

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 22, 1969
9:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor LaRue presiding.

Roll Call:

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

Absent: None

Present also: R. M. Tinstman, City Manager; Glenn Brown, City Attorney

Invocation was delivered by REVEREND CLIFFORD ZIRKLE, Tarrytown Methodist Church.

Councilman MacCorkle moved that the Council approve the Minutes of the Council Meeting of May 15, 1969. The motion, seconded by Councilman Atkison, carried by the following vote:

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

Present but not voting: Councilman Janes (He was not present at this meeting.)

REAGAN CHORALE

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Reagan Chorale is the top performing choral organization of John H. Reagan High School of Austin and is one of the finest such performing groups in the country; and,

WHEREAS, this outstanding group will make an extended tour of Europe this summer, lasting approximately four weeks, and will make a number of concert appearances as well as educational and cultural visits in such countries as Germany, Switzerland, Austria, the Netherlands and France; and,

WHEREAS, these students are outstanding representatives of Reagan High School and are a credit to the City of Austin; Now, Therefore,

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

That the Reagan High School Chorale is hereby designated official Good Will Ambassadors of the City of Austin on their forthcoming European trip and that appropriate distribution of copies be made hereof to the responsible student and faculty leaders of this fine group.

WITNESS OUR HANDS AND THE OFFICIAL SEAL OF THE CITY OF AUSTIN, TEXAS, this 22nd day of May, 1969.

The motion, seconded by Councilman MacCorkle, carried by the following vote:
Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue
Noes: None

MAYOR LaRUE recognized MRS. DON DODGE who introduced MR. ROLAND JOHNSON, Assistant Principal, and other representatives from Reagan High School. MRS. JIM SHEPHERD told the Council the Reagan Chorale is planning a European tour this summer for its 45 members from July 20th to August 19th, presenting free concerts in several countries in Europe. They are interested in fund raising activities. The students and parents have raised \$41,000 toward the \$45,000 needed for this tour. They are engaged in several projects including an auction on June 7th and 8th. MAYOR LaRUE noted this was most interesting, and he presented a Resolution signed by all the Council members, designating the Reagan High School Chorale as Official Goodwill Ambassadors of the City of Austin on the forthcoming European trip, and that appropriate distribution of copies of this Resolution be made to the responsible students and Faculty leaders of this fine group.

AIR QUALITY SURVEY

The City Manager said this was a survey started in 1967 jointly by the local Health Department in cooperation with the State Health Department. MAYOR LaRUE, regarding the status of the atmosphere conditions in the City, announced the City of Austin is to be commended for the control it had exercised. Austin is considered a clean location, has a low concentration of particulate matter, and gaseous pollutants monitored during the survey generally show a low concentration. This good status follows all the way through the survey. It indicates the Austin Metropolitan area should be proud of the relatively unpolluted atmosphere, and this asset should be closely guarded to prevent the pollution problems which are occurring in other heavily populated areas. Councilman Johnson moved that the Council receive the report. The motion, seconded by Councilman Price, carried by the following vote:

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

AUSTIN AMBULANCE SERVICE REPORT

MR. CONWELL SMITH was present in presenting the report. Mayor LaRue stated the report contained a request, and he would be reasonably sure the Council would want to hold this in abeyance for the next week or so to inform themselves. He asked that the City Manager obtain an interpretation from the Auditor and present it at the same time back to the Council. Councilman Janes moved to note the receipt of the report. The motion, seconded by Councilman Johnson, carried by the following vote:

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

POLICY OF "FREEDOM OF INFORMATION"

The City Manager reported meeting with the City Attorney, and several of the News Media to discuss the present policy adopted two years ago. The policy was placed into Resolution Form, Alternate "A"; and the Staff prepared a revised Resolution, Alternate "B", which seemed to be an improvement of the "Freedom of Information Policy", and which met the approval of the News Media. He recommended Resolution, Alternate "B", as the new and approved policy to be considered by the Council. The basic difference is that in addition to stating there should be no undue suppression of information to the News Media and general public, the Resolution goes further to encourage positively making information available by all the officers and City employees to the public and news media, and assigns responsibility for the follow through and implementation of the policy. Alternate "B" makes specific reference to the appropriate laws of the State and Federal Government. Mayor LaRue stated this was something to be recognized, this provision is now covered where it was not explicitly covered in the other two instruments.

MOTION

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

ALTERNATE # B

WHEREAS, the citizens and taxpayers of this community are not only entitled to, but should be encouraged to be informed as to the conduct of municipal affairs; and,

WHEREAS, the various programs, activities and projects of this municipal government are financed with public funds made available by those same citizens and taxpayers; and,

WHEREAS, there are pertinent State statutes relating to open meetings of local legislative bodies; and,

WHEREAS, it is the particular desire of this City Council that the general public be fully and adequately informed as to the conduct of City affairs and that there should be no undue suppression by the City Council itself, the officers of the City Council, the department heads or any supervisor or employee; and,

WHEREAS, the City Council is mindful of the public trust and responsibilities relating to expenditure of public funds in relation to the rights of individuals and property owners, and the general desirability of not encouraging or contributing to undue speculation in property matters or to the embarrassment of any individual or employee; Now, Therefore,

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

That:

1. Full and adequate information be freely made available to the general public and to all legitimate news media for further dissemination on all programs, activities and projects of this municipal government. However, due care and discretion is to be utilized to avoid improper disclosure of information in those matters specially covered by applicable State or Federal law or by common law decisions.

2. That the City Manager, officers, department heads, supervisors, and City employees shall be encouraged to carry out this policy.

3. The City Manager shall be responsible for faithfully observing, implementing and carrying out this policy.

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

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

Mayor LaRue

Noes: None

Councilman MacCorkle asked if there had been a question of the policy's having been violated. The City Manager had no information to such arising from the Administrative Staff. The news media stated there had been no questions of violations yet. Councilman MacCorkle stated he was very desirous as a Council member that the public get the facts, and the news media and those at the City Hall had the responsibility to see that they get those facts. On certain occasions some might differ as to what the facts are. He called attention to an incident where the local paper, at least, did not present the facts. Whether it was due to the media or City Hall, he did not know. He cited a specific example concerning the Bond rating of the City. Councilman MacCorkle said as he sat on the Council, he would do all he could to get the Media the facts, and he thought the News Media had a responsibility to present the facts.

ZONING WITHDRAWN

Councilman Janes moved that the request of the applicant to withdraw the following zoning application be granted.

MORRIS K. GULLY, JR.	207-211 West Annie	From "A" to "B"
	1801-1807 Newton Street	NOT recommended

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

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

Mayor LaRue

Noes: None

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In answer to Councilman Johnson's inquiry, the City Manager explained if an applicant is allowed to withdraw his application; then within a reasonably short time, he would have the discretion of resubmitting a proposed zoning change. If it is turned down by the City Council, after a negative recommendation from the Planning Commission, there is a year's wait before an application could be filed. Councilman Janes explained that sometimes, after the citizens had taken time out to present their side, the applicant would withdraw the request; then refile. The citizens' inconvenience should be taken into account also. However, it appears this applicant recognizes this request was not going to be granted, and he would like to reframe his request

MAYOR LaRUE stated in keeping with Councilman Janes' comments, he would ask for a restudy of this situation and consider the convenience of those appearing in opposition, and who are brought back continually before the Council. He asked for a recommendation from the City Manager as to the policy that was established some years ago and continued up to at least two years ago, and that was the individual was permitted to withdraw a request immediately after being turned down by the Planning Commission, but prior to the publishing of the date

of hearing before the City Council. This would provide information to the proponents and opponents, and there was very little inconvenience to anyone at that time.

ANNEXATION ORDINANCE - FINAL PASSAGE

Mayor LaRue 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 20.85 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE ISAAC DECKER AND WILLIAM CANNON LEAGUES 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. (Requested by representative for developer)

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

ZONING - ANNEXATION

The City Manager stated Councilman Price had asked the Staff to look into the matter of zoning property when it first came into the City. Councilman Price said he did believe it was a mistake to take in property under "A". It should be left unzoned until after it is annexed and then let the developers or owner request the zoning at that time. The trend seems that people come in under "A", and start their development of building their homes; then come back for commercial or apartment zoning. If it comes in unzoned, it will be known as raw land. He recommended that the Council look further into taking in land unzoned in preference to taking it in under the present "A" Interim zoning.

MAYOR LaRUE asked if the City Manager and Director of Planning could report on legal restrictions. The City Manager said he had asked the City Attorney and Planning Director to review this matter as to legal requirements applicable under the State statutes and as to what type of zoning might be utilized.

