

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting
April 10, 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 JOHN T. PAYNE, St. Ignatius Catholic Church.

PRESENTATION OF POLICE ACADEMY GRADUATES

Mayor Akin introduced Officer McCullough who presented the graduating class of the Police Academy. Mayor Akin expressed thanks and appreciation to the new officers.

GUS MUTSCHER DAY DESIGNATED

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Texas Legislature is celebrating April 23, 1969 in honor of the Honorable Gus Mutscher, Speaker of the House; and,

WHEREAS, citizens from all parts of Texas will be in the City of Austin to honor the Speaker and Legislators for this gala occasion; and,

WHEREAS, the City Council in behalf of the City Officials and the citizens of the City of Austin wish to extend the City hospitality in honoring Speaker Mutscher and elected State Officials; Now, Therefore,

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

That April 23, 1969, be called Speaker Gus Mutscher Day, and be it further resolved by the City Council of the City of Austin that the name of Zilker Park be for ceremonial purposes designated Gus Mutscher Park for that day.

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

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

DONATION OF JOHN MCDONALD PORTRAIT

Mayor Akin introduced Judge James W. McClendon and Mr. Max Bickler, who reminisced about the Austin of Mayor John McDonald. Councilman Long thanked both gentlemen for their interest in the historical past of Austin.

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, John McDonald was Mayor of Austin from 1889 to 1895, and was much respected and admired for his many accomplishments; and,

WHEREAS, the original dam was built during his administration to form Lake Austin, then called Lake McDonald; and,

WHEREAS, Roy W. McDonald is a grandson of Mayor John McDonald and is now a prominent attorney in New York City; and,

WHEREAS, said Roy W. McDonald has generously offered an original oil painting of his grandfather done during his lifetime to the City Council and the City of Austin as a memorial to him and a reminder of his accomplishments;
Now, Therefore,

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

This Council accepts with gratitude the portrait of former Austin Mayor John McDonald on behalf of the people of Austin; that the portrait from this day be appropriately displayed and the gratitude of the City of Austin for this generous gift be expressed by a copy of this resolution being delivered to Roy W. McDonald in New York City, and the distinguished Judge James W. McClendon of Austin.

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

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

MISS DEMP TONEY INTRODUCED

Mayor Akin introduced Miss Demp Toney of the Tower Lights Society, commended her on the leadership of her organization and noted that National Secretary Week was currently being commemorated.

RECEIPT OF MONTHLY FINANCIAL STATEMENT

Councilman LaRue moved the Council note the receipt of the five-month financial statement, ending February 28, 1969. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Noes: None

ANNEXATION ORDINANCE

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 27.02 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. A. G. BROOKS AND THE H. T. DAVIS SURVEYS; 22.79 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; 7.68 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; 32.00 ACRES OF LAND, SAME BEING TWO (2) TRACTS OF LAND OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; 40.70 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; 0.19 OF ONE ACRE OF LAND, SAME BEING THREE (3) TRACTS OF LAND OUT OF THE THEODORE BISSEL LEAGUE; ALL OF WHICH ARE LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Long 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.

RIGHT OF WAY ORDINANCE

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 2.01 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; 4.13 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE HENRY P. HILL LEAGUE AND THE CHARLES RIDDLE SURVEY; 64.29 ACRES OF LAND, SAME BEING TWO TRACTS OF LAND OUT OF THE JAMES P. WALLACE SURVEY NO. 18; 156.50 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NUMBER 57, THE J. C. TANNEHILL LEAGUE, AND THE J. A. G. BROOKE, WILLIS AVERY, JOHN APPLGATE AND H. T. DAVIS SURVEYS; 5.04 ACRES OF LAND, SAME BEING TWO TRACTS OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT; 1.39 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT;

AND 14.75 ACRES OF LAND OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE, ALL OF WHICH ARE LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

MODEL NEIGHBORHOOD AREA

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 166.02 ACRES OF LAND, SAME BEING TWO (2) TRACTS OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT; AND 77.02 ACRES OF LAND, SAME BEING OUT OF THE SANTIAGO DEL VALLE GRANT; ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

