# MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 23, 1969 9:30 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor LaRue presiding.

Roll Call:

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

The invocation was delivered by REVEREND RICHARD E. McCABE, Catholic Charities.

## UTILITY RATE STUDY REPORT

Councilman Price moved that the Council note receipt of the Ebasco Company Report, "Utility Rate Study". The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes:Councilmen Atkison, Gage, Price, Mayor LeRueNoes:NoneAbsent:Councilmen Janes, Johnson, MacCorkle

#### INVITATION

Representatives from Camp Gary Job Corps extended an invitation to the Council and the citizens of Austin to attend the open house at Camp Gary, Wednesday, October 29th, so they might have a first-hand look at where the tax dollars are being spent. The representatives were Don Mooney, Troy Smith, Gerald Williams and Alfred Chavez. Councilman Gage recognized his father-inlaw, Mr. Don McIvers, a member of the Camp Gary staff. Mr. McIvers added a cordial invitation from the staff. He stated they had 3,000 young men in training in 37 different occupations and during the  $4\frac{1}{2}$  year period, they had taken 22,000 of these young men who were drop outs from school and taught them a vocation where they could earn their living, contribute to the economy, pay taxes and be good citizens. He felt they meant a lot to Austin and Austin meant a lot to them. The Mayor thanked them for the invitation and stated they looked forward to the visit at the Job Corps Camp in San Marcos.

#### ZONING ORDINANCES

Mayor LaRue introduced the following ordinance:

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

THE EAST 150 FEET OF LOT 2, GRAHAMS SUBDIVISION OF OUTLOTS 52, 54, 59 AND 60, DIVISION D, LOCALLY KNOWN AS 701-705 WEST 26TH STREET AND 2512-2514 RIO GRANDE STREET, FROM "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOT 4 AND THE EAST 9.1' OF LOT 3, BLOCK 11, BROAD-ACRES, LOCALLY KNOWN AS 1505 WEST NORTH LOOP BOULE-VARD, 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 Price moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

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

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOT 11 AND WEST 38 FEET OF LOT 10, OUTLOT 4, BURLAGE SUBDIVISION, LOCALLY KNOWN AS 1007-1011 SHOALCREEK BOULEVARD, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

## ANNEXATION ORDINANCE POSTPONED

The Council held until next week the second reading of the following annexation ordinance:

26.63 acres of land out of the James P. Wallace Survey No. 57 - unplatted land.

## NAMING OF LIBRARY BRANCH

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, City of Austin, through the public library, from time to time acquires additional branches to the main library; and,

WHEREAS, it is advisable for such branch libraries to be given distinctive names; and,

WHEREAS, the City of Austin has recently entered into a contract for an additional branch library; Now, Therefore,

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

That the building located at the southwest corner of First Street at its intersection with Canadian Street in the City of Austin, Travis County, Texas, more commonly known as 2131 East First Street, be known as the Canadian Street Branch of the Austin Public Library as long as such premises are used as a branch library.

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

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

Mr. Barker, City Manager, stated this naming was the recommendation of the Director of the Library System and was consistent with practice in the past to name a library branch in reference to the street location of that branch and he recommended approval.

TO

#### SPEED LIMITS

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the twenty (20) miles per hour speed limit controlling traffic on school days from 7:30 A.M. to 4:30 P.M., when pedestrians are present, is no longer needed and should be DELETED at the following locations:

## ON STREET

#### FROM

Airport

Alice Avenue Anderson Lane Ashwood Rœd Avenue B Balcones Drive

Berkman Drive Bluebonnet Lane

Bouldin Avenue Brackenridge Street Canadian Canadian Chicon

Chicon Chicon Clarkson Comal

Dawson Drive Duval Exposition Blvd. Exposition Blvd. Gonzales Guadalupe Hampton Blvd. Hargrave

Harris Avenue Haskell

Hether Holly

Jefferson Johanna Justin Lane Ledesma Leland Avenue

300 feet west of Guadalupe 43rd Street Woodrow Street Maplewood 38号 Street Crestway Wheeless Lane Ford Street Annie Street Live Oak Garden East 1st Street Tillotson Street East 16th Street New York Street 49th Street 200 feet North of Haskell Street Burns Street East 33rd Street McCullough Street 10th Street Shady Lane Koenig Lane 32nd Street Neal Street Harris Park Avenue 200 feet East of Chalmers Avenue Goodrich Street 200 feet East of Chalmers Avenue

33rd Street

Arroyo Seca

Richardine

Congress Avenue

Congress Avenue

300 feet East of Guadalupe 45th Street Tisdale Drive Kirkwood Road 41st Street South 200 feet South of Hancock Sweetbriar Street 300 feet South of Zilker School Jewell Street Mary Street East 1st Street East 6th Street 200 feet South of East 11th Street East 18th Street Washington Street 52nd Street 200 feet South of Haskell Street Airport Street East 34th Street Casis School 12th Street Springdale Road Wilmes Drive Greenway Drive 300 feet North of Anderson School Red River Street 200 feet West of Comal Street Bluebonnet Lane 200 feet West of Comal Street 35th Street Brackenridge Street Yates Avenue Lott Avenue Clifton Street

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## ON STREET

Manchaca Road Maplewood McCall Road Monroe Montopolis Drive Northeast Drive Northhills Drive

Oltorf Oltorf Oltorf Peyton Gin Road Ponca Red River Red River Richcreek Road Rio Grande Rosewood Avenue San Jacinto Boulevard Shady Lane South 1st South 1st Springdale Road

St. Elmo Road St. Johns Avenue

St. Johns Avenue

St. Joseph Boulevard Thompson Treadwell Boulevard Vargas Road Vargas Road West Avenue West Lynn Wheeless Lane 1st Street 5th Street East 10th Street East 11th Street East 11th Street West 19th Street East 34th Street West 38 층 Street East 39th Street West 40th Street West 45th Street West 51st Street East

FROM

Parkside Lane 38 <del>호</del> Street Griswold Lane 3rd Street Club Terrace Vanderbilt Lane 300 feet West of the West line of Murchison School Live Oak South 3rd Street South Congress Little Walnut Parkway Thrasher Lane Luther Lane 31st Street Burnet Road 10th Street Hargrave Street Trinity East 7th Street St. Elmo Road Clifford Avenue Ribbecke Avenue South 1st Street East Frontage Road West Frontage Road Burnet Hargrave Hunt Trail Lynch Lane Felix Avenue 10th Street 8th Street North Hampton Drive West Service Road Linden Street San Jacinto Concho Street West Avenue East Avenue Mills Street Cherrywood Street Avenue "C" Avenue "C" Burnet Road Eilers Street

 $\underline{TO}$ 

Berkley Avenue Kirkwood Road Windsor Road 5th Street Porter Street Colgate Lane 300 feet East of the East line of Murchison School Rebel Road South 5th Street Euclid Street Brookfield Vargas Road 37th Street Luther Street Greenhaven Drive 14th Street Webberville Road 21st Street Airport Boulevard Radam Lane Clover Circle 200 feet South of East 12th Street James Casey Street I.H. 35 to Carver Avenue I.H. 35 to Twin Crest Drive Hardy Drive Webberville Bullard Drive Felix Avenue Lynch Avenue 14th Street 10th Street Peggy Street Sabine Street Tillery Street Brazos Street Chicon Street Nueces Street Whittier Street Jefferson Street Clarkson Street Guadalupe Street Guadalupe Street Bellview Street Airport Boulevard;

Now, Therefore,

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

That the record of the above-referenced location be marked "DELETED" so as to reflect the tenor of this Resolution and the findings herein.

