

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting
March 27, 1969
9:00 A.M.

COUNCIL CHAMBERS, CITY HALL

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 MARSHALL EDWARDS, Windsor Park Baptist Church.

APPROVAL OF MINUTES

Councilman LaRue moved the Council approve the Minutes of February 27, 1969 and March 21, 1969. The motion, seconded by Councilman Long, carried by the following vote:

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

RECOGNITION OF HORACE WALLACE

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Horace Wallace is a kind and generous Austinite, who is earnestly concerned with the well-being of his fellow citizens, and,

WHEREAS, Mr. Wallace has once again remembered his friends in need by coming to their aid, forgetting inconvenience and monetary considerations to himself, and,

WHEREAS, Mr. Wallace visited an old friend in the Brackenridge Hospital and surprised him with an outstanding color print, made by the Wallace Engraving Company of a well-known Porfirio Salinas painting; and,

WHEREAS, Mr. Wallace donated 58 large color Salinas prints made by his engraving company to decorate the Brackenridge Hospital walls and to cheer up hundreds of hospital patients, many unknown to him; and,

WHEREAS, Mr. Wallace acted far and above what is normally expected of the citizens of Austin, it has caused cheer and happiness to come to hundreds of hospital patients and visitors; and,

WHEREAS, this man is a source of great pride to Austin, because of his selfless dedication to his fellow beings. Now, Therefore,

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

That we hereby declare Horace Wallace a distinguished citizen and express our appreciation and thanks to this great man for his outstanding and unselfish deed.

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

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

ZACHARY SCOTT THEATRE SUBSIDY

Judge St. John Garwood appeared before the Council to request \$12,500 for a subsidy for Zachary Scott Theatre and to present a petition to that effect.

Councilman Janes moved the Council refer the request to the staff for recommendation. The motion, seconded by Councilman Nichols, carried by the following vote:

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

HEARING RECESSED

Councilman LaRue moved the Council open and recess the hearing scheduled for 10:30 A.M. The motion, seconded by Councilman Nichols, carried by the following vote:

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

ZONING HEARING REQUESTED

Mrs. Charles Beightler, speaking for the North West Austin Civic Association, appeared before the Council to request a restudy by the Planning Commission of 9.6 acres on the corner of Far West Boulevard and Chimney Corners. Mr. Tom Bradford, an owner of the property in question, appeared before the Council to state that a delay at this point would be a hardship to him because he had already begun construction on the 9.6 acres.

Councilman Long moved the Council request the Planning Commission review the zoning on this particular piece of property, hold a hearing on it, and report back to the City Council with a recommendation. The motion, seconded by Councilman LaRue, carried by the following vote:

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

DUMPING PROBLEM DISCUSSED

Mr. Rollins Martin appeared before the Council to request a 30 day extension of the deadline set for hauling away trash and debris from his property. Councilman Long moved the Council authorize the City Manager to extend the deadline 30 days. The motion, seconded by Councilman Janes, carried by the following vote:

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

ZOO FOR AUSTIN DISCUSSED

Judge Ned Granger appeared before the Council to complain about the mistreatment and neglect of the animals in the Coxville Zoo. He suggested that the City of Austin buy the animals and make a zoo for Austin.

Councilman Long moved the Council refer the matter to the City Manager and the Recreation Department for study and that they report back to the Council. The motion, seconded by Councilman Janes, carried by the following vote:

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

ZONING HEARINGS

Mayor Akin announced that it was 10:30 A.M. and the Council would hear the zoning cases scheduled for public hearing at this time. Pursuant to published notice thereof, the following zoning applications were publicly heard:

WILLIAM E. TEASDALE, ET AL by G. H. Brush C14-69-035	1512-1522 East 51st Street	From "A" Residence to "BB" Residence RECOMMENDED by the Planning Commission
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Councilman Nichols moved the Council grant the change from "A" Residence to "BB" Residence, as recommended by the Planning Commission, subject to the navigation easement. 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 change had been granted to "BB" Residence subject to the navigation easement and instructed the City Attorney to draw the necessary ordinance to cover.