He stated essentially, the State law required property to be zoned in some fashion; for instance, a zoning district that could be almost equivalent to being unzoned or fairly unrestrictive. In effect there had to be some type of zoning, either on an interim basis, generally "A"; a restricted classification such as "Agricultural District" or "large lot district", which permits limited development. This type of classification is used in Texas. He warned about problems relating closely to the general annexation policy and subdivision practices and policy. In many instances property is being annexed and simultaneously subdivided, with lots having been sold on contracts of sale to builders and homes having been started at the time of annexation. If in a restricted district where a certain sized lot were required, and a smaller lot subdivided, construction would have to be stopped until the proper zoning was established. Councilman Price stated the Council now had a problem of zoning before it; and he recommended that something be worked out where land would be brought into the City unzoned; and if there is

a house started, the zoning would automatically be "A", and have that understood by the subdividers.

The Director of Planning stated his only suggestion would be area detailed planning in advance following the Master Plan, where designations would tie in closely to zoning regulations. This would not give legal control, but would give a prior basis for informing the developers and the public of what is intended. Subsequent full hearings would have to be held on any zoning issue that came up within the area.

The City Attorney pointed out the effect of an unzoned status on the kind of control the City has over development of property. An alternate for consideration would be the limited annexation provisions of the Charter, but there were problems in this route also. He asked that further study be given to these approaches.

COUNCILMAN JOHNSON asked if the Master Plan could be used in pre designating annexed property. If a piece of property is to be commercial, it seemed bothersome to bring it in as Interim "A" and put the people through three months of hearings when it was known the land was to be commercial. He asked about bringing it in under other designations. The Planning Director said the problem would occur regardless of what the Planning Department or Planning Commission thought would be the proper zoning. Other people or the neighborhood might disagree; or the City Council may have a different idea. The authority with respect to zoning is vested in the elected officials under the State Statutes and under the Zoning Ordinance. He stated he knew of no other city that was annexing under a different designation, unless there were a very explicit and broad provision in the State enabling legislation, which sets up a means of accomplishing this by the "planned development provisions" by which property is annexed and the plan adopted simultaneously as the zoning designation. There is no state enabling legislation which would authorize this.

COUNCILMAN GAGE noted from the annexation maps provided with the Agenda, there were a number of pockets within the City limits. He suggested taking a look at the zoning ordinances and updating them somewhat.

The Planning Director stated that the draft prepared in 1963-64 to update the Zoning Ordinance should be reworked as these ordinances need to be changed in substantial fashion to meet current conditions. He recommended updating the zoning ordinance rather than totally rewriting it, due to the complications of the procedural aspects in getting one adopted.

COUNCILMAN MacCORKLE asked if there were a policy on annexation, and if the City ever took the initiative at any time, or is annexation initiated only when it is requested. The City Manager stated the Staff, during the last two years, had tried to differentiate the annexation items in three classes:

- (1) Those properties which are requested by the property owner or developer. The Staff tries not to include in any of those requests properties which had not been requested; and at times there results the pocket or island situation.
- (2) The other type of annexation includes public right of way, public property like school sites, City owned property, rights of way, etc.
- (3) Periodically, the Staff reviews the City limits and newly

annexed property, and recommends to the Council annexation proceedings with respect to privately owned property which has not been requested.

The Council, about a year ago, adopted a general policy which he would make available to the Council. MAYOR LaRUE stated this Council should look at this policy and perhaps adopt the same one or make some changes if it so desires.

COUNCILMAN MacCORKLE asked if consideration were given to whether or not services should be provided an area before it were annexed. The Planning Director explained this was the key element in the analysis of areas proposed for annexation. The City Manager stated the services to be provided had to be at a level of service comparable to those already within the City limits. He said he would provide a copy of the policy and the outline sheet. MAYOR LaRUE stated in answer to the question about the "hole in the doughnut" to include this property, that this is usually done as a routine matter.

MAYOR LaRUE suggested that the City Manager discuss the manner of updating of the zoning Ordinance with the Staff (since the last one was done in 1963-64)--a complete revision or updating of the present Code, whichever would be more feasible.

BLACKSHEAR PROJECT

MRS. JOHN BARROW, representing the Travis County Democratic Women, spoke on inadequate housing for those persons who had to be displaced, stating it had been known since 1966 there were not enough houses available. She recalled the Planning Director had brought a long report to the Council giving the number of people who were to be displaced. This study covered a 25 year period in Austin's growth up until 1985. Statistics on the number of people who would have to be relocated totaled 12,735 families, with Urban Renewal accounting for the removal of 8,000. The City Council had granted the request of the Austin Housing Authority to build 1,000 public housing units, proposing to start with 300 units. Land for all of the housing units has not yet been purchased. She realized the City's only responsibility to the Housing Authority was the appointment of the Board. The League of Women Voters, as well as the Travis County Democratic Women, were unable to find out how they could attend the meetings. The City Manager said the State and Federal laws apply universally, and the Housing Authority is a separate Agency from the Municipal Government. Mrs. Barrow commended MAYOR LaRUE for assigning certain members of the Council to be liaison officers with other governmental entities and asked that someone on the Council be delegated a liaison with the Housing Authority. Mrs. Barrow expressed two concerns--(1) How could the Housing Authority be influenced to get moving on constructing this public housing, or how could the citizens get it to moving; and (2) How could they know if any building was taking place in low cost areas in the City. She had statistics that 3,140 dwelling units were started last month. Expensive homes are being built rapidly, but she was concerned if any inexpensive homes were being started. She discussed the condition of the Booker T. Washington Housing Project, and the method which Meadowbrook chooses its families. Councilman Janes stated of course the Council had no direction over the Authority, but he had informally spoken to one of the Commissioners and asked him to take a personal interest in the Booker T. Washington Project. Mayor LaRue reported on the efforts of the Authority to buy land for building.

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by Resolution adopted by the City Council of the City of Austin on March 4, 1965, the City Council approved the filing of an application by the Urban Renewal Agency of the City of Austin for an advance of funds from the United States of America to enable it to defray the costs of surveys and plans for an urban renewal project therein described, which project is herein referred to as the Blackshear Project; and,

WHEREAS, by Resolution adopted by the Board of Commissioners of the Urban Renewal Agency of the City of Austin on May 7, 1969, said Board of Commissioners has recommended to the City Council of the City of Austin that the Blackshear Urban Renewal Project No. TEX-R95 be abandoned; and,

WHEREAS, the City Council of the City of Austin concurs in such recommendation; Now, Therefore,

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

That the Urban Renewal Agency of the City of Austin be authorized and directed to withdraw the application presently on file with the Department of Housing and Urban Development of the United States of America, known as the Blackshear Urban Renewal Project No. TEX-R95; and,

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

That the Urban Renewal Agency of the City of Austin be instructed and directed to abandon the aforementioned project.

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

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

Mayor LaRue

Noes: None

TOPICS

MAYOR LaRUE brought up the Resolution approving participation in the Urban Transportation Operation Program to Increase Capacity of Safety. (T O P I C S). At the request of the Mayor and Council members, the Traffic Engineer, MR. JOE TERNUS, gave a resume of the project in that this was a Federal-State assistance program, not to be utilized in creating new street systems, but to improve the existing systems capacity-wise as well as safety-wise. Projects that could be incorporated in this program would include grade separations for pedestrians or vehicles, widening of certain streets particularly on approaches to intersections, channelization at key locations, and signalization improvements in the new-work system. He stated this was an opportunity for the City, State and Federal Governments to improve transportation problems existing in urban areas.

In discussing the funding, at Councilman MacCorkle's request, he reported the Federal Government matched the \$22,000,000 set up by the State Highway Commission, totaling \$44,000,000 for one year period, to be allocated by the State of Texas. Distribution to a particular area would be made on a specific project on a priority basis. Existing costs to Austin would be for any right of way that might be needed, moving utilities or some minor costs concerning the entire project. This is a Federal-State expense, and the project would be turned over to the City for operation and maintenance. Councilman Janes stated the Council would need to adopt the Resolution before the State and Federal Government would even begin the study, and the City would approve the project on an individual basis; and at this time there is no commitment of money. This participation would assist in projects already scheduled under the Capital Improvement Program

or under the operating budget. COUNCILMAN ATKISON mentioned the conformance to the Uniform Manual of Traffic Control Devices. The Traffic Engineer reported the Manual had been adopted by the City; but there is a revision under way which will be presented for national acceptance within a year or so. COUNCILMAN GAGE asked about the timing in initiating the program and receiving the funds. The Traffic Engineer stated monies were not available until July 1, 1969, and he hoped to pursue immediately a street system, various projects which were very important, and arrange a priority so that requests could be made at the earliest possible moment for these funds. This group of projects should be submitted in July or shortly after.

