARSHAL'S ANNUAL REPORT RECEIVED

Fire Marshal Wintford L. Heaton summarized briefly for the Council the Annual Report for the past fiscal year. He announced that for the third straight year Austin had maintained a 10% fire record credit, making possible a \$150,000 reduction in insured cost to the buying public of Austin.

Councilman LaRue moved the Council compliment Mr. Heaton and note the receipt of the report. The motion, seconded by Councilman Nichols, carried by the following vote:

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

## MISS BOMBSHELL RECOGNIZED

Mr. Heaton introduced to Councilwoman Long and other members of the Council MISS BOMBSHELL, and complimented her on a fine job.

## PARKS AND RECREATION ANNUAL REPORT RECEIVED

Mr. Warren Leddick presented the Parks and Recreation Department Annual Report to the Council. Councilwoman Long moved the Council receive the report and thank Mr. Leddick and the Parks and Recreation Department and the Board. The motion, seconded by Councilman Janes, carried by the following vote:

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

## FINANCIAL STATEMENT FOR JANUARY 31, 1969 RECEIVED

Councilman LaRue moved the Council note receipt of the Financial Statement for January 31, 1969. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Councilwoman Long asked that the Council have a quarterly progress report on the financial situation of the City. City Manager Tinstman agreed that this is an excellent idea.

## ZONING HEARING

Mayor Akin announced that the recessed hearing scheduled for 10:30 was now reopened for Public Hearing at this time. Pursuant to published notice thereof, the following zoning applications were publicly heard:

JOSEPH C. CORTINAS C14-69-032	2604 South 1st St. 603 Herndon Ln.	From "A" Residence to "GR" General Retail NOT RECOMMENDED by the Planning Commission RECOMMENDED "O" Office for 2604 So. 1st Street
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Mr. Joseph C. Cortinas spoke before the Council in favor of the change in zoning. Mr. and Mrs. Logan Weaver spoke against the recommendation. Councilman LaRue moved the change be granted from "A" Residence to "O" Office for 2604 South 1st Street, but the property at 603 Herndon remain zoned "A" Residence as recommended by the Planning Commission. The motion, seconded by Councilman Janes, carried by the following vote:

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

The Mayor announced that the change had been granted to "O" Office for 2604 South 1st Street with the property at 603 Herndon remaining "A" Residence, and instructed the City Attorney to draw the necessary ordinance to cover.

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C. K. JAMISON by John B. Selman C14-69-020	5307 Joe Sayers Ave. 5306 Woodrow Ave.	From "A" Residence to "B" Residence RECOMMENDED by the Planning Commission
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Mr. John Selman appeared before the Council in favor of the application. Councilwoman Long stated that she would vote against the application because of the residential nature of the neighborhood. Councilman Nichols moved the Council grant the change from "A" Residential to "B" Residential subject to granting of the right-of-way on Joe Sayers Avenue and Woodrow Avenue, as recommended by the Planning Commission. The motion, seconded by Councilman LaRue carried by the following vote:

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

The Mayor announced that the change had been granted to "B" Residential subject to conditions and instructed the City Attorney to draw the necessary ordinance to cover.

HEARING - CONVERSION OF BRACKENRIDGE AND KEALING  
PROJECTS TO NEIGHBORHOOD DEVELOPMENT PROGRAM

After some discussion, Councilwoman Long moved the Council authorize the conversion of Brackenridge and Kealing projects to the Neighborhood Development Program, and draw a resolution to this effect to be presented for formal approval at the Council meeting of March 13, 1969. The motion, seconded by Councilman Janes, carried by the following vote:

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

## DATE OF HEARING SET FOR AMENDMENT TO MASTER PLAN

Councilwoman Long moved the Council set a public hearing for April 24, 1969 at 10:30 for amendment to the Master Plan regarding revision of right-of-way and paving standards for Cameron Road between East 51st Street and U.S. 183. The motion, seconded by Councilman LaRue, carried by the following vote:

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

## ZONING ORDINANCES

Mayor Akin introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: A 7,395 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 2410 SOUTH 1ST STREET, FROM "C" COMMERCIAL DISTRICT TO "C-2" 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 Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin  
Noes: None  
Present But Not  
Voting: Councilwoman Long

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

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin  
Noes: None  
Present But Not  
Voting: Councilwoman Long

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

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin  
Noes: None  
Present But Not  
Voting: Councilwoman Long

The Mayor announced that the ordinance had been finally passed.

