

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 9, 1968

9:00 A.M.

COUNCIL CHAMBERS, CITY HALL

The meeting was called to order with Mayor Akin presiding.

Roll Call:

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

Absent: None

The Invocation was delivered by REVEREND THOMAS WHITCOMB, Trinity United Church of Christ.

AUSTIN FINE ARTS COUNCIL REQUEST

Mrs. Mary Lib Thornhill, representing the Art Council of Austin, appeared before the Council to request that the City Council amend its contract with the University Bureau of Business Research. The Bureau, in making a feasibility study for a major Coliseum, was requested to include a Performing Arts Complex in the feasibility structure. Councilman Nichols moved the Council grant the request of the Art Council, subject to the City Manager's recommendation. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Noes: None

CORPORATION COURT POLICIES AND PROCEDURES

Councilman Long moved the City Council instruct the City Manager to extend an invitation to the following organization and individuals to participate and contribute to the Corporation Court Policies and Procedures Study and to advise

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those responsible for drafting appropriate documents for the consideration of the City Council concerning the procedures and practices of the Corporation Court:

Presiding and Associate Judges of Corporation Courts, Travis County Bar Association, County Attorney, various Municipal Officers, such as Chief of Police, City Attorney, and the Clerk of the Corporation Court.

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

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

RECOGNIZING MRS. TOM BUTLER

Councilman Long moved the Council adopt a resolution honoring the late Mrs. Tom Butler. The motion, seconded by Councilman LaRue, carried by the following vote:

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

BOND PROSPECTUS RECEIVED

Councilman Nichols moved the Council receive the Revised Bond Prospectus and commend those responsible for getting it together. The motion, seconded by Councilman LaRue, carried by the following vote:

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

FAIR HOUSING ORDINANCE PUBLIC HEARING CONTINUED

Councilman LaRue moved the Council continue the public hearing on the Fair Housing Ordinance until 2:30 P.M. in the Electric Service Building at 301 West Avenue. The motion, seconded by Councilman Nichols, carried by the following vote:

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

ANNEXATION HEARING

Mayor Akin opened the public hearing scheduled for this time on the following annexations:

- (1) 10.17 acres of land out of the Theodore Bissel League - portion of proposed CHERRY CREEK III. (Requested by engineer for owner)
- (2) 14.48 acres of land out of the John Applegate Survey - portion of proposed QUAIL CREEK, SECTION 2. (Requested by engineer for owner)
- (3) 9.10 acres of land out of the Isaac Decker and William Cannon Leagues - proposed COMMUNITY OF FAIRVIEW, SECTION 3. (Requested by engineer for owner)
- (4) 50.41 acres of land out of the James P. Wallace Survey No. 57 and the Willis Avery Survey - proposed CREEKSIDE SUBDIVISION and an unplatted tract. (Requested by engineer for developer)
- (5) 53.42 acres of land out of the Henry P. Hill League - unplatted land and a portion of South Lamar Boulevard and Panther Trail. (Partially requested)

Councilman LaRue moved the Council close the hearing. The motion, seconded by Councilman Long, carried by the following vote:

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

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 14.48 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APPLIGATE SURVEY; 10.17 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE THEODORE BISSEL LEAGUE; 50.41 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NUMBER 57 AND THE WILLIS AVERY SURVEY; AND 9.10 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE ISAAC DECKER AND THE WILLIAM CANNON LEAGUES; ALL 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 LaRue moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Long, carried by the following vote:

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

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

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

Councilman Long moved the Council continue the hearing of item 5, 53.42 acres of land out of the Henry P. Hill League, until May 23, 1968 at 10:30 A.M. in order that the property owners have more time to present their case. The motion, seconded by Councilman Nichols, carried by the following vote:

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

ANNEXATION ORDINANCE

Mayor Akin brought up the following ordinance for its final 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 14.00 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES MITCHELL SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

The Mayor announced that the ordinance had been finally passed.

