

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 16, 1969
9:00 A.M.

COUNCIL CHAMBERS, CITY HALL

The meeting was called to order with Mayor Akin presiding.

Roll Call:

Present: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin
Absent: None

The Invocation was delivered by REVEREND ROBERT BAUTISTA, St. Mary's Catholic Church.

RECOGNITION OF CITY EMPLOYEE

Mayor Akin read and presented to Mr. Bill J. Bonds a resolution commending him for his services to the City of Austin as a purchasing agent. Mr. Bonds was leaving City employment to work for the Austin Independent School District.

RECOGNITION OF RETIRING CITY EMPLOYEE

Mayor Akin and the Council recognized Mr. A.J. Hamilton, Jr., who was retiring after 50 years of service with the City of Austin. Mr. Hamilton was presented with a 50-year pin and earrings for Mrs. Hamilton.

ENDORSEMENT OF VOTING MACHINE USAGE

Mrs. McMillan, President, Austin League of Women Voters, appeared before the Council to request the adoption of a resolution endorsing the use of Automated voting equipment. After a brief discussion, Councilwoman Long moved the Council go on record favoring voting machines. The motion, seconded by Councilman Janes, carried by the following vote:

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

MH-MR CENTER QUARTERLY REPORT

After a brief discussion among the Council regarding the report, Councilman LaRue moved the Council receive the report and ask for additional information. The motion, seconded by Councilwoman Long, carried by the following vote:

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

BIDS RECEIVED - SALE OF CITY PROPERTY

At 10:30 A.M., the Council received bids on the following City-owned property:

2.06 acres out of 19.93 acre tract out of the Santiago Del Valle Grant

The only bid received was from Edward R. Rathgeber, Jr. in the amount of \$4,222.00. Councilman Nichols moved the Council receive the bid. The motion, seconded by Councilman LaRue, carried by the following vote:

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

SALE OF CITY-OWNED PROPERTY

Councilwoman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That, Gene Higgins, Associate City Manager of the City of Austin, be and he is hereby authorized to execute a warranty deed on behalf of the City of Austin, conveying to Cambridge Capital Corporation the following described property to-wit:

2.06 ACRES OF LAND OUT OF AND A PART OF A 19.93 ACRE TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the point of intersection of the proposed east line of Vasquez Street and the south line of said 19.93 acre tract of land for the southwest corner of the herein described tract of land and from which point of BEGINNING the southwest corner of said 19.93 acre tract of land bears N 53° 34' W 25.01 feet;

THENCE, with said proposed east line of Vasquez Street, N 38° 13' E 140.07 feet to a steel pin on the south line of an open drainage ditch sixty (60.00) feet in width, for the northwest corner of the herein described tract of land;

THENCE, with the south line of said open drainage ditch S 53° 34' E. 646.85 feet to a steel pin for the northeast corner of the herein described tract of land;

THENCE, S 44° 54' W 153.82 feet to a steel pin at the southeast corner of the herein described tract of land, same being a point in the south line of the aforesaid 19.93 acre tract of land;

THENCE, with said south line of the said 19.93 acre tract of land with the following two (2) courses:

- (1) N 30° 27' W 31.01 feet to a steel pin;
- (2) N 53° 34' W 600.21 feet to the point of BEGINNING.

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

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

ONE-WAY STREETS

Mr. John Hudson of the Traffic and Transportation Department explained to the Council the need for one-way movement of traffic on East Live Oak and Schriber Streets, just off Interregional Highway (I.H. 35).

Mr. E.H. Smartt, representing Mr. and Mrs. Renke, opposed the one-way movement because it affected property owned by his client. Mr. James W. Townsend, representing Mr. and Mrs. Rutledge, opposed the one-way movement for the same reason. Mr. Renke also spoke in opposition and discussed the problem with the Council. After a lengthy discussion among the Council and the interested parties, the Council agreed to look at the area under discussion during lunch before reaching a decision.

RECESSED MEETING

2:00 P.M.

AFTERNOON SESSION

Mayor Akin called the meeting to order.

NATURAL GAS FUEL SUPPLY - DECKER GENERATING FACILITIES

The Council took up the matter of the natural gas fuel supply for the Decker generating facilities, which had been continued from the meeting of January 9th. Mr. Jack Ware, representing Coastal States was present to answer any questions from the Council. Mr. Dan Crowley, representing Southern Union Gas Company, was also present.