SIDEWALK DEVELOPMENT POLICY

Mayor Akin introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 23 OF THE AUSTIN CITY CODE OF 1954 SO AS TO REQUIRE THE INSTALLATION OF SIDEWALKS UNDER CERTAIN CONDITIONS; 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 Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

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

Noes: None

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

LOTS 2-A AND 2-B OF THE RESUBDIVISION OF LOT 2 OF THE HHR RESUBDIVISION, LOCALLY KNOWN AS 6508-6510 HICKMAN AVENUE, 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 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.

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: LOT 2, BREEZY HOLLOW, NO. 5, SECTION 1, LOCALLY KNOWN AS 1523 KOENIG LANE AND 5805-5807 ARROYO SECA, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

ACQUISITION OF PROPERTY

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the expansion of Robert Mueller Municipal Airport in the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land to provide for the expansion of said Robert Mueller Municipal Airport; and,

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

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

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

.282 of one acre of land, being a portion of Lot No. 22, Ridgetop Gardens, a subdivision of a portion of the James P. Wallace League and James Burleson Survey in Travis County, Texas, according to the plat of record in Plat Book 3, page 50 of the Travis County Plat Records, said .282 of one acre being a portion of that tract of land which contains portions of Lots Nos. 20, 21, 22, 23 and 24, as conveyed by deed from R. W. Norris to W. T. Cruse, as recorded in Volume 394, page 550, of Travis County Deed Records, more particularly described by metes and bounds as follows:

BEGINNING at an iron pipe in the North line of Lot 22, of Ridgetop Gardens, a subdivision of a portion of the James P. Wallace League and James Burleson Survey in Travis County, Texas, according to the plat of record in Plat Book 3, page 50, of Travis County Plat Records, and said .282 acres being a portion of the W. T. Cruse tract as recorded in Book 394, page 550, of the Travis County Deed Records, for the Northwest corner of this tract hereby conveyed, and from which iron pipe the original Northwest corner of Lot 20, of Ridgetop Gardens bears North 60° 00' West 259.4 feet;

THENCE, with the North line of Lot No. 22 of Ridgetop Gardens, which is also the South line of Airport Road, South 60° 00' East for fifty-five (55) feet to an iron pipe for the Northeast corner of this tract hereby conveyed, from which pipe the Northeast corner of Lot 22, Ridgetop Gardens, bears South 60° 00' East 130.74 feet;

THENCE, South 30° 00' West 223.1 feet to an iron pipe in the South line of said W. T. Cruse tract for the Southeast corner of this tract;

THENCE, with the South line of said W. T. Cruse tract North 60° 00' West for 55 feet to an iron pipe for the Southwest corner of tract;

THENCE, North 30° 00' East for 223.1 feet to THE PLACE OF BEGINNING, and being the same property conveyed to Ruel McPherson et ux, Leota McPherson by Wylie McPherson et ux, Emilie Ann McPherson by deed dated July 16, 1954 of record in Volume 1484, page 445 of the Deed Records of Travis County, Texas.

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

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

PLUMBING BOARD APPOINTMENT

The Council postponed action on filling the architect vacancy on the Plumbing Board so that the new Council would have the right to appoint someone for the position.

PUBLIC HEARINGS SET

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 0.36 OF ONE ACRE OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT AND 0.987 OF ONE ACRE OF LAND, SAME BEING OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE; ALL OF THE ABOVE LAND BEING SITUATED IN TRAVIS COUNTY TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman Nichols moved that the ordinance be published in accordance with Article I, Section 6 of the Charter of the City of Austin and set for public hearing on April 24, 1969 at 10:30 A.M. The motion, seconded by Councilman Janes, carried by the following vote:

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

Noes: None

EASEMENTS RELEASED

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain easements were granted to the City of Austin for public utility purposes in, upon and across a portion of Lots 1 through 5, Block B, Battle Bend Springs, Section One, a subdivision in the City of Austin, Travis County, Texas, of record in Book 44 at Page 39 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 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 public utility easements, to-wit:

Three (3) strips of land, same being out of and a part of Lots 1 through 5, Block B, Battle Bend Springs, Section One, a subdivision in the City of Austin, Travis County, Texas, of record in Book 44 at Page 39 of the Plat Records of Travis County, Texas; the strip of land hereinafter described as Number One being seven and one-half (7.50) feet in width and the strips of land hereinafter described as Number Two and Number Three being five (5.00) feet in width; the centerline of each of the said three (3) strips of land is more particularly described as follows:

NUMBER ONE, BEGINNING at the intersection of the west line of Spanish Bluff Drive and a line 3.75 feet south of and parallel to the north line of said Lot 1, Block B, Battle Bend Springs, Section One;

THENCE, with the said line 3.75 feet south of and parallel to the north line of Lot 1, and its westerly prolongation, in a westerly direction to a point in the southerly prolongation of a line 3.75 feet west of and parallel to the east line of Lots 3 and 4;

THENCE, with the said line 3.75 feet west of and parallel to the east line of Lots 3 and 4, and its southerly prolongation, in a northerly direction to a point in a line 3.75 feet west of and parallel to the east line of Lot 5;

THENCE, with the said line 3.75 feet west of and parallel to the east line of Lot 5, in a northerly direction to point of termination in the north line of said Lot 5, same being the south line of Lot 6.

NUMBER TWO, BEGINNING at the intersection of the curving north line of Battle Bend Boulevard and a line two and one-half (2.50) feet east of and parallel to the west line of said Lot 1;

THENCE, with the said line two and one-half (2.50) feet east of and parallel to the west line of Lot 1, in a northerly direction to point of termination in the south line of Strip Number One described above.

NUMBER THREE, BEGINNING at the intersection of the curving north line of Battle Bend Boulevard and a line two and one-half (2.50) feet west of and parallel to the east line of Lot 2;

THENCE, with the said line two and one-half (2.50) feet west of and parallel to the east line of Lot 2, in a northerly direction to point of termination in the south line of Strip Number One described above.

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

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes in, upon and across a part of the remaining portion of 1-B, resubdivision of a portion of Mrs. Clotilde Ida Mansbendel Subdivision, a subdivision in the City of Austin, Travis County, Texas, of record in Book 37 at Page 43 of the Plat Records of Travis County, Texas; a map or plat of said Mrs. Clotilde Ida Mansbendel Subdivision being of record in Book 11 at Page 86 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; SAVE AND EXCEPT, however, there is to be retained a sanitary sewer easement in, upon and across the entirety of the strip of land described below; Now, Therefore,

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

April 10, 1969

CITY OF AUSTIN, TEXAS

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

A strip of land ten (10.00) feet in width, same being out of and a part of the remaining portion of 1-B, resubdivision of a portion of Mrs. Clotilde Ida Mansbendel Subdivision, a subdivision in the City of Austin, Travis County, Texas, of record in Book 37 at Page 43 of the Plat Records of Travis County, Texas; a map or plat of said Mrs. Clotilde Ida Mansbendel Subdivision being of record in Book 11 at Page 86 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 west line of King Street, and from which point of beginning the northeast corner of Lot 2-B in said Resubdivision of a portion of Mrs. Clotilde Ida Mansbendel Subd. bears S 30° 09' W 128.03 feet and S 60° 17' E 9.00 feet;

THENCE, N 60° 17' W 151.22 feet to point of termination in the most southerly west line of said Lot 1-B, and from which point of termination the most easterly northeast corner of Tract A in said Mrs. Clotilde Ida Mansbendel Subdivision bears N 30° 08' E 5.00 feet.