TRUMAN H. MONTANDON
C14-69-037

4007-4009 Avenue C

From "A" Residence, 1st Height
and Area to "B" Residence, 2nd
Height and Area
RECOMMENDED by the Planning
Commission

Councilman Nichols moved the Council grant the change from "A" Residence, 1st Height and Area to "B" Residence, 2nd Height and Area, as recommended by the Planning Commission. 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 change had been granted to "B" Residence, 2nd Height and Area and instructed the City Attorney to draw the necessary ordinance to cover.

LEWIS BARCLAY HERRING
by John B. Selman
C14-69-046

1414-1502 Wheless Ln.

From "A" Residence to "BB"
Residence (as amended)
RECOMMENDED by the Planning
Commission as amended

Councilman Nichols moved the Council grant the change from "A" Residence to "BB" Residence, as amended, as recommended by the Planning Commission, subject to right of way. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols
Noes: None
Out of Room at Mayor Akin
Roll Call:

Mayor Pro Tem Long announced that the change had been granted to "BB" Residence, as amended, subject to right of way and instructed the City Attorney to draw the necessary ordinance to cover.

PHIL MOCKFORD,
TRUSTEE
C14-69-047

103-111 West 38 1/2
Street

From "A" Residence, 1st Height
and Area to "B" Residence, 2nd
Height and Area
RECOMMENDED by the Planning
Commission

Councilman Nichols moved the Council grant the change from "A" Residence, 1st Height and Area to "B" Residence, 2nd Height and Area, as recommended by the Planning Commission. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols
Noes: None
Out of Room at Mayor Akin
Room at Roll
Call:

Mayor Pro Tem Long announced that the change had been granted to "B" Residence, 2nd Height and Area and instructed the City Attorney to draw the necessary ordinance to cover.

LEON SCHMIDT,
TRUSTEE
by Walter Young Jr.
C14-69-049

Tract 1
8111-8205 Burnet Rd.
8215-8217 Burnet Rd.
2306-2314 Teakwood Dr.

From "A" Residential, 1st Height and Area and "GR" General Retail 6th Height and Area to "GR" General Retail 6th Height and Area
RECOMMENDED by the Planning Commission

Tract 2
2300-2304 Teakwood Dr.
8108-8204 Exmoor Dr.

From "A" Residence, 1st Height and Area and "GR" General Retail 6th Height and Area to "B" Residence 6th Height and Area
NOT RECOMMENDED by the Planning Commission save and except the most western 25 feet of the tract which is RECOMMENDED "B" Residence 6th Height and Area

Councilman Nichols moved the Council grant the change for Tract 1 from "A" Residence, 1st Height and Area and "GR" General Retail 6th Height and Area to "GR" General Retail 6th Height and Area, as recommended by the Planning Commission and to uphold the recommendation of the Planning Commission to deny the change on Tract 2 from "A" Residence, 1st Height and Area and "GR" General Retail 6th Height and Area to "B" Residence, 6th Height and Area save and except the most western 25 feet of the tract which is recommended "B" Residence 6th Height and Area by the Planning Commission. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols
Noes: None
Out of Room at
Roll Call: Mayor Akin

The Mayor Pro Tem announced that the change had been granted to "GR" General Retail, 6th Height and Area for Tract 1 and to "B" Residence, 6th Height and Area on the most westerly 25 feet of Tract 2 and instructed the City Attorney to draw the necessary ordinance to cover.

ROBERT D. JONES
by Tom Wiley
C14-69-056

1504-1506 West 6th
St.

From "B" Residence, 2nd Height and Area to "O" Office, 2nd Height and Area (as amended)
RECOMMENDED by the Planning Commission as amended

Councilman Nichols moved the Council grant the change from "B" Residence, 2nd Height and Area to "O" Office, 2nd Height and Area, as amended, as recommended by the Planning Commission. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols
 Noes: None
 Out of Room at
 Roll Call: Mayor Akin

The Mayor Pro Tem announced that the change had been granted to "O" Office, 2nd Height and Area and instructed the City Attorney to draw the necessary ordinance to cover.