ZONING AMENDMENT ORDINANCE

Mayor Akin introduced the following ordinance:

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

TRACT 3: A 3.44 ACRE TRACT OF LAND, LOCALLY KNOWN AS 7802-7812 SHOAL CREEK BOULEVARD, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;

TRACT 4: A 8.66 ACRE TRACT OF LAND, LOCALLY KNOWN AS 7814-7864 SHOAL CREEK BOULEVARD, AND 3101-3319 ANDERSON LANE, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; AND

ADDITIONAL AREA: A 2.38 ACRE TRACT OF LAND, LOCALLY KNOWN AS 3100-3332 FOSTER LANE AND 7800 SHOAL CREEK BOULEVARD, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

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AMBULANCE PETITION SURVEY

Councilman Nichols moved the Council receive the status report on Ambulance Petition Survey. The motion, seconded by Councilman Long, carried by the following vote:

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

NATURAL SCIENCE CENTER ADMISSION RATES

Councilman Long moved the Council accept the recommendation of the Director of the Parks and Recreation Department to interpret an adult as an individual 18 years or over or an individual who has completed his high school education, and to authorize the Natural Science Center to charge the following admission rates:

1. Twenty-five cents (25¢) for all adults.
2. No fee be charged any person of public school age or under if, and when, accompanied by an adult.
3. A charge of ten cents (10¢) for all individuals of school age unaccompanied by an adult.
4. No children under school age may be admitted unless accompanied by an adult.

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

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

ANNEXATION HEARING SET

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 7.60 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE; 4.62 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APPLIGATE SURVEY; AND 13.81 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NUMBER 57; 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 Nichols moved that the ordinance be published in accordance with Article I, Section 6 of the Charter of the City of Austin and set for public hearing on May 23, 1968 at 10:30 A.M. The motion, seconded by Councilman Long, carried by the following vote:

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

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 33.39 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NUMBER 57 IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman Nichols moved that the ordinance be published in accordance with Article I, Section 6 of the Charter of the City of Austin and set for public hearing on May 23, 1968 at 10:30 A.M. The motion, seconded by Councilman Long, carried by the following vote:

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

ALLEY VACATION

Mayor Akin introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF PENNSYLVANIA AVENUE ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman Nichols moved the Council consider the vacation of the alley between San Antonio and Guadalupe Streets north of West 7th Street at a later date. The motion, seconded by Councilman Long, carried by the following vote:

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

RELEASE OF EASEMENTS

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes in, upon and across portions of Lots 12, 13 and 14, Ridgewood Village, Section 1, a subdivision of a portion of the Henry P. Hill League in the City of Austin, Travis County, Texas, according to a map or plat of said Ridgewood Village, Section 1 of record in Book 6 at Page 59 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has 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; Now, Therefore,

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

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

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Four (4) strips of land, each being five (5.00) feet in width and each being out of and a part of Ridgewood Village, Section 1, a subdivision of a portion of the Henry P. Hill League in the City of Austin, Travis County, Texas, according to a map or plat of said Ridgewood Village, Section 1, of record in Book 6 at Page 59 of the Plat Records of Travis County, Texas; the strip of land hereinafter described as Number One being out of a part of Lot 12, said Ridgewood Village, Section 1, the strips of land hereinafter described as Number Two and Number Three being out of and a part of Lot 13, said Ridgewood Village, Section 1, and the strip of land hereinafter described as Number Four being out of and a part of Lot 14, said Ridgewood Village, Section 1; each of the said four (4) strips of land five (5.00) feet in width being more particularly described as follows:

NUMBER ONE, BEING all of the west 122.54 feet of the south five (5.00) feet of said Lot 12, Ridgewood Village, Section 1.

NUMBER TWO, BEING all of the west 122.54 feet of the north five (5.00) feet of said Lot 13, Ridgewood Village, Section 1.

NUMBER THREE, BEING all of the west 115.75 feet of the south five (5.00) feet of said Lot 13, Ridgewood Village, Section 1.

NUMBER FOUR, BEING all of the west 115.75 feet of the north five (5.00) feet of said Lot 14, Ridgewood Village, Section 1.

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

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility and drainage purposes in, upon and across a portion of Lot 1, Block C, West Gate Square, a subdivision of a portion of the James Trammel Survey in the City of Austin, Travis County, Texas, according to a map or plat of said West Gate Square of record in Book 27 at Page 27 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has 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 utilities and drainage easement, to-wit:

A strip of land fifteen (15.00) feet in width, same being out of and a part of Lot 1, Block C, West Gate Square, a subdivision of a portion of the James Trammel Survey in the City of Austin Travis County, Texas, according to a map or plat of said West Gate Square of record in Book 27 at Page 27 of the Plat Records of Travis County, Texas; which strip of land fifteen (15.00) feet in width is more particularly described as follows:

BEING all of the north fifteen (15.00) feet of the south twenty (20.00) feet of said Lot 1, Block C, West Gate Square.

