

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 21, 1968  
9:00 A.M.

COUNCIL CHAMBERS, CITY HALL

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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 TED MCELROY, Hyde Park Christian Church.

APPROVAL OF MINUTES

Councilman Janes moved the Council approve the Minutes of February 16, 1968 Special Meeting. The motion, seconded by Councilman LaRue, carried by the following vote:

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

ALBERT ULLRICH HONORED

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the comfort, safety, good health, and very lives of countless thousands of people have been enhanced daily without fanfare or notoriety, by the consistent and totally committed devotion of one of their modest servants whose sheer genius in the processing of pure and wholesome water, and the safe disposition of the wastes of a great city for twenty years, earned for him a position of respect among his professional colleagues which few men live to realize; and,

WHEREAS, doing his job of satisfying these essential needs from day to day while planning for the future with extraordinary vision and keen perception, not only saved the public much money but also provided the poorest of us with rich benefits yet to be enjoyed during succeeding decades; and,

WHEREAS, it is with unabashed regret, and with genuine appreciation for his many accomplishments, that we here officially take note of the well-earned privilege of this worthy public servant to engage in private endeavors where even larger numbers of people may be benefitted by his unique capabilities; Now, Therefore,

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

That upon the occasion of the departure of Albert H. Ullrich from the employment of the City of Austin, the gratitude of the people be officially expressed for his inspiring demonstration of a life made truly great by serving all mankind alike; that the warmest best wishes of the people of Austin go with him in his new endeavors; and that a copy of this Resolution be presented to the said Albert H. Ullrich.

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

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

Mr. Ullrich said he was pleased to have worked with the City employees, and thanked the Council.

#### APPROVAL OF GAZEBO PLAN

Mr. Beverly Sheffield explained to the Council that two years before Women in Construction had asked for a suitable project that they might do to help beautify Town Lake. The project, a gazebo, was now complete and ready for formal presentation.

Mrs. John Nil, President of Women in Construction, stated that construction could start April 1, and that she was thrilled to have been awarded the project.

Mayor Akin expressed his appreciation for the work the Women in Construction had done.

Councilman Long moved the Council approve the plan of the Gazebo by the Women in Construction. The motion, seconded by Councilman Nichols, carried by the following vote:

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

## RESIGNATION FROM BUILDING STANDARDS COMMISSION

Councilman LaRue moved the Council accept the resignation of Mr. Jim Woodmansee from the Building Standards Commission, thank him for his services, and send him a letter to that effect. The motion, seconded by Councilman Janes, carried by the following vote:

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

## RESIGNATION FROM COMMUNITY DEVELOPMENT ADVISORY BOARD

Councilman Nichols moved the Council accept the resignation of Mr. James M. Clay from the Community Development Advisory Board. The motion, seconded by Councilman Long, carried by the following vote:

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

## APPOINTMENT TO CIVIL SERVICE COMMISSION

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a vacancy has been created in the Firemen's and Policemen's Civil Service Commission by the death of Commissioner Charles E. Green; and,

WHEREAS, pursuant to law, the City Manager, R. M. Tinstman, has appointed James M. Clay to fill the unexpired term of the late Charles E. Green, subject to the confirmation of such appointment by the City Council; Now, Therefore,

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

That the appointment of Commissioner James M. Clay to fill the unexpired term of the late Commissioner Charles E. Green on the Firemen's and Policemen's Civil Service Commission of the City of Austin, be and the same is hereby in all things confirmed by the City Council.

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

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

## HOLLY-DECKER TRANSMISSION SYSTEM

Mr. Kuykendal requested that the Council consider the Holly-Decker Transmission system next on the agenda because his people would not be available in the afternoon. The Council agreed to the request.

Mr. Kuykendal appeared on behalf of the Richard Doyle Company and stated that he had additional information in the acquisition of right-of-way, the total amount of city-owned property, and the estimated cost of each proposed route for the transmission system.

City Manager Tinstman presented the two alternatives suggested by his staff: one route stays on the north bank of the river and uses more City property, takes advantage of the bluff by locating the towers below it, calls for only one river crossing, thus lowering initial installation costs; and the south route.