J. H. HUDSON by Robert C Sneed C14-69-058	701-703 Barton Springs Rd. Rear of 617-619 Barton Springs Rd.	From "A" Residence, 1st Height and Area to "B" Residence, 2nd Height and Area as amended RECOMMENDED by the Planning Commission as amended
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Councilman Janes moved the Council grant the change from "A" Residence, 1st Height and Area to "B" Residence, 2nd Height and Area as amended, as recommended by the Planning Commission. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols
 Noes: None
 Out of Room at
 Roll Call: Mayor Akin

The Mayor Pro Tem announced that the change had been granted to "B" Residence, 2nd Height and Area and instructed the City Attorney to draw the necessary ordinance to cover.

MRS. N. J. WONSLEY by Robert C. Sneed C14-69-059	311-501 Wonsley Drive	From "A" Residence to "B" Residence RECOMMENDED by the Planning Commission
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Councilman Nichols moved the Council grant the change from "A" Residence to "B" Residence, as recommended by the Planning Commission. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols
 Noes: None
 Out of Room at
 Roll Call: Mayor Akin

The Mayor Pro Tem announced that the change had been granted to "B" Residence and instructed the City Attorney to draw the necessary ordinance to cover.

RICHARD R. GILDON C14-69-054	3612-3624 S. Congress Ave. 100-110 Pickel Rd.	From "A" Residence, 1st Height and Area to "C-2" Commercial, 6th Height and Area NOT RECOMMENDED by the Planning Commission
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Councilman Nichols moved the Council grant the change from "A" Residence, 1st Height and Area to "C-2" Commercial, 6th Height and Area subject to right-of-way. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes:	Councilmen Janes, LaRue, Long, Nichols
Noes:	None
Out of Room at	
Roll Call:	Mayor Akin

The Mayor Pro Tem announced that the change had been granted to "C-2" Commercial, 6th Height and Area subject to right-of-way and instructed the City Attorney to draw the necessary ordinance to cover.

BILL MILBURN by Richard Baker C14-69-042	1208-1210 Chestnut Ave. 2301-2305 E. 13th St.	From "A" Residence to "B" Residence NOT RECOMMENDED by the Planning Commission
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Mr. Richard Baker representing the applicant, described the development plans for the two lots. Rev. Charles Watts, as spokesman for owners of adjoining lots, spoke against the granting of "B" Residence. Mrs. Elmira Ceasar and other residents of the area also spoke against the application. The Mayor being absent, Councilman Nichols moved the Council grant the change to "B" Residence subject to a mutually acceptable agreement on right of way. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes:	Councilmen Janes, LaRue, Long, Nichols
Noes:	None
Out of Room at	
Roll Call:	Mayor Akin

The Mayor Pro Tem announced that the change had been granted to "B" Residence subject to a mutually acceptable agreement on right of way and instructed the City Attorney to draw the necessary ordinance to cover.

ZONING HEARINGS POSTPONED

Councilman LaRue moved the Council postpone discussion on Zoning Cases C14-69-043, C14-69-044 and C14-69-045 until April 17, 1969. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols
 Noes: None
 Out of Room at
 Roll Call: Mayor LaRue

Mr. Paul Hardy, representing the applicant, appeared before the Council to request that the Planning Commission recommendation be overruled on Case C14-69-039. The Council postponed action on this application until the members had looked at the property in question.

Mr. Bob Porterfield appeared before the Council to represent the applicant Ivy L. Kilpatrick, Case C14-69-052. The Council decided to consider the matter further and to postpone action for the time being.

ZONING HEARING

WAYNE M. LAYMON	4300-4302 Avenue H	From "A" Residence, 1st Height
by Bob Porterfield	306 East 43rd St.	and Area to "B" Residence, 2nd
C14-69-051		Height and Area
		NOT RECOMMENDED by the Planning
		Commission

Councilman Nichols moved the Council grant the change from "A" Residence, 1st Height and Area to "B" Residence, 2nd Height and Area with a restrictive covenant that no more than 8 units shall be built. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols
 Noes: None
 Out of Room at
 Roll Call: Mayor Akin

The Mayor Pro Tem announced that the change had been granted to "B" Residence, 2nd Height and Area with a restrictive covenant that no more than 8 units shall be built, and instructed the City Attorney to draw the necessary ordinance to cover.

RECESSED MEETING

2:30 P.M.

