

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 23, 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 JOHN TOWERY, Congregational Church of Austin.

CITIZEN APPEARANCE

Mr. Don W. Allford appeared before the Council that the Council reconsider its vote on the Milton Smith case and to hold a public hearing on the matter.

After statements by members of the Council, Mr. Gus Garcia, a member of the Human Relations Commission and Mr. George Guerrero, Councilman Nichols moved the Council set a public hearing on the discussion. The motion, seconded by Councilman Long, failed to carry by the following vote:

Ayes: Councilmen Long, Nichols

Noes: Councilmen Janes, LaRue, Mayor Akin

PARADE PERMIT

AMERICAN FREEDOM FROM HUNGER FOUNDATION

Chief Miles of the Austin Police Department recommended against granting the parade permit because of the length of the parade, time and number of police officers necessary to handle it. After some discussion among the Council, Chief Miles and City Manager Tinstman, Councilwoman Long moved the Council instruct the City Manager to get with the principals of the parade and their sponsors and work out a proper route and timing. The motion, seconded by Councilman LaRue, carried by the following vote:

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

COURTESY BOXES FOR PARKING FINES
AUSTIN JAYCEES

Mr. Jay Johnson, President, Austin Jaycees, appeared before the Council to read a resolution endorsing the placing of courtesy boxes for parking fines on parking meters. After a brief discussion among the Council, Mr. Johnson, and City Manager Tinstman, Councilwoman Long moved the Council instruct the City Manager to make a study of the matter and report back to the Council. The motion, seconded by Councilman LaRue, carried by the following vote:

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

ORDINANCES
REMOVAL OF KEYS IN UNATTENDED AUTOMOBILES
AND
PROHIBITING ABANDONMENT OF MOTOR VEHICLES IN PUBLIC PLACES

Chief Miles briefed the Council with regard to the two proposed ordinances. He did not particularly agree with Section B of the first ordinance which gave the police the right to remove the keys from a car. After some discussion among the Council, Chief Miles, City Manager Tinstman, and City Attorney Cortez, Councilman LaRue moved the Council instruct the City Manager to do a restudy of the two items and report back to the Council. The motion, seconded by Councilman Janes, carried by the following vote:

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

RECOGNITION OF
NEW CAREERS PROGRAM CLASS

Mayor Akin recognized Miss Velma Collier, Mr. Perry Vargas and other members of the New Careers Program Class which was in its three-week orientation period before being placed on a job.

ANNEXATION ORDINANCE

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 15.74 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NUMBER 18 IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
 Noes: None
 Out of Room at
 Roll Call: Councilwoman Long

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

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) TRACT 1: AN 11.25 ACRE TRACT OF LAND, LOCALLY KNOWN AS 8501-8809 SHOAL CREEK BOULEVARD, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;

TRACT 2: A 4.10 ACRE TRACT OF LAND, LOCALLY KNOWN AS 8901-8913 SHOAL CREEK BOULEVARD, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;

TRACT 3: A 1.60 ACRE TRACT OF LAND, LOCALLY KNOWN AS 8915-8949 SHOAL CREEK BOULEVARD, AND 3003-3017 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 4: A 37.30 ACRE TRACT OF LAND, LOCALLY KNOWN AS 8500-8948 SHOAL CREEK BOULEVARD AND 3027-3327 U. S. HIGHWAY 183, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;

(2) LOTS 1-4, BLOCK 14, NORTH LOOP TERRACE RESUBDIVISION, LOCALLY KNOWN AS 5217-5223 JOE SAYERS AVENUE AND 1405-1411 NORTH LOOP BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; AND

(3) A 9.03 ACRE TRACT OF LAND, LOCALLY KNOWN AS 3617-3717 SOUTH LAMAR BOULEVARD AND 2200-2414 PANTHER TRAIL, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;
 ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
 Noes: None
 Out of Room at
 Roll Call: Councilwoman Long

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 Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
Noes: None
Out of Room at
Roll Call: Councilwoman Long

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

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
Noes: None
Out of Room at
Roll Call: Councilwoman Long

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:
A 14.94 ACRE TRACT OF LAND, LOCALLY KNOWN AS 2817-3317, 3323-3525 SOUTH LAMAR BOULEVARD AND 2818-2916 MANCHACA ROAD, FROM INTERIM "A" RESIDENCE AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
Noes: None
Out of Room at
Roll Call: Councilwoman 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 Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
Noes: None
Out of Room at
Roll Call: Councilwoman Long

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

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
 Noes: None
 Out of Room at
 Roll Call: Councilwoman Long

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: LOTS 14-16, BLOCK 2, M.K. AND T. ADDITION, LOCALLY KNOWN AS 90-94 WALLER STREET AND 1106-1110 WILLOW STREET, 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 Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
 Noes: None
 Out of Room at
 Roll Call: Councilwoman 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 Janes, carried by the following vote:

Ayes: Councilmen James, LaRue, Nichols, Mayor Akin
 Noes: None
 Out of Room at
 Roll Call: Councilwoman Long

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

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
 Noes: None
 Out of Room at
 Roll Call: Councilwoman Long

The Mayor announced that the ordinance had been finally passed.