The Council considered several modifications to the two proposals which had been discussed on January 9th. Whether or not the City should build and maintain the pipeline to Decker, the length of time covered by the contract being negotiated and cost were discussed by the Council. It was decided to hold a decision on the matter in abeyance while the staff made some additional effort to restate or refine the alternatives. The item was to be continued.

TAX APPEALS

Prior to the hearing of the Tax Appeals scheduled for 2:30 P.M., City Attorney Cortez rendered the opinion that the Council did have jurisdiction and authority to hear appeals from property which is within the Austin Independent School District, but which is not within the City Limits of the City of Austin, and that any appeal taken from the Board of Equalization must be made in writing to the City Council before the adoption of the tax rolls by the Council. Any appeal taken after that time would be untimely and outside the jurisdiction of the City Council. Also, any person who had not appealed before the Equalization Board could not be heard by the Council.

The Mayor asked by a show of hands how many individuals had not appealed their tax cases to the Tax Equalization Board.

Mr. Silas J. Foster stated that he was out of the country from September 5 to September 30. When he returned home he found a notice that he was to appear before the Board of Equalization on September 26. His case was not heard by the Council, but he did have access to the courts.

Mrs. Louise Snider stated that she did not get a notice, called in October to find out why not, and was told that the notice would probably come out in November since the Tax Department was running behind. She had rendered her taxes last year. She never received the notice of the meeting to hear appeals by the Board of Equalization when her valuation was changed.

After some discussion, it was agreed that Mr. deSteiger, Mrs. Snider and Mr. Klitgaard get together and try to resolve the matter. Mr. Klitgaard stated that he needed time to collect all of the records, but that he would be back in touch with Mr. Harris (Mrs. Snider's son) when he reassembled all of the records.

The Council then agreed to hear only those cases which had been before the Tax Equalization Board.

The following Tax Appeals were heard:

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Mr. Klitgaard stated that there was litigation in process which might change the agricultural income qualification because the particular law was difficult to interpret.

Councilwoman Long stated that she would contact the appropriate legislative committee in the State to see if a ruling could be obtained from the Attorney General on what qualified as agricultural income.

City Attorney Cortez stated that in his opinion under the constitution the Tax Assessor-Collector has the authority to determine what qualified as agricultural income and that there was no provision for an appeal to the Council.

Councilman LaRue stated that Mr. Ireland should base his appeal on the argument that his land was not worth \$300 per acre as appraised.

Mayor Akin felt that there should be a new basis for determining the value of property such as Mr. Ireland's. He thought that taxes had gotten too high to be realistic.

Mr. Klitgaard stated that he would probably have to agree with the Mayor that taxes did work a hardship on a great many people. He felt, though, that the valuations placed on the area under discussion were fair and not based on isolated sales.

MARY J. YOUNG
By Winifred Young

		Full Value by the Tax Dept. 1967	Full Value by the Tax Dept. 1968	Assessed Value by Tax Dept.	Value Rendered by Owner	Assessed Value Fixed by Board
Vacant	LAND		\$67,600	\$ 50,700	Signed	\$50,700
169 Acres	IMPS		<u>0</u>	<u>0</u>		<u>0</u>
John Moore						
Sur. 65	TOTAL		\$67,600	\$ 50,700		\$50,700
Parcel #9-4-2357-0101						
Vacant	LAND		\$36,270	\$27,200	Signed	\$27,200
80.60	IMPS		<u>0</u>	<u>0</u>		<u>0</u>
Acres						
Corbet Stevens						
Sur. 63	TOTAL		\$36,270	\$27,200		\$27,200
Parcel #9-4-2357-0103						

Mrs. Winifred Young stated that something should be done to reduce taxes and that a blanket reduction would help. She supported the idea of a \$100 per acre reduction. She also felt that the property was valued too high.

Councilman LaRue stated that the taxes were set by someone else and that the Council could not give her relief in that area. The only thing that the Council could do was to determine the fair market value of the property.