ZONING APPLICATION WITHDRAWN

Councilman Nichols moved the Council grant the request of the applicant to withdraw Case C14-69-038. The motion, seconded by Councilman LaRue, carried by the following vote:

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

ZONING HEARING

MR. & MRS. O. W. REINMUTH C14-69-041	3405 Cedar St.	From "A" Residence to "B" Residence NOT RECOMMENDED by the Planning Commission
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Councilman Long moved the Council grant the change from "A" Residence to "B" Residence subject to right-of-way. 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 change had been granted to "B" Residence subject to right-of-way, and instructed the City Attorney to draw the necessary ordinance to cover.

I. N. WHITE by K. Louis Routh C14-69-053	7100 Bethune	From "A" Residence to "O" Office RECOMMENDED by the Planning Commission
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Councilman Nichols moved the Council grant the change from "A" Residence to "O" Office, as recommended by the Planning Commission. 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 change had been granted to "O" Office and instructed the City Attorney to draw the necessary ordinance to cover.

ROBERT D. JONES by Tom Wiley C14-69-057	2305 Longview St.	From "A" Residence to "B" Residence (as amended) RECOMMENDED by the Planning Commission as amended
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Councilman LaRue moved the Council grant the change from "A" Residence to "B" Residence, as amended, as recommended by the Planning Commission. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols
 Noes: None
 Out of Room at
 Roll Call: Mayor Akin

The Mayor Pro Tem announced that the change had been granted to "B" Residence as amended and instructed the City Attorney to draw the necessary ordinance to cover.

WILLIAM C. KENNEDY,
ET AL
by Tom Curtis
C14-69-040

Tract 1
Rear of 7608-7640
Balcones Drive

From Interim "A" Residence, 1st
Height and Area to "BB" Residence
1st Height and Area
NOT RECOMMENDED by the Planning
Commission

Tract 2
Rear of 7018-7024
Balcones Dr.

From Interim "A" Residence, 1st
Height and Area to "BB" Residence
1st Height and Area
RECOMMENDED by the Planning
Commission

Mr. Tom Curtis appeared before the Council as a representative of the applicant to explain the need for a zoning change. Mr. David Barrow also spoke in favor of the application, saying that the change would fit nicely with the present zoning in the neighborhood.

Mrs. Charles Beightler and Mr. Jim Templeton spoke in opposition to the application, stating that they were in favor of retaining the previously established line 1000 feet from Balcones as the limit for apartment and commercial development. Mr. James Perdue and Mr. Stanley Cavett also voiced opposition to the apartment zoning. Consideration of Tract 1 was continued. Interested parties would be notified when the application was to reappear on the agenda.

Councilman Janes moved the Council grant the change from Interim "A" Residence, 1st Height and Area to "BB" Residence, 1st Height and Area for Tract 2 as recommended by the Planning Commission. 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 change had been granted to "BB" Residence, 1st Height and Area on Tract 2 and instructed the City Attorney to draw the necessary ordinance to cover.

AT THIS POINT THE MAYOR LEFT THE MEETING.

ANNEXATION ORDINANCE

Mayor Pro Tem Long introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 0.17 OF ONE ACRE OF LAND, SAME BEING OUT OF AND A PART OF THE THEODORE BISSEL LEAGUE IN THE COUNTY OF TRAVIS, STATE OF TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

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
 Noes: None
 Absent: Mayor Akin

AMENDMENTS TO THE ZONING CODE

Mayor Pro Tem Long introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: DEFINING "RESIDENCE;" AMENDING SECTION 4-A AND SECTION 5 RELATING TO ACCESSORY USES; AMENDING SECTION 10-A TO INCLUDE "SR" AND "AA" RESIDENCE DISTRICTS; DELETING (d) OF PARAGRAPH 1a, SUBSECTION A OF SECTION 10-C; AMENDING SECTION 13 RELATING TO THE REDUCTION OF LOT SIZES IN "SR" AND "AA" RESIDENCE DISTRICTS UNDER CERTAIN CONDITIONS; 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 Janes, LaRue, Long, Nichols
 Noes: None
 Absent: Mayor Akin

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
 Noes: None
 Absent: Mayor Akin

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
 Noes: None
 Absent: Mayor Akin

The Mayor Pro Tem announced that the ordinance had been finally passed.