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

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

Councilman Gage offered the following resolution and moved its adoption:

# (RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the twenty (20) miles per hour speed limit controlling traffic is no longer needed and should be DELETED at the following locations:

# ON STREET

#### FROM

Ashwood Road Avenue B Berkman Drive Bluebonnet Lane

Bouldin Avenue Brackenridge Street Canadian Clarkson East Avenue Exposition Boulevard Exposition Boulevard Fairview Drive Hampton Boulevard Hargrave

Hether Jefferson Johanna Justin Lane Leland Avenue Manchaca Road Maplewood Monroe Oltorf

Oltorf Prather Lane Red River Red River Rio Grande Rogge Lane

Rogge Lane

Maplewood 38 ½ Street Wheeless Lane Ford Street

Annie Street Live Oak Garden Street 49th Street Driskill Street McCullough Street 10th Street Hancock Drive 32nd Street Neal Street

Goodrich Street 33rd Street Congress Avenue Arroyo Seca Congress Avenue Casey Street 38 ½ Street 3rd Street Live Oak Street

South Congress Manchaca Road Luther Lane 31st Street 10th Street Gloucester Lane

Delwood Courts

OT

Kirkwood Road 41st Street Sweetbriar Street 300' South of Zilker School Jewell Street Mary Street First Street 52nd Street Rrd Street Casis School 12th Street Big Bend Drive Greenway Drive 300 feet North of Anderson School Bluebonnet Lane 35th Street Brackenridge Street Yates Avenue Clifton Street Redd Street Kirkwood Road 5th Street West Property Line of Wm. B. Travis School Euclid Street Keats Drive 37th Street Luther Street 14th Street 200 feet East of Reicher Drive Delwood Drive

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#### ON STREET

Rosewood Avenue San Jacinto Shady Lane South 1st South 1st

Thompson West Avenue West Lynn 10th Street East 11th Street East 11th Street West 19th Street West 24th Street West 34th Street West 39th Street West 40th Street West 45th Street West 51st Street East

# FROM

Hargrave Street Trinity East 7th Street St. Elmo Road El Paso Street Hargrave 10th Street 8th Street Trinity Street Concho Street West Avenue Fast Avenue San Antonio Street Mills Street Cherrywood Street Avenue "C" Avenue "C" Burnet Road Eilers Street

TO

Webberville Road 21st Street Airport Boulevard Radam Lane 75' South of South Park Webberville 14th Street 10th Street Brazos Street Chicon Street Nueces Street Whittier Street Rio Grande Street Jefferson Street Clarkson Street Guadalupe Street Guadalupe Street Bellview Street Airport Boulevard

Now, Therefore,

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

That the record of the above-referenced location be marked "DELETED" so as to reflect the tenor of this Resolution and the findings herein.

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

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

Councilman Gage offered the following resolution and moved its adoption:

# (RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the twenty (20) miles per hour speed limit controlling traffic on school days from 7:30 A.M. to 4:30 P.M. is no longer needed and should be DELETED at the following locations:

ON STREET	FROM	$\underline{\mathrm{TO}}$
Burnet Road	300 feet South of Teakwood	200 feet North of Shamrock Drive
Burnet Road	Pasadena Street	300 feet North of St. Joseph
Koenig Lane	Link Avenue	150 feet West of Guadalupe
Live Oak East	Alta Vista Avenue	Brooklyn Street

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#### ON STREET

FROM

Manchaca Road Manor Road

McCall Road St. Joseph Boulevard Webberville Road 5th Street East Casey Street 500 feet North of Rogge Lane Griswold Lane Burnet Ribbecke Avenue Linden Street  $\underline{TO}$ 

Redd Street 500 feet South of Rogge Lane Windsor Road Hardy Drive Delores Avenue Tillery Street

DIRECTION OF

Now, The refore,

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

That the record of the above-referenced location be marked "DELETED" so as to reflect the tenor of this Resolution and the findings herein.

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

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

## TEMPORARY ONE-WAY STREETS

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

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

#### FROM

тo

6:00 A.M., October 25, 19697:00 P.M., October 25, 19696:00 A.M., November 8, 19697:00 P.M., November 8, 19696:00 A.M., November 15, 19697:00 P.M., November 15, 1969;

such locations and streets being described as follows:

STREET	FROM	TO	ONE-WAY MOVEMENT
Red River Street	15th Street	32nd Street	Southbound
San Jacinto Street	Trinity Street	30th Street	Northbound
Park Place	San Jacinto Street	Red River Street	Eastbound;

Now, Therefore,

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

That traffic is designated to move only in the direction above indicated at the locations and times therein indicated, and that the City

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

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

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

Councilman Gage offered the following resolution and moved its adoption:

# (RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the free flow and expeditious handling of traffic under conditions existing at the location described below require that traffic upon such street move only in a one-way direction during the following times:

FROM

TO

6:00 A.M., October 25, 1969	3:30 P.M., October 25, 1969
6:00 A.M., November 8, 1969	3:30 P.M., November 8, 1969
6:00 A.M., November 15, 1969	3:30 P.M., November 15, 1969

such location and street being described as follows:

STREET	FROM	TO	DIRECTION OF ONE-WAY
Manor Road	Red River Street	West Service Road of I. H. 35	MOVEMENT Westbound;

Now, Therefore,

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

That traffic is designated to move only in the direction above indicated at the location and times therein indicated, and that the City Clerk be, and she is hereby, authorized and directed to record this finding in Section 21-39 of the Traffic Register.

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

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

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the free flow and expeditious handling of traffic under conditions existing at the location described below require that traffic upon such street move only in a one-way direction during the following times:

TO

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FROM

3:31 P.M., October 25, 19697:00 P.M., October 25, 19693:31 P.M., November 8, 19697:00 P.M., November 8, 19693:31 P.M., November 15, 19697:00 P.M., November 15, 1969

such location and street being described as follows:

STREET	FROM	TO	DIRECTION OF ONE-WAY MOVEMENT
Manor Road	Red River Street	West Service Road of I. H. 35	Eastbound;

Now, Therefore,

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

That traffic is designated to move only in the direction above indicated at the location and times therein indicated, and that the City Clerk be, and she is hereby, authorized and directed to record this finding in Section 21-39 of the Traffic Register.

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

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

## ENCROACHMENT

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, John D. Byram is the owner of a certain property described as the Willowick Apartments, located at 600 South First Street, more fully described as a part of Lot 1, Block B, of the partition of the James E. Bouldin Estate as shown on a map recorded in Minute Book U at page 78 of the Travis County Deed Records; and,

WHEREAS, there is a fence in front of that property with decorative brick pillars which encroaches upon the City's right-of-way along South First Street; and,

WHEREAS, the City of Austin is not now in need of the portion of South First Street upon which the fence is an encroachment; Now, Therefore,

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

That the above described fence be allowed to remain in its present location subject to the following conditions:

(1) That the City can require the removal of the fence at any time, subject only to giving reasonable notice to the owner of the necessity for the removal of the fence; and,

(2) That at the time of the removal of the fence, the expenses of such removal are to be borne by the owner; and,

(3) That the owner will agree by letter approved by the Law Department of the City of Austin, to indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the continued existence of said fence.

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

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

The City Manager stated the owner of the apartments had reassured the City by letter that in any event in which the City requires this right of way the encroachment will be removed.

## COUNCIL MEETING DATES

Councilman Price moved that the Council set their meeting dates for

Thanksgiving	-	Tuesday,	November	25
Christmas	-	Tuesday,	December	23
New Year		Tuesday,	December	30.

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

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

## CONTINUED HEARING ON ANNEXATION ORDINANCES

The Council had before it for continued hearing, from September 25, an annexation of 238.06 acres out of the Isaac Decker League; 47.60 acres out of the Santiago Del Valle Grant; 216.25 acres out of the Isaac Decker League and the Santiago Del Valle Grant. MR. HARDY HOLLERS stated they had no objection to the postponement of this hearing until next Thursday, when the other members of the Council would be available to hear these. There was no one present to speak in opposition.

Councilman Gage moved that the Council set hearings for next Thursday at 9:30 A.M. on ordinances annexing the following:

Proposal by the Austin City Council:

238.06 acres of land out of the Isaac Decker League unplatted land.