RECESSED MEETING

1:50 P.M.

Mayor Akin called the afternoon session to order.

DISQUALIFICATION ON VOTE

Councilman Nichols referred to the vote on Item 1 d (3) which passed a zoning ordinance during the morning Council session. He then disqualified himself and requested that someone else move the passage of the ordinance.

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:
 LOTS 14-16, BLOCK 2, M.K. AND T. ADDITION, LOCALLY KNOWN AS 90-94 WALLER STREET AND 1106-1110 WILLOW STREET, 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 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, Mayor Akin
 Noes: None
 Present But Not
 Voting: Councilman Nichols

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

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

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 utilities and drainage purposes in, upon and across a part of Lot 2 of a Resubdivision of Lots 1 and 2, Block C of West Gate Square, said West Gate Square being a subdivision of a portion of the James Trammel Survey, in the City of Austin, Travis County, Texas, according to a map or plat of said West Gate Square, of record in Book 27 at page 27 of the Plat Records of Travis County, Texas; and,

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

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

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

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

A strip of land fifteen (15.00) feet in width, same being out of and a part of Lot 2 of a Resubdivision of Lots 1 & 2, Block C of West Gate Square, said West Gate Square being a subdivision of a portion of the James Trammel Survey in the City of Austin, Travis County, Texas, according to a map or plat of said West Gate Square of record in Book 27 at page 27 of the Plat Records of Travis County, Texas, a map or plat of said Resubdivision of Lots 1 and 2, Block C, of West Gate Square, being of record in Book 38 at page 33 of the Plat Records of Travis County, Texas, which strip of land fifteen (15.00) feet in width being more particularly described as follows:

BEING all of the north fifteen (15.00) feet of the south thirty-four (34.00) feet of said Lot 2, Resubdivision of Lots 1 & 2, Block C of West Gate Square.

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

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
Noes: None
Out of Room at
Roll Call: Councilwoman Long

Councilman Nichols offered the following resolution and moved its adoption

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for sanitary sewer purposes in, upon and across a part of Block G, 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 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,

KNOW ALL MEN BY THESE PRESENTS:

That the City of Austin, a municipal corporation situated in Travis County, Texas, acting by and through James E. DeBerry, its Assistant to the City Manager, hereunto duly authorized, has released and by these presents does hereby release unto the owners the following described portion of said sanitary sewer easement, to-wit:

Two (2) strips of land, each being five (5.00) feet in width and each being out of and a part of Block G, 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 13, said Block G, Wooten Terrace, Section Three, and the strip of land hereinafter described as Number Two being out of and a part of Lot 14, said Block G, Wooten Terrace, Section Three; and the centerline of each of two strips of land is more particularly described as follows:

NUMBER ONE, BEGINNING at the intersection of the curving west or northwest line of said Lot 13, Block G, Wooten Terrace, Section Three, and a line two and one-half (2.50) feet south of and parallel to the north line of said Lot 13;

THENCE, with the said line two and one-half (2.50) feet south of and parallel to the north line of Lot 13, S 69° 57' E to point of termination in the west line of an existing public utilities easement seven and one-half (7.50) feet in width.

NUMBER TWO, BEGINNING at the intersection of the curving west line of said Lot 14, Block G, Wooten Terrace, Section Three, and a line two and one-half (2.50) feet south of and parallel to the north line of said Lot 14;

THENCE, with the said line two and one-half (2.50) feet south of and parallel to the north line of Lot 14, N 67° 01' E to point of termination in the west or southwest line of an existing public utilities easement seven and one-half (7.50) feet in width.

IN WITNESS WHEREOF, the City of Austin has hereunto set its hand, acting by and through its Assistant to the City Manager, hereunto duly authorized, attested by its City Clerk, and with its seal hereunto affixed on this the 23rd day of January, 1969.

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

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
Noes: None
Out of Room at
Roll Call: Councilwoman Long

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for drainage purposes in, upon and across a part of Lot 7, Block B, Colorado Hills Estates, Section Three, a subdivision of a portion of the Santiago Del Valle Grant, 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,

KNOW ALL MEN BY THESE PRESENTS:

That the City of Austin, a municipal corporation situated in Travis County, Texas, acting by and through James E. DeBerry, its Assistant to the City Manager, hereunto duly authorized, has released and by these presents does hereby release unto the owners the following described portion of said drainage easement, to-wit:

A strip of land ten (10.00) feet in width, same being out of and a part of Lot 7, Block B, Colorado Hills Estates, Section Three, a subdivision of a portion of the Santiago Del Valle Grant, in the City of Austin, Travis County, Texas, according to a map or plat of said

Colorado Hills Estates, Section Three, of record in Book 38 at page 20 of the Plat Records of Travis County, Texas; the centerline of said strip of land ten (10.00) feet in width being more particularly described as follows:

BEGINNING at a point in the west line of said Lot 7, Block B, Colorado Hills Estates, Section Three, same being the east line of Parker Lane, from which point of BEGINNING an iron pin at the northwest corner of said Lot 7 bears N 29° 35' E 210.00 feet;

THENCE, in an easterly direction with the following four (4) courses:

- (1) S 80° 34' E 22.00 feet to an angle point;
- (2) N 56° 03' E 202.00 feet to an angle point;
- (3) S 60° 22' E 38.00 feet to an angle point;
- (4) N 63° 36' E 12.00 feet to point of termination in the north line of said Lot 7.