Mayor Pro Tem Long introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 23.35 OF CHAPTER 23 OF THE AUSTIN CITY CODE OF 1954 CONCERNING REDUCTION OF LOT SIZES FOR PLATS AND SUBDIVISIONS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; 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 Janes, LaRue, Long, Nichols
Noes: None
Absent: Mayor Akin

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
Noes: None
Absent: Mayor Akin

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
Noes: None
Absent: Mayor Akin

The Mayor Pro Tem announced that the ordinance had been finally passed.

JUDGES APPOINTED

Councilman LaRue moved the Council appoint Silas Maxwell as Presiding Judge for Precinct 130 and Clifton Griffin as Presiding Judge in Precinct 423 for the City Council election to be held on April 5, 1969. The motion, seconded by Councilman Nichols, carried by the following vote:

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

RELEASE OF EASEMENTS

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain electric easements were granted to the City of Austin in a deed dated May 28, 1963 of record in Volume 2621 at Page 588 of the Deed Records of Travis County, Texas, same being out of and a part of that certain 26.75 acre tract of land out of the J. C. Tannehill League in Travis County, Texas; and,

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

WHEREAS, the City Council has determined that the hereinafter described portions of said easements are 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 portions of said electric easements, to-wit:

Being all those certain ten (10.00) foot strips of land out of and a part of that certain 26.75 acre tract of land out of the J. C. Tannehill League in Travis County, Texas, which ten (10.00) foot strips of land are to be released from the electric easements provided for in deed dated May 28, 1963, of record in Volume 2621 at Page 588 of the Deed Records of Travis County, Texas.

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

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

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes in, upon and across a part of Tract 1, Rogers Brothers Subdivision, a subdivision in the City of Austin, Travis County, Texas, of record in Book 34 at Page 27 of the Plat Records of Travis County, Texas; and,

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

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

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

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

A strip of land three (3.00) feet in width, same being out of and a part of Tract 1, Rogers Brothers Subdivision, a subdivision in the City of Austin, Travis County, Texas, of record in Book 34 at Page 27 of the Plat Records of Travis County, Texas, which strip of land three (3.00) feet in width is to be released from the public utilities easement five (5.00) feet in width provided for on said map or plat of Rogers Brothers Subdivision, and which strip of land three (3.00) feet in width is more particularly described by metes and bounds as follows:

BEGINNING at the southwest corner of the herein described tract of land, same being a point in the west line of the said public utilities easement five (5.00) feet in width, and from which point of beginning the southeast corner of said Tract 1 bears S 26° 36' E 50.93 feet and S 70° 17' E 7.24 feet;

THENCE, with said west line of the public utilities easement five (5.00) feet in width with the following two (2) courses:

(1) N 26° 36' W 54.53 feet to a point;

(2) N 08° 55' W 9.88 feet to the most northerly corner of the herein described tract of land;

THENCE, S 26° 36' E 63.94 feet to the southeast corner of the herein described tract of land;

THENCE, S 63° 24' W 3.00 feet to the point of beginning.

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

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

PARKING SPACES ESTABLISHED

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there has been submitted to the Building Inspector, the application of UNIVERSITY CENTER (Samuel Dunnam & Company, Inc.) for a building permit together with a site plan dated March 24, 1969 meeting the requirements of Section 10-B, 3 of the Zoning Ordinance of the City, for certain building establishment at 21st & Guadalupe Streets, more particularly described in said application; and,

WHEREAS, it has been found and determined by the City Council of the City of Austin that, based upon the use of the premises for the purpose of erection of a multi-story commercial and residential building the maximum number of parking spaces which will probably be used by employees and customers of such establishment, taking into account the loading facilities on the site, the public parking areas and street space available for parking in the vicinity, public safety, and free circulation of traffic both on and off the site, is six hundred & eight (608) parking spaces; Now, Therefore,

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

That six hundred & eight (608) spaces is an adequate number of parking spaces for the establishment shown on the site plan of UNIVERSITY CENTER dated March 24, 1969, for use of the premises for the purpose of erection of a multi-story commercial and residential building.