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

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

PUBLIC RIGHT OF WAY

Councilman Long 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 COOPER LANE, from a point 770 feet north of the north property line of Matthews Lane and 11.5 feet west of the east property line of said COOPER LANE, northerly to a point 6.5 feet south of the north property line of King Edward Place and 6.5 feet west of the east property line of said COOPER LANE.
- (2) A gas main in COOPER LANE and EBERHART LANE, from a point in COOPER LANE 6.5 feet south of the north property line of King Edward Place, northerly and easterly to a point in EBERHART LANE, 120 feet east of the east property line of Middleham Place; the centerline of which gas main shall be 6.5 feet west of and north of and parallel to the east and south property lines of said COOPER LANE and said EBERHART LANE.
- (3) A gas main in KING EDWARD PLACE, from Cooper Lane to a point 135 feet west of the west property line of South 1st Street; the centerline of which gas main shall be 6.5 feet south of the north property line of said KING EDWARD PLACE.
- (4) A gas main in MIDDLEHAM PLACE, from KING EDWARD PLACE to Eberhart Lane; the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said MIDDLEHAM PLACE.
- (5) A gas main in PEVENSEY DRIVE, from Middleham Place, easterly 117 feet; the centerline of which gas main shall be 6.5 feet south of the north property line of said PEVENSEY DRIVE.
- (6) A gas main in PEVENSEY DRIVE, from King Edward Place, northerly 28 feet; the centerline of which gas main shall be 6.5 feet west of the east property line of said PEVENSEY DRIVE.
- (7) A gas main in KING GEORGE DRIVE, from Middleham Drive, westerly 109 feet; the centerline of which gas main shall be 6.5 south of and parallel to the north property line of said KING GEORGE DRIVE.
- (8) A gas main in KING GEORGE DRIVE from King Edward Place, northerly 28 feet; the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said KING GEORGE DRIVE.

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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 permit for good cause after notice of 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 Nichols, carried by the following vote:

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the application of the Southwestern Bell Telephone Company, of Austin, Texas, to construct and maintain the hereinafter described underground improvements:

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An underground telephone duct line in GASTON AVENUE, from a point in the south property line of said GASTON AVENUE to a point in the north property line of said GASTON AVENUE; the centerline of which underground telephone duct line shall be 168 feet west of and parallel to the northerly prolongation of the centerline of Jarrett Avenue.

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 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 regulations of 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 Nichols, carried by the following vote:

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

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Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the application of the Capital Cable Company, Incorporated, of Austin, Texas, to construct and maintain the hereinafter described underground improvements:

An underground coaxial signal conduit in GASTON AVENUE, from a point in the south property line of said GASTON AVENUE to a point in the north property line of said GASTON AVENUE; the centerline of which underground coaxial signal conduit shall be 168 feet west of and parallel to the northerly prolongation of the centerline of Jarrett Avenue.

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 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 regulations of 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 Capital Cable Company, Incorporated, of Austin, Texas.

(4) The Capital Cable Company, Incorporated, 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 Capital Cable Company, Incorporated, 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 Nichols, carried by the following vote:

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

CONTRACTS AWARDED

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 1, 1968, for the construction of 1,006 feet of 8-inch concrete sanitary sewer main in Interstate Highway 35 from Anderson Lane North 1,006 feet; and,

WHEREAS, the bid of Bill Tabor Construction Company, in the sum of \$8,702.00, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Bill Tabor Construction Company, in the sum of \$8,702.00, 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 Bill Tabor Construction Company.

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

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 1, 1968, for the construction of 3,730 feet of 8-inch concrete sanitary sewer main in Burleson Road Heights and Ware Road Easement; and,

WHEREAS, the bid of Bill Tabor Construction Company, in the sum of \$42,975.00, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Bill Tabor Construction Company, in the sum of \$42,975.00, 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 Bill Tabor Construction Company.