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

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin

Noes: None

Out of Room at

Roll Call: Councilwoman Long

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for electrical overhang purposes in, upon and across a part of Lot 18, Block B, Balcones Summit, a subdivision of a portion of the James Mitchell Survey, in the City of Austin, Travis County, Texas, according to a map or plat of said Balcones Summit, of record in Book 44 at page 40 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,

KNOW ALL MEN BY THESE PRESENTS:

That the City of Austin, a municipal corporation situated in Travis County, Texas, acting by and through James E. DeBerry, its Assistant to the City Manager, hereunto duly authorized, has released and by these presents does hereby release unto the owners the following described portion of said electrical overhang easement, to-wit:

274 square feet of land, same being out of and a part of Lot 18, Block B, Balcones Summit, a subdivision of a portion of the James Mitchell Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Balcones Summit of record in Book 44 at page 40 of the Plat Records of Travis County, Texas, which 274 square feet of land are more particularly described by metes and bounds as follows:

BEGINNING at a point in the west line of said Lot 18, Block B, Balcones Summit, same being the east line of Lot 17, which point of BEGINNING is the most northerly corner of the herein described tract of land, and from which point of BEGINNING a steel pin at the northwest corner of said Lot 18 bears N 24° 32' E 70.20 feet;

THENCE, S 09° 37' W 47.30 feet to a point in the north line of an existing public utilities easement ten (10.00) feet in width, same being a line five (5.00) feet north of and parallel to the south line of said Lot 18, which point is the most easterly corner of the herein described tract of land;

THENCE, with the said north line of an existing public utilities easement ten (10.00) feet in width, N 62° 08' W 12.20 feet to a point in the aforesaid west line of Lot 18, which point is the most westerly corner of the herein described tract of land;

THENCE, with the said West line of Lot 18, N 24° 32' E 44.99 feet to the point of BEGINNING.

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

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
 Noes: None
 Out of Room at
 Roll Call: Councilwoman Long

15 MINUTE PARKING METER ZONE ESTABLISHED

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

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

<u>ZONE</u>	<u>STREET</u>	<u>BLOCK</u>	<u>SIDE</u>
15	West 9th Street	100	North;

Now, Therefore,

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

That the location upon the streets of the City of Austin as above described be and the same are hereby placed in Parking Meter Zone 15, and that the City Clerk be, and she is hereby authorized and instructed to record this finding in Section 33.43 of the Traffic Register.

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

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
Noes: None
Out of Room at
Roll Call: Councilwoman Long

HEARING SET
ESTABLISHING ONE-WAY STREETS AND ALLEYS
WEST UNIVERSITY AREA

Councilwoman Long asked that the item be set for public hearing. Mr. Joe Ternus, Traffic and Transportation Director, explained to the Council the proposed one-way street system and the parking restrictions. After discussion among the Council, Mr. Ternus and City Manager Tinstman, Councilwoman Long moved the Council set a public hearing for 2:30 P.M., February 6, 1969, for Phase I street patterns at the University. The motion, seconded by Councilman Nichols, carried by the following vote:

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

COMPLAINTS - BRACKENRIDGE HOSPITAL

Mr. Howard Bryant appeared before the Council to complain about being refused service at the Brackenridge Hospital Cafeteria. Mr. Bryant and others who had been using the cafeteria were employed on the construction of the new Brackenridge Hospital.

City Manager Tinstman stated that the cafeteria had stopped serving personnel other than employees and medical staff between 11:15 and 12:45. From 12:45 to 1:30 the cafeteria was open to guests. The policy was necessary because of the number of people being served. The cafeteria was not normally a general public food service operation, and Mr. Tinstman felt that if Mr. Bryant were not satisfied or could not be served by the cafeteria that he could eat at some other restaurant or cafe.

Councilwoman Long brought up the matter of having policemen guarding the doors of the hospital to keep people out. She opposed the practice. City Manager Tinstman pointed out that the practice was recommended and initiated by the medical staff, particularly due to the current flu epidemic.