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Mayor Akin introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOTS 13 & 14, BLOCK 17, RIDGETOP ANNEX, LOCALLY KNOWN AS 4625-4627 DEPEW AVENUE AND 1001-1005 EAST 47TH 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 Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

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Mayor Akin introduced the following ordinance:

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

TWO (2) TRACTS OF LAND CONTAINING 27,000 SQUARE FEET, BEING OUT OF THE CHARLES WENDLANDT SUBDIVISION (UNRECORDED), LOCALLY KNOWN AS 1505-1509 FORT VIEW ROAD (BANNISTER LANE), FROM "O" OFFICE DISTRICT TO "GR" GENERAL RETAIL 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 Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

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Mayor Akin introduced the following ordinance:

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

- (1) A 42,000 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 2416-2510 EAST BEN WHITE BOULEVARD, FROM "B" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT;
- (2) LOTS 30-34, BLOCK 10, HYDE PARK #2, LOCALLY KNOWN AS 201-203 WEST 40TH STREET AND 3912-3914 AVENUE D, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;
- (3) LOTS 2 & 3 OF THE RUNDBERG ADDITION, LOCALLY KNOWN AS 9403-9417 INTERREGIONAL HIGHWAY AND 800-818 EAST RUNDBERG LANE, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT AND "D" INDUSTRIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT;
- (4) LOTS 22-25, LOUIS HORST'S SUBDIVISION, LOCALLY KNOWN AS 2001-2013 WHITIS AVENUE AND 204-206 WEST 20TH STREET, FROM "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND THIRD HEIGHT AND AREA DISTRICT; AND

(5) A 980 SQUARE FOOT PARCEL OF LAND, LOCALLY KNOWN AS THE REAR OF 4007 WADFORD STREET AND THE REAR OF 114-116 WEST BEN WHITE BOULEVARD, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL 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 Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

#### ANNEXATION ORDINANCE - 3RD READING

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 10.68 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.

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

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

The Mayor announced that the ordinance had been finally passed.



## RATE ADJUSTMENT ORDINANCE - 3RD READING

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

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE PRESCRIBING FARES AND CHARGES COLLECTIBLE, BEGINNING THE 1ST DAY OF JULY, 1947, BY EVERY PERSON, FIRM AND CORPORATION MAINTAINING AND OPERATING WITHIN THE CITY OF AUSTIN A BUS SYSTEM FOR LOCAL TRANSPORTATION OF PASSENGERS FOR HIRE USING OR OPERATING UNDER A PUBLIC FRANCHISE; PRESCRIBING PAYMENTS TO THE CITY OF AUSTIN, BASED UPON GROSS ANNUAL RECEIPTS FROM OPERATIONS, BY EVERY PERSON, FIRM AND CORPORATION MAINTAINING AND OPERATING WITHIN THE CITY OF AUSTIN A BUS SYSTEM; FIXING TIMES FOR SUCH PAYMENTS; AND DECLARING AN EMERGENCY."; WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN JUNE 26, 1947, AND IS RECORDED IN BOOK "M", PAGES 523-524, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 1 THEREOF PRESCRIBING RATES FOR THE TRANSPORTATION OF PASSENGERS FOR HIRE BY BUS WITHIN THE CITY OF AUSTIN; REQUIRING THE FILING OF AN ANNUAL FINANCIAL REPORT; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

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

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

The Mayor announced that the ordinance had been finally passed.