Islands of County within the Corporate limits of Austin:

47.60 acres of unplatted land out of the Santiago Del Valle Grant.

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216.25 acres of land out of the Isaac Decker League and the Santiago Del Valle Grant - Assumption Cemetary, Woodward Industrial District, Twin Oaks Industrial Subdivision and unplatted land.

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

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

#### PUBLIC HEARING ON AMENDMENT TO PLUMBING CODE

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AMENDING THE SEVERAL PROVISIONS OF CHAPTER 42 OF THE AUSTIN CITY CODE OF 1967 SO AS TO INCLUDE PLUMBING FIXTURES AND PIPING COMPOSED OF NEWER MATERIALS AMONG THE SUBJECT MATTER OF THE CHAPTER; PROVIDING AN EXCEPTION FOR THE MANNER OF FITTING AND JOINING INACCES-SIBLE PIPES OF THE WATER DISTRIBUTION SYSTEM; FURTHER PROVIDING FOR THE MANNER OF CONSTRUCTING RELIEF VALVE DISCHARGING FROM WATER HEATERS; AND PROVIDING AN EFFECTIVE DATE.

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

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

MR. DICK JORDAN, Building Official, stated the amendment deals 99% with use of plastic pipe and they had studied this for months to come up woth a good safe plumbing code. MR. JIMMY MIDDLETON, Chairman of the Plumbing Board of Appeals, stated the plastic they were submitting to the Council for approval was not new to the industry but probably was in Austin. He said in the past they felt there were not sufficient standards but they feel there are now. In answer to questions by the Council, Mr. Middleton stated there is a commercial standard that these changes were written around and these plastic pipes could be used anywhere but they were talking about drainage only. MR. OZZIE BENNETT, representative of the plastic industry, spoke for the use of plastic pipes, stating they policed each other and were controlled by the commercial standards. MR. FRANK GERLING, Mechanical Engineer member of the Board, stated they had spent lots of time making sure they were not advocating something that would be detrimental to the City or to the people in this City and he felt they should look at all new products that come into the building trades. He recommended approval of these amendments. The City Manager stated this was his recommendation also.

## HEARING ON ANNEXATION ORDINANCE

At 9:30 A.M. a public hearing was opened on ordinances annexing 2.51 acres, George W. Davis Survey; 12 acres, George W. Davis Survey. No one appeared to be heard. Councilman Price moved that the hearing be closed. The motion, seconded by Councilman Gage, carried by the following vote:

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

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEX-ATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 2.51 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 first time and Councilman Price moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

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

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEX-ATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 12.00 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 first time and Councilman Price moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

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

## ELECTRICAL CODE AMENDMENT

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 37 OF THE AUSTIN CITY CODE OF 1967, DEFINING "ROUGH-IN WORK"; VESTING ADMINISTRATIVE AND ENFORCEMENT RESPONSIBILITY IN THE BUILDING OFFICIAL; PROVIDING AN EXCEPTION TO THE REQUIREMENT OF A PERMIT FOR ELECTRICAL WORK; ESTABLISHING PERMIT APPLICATION REQUIRE-MENTS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

The Council had before it an ordinance amending Chapter 37 of the Austin City Code of 1967. The City Manager read the caption of the ordinance and MR. DICK JORDAN, Building Official, explained this amendment would first place the electrical inspection division under the Building Inspection Department, and second, a person making application for an initial permit for an inspector could call in by telephone. Councilman Atkison stated he had received complaints from contractors that they could not get into electrical inspection before 7:45 A.M. and asked if something could be done about this. Mr. Jordan said they could have a switchboard operator and a permit clerk come in at 7:30 A.M.; and also if the ordinance passes it would be two or three weeks before all the changes could be put in force.

### CONTRACTS

The City Manager submitted the following:

"WATER AND SEWER MAINS, HERGOTZ LANE AND HERRERA STREET. Bids were received until 11:00 a.m., Friday, October 17, 1969 at the Office of the Design Engineer, Webberville Service Building, for the installation of approximately 1,805 feet of 8-inch, 665 feet of 6-inch and 50 feet of 2-inch cast iron pipe and 2,790 feet of concrete sewer pipe. The bids were publicly opened and read in the auditorium of the Webberville Service Building. The purpose of this project is to provide water and sewer service to an area recently annexed to the City.

The following is a tabulation of bids received:

FIRM	AMOUNT	WORKING DAYS
J. C. Evans Construction Co, Inc.	\$52 <b>,72</b> 5.50	50
Bland Construction Company	59,911.00	90
Schmidt Construction Company	61,325.00	140
George Consolidated	67,744.75	90
City of Austin (estimate)	58,459.50	100

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It is recommended that this contract be awarded to the J. C. Evans Construction Company, Inc. on their low bid of \$52,725.50 with 50 working days." sgd/ Dewey T. Nicholson

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 17, 1969, for the installation of approximately 1,805 feet of 8-inch, 665 feet of 6-inch and 50 feet of 2-inch cast iron pipe and 2,790 feet of concrete sewer pipe for Hergotz Lane and Hererra Street; and,

WHEREAS, the bid of J. C. Evans Construction Company, Inc., in the sum of \$52,725.50 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Assistant 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 J. C. Evans Construction Company, Inc. in the sum of \$52,725.50, be and the same is hereby accepted and that Norman McK. Barker, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with J. C. Evans Construction Company, Inc.

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

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

The City Manager submitted the following:

"WILLIAMSON CREEK RELIEF MAIN. Sealed bids were received until 11:00 A.M., Friday, October 17, 1969 at the Office of the Design Engineer for the construction of approximately 4,650 feet of 42-inch concrete sewer mains. The bids were publicly opened and read in the Auditorium of the Webberville Service Building. The purpose of this project is to provide additional sewer service to the surrounding Williamson Creek Area and existing Southern Oaks, Section 7. This relief sewer main will become a part of the Williamson Creek Trunk Line.

The following is a tabulation of bids received:

FIRM	AMOUNT	WORKING DAYS
United Contracting Company (Addison, Texas ) Austin Engineering Company	\$2 <b>72,</b> 375.00 284,592.30	120 180
George Consolidated (Houston, Texas )	294,505.00	180
Bland Construction Company	392,011.00	200
Schmidt Construction Company	476,221.00	220
City of Austin (estimate)	284,845.00	150

It is recommended that this contract be awarded to the United Contracting Company on their low bid of \$272,375.00 with 120 working days.

sgd/ Dewey T. Nicholson

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 17, 1969, for the construction of approximately 4,650 feet of 42 inch concrete sewer mains; and,

WHEREAS, the bid of United Contracting Company, in the sum of \$272,375.00 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Assistant 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 United Contracting Company, in the sum of \$272,375.00 be and the same is hereby accepted and that Norman McK. Barker, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with United Contracting Company.

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

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

The City Manager submitted the following:

" A proposal has been requested and received from Bryant-Curington, Incorporated for preparation of construction plans and specifications for the construction of a Water Transmission Main in Mesa Drive from Spicewood Springs Road, northerly to U. S. Highway 183.

About one half of this project traverses a subdivision under development (Westover Hills, Section 6). The owner has indicated he is ready to install utilities as soon as possible. Bryant-Curington is now completing plans and specifications on this work for the subdivision owner. This work should be closely coordinated. This can best be done by the City using the same Engineer (Bryant-Curington, Incorporated) as the developer is using.

The fee is in line with practice for this type project.

The money is provided in the current budget for this project.  $$\rm sgd/\ Dewey\ Nicholson\ "$ 

Councilman Gage 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 a contract on behalf of the City of Austin with Bryant-Curington, Incorporated for engineering services in connection with the preparation of construction plans and specifications for the construction of a Water

Transmission Main in Mesa Drive from Spicewood Springs Road, northerly to U. S. Highway 183, in accordance with the terms and provisions of a contract exhibited to the City Council and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed fo file for permanent record in the office of the City Clerk an executed copy of said contract without recordation in the minutes of the City Council.