HEARING ON TAX APPEALS

Mayor Akin opened the public hearing scheduled for 2:30 to hear the following Tax Appeals:

RUSSELL G. FERGUSON		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		\$14,150	\$10,610	Signed	\$10,610
28.3 Acres	Improve-		<u>0</u>	<u>0</u>		<u>0</u>
John Brandt Sur. 77	ments					
Parcel #9-4-1557-	Total		\$14,150	\$10,610		\$10,610
0101						
Vacant	Land		\$11,950	\$8,960	Signed	\$8,960
23.9 Acres	Improve-		<u>0</u>	<u>0</u>		<u>0</u>
J. M. Oliver	ments					
Sur. 44	Total		\$11,950	\$8,960		\$8,960
Parcel #9-4-1567-						
0449						
Vacant	Land		\$24,000	\$18,000	Signed	\$18,000
60 Acres	Improve-		<u>0</u>	<u>0</u>		<u>0</u>
Geo. Heissner	ments					
Sur. 525	Total		\$24,000	\$18,000		\$18,000
Parcel #9-4-1567-						
0450						
Vacant	Land		\$16,000	\$12,000	Signed	\$12,000
40 Acres	Improve-		<u>0</u>	<u>0</u>		<u>0</u>
Geo. Heissner	ments					
Sur. 524	Total		\$16,000	\$12,000		\$12,000
Parcel #9-4-1567-						
0451						
Vacant	Land		\$21,600	\$16,200	Signed	\$16,200
54 Acres	Improve-		<u>0</u>	<u>0</u>		<u>0</u>
William P. Baxter	ments					
Sur. 58	Total		\$21,600	\$16,200		\$16,200
Parcel #9-4-1567-						
0453						
S Hwy. 290	Land		\$35,000	\$26,250	Signed	\$26,250
100 Acres	Improve-		<u>1,998</u>	<u>1,500</u>		<u>1,500</u>
William S. Holton	ments					
Sur. 67	Total		\$36,998	\$27,750		\$27,750
Parcel #9-4-1567-						
0454						

Mr. Ferguson reviewed for the Council the prices he paid for his total acreage of 358 acres which he had bought at two different times and the prices of surrounding properties. Since his land was not in production and making any money, he felt that its assessed valuation was too high. The Council asked Mr. Ferguson several questions, but took no action at this time.

GEORGE NALLE by Les Proctor		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
201 Colorado St.	Land	\$45,216	\$45,216	\$33,910	\$26,620	\$33,910
Lots 11 & 12, Block 19	Improve- ments	<u>29,912</u>	<u>29,912</u>	<u>22,430</u>	<u>17,610</u>	<u>22,430</u>
Parcel #2-0501- 0406	Total	\$75,128	\$75,128	\$56,340	\$44,230	\$56,340
600 West 10th St.	Land	\$21,406	\$ 21,406	\$ 16,050	\$16,050	\$ 16,050
Lot 4-A, Resub. of Lots 1-4, Block 129	Improve- ments	<u>0</u>	<u>327,654</u>	<u>245,740</u>	<u>0</u>	<u>245,740</u>
Parcel #2-0800- 1604	Total	\$21,406	349,060	261,790	\$16,050	\$261,790

Mr. Les Proctor, representing Mr. Nalle, questioned the method used to arrive at the assessed valuation placed on the partially completed building as of January 1, 1968. He felt that the correct percentage completion should have been 72 per cent, but agreed to accept the 75 per cent figure of the Tax Department. He did not agree with the \$436,871 tax valuation and felt that the figure should be \$406,000--the actual cost of constructing the building.

Mr. Proctor presented several items to the Council relating to construction costs for the building. The Council asked Mr. Proctor a number of questions relating to costs particularly in regard to architectural supervision of the construction.

Mr. Jack Klitgaard, Tax Assessor-Collector, stated that he felt that the proper way to appraise property and the procedure which his office followed was to appraise the building as 100 per cent completed and then apply a percentage to it that is established on January 1st to find out what it is worth as of January 1st each year. That procedure had been followed in the Regency South case.

After some additional discussion, it was agreed that more information would be obtained by Mr. Klitgaard before reaching the final determination of the property's value. The Council rescheduled the case for 4:00 P.M., February 6, 1969.

HERMAN HEEP by Forrest Troutman		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 191.23 Acres Santiago Del Valle Grant	Land Improve- ments Total		\$124,300 <u>0</u>	\$93,230 <u>0</u>	Not Signed	\$93,230 <u>0</u>
Parcel #9-4-4818- 0201			\$124,300	\$93,230		\$93,230
Vacant 96.54 Acres Trinidad Varcinas Sur. 535	Land Improve- ments Total		\$57,924 <u>0</u>	\$43,440 <u>0</u>	Not Signed	\$43,440 <u>0</u>
Parcel #9-4-4818- 0202			\$57,924	\$43,440		\$43,440

