

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 1, 1968
9:00 A.M.

COUNCIL CHAMBER, 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 MURRAY O. JOHNSON of the Asbury Methodist Church.

FIESTA GARDENS REPORT

City Manager Tinstman advised that the Council defer any decision as to the organizational structure concerning Fiesta Gardens and noted that the project should continue under city supervision pending further study. Councilman Nichols moved the Council follow the City Manager's recommendation to appropriate the necessary funds for the operation of the facility. The motion, seconded by Councilman LaRue, carried by the following vote:

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

PARKS AND RECREATION BOARD COMMUNICATION
ON FIESTA GARDENS

Mayor Akin noted that a report had been received recommending that Fiesta Gardens be administered by the Parks and Recreation Department under the direction of the pro manager described in the City Manager's memorandum. Councilman Nichols moved the Council authorize the City Manager to take the matter under advisement. The motion, seconded by Councilman LaRue, carried by the following vote:

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

AUSTIN AREA GARDEN CENTER

Councilman Nichols moved the Council approve the request for the building of a glass patio on the Austin Area Garden Center with the memorial funds donated by Magnolia Green. The motion, seconded by Councilman LaRue, carried by the following vote:

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

"EDMUNDS TRAVIS DAY"
CITIZENS AWARD

Mayor Akin read the following proclamation:

WHEREAS, there is no more valuable civic entity than a freely functioning press; and

WHEREAS, there is no more valuable citizen than the man who dedicates his life to the dissemination of truth through the public prints; and

WHEREAS, one among us has distinguished himself for over half a century as reporter, publisher, editor and commentator; and has served his community and his state well and long as honest, far-seeing and inventive counselor; and

WHEREAS, one who has brought a rare degree of culture, moderation and good humor to council chambers, the statehouse, and wherever civilized men have gathered in this capital city; and

WHEREAS, this most worthy citizen has continued unto this very day to serve his City in its outstanding program of public libraries; and

WHEREAS, he has continued to add his benign yet vigilant presence to council meetings and other important municipal deliberations;

NOW, THEREFORE, BE IT PROCLAIMED that Tuesday, the 6th day of February 1968, the occasion of this citizen's 78th birthday be set apart and celebrated in Austin as

"EDMUNDS TRAVIS DAY"

WITNESS MY HAND and the official seal of the City of Austin, this 1st day of February, 1968.

Councilman Long moved the Council effect a resolution to the effect of the proclamation. The motion, seconded by Councilman LaRue, carried by the following vote:

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

CITIZENS AWARD

Mayor Akin read a document pertaining to Reverend Blake commending his services to the community in churches, military outposts, and universities. Councilman LaRue moved the Council adopt the document in resolution form and that a copy of the resolution be sent to the appropriate persons. The motion, seconded by Councilman Long, 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 10:30 A.M. on the following annexation. Councilman Nichols moved the Council close the hearing and direct the administration to institute annexation proceedings to annex the following:

1. 2.25 acres of land out of the George W. Davis Survey - unplatted land.
2. 5.00 acres of land out of the Santiago Del Valle Grant - unplatted land.
3. 27.29 acres of land out of the Henry P. Hill League and the William Barton Labor - proposed BARTON HOLLOW and BARTON TERRACE.
4. 495 square feet of land out of the James P. Wallace Survey No. 18 - proposed WESTOVER HILLS CLUB ESTATES.
5. 92.40 acres out of the Isaac Decker League and the J. Trammel and C. Riddle Surveys - portion of Ben White Blvd. and intersection of Ben White Boulevard, U.S. Highway 290 west, Loop 360 and Loop 343.

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 2.25 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY; 27.29 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE HENRY P. HILL LEAGUE AND THE WM. BARTON LABOR; 92.40 ACRES OF LAND OUT OF THE ISAAC DECKER LEAGUE, THE JAMES TRAMMEL AND THE CHARLES H. RIDDLE SURVEYS; 495 SQUARE FEET OF LAND OUT OF THE JAMES P.

WALLACE SURVEY NUMBER 18; AND 5.00 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance be 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 Nichols 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

CONTINUED ZONING HEARING

Mayor Akin announced that the Council would hear the zoning cases scheduled for public hearing at this time continued from January 25, 1968. Pursuant to published notice thereof, the following zoning applications were publicly heard:

M. K. HAGE, JR. by Sneed & Vine	3106-3110 Red River St. 815-821 E. 32nd St.	From "O" Office to "LR" Local Retail (as amended) RECOMMENDED by the Planning Commission as amended
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Councilman LaRue moved the Council grant the change from "O" Office to "LR" Local Retail, as recommended by the Planning Commission as amended. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the change had been granted to "LR" Local Retail and instructed the City Attorney to draw the necessary ordinance to cover.