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JOHN R. PASCHALL

	<u>Full Value by the Tax Dept. 1967</u>	<u>Full Value by the Tax Dept. 1968</u>	<u>Assessed Value by Tax Dept.</u>	<u>Value Rendered by Owner</u>	<u>Assessed Value Fixed by Board</u>
Vacant LAND 207 Acres IMPS John Moore		\$82,800 <u>0</u>	\$62,100 <u>0</u>	Signed	\$62,100 <u>0</u>
Sur. 66 TOTAL Parcel #9-4-1557-0118		\$82,800	\$62,100		\$62,100
Vacant LAND 11.33 Acres IMPS C. Stevens		\$5,099 <u>0</u>	\$3,820 <u>0</u>	Signed	\$3,820 <u>0</u>
Sur. 64 TOTAL Parcel #9-4-1557-0119		\$5,099	\$3,820		\$3,820
FM Road LAND 1826 Acres IMPS 22.11 Acres Corbet Stevens		\$9,950 <u>9,362</u>	\$7,460 <u>7,020</u>	Signed	\$7,460 <u>7,020</u>
Sur. 63 TOTAL Parcel #9-4-2357-0104		\$19,312	\$14,480		\$14,480

Mr. Paschall felt that taxes should not be based on speculation values as he thought his was, but that it should be based on what the land would sell for. He thought the tax was just double what it should be. Most of the land was used for range to keep horses, and he lived on the 22-acre tract. The only recent sales in the area were for two small tracts of eight and 15 acres at \$580 and \$700 per acre, respectively.

	<u>Full Value by the Tax Dept. 1967</u>	<u>Full Value by the Tax Dept. 1968</u>	<u>Assessed Value by Tax Dept.</u>	<u>Value Rendered by Owner</u>	<u>Assessed Value Fixed by Board</u>
Vacant LAND 73 Acres IMPS Walker Wilson		\$36,500 <u>0</u>	\$27,380 <u>0</u>	Not Signed	\$24,640 <u>0</u>
Sur. 2 TOTAL Parcel #9-4-4827-0336		\$36,500	\$27,380		\$24,640

Mr. Hejl described his property on a map and discussed some of the expenses he incurred to maintain the property. He could not qualify for the agricultural exemption because his wife maintained and rented an apartment. He was appealing his assessment based on nearby land sales.

REFUND CONTRACTS

Mayor Akin introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ASSISTANT TO THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH M. H. FLOURNOY, 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 rule be suspended and the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Mayor Akin introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ASSISTANT TO THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH CROW DEVELOPMENT COMPANY, INC., 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.

Mayor Akin introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ASSISTANT TO THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH AUSTEX DEVELOPMENT COMPANY, LTD., 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.

CONTRACTS AWARDED

Councilwoman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 31, 1968, for One (1) each Three Reel Pilot Line Winder, for use by the Electric Distribution Division; and,

WHEREAS, the bid of Pengo Hydra-Pull Corporation in the sum of \$12,642.00 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Purchasing Agent 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 Pengo Hydra-Pull Corporation, in the sum of \$12,642.00 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 Pengo Hydra-Pull Corporation.

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

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

Councilwoman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 30, 1968, for the purchase of Heavy Equipment for use by the Street and Bridge Division; and,

WHEREAS, the bids of Anderson Machinery Company in the sum of \$8,500.00 for one (1) Diesel Powered Motor Grader and one (1) trade-in and in the sum of \$35,636.00 for one (1) Crawler Type Tractor Loader and one (1) trade-in; the bids of Jess McNeel Machinery Company in the sum of \$5,275.00 for one (1) Street Flusher and one (1) trade-in and in the sum of \$32,602.00 for one (1) Tractor Shovel and one (1) trade-in; the bid of Girard Machinery and Supply Company in the sum of \$5,399.80 for three (3) Vibrating Rollers and two (2) trade-ins; the bid of Jim Dulaney Machinery Company in the sum of \$12,821.00 for one (1) Street Sweeper and one (1) trade-in; and the bid of Industrial Disposal Supply Company in the sum of \$10,642.50 for one (1) Hot Asphalt Patch Unit, were the lowest and best bids therefor and the acceptance of such bids have been recommended by the Purchasing Agent 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 Anderson Machinery Company, Jess McNeel Machinery Company, Girard Machinery and Supply Company, Jim Dulaney Machinery Company, and Industrial Disposal Supply Company, as enumerated above, 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 Anderson Machinery Company, Jess McNeel Machinery Company, Girard Machinery and Supply Company, Jim Dulaney Machinery Company and Industrial Disposal Supply Company.