Councilman LaRue felt that the north side was more economical; however, Mrs. Moore stated that the north side involved 3,600 feet divided into 24 different tracts and the south shore consisted of 2,800 feet of private property owned by two people only.

City Manager Tinstman stated that he was trying to place the towers in locations that would not normally be subject to water conditions. He also discussed the number of parcels already available to the City and the possible uses of the land after the transmission system was installed.

Councilman Long stated that she had studied the routes and she was convinced that the north route was the proper one. She then moved the Council instruct the City Manager to proceed with the purchase of the necessary parcels of land on the north side of the Lake. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Mrs. T. B. Barnhart asked to go on record as not voting for the transmission system. She stated that she would be ashamed to have her vote go down as part of the group messing up the only asset the City had - the Lake.

Mr. Kanasky asked to go on record as opposing the north route, stating that he had property in the line of easements that he wanted to leave to his sons.

ZONING HEARINGS

Mayor Akin announced that it was 10:30 A.M. and the Council would hear the zoning cases scheduled for public hearing at this time. Pursuant to published notice thereof, the following zoning applications were publicly heard:

WILLIAM LeGRAND	2110-2204 Tillery	From "A" Residence to "BB"
LUNDBERT	St.	Residence
C14-68-003		RECOMMENDED by the Planning Commission

Councilman Nichols moved the Council grant the change from "A" Residence to "BB" Residence, as recommended by the Planning Commission subject to right-of-way. The motion, seconded by Councilman Long, 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 "BB" Residence subject to right-of-way and instructed the City Attorney to draw the necessary ordinance to cover.

GEORGE H. NELSON  
 by Dr. Walter Meyer  
 C14-68-006

3308-3310 Red River

From "A" Residence to "O"  
 Office  
 NOT RECOMMENDED by the  
 Planning Commission

Councilman Long moved the Council grant the change from "A" Residence to "O" Office subject to right-of-way. 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 change had been granted to "O" Office subject to right-of-way and instructed the City Attorney to draw the necessary ordinance to cover.

KUNTZ-STERNENBERG  
 LUMBER COMPANY  
 C14-68-009

1300-1402 Parker Ln.  
 1713-1717 Lupine Ln.

From "A" Residence to "B"  
 Residence  
 RECOMMENDED by the Planning  
 Commission

Councilman Long moved the Council grant the change from "A" Residence to "B" Residence, as recommended by the Planning Commission. The motion, seconded by Councilman Nichols, 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 "B" Residence and instructed the City Attorney to draw the necessary ordinance to cover.

AUSTIN SAVINGS AND  
 LOAN ASSOCIATION  
 by Richard Baker  
 C14-68-010

3605-3627 Catalina  
 Drive

From "GR" General Retail, 6th  
 Height and Area to "B"  
 Residence, 1st Height and Area  
 RECOMMENDED by the Planning  
 Commission

Councilman Nichols moved the Council grant the change from "GR" General Retail, 6th Height and Area to "B" Residence, 1st Height and Area, as recommended by the Planning Commission. 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 change had been granted to "B" Residence, 1st Height and Area and instructed the City Attorney to draw the necessary ordinance to cover.

CHERRYLAWN CORP.  
by John B. Selman  
C14-68-014

6123 Cherrylawn Circle

From "A" Residence to "B"  
Residence  
RECOMMENDED by the Planning  
Commission

Councilman Long moved the Council grant the change from "A" Residence to "B" Residence, as recommended by the Planning Commission. The motion, seconded by Councilman Nichols, 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 "B" Residence and instructed the City Attorney to draw the necessary ordinance to cover.

JAMES D. REAVES &  
JOHN B. SELMAN  
C14-68-015

5705-5709 Manor Rd.  
Rear of 5711-5905  
Manor Rd.

From "A" Residence to "B"  
Residence  
RECOMMENDED by the Planning  
Commission as amended exclud-  
ing the northern 251 foot  
peninsula

Councilman Nichols moved the Council grant the change from "A" Residence to "B" Residence as amended excluding the northern 251 foot peninsula, as recommended by the Planning Commission. 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 change had been granted to "B" Residence as amended excluding the northern 251 foot peninsula and instructed the City Attorney to draw the necessary ordinance to cover.