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

A RESOLUTION AUTHORIZING THE CITY OF AUSTIN TO PARTICIPATE IN A COOPERATIVE EFFORT WITH THE STATE TO INITIATE PLANNING AND IMPLEMENTATION OF AN URBAN TRAFFIC OPERATIONS PROGRAM TO INCREASE THE CAPACITY AND SAFETY OF STREETS AND HIGHWAYS WITHIN THE AUSTIN URBAN AREA, WHICH PROVISIONS ARE DESCRIBED AS THE T.O.P.I.C.S. PROGRAM, BASED ON STATE OF TEXAS HIGHWAY DEPARTMENT MINUTE ORDERS NO. 61882, DATED JANUARY 31, 1969, NO. 62136, DATED APRIL 2, 1969, AND NO. 62290, DATED MAY 6, 1969.

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

SECTION 1: That the City of Austin be, and it is hereby, authorized to participate in a cooperative effort with the State to initiate planning and implementation of an urban traffic operations program to increase the capacity and safety of streets and highways within the Austin urban area, which provisions are described as the T.O.P.I.C.S. Program, and hereby accepts the provisions stipulated in State of Texas Minute Orders dated January 31, 1969, April 2, 1969, and May 6, 1969.

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

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

Mayor LaRue

Noes: None

ABATTOIR

The Council had before it the following:

"Date	Requested By	Department
May 19, 1969	A. M. Eldridge	Construction Engineering

"The following listed bids were opened for DEMOLITION WORK AT ABATTOIR on May 19, 1969 at 2 p.m. at the Construction Engineering Office.

<u>Bidder</u>	<u>Base Bid</u>	<u>Alternate #1</u>
"Q. S. Franks Wrecking Company	\$14,000.00	\$3,000.00
Southwest Wrecking Company	\$17,444.00	\$3,000.00
Hobbs Demolishing Company	\$19,419.00	\$4,673.00
Dearing Excavating Service	\$23,985.00	\$1,000.00

"The completion time of ninety (90) calendar days was set by the specifications. Our estimate for this project was in the range of \$20,000.

The Base Bid included removal of Abattoir down to first floor slab. Alternate No. 1 includes the removal of first floor slab also.

We join with Mr. DeBerry and Mr. Perry in recommending the award of the contract to the lowest bidder, Q. S. FRANKS WRECKING COMPANY at their low Base Bid plus Alternate No. 1 for a total of \$17,000.00."

MAYOR LaRUE brought up for consideration the contract with Q. S. Franks for demolition of the Abattoir, and asked if any offers for operating the Abattoir had been received. The City Manager reported inquiries of various meat packing companies and others had shown no indications whatsoever in continuing the operation of the Abattoir. At this time, however, the City should retain ownership of the land pending any development. The Abattoir structure had outlived its economic usefulness, and it would be expensive to operate or to protect it in view of the condition of the building. Councilman Gage was concerned as to where the people would go to have their animals slaughtered. The City Manager's understanding was that MR. FRANK BROOKS was planning on continuing the operation in another location. Regarding the demolition, Councilman Price inquired if the \$17,000 included the materials in the plant. The City Manager said the contract provided that the Company would get \$17,000 plus the salvage of anything which had not been sold or which belonged to Mr. Frank Brooks. In answer to Councilman Price, the City Manager stated the compressor was included in the salvage. Previously an auction had been held and about \$900.00 had been received on some items. The City Manager stated this was not a budget and it should be noted in the Council Minutes that this is to be charged to the Contingency appropriation. In answer to Councilman Johnson's inquiry, the City Manager reported the maintenance and security costs were \$400.00 a week. He recommended without reservation that the building be torn down, and the time limit be set at 90 days. Councilman Gage asked if that meant all materials would be moved within 90 days, and the property be cleared and levelled. Mayor LaRue ascertained that the slab would have no value to the City particularly if all the pens and sheds were to be removed.

Councilman Janes offered the following resolution and moved its adoption and moved that the amount be funded from the Contingency Account:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 19, 1969, for the demolition work at the Abattoir; and,

WHEREAS, the bid of Q. S. Franks Wrecking Company, in the sum of \$17,000.00, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Construction Engineer of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Q. S. Franks Wrecking Company, in the sum of \$17,000.00, be and the same is hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Q. S. Franks Wrecking Company.

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Atkison, Gage, Johnson, Janes, MacCorkle, Price, Mayor
LaRue
Noes: None

30 MINUTE PARKING ZONE
1400 Block Lavaca

The Traffic Engineer said this short time parking meter zone was requested by the Farm and Home Savings Association. After a review of the area, he recommended that the 30 minute parking would be compatible with the existing land use. He explained the Council creates the zone; and based on demand, the staff could shorten or lengthen the number of meters should more meters be needed to satisfy the area. In this particular case, as Mayor LaRue had noted, there was at this time a request for only two 30 minute parking meters. Councilman Price recommended that the Council pass on these two, and suggested placing 30 minute meters all the way down Congress and a block back from Congress Avenue which would help the traffic. He then suggested two hour parking meters from there on, to keep the cars moving. The Traffic Engineer said a comprehensive parking study was contemplated in the fall, whereby there would be basic data so they could more adequately place the types and time limits of the parking meters in the central area. Councilman Price said there were more complaints from business men down town of their own employees' taking up the meters. Councilman Price stated he made a motion on these two, and commented on the other parking limits.

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that traffic conditions at the location and street below designated are such that an urgent need for enforcement of strict limits upon the time of parking of vehicles at this location upon this street makes it advisable to use mechanical devices in such enforcement, and has found that such location should be placed in the following Parking Meter Zone:

<u>ZONE</u>	<u>STREET</u>	<u>BLOCK</u>	<u>SIDE</u>
30	Lavaca Street	1400	West;

Now, Therefore,

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

That the location upon the street of the City of Austin as above described be and the same is hereby placed in Parking Meter Zone 30, and that the City Clerk be, and she is hereby authorized and instructed to record this finding in Section 33.43 of the Traffic Register.

RIGHT OF WAY FOR GAS AND TELEPHONE
UTILITIES

The City Manager explained that the City Council approves the uses of public right of way by any of the utilities. In this case the Council would grant permission to these two utilities to make underground installations in the listed streets. The locations have been reviewed by the various Departments and recommended for Council consideration. Councilman Johnson inquired if there were any difficulties rescinding these permits. The City Manager stated if the utili-

ties were in a public right of way under a previously granted permit, and it became necessary to relocate those utilities for perhaps a freeway, the City would not be required to pay for relocation. If they were asked to remove the utility so the City could put in one of its lines, this might be a different question.

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council: therefore,

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

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

- (1) A gas main in CEDARDALE DRIVE, from Flournoy Drive to Bramble Drive; the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said CEDARDALE DRIVE.
- (2) A gas main in FLOURNOY DRIVE, from a point 110 feet west of the west property line of Cedardale Drive, easterly 280 feet; the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said FLOURNOY DRIVE.
- (3) A gas main in BRAMBLE DRIVE, from a point 119 feet east of the east property line of Glenhollow Path, easterly 299 feet; the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said BRAMBLE DRIVE.
- (4) A gas main in SUMMIT DRIVE, from Ceberry Drive, westerly and northerly 546 feet; the centerline of which gas main shall be 15 feet north and east of and parallel to the south and west property lines of said SUMMIT DRIVE.
- (5) A gas main in CEBERRY DRIVE, from a point 111 feet south of the south property line of Summit Drive, northerly 449 feet; the centerline of which gas main shall be 15 feet west of and parallel to the east property line of said CEBERRY DRIVE.
- (6) A gas main in BLESSING AVENUE, from Atkinson Road, northerly 133 feet; the

centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said BLESSING AVENUE.

- (7) A gas main in BIRCH STREET, from a point 139 feet south of the south property line of South Center Street, southerly 204 feet; the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said BIRCH STREET.
- (8) A gas main in FORT MASON DRIVE, from Fort Drum Drive to Battle Bend Blvd.; the centerline of which gas main shall be 15 feet west of and parallel to the east property line of said FORT MASON DRIVE.
- (9) A gas main in FORT CLARK DRIVE, from Fort Drum Drive to Battle Bend Blvd.; the centerline of which gas main shall be 15 feet west of and parallel to the east property line of said FORT CLARK DRIVE.
- (10) A gas main in PRESIDIO ROAD, from Fort Clark Drive to Battle Bend Blvd.; the centerline of which gas main shall be 15 feet west of and parallel to the east property line of said PRESIDIO ROAD.
- (11) A gas main in SPANISH BLUFF COURT, from Battle Bend Blvd., southerly 310 feet; the centerline of which gas main shall be 6.5 feet east of and parallel to the west property line of said SPANISH BLUFF COURT.
- (12) A gas main in BATTLE BEND BLVD., from Interstate Hwy. #35, westerly 2049 feet; the centerline of which gas main shall be 15 feet south of and parallel to the north property line of said BATTLE BEND BLVD.
- (13) A gas main in FORT DRUM DRIVE, from Fort Clark Drive, westerly 609 feet; the centerline of which gas main shall be 15 feet south of and parallel to the north property line of said FORT DRUM DRIVE.