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

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for sanitary sewer and drainage purposes in, upon and across a part of Lot 18, Block G, Wooten Terrace, Section Three, a subdivision in the City of Austin, Travis County, Texas, of record in Book 39 at Page 7 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 sanitary sewer and drainage easement, to-wit:

A strip of land five (5.00) feet in width, same being out of and a part of Lot 18, Block G, Wooten Terrace, Section Three, a subdivision in the City of Austin, Travis County, Texas, of record in Book 39 at Page 7 of the Plat Records of Travis County, Texas; the centerline of said strip of land five (5.00) feet in width being more particularly described as follows:

BEGINNING at the intersection of the curving west line of Fireside Drive and a line two and one-half (2.50) feet north of and parallel to the south line of said Lot 18, Block G, Wooten Terrace, Section Three;

THENCE, with the said line two and one-half (2.50) feet north of and parallel to the south line of Lot 18, N 79° 54' W 111 feet, more or less, to point of termination in the east line of an existing public utilities easement seven and one-half (7.50) feet in width.

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

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes in, upon and across a portion of Lot 19, Block G, Wooten Terrace, Section Three, a subdivision in the City of Austin, Travis County, Texas, of record in Book 39 at Page 7 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; SAVE AND EXCEPT, there is to be retained an electrical overhang easement over and across the entire strip of land two and one-half (2.50) feet in width as described below; Now, Therefore,

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

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

A strip of land two and one-half (2.50) feet in width, same being out of and a part of Lot 19, Block G, Wooten Terrace, Section Three, a subdivision in the City of Austin, Travis County, Texas, of record in Book 39 at Page 7 of the Plat Records of Travis County, Texas; the centerline of said strip of land two and one-half (2.50) feet in width being more particularly described as follows:

BEGINNING at the intersection of the south line of said Lot 19, Block G, Wooten Terrace, Section Three, and a line 6.25 feet east of and parallel to the west line of said Lot 19;

THENCE, with the said line 6.25 feet east of and parallel to the west line of Lot 19, N 00° 31' W 75 feet, more or less, to point of termination in the south line of an existing sanitary sewer and drainage easement ten (10.00) feet in width.

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

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

MASTER PLAN AMENDMENTS PUBLIC HEARING SET

Councilman Long moved the Council set a public hearing for 10:30 A.M. on April 24, 1969, to consider the following amendments to the Master Plan:

- (1) Approximately 4 acres from Suburban Residential to Manufacturing and Related Uses located at U.S. Highway 183 westerly to Old Highway 183 from Hamilton Lane southerly to Balcones Drive (Mo-Pac Expressway). (Additional area approximately 100 acres added by Master Plan Committee for consideration.)
- (2) Approximately 15 acres from Suburban Residential to Commercial Service and Semi-Industrial located at Kramer Lane north to proposed extension of Braker Lane from Plains Trail easterly to a line approximately 1000 feet west of North Lamar Boulevard.
- (3) One lot in Allandale, Section 3 from Manufacturing and Related Uses to Medium Density Residential located at U.S. Highway 183 to approximately 300 feet south from Shoal Creek to approximately 250 feet east of Shoal Creek Boulevard.

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

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

AUSTIN AMBULANCE CONTRACT EXTENDED

After some discussion, the Council decided to extend the contract with Austin Ambulance for another thirty days beyond May 6, 1969. Councilman LaRue moved the Council authorize the City Manager to enter into contract for this extension. The motion, seconded by Councilman Long, carried by the following vote:

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

CONTRACT EXTENSIONS

Councilman Long 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 enter into an extension of the existing contract between the City of Austin and the FAA for the Approach Light Lane, Instrument Landing, and Visual Approach Slope Indicator Sites, for a ten-year period effective July 1, 1969 and ending June 30, 1979, in accordance with the terms and provisions of that certain extension contract exhibited to the City Council; and,

BE IT FURTHER RESOLVED:

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

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

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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 approve an amendment to the existing contract with the Texas National Guard revising the taxiway from the leased area to the Municipal Airport runway complex, in accordance with the terms and provisions of that certain amendment exhibited to the City Council; and,

BE IT FURTHER RESOLVED:

That the City Clerk is hereby directed to file a copy of said amendment 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, Mayor Akin
Noes: None

CLINICAL AIR SYSTEM PURCHASE

Councilman Long 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, R. M. Tinstman, be and he is hereby authorized and directed to execute on behalf of the City of Austin a change order contract with the Citadel Construction Company, Inc., amending certain provisions of the contract existing between the City of Austin and the Citadel Construction Company, Inc. for the construction of Phase 1-A of the Brackenridge Hospital, by adding to that contract the requirement for a clinical air system to be installed by the mechanical contractor, J. M. Boyer, Inc., for the additional cost of \$28,838.00.