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

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

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 2, 1968, for the construction of Park Bridge & Low Water Crossing, Decker Creek Dam and Reservoir, and for the construction of the Park Road, Decker Creek Dam and Reservoir; and,

WHEREAS, the bid of Allen Keller Company, in the sum of \$70,303.50, for the construction of the Park Bridge & Low Water Crossing, Decker Creek Dam and Reservoir, and the bid of Ed H. Page, in the sum of \$78,915.00, for the construction of the Park Road, Decker Creek Dam and Reservoir, were the lowest and best bids therefor and the acceptance of such bids has been recommended by the Director of the Electric Department of the City of Austin and by the City Manager; Now, Therefore,

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

That the bids of Allen Keller Company and Ed H. Page, as above enumerated, be and the same are hereby accepted, and that R.M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute contracts on behalf of the City, with Allen Keller Company and Ed H. Page.

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

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

LANDSCAPING IMPROVEMENTS

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the application of David C. Graeber to construct, plant and maintain certain landscaping improvements, consisting of one street light and one live oak tree in accordance with a certain plat marked "EXHIBIT A" attached hereto and made a part hereof, in and upon the sidewalk area adjacent and contiguous to the following described tract of land, to-wit:

The east twenty-three (23.00) feet of Lot 1, Block 66,
Original City of Austin, as shown on a plat on file in
the General Land Office of the State of Texas.

be and the same is hereby granted, and the Building Official is hereby authorized to issue a permit for the construction of such improvements, said 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 regulations of the City of Austin, now existing or hereafter adopted.
- (3) The repair or relocating of any and all utilities in the vicinity due to these improvements shall be done at the expense of David C. Graeber.
- (4) David C. Graeber will indemnify and save the City of Austin harmless from any and all claims against the City of Austin growing out of or connected with the construction or maintenance of said improvements.
- (5) David C. Graeber shall provide liability insurance coverage for the City of Austin in a form acceptable to the City Attorney in the minimum amounts of \$100,000.00 for each person and \$300,000.00 bodily injury coverage for each accident, in connection with the placement, construction or maintenance of the landscaping permitted herein.
- (6) The City of Austin may revoke such permit at any time and upon such revocation the owner of the building will at its own expense remove the street light and tree from such sidewalk area or other improvements and pay all costs and expenses attendant therewith.

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

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

REFUND CONTRACT

Mayor Akin introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ASSISTANT TO THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH CARRINGTON'S UNIVERSITY HILLS, FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

ACCEPTANCE AND APPROVAL OF GRANT OFFER

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

CITY OF AUSTIN, TEXAS

WHEREAS, the City Council of the City of Austin, Texas has authorized a program of construction of sewerage works at an estimated cost of \$1,200,000.00 and the United States Government, acting through the Federal Water Pollution Control Administration, has offered a federal grant in the amount of \$356,100.00 as designated on Part A, Offer and Acceptance, now under consideration by this body; Now, Therefore,

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

That said offer as submitted, together with the terms and conditions thereof, is hereby accepted and approved; and that Victor R. Schmidt, Jr., Director of Water and Sewer Department of the City of Austin, Texas, is hereby authorized and directed to sign said Offer and Acceptance and any other necessary documents required to complete the project on behalf of said City.

BE IT FURTHER RESOLVED:

That the City of Austin, Texas has or will procure a fee simple or such other estate or interest in the site of the project, including the necessary easements and rights-of-way, as to assure undisturbed use and possession for the purposes of construction, operation and maintenance of the works for the estimated life of the project; and that in the event such title, estate, or interest in such site, easements or rights-of-way may in the future be contested, the City of Austin, Texas, will defend and maintain its title in such site and hold the United States Government blameless in such action; and that before any federal payment is requested pursuant to said grant, said City will provide certification as to the sufficiency of such estate or interest.

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

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

PROPERTY PURCHASED

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

Henry J. Adams et ux
(MoPac Blvd.)

2201 Winsted Lane
680201.99

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

That the offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$16,812.50 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

Lot 7, Block 3, T.C. Steiner Resubdivision of Lots 6, 7, and 8, Block 11, Westfield A, in the City of Austin, Travis County, Texas, according to the map or plat of resubdivision of record in Book 4, Page 70, Travis County Plat Records.

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

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

Councilman Nichols moved the Council purchase the property at 2403 East 19th Street for \$6,375 from which \$3,695 would be deducted for delinquent hospital bills. The motion was seconded by Councilman Long.