Said gas mains described above and Number 1 through Number 13 shall have a cover of not less than 2 1/2 feet.

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

(1) The improvements shall be constructed and maintained in compliance with all ordinances relating thereto.

(2) The permit shall be issued and accepted subject to all reasonable police, traffic, fire and health regulation as the City of Austin, now existing or hereafter adopted.

(3) The repair or relocation of any and all utilities in the vicinity necessitated by the laying of these improvements shall be done at the expense of the Southern Union Gas Company of Austin, Texas.

(4) The Southern Union Gas Company of Austin, Texas, will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the construction or maintenance of said improvements.

(5) That all backfill under street surfaces between existing or future proposed curbs and under driveways and alleys, shall be tamped with mechanical tampers in six (6) inch layers. Each layer shall be compacted to not less than 90 per cent of maximum density as determined by the Standard Method of Test for Compaction and Density of Soils, A.A.S.H.O. Designation T99-49.

(6) The City of Austin may revoke such permits for good cause after notice to the Southern Union Gas Company, in Austin, and hearing thereon, and upon such revocation the owner of such improvements will remove the same and pay all costs and expenses attendant therewith.

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price
Mayor LaRue
Noes: None

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone duct lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council: therefore,

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

THAT Southwestern Bell Telephone Company be and the same is hereby permitted to lay and construct its underground telephone duct lines in and upon the following streets:

- (1) An underground telephone duct line in GUADALUPE STREET, from the point of intersection of a line 108 feet north of the north property line of Hemphill Park and 12 feet West of the east property line of said GUADALUPE STREET, to the point of intersection of a line 153 feet north of the north line of said Hemphill Park and 10 feet west of the east property line of said GUADALUPE STREET.

- (2) An underground telephone duct line in GUADALUPE STREET, from a point 153 feet north of the north property line of Hemphill Park, northerly 143 feet; the centerline of which underground telephone duct line shall be 10 feet west of and parallel to the east property line of said GUADALUPE STREET.
- (3) An underground telephone duct line in GUADALUPE STREET, from a point of intersection of a line 296 feet north of the north property line of Hemphill Park and 10 feet west of the east property line of said GUADALUPE STREET, northerly to the point of intersection of a line 343 feet north of the north property line of said Hemphill Park and 11 feet west of the east property line of said GUADALUPE STREET.
- (4) An underground telephone duct line in GUADALUPE STREET, from the point of intersection of a line 343 feet north of the north property line of Hemphill Park and 11 feet west of the east property line of said GUADALUPE STREET, to the point of intersection of a line 405 feet north of the north property line of said Hemphill Park and 10 feet west of the east property line of said GUADALUPE STREET.
- (5) An underground telephone duct line in GUADALUPE STREET, from a point 405 feet north of the north property line of Hemphill Park, northerly 345 feet; the centerline of which underground telephone duct line shall be 10 feet west of and parallel to the east property line of said GUADALUPE STREET.
- (6) An underground telephone duct line in GUADALUPE STREET, from the point of intersection of a line 750 feet north of the north property line of Hemphill Park and 10 feet west of the east property line of said GUADALUPE STREET, to the point of intersection of a line 818 feet north of the north property line of said Hemphill Park and 7.5 feet west of the east property line of said GUADALUPE STREET.
- (7) An underground telephone duct line in GUADALUPE STREET, from the north line of Fruth Street northerly 283 feet; the centerline of which underground telephone duct line shall be 7.5 feet west of and parallel to the east property line of said GUADALUPE STREET.
- (8) An underground telephone duct line in GUADALUPE STREET, from the point of intersection of a line 283 feet north of the north property line of Fruth Street and 7.5 feet west of the east property line of said GUADALUPE STREET, to the point of intersection of a line 336 feet north of the north property line of said Fruth Street and 12 feet west of the northerly prolongation of the east property line of said GUADALUPE STREET.
- (9) An underground telephone duct line in GUADALUPE STREET, from the point of intersection of a line 336 feet north

of the north property line of Fruth Street and 12 feet west of the northerly prolongation of the east property line of said GUADALUPE STREET, to the point of intersection of a line 12 feet south of the north property line of West 29th Street and 14 feet west of the southerly prolongation of the east property line of said GUADALUPE STREET.

- (10) An underground telephone duct line in GUADALUPE STREET, from a point 12 feet south of the north property line of said West 29th Street northerly to a point in a line 3.0 feet south of and parallel to north property line of West 30th Street; the centerline of which underground telephone duct line shall be 14 feet west of and parallel to the east property line of said GUADALUPE STREET.
- (11) An underground telephone duct line in GUADALUPE STREET, from the point of intersection of a line 3.0 feet south of and parallel to the north property line of West 30th Street and 14 feet west of the east property line of said GUADALUPE STREET, to the point of intersection of a line 50 feet north of the north property line of said West 30th Street and 7 feet west of and parallel to the east property line of said GUADALUPE STREET.

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

- (1) The improvements shall be constructed and maintained in compliance with all ordinances relating thereto.
- (2) The permit shall be issued and accepted subject to reasonable police, traffic, fire and health regulation as the City of Austin, now existing or hereafter adopted.
- (3) The repair or relocation of any and all utilities in the vicinity necessitated by the laying of these improvements shall be done at the expense of the Southwestern Bell Telephone Company of Austin, Texas.
- (4) The Southwestern Bell Telephone Company of Austin, Texas, will indemnify and save the City of Austin harmless from any and all claims against said City growing out of or connected with the construction or maintenance of said improvements.
- (5) That all backfill under street surfaces between existing or future proposed curbs and under driveways and alleys, shall be tamped with mechanical tampers in six (6) inch layers. Each layer shall be compacted to not less than 90 per cent of maximum density as determined by the Standard Method of Test for Compaction and Density of Soils, A.A.S.H.O. Designation T99-49.
- (6) The City of Austin may revoke such permit for good cause after notice to the Southwestern Bell Telephone Company, in Austin, and hearing thereon, and upon such revocation the owner of such improvements will remove the same and pay all costs and expenses attendant therewith.

The motion seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price
Mayor LaRue
Noes: None

CONTRACT WITH BLAND CONSTRUCTION COMPANY FOR
INSTALLATION OF 9,700' OF 8" DUCTILE IRON
SEWER MAINS

The City Manager said this was the installation of sanitary sewer lines to serve the Decker Generating Plant as well as some of the anticipated public facilities, on the peninsula at Decker Lake. The Director of Water and Sewer explained a line was under construction on the south side of the peninsula because the nature of the peninsula was a difficult project. Lines have to be placed down both sides, and the main thing is the urgency of getting the lines in there before the lake completely fills. The last thing to be built on the peninsula will be a package plant to treat the sewage rather than pumping it with a long extensive force main. These lines had to be deep, and that is the reason for ductile iron pipe. He pointed out the two choices: (1) clay concrete or some non metallic pipe with concrete encasement around it, all of which is expensive; (2) the prevention of infiltration, with bottle type lines. COUNCILMAN PRICE asked if this 8" line would be large enough to take care of the load 10 years from now. The Director of Water and Sewer Utilities, MR. VICTOR SCHMIDT, stated this line would be adequate.

If the Parks Department can concentrate on and develop this large peninsula adequate sanitary facilities and water for the Power Plant and other developments could be placed very quickly. This is the reason they were concentrating on the peninsula.

COUNCILMAN GAGE asked what would this line serve. The City Manager said this was initially to serve the generating plant and related buildings. A Master Plan of the Decker Lake Reservoir area will be brought to the Council shortly showing various types of public recreational facilities some of which will be located on the peninsula.

These facilities will be brought to the Council for approval. Councilman Janes noted the line had been constructed before the lake started going up, quite a sum of money could have been saved. Should the construction be delayed until the facilities are developed and the lake is at operating level it would cost more to put the lines in then. The City Manager stated if the generating plant was to be served, the treatment plant (package plant) and the sanitary sewer line should be installed to serve the whole peninsula. Just to serve the generator, a short line and a small package plant could be used, but it was the opinion of the administration that one package plant should be utilized to serve more than the generating facility. The package plant is designed to serve all facilities on the peninsula, including the generating plant. MR. SCHMIDT stated there was a plan for the area that would be brought to the Council. COUNCILMAN GAGE asked how the size of the pipe was determined. MR. SCHMIDT said the size was decided upon by the anticipated load. Part of the plan includes types of living facilities--hotel or motel. The principal concern is to try to get the facilities in ahead of the development, plus the fact if they waited until the lake completely filled, the cost of construction would go up. Councilman Price foresaw the inadequacy of these lines in view of the hotels and motels, etc., plus the power plant. He did not want to come back in ten years to enlarge the line. He emphasized the need of a Master Plan of the whole lake before great expenditures were made. Mr. Schmidt assured that these two lines would take care of everything anticipated.