PETE CASAREZ by Sneed and Vine	2415-2419 S. 5th St.	From "A" Residence to "B" Residence RECOMMENDED by the Planning Commission
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Councilman Long moved the Council grant the change from "A" Residence to "B" Residence, as recommended by the Planning Commission. The motion, seconded by Councilman LaRue, carried by the following vote:

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

ZONING ORDINANCES

Mayor Akin introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: THE WEST 43.78 FEET OF LOT 2 AND ALL OF LOTS 3 AND 4, BLOCK 10, CAMP MABRY HEIGHTS, LOCALLY KNOWN AS 1811-1815 WEST 35TH STREET AND 3405-3411 OAKMONT BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman 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 LaRue, Long, Nichols, Mayor Akin
Noes: None
Present But Not
Voting: Councilman Janes

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

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

The Mayor announced that the ordinance had been finally passed.

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:

(1) LOT 6 OF THE GLENVIEW ADDITION, LOCALLY KNOWN AS 1600-1602 WEST 34TH STREET AND 3400 KERBEY LANE, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT;

(2) A 1.84 ACRE TRACT OF LAND, LOCALLY KNOWN AS 3427-3443 NORTH HILLS DRIVE, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;

(3) LOTS 13-17, BLOCK 4, LEANDER BROWN SUBDIVISION, LOCALLY KNOWN AS 2907-2917 WEST AVENUE, FROM "BB" RESIDENCE DISTRICT AND FIRST AND SECOND HEIGHT AND AREA DISTRICTS TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;

(4) TRACT 1: A 1.27 ACRE TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 1617-1703 PARKER LANE, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;

TRACT 2: A 25.40 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1319-1609 PARKER LANE, FROM "BB" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;

TRACT 3: A 2.34 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1317 PARKER LANE, 2023 RIVERSIDE DRIVE, AND THE REAR OF 1815-2033 RIVERSIDE DRIVE, FROM "BB" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT;

(5) TRACT 1: A TRACT OF LAND 200 FEET IN WIDTH OUT OF A 14.50 ACRE TRACT OF LAND OUT OF THE GEORGE W. DAVIS SURVEY #15, LOCALLY KNOWN AS 8200-8246 U.S. HIGHWAY 183, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;

TRACT 2: A TRACT OF LAND OUT OF THE GEORGE W. DAVIS SURVEY #15, LOCALLY KNOWN AS 8047-8051 LAZY LANE, 1348 WOOTEN DRIVE AND THE REAR OF 8200-8246 U. S. HIGHWAY 183, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;

(6) THE SOUTH 94.86 FEET OF LOTS 31 AND 32, BLOCK 13 OF HYDE PARK SECTION 2, LOCALLY KNOWN AS 104 WEST 38-1/2 STREET, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND 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 Long 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 LaRue, Long, Nichols, Mayor Akin
Noes:	None
Present But Not Voting:	Councilman Janes

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

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:

(1) LOT 20, BLOCK 7, SILVERTON HEIGHTS SUBDIVISION, LOCALLY KNOWN AS 505 KENNISON DRIVE, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;

(2) EAST CENTRAL 64 FEET OF BLOCK 7, SHERRYDALE ADDITION, LOCALLY KNOWN AS 702-704 DENSON DRIVE, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL 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 LaRue, Long, Nichols, Mayor Akin
 Noes: None
 Present But Not
 Voting: Councilman Janes

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Akin introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:
A 1/2 ACRE TRACT OF LAND, OUT OF THE DINSMORE SIMPSON SURVEY, LOCALLY KNOWN AS 6201-6203 BERKMAN DRIVE AND 1700-1708 WHELESS LANE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

MASTER PLAN DATE CHANGE

Councilman Long moved the Council set the date for change of the Master Plan for February 15, 1968, at 10:30 A.M. The motion, seconded by Councilman LaRue, carried by the following vote:

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

HEARING SET

Mayor Akin introduced the following ordinance:

AN ORDINANCE AMENDING THE AUSTIN CITY CODE OF 1954 BY ADDING THERETO A NEW CHAPTER PERTAINING TO SANITATION OF THE AUSTIN WATER SUPPLY IN TRAVIS COUNTY: DEFINING TERMS: PROHIBITING POLLUTION OF THE AUSTIN WATER SUPPLY; REGULATING TREATMENT PLANTS WITHIN THE AUSTIN WATERSHED; REQUIRING PERMITS FOR CONSTRUCTION AND OPERATION OF A SEPTIC TANK OR CESSPOOL IN CERTAIN AREAS: PRESCRIBING PROCEDURES FOR OBTAINING PERMITS, INSPECTIONS, AND PAYMENT OF FEES: REGULATING WATERCRAFT AND MARINE SANITATION ON THE AUSTIN WATER SUPPLY: REGULATING DRINKING WATER FOR PUBLIC USE OF THE AUSTIN WATER SUPPLY; MAKING VIOLATION OF SUCH CHAPTER A MISDEMEANOR: PROVIDING A PROCEDURE FOR THE REVOCATION OR SUSPENSION OF PERMITS ISSUED UNDER SUCH CHAPTER AND APPEAL THEREFROM: PROVIDING A SEVERABILITY CLAUSE: AND CREATING AN EMERGENCY.

Councilman Janes moved the hearing be set for February 8 at 10:30 A.M. The motion, seconded by Councilman Nichols, carried by the following vote:

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

CONTRACTS AWARDED

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 24, 1968, for the installation of 1,211 feet of 12-inch concrete sanitary sewer main in Anderson Lane from 1,034 feet west of Burnet Road to Brockman Street; and,

WHEREAS, the bid of Austin Engineering Company, in the sum of \$24,450.70, 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 Austin Engineering Company, in the sum of \$24,450.70, 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 Austin Engineering 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 January 30, 1968, for the construction of storm sewers in Mo-Pac Railroad Easement across David Crockett High School Property Richcreek Road Easement from Daugherty Street Easement to Burnet Road and Daugherty Street Easement from Richcreek Road Easement southerly 283 feet; and,

WHEREAS, the bid of Bill Tabor Construction Company, in the sum of \$15,762.25, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Bill Tabor Construction Company, in the sum of \$15,762.25, 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 January 23, 1968, for the construction of approximately twenty-nine (29) blocks of pavement and accessories known as Assessment Paving Contract Number 68-A-1, consisting of 5 units; and,

WHEREAS, the bid of Austin Paving Company, in the sum of \$149,810.90, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Austin Paving Company, in the sum of \$149,810.90, 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 Austin Paving Company.

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

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

BOAT DOCKS

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approve the erection of a boat dock on the property owned by MR. TREV SEYMOUR as described in the Travis County Deed Records and known as Lot 63, Rivercrest Addition, Section 2 as described on the attached plot plan and hereby authorizes the said MR. SEYMOUR to construct, maintain and operate this boat dock to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable, and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said MR. SEYMOUR has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(See original Resolution for attachments)

The motion, seconded by Councilman Long, 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)

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

THAT the City Council of the City of Austin hereby approve the erection of a boat house (boat dock) on the property owned by MR. ALONZO M. PEELER, JR. as described in the Travis County Deed Records and known as the East one-third (1/3) of Lot No. 5, Cedar Ranch, Lakeview Acres as described on the attached plot plan and hereby authorizes the said MR. PEELER to construct, maintain and operate this boat house to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of this boat house after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable, and proper, present and future regulations and ordinances of the City of Austin, Texas in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said MR. PEELER has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(See original Resolution for attachment)

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

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

SHORELINE IMPROVEMENTS

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the shoreline improvements as described below and shown on the attached plan on the property owned by RICHARD M. OSTROV as described in the Travis County Deed Records and known as Lots 13, 14 and a portion of Lot 15, Lakeshore Addition and hereby authorizes the said RICHARD M. OSTROV to construct and maintain a retaining wall as described on the attached plan in compliance with all laws and ordinances relating thereto. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said RICHARD M. OSTROV has failed and refused and will continue to fail and refuse to comply with any such conditions, regulations, laws and ordinances.