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

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

The City Manager submitted the following:

" A proposal has been requested and received from W. C. Cotten, Jr., Consulting Engineer for Engineering Services on a sanitary sewer approach main for MISSOURI-PACIFIC INDUSTRIAL PARK.

The fee is in line with practice for this type project.

The money is provided in the current budget for this project. sgd/ Dewey T. Nicholson "

Councilman Gage 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 a contract on behalf of the City of Austin with W. C. Cotten, Jr. for engineering services in connection with the preparation of plans for a sanitary sever approach main for Missouri-Pacific Industrial Park, in accordance with the terms and provisions of a contract exhibited to the City Council and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk an executed copy of said contract without recordation in the minutes of the City Council.

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

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

The City Manager submitted the following:

" 1. Item:

A. Ten (10) each Three Wheel Police Motorcycles including ten (10) trade-ins to Austin Motorcycle Company - Net Difference \$21,730.00.

- 2. For the Police Department.
- 3. Routine replacement.
- 4. The unit price on this bid before trade-in of \$2,448.00 compares with the unit price before trade-in last year of \$2,332.00.
- 5. Specifications were based on Harley-Davidson Police Servi-Car Motorcycle and were sent to Harley-Davidson dealers throughout the state and to Harley-Davidson Motor Co. The only bids received were from Austin Motorcycle and Harley-Davidson Motor Company. The Harley-Davidson Motor Company made no offer for the trade-ins and offered no warranty service.
- 6. The attached memorandum from Chief Miles recommends the award be made to Austin Motorcycle Company. "

October 17, 1969

MEMO TO: F. D. Glenn, Purchasing Agent FROM: Chief R. A. Miles SUBJECT: Three Wheel Motorcycles

I recommend we accept the low bid from Austin Motorcycle Company in the amount of \$21,730.00 net.

> sgd/ R. A. Miles Chief of Police "

# " CITY OF AUSTIN TABULATION OF BIDS THREE WHEEL POLICE MOTORCYCLE

Sealed Bids were opened in the office of the Purchasing Agent at 10:00 A.M. October 16, 1969 for ten (10) each Three Wheel Motorcycles including ten (10) units to be traded-in for the Police Department.

#### Bidder

п

Net Total

\$21,730.00

23,390.20

Austin Motorcycle Company Harley-Davidson Motor Company

The City Manager stated Austin Motorcycle Company was low by about \$1500 on the ten motorcycles and he recommended approval of the low bid. Councilman Gage inquired about a 2% cash discount and it was stated this was a net bid with no discount. Councilman Atkison inquired about the trade-ins, stating they would be paying more with trade-in than the motorcycles could be purchased outright. MR. F. D. GLENN, Purchasing Agent, quoted suggested retail price F.O.B. Milwaukee and reviewed method of obtaining suggested retail prices to see if the prices they were getting were competitive. Councilman Atkison wanted to see this explored and see what the trade-ins could be sold for and see what the motorcycles could be bought for without a trade-in. Councilman Gage questioned the manufacturer not permitting any dealer other than the local dealer to bid, stating that it sounded like price fixing. The City Manager suggested that the Council reject the bids and seek alternative bids without trade. He said in the meantime the purchasing agent could determine the dollar amount as represented by the companies of the transportation cost, and further determine a direct sale or a bid sale of the motorcycles which are no longer usable by the Police Department. Councilman Price wanted the trade-ins to be looked into a little closer in the future.

Councilman Atkison moved that the Council reject the bid of Austin Motorcycle Company at this time for further study.

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

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

# AMBULANCE CONTRACT

The City Manager, Mr. Barker, stated it was his understanding the Council desired the views and recommendations of the new City Manager as to the ultimate form of contracts, if any, on the bus and ambulance situations and inasmuch as he will not arrive as an employee of the City of Austin until November 15th, Mr. Barker felt it advisable to extend any deadlines that exist with the Ambulance Company or the Austin Transit Company and upon this premise he extended the agreement with the Austin Ambulance Company to two months beyond the date on which they sent him a letter. He asked the thoughts of the Council. The Mayor said the in-coming City Manager had asked if there were a possibility of an extension on this and Mr. Conwell Smith had agreed to give this additional time.

Councilman Atkison moved that the Council at this time ratify the action taken by the City Manager and request the two months extension. Councilman Gage asked that action be postponed for one week until all members were present. He said he had not had an opportunity to discuss this with the new City Manager andhe felt the Council should either extend or not extend this contract and not just ratify the action of the City Manager. Councilman Atkison wanted to assure the people of Austin that they would have ambulance service and he amended his motion to read "That the City Council accept the offer of Mr. Conwell Smith to extend the present contract with Austin Ambulance Service for an additional 60 days past November 6th." The motion, seconded by Councilman Price, failed to carry by the following vote:

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

## ELECTION COMMITTEE FOR REFIREMENT AND PENSION ORDINANCE

The City Manager stated he would give the Council members copies of a recommendation of the Personnel Director as to nominating an election committee for the City of Austin Retirement and Pension Ordinance.

#### BLACKSHEAR FUBLIC HEARING

Councilman Gage inquired about inviting representatives from Model Cities to attend the public hearing at Blackshear on November 5th. The Mayor stated they had a recommendation from Mr. Lurie that several groups be invited. It was agreed that a letter be sent to each of these organizations requesting that a representative be present.

## REPORT OF THE HUMAN RELATIONS COMMISSION

MR. TOM BLACK, Chairman of the Human Relations Commission, stated he thought they had made a great deal more actual progress in the field of Human Relations in the second year than they did in the first year, less controversial, He said they had worked hard, the committees had adopted projects and gone through them and the complaints they had gotten had been handled without ever coming before the commission. He felt it had been a positive year. The Commission recommended to the Council that the size of the Commission be reduced and still keep a balance in the Commission. He said that with 25 members it took 13 to make a quorum and it was hard to get a quorum, and they felt some kind of reduction would really help the operation of the Commission. He mentioned briefly their experience with the Economy Furniture Company complaint, which had been sent to them by the Council, stating they found this to be a labor dispute over which they had no jurisdiction. He said they could not get the information they felt was pertient in some cases and the answer to that was some kind of subpoena power. He suggested if this power could not be given to the Commission, that the Council, which does have the subpoena power, have some agreement or understanding with the Human Relations Commission that if the Commission ever gets to the point that they feel they can't move on an investigation any further without a subpoena, perhaps the Council can take over the matter, or issue a subpoena and help them out. He said the Council would have some control over it and would be able to decide whether a subpoena was justified in each individual case. He asked that the Council and the Commission work closer together and asked the Council to appoint a Chairman of the Commission before next Monday as his resignation would be effective before the next meeting. He mentioned concern by the Commission as to whether the Council desires the Commission to continue. Mr. Black mentioned a recommendation from the Commission last June that a clause of "Fair Employment" be placed in City contracts for supplies or construction or any other thing; that they will employ its labor on a non-descriminatory basis. He thought the adoption of this would show a great deal of progress in the human relations field in this City and he hoped this provision would not become the victim of City bureaucracy, which so far it had apparently. He stated he had enjoyed serving as Chairman of the Human Relations Commission over the past two years and he would stand by to advise whoever replace him.

The Mayor and Councilman Gage expressed the appreciation of the Council for all the work Mr. Black, the Commission, and Mr. Charles Miles had done. The City Manager asked if all 30 complaints referred to on page 4 of the report were illegal. It was brought out that some were illegal but as there were no local laws they would not all be considered illegal.