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

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

O.K. AUTO PARTS - FENCING

Mr. Dick Jordan, Building Official, summarized for the Council his findings and recommendations with regard to the fencing requirements for O.K. Auto Parts. He recommended that (1) O.K. Auto Parts be allowed to stay at their present location for six months and (2) that if the Council let the operation remain where it is for any length of time that there should be compliance with the fencing ordinance. After discussion among the Council, Councilman Janes moved the Council instruct the Building Official to tell the owner of O.K. Auto Parts to begin removing their operation from its present location and have it completed by August 1, 1969, and if not completed by that date, to be shut down. The motion, seconded by Councilman LaRue, carried by the following vote:

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

SCHOOL ZONE SPEED LIMITS ESTABLISHED - EAST SIDE DRIVE & EAST LIVE OAK STREET

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum, reasonable and safe speed for the operation of vehicles at the following locations is less than thirty (30) miles per hour on school days during the hours of 7:30 to 8:30 A.M. and 2:30 to 4:00 P.M.; and,

WHEREAS, after said investigation the City Council has found that the maximum, reasonable and safe speed for the operation of vehicles is twenty (20) miles per hour on such days and during such hours at the following locations:

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<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
East Live Oak Street	Alta Vista Avenue	Brooklyn Street
East Side Drive	Oltorf Street	East Live Oak Street

Now, Therefore,

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

That the City Clerk be authorized and instructed to record this finding in Section 33.39 of the Traffic Register.

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

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

Councilwoman Long stated that she would support a speed sign that read "when pedestrians are present" but not the proposed one.

ONE-WAY MOVEMENT ESTABLISHED
 EAST LIVE OAK & SCHRIBER STREETS

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

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

<u>STREET</u>	<u>FROM-TO</u>	<u>DIRECTION OF ONE-WAY MOVEMENT</u>
Live Oak Street	Oltorf - Schriber	Westbound
Schriber Street	Live Oak - Oltorf	Southbound;

Now, Therefore,

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

That the City Clerk be and she is hereby authorized and directed to record this finding in Section 33.38 of the Traffic Register.

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

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin

Noes: Councilwoman Long

Councilwoman Long stated that she would not vote for the one-way movement until a signal light was installed at Schriber & Oltorf because they were creating a death trap.

ZONING ORDINANCES

Mayor Akin introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN THE 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:
LOTS 1-13, BLOCK C, DELWOOD TERRACE SECTION ONE, LOCALLY KNOWN AS 5800-5806 WELLINGTON DRIVE, 2001-2007 DEXMOOR DRIVE, 5801-5805 BELMOOR DRIVE, AND 2000-2010 CHESHIRE DRIVE, FROM "BB" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

Noes: None

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

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

Noes: None

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Akin introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOTS 4 AND 5, A SUBDIVISION OF THE SOUTH ONE-HALF OF OUTLOT 47, DIVISION D, LOCALLY KNOWN AS 800-806 WEST 24TH STREET, FROM "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FOURTH HEIGHT AND AREA DISTRICT;
SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS;
AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman 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.

ANNEXATION ORDINANCE - FINAL PASSAGE

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 47.31 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; 13.78 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; AND 31.52 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE ISAAC DECKER LEAGUE; ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman 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 EASEMENTS

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes, in, upon and across a part of Block D, Wooten Terrace, Section Three, a subdivision of a portion of the George W. Davis Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Wooten Terrace, Section Three, of record in Book 39 at Page 7 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owners of the above described property have requested the City Council of the City of Austin to release the hereinafter described 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 utility easement, to-wit:

Three (3) strips of land, each being two and one-half (2.50) feet in width and each being out of and a part of Block D, Wooten Terrace, Section Three, a subdivision of a portion of the George W. Davis Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Wooten Terrace, Section Three, of record in Book 39 at Page 7 of the Plat Records of Travis County, Texas; the strip of land hereinafter described as Number One being out of and a part of Lot 8A, said Block D, Wooten Terrace, Section Three, the strip of land

hereinafter described as Number Two being out of and a part of Lot 10A, said Block D, Wooten Terrace, Section Three and the strip of land hereinafter described as Number Three being out of and a part of Lot 11A, said Block D, Wooten Terrace, Section Three; each of the said three (3) strips of land two and one-half (2.50) feet in width is more particularly described by metes and bounds as follows:

NUMBER ONE, BEGINNING at the intersection of the south line of said Lot 8A, same being the north line of Lot 7A, and a line five (5.00) feet west of and parallel to the east line of said Lot 8A, which point of beginning is the southeast corner of the herein described tract of land, and from which point of beginning an iron pin at the southeast corner of said Lot 8A bears N 82° 10' E 5.01 feet;

THENCE, with the said south line of Lot 8A, S 82° 10' W 2.50 feet to a point in a line seven and one-half (7.50) feet west of and parallel to the said east line of Lot 8A, which point is the southwest corner of the herein described tract of land;

THENCE, with the said line seven and one-half (7.50) feet west of and parallel to the east line of Lot 8A, N 03° 57' E to a point in a line seven and one-half (7.50) feet southwest of and parallel to the northeast line of said Lot 8A, which point is the northwest corner of the herein described tract of land;

THENCE, with the said line seven and one-half (7.50) feet southwest of and parallel to the northeast line of Lot 8A, S 51° 38' E to a point in the aforesaid line five (5.00) feet west of and parallel to the east line of Lot 8A, which point is the northeast corner of the herein described tract of land;

THENCE, with the said line five (5.00) feet west of and parallel to the east line of Lot 8A, S 03° 57' W to the point of beginning.

NUMBER TWO, BEGINNING at the intersection of the east line of said Lot 10A, same being the west line of Lot 9A, and a line five (5.00) feet south of and parallel to the north line of said Lot 10A, which point of beginning is the northeast corner of the herein described tract of land, and from which point of beginning an iron pin at the northeast corner of said Lot 10A bears N 00° 31' W 5.00 feet;

THENCE, with the said east line of Lot 10A, S 00° 31' E 2.50 feet to a point in a line seven and one-half (7.50) feet south of and parallel to the said north line of Lot 10A, which point is the southeast corner of the herein described tract of land;

THENCE, with the said line seven and one-half (7.50) feet south of and parallel to the north line of Lot 10A, S 89° 29' W to a point in the west or southwest line of said Lot 10A, same being the north or northeast line of Lot 11A, which point is the southwest corner of the herein described tract of land;

THENCE, with the said west or southwest line of Lot 10A, N 43° 19' W to a point in the aforesaid line five (5.00) feet south of and parallel to the north line of Lot 10A, which point is the northwest corner of the herein described tract of land;

THENCE, with the said line five (5.00) feet south of and parallel to the north line of Lot 10A, N 89° 29' E to the point of beginning.

NUMBER THREE, BEGINNING at the intersection of the south line of said Lot 11A, same being the north line of Lot 12A, and a line five (5.00) feet east of and parallel to the west line of said Lot 11A, which point of beginning is the southwest corner of the herein described tract of land, and from which point of beginning an iron pin at the southwest corner of said Lot 11A bears S 89° 07' W 5.00 feet;

THENCE, with the said line five (5.00) feet east of and parallel to the west line of Lot 11A, N 00° 31' W to a point in the north or northeast line of said Lot 11A, same being the west or southwest line of Lot 10A, which point is the northwest corner of the herein described tract of land;

THENCE, with the said north or northeast line of Lot 11A, S 43° 19' E to a point in a line seven and one-half (7.50) feet east of and parallel to the said west line of Lot 11A, which point is the northeast corner of the herein described tract of land;

THENCE, with the said line seven and one-half (7.50) feet east of and parallel to the west line of Lot 11A, S 00° 31' E to a point in the aforesaid south line of Lot 11A, which point is the southeast corner of the herein described tract of land;

THENCE, with the said south line of Lot 11A, S 89° 07' W 2.50 feet to the point of beginning.