(See original Resolution for attachment)

The motion, seconded by Councilman Long, 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)

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

THAT the City Council of the City of Austin hereby approves the shoreline improvements as described below and shown on the attached plan on the property owned by D. M. BRYANT, JR. as described in the Travis County Deed Records and known as Lot 14, Block A, Aqua Monte and hereby authorizes the said D. M. BRYANT, JR. to construct and maintain a retaining wall as described on the attached plan in compliance with all laws and ordinances relating thereto. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said D. M. BRYANT, JR. has failed and refused and will continue to fail and refuse to comply with any such conditions, regulations, laws and ordinances.

(See original Resolution for attachment)

The motion, seconded by Councilman Long, 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)

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

THAT the City Council of the City of Austin hereby approves the shoreline improvements as described below and shown on the attached plan on the property owned by LEON M. LURIE as described in the Travis County Deed Records and known as Lot 10, Windy Cove Subdivision and hereby authorizes the said LEON M. LURIE to construct and maintain a retaining wall as described on the attached plan in compliance with all laws and ordinances relating thereto. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said LEON M. LURIE has failed and refused and will continue to fail and refuse to comply with any such conditions, regulations, laws and ordinances.

(See original Resolution for attachment)

The motion, seconded by Councilman Long, 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)

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

THAT the City Council of the City of Austin hereby approves the shoreline improvements as described below and shown on the attached plan on the property owned by B. V. WAITE as described in the Travis County Deed Records and known as 0.206 acres, James Spillman Survey located at Ski Shores and hereby authorizes the said B. V. WAITE to construct and maintain a retaining wall as described on the attached plan in compliance with all laws and ordinances relating thereto. Said permission shall be held to be granted and subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said B. V. WAITE has failed and refused and will continue to fail and refuse to comply with any such conditions, regulations, laws and ordinances.

(See original Resolution for attachment)

The motion, seconded by Councilman Long, 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)

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

THAT the City Council of the City of Austin hereby approves the shoreline improvements as described below and shown on the attached plan on the property owned by EMMETT SHELTON, FRANCES LARSON LEDBETTER, STERLING HOLLOWAY, HARVEY LANE, JR., AND ELBA MAY SHELTON as described in the Travis County Deed Records and known as a 7.28 acre tract out of the Wilkenson Sparks Survey and hereby authorizes the said EMMETT SHELTON, FRANCES LARSON LEDBETTER, STERLING HOLLOWAY, HARVEY LANE, JR., AND ELBA MAY SHELTON to transfer or relocate existing earth material in Lake Austin in compliance with all laws and ordinances relating thereto. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas,

in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said EMMETT SHELTON, FRANCES LARSON LEDBETTER, STERLING HOLLOWAY, HARVEY LANE, JR., AND ELBA MAY SHELTON have failed and refused and will continue to fail and refuse to comply with any such conditions, regulations, laws and ordinances.

(See original Resolution for attachment)

The motion, seconded by Councilman Long, 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)

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

THAT the City Council of the City of Austin hereby approves the shoreline improvements as described below and shown on the attached plan on the property owned by FRED A. GILLUM as described in the Travis County Deed Records and known as Lot 3, Block A, Rivercrest Addition and hereby authorizes the said FRED A. GILLUM to construct and maintain a retaining wall as described on the attached plan in compliance with all laws and ordinances relating thereto. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said FRED A. GILLUM has failed and refused and will continue to fail and refuse to comply with any such conditions, regulations, laws and ordinances.

(See original Resolution for attachment)

The motion, seconded by Councilman Long, 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)

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

THAT the City Council of the City of Austin hereby approves the shoreline improvements as described below and shown on the attached plan on the property owned by A. T. RAY, JR. as described in the Travis County Deed Records and known as the east 82.5 feet of Lot 4, Bruton Springs Addition and hereby authorizes the

said A. T. RAY, JR. to construct and maintain a retaining wall as described on the attached plan in compliance with all laws and ordinances relating thereto. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said A. T. RAY, JR. has failed and refused and will continue to fail and refuse to comply with any such conditions, regulations, laws and ordinances.

(See original resolution for attachments)

The motion, seconded by Councilman Long, 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)

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

THAT the City Council of the City of Austin hereby approves the shoreline improvements as described below and shown on the attached plan on the property owned by GALE E. BLACKALLER as described in the Travis County Deed Records and known as Lot 2, Rivercrest and hereby authorizes the said GALE E. BLACKALLER to construct and maintain a retaining wall as described on the attached plan in compliance with all laws and ordinances relating thereto. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said GALE E. BLACKALLER has failed and refused and will continue to fail and refuse to comply with any such conditions, regulations, laws and ordinances.