Councilman Gage moved that the Council not receipt of the 2nd Annual Report of the Human Relations Commission. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Price, Mayor LaRue Noes: None <u>Absent: Councilmen Janes, Johnson, MacCorkle</u> CITY OF AUSTIN, TEXAS October 23, 1969

#### SUBSTANDARD HOUSE

The Council had before it recommendation from the Building Standards Commission on a substandard house at 44 Lynn Street - Mr. Ernest Joseph. The Building Official, Mr. Dick Jordan, stated this structure was condemned in 1968 and both his office and the Building Standards Commission had found it substandard. He said there was a conflict in title ownership and they recommended that the Council refer it to the Legal Department for proper action. The City Manager concurred with the recommendation.

Councilman Price moved that the Council accept the recommendation from the Building Standards Commission as follows:

44 Lynn Street	That the structure located on this lot
Mr. Ernest Joseph	be declared a fire hazard, health
	hazard, and a public nuisance; that
	due to a conflict in title ownership,
	this unit be transferred to the Legal
	Department of the City of Austin with
	the recommendation that the Legal
	Department take whatever steps neces-
	sary to immediately abate the nuisance

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

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

# LICENSE ACREEMENT WITH SOUTHERN PACIFIC COMPANY

Councilman Gage 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 a License Agreement on behalf of the City of Austin with Southern Pacific Company for constructing and maintaining an overpass at Railroad Mile Post 2.63; and in accordance with the terms and provisions of that certain license exhibited to the City Council; and,

BE IT FURTHER RESOLVED:

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

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

Ayes: Councilmen Atkison, Gage, Price, Mayor LaRue Noes: None Absent: Councilmen Janes, Johnson, MacCorkle MR. BOB BECKHAM, Associate Director of Public Works, explained this was in connection with the Glen Oaks Urban Renewal project and the commitment the City has to extend Pleasant Valley Road, which will be the main north-south road through the Phase I Section of Glen Oaks. He said this agreement was between the Southern Pacific Railroad and the City to construct an overpass over the railroad, but it will also go over 12th Street and over Boggy Creek, it would be one continuous structure. The City Manager stated this bridge was a specific authorization in the current general obligation bond fund.

#### WATER LINE

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Barton Terrace Incorporated, through their president, Jack Andrewartha, have installed in Barton Hollow Subdivision a 16 inch water line at the request of the Water and Waste Water Department of the City of Austin; and,

WHEREAS, an 8 inch water line would have been sufficient for service within Barton Hollow Subdivision; and,

WHEREAS, the difference in cost between a 16 inch water line and the 8 inch water line is S15,522.68; and,

WHEREAS, all water and sewer lines have been completed and accepted by the City of Austin; 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 refund to Barton Terrace, Incorporated, the owners of Barton Hollow Subdivision, \$15,522.68, the difference in cost between a 16 inch water line and the cost of an 8 inch water line.

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

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

The City Manager stated this was a routine request to reimburse the developer for the additional cost of putting in extra diameter pipe to assist the City in its future needs outside of this subdivision and he recommended the request be approved. MR. DEWEY NICHOLSON, Assistant Director of Water and Waste Water, stated this was inside the subdivision but scaled at this size at the request of the City.

# RENEWAL OF LEASE FOR PLANNING DEPARTMENT SPACE

MR. HOYLE OSBORNE, Director of Planning, explained the two alternates for lease of space for the Planning Department. One was their present location in the First National Life Building, which is under the ownership and management of Western Republic Building Corporation. The present lease is for slightly over 25 cents per square foot for 5400 square feet net office space and the new lease for this space would be a base price of 30 cents a square foot plus any increase in City and school district taxes with all other provisions remaining the same. This would be for a three year period from November 1, 1969 to November 1, 1972. The second proposal was the Steck Building at 25 cents per square foot on a gross basis which works out to be about 28 cents per square foot for net usable office space and the remodeling cost would be at the expense of the City. He said over a three year period they estimated a cost of about \$1630 a month to move to an alternate location compared to about \$1585 a month plus \$15 a month on the parking facility to stay at their present location. Neither building provides any parking space. Mr. Barker, City Manager, recommended approval of contract with Western Republic.

Councilman Price moved that the Council authorize renewal of a 3 year lease with Western Republic Building Corporation for Planning Department space. The motion, seconded by Councilman Gage, carried by the following vote:

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

#### MONTOPOLIS AREA DUMP

MR. L. C. CLEMMONS, 507 Kemp Street, representing the Montopolis Improvement Committee, filed a petition with at least 450 names against reopening the dump at Montopolis. Mayor LaRue explained that about two months ago the Administration requested that the reopening of the dump be investigated, and his suggestion to one or two individuals was that the Council had no intention of reopening the dump and only if the individuals in the neighborhood came in and suggested that this was agreeable to them would the Council even consider it. Councilman Gage said he had no prior knowledge that the dump might be reopened; no knowledge from the staff that they were reconsidering it, and he appreciated the petition being brought in.

# RIGHT OF WAY

The Council had before it resolutions, including eminent domain proceedings if necessary, for right of way on Montopolis Drive. The City Manager, Mr. Barker, stated this was a continuation of the City's acquiring right of way to pave this road down through Montopolis area which is desired to a great degree by the residents thereof. MR. JOE MORAHAN, Property Division Manager, stated out of about 26 parcels of land needed, they were able to acquire all but 6 through negotiations and they are still negotiating on 3 of these. He said they had secured an independent appraisal on the parcels before the Council, as a double check on the values and they checked out real close with the values they had been negotiating on and he thought the negotiations on

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these parcels had broken down to the extent that if they were to be acquired to complete the paving project they would have to be acquired through condemnation. The Mayor asked that he continue to negotiate if at all possible. Councilman Gage did not want to unduly use condemnation but thought it imperative that they get the Montopolis Drive Project working. Councilman Price said they had been talking about getting Montopolis paved for years and now they ran into conflicts with two or three.

Councilman <sup>P</sup>rice 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 widening and improvement of a North-South thoroughfare known as Montopolis Drive, to connect Ben White Boulevard and U. S. Highway 183, to provide for the free and safe flow of traffic between such streets within 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 for right-of-way to permit the widening and improvement of such connecting street in the City of Austin; and,

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

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

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

> 857 square feet of land, same being out of and a part of Lot 34-A, C. L. Angell Subdivision Resubdivision of Lots 34-38, Block 4, a resubdivision by the grantors herein of Lots 34 through 36, 38 and a portion of Lot 37, Block 4, C. L. Angell Addition, a subdivision of a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, according to a map or plat of said C. L. Angell Addition of record in Volume 793 at Page 42 of the Deed Records of Travis County, Texas; a map or plat of C. L. Angell Subdivision Resubdivision Lots 34-38, Block 4, being of record in Book 13 at Page 20 of the Plat Records of Travis County, Texas; said 857 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at the northeast corner of said Lot 34-A, same being the southeast corner of Lot 33, Block 4, in said C. L. Angell Addition, same also being the northeast corner of the herein described tract of land, and which point of beginning is in the present west line of Montopolis Drive;

THENCE, with said present west line of Montopolis Drive, S. 29° 00' W 80.16 feet to the southeast corner of said Lot 34-A, same being the northeast corner of Lot 35-A, C. L. Angell Subdivision Resubdivision Lots 34-38, Block 4, for the southeast corner of the herein described tract of land;

THENCE, with the south line of said Lot 34-A, same being the north line of said Lot 35-A, N 60° 08' W 11.38 feet to the southwest corner of the herein described tract of land, same being a point in the proposed west line of Montopolis Drive, same being a line thirty-five (35.00) feet west of and parallel to the centerline of Montopolis Drive as established by the Department of Public Works of the City of Austin;

THENCE, with said proposed west line of Montopolis Drive, N 29° 59' E 80.15 feet to the northwest corner of the herein described tract of land, same being a point in the north line of said Lot 34-A, same being the south line of the aforesaid Lot 33;

THENCE, with said north line of Lot 34-A, S 60° 09' E 10.00 feet to the point of beginning.