Councilman Janes asked about the Master Plan's completion. The City Manager reported it was drawn up in a preliminary fashion, and it should have the consultation of the Electric Department, and go through the Parks Board and Planning Commission, and to the City Council. As yet it had not been introduced to any of these. It will take a month or two yet. Councilman Johnson, realizing the water was rising was hesitant to move in that area without knowing where they are going. He wanted to know how they reached the locations, and how they determined the size. He just did not want to spend any more money than necessary. MR. SCHMIDT stated the other line was in the process of being installed now. Councilman Atkison asked if this matter could be delayed a week. The City Manager stated he would bring in the preliminary staff plan although it had not been reviewed by the Planning Commission or Parks Board.

Councilman Price moved to hold this item over for a week. The motion, seconded by Councilman Atkison, carried by the following vote:

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

Noes: None

REPORT ON FAR WEST BOULEVARD AND CHIMNEY CORNERS

MR. HAROLD WOLFF reviewed the zoning of this property in 1966, while the land was not in the city limits. It is this group's feeling that this area could be rezoned, and 99% of the people in the vicinity are violently opposed to commercial development in the area. The zoning is poor planning; it violates the Master Plan in that commercial development shall be within 1,000' of the Missouri Pacific Railroad, and this zoning is about a mile from there. Commercial development is across the street from the school, is a traffic hazard and dangerous to small children.

MR. WOLFF reported this group appeared before the Planning Commission some time ago at the request of a former City Council which requested that the Commission hear them. Their attorney was allowed to make one brief statement, but they, as citizens, were not allowed to speak. They feel an error was made in the past on this tract; it is improperly zoned, and they were requesting that the Planning Commission be overruled and a hearing be granted with the idea of changing the zoning on that portion of the land where construction has not been started, to permit apartments but not commercial developments. A thousand families live in the area, and they have a 1400-1500 member organization violently opposing a shopping center. In answer to Councilman Gage's inquiry, Mr. Wolff said they would compromise for apartments. To be certain, MAYOR LaRUE asked the Planning Director to clarify the zoning for single family dwellings and apartments. The Planning Director stated the original letter from the neighborhood requested a hearing on "BB" or "A", "BB" of course permitting apartments. Councilman Johnson noted this was returned on two separate occasions to the Planning Commission; and on neither one did the Commission actually hear the people. MR. WOLFF explained the first time the group went to the Planning Commission on its own, asking for a hearing. They let them speak a little, but refused to grant them a hearing. Their question was, did they have a hearing, or a hearing for a hearing. In February they appeared before the Planning Commission and were refused to discuss the merits of their proposal. In March the Council requested the Planning Commission to restudy the issue with an eye toward a hearing; and when they appeared before the commission at the request of the Council, their Attorney was allowed to make a brief statement but no one else was allowed to speak. They were now before the Council once more. MAYOR LaRUE asked for clarification of the "hearing" before the Planning Commission. The Planning Director explained the two types of hearings--one set out by ordinance and State statutes; in which there is the matter of notice and a full hearing is conducted with full testimony; and other,

a closed hearing by the Planning Commission which reviewed the testimony from the initial one from representatives of the various groups and other individuals in or out of the neighborhood. The Commission followed the procedural aspects of taking testimony in mid-February. Taking the testimony, they voted NOT to set a hearing or reconsider the zoning of the property. Discussion was held on referral to the Commission for a rehearing and/or restudy. The City Manager pointed out the Commission in its discretion could hold or not hold a hearing. The City Attorney noting some misunderstanding on this point stated during the lengthy discussion there was a statement about a hearing. He reread the motion as made, "that we send this to the Planning Commission for restudy and recommendation". Mayor LaRue stated this was a point that really needed clarification. MR. WOLFF'S final request was that the Council reject the Planning Commission's report.

COUNCILMAN MacCORKLE asked if it were understood when the property was first zoned how the land was to be used. Mr. Wolff replied there were very few people in the neighborhood at that time, and the land was undeveloped. They believe an error was made. COUNCILMAN PRICE noted it was zoned "GR" in 1966 before it was annexed to the City, without any development. COUNCILMAN GAGE pointed out Chimney Corners had not been cut through at the time of the zoning, and there was no traffic there.

MR. ROGAN GILES, representing BRADFIELD-CUMMINS, said this case had been brought to the previous Council on two separate occasions; it had been to the Planning Commission on two separate occasions, and the Zoning Subcommittee on one additional occasion. He set out the chronology of the case: the zoning and annexation were both accomplished in the fall of 1966; the property had the commercial zoning classification at the time the development around it took place; and the School site was known in 1962. The land fronts on Far West Boulevard which is a major 100' through-street connecting with Missouri Pacific Boulevard. The zoning was there before the people who are most actively concerned about it now moved into the area or bought their homes. Bradfield-Cummins had never made any representation that this property would be used for anything except commercial. The property first came up at a zoning subcommittee hearing at which there was a zoning request on Highland Hills, Section 9, Phase 2, which is in this general area but not contiguous to it. There was a full hearing at that time with a strong list of opponents making their thoughts known. At the conclusion, the Planning Commission voted to deny the request for a rehearing or reclassification of the property. There was a two-hour hearing to decide whether or not to have a hearing. On April 8th the group came back before the Planning Commission, which again said it should not restudy this and roll the zoning back.

At the present time there are under construction apartment units on the west of this tract; the 7-11 Store is under way; building permits were obtained, construction started, contracts entered into, and financing obtained before the February hearing, and all involved had relied upon the zoning. For the City to grant zoning, leaving it in effect over two years, let people move into an area, let contracts and financial commitments be made, and then turn around and permit the people to move into the area and decide that the zoning should be changed, would be a bad policy matter.

MR. TOM BRADFIELD described the area stating the property adjoining the apartment property is undeveloped, and they own all the land which is a strip 300' wide; it will, by Master Plan, accommodate a residential street and have an "A" designation of Residential all the way around it. The apartment development buffers the commercial part. Farther than that, they have a strip of Residential property developed all the way around the apartment site, which in turn surrounds the commercial property.

In answer to Councilman Johnson's inquiry, Mr. Wolff stated they were newcomers to Austin, having purchased their home last year. They did not feel it was necessary to inquire about commercial activities in the area as they had protection from zoning laws. However, many of the purchasers were told by realtors that this area (the commercial property) was to be single family residences. Councilman Gage asked if the contract on the 7-11 building was actually let and the building under construction prior to the time that it was brought into the City limits, or if it had been in the City limits all the time. Mr. Giles said it was started in 1969 about two years and three months after the zoning was granted. Negotiations on the contract for the 7-11 were made in 1968, and the construction started in the early part of 1969.

MR. ROGAN GILES stated charges had been made that there had been misrepresentation by realtors. No one had said that Bradfield-Cummins had been responsible for any of the misrepresentation that may or may not have taken place. Mr. Giles stated this is the fifth time they had been called on to come to the Council, and he asked that the Council take action, accept the report and not make any additional recommendations for restudy or rehearing, or anything relating to a roll-back. MR. WOLFF wanted to make it clear they were not trying to harass anyone out there or trying to create greater uncertainty for business firms, but to make the developers a little more responsible. He claimed they had not had a fair hearing except before this Body today. They were not asking that any of the building be torn down, but were asking for a reconsideration or possible rezoning for that area on which construction has not yet started.

COUNCILMAN JOHNSON, stating this problem is throughout the community, urged the people of this City that when they went in to buy a home not to assume anything, but look into the intended use of the neighborhood; especially when a zoning has been established for over two years. He explained that the realtors' problem of developing and that in any large tract of land, the apartment site, and the construction must be kept at low cost for competitive leasing units on the market today. They must charge at least one tract somewhere in a subdivision with a greater amount of value. These developers have done this in an area that is at least a single block from any single family residence now. He also explained the zoning procedure stating the Council did not have the prerogative to change the zoning, and this group had been the only authority there was (The Planning Commission), and they have denied the request twice.

MR. STANLEY CAVETT, Waterline Road and Far West Boulevard, about six blocks west of the proposed elementary school, discussed the conditions on Northhills, around Murchison Junior High, and the Commercial developments, noting a constant stream of students crossing the street from the Junior High to the U-Totem. Far West Boulevard is to be a major traffic artery. The younger children will be crossing the street to the 7-11 store, and it will be a dangerous situation for them. He questioned having any commercial development around an Elementary School. Councilman Janes pointed out exactly the same situation exists at Casis School.