STANLEY REESE  
by John B. Selman  
C14-68-016

Tract 1  
5004-5032 Manor Rd.

From "A" Residence to "LR"  
Local Retail  
RECOMMENDED by the Planning  
Commission

Tract 2  
Rear of 5004-5032  
Manor Rd.

From "A" Residence to "B"  
Residence  
RECOMMENDED by the Planning  
Commission

Councilman Nichols moved the Council grant the change from "A" Residence to "LR" Local Retail on Tract 1 and from "A" Residence to "B" Residence on Tract 2, as recommended by the Planning Commission. 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 change had been granted to "LR" Local Retail for Tract 1 and to "B" Residence for Tract 2 and instructed the City Attorney to draw the necessary ordinance to cover.

ROBERT H. BROWN  
C14-68-007

5909-6103 Manor Rd.

From "A" Residence and Interim  
"A" Residence, 1st Height and  
Area to "B" Residence, 1st  
Height and Area (as amended)  
RECOMMENDED by the Planning  
Commission as amended

Councilman LaRue moved the Council grant the change from "A" Residence and Interim "A" Residence, 1st Height and Area to "B" Residence, 1st Height and Area subject to a restrictive covenant to 129 units. Also included in the covenant was the restriction that 83 feet by 522.8 feet be left without construction. The Council was to review the covenant. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the change had been granted to "B" Residence, 1st Height and Area, as amended, subject to the covenant and instructed the City Attorney to draw the necessary ordinance to cover.

KENNETH M. BROWN &  
LYNDON L. BROWN  
C14-68-017

Tract 1  
2129-2235 Lawnmont Ave.

From "A" Residence, 1st Height  
and Area to "B" Residence,  
2nd Height and Area  
RECOMMENDED by the Planning  
Commission subject to con-  
ditions

KENNETH M. BROWN &  
LYNDON L. BROWN  
C14-68-017  
continued

Tract 2  
2130-2316 North Loop  
Blvd.

From "A" Residence, 1st Height  
and Area to "LR" Local Retail,  
2nd Height and Area  
RECOMMENDED by the Planning  
Commission subject to  
conditions

Councilman Nichols moved the Council grant the change from "A" Residence, 1st Height and Area to "B" Residence, 2nd Height and Area subject to conditions on Tract 1 and from "A" Residence, 1st Height and Area to "LR" Local Retail, 2nd Height and Area subject to conditions on Tract 2, as recommended by the Planning Commission. 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 change had been granted to "B" Residence, 2nd Height and Area subject to conditions on Tract 1 and to "LR" Local Retail, 2nd Height and Area subject to conditions on Tract 2 and instructed the City Attorney to draw the necessary ordinance to cover.

RECESSED MEETING

2:30 P.M.

#### ZONING HEARING

LILLIE SWARTZ  
by Thomas L. Seay  
C14-68-002

206-210 Comal  
1505-1511 East 3rd St.

From "B" Residence, 2nd Height  
and Area to "C" Commercial,  
2nd Height and Area  
NOT RECOMMENDED by the  
Planning Commission  
RECOMMENDED "LR" Local Retail,  
2nd Height and Area

Mr. Stevens stated that this application was for a change from "B" Residence, 2nd Height and Area to "C" Commercial, 2nd Height and Area for the purpose of accommodating a non-conforming use, a grocery store located at Third and Comal. Councilman Long asked about a possible change in beer and wine use on the premises, that is, could these beverages be consumed on the property under "LR" Local Retail and she was told no.

Mr. Thomas L. Seay stated that he was applying for the zoning change to accommodate his customers and for off-premises consumption of liquor. His store would remain a neighborhood grocery, and he would do some remodeling and painting.

Mr. Moreno stated that he had no objection to a change to "LR" Local Retail zoning if it would involve take-out beer only. He was only interested in protecting the neighborhood from beer joints.

Councilman LaRue moved the Council grant the change from "B" Residence, 2nd Height and Area to "LR" Local Retail, 2nd Height and Area, as recommended by the Planning Commission. 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 change had been granted to "LR" Local Retail,

2nd Height and Area and instructed the City Attorney to draw the necessary ordinance to cover.