Councilman Janes offered a substitute motion that the Council authorize purchase of the property at 2403 East 19th Street for \$5000 from which \$3,695 would be deducted for delinquent hospital bills. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

Hartgrove, Letha D., Estate	2403 East 19th Street
(Widening of E. 19th St.)	680503.20

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

That the offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$5,000.00 therefor be accepted, and that the

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CITY OF AUSTIN, TEXAS

City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

Lot No. 16 in Block No. 3 in Outlots Nos. 32 and 33 in Glenwood Addition in Division "B" in the City of Austin, Travis County, Texas, according to the map or plat of said addition of record in Volume 2, Page 154, Travis County Plat Records; and being the same property described in a deed of record in Volume 894 at Page 418 of the Travis County Deed Records.

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

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

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

E.B. LaRue, Jr., et al.
(MoPac Blvd.)

3110 Hancock Drive
680201.98

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

That the offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$16,250.00 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

Lot No. Two (2), in Block "I", of Highland Park West, a subdivision in the City of Austin, Travis County, Texas, according to a map or plat thereof recorded in Volume 4, Page 299, of the Travis County Plat Records; and the adjoining West Ten (10) feet of Lot No. One (1), of the Resubdivision of a portion of Block "I" of Highland Park West, in the City of Austin, Travis County, Texas, according to map or plat of said Resubdivision of record in Volume 5, Page 116, Travis County Plat Records.

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

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

CONTRACT AWARDED

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

WHEREAS, bids were received by the City of Austin on April 30, 1968, for renovations to air conditioning system at Municipal Airport Terminal Building; and,

WHEREAS, the bid of Fox & Hearn, Inc., in the sum of \$13,504.00, 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 Fox & Hearn, Inc., in the sum of \$13,504.00, 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 Fox & Hearn, Inc.

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

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

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

WHEREAS, bids were received by the City of Austin on May 8, 1968, for the construction of a concrete slab, four concrete tank supports and construction of a prefabricated metal building (to be supplied by the City) at the Eberhart Reservoir; and,

WHEREAS, the bid of Ford-Weymeyer, Incorporated, in the sum of \$5,931.00 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Ford-Wehmeyer, Incorporated, in the sum of \$5,931.00, 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 Ford-Wehmeyer, Incorporated.

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

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

AUTOMATED VOTING SYSTEM REPORT

Councilman Janes moved the Council receive the report regarding automated voting system. The motion, seconded by Councilman LaRue, carried by the following vote:

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

RECESSED MEETING

2:30 P.M.

FAIR HOUSING ORDINANCE HEARING

Mayor Akin opened the public hearing scheduled for 2:30 P.M. on the Fair Housing Ordinance.

Various proponents and opponents appeared before the Council concerning the Fair Housing Ordinance. Among the proponents were Dr. Irwin Spear of the University of Texas representing the student population of Austin, Father John Payne of the Saint Ignatius Church, Kenneth Ashworth, an Austin citizen who had done work in Urban Renewal, Public Housing and various fields of education, and Tom Black representing the Human Relations Commission. Mr. Black summarized the supporting views of the ordinance stating that the Fair Housing Ordinance, although geared to the Federal Law would be set up as a local investigation and enforcement agency of the Federal Law, and that the Citizens of Austin needed an ordinance which would prohibit discrimination.

Mr. Woodrow Sledge summarized the main objectives of the Fair Housing Ordinance stating that:

- (1) the passage of the Fair Housing Ordinance would be extremely rapid and on short notice in relation to the recent passage of the Federal Law.
- (2) the proponents, although "kind and idealistic", represented a very narrow strata of the public opinion of Austin.
- (3) the ordinance would be an invasion of property rights in that it would restrict people from conveying their property in the manner they wished.
- (4) taking such drastic action as passing the Fair Housing Ordinance would necessitate a public referendum.

Councilman Nichols, in reply to Mr. Sledge, noted that the ordinance had been in the making for a long time and that the interests of the majority of Austin citizens were being considered, including real estate dealers.