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

Ayes: Councilmen Atkison, Gage, Price, Mayor LaRue Noes: None Absent: Councilmen Janes, Johnson, MacCorkle (1704 Montopolis Drive)

Councilman Price 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 widening and improvement of a North-South thoroughfare known as Montopolis Drive, to connect Ben White Boulevard and U. S. Highway 183, to provide for the free and safe flow of traffic between such streets within 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 for right-of-way to permit the widening and improvement of such connecting street in the City of Austin; and,

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

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

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

> 1,492 square feet of land, same being out of and a part of Lot 35-A, C. L. Angell Subdivision Resubdivision Lots 34-38, Block 4, a resubdivision by the grantors herein of Lots 34 through 36, 38 and a portion of Lot 37, Block 4, C. L. Angell Addition, a subdivision of a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, according to a map or plat of said C. L. Angell Addition

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of record in Volume 793 at Page 442 of the Deed Records of Travis County, Texas; a map or plat of said C. L. Angell Subdivision Resubdivision Lots 34-38, Block 4, being of record in Book 13 at Page 20 of the Plat Records of Travis County, Texas; said 1,492 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin at the southeast corner of Lot 35-A, same being the southeast corner of the herein described tract of land, and which point of beginning is the intersection of the present west line of Montopolis Drive with the north line of Langham Street;

THENCE, with said north line of Langham Street, same being the south line of said Lot 35-A, N 60° 08' W 13.46 feet to the southwest corner of the herein described tract of land, same being a point in the proposed west line of Montopolis Drive, same being a line thirty-five (35.00) feet west of and parallel to the centerline of Montopolis Drive as established by the Department of Public Works of the City of Austin;

THENCE, with said proposed west line of Montopolis Drive, N  $29^{\circ}$  59' E 120.23 feet to the northwest corner of the herein described tract of land, same being a point in the north line of said Lot 35-A, same being the south line of 34-A;

THENCE, with said north line of Lot 35-A, S 60° 08' E 11.38 feet to the northeast corner of said Lot 35-A, same being the southeast corner of Lot 34-A, for the northeast corner of the herein described tract of land, and which point is in the aforesaid present west line of Montopolis Drive, S 29° 00' W 120.24 feet to the point of beginning.

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

Ayes: Councilmen Atkison, Gege, Price, Mayor LaRue Noes: None Absent: Councilmen Janes, Johnson, MacCorkle (1708 Montopolis Drive)

Councilman Price 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 widening and improvement of a North-South thoroughfare known as Montopolis Drive, to connect Ben White Boulevard and U. S. Highway 183, to provide for the free and safe flow of traffic between such streets within 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 for right-of-way to permit the widening and improvement of such connecting street in the City of Austin; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

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

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Three (3) tracts of land, the tract of land hereinafter described as Number Cne, containing 668 square feet of land and being out of and a part of Lot 33, Block 4, C. L. Angell Addition, a subdivision in the City of Austin, Travis County, Texas, of record in Volume 793 at Page 442 of the Deed Records of Travis County, Texas; which Lot 33, together with other property, was conveyed to Charles L. Villasenor by warranty deed dated February 10, 1965, of record in Volume 2894 at Page 567 of the Deed Records of Travis County, Texas; the tract of land hereinafter described as Number Two, containing 8,071 square feet of land and being cut of and a part of that certain unplatted tract of land out of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas; which certain unplatted tract of land was conveyed to Charles L. Villasenor by warranty deed dated June 21, 1966, of record in Volume 3147 at Page 136 of the Deed Records of Travis County, Texas; and the tract of land hereinafter described as Number Three, containing 538 square feet of land and being out of and a part of Lot 1, Block 2, Porter Subdivision, a subdivision in the City of Austin, Travis County, Texas, of record in Book 4 at Page 294 of the Plat Records of Travis County, Texas, which Lot 1 was conveyed to Charles L. Villasenor by warranty deed dated December 6, 1967, of record in Volume 3393 at Page 816 of the Deed Records of Travis County, Texas; each of the said three (3) tracts of land being more particularly described by metes and bounds as follows:

NUMBER ONE, BEING at the northeast corner of said Lot 33, Block 4, C. L. Angell Addition, same being the northeast corner of the herein described tract of land, and which point of beginning is the intersection of the south line of Caddie Street with the present west line of Montopolis Drive;

THENCE, with said present west line of Montopolis Drive, S 29° 59' W 66.80 feet to the southeast corner of said Lot 33, Block 4, same being the northeast corner of Lot 34-A, C. L. Angell Subdivision Resubdivision Lots 34-38, Block 4, a subdivision of record in Book 13 at Page 20 of the Plat Records of Travis County, Texas, for the southeast corner of the herein described tract of land;

THENCE, with the south line of said Lot 33, Block 4, same being the north line of said Lot 34-A, N 60° 09' W 10.00 feet to the southwest corner of the herein described tract of land, same being a point in the proposed west line of Montopolis Drive, same being a line thirty-five (35.00) feet west of and parallel to the centerline of Montopolis Drive as established by the Department of Public Works of the City of Austin;

THENCE, with said proposed west line of Montopolis Drive, N 29° 59' E 66.80 feet to the northwest corner of the herein described tract of land, same being a point in the north line of said Lot 33, Block 4, same being the aforesaid south line of Caddie Street, and which point is in a fence; THENCE, with said fence on the south line of Caddie Street, S 60° 09' E, at 8.80 feet passing a fence corner in all a distance of 10.00 feet to the point of beginning.

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NUMBER TWO, BEGINNING at a point in the north line of the said Villasenor unplatted tract of land, as fenced, for the most northerly northwest corner of the herein described tract of land, same being a point in the proposed west line of Montopolis Drive, and from which point of beginning the southeast corner of Lot 3, Culp Subdivision, a subdivision of record in Book 6 at Page 170 of the Plat Records of Travis County, Texas, bears N 60° 09' W 5.00 feet;

THENCE, with said north line of the Villasenor unplatted tract of land, as fenced, S 60° 09' E, at 8.80 feet passing a fence corner, in all a distance of 10.00 feet to the northeast corner of said Villasenor unplatted tract of land, same being a point in the present west line of Montopolis Drive, same being a line twenty-five (25.00) feet west of and parallel to the proposed centerline of Montopolis Drive, as established by the Department of Public Works of the City of Austin, for the northeast corner of the herein described tract of land;

THENCE, with said present west line of Montopolis Drive, same being said line twenty-five (25.00) feet west of and parallel to the proposed centerline of Montopolis Drive, S 29° 59' W 142.36 feet to the southeast corner of said Villasenor unplatted tract of land, for the southeast corner of the herein described tract of land;

THENCE, with the south line of the said Villasenor unplatted tract of land, as fenced, N. 60° 18' W 294.45 feet to the southwest corner of said Villasenor unplatted tract of land, for the southwest corner of the herein described tract of land;

THENCE, with the west line of the said Villasenor unplatted tract of land, as fenced, N 29° 59' E 23.70 feet to a point in the proposed north line of Caddie Street, same being a line twenty-five (25.00) feet north of and parallel to the proposed centerline of Caddie Street as established by the Department of Public Works of the City of Austin, for the most southerly northwest corner of the herein described tract of land;

THENCE, with said proposed north line of Caddie Street, same being said line twenty-five (25.00) feet north of and parallel to the proposed centerline of Caddie Street, S 60° 09' E 284.45 feet to a point in the proposed west line of Montopolis Drive, same being a line thirty-five (35.00) feet west of and parallel to the aforesaid proposed centerline of Montopolis Drive;

THENCE, with said proposed west line of Montopolis Drive, same being said line thirty-five (35.00) feet west of and parallel to the proposed centerline of Montopolis Drive, N 29° 59' E 119.36 feet to the point of beginning.