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, a certain easement was granted to the City of Austin for public utility purposes in, upon and across a part of Lot 14, Block A, Wooten Park Square, a subdivision of a portion of the George W. Davis Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Wooten Park Square of record in Book 26 at Page 16 of the Plat Records of Travis County, Texas; and,

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

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

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

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

A strip of land five (5.00) feet in width, same being out of and a part of Lot 14, Block A, Wooten Park Square, a subdivision of a portion of the George W. Davis Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Wooten Park Square of record in Book 26 at Page 16 of the Plat Records of Travis County, Texas; which strip of land five (5.00) feet in width is to be released from the public utilities easement provided on a map or plat of Fred C. Morse Addition No. 5, a subdivision of record in Book 6 at Page 161 of the Plat Records of Travis County, Texas, and which strip of land five (5.00) feet in width is more particularly described by metes and bounds as follows:

BEGINNING at a point in the present north line of Anderson Lane, which point of beginning is the most southerly southeast corner of the herein described tract of land, and from which point of beginning an iron pin at the southeast corner of said Lot 14, Block A, Wooten Park Square, bears S 60° 09' E 108.54 feet;

THENCE, with the said present north line of Anderson Lane, N 60° 09' W 5.00 feet to the southwest corner of the herein described tract of land;

THENCE, N 29° 51' E 135.00 feet to the northwest corner of the herein described tract of land;

THENCE, S 60° 09' E 54.62 feet to a point in the west line of an existing public utilities easement five (5.00) feet in width, same being a line five (5.00) feet west of and parallel to the east line of said Lot 14, and which point is the northeast corner of the herein described tract of land;

THENCE, with the said west line of an existing public utilities easement five (5.00) feet in width, S 08° 13' E 5.38 feet to the most easterly southeast corner of the herein described tract of land;

THENCE, N 60° 09' W 51.60 feet to an interior ell corner of the herein described tract of land;

THENCE, S 29° 51' W 130.00 feet to the point of beginning.

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, a certain easement for sidewalk and curb setback purposes was granted the City of Austin by instrument dated March 2, 1961, of record in Volume 2272 at Page 248 of the Deed Records of Travis County, Texas, same being out of and a part of those certain two (2) tracts of land conveyed to the Woodlawn Baptist Church out of the James Trammel 1/3 League in the City of Austin, Travis County, Texas; and,

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

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

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

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

6,366 square feet of land, same being out of and a part of those certain two (2) tracts of land conveyed to Woodlawn Baptist Church out of the James Trammel 1/3 League in the City of Austin, Travis county, Texas, by the following two (2) warranty deeds:

- (1) Dated December 12, 1951, of record in Volume 1212 at page 366 of the Deed Records of Travis County, Texas;
- (2) Dated April 19, 1954, of record in Volume 1447 at page 199 of the Deed Records of Travis County, Texas;

Which 6,366 square feet of land are more particularly described by metes and bounds as follows:

BEGINNING at a point in the west line of Manchaca Road, which point of beginning is the intersection of the south line of Cimarron Trail with the west

line of Manchaca Road, and which point of beginning is the southeast corner of that certain tract of land conveyed to the City of Austin by deed dated August 27, 1957 of record in Volume 1849 at Page 115 of the Deed Records of Travis County, Texas;

THENCE, with the said south line of Cimarron Trail, N 60° 09' W 471.6 feet to the northwest corner of the herein described tract of land, same being the intersection of the said south line of Cimarron Trail and the east line of Cactus Lane, said Cactus Lane being a tract of land conveyed to the City of Austin for street purposes by warranty deed dated April 30, 1958 of record in Volume 1914 at Page 488 in the Deed Records of Travis County, Texas;

THENCE, with the said east line of Cactus Lane, S 29° 39' W 13.50 feet to the southwest corner of the herein described tract of land;

THENCE, with a line 13.50 feet south of and parallel to the said south line of Cimarron Trail, S 60° 09' E 471.6 feet, to the southeast corner of the herein described tract of land, same being a point in the aforesaid west line of Manchaca Road;

THENCE, with the said west line of Manchaca Road, N 29° 39' W 13.50 feet to the point of beginning.

