

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 22, 1968

9:00 A.M.

COUNCIL CHAMBERS, CITY HALL

The meeting was called to order with Mayor Akin presiding.

Roll Call:

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

The Invocation was delivered by REVEREND BILL MIDDLETON, of the St. Paul Presbyterian Church.

CITIZEN APPEARANCE

Mr. C.T. Johnson appeared before the Council representing a group regarding traffic hazards in the Herman Brown Addition. Mr. Johnson reported the accident count for the City of Austin noting that there had been a 21.5% increase over the previous year's count. He further stated that the area on Exposition near the Casis Shopping Center was particularly hazardous and that the Council should investigate the matter. Councilman Long noted that the speed limit in that area had been lowered to 20 mph and additional warning signals had been put up. City Manager Tinstman stated the traffic situation in that area would probably continue to increase at least until the MoPac project had been finished.

FAIR HOUSING ORDINANCE SUPPORT

Mr. Raymond Donley, a licenced realtor of the Capitol Realtor Company appeared before the Council to speak in support of the Fair Housing Ordinance. He noted that the President of the Realtors Association had expressed opposition to the ordinance without having read it, and that this kind of prejudice was injurious to the public image of the realtors who did support the ordinance. He further stated that he would be willing to circulate a petition informing the public of what the Fair Housing Ordinance was about. Mayor Akin expressed his appreciation of Mr. Donley's progressive attitude and willingness to present facts to the public rather than appeal to their emotions.

AUSTIN'S PROGRAM OF SERVICE 1968-1969

Councilman Long moved the Council note the receipt of the Budget Document. The motion, seconded by Councilman LaRue, carried by the following vote:

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

BUDGET HEARING SET

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on August 22, 1968, R.M. Tinstman, City Manager, did file with the City Clerk the proposed budget for the operation of the City of Austin for the fiscal year 1967-1968; and,

WHEREAS, on August 22, 1968, said budget was submitted to the City Council by the City Manager; Now, Therefore,

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

That the public hearing on said budget will be held in the City Council Chamber at the City Hall on September 12, 1968, at 10:30 A.M.; and,

BE IT FURTHER RESOLVED:

That the City Clerk shall, at least ten (10) intervening days before said hearing date, publish, or cause to be published, public notice advertising said public hearing.

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

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

CITY SALES TAX RESOLUTION

Councilman LaRue moved the Council note the receipt of the M & C #13 report: "City Sales Tax Resolution". The motion, seconded by Councilman Janes, carried by the following vote:

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

RESIDENTIAL ZONING STAFF REPORT

City Manager Tinstman stated that the report being submitted was to give a general perspective of residential zoning laws that were presently in effect. Planning Director Hoyle Osborne noted that the Planning Commission had completed part of its work on the matters of suburban residential districts and single family districts zoned "AA" Residence, and that the following Thursday would be the earliest date that the complete report would be ready. Councilman Long stated that land owners of vacant lots were interested in building more apartments and that the existing zoning ordinances would have to be studied and possibly changed.

A particular case was discussed by the Council concerning the building of a club in a residential area which had caused considerable opposition from the nearby inhabitants of that area. Mr. Frank M. Holloway appeared before the Council to question the legality of the club's location and to complain of their activities.

Councilman LaRue noted that under the existing ordinance the Planning Commission had no choice but to issue the building permit. Councilman Long stated that it was very rare that a beautifully developed neighborhood would have 5 acres of undeveloped land that would be used for a club site, and that the Council would try to prevent such a situation from happening again in the future.

Councilman LaRue moved the Council note the receipt of the report on Residential Zoning. The motion, seconded by Councilman Long, carried by the following vote:

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

STREET VACATION ORDINANCE

Mayor Akin introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THOSE CERTAIN PORTIONS OF PEARL STREET ALLEY AND WEST 22 1/2 STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR TELEPHONE AND ELECTRIC PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman 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.