HERMAN HEEP by Forrest Troutman (cont.)		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
U.S. Hwy. 81 84.42 Acres J. S. Irvine Sur. 4 Parcel #9-4-5618- 0401	Land Improve- ments Total	\$50,652 <u>4,711</u>	\$37,990 <u>3,530</u>	Not Signed	\$37,990 <u>3,530</u>	\$41,520
Vacant 2.69 Acres S.F. Slaughter Sur. 1 Parcel #9-4-4818- 0109	Land Improve- ments Total	\$2,152 <u>0</u>	\$1,610 <u>0</u>	Not Signed	\$1,610 <u>0</u>	\$1,610
Vacant 181.52 Acres J. S. Irvine Sur. 4 Parcel #9-4-5627- 0107	Land Improve- ments Total	\$99,836 <u>0</u>	\$74,880 <u>0</u>	Not Signed	\$74,880 <u>0</u>	\$74,880
Vacant 91.97 Acres Trinidad Varcinas Sur. 535 Parcel #9-4-4818- 0301	Land Improve- ments Total	\$64,379 <u>0</u>	\$48,280 <u>0</u>	Not Signed	\$41,390 <u>0</u>	\$41,390
Vacant 100 acres Trinidad Varcinas Sur. 535 Parcel #9-4-5618- 0202	Land Improve- ments Total	\$35,000 <u>0</u>	\$26,250 <u>0</u>	Not Signed	\$26,250 <u>0</u>	\$26,250
Vacant 21.15 Acres Trinidad Varcinas Sur. 535 Parcel #9-4-5618- 0205	Land Improve- ments Total	\$6,345 <u>0</u>	\$4,760 <u>0</u>	Not Signed	\$4,760 <u>0</u>	\$4,760
Vacant 7.82 Acres SVR Eggleston Sur.3 Parcel #9-4-5627- 0111	Land Improve- ments Total	\$3,910 <u>0</u>	\$2,930 <u>0</u>	Not Signed	\$1,760 <u>0</u>	\$1,760
Vacant 20.77 Acres S.F. Slaughter Sur. 1 Parcel #9-4-4818-0205	Land Improve- ments Total	\$13,501 <u>0</u>	\$10,130 <u>0</u>	Not Signed	\$10,130 <u>0</u>	\$10,130

Mr. Forrest Troutman, representing the Heep interests, stated that the property was a working ranch and not intended for use as subdivision property. He felt that the tax valuation should be lower for that reason. He cited one example of what he felt was lack of uniformity in valuation which was unfavorable to his client.

Mr. Klitgaard pointed out that the two properties being compared as non-uniform in valuation were assessed at different periods of time. About one-fourth of the property in the district was reappraised at a time, and there were several years' difference in their reappraisal times.

City Manager Tinstman stated that the State Constitution specified the phrase, "market value" when determining valuations and that the constitution did not allow too much freedom or flexibilities as far as either use of the land is concerned or its income producing value.

JAMES H. PRESTON		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
Cedar Valley	Land		\$12,000	\$ 9,000	Signed	\$ 9,000
Fitzhugh Road	Improve-		<u>18,637</u>	<u>13,980</u>		<u>13,980</u>
30 Acres J. J.	ments					
Hyatt Sur. 624	Total		\$30,637	\$22,980		\$22,980
Parcel #9-4-0787-						
0109						

Mr. Preston stated that he had been before the Board of Equalization and had been denied a change in his evaluation. He was appealing on the basis that the adjoining property was valued at a lesser rate.

Mr. Klitgaard pointed out that the property Mr. Preston referred to did not have pavement frontage and was isolated. Other property in the area with pavement frontage was valued at the same level as Mr. Preston's property.

Mr. Preston also stated that he felt the Tax Assessor-Collector was using isolated cases to value property in the area and that there was not an established market value for the area. He cited a case of property across the road that had just received a notice of lower taxes. He felt that the fact that his district was almost out of Travis County should be taken into consideration when valuing the property.

Mr. Preston was to get with Mr. Klitgaard and go over the property which Mr. Preston said had just had its taxes lowered.

LOUISE SNIDER by Steve Harris		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
U.S. Hwy. 81	Land		\$125,550	\$94,160	Not	No Appeal
139.5 Acres	Improve-		500	380	Signed	
S. F. Slaughter	ments					
Sur. 1	Total		\$126,050	\$94,540		
Parcel #9-4-3918-0101						

Mr. Harris, representing his mother, stated Mrs. Snider wished to appear before the Board of Equalization to appeal her case. At the time she left the Council meeting last week, she was under the impression that if the Tax Department could not prove that she had been sent a notice to appear before the Board of Equalization or find the rendition she had submitted then she would be placed on a supplemental tax roll and receive a hearing when the Board reconvened. She had been informed on Tuesday by Mr. Klitgaard that she was to appear before the Council today. She was not prepared to present facts and figures to support her appeal because of the shortness of notice to appear.

Mrs. Snider would be placed on the supplemental tax roll at the 1967 tax rate. She would not have to pay until after the assessment was made, and there would be no penalty and interest if paid within 60 days after the assessment. There were no specific provisions in the City Charter to allow an appeal to the Board of Equalization for property placed on the supplemental roll, and there was some question as to the constitutionality of that matter.

There was some question as to whether the Council could accord Mrs. Snider a hearing before the reconvened Board of Equalization. Mr. Harris was to work with Mr. deSteiger and Mr. Klitgaard to see what could be resolved.