CROW DEVELOPMENT CO. 7241-7261 Cameron Rd.  
C14-68-013

From "A" Residence, 1st  
Height and Area to "B"  
Residence, 2nd Height and  
Area  
NOT RECOMMENDED by the  
Planning Commission  
RECOMMENDED "BB" Residence,  
1st Height and Area

Mr. J. S. Crow appeared before the Council to explain that no excess traffic congestion would occur if he were granted the density of apartment units he had requested. He planned to build efficiency apartments on the land.

After some discussion about the zoning of adjacent tracts and the problems of high density areas, the Council decided to ask Mr. Crow to meet with the City Attorney and the Planning Commission to try to make some decisions. The zoning hearing was continued for one week.

ZONING APPLICATIONS WITHDRAWN

R. D. CARTER  
by C. T. Uselton  
C14-68-204

601 Franklin Blvd.  
5306-5310 Guadalupe St.

From "A" Residence, 1st  
Height and Area to "B"  
Residence, 2nd Height and Area  
NOT RECOMMENDED by the  
Planning Commission

Councilman LaRue moved the Council allow the applicant to withdraw this case. The motion, seconded by Councilman Nichols, carried by the following vote:

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

CHARLES L. VILLASENOR  
C14-68-011

1606-1608 Montopolis Dr.  
6206-6216 Caddie St.

From "A" Residence to "LR"  
Local Retail  
NOT RECOMMENDED by the  
Planning Commission

Councilman Nichols moved the Council allow the applicant to withdraw this case. The motion, seconded by Councilman Long, carried by the following vote:

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

CHARLES L. VILLASENOR  
C14-68-012

2105 Holly Street

From "A" Residence to "LR"  
Local Retail  
NOT RECOMMENDED by the  
Planning Commission

Councilman Nichols moved the Council allow the applicant to withdraw this case. The motion, seconded by Councilman Long, carried by the following vote:

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

AUSTIN AMBULANCE COMPANY

Mr. Tinstman said that Austin Ambulance Company asked that the report on the Ambulance Petition be continued for one week while the company was drawing up a letter on the subject. The Council agreed to postpone the hearing.

TOWN LAKE DEVELOPMENT PLAN

Mr. Beverly Sheffield presented the Council with a lengthy description of his staff's plans for beautification and development of Town Lake. Councilman Long brought out the point that parts of the plan required a change in the Master Plan, especially the location of the Natural Science Center. He stated that the bait house needed to be relocated because it did not fit in with the overall plan. Also land needed to be dedicated along the Lake. Councilman Janes said that he was not, at that time, in favor of removing the bait house and that he could not vote for the Development Plan if the bait house would be moved for certain.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there is a vital need for the expansion of public outdoor recreational facilities, as encompassed in Town Lake Development, Phase 1, and the Comprehensive Plan for the Development of Town Lake of which it is a part, with respect to the land included in said project and for the purposes indicated, according to the maps, drawings and other materials submitted or to be submitted with, and/or constituting all or part of, the City of Austin's application for financial assistance therein under Texas Revised Civil Statutes Annotated article 6081r; and,

WHEREAS, the City of Austin, to further said indicated recreational purposes, should seek such financial assistance from the State of Texas and the United States Government; and,

WHEREAS, the City Attorney, being hereunto duly authorized to do so, in connection with said project, has made, certified and filed his findings and conclusions to the effect that the City of Austin is eligible to receive assistance under Texas Revised Civil Statutes Annotated, article 6081r, and that it has such rights with respect to the land involved as are needed in order to carry out said project, subject to certain specified exceptions requiring land acquisition, all as more particularly set forth in his said findings and conclusions which are attached hereto; Now, Therefore,

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

That pursuant to the requirements for such State and Federal financial participation in said project,

SECTION 1. The Director of Parks and Recreation of the City of Austin is hereby designated as the official with authority to represent and act for the City of Austin in dealing with the Texas Parks and Wildlife Department for the purpose of accomplishing this project and applying for financial assistance therefor.

SECTION 2. The Director of Finance of the City of Austin is hereby designated as the official to receive and disburse funds for such project, including those received from the State or the United States Government with respect thereto, and to certify as to the availability of sufficient funds of the City of Austin to meet its share of the cost of said project.