COUNCILMAN PRICE inquired about the development. MR. BRADFELD pointed out on the map the apartment development. COUNCILMAN PRICE stated part of the situation concerns the traffic which will be relieved when the Missouri Pacific Boulevard is complete. He did not believe the commercial would interfere with those people to any extent. Councilman Price and Councilman Gage noted this was another good example of the necessity for some revisions in the Zoning Code.

MRS. BEIGHTLER too reviewed the case stating they were never able to get a hearing and discuss the issues. Their main concern is this shopping center is across the street from the main entrance to their elementary school. They live

in another subdivision, which is deed restricted to single-family residence only. On the plat this land was shown as low density only, but owned by others. They accepted that map without farther checking. Most of the builders were not aware that the commercial zoning existed. She said this shopping center is not needed; is not wanted. Because of the zoning ordinance, they, as citizens, could not petition it anyway. They were not referring to the area where the development is now, but only the possibility of a change of the four acres still undeveloped. They would be willing to see apartments go in that area rather than a shopping center.

The Director of Planning stated some of the basic issues concerning the desirability of zoning were presented to the Planning Commission, and he explained that Mrs. Beightler and others prepared a letter to the Commission setting out basic issues as to whether or not the Commission should reconsider if these issues warranted a matter of rehearing. The Department offered every assistance possible to both parties. The Commission was fully informed on this matter. Councilman Gage asked if 1,000 people were concerned, was the Commission not of the opinion that they were warranted a hearing. The Director of Planning stated the Planning Commission had the prerogative as well as the Council to determine whether or not a hearing should be held. Councilman Price thought these people should have been considered regardless of the time it would have taken. The Planning Director pointed out that many cases were in litigation concerning Planning Commissions and City Councils in Texas voting approval or disapproval of zoning based on popular acceptance or lack of acceptance. In every case it had been struck down by the Courts. He stated the Planning Commission was not upholding its own decision, as it was a different Commission; they did try to examine the basic issues, and if there was enough evidence that there was possibly a mistake made. In their opinion they felt there was not enough evidence; that there had been a mistake made. Councilman Price emphasized he was speaking in the interest of the people of Austin.

Councilman Price moved that the Council accept the report of the Planning Commission and not recommend any additional action. Councilman Janes seconded the motion with a comment that this would effectively be a confiscation of Mr. Bradfield's property if this action were not taken.

Councilman Johnson said this neighborhood needs to consider in what stage this neighborhood was created and understand the lack of tools this Council has, bearing in mind what he had said before that the process must be followed. ...He suggested if they were concerned about their children crossing the street, that they should come back and ask for traffic controls on that street if that is what is needed to protect the children.

Roll call showed the following vote:

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

Noes: None

Councilman Gage made the following statement regarding his vote:
"I vote 'aye', but I again recommend that we restudy the zoning provisions and ordinance."

Councilman Janes made the following statement:

"I would like to thank the opponents for their unemotional presentation for their side. I vote 'aye' ".

Councilman Johnson concurred with Councilman Gage in that:
"We must have a study of our zoning ordinances to prevent this from happening."

Councilman Price made the following statement regarding his vote:
"I would like to take this opportunity to tell the people in Northwest Hills that my heart goes out for them. I do want to go along with Mr. Gage and Mr. Johnson in getting our ordinances changed. I've asked this morning, that before we take any land into this City, that it will come in under a zoning that we can control before the construction is built on it."

HEARING ON ANNEXATION ORDINANCE

10:30 A.M.

MAYOR LaRUE opened the public hearing on ordinances annexing properties requested by representatives for the owners as follows:

- (1) 32.77 acres of land out of the John Applegait Survey - unplatted land.
- (2) 3.03 acres of land out of the John Applegait Survey.
(A portion of Lamar Boulevard.)
- (3) 28.64 acres of land out of the George W. Davis Survey - proposed QUAIL CREEK WEST, SECTION 3.
- (4) 6.66 acres of land out of the George W. Davis Survey - proposed QUAIL CREEK WEST, SECTION 2.

Councilman Price noted there could be trouble ahead by bringing this property in under "A", as he still thought it should be brought in un-zoned.

Councilman Janes moved the hearing be closed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

Noes: None

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 ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 32.77 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APPLGAIIT SURVEY; 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 Janes moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

Noes: None

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

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

Noes: None

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 ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 3.03 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APPLGAIIT 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 Janes moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

Noes: None

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

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

Noes: None

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 ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 28.64 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY AND 6.66 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY 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 first time and Councilman Janes moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

Noes: None

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

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

Noes: None

ZONING HEARING

Pursuant to published notice thereof the following zoning application was publicly heard:

MILTON J. FAIRLEY &
ODIE D. KENDRICK
By Sidney Purser

Tract 1
4500-4502 Avenue A
500-504 West 45th St.

From "A" 1st H&A
To "O" 2nd H&A
NOT Recommended by the
Planning Commission

Tract 2
4504-4506 Avenue A

From "A" 1st H&A
To "B" 2nd H&A
NOT Recommended by the
Planning Commission

MR. SIDNEY PURSER explained there was confusion over what the rights of way were to be. At the time this was before the Planning Commission the right of way still was not determined, and the zoning was not recommended. This case was postponed twice until the problems could be worked out, and now it has been resolved satisfactory to all. The Director of Planning stated Mr. Purser was correct and all conditions were in order and the agreements had been made. Mr. Purser stated the owners were willing to dedicate 5' of right of way on Avenue A, and enter a voluntary 25' set back off of Avenue A.

Councilman MacCorkle moved that the zoning request be granted subject to the right of way and set back. The motion, seconded by Councilman Janes, carried by the following vote:

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

The Mayor announced that the change had been granted to "O" 2nd Height and Area for Tract 1 and to "B" 2nd Height and Area for Tract 2 and the City Attorney was instructed to draw the necessary ordinance to cover.

REPLACEMENT OF SIGNAL EQUIPMENT

Mayor LaRue introduced the following ordinance:

AN ORDINANCE APPROVING AND AUTHORIZING THE AMENDMENT TO THAT DOCUMENT WHICH WAS ATTACHED TO AND MADE A PART OF ORDINANCE NO. 681212-C, PERMITTING THE MISSOURI PACIFIC RAILROAD COMPANY TO REPLACE SIGNAL EQUIPMENT WITH MICRO-WAVE TOWERS AND PROVIDING FOR THE PARTICIPATING BY THE CITY IN THE COST OF SUCH RELOCATION; AND DECLARING AN EMERGENCY.

The City Manager stated this was a specific request by the Missouri Pacific Railway Company that all contracts be approved by ordinance. The supplement to the contract provides for the utilization by the Missouri Pacific Railway Company of microwave equipment rather than overhead or underground lines on this portion of their Railroad system, as it is effected by the Missouri Pacific Boulevard Highway improvement. He, the Staff members, and the Highway Department had met with representatives of the Railway Company, and encouraged the Company in their planning toward the microwave system, as it would relieve much of the engineering, drainage, etc. He reported this was recommended, and it was hoped by the use of this micro-wave system, the expenditures would be reduced. Austin

probably will be the first utilization of microwave equipment on the Railroad's system. The Public Works, Right of Way Staff, and all are highly in favor of this system.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

DECKER HOLLY TRANSMISSION LINE Eminent Domain for Easement

The City Manager stated several Council members had indicated an interest in the acquisition of this property at 2915 East 1st Street, and more particularly the transmission line. This particular transmission line between the two plants has been under extended consideration on previous occasions of the Council. MAYOR LaRUE stated the Council would welcome an opportunity to hear again reports on the analyses and studies made on this line. MR. R. L. HANCOCK, Assistant Director of Utilities pointed out on the map the direction of the line interconnecting the Decker and Holly Power Plants. Routing had been cleared down to the Montopolis Bridge. The section in question is that from Montopolis Bridge down to the Holly Street Plant. This is a trunk, key transmission line in the system with a steel tower construction of two circuits. Alternate routes have been studied:

- (1) From Montopolis Bridge, taking the north bank of the River to Holly Plant; and
- (2) From Montopolis Bridge, crossing the river, taking the south bank of the river into Holly.

This was considered by the Council in February, 1968. The analysis indicated economically the routing along the north bank of the river was \$19,800 cheaper than routing along the south bank. They recommended installation on the north bank on the bases of economics and of the geography in the area. The bluff line on the north bank would tend to make the line a little less conspicuous. There is City property involved in both routes. About 80' more City property is available on the south route; but in the total, there would be an insignificant amount of money. The City Manager stated consideration had been given to going underground, but the economics were prohibitive; and the alternate of having an

overhead line on the far bank more in view, it would be better to bring the line in closer underneath the bank where possible and have it at the cheaper location. In answer to Councilman Johnson's inquiry, Mr. Hancock described the type of tower to be larger and heavier construction.