FRED W. SHIELD		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		\$14,709	\$11,030	Signed	\$11,030
47.72 Acres	Improve-		0	0		0
James Bradford	ments					
Sur. 512 & 1.31	Total		\$14,709	\$11,030		\$11,030
Acres A Marr Sur. 522 Parcel #9-1-0277-0103						
Vacant	Land		\$6,450	\$4,840	Not	\$4,840
21.5 Acres	Improve-		0	0	Signed	0
A. Marr Sur. 523	ments					
Parcel #9-1-0277-0105	Total		\$6,450	\$4,840		\$4,840
Vacant	Land		\$14,187	\$10,640	Not	\$10,640
39.39 Acres	Improve-		0	0	Signed	0
A. Marr Sur. 523 &	ments					
7.9 Acres A. Marr	Total		\$14,187	\$10,640		\$10,640
Sur. 522 Parcel #9-1-0277-0106						

FRED W. SHIELD (cont.)		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		\$30,300	\$22,730	Not	\$22,730
101 Acres	Improve-		<u>0</u>	<u>0</u>	Signed	<u>0</u>
J. B. Mandoes	ments					
Sur. 503	Total		\$30,300	\$22,730		\$22,730
Parcel #9-1-0277-0107						
Vacant	Land		\$44,000	\$33,000	Not	\$33,000
160 Acres	Improve-		<u>0</u>	<u>0</u>	Signed	<u>0</u>
Emil Wolber	ments					
Sur. 4	Total		\$44,000	\$33,000		\$33,000
Parcel #9-1-0277-0109						
Vacant	Land		\$44,000	\$33,000	Not	\$33,000
160 Acres	Improve-		<u>0</u>	<u>0</u>	Signed	<u>0</u>
E. D. Brown	ments					
Sur. 4	Total		\$44,000	\$33,000		\$33,000
Parcel #9-1-0277-0110						
Vacant	Land		\$45,051	\$33,790	Not	\$33,790
150.17 Acres	Improve-		<u>0</u>	<u>0</u>	Signed	<u>0</u>
A. Trautvein	ments					
Sur. 50 & A. Marr	Total		\$45,051	\$33,790		\$33,790
Sur. 522						
Parcel #9-1-0277-0112						
Vacant	Land		\$22,680	\$17,010	Not	\$17,010
75.6 Acres	Improve-		<u>0</u>	<u>0</u>	Signed	<u>0</u>
J. H. Cade Sur.	ments					
509	Total		\$22,680	\$17,010		\$17,010
Parcel #9-1-0287-0214						
Vacant	Land		\$9,000	\$6,750	Not	\$6,750
30 Acres	Improve-		<u>0</u>	<u>0</u>	Signed	<u>0</u>
F. Rudge Sur. 400	ments					
Parcel #9-1-0287-	Total		\$9,000	\$6,750		\$6,750
0217						

Mr. Steve Harris, representing Mr. Shield, stated that he was appealing the tax valuation on approximately 795 acres out of the 6,600 acre ranch. The 795 acres were located within the Austin Independent School District. Mr. Harris stated that he knew of no comparable sales in the area that would justify the high assessed valuation placed on the property by the Tax Department. It was pointed out to Mr. Harris that the Bullard Ranch in the area sold for \$650 per acres and that ranch contained 2,460 acres.

JOHN C. PHILLIPS		Full Value by the Tax <u>Dept. 1967</u>	Full Value by the Tax <u>Dept. 1968</u>	Assessed Value by <u>Tax Dept.</u>	Value Rendered by Owner	Assessed Value Fixed by Board
West of Brodie	Land		\$121,383	\$ 91,040	Not	\$ 91,040
Land	Improve-		<u>33,757</u>	<u>25,320</u>	Signed	<u>25,320</u>
134.87 Acres	ments					
Thomas Anderson	Total		\$155,140	\$116,360		\$116,360
Sur. 17						
Parcel #9-4-1527-0103						

Vacant	Land		\$27,480	\$20,610	Not	\$20,610
22.90 Acres	Improve-		<u>0</u>	<u>0</u>	Signed	<u>0</u>
Thomas Anderson	ments					
Sur. 17	Total		\$27,480	\$20,610		\$20,610
Parcel #9-4-1527-0105						

Mr. Phillips sent a letter asking that the letter be accepted as his appeal. The Council examined the map to locate Mr. Phillips' property and asked several questions of Mr. Klitgaard.

WELTY E. MCCULLOUGH		Full Value by the Tax <u>Dept. 1967</u>	Full Value by the Tax <u>Dept. 1968</u>	Assessed Value by <u>Tax Dept.</u>	Value Rendered by Owner	Assessed Value Fixed by Board
Vacant	Land		\$5,082	\$3,810	Signed	\$3,810
7.26 Acres	Improve-		<u>0</u>	<u>0</u>		<u>0</u>
Thomas Anderson	ments					
Sur. 17	Total		\$5,082	\$3,810		\$3,810
Parcel #9-4-1537-0302						

Ridge Oak Rd.	Land		\$64,000	\$48,000	Signed	\$48,000
Tract 9 (80 Ac.)	Improve-		<u>18,678</u>	<u>14,010</u>		<u>14,010</u>
G. K. Beckett	ments					
Est. Subd.	Total		\$82,678	\$62,010		\$62,010
Parcel #9-4-1537-0313						