## ANNEXATION HEARING SET

Councilwoman Long moved the Council set a public hearing at 10:30 A.M., March 20, 1969, to consider annexing the following:

- (a) 10.79 acres of land out of the William Cannon League - FLOURNOY'S SWEETBRIAR, SECTION FOUR.
- (b) 8.77 acres of land out of the John Applegait Survey - NORTH CREEK.
- (c) 17.31 acres of land out of the William Cannon League - TURTLE CREEK ESTATES, SECTION ONE.
- (d) 12.12 acres of land out of the Isaac Decker League - GLENWOOD SQUARE.
- (3) 17.43 acres of land out of the John Applegait Survey - QUAIL CREEK, SECTION THREE.

Model Neighborhood Area:

- (a) 77.02 acres of land out of the Santiago Del Valle Grant - Valdez Street, Hergotz Lane and unplatted land.

(b) 166.02 acres of land out of the Santiago Del Valle Grant - portions of Vargas Road, East Riverside Drive, East Ben White Boulevard and unplatted land.

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

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

#### RELEASE OF EASEMENT

Councilwoman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for sanitary sewer purposes in, upon and across a part of Lots 19 through 25, inclusive, of Block A, Willow Springs, Section 1, a subdivision of record in Book 45 at Page 14 of the Plat Records of Travis County, Texas; said easement being provided by instrument of record in Volume 2571 at Page 438 of the Deed Records of Travis County, Texas; and,

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

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

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

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

A strip of land ten (10.00) feet in width, same being out of and a part of Lots 19 through 25, inclusive, of Block A, Willow Springs, Section 1, a subdivision of record in Book 45 at Page 14 of the Plat Records of Travis County, Texas; the centerline of said strip of land ten (10.00) feet in width being more particularly described as follows:

BEGINNING at a point in the south or southwest line of said Lot 19, Block A, Willow Springs, Section 1, from which point of beginning an iron stake at the most westerly corner of said Lot 19 bears N 54° 43' W 0.26 of one foot;

THENCE, N 47° 15' E 321.17 feet to an angle point;

THENCE, N 77° 01' E 245.00 feet to point of termination in the east line of said Lot 25, from which point of termination an iron stake at the southeast corner of said Lot 25 bears S 02° 29' W 40.00 feet.

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

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

AERIAL PASSAGEWAY ACROSS BRAZOS STREET  
REQUESTED BY AUSTIN NATIONAL BANK

The Mayor introduced a resolution requesting approval of an aerial passage way across Brazos Street, to be constructed by Austin National Bank. City Manager Tinstman stated that an amendment to the Building Code was necessary, adding the word "street" to the section which permits passageways across alleys. He added that this ordinance had been drawn up.

Mayor Akin introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE KNOWN AS THE BUILDING CODE, BEING AN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, LOCATION AND MAINTENANCE OF BUILDINGS AND STRUCTURES IN THE CITY OF AUSTIN, TEXAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; DECLARING AND ESTABLISHING FIRE DISTRICTS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith," IN SECTION 4509 PERTAINING TO AERIAL PASSAGEWAYS; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman Nichols offered the following resolution and moved its adoption:  
(RESOLUTION)

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

That the application of the Austin National Bank to construct and maintain the hereinafter aerial passageways:

An aerial passageway over the following described street area, to-wit:

A tract of land being a portion of Brazos Street being a street in the original City of Austin, Travis County, Texas, as shown on a map or plat of the original City of Austin on file in the General Land Office of the State of Texas, said tract of land being that portion of said Brazos Street which lies between Lots 1 and 2, Block 57 of said Original City, and Lots 10 and 11, Block 56 of said Original City; and,

An aerial passageway over the following described alley area, to-wit:

A tract of land being a portion of an alley in the Original City of Austin, Travis County, Texas, as shown on a map or plat of the Original City of Austin on file in the General Land Office of the State of Texas, said tract of land being that portion of said alley which lies between Lots 11 and 12, Block 56 and Lots 1, 2, and 3, Block 56 of said Original City;

be, and the same are hereby granted and the Building Inspector is hereby authorized to issue a permit for the construction of such improvements upon the following conditions:

1. That the structures be used for access only, and not for storage or occupancy.
2. That the same be constructed entirely of incombustible materials.
3. That self-closing Class "A" fire doors be placed at each end of said passageways.
4. That if the structures interfere with any public utility facilities all costs of relocation shall be borne by the owner, and that no electric, gas, water, telephone or other lines shall be attached to or permitted to cross on or in said structures.
5. That a minimum clearance of 30 feet above the surface of the above described street and a minimum clearance of 14 feet above the surface of the above described alley be always maintained.

6. That the owner agree to indemnify and save the City of Austin and all its officers, agents, servants and employees harmless from any and all claims growing out of or connected with the construction, use or maintenance of said improvements, said agreement to be executed in a form approved by the City Attorney.

7. That the permit is issued and accepted subject, not only to all traffic, fire, and health regulations, but to the perpetual right of the City to revoke such permit at any time, whereupon all costs and expenses attendant with the removal of any such structures shall be borne by the owner.

8. That the structures shall be constructed and maintained in compliance with all City Ordinances and State Laws.

9. That the permit is granted and is accepted upon the express condition that such permit shall never be construed as granting any right to obstruct or interfere with the usefulness of the street or alley for passage, light, air, or view either as to the public generally or as to owners of property abutting the street or alley.

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

Ayes: Councilmen LaRue, Nichols, Mayor Akin  
Noes: Councilwoman Long  
Present But Not Voting: Councilman Janes

CONTRACTS AWARDED

Councilwoman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 18, 1969, for the construction of a Hangar Building for Browning Aerial Service; and,

WHEREAS, the bid of Air Conditioning Incorporated, in the sum of \$67,300.00, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Construction 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 Air Conditioning, Incorporated, in the sum of \$67,300.00, 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 Air Conditioning, Incorporated.

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

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

Councilwoman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 26, 1969 for the purchase of Fire Hose; and

WHEREAS, the bid of Lorey's Fire Protection Service in the sum of \$8,472.78, 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 Lorey's Fire Protection Service in the sum of \$8,472.78, 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 Lorey's Fire Protection Service.

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

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

REFUND CONTRACT

Mayor Akin introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ASSISTANT TO THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH COLORADO HILLS ESTATES, 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 Councilwoman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Nichols, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

MONTOPOLIS FILL STUDY

Councilwoman Long requested that the City Manager investigate the possibility of moving the Montopolis Sanitary Landfill to an area farther from adjacent subdivisions. She moved the Council instruct the City Manager to conduct this investigation. The motion, seconded by Councilman Nichols, carried by the following vote:

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

SIDEWALKS

City Manager Tinstman reminded Councilman Long that the question of the sidewalk study in progress would appear on the agenda at the next Council meeting.

POLLUTION ON LAKES

Councilman LaRue asked how soon the implementation of the pollution policy for area lakes would take place.

DRAWING NAMES FOR BALLOT SCHEDULES

City Attorney H. Glenn Cortez and the Councilmen announced that the drawing of names for the ballot would take place Monday, March 10th, 1969 at 12 noon.

CITIZEN NOT HEARD

Mrs. Linda Redford, scheduled to appear before the Council to discuss clinic patients at Brackenridge Hospital, did not speak.

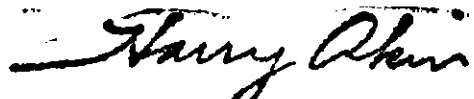
ADJOURNMENT

Councilwoman Long asked that the Council members meet Monday, January 10th, 1969 and go into Executive session to appoint judges for the election. Councilman LaRue moved the Council adjourn. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Council then adjourned.

APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Asst. City Clerk