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

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

STREET NAME CHANGED

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on a map or plat of Highland Hills, Section 9, Phase 1, a subdivision of record in Book 25 at page 21 of the Plat Records of Travis County, Texas, a certain street extending from the east or northeast line of Highland Hills Drive, in a northeasterly direction 110 feet, more or less, to end of street as shown on said map or plat of Highland Hills, Section 9, Phase 1, is designated as Shadow Mountain Drive; and,

WHEREAS, the owners of lots abutting the hereinafter described street have requested that the name of Shadow Mountain Drive be changed to Shadow Valley Drive; Now, Therefore,

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

That the name of the following described street designated as Shadow Mountain Drive, as the name appears on maps or plats of the City of Austin, be and the same is hereby changed to Shadow Valley Drive, said street so changed being described as follows:

Being a portion of that certain street in the City of Austin, Travis County, Texas, known as Shadow Mountain Drive and as shown on a map or plat of Highland Hills, Section 9, Phase 1, a subdivision of record in Book 25 at page 21 of the Plat Records of Travis County, Texas; which portion of Shadow Mountain Drive extends from the east or northeast line of Highland Hills Drive in a northeasterly direction 110 feet, more or less, to end of street.

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

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

ITEMS POSTPONED

The Council postponed for one week consideration of an ordinance on all three readings adding Sec. 33.76 to Chapter 33, Austin City Code of 1954, regarding removal of keys in unattended automobiles and an ordinance on all three readings amending Sec. 29.22 of Chapter 29, Austin City Code of 1954, prohibiting abandonment of motor vehicles in public places.

PARTICIPATION IN REGIONAL LAW ENFORCEMENT STUDY

Councilman LaRue moved the Council approve the City's participation in a Regional Law Enforcement Study. The motion, seconded by Councilwoman Long, carried by the following vote:

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

CONTRACTS AWARDED

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 7, 1969, for Ragsdale Aviation Hanger Building; and,

WHEREAS, the bid of L-H Builders, in the sum of \$40,863.00, 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 L-H Builders, in the sum of \$40,863.00, 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 L-H Builders.

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

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

Councilman Nichols stated that he could not vote for the item because the airport study had not been completed.

Councilwoman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 30, 1968, for the installation of electric ductline and manholes in San Jacinto Boulevard, San Antonio Street, and San Antonio Street Alley; and

WHEREAS, the bid of Ford-Wehmeyer, Inc., in the sum of \$77,330.80, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Electric Utility 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, Inc., in the sum of \$77,330.80, 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, Inc.

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

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

ERECTION OF BOAT SLIP AND SHELTER

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 slip and shelter on the property owned by MRS. JEAN ANNIS as described in the Travis County Deed Records and known as Lot 65, Block A, Rivercrest Addition, Section 2, Lake Austin as described on the attached plot plan and hereby authorizes the said MRS. ANNIS to construct, maintain and operate this boat slip 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 slip after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted 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 MRS. ANNIS has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

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

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

SHORELINE IMPROVEMENTS

Councilwoman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City 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 MRS. JEAN ANNIS as described in the Travis County Deed Records and locally known as Lot No. 65, Block A, Rivercrest Addition, Section 2, and hereby authorizes the said MRS. JEAN ANNIS 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 MRS. JEAN ANNIS has failed and refused and will continue to fail and refuse to comply with any such conditions, regulations, laws and ordinances.

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

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

Noes: None

Councilwoman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City 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 MR. MARION FOWLER out of the James Spillman Survey as described in the Travis County Deed Records in Volume 1873 at Page 431 and hereby authorizes the said MR. MARION FOWLER 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 MR. MARION FOWLER has failed and refused and will continue to fail and refuse to comply with any such conditions, regulations, laws and ordinances.

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

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

Noes: None

Councilwoman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City 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 MR. PAT E. SCONCI as described in the Travis County Deed Records and known locally as Lot 64, Rivercrest Addition, Section 2, and hereby authorizes the said MR. PAT E. SCONCI 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 MR. PAT E. SCONCI has failed and refused and will continue to fail and refuse to comply with any such conditions, regulations laws and ordinances.

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

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

Noes: None

SALE OF REMNANT TRACTS

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

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

That, Gene Higgins, Associate City Manager of the City of Austin, be and he is hereby authorized to execute a warranty deed on behalf of the City of Austin, conveying to ROSEDALE BAPTIST CHURCH the following described property, to wit:

4,466 sq. ft. of land, same being out of and a part of Lot 1, Block 1, Alta Vista Addition, said Alta Vista Addition being a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Alta Vista Addition of record in Book 3 at Page 59 of the Plat Records of Travis County, Texas, which Lot 1 was conveyed to the City of Austin, a municipal corporation, by warranty deed dated September 15, 1931, of record in Volume 485 at Page 628 of the Deed Records of Travis County, Texas; said 4,466 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at the southeast corner of Lot 1, Block 1, Alta Vista Addition, which point of beginning is at the southeast corner of the herein described tract of land, same being a point in the north line of West 44th Street;