Mayor Akin introduced the following ordinance:

AN ORDINANCE TO BE KNOWN BY THE SHORT TITLE OF "FAIR HOUSING ORDINANCE OF THE CITY OF AUSTIN"; DECLARING THE PUBLIC POLICY OF THE CITY OF AUSTIN; DEFINING THE TERMS USED IN SAID ORDINANCE; PROHIBITING DISCRIMINATION IN THE SALE OR RENTAL OF HOUSING; PROHIBITING DISCRIMINATION IN THE FINANCING OF HOUSING; PROHIBITING DISCRIMINATION IN THE PROVISION OF BROKERAGE SERVICES; PROVIDING FOR CERTAIN EXEMPTIONS AND EXCLUSIONS; PROVIDING FOR THE FILING OF COMPLAINTS; PROVIDING FOR INVESTIGATION AND ATTEMPT AT CONCILIATION BY THE EXECUTIVE DIRECTOR OF THE HUMAN RELATIONS

COMMISSION OF THE CITY OF AUSTIN; PROVIDING FOR REFERENCE OF COMPLAINTS AND FOR HEARINGS BEFORE THE HUMAN RELATIONS COMMISSION OF THE CITY OF AUSTIN; PROVIDING FOR CERTIFICATION OF VIOLATIONS TO THE CITY ATTORNEY; PROVIDING FOR THE INSTITUTION OF CIVIL OR CRIMINAL PROCEEDINGS BY THE CITY ATTORNEY; PROVIDING FOR THE ISSUANCE OF SUBPOENAS IN THE AID OF ENFORCEMENT AND FOR PENALTY FOR WILFUL VIOLATION OF SUCH SUBPOENAS; PROVIDING AUTHORITY FOR THE EXECUTIVE DIRECTOR OF THE HUMAN RELATIONS COMMISSION TO DELEGATE CERTAIN OF HIS AUTHORITIES AND RESPONSIBILITIES; PROVIDING AUTHORIZATION FOR THE COMMISSION AND THE EXECUTIVE DIRECTOR TO COOPERATE WITH THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT AND TO ENTER INTO AGREEMENTS WITH SUCH SECRETARY; PROHIBITING UNLAWFUL INTIMIDATION IN CONNECTION WITH HOUSING AND THE ENJOYMENT OF THE RIGHTS RECOGNIZED UNDER THIS ORDINANCE; PROVIDING PENALTIES FOR THE VIOLATION OF THE PROHIBITIONS OF THIS ORDINANCE; AND PROVIDING THAT THE INVALIDITY OF A PORTION OF THIS ORDINANCE SHALL NOT AFFECT THE REMAINING PORTIONS THEREOF.

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

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

ACCEPTANCE AND APPROVAL
OF GRANT OFFER

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin, Texas has authorized a program of construction of sewerage works at an estimated cost of \$86,384.00 and the United States Government, acting through the Federal Water Pollution Control Administration, has offered a federal grant in the amount of \$25,890.00 as designated on Part A, Offer and Acceptance, now under consideration by this body; Now, therefore,

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

That said offer as submitted, together with the terms and conditions thereof, is hereby accepted and approved; and that Victor R. Schmidt, Jr., Director of Water and Sewer Department of the City of Austin, Texas, is hereby authorized and directed to sign said Offer and Acceptance and any other necessary documents required to complete the project on behalf of said City.

BE IT FURTHER RESOLVED:

That the City of Austin, Texas has or will procure a fee simple or such other estate or interest in the site of the project, including the necessary easements and rights-of-way, as to assure undisturbed use and possession for the purposes of construction, operation and maintenance of the works for the estimated life of the project; and that in the event such title, estate, or interest in such site, easements or rights-of-way may in the future be contested, the City of Austin, Texas, will defend and maintain its title in such site and hold the United States Government blameless in such action; and that before any federal payment is requested pursuant to said grant, said City will provide certification as to the sufficiency of such estate of interest.

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

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

EXECUTIVE SESSION ACTION

Mayor Akin announced that the Council had met in Executive Session to consider the purchase of some property. Councilman Nichols moved the Council authorize the Mayor, City Manager and City Attorney to negotiate with the First Baptist Church of Austin, Texas for the purchase of East 9th Street between Trinity and Neches Streets. The motion, seconded by Councilman Long, carried by the following vote:

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

ADJOURNMENT

The Council then adjourned.

APPROVED: 

Mayor

ATTEST: 

Asst. City Clerk