(See original resolution for attachment)

The motion, seconded by Councilman Long, 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)

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

THAT the City Council of the City of Austin hereby approves the shoreline improvements as described below and shown on the attached plan on the property owned by MARION FOWLER as described in the Travis County Deed Records and known as Ski Shores near the mouth of Connors Branch and hereby authorizes the said MARION FOWLER to construct and maintain a retaining wall and launching apron at Ski Shores Marina as described on the attached plan in compliance with all laws and ordinances relating thereto. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said MARION FOWLER has failed and refused and will continue to fail and refuse to comply with any such conditions, regulations, laws and ordinances.

(See original resolution for attachment)

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

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

REFUND CONTRACT

Mayor Akin brought up the following ordinance for its third reading:

AN ORDINANCE AUTHORIZING THE ASSISTANT TO THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH BRADFIELD-CUMMINS, INCORPORATED, FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

EMERGENCY APPROPRIATIONS ORDINANCE

City Manager Tinstman noted that the ordinance would involve the appropriation of funds for various city projects, Fiesta Gardens, and the Model Cities Program.

Mayor Akin introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 670925-A TO APPROPRIATE UNAPPROPRIATED FUNDS FOR VARIOUS ESSENTIAL PURPOSES; AND DECLARING AN EMERGENCY.

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

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

TAX TITLE CLAIM

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

WHEREAS, by virtue of an order of sale issued out of the 53rd District Court of Travis County, Texas, in Cause #44,573, styled the City of Austin vs. James and George Green, the hereinafter described property was sold for taxes to the City of Austin by the Sheriff of Travis County, Texas, by deed of record in Volume 429, Page 634, Deed Records, Travis County, Texas; and,

WHEREAS, the subject property was redeemed within the statutory redemption period; and,

WHEREAS, no certificate of redemption or quit claim deed was filed; and,

WHEREAS, the heirs of said James and George Green are desirous of clearing the title to said property and selling it to Paul Hardy and Ivy Kilpatrick, and the above described deed is an unwarranted cloud on said title; Now, Therefore,

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

That Robert M. Tinstman, City Manager, be and is hereby authorized and directed to execute and deliver a Quit Claim Deed, on behalf of the City of Austin, conveying to Paul Hardy and Ivy Kilpatrick, their heirs, assigns and successors in title, all right, title and interest acquired by the City of Austin by the above described deed in and to the following described property, to-wit:

Lot Sixteen (16) through Twenty-Two (22), Block "P" in the J. E. Bouldin Addition to the City of Austin, Travis County, Texas, according to the map or plat of said addition recorded in Volume 1, Page 71, Plat Records, Travis County, Texas.

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

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

RELEASE OF EASEMENT

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement for public utility purposes was retained in the City of Austin in, upon and across that certain portion of an alley twenty (20.00) feet in width which was vacated by the City Council of the City of Austin by Ordinance No. 671026-B of record in Volume 3385 at Page 928 of the Deed Records of Travis County, Texas; said alley being out of and a part of Block 5, Robard's Subdivision, a subdivision out of Outlots 43, 44, 45, 54 and 55, Division D, of the Government Outlots on file in the General Land Office of the State of Texas, a map or plat of said Robard's Subdivision being of record in Book 1, at Page 12 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 that portion of said public utilities easement retained in the aforesaid vacated alley; and,

WHEREAS, the City Council has determined that the hereinafter described portion of said public utilities easement is not now needed and will not be required in the future; SAVE AND EXCEPT there is to be retained in said vacated alley an easement for drainage purposes which was provided by said ordinance; Now, Therefore,

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

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described portion of said public utilities easement; SAVE AND EXCEPT for an easement which is to be retained in the City for drainage purposes in, upon and across said portion of said vacated alley:

Being all of that certain public utilities easement which was retained in, upon and across that certain portion of a vacated alley twenty (20.00) feet in width that traverses Block 5, Robard's Subdivision, a subdivision out of Outlots 43, 44, 45, 54 and 55, Division D, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas, a map or plat of said Robard's Subdivision being of record in Book 1 at Page 12 of the Plat Records of Travis County, Texas; which certain portion of said alley twenty (20.00) feet in width was vacated by the City Council of the City of Austin and retained as a public utilities and drainage easement by Ordinance No. 671026-B of record in Volume 3385 at Page 928 of the Deed Records of Travis County, Texas.