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

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

AUTOMOBILE LIABILITY INSURANCE PREMIUM

Mr. Norman Barker, Finance Director, appeared before the Council to discuss a substantial increase in the Automobile Liability Insurance Premium. The matter did not require Council action, as the item was budgeted. However, City Manager Tinstman wanted the opinion of the Council, stating that he recommended payment of the increase.

Councilman Long moved the Council concur with the recommendation of the City Manager. The motion, seconded by Councilman Nichols, carried by the following vote:

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

COMPUTER TAPE COMPONENTS PURCHASE

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by virtue of a certain Resolution authorizing entry into an agreement for lease, with option to purchase, the City has executed such legal contract with purchase option for three MAI Computer Tape Drive Units; and,

WHEREAS, it is deemed desirable and advantageous to the City to exercise such purchase option according to the terms of the aforesaid agreement; Now, Therefore,

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

That the City Manager be, and he is hereby, authorized and directed to exercise the option for the purchase of the above referenced tape drive units for the amount of \$37,950.00, plus the rental credit of \$12,650.00 already accrued to the City by virtue of said agreement.

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

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

PARADE PERMIT GRANTED

Councilman Nichols moved the Council grant the request of the Ben Hur Shrine Temple for a parade permit, subject to the approval of various departments. The motion, seconded by Councilman LaRue, carried by the following vote:

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

ZONING REQUEST WITHDRAWN

Councilman Nichols moved the Council allow Sharon Anderson and Frances M. Blakemore to withdraw their request for a zoning change for 4205-4207 Duval Street and 501-503 Park Boulevard. The motion, seconded by Councilman LaRue, carried by the following vote:

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

SPECIAL MEETING MINUTES APPROVED

Councilman Nichols moved the Council approve the Minutes of the Special Meeting of Monday, April 7, 1969. 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

CONTINUATION OF ZONING HEARING (From March 27 and April 3)

Mayor Akin announced that it was 2:30 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:

April 10, 1969

PAUL HARDY

906-908 Romeria Dr.

From "A" Residence to "B"
Residence
NOT RECOMMENDED by the
Planning Commission

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.

AUSTIN LAND
INVESTMENTS, INC.
by John B. Selman

Rear of 3221-3509
Clawson

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

Councilman Nichols moved the Council grant the change from "A" Residence, 1st Height and Area to "BB" Residence, 1st Height and Area, as amended, 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 "BB" Residence, 1st Height and Area as amended and instructed the City Attorney to draw the necessary ordinance to cover.

ZONING SET FOR PUBLIC HEARING

The City Manager reported that the following zoning application had been referred to the Planning Commission for recommendation and had been set for public hearing on April 17, 1969:

WILLIAM C. KENNEDY
ET AL
by Tom Curtis

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

Councilman LaRue moved the Council set the hearing on this zoning application for April 17, 1969, and that notices be sent to the adjacent property owners. The motion, seconded by Councilman Nichols, carried by the following vote:

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

ZONING ORDINANCES

City Attorney Glenn Brown announced that two applications for zoning change were ready to be passed, now that the right of way had been obtained.

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 19,026 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 413-507 WEST 38-1/2 STREET, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman 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.

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: LOT 13, GLENVIEW ADDITION, LOCALLY KNOWN AS 3401 GLENVIEW AVENUE AND 1604-1606 WEST 34TH STREET, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the 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.