They are required to have double circuit towers between the two plants. Councilman Price noted there were no residents on the south bank; and on the north side there were houses all along there, and these towers would be in their back yards. MR. HANCOCK pointed out the two routes. On the north bank there is one angle on the line; while on the south there would be two angles. The cost of the two angle towers is the item that threw the southern route into a more expensive route than the northern one. There is one more tower in the north route than in the south; but with the cost of the two angle towers, the price comes out more. Mr. Hancock stated the tangent tower is estimated at \$5,120.00. The cost of the angle tower is estimated at \$18,110 making a significant difference in the two structures. Councilman Price noted there would be only one piece of property on the south side other than the City property; and on the north side there was a large number of properties. Councilman Price inquired why would the property be more costly on the south side. The City Manager stated there could be severance damages. Councilman Price recommended that they go the route where only one person would be affected rather than eight, ten or twenty. He stated, looking after the public's interest, he did not think it would be feasible to force those people to give up the easement at 10¢ a square foot, and let one person on the south side knock out that route because it is stated the property is more valuable than on the north side. As to the aesthetics, the poles will not add any beauty. Councilman Janes stated they would be less evident on the north side. Councilman Price wanted to see this matter reconsidered, and the route changed to the south side. After discussion, the Council decided to postpone this matter until the Executive Session scheduled for the afternoon.

ACQUISITION OF PROPERTY FOR MO PAC RIGHT OF WAY

Councilman Gage moved that the Council authorize the purchases of the following properties at the average appraisal price:

1500 Newfield	(Lot No. 75 and the South 25 feet of Lot No. 76, Enfield "F")
1803 Northwood Road	(Lots 7 and 8, Block 4, Brykerwood "C")
4600 Highland Terrace	(Lot 35, Block A, Highland Park)

The motion, seconded by Councilman Janes, carried by the following vote:
Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor Akin
Noes: None

COUNCILMAN MacCORKLE inquired about the appraisors. The City Manager stated whatever independent appraisors who were available were engaged, and there were two City appraisors. He listed the independent appraisors that were called upon, and they are identified in the material furnished the Council.

ACQUISITION OF PROPERTY - TOWN LAKE

The Council held over the acquisition of the WALLER BEACH AREA, 703-705 Cummins Avenue. The City Manager explained property was being acquired for the Parks and Recreation Department in connection with the over-all Town Lake program.

After discussion, the City Manager stated this could be held a week and have more information on this particular tract as well as other tracts purchased.

ACQUISITION OF SITE FOR ELECTRIC SUBSTATION

The Council discussed the electric substation approximately three miles north of the City limits on U.S. 183 (North 2.585 acres of land out of the James Rogers Survey No. 19). MAYOR LaRUE pointed out this was in the area of the Texas Instruments site. After brief discussion, Councilman Gage moved to authorize the purchase of this substation site. The motion, seconded by Councilman Price, carried by the following vote:

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

Noes: None

REFUND CONTRACT

The Council had before it the following Refund Contract:

AUSTEX DEVELOPMENT COMPANY, LTD.	- For Water and Sewer Mains
Nash Phillips, Partner	in Wooten Village, Section
	6 - \$13,466.25.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ASSISTANT TO THE CITY
MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH AUS-
TEX DEVELOPMENT COMPANY, LTD., FOR THE APPROPRIATION
OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CON-
TRACT; AND DECLARING AN EMERGENCY.

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

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

Noes: None

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

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

Noes: None

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

CONTRACT WITH GREAT A & P TEA COMPANY UTILITY COLLECTION STATION

The City Manager submitted the following:

May 22, 1969

"May 8, 1969

"TO: Mr. Norman Barker, Director of Finance

SUBJECT: Utility Collection Sub-station

"Mr. Goff Qualls, Assistant Superintendent, The Great Atlantic and Pacific Tea Company, has requested a City of Austin, Water and Electric utility collection station be located in their new store at 2334 Rosewood #116. This is in an area where a lot of people do not have a bank checking account. Our nearest station at present is approximately twenty blocks away.

"A and P is a new collection agent for the City and will require Council approval.

"I recommend the City of Austin, Water and Light Department, enter into our usual sub-station collection agreement with A and P.

"Attached is a copy of the agreement with our collection agents.

FROM: E. W. Bunge, Manager
Customer Accounting and Collecting

SIGNED: /s/ E. W. Bunge"

The City Manager reported most of the bills were paid through the mail. He explained when these companies offered this service, it was for the convenience for their neighborhood customers; and for the City, it is also an added convenience for those who do not pay by check or by mail. It is a service to the collecting agency which attracts more business by more patrons coming into the business. The reimbursement rate is not a money-making business to the store.

Councilman Price 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 collection contract with the Great Atlantic and Pacific Tea Company regarding a utility collection sub-station to be located at 2334 Rosewood No. 116; and in accordance with the terms and provisions of that certain contract exhibited to the City Council; and,

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

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

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

Noes: None

SUPPLY OF DATA TO COUNCIL MEMBERS

COUNCILMAN JANES stated he had noted a Memorandum in which was a suggestion made that the amount of information and correspondence supplied the members of the Council be reduced. He said he was very pleased to receive all the information that had been sent, and that he would like to continue to receive it in the

future. COUNCILMAN JOHNSON stated he would encourage to providing of the additional information, as it was a big help to him in becoming acquainted to have some background on matters under consideration. COUNCILMAN PRICE stated he still wanted to receive all the information.

COUNCILMAN MacCORKLE asked about the Financial Consultant to the City. The City Manager stated the First Southwest Company has been the City's consultant for several years, and MR. CURTIS ADRIAN, is the local representative.

COUNCILMAN MacCORKLE also inquired if there were a directory of the City with the telephone numbers. The City Manager said there is a recent up-to-date directory being prepared; but in the meantime he would see that the Council had a copy of the present directory which would be helpful.

COUNCILMAN MacCORKLE noted complaints written, telephoned, and personal, concerning lack of proper regulation of traffic on Lake Austin; also comments on the Health Department, in that a new look should be taken toward rejuvenating or revamping their schedules to take care of some of the things that had not been done. The City Manager stated the Lake Austin comments would be referred to the Police Department as there was a patrol boat on the Lake, and he would bring this to the attention of the Chief. As to the City-County Health Department, there was an uncertainty as to where the jurisdiction is. State funds and supervision are involved, and the appointment of the Director and supervision of employees, are involved. He would get some information for the Council on this.

AGENDA PROCEDURE

MAYOR LaRUE asked that the agenda include an item for matters to be submitted by the City Manager.

NEWS RELEASES

The City Manager stated he had discussed news releases with the Public Relations Official, and the Council should have the opportunity of reading the releases before they appeared in the newspaper. The release times will be set a day later and the Council will receive them the same day they would be distributed to the news media for release the following date. Something marked for "Immediate Release", the Council would agree would be a different situation.

ANNEXATIONS SET FOR HEARING

Mayor LaRue 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 7.90 ACRES OF LAND, SAME BEING OUT OF THE THEODORE BISSEL LEAGUE; 9.94 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE HENRY P. HILL LEAGUE; AND 51.16 ACRES OF LAND, SAME BEING TWO TRACTS OF LAND OUT OF THE ISAAC DECKER AND WM. CANNON LEAGUES; 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.

Councilman Janes moved that the ordinance be published in accordance with Article 1, Section 6, of the Charter of the City of Austin and set for public hearing at 9:30 A.M., June 5, 1969. The motion, seconded by Councilman Johnson, carried by the following vote:

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

Mayor LaRue introduced the following ordinance:

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
1.31 ACRES OF LAND, SAME BEING OUT OF AND A PART OF
THE H. T. DAVIS SURVEY IN TRAVIS COUNTY, TEXAS; WHICH
SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND AD-
JOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF
AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman Janes moved that the ordinance be published in accordance with Article 1, Section 6, of the Charter of the City of Austin and set for public hearing at 9:30 A.M., June 5, 1969. The motion, seconded by Councilman Johnson, carried by the following vote:

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

EASEMENTS RELEASED

Councilman MacCorkle 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 Lot 1, Bobby Layne Subdivision, a subdivision in the City of Austin, Travis County, Texas, of record in Book 8 at Page 146 of the Plat Records of Travis County, Texas; and,

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

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

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

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

A strip of land ten (10.00) feet in width, same being out of and a part of Lot 1, Bobby Layne Subdivision, a subdivision in the City of Austin, Travis County, Texas, of record in Book 8 at Page 146 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 the intersection of a line five (5.00) feet south of and parallel to the north line of said Lot 1, Bobby Layne Subdivision, and the east line of an existing public utilities easement ten (10.00) feet in width, from which point of beginning an iron pipe at the northwest corner of said Lot 1 bears N 35° 20' E 5.00 feet and N 54° 40' W 175.00 feet;

THENCE, N 54° 40' W 18.50 feet to point of termination.