NUMBER THREE, BEGINNING at the northwest corner of the aforesaid Lot 1, Block 2, Porter Subdivision, same being the southwest corner of Lot 2, Block 2, same also being the northwest corner of the herein described tract of land, and which point of beginning is in the present east line of Montopolis Drive;

THENCE, with the north line of said Lot 1, Block 2, same being

the south line of Lot 2, Block 2, S 48° 56' E 5.78 feet to the northeast corner of the herein described tract of land, same being a point in the proposed east line of Montopolis Drive, same being a line thirty-five (35.00) feet east of and parallel to the centerline of Montopolis Drive as established by the Department of Public Works of the City of Austin;

THENCE, with said proposed east line of Montopolis Drive, 3 29° 59' W 94.61 feet to the southeast corner of the herein described tract of land, same being a point in the south line of said Lot 1, Block 2, same being the north line of Porter Lane;

THENCE, with said north line of Perter Lane, N  $52^{\circ}$  15' W 5.72 feet to the southwest corner of said Lot 1, Block 2, same being the southwest corner of the herein described tract of land, and which point is in the afore-said present east line of Montopolis Drive;

THENCE, with said present east line of Montopolis Drive, N 29° 59' E 94.95 feet to the point of beginning.

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

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

## FUBLIC HEARING ON AMENDMENTS TO MASTER PLAN

Mayor LaRue opened the hearing on amendment of Master Plan as follows:

20 acres plus approximately 30 additional acres located between Anderson Lane and Steck Avenue along both sides of Shoal Creek Boulevard from Manufacturing and Related Uses to Medium-Density Residential.

MR. HOYLE OSBORNE, Director of Planning pointed out the area on a map. The Planning Commission recommended that all the area east of Shoal Creek Boulevard between Anderson Lane and Steck Avenue be changed from Manufacturing and Related Uses to Medium Density Residential and that the area south of the Steck property on the west side of Shoal Creek Boulevard (approximately 10 acres) be changed from Manufacturing and Related Uses to Medium Density Residential. The Staff recommendation differed only with respect to the block of land immediately south of the Steck plant and they recommended this be left industrial at the present time as the final design by the Highway Department was not complete and there was a reasonable possibility that a substantial portion of this block of land would be required for part of the interchange and grade separation involving Anderson Lane over the Railroad and over Missouri Pacific Boulevard and there if a future issue of acquisition involved.

MR. JIM CROZIER, representing Austin-Northwest Development Company, stated that he would like to withdraw his request for a change in the Master Plan to the west of Shoal Creek Boulevard (area bounded by Shoal Cree, Anderson Lane, Shoal Creek Boulevard, and Steck Avenue). He stated he thought the Council should take action on the piece of land to the east of Shoal Creek Boulevard as it should be changed to coincide with the Zoning that is on it now. He said he believed he could resubmit under zoning and the zoning that he would be requesting co uld be granted under the Master Plan as it exists. Mr. Osborne stated many zoning classifications even in the Industrial categories can permit housing, however, the "DL" Light Industrial does not, and that is one of the problems. He said specific zoning provisions override the Master Plan and he thought this was the issue Mr. Crozier had been talking about and it could be very properly handled through zoning. In answer to the City Manager's question, Mr. Osborne stated if Mr. Crozier were allowed to withdraw this request, it would not prejudice in time or consideration a reconsideration of it.

Councilman Gage moved that the Council accept the withdrawal of Mr. Jim Crozier's application for the area west of Shoal Creek Boulevard. The motion, seconded by Councilman Price, carried by the following vote:

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

Councilman Price moved that the Council amend the Master Plan to change the area east of Shoal Creek Boulevard from Manufacturing and Related Uses to Medium Density Residential. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Price, Mayor LaRue Noes: None Absent: Councilmen Janes, Johnson, MacCorkle (see sketch A at conclusion of Minutes)

Mayor LaRue opened the hearing on amendment of Master Plan as follows:

39 acres plus approximately 55 acres of additional area (94 acres total) located between Bolm Road and Bluestein Boulevard on both sides of Gardner Road, from Manufacturing and Related Uses to Medium-Density Residential.

MR. HOYLE OSBORNE, Director of Planning, stated the request for the change from Manufacturing and Related Uses to Medium Density Residential on the 39 acres was by the Housing Authority of the City of Austin, but the entire triangular area between Airport Boulevard, Bluestein Boulevard, and Bolm Road was included for hearing purposes. He reviewed the different uses in the area. The Planning Commission recommended that the land use designation for approximately 10 acres south of Bolm and west of Bluestein Boulevard (Gene Howard tract) be changed from Manufacturing and Related Uses to Commercial Service and Semi-Industrial, and that the adjacent approximate 90 acre area located along both sides of Gardner Road and south of Bolm Road be changed from Manufacturing and Related Uses to Medium Density Residential. Mr. Osborne said the Staff fully agrees with this. The City Manager recommended the change on both the 39 acres and the approximately 55 acres of additional area.

Councilman Price moved that Council amend the Master Plan to change 39 acres plus approximately 55 acres of additional area (94 acres total) located between Bolm Road and Bluestein Boulevard on both sides of Gardner Road from Manufacturing and Related Uses to Medium-Density Residential. The motion, seconded by Councilman Gage, carried by the following vote:

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

(see sketch B at conclusion of Minutes)

Mayor LaRue opened the hearing on amendment of Master Plan as follows;

215 acres located south of U. W. Highway 290 between Southern Pacific Railroad and Ceder Lane, from Suburban Residential to Manufacturing and Related Uses.

MR. HOYLE OSBORNE pointed out the location of the tract on the map. He said this was essentially agricultural land with a few dwelling units in the area, but lencs itself to industrial consideration because it ties into a major highway, its relation to the railroa d and arterial street. He stated the elongation of the tract presented certain problems with respect to land on each side, but he thought this was minimal to control by cooperation on the part of the developers, and in the event that much of this land does go into residential use, the tremendous length of exposure would be such that there would be little interference or little noxious or objectionable features. The second major factor was the issue of sewage disposal. Essentially all of this area drains back into Decker Creek and into Dekcer Lake. He said there was no public sewerage immediately available within the area but they do have a sewer line located at Little Walnut Creek to the west and are constructing sewage treatment facilities into the central part of Decker Lake on a limited basis. He thought the issue at the present time revolves around the capacity of the city or the developer to handle the sewage either through public sever facilties or through septic tanks.

Councilman Gage asked if this change were made, would it obligate the City to provide public severage in that area in the immediate future, and Mr. Osborne stated in his opinion it would not. MR. DEWEY NICHOLSON, Assistant Director of Water and Waste Water, stated the closest facilities are those installed in Decker Lake which are capable of handling the normal domestic sewage load that might develop in the area based on single family residential development and beyond that type of load it would create a problem, but the representative for the applicants had indicated they do not anticipate at this time either in quality or quantity any sewerage load that would exceed a single family dwelling. He said this could probably be handled by septic tanks or sanitary sewer facilities could be extended on a similar basis of a policy established by the City Council in 1963 in treating industrial development outside the City.

MR. DOREN ESKEW, representing Mr. H. H. Coffield, passed around a copy of the proposed industrial park subdivision plat. He stated Mr. Coffield proposes to develop a high quality industrial park. He said he was not at this time at liberty to disclose the identity of the first client negotiating with Mr. Coffield for a portion of this property, but it was one of the ten largest businesses in the world. He reviewed the businesses in the area stating he hoped the City would make a higher percentage of profit on the electricity that it sold in this area because of the short distance that it would have to transmit it. He stated the industrial subdivision will be restricted and any kind of business that cannot dispose of its waste satisfactorily will not be permitted to operate there. He said this industry was not attempting to avoid City control, if they were, all they would have to do would be to move just a few hundred yards to the east or the north and they would be completely beyond the control of the City, that they wanted to work with the City. He stated the site was unusually level and is highly adaptable for industrial park development and the fact that this property is to be subdivided lends a type of control which the City wouldn't have otherwise, that it must comply with the subdivision regulations concerning widths and types of streets and a number of other things

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that otherwise would not occur if this were going to be one single development. Mr. Eskew assured the Council that his client was fully aware that eventually this was going to be a part of the community of Austin at an appropriate time.