MEDICAL ARTS SQUARE STREET VACATION

Mayor Akin introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN REMAINING PORTION OF MEDICAL ARTS SQUARE STREET AREA IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITIES AND DRAINAGE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

ANNEXATION HEARING SET

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 0.05 OF ONE ACRE OF LAND OUT OF THE T. J. CHAMBERS GRANT; 11.62 ACRES OF LAND OUT OF THE JAMES P. WALLACE SURVEY NO. 57 AND THE WILLIS AVERY SURVEY; AND 6.54 ACRES OF LAND OUT OF AND A PART OF THE WILLIS AVERY SURVEY, JOHN APPELEGATE SURVEY AND JAMES P. WALLACE SURVEY NO. 57; ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman LaRue moved that the ordinance be published in accordance with Article I, Section 6 of the Charter of the City of Austin and set for public hearing on September 5, 1968, 10:30 A.M. The motion, seconded by Councilman Long, carried by the following vote:

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

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 250.89 ACRES OF LAND, SAME BEING TWO (2) TRACTS OF LAND OUT OF THE JAMES MITCHELL AND 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.

Councilman LaRue moved that the ordinance be published in accordance with Article I, Section 6 of the Charter of the City of Austin and set for public hearing on September 5, 1968 at 10:30 A.M. The motion, seconded by Councilman Long, carried by the following vote:

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

CITY OF AUSTIN, TEXAS

RELEASE OF PROPERTY RIGHTS ON
I.H. 35 AND RIVERSIDE DR.

Councilman Nichols moved the Council authorize the City Manager to enter into the contract in accordance with the letter of August 15th relating to release of reservation of rights on property on I.H. 35 and Riverside Drive. The motion, seconded by Councilman LaRue, carried by the following vote:

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

SPEED LIMIT RESOLUTION

Councilman Long 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 are less than thirty (30) miles per hour on school days during the hours of 7:00 A.M. to 4:30 P.M. when pedestrians are present; 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:

| <u>ON STREET</u> | <u>FROM</u> | <u>TO</u> |
|--------------------|------------------|-------------------|
| Westminister Drive | Northridge Drive | Waterbrook Drive; |

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 Nichols, carried by the following vote:

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

PROPERTY SALES FOR
URBAN RENEWAL AGENCY IN KEALING PROJECT

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on August 14, 1968, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 134-68, by which the Board accepted the bid of Harry Watterson and Wife, Sallie Watterson for the purchase of Parcel R-17(2), a tract of land situated in the Kealing Urban Renewal Project, No. Tex. R-20, and more particularly described in said Resolution; and,

WHEREAS, said Resolution No. 134-68, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 15th day of August, 1968, by the Executive Director of the Urban Renewal Agency for approval of the price conditions of the proposed sale of said property; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 134-68;
NOW, THEREFORE:

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

That the price and conditions set forth in the Bid of Harry Watterson and Wife, Sallie Watterson for the purchase of Parcel No. R-17(2), in the Kealing Urban Renewal Project, No. Tex. R-20, are hereby approved.

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

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

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on August 14th, 1968, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 136-68, by which the Board accepted the bid of Holiday Realty, Inc. for the purchase of Parcels R-17(4), R-17(5), R-39, R-40, and R-41, tracts of land situated in the Kealing Urban Renewal Project, No. Tex. R-20, and more particularly described in said Resolution: and

WHEREAS, said Resolution Number 136-68, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 15th day of August, 1968, by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said property; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 136-68;
NOW, THEREFORE:

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

That the price and conditions set forth in the Bid of Holiday Realty, Inc. for the purchase of Parcels No.'s R-17(4), R-17(5) R-39, R-40, and R-41, in the Kealing Urban Renewal Project, No. Tex. R-20, are hereby approved.

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

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

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on August 14th, 1968, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 138-68, by which the Board accepted the bid of Darrell Cummings for the purchase of Parcel R-36, a tract of land situated in the Kealing Urban Renewal Project, No. Tex. R-20, and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 138-68, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, as executed copy of said Resolution was forwarded to the City Council on the 15th day of August, 1968, by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said property; and,

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WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 138-68; NOW, THEREFORE:

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

That the price and conditions set forth in the Bid of Darrell Cummings for the purchase of Parcel No. R-36, in the Kealing Urban Renewal Project No. Tex. R-20, are hereby approved.