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

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

Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes, same being out of and a part of Lot 15, Giles Place, Section One, a subdivision in the City of Austin, Travis County, Texas, of record in Book 4 at Page 318 of the Plat Records of Travis County, Texas; and,

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

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

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

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

22 square feet of land, same being out of and a part of Lot 15, Giles Place, Section One, a subdivision in the City of Austin, Travis County, Texas, of record in Book 4 at Page 318 of the Plat Records of Travis County, Texas; which 22 square feet of land are more particularly described by metes and bounds as follows:

BEGINNING at the intersection of a line two and one-half (2.50) feet east of and parallel to the west line of said Lot 15, and a line three (3.00) feet north of and parallel to the south line of said Lot 15, which point of beginning is the southwest corner of the herein described tract of land, and from which point of beginning a steel pin at the southwest corner of said Lot 15 bears S 70° 08' W 3.94 feet;

THENCE, with the said line two and one-half (2.50) feet east of and parallel to the west line of Lot 15, N 30° 44' E 2.00 feet to a point in a line five (5.00) feet north of and parallel to the said south line of Lot 15, which point is the northwest corner of the herein described tract of land;

THENCE, with the said line five (5.00) feet north of and parallel to the south line of Lot 15, S 60° 15' E 11.00 feet to a point in a line thirteen and

one-half (13.50) feet east of and parallel to the aforesaid west line of Lot 15, which point is the northeast corner of the herein described tract of land;

THENCE, with the said line thirteen and one-half (13.50) feet east of and parallel to the west line of Lot 15, S 30° 44' W 2.00 feet to a point in the aforesaid line three (3.00) feet north of and parallel to the south line of Lot 15, which point is the southeast corner of the herein described tract of land;

THENCE, with the said line three (3.00) feet north of and parallel to the south line of Lot 15, N 60° 15' W 11.00 feet to the point of beginning.

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes on a map or plat of a Resubdivision of Block "D" in Townlake Plaza, a subdivision in the City of Austin, Travis County, Texas, of record in Book 37 at Page 2 of the Plat Records of Travis County, Texas; said easement being out of and a part of Lots 2A and 4A of said Resubdivision of Block "D" in Townlake Plaza; 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 easement; and,

WHEREAS, the City Council has determined that the hereinafter described portions of said easement are not now needed and will not be required in the future; SAVE AND EXCEPT, however, that the south or southwest forty (40.00) feet of each strip of land described as Number One and Number Two is to be retained as an electric anchor easement; Now, Therefore,

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

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

Two (2) strips of land, each being five (5.00) feet in width and each being out of and a part of a resubdivision of Block "D" in Townlake Plaza, a subdivision in the City of Austin, Travis County, Texas, of record in Book 37 at Page 2 of the Plat Records of Travis County, Texas; the strip of land hereinafter described as Number One being out of and a part of Lot 2A, said Resubdivision of Block "D" in Townlake Plaza and the strip of land hereinafter described as Number Two being out of and a part of Lot 4A, said Resubdivision of Block "D" in Townlake Plaza; which two strips of land five (5.00) feet in width are more particularly described as follows:

NUMBER ONE, BEING all of the south 249.27 feet of the east or southeast five (5.00) feet of said Lot 2A, Resubdivision of Block "D" in Townlake Plaza;

NUMBER TWO, BEING all of the south 249.27 feet of the west or northwest five (5.00) feet of said Lot 4A, Resubdivision of Block "D" in Townlake Plaza.

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain easements were granted to the City of Austin for electrical purposes by instrument dated October 18, 1963 of record in Volume 2687 at Page 350 of the Deed Records of Travis County, Texas, said easements being out of and a part of Block F, Quail Creek, Section Two, a subdivision in the City of Austin, Travis County, Texas, of record in Book 40 at Page 47 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 electrical easements, to-wit:

Two (2) strips of land, each being ten (10.00) feet in width and each being out of and a part of Block F, Quail Creek, Section Two, a subdivision in the City of Austin, Travis County, Texas, of record in Book 40 at Page 47 of the Plat Records of Travis County, Texas; the strip of land hereinafter described as Number One being out of and a part of Lot 5, said Block F, Quail Creek, Section Two, and the strip of land hereinafter described as Number Two being out of and a part of Lot 7, said Block F, Quail Creek, Section Two; the centerline of each of the said two (2) strips of land ten (10.00) feet in width is more particularly described as follows:

NUMBER ONE, BEGINNING at an iron pin at an angle point in the east line of said Lot 5, Block F, Quail Creek, Section Two, same being the west line of Lot 6, Block F, Country Air, Section 1, a subdivision of record in Book 17 at Page 42 of the Plat Records of Travis County, Texas, and from which point of beginning an iron pin at the southeast corner of said Lot 5 bears S 29° 59' W 50.96 feet;

THENCE, N 60° 00' W 45.00 feet to point of termination.

NUMBER TWO, BEGINNING at an iron pin at an angle point in the east line of said Lot 7, Block F, Quail Creek, Section Two, same being the west line of Lot 5, Block F, said Country Air, Section 1, and from which point of beginning an iron

pin at the most southerly corner of said Lot 7 bears S 42° 19' W 19.00 feet;

THENCE, N 39° 40' W 45.00 feet to point of termination.

RECEPTIONIST

Councilman Price inquired about the position of Receptionist. The City Manager stated the possibilities of placing a Receptionist in the front foyer area had been considered; and after interview, a Receptionist had been selected. He listed the initial costs of setting up the desk, typewriter, telephone, etc., and set out the salary range. Duties would be that of Receptionist, and she will have diagrams showing locations of various offices in the City Hall, the locations of the Planning Department, offices in the Steck Building and the various other offices. Duties also would include typing and clerical work. The City Manager recommended this on a three months' trial basis, evaluate it, and continue it if satisfactory to all. Funds for this position would need to be transferred from the Contingency appropriation. Councilman Price moved that the City Manager be authorized to transfer the funds and to employ someone on a trial basis for three months. The motion, seconded by Councilman Johnson, carried by the following vote:

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

COMMUNITY INFORMATION COORDINATOR

Councilman MacCorkle asked about the Public Relations employee. The City Manager stated Miss Barkley was first on the Public Relations staff in the Recreation Department, but has been reassigned and is working now with the Utility Customer Relations; handling official functions of the City government concerning dedication of new facilities; getting out news releases, and preparing kits and information on various functions--dedication of the Ullrich Plant--shuttlebus service, etc. Her title is Community Information Coordinator. Presently she is working with the Personnel Department improving the Employee Orientation Program, and Visual aids. It is hoped to begin a City Employees' News letter on which she would help in conjunction with the Personnel Department.

SUMMARIES OF ZONING DISTRICTS AND VEHICLES

The City Manager stated summaries requested of certain zoning districts had been distributed to the Council members. He had a summary of vehicles by Departments showing sedans, station wagons, trucks, etc., and this is available to the Council now.

MR. JIM RAY, not speaking for the other media, although each had discussed the matter, called attention to the growth of the News Media covering the City Hall. He stated the News Media had increased from four to nine. They appreciate the arrangement, but noted the limitation of space. There are five of the electronic news media and four representing various newspapers and there are only six spaces in which they have to work. He asked if some arrangement could be made to provide for more space. He suggested grouping the electronics media around one area. MAYOR LaRUE stated the Council had discussed this the past week, noting the difficulties the press had, and had transmitted this matter to the City Manager, who is trying to alleviate the situation.

The Council then recessed at 2:00 P.M. to go into Executive Session.

RECESSED MEETING:

After the Executive Session, the Council resumed the Regular Meeting.

MAYOR LaRUE announced the Council had some recommendations to make regarding appointments to the Human Opportunities Corporation, and these individuals were to have approval by the Commissioners Court. Those recommended by the City Council are as follows:

MR. BOB ARMSTRONG
MR. FRANK G. BRYANT
MR. RUPERT CEDER
MR. LES GAGE
FATHER VICTOR GOERTZ
MR. WILLIAM B. HILGERS
MR. P. CLIFT PRICE
MRS. BERT KRUGER SMITH
MR. VICTOR RAVEL
MR. LYNDON BROWN
MR. CHARLES N. CHRISTENSEN
MR. JOSE GUERRA
MRS. JULIAN WYATT
MR. RAY RAMIREZ

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

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

Mayor LaRue

Noes: None

The Council adjourned at 5:30 P.M.

APPROVED

Mayor

ATTEST:

Grace Monroe