Off McCarty Lane	Land		\$38,080	\$28,560	Signed	\$28,560
54.4 Acres	Improve-		<u>407</u>	<u>310</u>		<u>310</u>
Thomas Anderson	ments					
Sur. 17	Total		\$38,487	\$28,870		\$28,870
Parcel #9-4-1537-0401						

Vacant	Land		\$43,520	\$32,640	Not	\$32,640
54.4 Acres	Improve-		<u>0</u>	<u>0</u>	Signed	<u>0</u>
Thomas Anderson	ments					
Sur. 17	Total		\$43,520	\$32,640		\$32,640
Parcel #9-4-1537-0402						

WELTY E. MCCULLOUGH (cont.)		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		\$1,404	\$1,050	Signed	\$1,050
Lot 12	Improve-		<u>0</u>	<u>0</u>		<u>0</u>
G. K. Beckett Est.	ments					
Parcel #9-4-0834-	Total		\$1,404	\$1,050		\$1,050
0109						
Vacant	Land		\$3,159	\$2,370	Signed	\$2,370
Lot 11	Improve-		<u>0</u>	<u>0</u>		<u>0</u>
G. K. Beckett Est.	ments					
Parcel #9-4-0834-	Total		\$3,159	\$2,370		\$2,370
0110						

Mrs. McCullough had called the City Clerk's Office requesting that the signature she and her husband had signed on a tax appeal list stand as their appeal. Mr. Klitgaard described the property owned by Mr. and Mrs. McCullough and stated that some of the property qualified under the agricultural amendment for lower taxes. The Council asked Mr. Klitgaard several questions regarding the property.

TAX APPEAL POSTPONED

Mr. Albert Wade requested by letter that his appeal be postponed. The Council postponed the appeal until 3:30 P.M., February 6, 1969.

TAX APPEAL WITHDRAWN

Mr. Klitgaard stated that he had talked to Mr. Jodie Wheeler regarding his appeal and that Mr. Wheeler had chosen to withdraw the appeal.

CUT-OFF DATE SET FOR TAX APPEALS

Councilwoman Long moved the Council set February 13, 1969, as the final hearing date for tax appeals and that the cut-off date for submitting appeals be February 7, 1969. The motion, seconded by Councilman LaRue, carried by the following vote:

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

PARADE PERMIT AMERICAN FREEDOM FROM HUNGER FOUNDATION

Mr. Forrest Troutman asked that the matter of the parade permit discussed that morning be taken up again. The Council was sympathetic to the idea of the march, but was concerned about the safety of the participants.

Miss Betty Schuessler, speaking for Walk for Development and the American Freedom from Hunger Foundation, stated that on the general route card given to each participant in the walk there was a statement of waiver regarding liability. Sponsors in the business community would pay each walker an agreed upon amount for each mile the person walked. The money collected would be used for a variety of projects locally, nationally and abroad. No one had been hurt in the several walks which had been staged around the country. She agreed to get with City Manager Tinstman and work out the details of the walk.

HEARING SET
TRANSPORTATION ENTERPRISES, INC. FRANCHISE APPLICATION

Councilman Janes moved the Council set a hearing at 10:30 A.M., February 6, 1969 regarding Transportation Enterprises, Inc.'s franchise application to operate a motor bus service. The motion, seconded by Councilman LaRue, carried by the following vote:

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

ENGINEERING PROPOSAL ACCEPTED
NATURAL GAS FUEL LINE TO DECKER POWER PLANT

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 Manager, R. M. Tinstman, be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with Brown & Root, Inc. for engineering services in connection with the natural gas fuel pipe line to Decker Power Plant site to the gate of Coastal States on Ben White Boulevard, in accordance with the terms and provisions of a contract exhibited to the City Council and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk an executed copy of said contract without recordation in the minutes of the City Council.

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

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

CONTRACTS AWARDED

Councilwoman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 20, 1968 for the purchase of one (1) each 3,000 GPM and one (1) each 5,000 GPM Pump Units for Spicewood Springs Reservoir Pump Station; and,

WHEREAS, the bid of Allis Chalmers, in the sum of \$7,240.00, for the purchase of one (1) 3000 GPM Pump Unit; and the bid of Worthington Corporation, in the sum of \$12,600.00 for the purchase of one (1) 5000 GPM Pump Unit, were the lowest and best bids therefor and the acceptance of such bids has been recommended by the Acting 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 Allis Chalmers, in the sum of \$7,240.00, and the bid of Worthington Corp., in the sum of \$12,600.00, 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 Allis Chalmers and Worthington Corp.

The motion, seconded by Councilman Nichols, 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 January 20, 1969, for one (1) Party Boat for Fiesta Gardens; and,

WHEREAS, the bid of Duracraft Boats, Incorporated, in the sum of \$8,227.10, 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 Duracraft Boats, Incorporated, in the sum of \$8,227.10, 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 Duracraft Boats, Incorporated.

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 15, 1969, for twenty-four (24) Combination Siren, Public Address, Radio Amplifier, and Revolving Light Units for the Police Department; and,

WHEREAS, the bid of Smith Municipal Supplies, Incorporated, in the sum of \$5,688.00, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Acting 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 Smith Municipal Supplies, Incorporated, 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 Smith Municipal Supplies, Incorporated.