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

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

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on August 14, 1968, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 137-68, by which the Board accepted the bid of Hugo Higgins and Wife, Arthur Noll Higgins for the purchase of Parcel R-31, a tract of land situated in the Kealing Urban Renewal Project, No. Tex. R-20, and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 137-68, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 15th day of August, 1968, by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said property; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 137-68; NOW, THEREFORE:

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

That the price and conditions set forth in the Bid of Hugo Higgins and Wife, Arthur Nell Higgins for the purchase of Parcel No. R-31, in the Kealing Urban Renewal Project No. Tex R-20, are hereby approved.

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

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

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on August 14, 1968, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 135-68, by which the Board accepted the bid of Thomas W. Kincheon, Jr. and Wife, Ophelia H. Kincheon for the purchase of Parcel R-23(1), a tract of land situated in the Kealing Urban Renewal Project, No. Tex. R-20, and more particularly described in said Resolution; and,

WHEREAS, said Resolution No. 135-68, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 15th day of August, 1968, by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said property; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 135-68;
NOW, THEREFORE:

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

That the price and conditions set forth in the Bid of Thomas W. Kincheon, Jr. and Wife, Ophelia H. Kincheon for the purchase of Parcel No. R-23(1), in the Kealing Urban Renewal Project, No. Tex. R-20, are hereby approved.

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

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

NATURAL GAS UTILITY PUBLIC RIGHT OF WAY

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

CITY OF AUSTIN, TEXAS

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

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

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

- (1) A gas main in HART LANE, from a point 20 feet west of the west line of Easthill Drive, easterly 287 feet; the centerline of which gas main shall be 15 feet south of and parallel to the north property line of said HART LANE.
- (2) A gas main in EASTHILL DRIVE, from Hart Lane to North Hills Drive; the centerline of which gas main shall be 15 feet west of and parallel to the east property line of said EASTHILL DRIVE.
- (3) A gas main in GARDNER ROAD, from Lotus Lane, westerly 532 feet; the centerline of which gas main shall be 6.5 feet north of and parallel to the south property line of said GARDNER ROAD.
- (4) A gas main in LOTT AVENUE, from Gardner Road, northerly 169 feet; the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said LOTT AVENUE.
- (5) A gas main in LOTUS LANE, from Thurgood Avenue, southerly 828 feet; the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said LOTUS LANE.
- (6) A gas main in THURGOOD AVENUE, from Lotus Lane, easterly 944 feet; the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said THURGOOD AVENUE.
- (7) A gas main in ARTHUR STILES ROAD, from Thurgood Avenue, westerly 796 feet; the centerline of which gas main shall be 6.5 feet north of and parallel to the south property line of said Arthur Stiles Road.
- (8) A gas main in STILES COVE, from Arthur Stiles Road, northerly 184 feet; the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said STILES COVE.

Said gas mains described above and Number 1 through 8 shall have a cover of not less than 2 1/2 feet.

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

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

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

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

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

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

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

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

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

URBAN RENEWAL SALE OF HOUSES

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 14, 1968 for the sale of thirteen (13) houses that Urban Renewal had turned over to the City for disposal; and,

WHEREAS, the bid of J.A. Miller in the sum of \$19.00 for the house located at 1172 Angelina (R); the bids of A. Heyer in the sum of \$78.35 for the house located at 905 Midway, in the sum of \$7.25 for the house located at 909 Nile, in the sum of \$1.00 for the house located at 2306 Rosewood, and in the sum of \$63.85 for the house located at 903 Wayne; the bids of Weldon Johnston in the sum of \$22.60 for the house located at 1192 Cedar, in the sum of \$17.60 for the house located at 1198 Cedar, in the sum of \$41.60 for the house located at 2902 Conway, and in the sum of \$35.60 for the house located at 1003 Wayne; the bid of Sayer Williams in the sum of \$50.00 for the house located at 1127 Midway; the bid of O.T. Sims in the sum of \$50.00 for the house located at 1172 Angelina (F); the bid of R.H. Glissman in the sum of \$1,050.00 for the house located at 808 Wayne; and the bid of Chas. Adams in the sum of \$40.00 for the house located at 2905 Hargrave, were the highest and best bids therefor, and the acceptance of such bids has been recommended by the Building Official 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 enumerated bids of J.A. Miller, A. Heyer, Weldon Johnson, Sayer Williams, O.T. Sims, R.H. Glissman and Chas. Adams, 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 Nichols, carried by the following vote:

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

FISCAL END OF YEAR TRANSFERS AND APPROPRIATIONS

Councilman LaRue moved the Council authorize the transfer of the following appropriation balances:

| <u>AMOUNT</u> | <u>FROM</u> | <u>TO</u> |
|---------------|--|--|
| \$17,320 | Police Dept. Account 00721010-100 Personal Services | Fire Dept. Account 00722010-100 Personal Services |
| | To provide for excessive personnel costs occasioned by overtime payment. | |
| \$ 6,300 | Cemeteries Account 00734000-100 Personal Services | Sanitation Account 00733000-200 Other Services |
| | To provide for excessive transportation expense due primarily to higher depreciation charges on new equipment. | |

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| <u>AMOUNT</u> | <u>FROM</u> | <u>TO</u> |
|---------------|--|--|
| \$14,000 | Police Dept. Account 00721010-100 Personal Services | Brackenridge Hospital Account 00742000-300, Materials and Supplies |
| | To pay for increased prices of supplies, increased quantities used and new, more expensive types of items being used. | |
| \$ 3,010 | Police Dept. Account 00721010-100 Personal Services | Auditorium, Account 00770010-100 Personal Services |
| | To provide for overtime costs in excess of amount budgeted for year. | |

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

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

Mayor Akin introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 670925-A TO APPROPRIATE
FUNDS FOR GENERAL OVERHEAD AND FOR FIESTA GARDENS; AND
DECLARING AN EMERGENCY.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

REFUND CONTRACT

Mayor Akin introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ASSISTANT TO THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH WESTOVER HILLS, INCORPORATED 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 LaRue 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, Long, Nichols, Mayor Akin
Noes: None

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

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

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

TRANSFER OF TAX TITLE PROPERTY

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by virtue of an Order of Sale issued out of the 53rd District Court of Travis County, Texas, in Cause No. 163,921, styled the City of Austin vs. Berry Craft, et al, the hereinafter described property was sold to the City of Austin as Trustee for taxes by the Sheriff of Travis County, Texas, by deed filed of record August 14, 1968 in Volume 3514, Page 974 and 975, Deed Records of Travis County, Texas; and,

WHEREAS, Mary Elizabeth Craft is desirous of purchasing the above described property for the amount of the Judgment; Now, Therefore,

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

That Robert M. Tinstman, City Manager, is hereby appointed Commissioner and he is hereby authorized and directed to execute and deliver a Quitclaim Deed, on behalf of the City of Austin and the other taxing units, conveying to Mary Elizabeth Craft, her heirs and assigns, all right, title and interest acquired by the City of Austin by the above described deed in and to the following described property, to-wit:

All that certain lot, tract or parcel of land lying and being situated in the City of Austin, Travis County, Texas, and more particularly described as follows: to-wit:
Lot Nine (9), Block Seven (7), Glenwood Addition according to the map or plat of said addition recorded in Volume 2, Page 154, Plat Records, Travis County, Texas; and being the same property conveyed by Wesley Stone and wife Mary L. Stone to Berry Craft and wife Ada Craft by deed recorded in Volume 610, Page 640 Deed Records, Travis County, Texas.

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

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

LICENSE AGREEMENT

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the Assistant to the City Manager, James E. DeBerry, be and he is hereby authorized and directed to execute on behalf of the City of Austin that certain agreement with the Missouri Pacific Railroad Company dated August 13, 1968, for the installation of a 12-inch water pipeline beneath the Missouri Pacific Railroad at a point 1094 feet north of Mile Post 175 north of Austin, Texas, and that the execution and delivery of said instrument shall constitute a binding agreement by the City of Austin and the certificate of the City of Austin that funds have been appropriated and are available for the payment of any sums agreed to be paid by City under said agreement.

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

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

CONTRACT AWARDED

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 20, 1968, for the resurfacing of Taxiways D and E at the Municipal Airport, Contract 68-C-15; and

WHEREAS, the bid of Pool and Rogers in the sum of \$7,240.00 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Pool and Rogers 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 contract on behalf of the City, with Pool and Rogers.

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

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

ADJOURNMENT

The Council then adjourned.

APPROVED: _____

Mayor

ATTEST: _____

Grace Monroe
Asst. City Clerk