STATUS OF COMMUNITY RENEWAL PROGRAM CONSIDERED

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin and the United States Department of Housing and Urban Development have entered into an agreement for the development of a community renewal program, the component studies and general draft of which program was completed in the periods from 1966 to 1968 based on information available prior to 1967; and,

WHEREAS, during the past two years major and dramatic changes have occurred in Austin related to the community renewal program, including; (1) establishment of a Model Neighborhood Planning Area under the Model Cities Program; (2) unusually high rate of growth during which new housing has not been able to keep pace with demand; (3) the potential impact of various programs under the Housing Act of 1968 involving extensive private and public development; (4) the demands for public services and facilities created by such rapid development; and,

WHEREAS, the above major changes requires that the City be granted an extension by the United States Department of Housing and Urban Development of time for submission of its community renewal program in order that such submission may be adequately related to the needs, capabilities and other plans and programs in the community as now seem appropriate; Now, Therefore,

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

That the City Manager be, and he is hereby authorized to make application to the United States Department of Housing and Urban Development for an extension of time for the submission by the City of Austin of the community renewal program in accordance with the above premises.

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

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

LETTER CONCERNING AUSTIN DOG PROBLEM

Councilman Long read a letter asking that something be done about loose, and barking, dogs in Austin. She stated that she thought owners of such animals should be fined and that loose dogs should be picked up. City Manager Tinstman discussed with her the necessity of hiring increased personnel for this job, and said he would look into the problem.

ABANDONED CARS

Councilman Long also inquired about broadening the definition of "abandoned cars". She stated that she is having the City Attorney and City Manager look into possibilities for broadening the term.

RIGHT OF WAY PURCHASE

Councilman Long 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 \$13,550.00 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:

SEE ATTACHED EXHIBIT "A".
(See original Resolution for Exhibit "A")

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

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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 \$13,000.00 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 No. Two A (2A) of Resubdivision of Lots Nos. One (1) and Two (2), Block Four (4), Herman Brown Addition in the City of Austin, Travis County, Texas, according to the map or plat of said resubdivision of record in Book 10, Page 83, of the Travis County Plat Records.

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

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

SALE OF PROPERTIES

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on April 1, 1969, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 56-69, by which the Board accepted the bid of William M. Day, Jr. for the purchase of parcels GR-1, GR-2 and GR-3, tracts of land situated in the Kealing Urban Renewal Project No. Tex. R-20 and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 56-69, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 2nd day of April, 1969, by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said property; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 56-69;

NOW, THEREFORE:

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

That the price and conditions set forth in the Bid of William M. Day for the purchase of parcels No. GR-1, GR-2, GR-3 in the Kealing Urban Renewal Project No. Tex. R-20 are hereby approved.

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

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

Councilman Nichols offered the following resolution and moved its adoption

(RESOLUTION)

WHEREAS, on April 1, 1969, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 57-69, by which the Board accepted the bid of Holiday Realty Company, Inc. for the purchase of parcel R-31, a tract of land situated in the Kealing Urban Renewal Project, No. Tex. R-20 and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 57-69, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 2nd day of April, 1969, by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said property; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 57-69;

NOW, THEREFORE:

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

That the price and conditions set forth in the Bid of Holiday Realty Company, Inc. for the purchase of parcel No. R-31 in the Kealing Urban Renewal Project No. Tex. R-20 are hereby approved.

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

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

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on April 1, 1969, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 58-69, by which the Board accepted the bid of Emco Developers, Inc. for the purchase of parcels No. R-37 and R-38, tracts of land situated in the Kealing Urban Renewal Project No. Tex. R-20 and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 58-69, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 2nd day of April, 1969 by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said property; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 58-69;

NOW, THEREFORE:

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

That the price and conditions set forth in the Bid of Emco Developers, Inc. for the purchase of parcels No. R-37 and R-38 in the Kealing Urban Renewal Project No. Tex. R-20 are hereby approved.

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

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

ADJOURNMENT

The Council then adjourned.

APPROVED:

Harry Akin
Mayor

ATTEST:

Grace Monroe
Asst. City Clerk