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

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

PIPELINE EASEMENT RELEASED

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 City Manager be and he is hereby authorized and directed to grant a pipeline easement on behalf of the City of Austin, to Lone Star Gas Company, for the installation of two certain pipelines in the Decker Lake Area, in accordance with the terms and provisions of that certain easement exhibited to the City Council; and,

BE IT FURTHER RESOLVED;

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

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

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

TRACT DEDICATED FOR STREET

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 following described tract of land owned by the City of Austin, a municipal corporation situated in Travis County, Texas, be and the same is hereby set aside and dedicated for use as a public street and thoroughfare in the City of Austin, said tract being described as follows, to-wit:

0.46 of one acre of land, same being out of and a part of Lots 27 and 28, Block J, Highland Park West, a subdivision of a portion of the Daniel J. Gilbert Survey No. 8, the C. J. Strother Survey No. 611 and the Albert Silsbee Survey No. 1 in the City of Austin, Travis County, Texas, according to a map or plat of said Highland Park West of record in Book 4 at Page 299 of the Plat Records of Travis County, Texas, same also being a portion of that certain 3.36 acre tract of land out of the James P. Davis Survey in the City of Austin, Travis County, Texas; which Lots 27 and 28 and certain 3.36 acre tract of land were conveyed to the City of Austin, a municipal corporation, by the following two (2) warranty deeds:

- (1) Dated November 19, 1964, of record in Volume 2871 at Page 178 of the Deed Records of Travis County, Texas;
- (2) Dated March 15, 1966, of record in Volume 3101 at Page 1460 of the Deed Records of Travis County, Texas;

Said 0.46 of one acre of land being more particularly described by metes and bounds as follows:

BEGINNING at a bolt at the southwest corner of said Lot 27, same being a point in the present east line of Balcones Drive, same also being the most westerly southwest corner of the herein described tract of land;

THENCE, with the said present east line of Balcones Drive N 31° 46' E at 129.88 feet passing a concrete monument, in all a distance of 313.23 feet to a steel pin at the northwest corner of the aforesaid City of Austin 3.36 acre tract of land, same being the northwest corner of the herein described tract of land;

THENCE, with the north line of the said City of Austin 3.36 acre tract of land, same being the south line of that certain tract of land conveyed to E. B. LaRue, Jr., et al of record in Volume 2830 at Page 279 of the Deed Records of Travis County, Texas, S 56° 06' E 95.74 feet to a galvanized pin on the proposed east line of Valley Oak Drive, same being the northeast corner of the herein described tract of land;

THENCE, with the said proposed east line of Valley Oak Drive S 18° 02' E 220.22 feet to a galvanized pin at the point of curvature of a curve having an angle of intersection of 38° 05', a radius of 925.45 feet and a tangent distance of 319.41 feet;

THENCE, along said curve to the left, an arc distance of 81.30 feet, the chord of which arc bears S 20° 33' E 81.27 feet to a concrete monument on the present east line of Valley Oak Drive, same being a point in the north line of the aforesaid Highland Park West subdivision, same also being the most easterly southeast corner of the herein described tract of land;

THENCE, with the said north line of Highland Park West N 56° 09' W 103.03 feet to a square bolt on the present west line of Valley Oak Drive as shown on the aforesaid map or plat of Highland Park West, same being a point in the proposed west line of Valley Oak Drive, same also being the most southerly southwest corner of the herein described tract of land;

THENCE, with the said proposed west line of Valley Oak Drive, N 18° 02' W 245.14 feet to a galvanized pin at the point of curvature of a curve having an angle of intersection of 130° 12', a radius of 20.00 feet and a tangent distance of 43.09 feet;

THENCE, along said curve to the left, an arc distance of 45.45 feet the chord of which arc bears N 83° 08' W 36.28 feet to a galvanized pin at the point of tangency of said curve, same being a point in the proposed east line of Balcones Drive;

THENCE, with the said proposed east line of Balcones Drive, same being a line five (5.00) feet east of and parallel to the aforesaid present east line of Balcones Drive, S 31° 46' W 264.48 feet to a galvanized pin on the south line of the aforesaid Lot 27, same being the most westerly southeast corner of the herein described tract of land;

THENCE, with the said south line of Lot 27, N 60° 09' W 5.00 feet to the point of beginning.

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

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

VACATION OF STREET

Mayor Pro Tem Long introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF FORT VIEW ROAD IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR SANITARY SEWER AND DRAINAGE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman 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
Noes: None
Absent: Mayor Akin

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
Noes: None
Absent: Mayor Akin

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
Noes: None
Absent: Mayor Akin

The Mayor Pro Tem announced that the ordinance had been finally passed.