THENCE, in a westerly direction with the south line of said Lot 1, same being the north line of West 44th Street, 6.09 feet to a point in the proposed east line of Medical Parkway, said proposed east line being a line 5.00 feet east of and parallel to the present east line of Medical Parkway, and which point is at the southwest corner of the herein described tract of land;

THENCE, in a northerly direction with the said proposed east line of Medical Parkway 154.80 feet to a point in the north line of said Lot 1, for the northwest corner of the herein described tract of land;

THENCE, in an easterly direction with said north line of Lot 1, 55.04 feet to the northeast corner of said Lot 1, same being the northeast corner of the herein described tract of land;

THENCE, in a southerly direction with the east line of Lot 1, 146.10 feet to the point of beginning.

The motion, seconded by Councilman Nichols, 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)

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

That, Gene Higgins, Associate City Manager of the City of Austin, be and he is hereby authorized to execute a warranty deed on behalf of the City of Austin, conveying to Travis A. Eckert, Jeff E. Geeslin, and Morris K. Gully, Jr., the following described property, to wit:

5,856 square feet of land, same being out of and a part of Lot 12, Block 29, Swisher Addition, said Swisher Addition being a subdivision of a portion of the Isaac Decker League in the City of Austin, Travis County, Texas, according to a map or plat of said Swisher Addition, of record in Volume 1 at Page 2 of the Deed Records of Travis County, Texas, which Lot 12 was conveyed to the City of Austin, a municipal corporation, by warranty deed dated August 25, 1934, of record in Volume 509 at Page 365 of the Deed Records of Travis County, Texas; said 5,856 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at the southwest corner of Lot 12, Block 29, Swisher Addition, same being a point in the existing east line of Newton Street for the southwest corner of the herein described tract of land;

THENCE, in a northerly direction with the west line of said Lot 12, same being the east line of Newton Street, 39.33 feet to a point for the northwest corner of the herein described tract of land, said point being 10.00 feet south of the present south line of West Annie Street;

THENCE, in an easterly direction to a point in the east line of said Lot 12, said point being 5.00 feet south of the present south line of West Annie Street, for the northeast corner of the herein described tract of land;

THENCE, in a southerly direction with the east line of said Lot 12, 44.33 feet to the southeast corner of said Lot 12;

THENCE, in a westerly direction with the south line of said Lot 12, 140.00 feet to the point of beginning.

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

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

PURCHASE OF MO-PAC RIGHT-OF-WAY

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 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 \$10,925.00 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 26, Block "A", Highland Park, an addition to the City of Austin, Travis County, Texas, according to the map or plat recorded in Volume 4, Page 218 of the Plat Records 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

ZONING APPLICATION DECISION

JAY L. JOHNSON, JR.	Tract 1 2817-3317, 3323-3325 South Lamar Boulevard 2818-2916 Manchaca Road	From Interim "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area RECOMMENDED by the Planning Commission
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Councilman Nichols moved the Council grant the zoning change from Interim "A" Residence, 1st Height and Area to "C" Commercial, 1st Height and Area, subject to the preparation of the right of way documents as well as review of the description of the property to be zoned by the Planning Staff. 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 change had been granted to "C" Commercial, subject to conditions, and instructed the City Attorney to draw the necessary ordinance to cover.

RIGHT-OF-WAY ACQUISITION

Concurrently with the preceding zoning application, the Council considered the acquisition of right-of-way owned by Mr. Jay Johnson in the area being considered for rezoning. After a lengthy discussion of what a fair price should be for the property and whether or not severance damages should be paid, Councilman Nichols moved the Council pay 80¢ a square foot for the land taken, 20¢ a square foot for severance damages, plus \$5,350 for improvements. The motion, seconded by Councilman LaRue, carried by the following vote:

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

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 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 \$31,626.50 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:

SEE ATTACHED EXHIBIT "A"

(Attached Exhibits - See original exhibits in Resolution Book)

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

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

ADJOURNMENT

The Council then adjourned.

APPROVED: _____

Mayor

ATTEST: _____

Asst. City Clerk