MR. OSBORNE said part of the concern they had was the lack of power to fully regulate the discharge of industrial water. Mr. Barker asked Mr. Eskew if the assurance of his client that the City's position in sewage treatment would not be impared by industrial waste discharge could be put in some form of instrument to assure the City of that. Mr. Eskew said they were prepared to go further than that. He mentioned the State Legislation now available on water quality control, the subdivision regulations of the City, the regulations by the City County Health unit in approving waste water disposal facilities and stated they were not only willing to restrict themselves but they were willing to assist the City in seeing to it that regulations that do not now apply to properties over which they have no control, are likewise regulated. He said the subdivision restrictions that will be applicable to this industrial park will be far more rigid than the state law or the City ordinances are right now. Mr. Eskew felt sericus considertaion should be given to some additional restrictions that may be imposed by whatever means, in order to protect Decker Lake itself and the City was at a point now where it could be done but it might be difficult if they waited 10 or 15 years.

Mr. Osborne stated there was one other element to be contended with in industrial areas, and that is the non-sewage chemical poisoning that occurs as a result of run-off, and doesn't get into the public sewer area but is actually a result of normal drainage. The Mayor stated he did not believe the Council was in a position today to resolve that part of the problem but it seemed that with the recognition of the statement of the applicant to the effect they would be willing to participate in the drafting of such ordinance and be more than willing to comply with whatever items that are included in the ordinance and the indication of willingness to participate at that time would be sufficient to have the approval of the change of the Master Plan at this time.

Councilman Price moved that the Council accept the recommendation of the Planning Commission and change the Master Plan on 215 acres located south of U. S. Highway 290 between Southern Pacific Railroad and Ceder Lane from Suburban Residential to Manufacturing and Related Uses. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Price, Mayor LaRue Noes: None Absent: Councilmen Janes, Johnson, MacCorkle (see sketch C at conclusion of Minutes)

#### ADJ OURNMENT

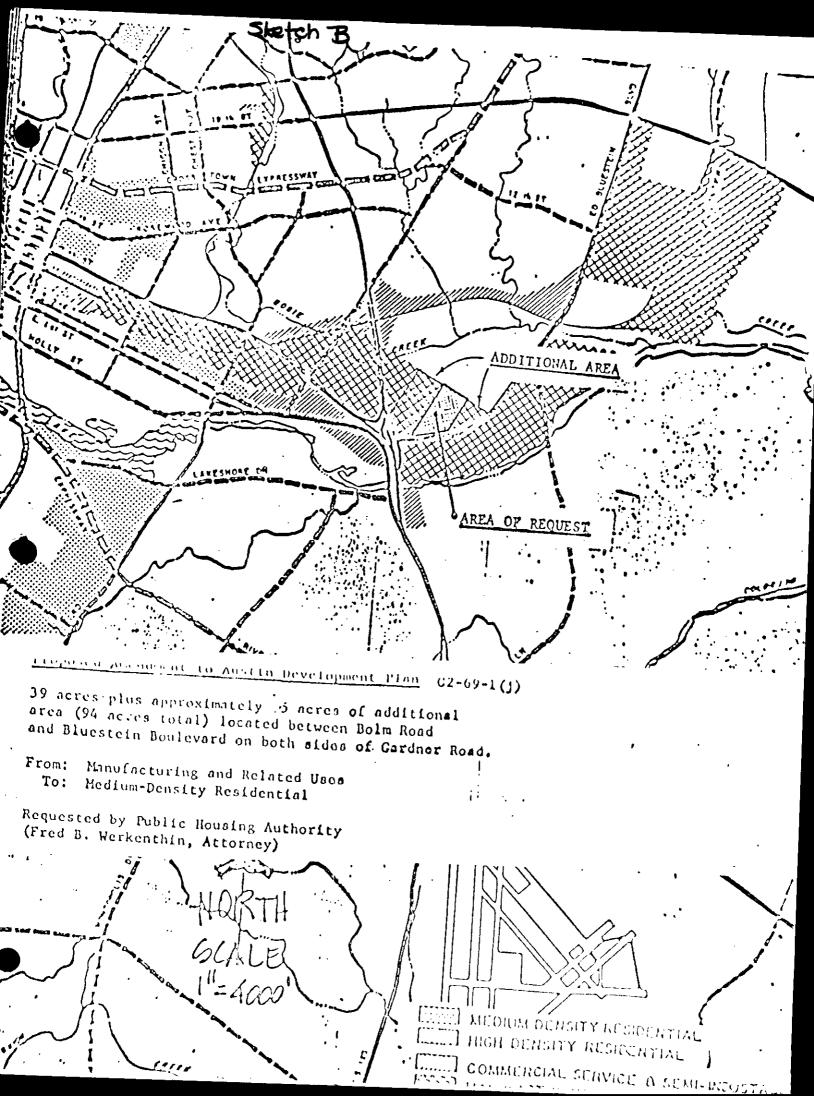
Councilman Price moved the Council adjourn. The motion, seconded by Councilman Gage, carried by the following vote:

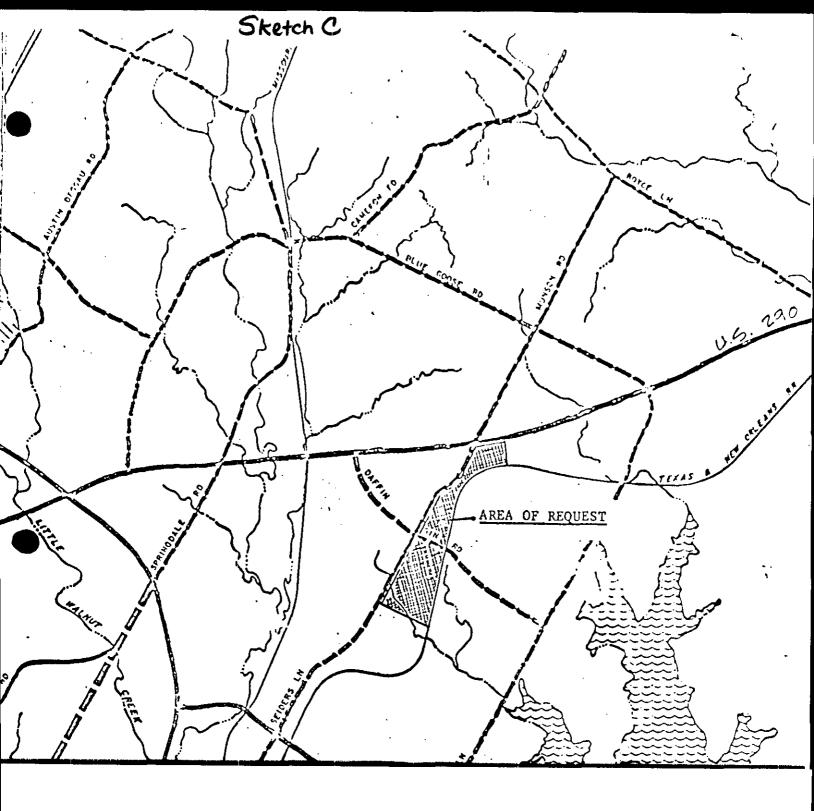
Ayes: Councilmen Atkison, Gage, Price, Mayor LaRue Noes: None Absent: Councilmen Janes, Johnson, MacCorkle The Council adjourned at 12:00 noon.

APPROVED: Seanne Service Mayor

ATTESTED:

City Clerk





Sketch A NOFTH SCALE 1=4000' WEST LOOP ICEMO Ś Additional Area AREA OF REQUEST CREEK 222 Proposed Amendment to Austin Development Plan C2-69-1(k) cres plus approximately 30 additional acres located ween Anderson Lane and Steck Avenue along both sides pf Shoal Creek Boulevard. From: Manufacturing and Related Usea

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To: Medium-Density Residential