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

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

LAND ACQUISITION

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 offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$13,100.00 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. One (1), save and except the West 10 feet thereof, Resubdivision of Block No. 1, Highland Park West, an addition to the City of Austin, Travis County, Texas, according to the map or plat of said Resubdivision of record in Volume 5, Page 116, 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

CEMETERY ORDINANCE

Mayor Akin introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 5 OF THE AUSTIN CITY CODE OF 1954 PERTAINING TO EXECUTION OF DEEDS AND TRANSFERS OF CEMETERY LOTS; AND DECLARING AN EMERGENCY.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

RELEASE OF LIENS

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, liens for street improvements against abutting property and the owners thereof are frequently paid by abutting property owners who are then entitled to have the City release said liens; and

WHEREAS, it would be in the best interest of the City and such abutting property owners for acceptance of all amounts due to be promptly followed by the release of liens securing such obligations; Now, Therefore,

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

That R. M. Tinstman, City Manager, and Charles V. Hill, Associate City Manager, be, and they are each hereby authorized and empowered to make, execute and deliver releases, for and in the name of the City of Austin, of any and all liens for assessments for street improvements in favor of the City of Austin, whenever the entire amount due the City therefor is paid in full.

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

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

REQUEST TO LOWER LAKE AUSTIN

The Council had before it a request by the Lower Colorado River Authority to lower the level of Lake Austin to repair, sandblast and paint the gates in Tom Miller Dam.

Councilman Long moved the Council grant the Lower Colorado River Authority's request that the water level of Lake Austin be lowered to 19.5 to 22 feet below normal lake level for a period not to exceed four weeks, such period to begin as

soon as weather conditions and water level in Lake Travis permits. The motion, seconded by Councilman LaRue, carried by the following vote:

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

PARADE PERMIT GRANTED

Councilman Long moved the Council grant the request of the Salvation Army for a parade permit from 4:00 P.M. to 4:25 P.M., March 23, 1968. The motion, seconded by Councilman LaRue, carried by the following vote:

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

MEETING WITH STATE HIGHWAY DEPARTMENT

The Council agreed to meet at 2:30 P.M., February 4, 1968, with the Texas State Highway Department to discuss MoPac Boulevard.

NOMINEES TO CIVIL SERVICE COMMISSION

City Manager Tinstman submitted to the Council the names of Mr. James C. Clay and W. C. "Hank" Dunlop for consideration to fill the vacant seat on the Civil Service Commission. The Council agreed that the City Manager should contact each individual regarding his availability to serve on the Commission.

LAND ACQUISITION

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

MoPac Blvd.

680201.121

Wm. F. Turman

1011-13-15 Winsted

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 \$53,700.00 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:

Lots Six (6), Seven (7), Eight (8), Nine (9), and Ten (10)
Block Four (4), of Theresa Martin Subdivision, in the City
of Austin, Travis County, Texas, according to the map of
record in Book Y, Page 504, in the District Court Minutes
of Travis County, Texas.

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

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

RECESSED MEETING

The Council recessed until 5:30 P.M. at which time there was a meeting scheduled with Mr. Clanton of the Housing and Urban Renewal Department of the Federal government.

H.U.D.

Mr. Clanton of H.U.D. appeared before the Council to answer any questions the Council might have concerning the Model Cities Program. Mr. Clanton stated that the main purpose of the program was to initiate the unemployed and uneducated citizen into the community by providing resources that he might not readily have.

Mayor Akin stated there was a need for proper coordination of the program and a unified set of objectives. One item of special concern pertained to the individual's environment, such as housing with proper facilities. The Council agreed that the general problems of the individual were known but that individual's specific problems had not yet been determined. Mayor Akin further noted that Model Cities was not to be confused with Urban Renewal. Urban Renewal's main objective was to clear areas whereas the Model Cities program, although concerned with the physical aspect of environment, primarily concentrated on services. Some of these services included vocational training, recreational facilities, day care centers, and proper lighting for neighborhood streets and pools. Mr. Clanton discussed the financing of the program stating that it was set up for a \$5,000,000 budget covering a five year time span. He further stated that 80% of the city-spent funds would be returned on a credit basis through Urban Renewal and that the majority of the Model Cities's services would be paid for with State and Federal funds. The Council agreed further study was necessary.

ADJOURNMENT

ATTEST:

Grace Monroe
Asst. City Clerk

APPROVED:

Harry Akin
Mayor