The motion, seconded by Councilwoman Long, 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 January 14, 1969, for 6800 Tons of Quick Lime to be used by Water Treatment Division; and,

WHEREAS, the bid of Austin White Lime Company, in the sum of \$112,880.00, 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 Austin White Lime Company, in the sum of \$112,880.00, 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 Austin White Lime 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 14, 1969, for the purchase of ninety-two (92) automobiles with seventy-seven (77) trade-ins, for use by various Departments of the City; and,

WHEREAS, the bid of Armstrong-Johnson, Inc., in the sum of \$86,104.00, for the purchase of fifty-nine (59) automobiles including fifty-one (51) trade-ins; and the bid of Simmons Motor Co., in the sum of \$54,200.00, for the purchase of thirty-three (33) automobiles including twenty-six (26) trade-ins, were the lowest and best bids therefor and the acceptance of such bids has been recommended by the Acting 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 Armstrong-Johnson, in the sum of \$86,104.00, and the bid of Simmons Motor Co., in the sum of \$54,200.00, 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 Armstrong-Johnson, Inc. and Simmons Motor Co.

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

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

SALE OF IMPROVEMENTS

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 14, 1969, for the sale of three (3) houses to be moved; and,

WHEREAS, the bid of Booker T. Wood in the sum of \$165.00 for the house located at 31 Salina Street; the bid of J. A. Miller in the sum of \$25.50 for the house located at 25 Chalmers; and the bid of Edward Lev Rhodes in the sum of \$15.00 for the house located at 1611 West 10th Street, were the highest and best bids therefor, and the acceptance of such bids 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 above emunerated bids of Booker T. Wood, J. A. Miller, and Edward Lev Rhodes, 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 said named parties.

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

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

REFUND CONTRACT

Mayor Akin introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ASSISTANT TO THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH WALTER J. KASSUBA AND FRANK E. MONTGOMERY, 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 Councilwoman 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 Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The ordinance was read the second time and Councilwoman 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 Janes, LaRue, Long, Nichols, Mayor Akin
Noes: None

The ordinance was read the third time and Councilwoman Long 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.

PUBLICATION OF ANNUAL REPORT

Assistant City Manager Higgins stated that an eight-page tabloid size report would be inserted in a Sunday edition of the newspaper as an annual report to the citizens of Austin. The report was to be distributed on February 16, 1969. Councilman Nichols moved the Council authorize the City Manager to publish the report as indicated. The motion, seconded by Councilman LaRue, carried by the following vote:

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

TURN ON OF COMPUTER-CONTROLLED
TRAFFIC SIGNALS

Assistant City Manager Higgins stated that on Monday at 11:00 A.M. Traffic and Transportation Director Joe Ternus had invited the Council to be in his office for a christening and turning on of the computer-controlled traffic signal system.

EMINENT DOMAIN PROCEEDINGS

The Council had before it for consideration the acquisition by eminent domain proceedings of the rear portion of the property located at 1115 Shady Lane. The property would be used by the Parks and Recreation Department for a softball diamond.

After some discussion, Councilman Nichols moved the Council authorize the initiation of eminent domain proceedings for the rear portion of a one-acre tract at 1115 Shady Lane. The motion, seconded by Councilman Janes, carried by the following vote:

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

ACQUISITION OF MOPAC RIGHT OF WAY

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 \$17,500.00 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. Thirty-two (32), Block "A", Highland Park Addition, an addition in the City of Austin, Travis County, Texas, according to the map or plat thereof recorded in Plat Book 4, Page 218, Plat Records of Travis County, Texas.

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

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

January 23, 1969

ACQUISITION OF NAVIGATION EASEMENT

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 \$12,709.33 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:

A part of Lot Number 29 of Ridgetop Gardens, W. T. Caswell's Subdivision of a part of the James P. Wallace League in Travis County, Texas, according to plat of said Subdivision recorded in Plat Records of Travis County, Texas, Plat Book "3", Page 50, described by metes and bounds as follows:

BEGINNING at a stake set midway between the northeast and northwest corner of said Lot No. 29, said point being 102-1/2 feet from the northeast corner of said Lot 29;

THENCE, easterly with the north line of said Lot No. 29, 50 feet to a stake for corner;

THENCE, southerly parallel with the east and west lines of said Lot No. 29, 212-1/2 feet to stake for corner;

THENCE, westerly parallel with the north and south lines of said Lot No. 29, 50 feet to a stake for corner;

THENCE, northerly parallel with the east and west lines of said Lot No. 29, 212-1/2 feet to the place of beginning.

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

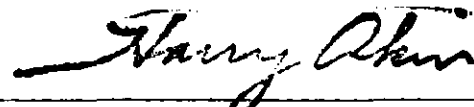
Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin

Noes: None

ADJOURNMENT


The Council then adjourned.

APPROVED:



Mayor

ATTEST:



Asst. City Clerk