CONTRACT AWARDED

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 19, 1969, for the construction of approximately 10,879 feet of 8-inch ductile iron sewer main in the Decker Lake Peninsula; and,

WHEREAS, the bid of Bland Construction Company, in the sum of \$256,653.15, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Water and Waste Water Department of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Bland Construction Company, in the sum of \$256,653.15, 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 Bland Construction Company.

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

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

REFUND CONTRACT

Mayor Pro Tem Long introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ASSISTANT TO THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH C. DARRELL HOPKINS AND ASSOCIATES, 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 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
Noes: None
Absent: Mayor Akin

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
Noes: None
Absent: Mayor Akin

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
Noes: None
Absent: Mayor Akin

The Mayor Pro Tem announced that the ordinance had been finally passed.

CONTRACTS AWARDED

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 19, 1969, for the purchase of one 54" White Printing Machine for the Print Shop Division; and,

WHEREAS, the bid of General Aniline Film Corporation, in the sum of \$9,998.00, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of General Aniline Film Corporation, in the sum of \$9,998.00, 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 General Aniline Film Corporation.

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

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

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 13, 1969, for the purchase of forty (40) 30' Galvanized Steel Light Poles for Central Stores to be used by the Electric Distribution Division; and,

WHEREAS, the bid of Econolite, in the sum of \$5,309.20, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Econolite, in the sum of \$5,309.20, be and the same is hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Econolite.

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

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

SALE OF HOUSES

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on March 18, 1969, for the sale of five (5) City-owned houses; and,

WHEREAS, the bids of J. A. Miller in the sum of \$758.00 for the house located at 1323 East 51st Street, in the sum of \$638.00 for the house located at 1419 East 51st Street, and in the sum of \$889.00 for the house located at 1608 Newfield Lane; the bid of William F. Dickinson in the sum of \$25.00 for the house located at 3710 Guadalupe Street; and the bid of Mrs. Opal Moore in the sum of

\$500.00 for the house located at 20 Salina 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 J. A. Miller, William F. Dickinson and Mrs. Opal Moore, 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 Janes, carried by the following vote:

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

PARK ROAD CLOSED

Councilman LaRue moved the Council approve a request from the Parks and Recreation Department to close the park road leading to Strafford Drive from 10:00 A.M. to 5:00 P.M. on Saturday, March 29, 1969, and from 12:00 noon to 5:00 P.M. on Sunday, March 30, 1969, in order to facilitate the operation of the 1969 Natural Science Center Safari. The motion, seconded by Councilman Nichols, carried by the following vote:

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

MO-PAC RIGHT-OF-WAY ACQUISITION

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 offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$9,800.00 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

Lot 7, Block 2, T. C. Steiner Resubdivision of Lots 6, 7 & 8, Block 11, Westfield A, a subdivision in Travis County, Texas, according to the map or plat recorded in Volume 4, Page 70 of the Plat Records of Travis County, Texas.

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

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

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 offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$13,875.00 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

Being all of the north 72.5 feet of the south 152.2 feet of Lot 4, Block 15, Happy Hollow, a subdivision of record in Book 3 at Page 227 of the Plat Records of Travis County, Texas, which north 72.5 feet of the south 152.2 feet of Lot 4 was conveyed to C. H. Brownlee by Warranty Deed dated December 3, 1925, of record in Volume 379 at Page 244 of the Deed Records of Travis County, Texas.

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

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

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 offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$21,625.00 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

Lot 197-A, Tarrytown No. 6, a resubdivision in the City of Austin, Travis County, Texas, according to the Resubdivision Map thereof, of record in Volume 8, Page 131, Map Records of Travis County, Texas.

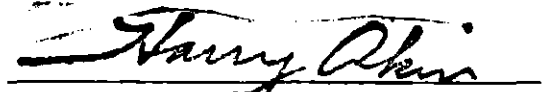
The motion, seconded by Councilman LaRue, carried by the following vote:

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


ADJOURNMENT

The Council then adjourned at 6:00 P.M.

APPROVED:


Mayor

ATTEST:


Asst. City Clerk