SECTION 3. Conditioned only upon state and federal financial assistance and the City's acceptance in whole or in part thereof pursuant to appropriate agreement, the City of Austin hereby undertakes to use, for the period of at least thirty (30) years from the date of completion of Town Lake Development, Phase I, the land involved in each approved proposal for development or acquisition in said Phase I of this project, as identified in the materials attached hereto, for the indicated public outdoor recreation purposes as shown in said application for financial assistance and any other material submitted or to be submitted therewith, and the City of Austin further agrees to operate and maintain said land, in such a manner as to accomplish said purposes, at its own expense; provided, however, that it reserves the right to make use of said land in any manner not inconsistent with the primary recreational purposes presented in said approved proposals of the project known as Town Lake Development, Phase I, as indicated in said application and in materials submitted or to be submitted therewith.

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

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

Councilman Long's motion included the stipulation that the Council adopt the resolution without any commitment as to connections with the Missouri Pacific Boulevard Project in view of the study under way ordered by the Council.

#### HIKE AND BIKE TRAIL

Mr. Roth appeared before the Council to state his views on the hike and bike trails in the City. He felt that hikers and bikers didn't mix; that there should be a hike trail unencumbered by bikes. He suggested that the main highways in the areas be equipped with a bike lane. He also asked that the Balcones Trail be developed. Mr. Beverly Sheffield stated that the new Hike and Bike Trail on Town Lake would be about 10 feet wide.

#### REQUEST TO PURCHASE SURPLUS CITY PROPERTY

City Manager Tinstman presented the Council with a memorandum concerning several pieces of surplus City property, with suggestions for its disposition.

Mr. Louis Laibovitz appeared before the Council to say that he wanted to purchase two pieces of the surplus property, located at the corner of 29th and Rio Grande Streets. He owned property adjoining both pieces and he was interested in developing the land, but he needed the two other lots. One lot, 713-723 West 29th Street, was classified as unusable property, meaning that it was too small to qualify for improvements. The other piece, 701-711 West 29th Street, was classified as useable property.

According to Mr. Tinstman, if a piece of property were unusable, the option to purchase it went to the adjoining property owner before the land was advertised to the public. Mr. Laibovitz was told by the City Manager to submit a proposal in writing to his office, stating the amount he was willing to pay the City. He was told he would be on the next week's agenda.

As to the other property, it was the recommendation of the City Manager that it be publically advertised for receipt of sealed bids.

#### WATER SANITATION ORDINANCE

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

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

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.

#### 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:

LOTS 16-22, BLOCK P, JAMES E. BOULDIN ADDITION, LOCALLY KNOWN AS 1004-1010 WEST MARY STREET, FROM "A" 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 LaRue, Long, Nichols, Mayor Akin  
 Noes: None  
 Present But Not  
 Voting: Councilman Janes

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

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

The Mayor announced that the ordinance had been finally passed.

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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 16, 17, 18, 19 AND 20, BLOCK 4, OF THE LEE'S HILL SUBDIVISION, LOCALLY KNOWN AS 1104-1106 WEST 41ST STREET, 4101 ALICE AVENUE, AND 4103-4105 BELLVUE AVENUE, 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, Long, Nichols, Mayor Akin  
Noes: None

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

#### HEARING ON GLEN OAKS URBAN RENEWAL POSTPONED

Mr. Clarence Flournoy asked the Council to postpone the public hearing set for this meeting. Councilman LaRue moved the Council grant Mr. Flournoy's request. The motion, seconded by Councilman Nichols, carried by the following vote:

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

#### ANNEXATION HEARING SET

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 241.44 ACRES OF LAND, SAME BEING FIVE (5) TRACTS OF LAND OUT OF AND A PART OF THE THEODORE BISSEL AND THE WM. CANNON LEAGUES 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 March 7, 1968, at 10:30 A.M. The motion, seconded by Councilman Nichols, carried by the following vote:

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

## SUBSTANDARD HOUSES

Councilman Nichols moved the Council approve the recommendations from the Building Standards Commission and authorize the Legal Department to take proper legal disposition of the following substandard structures which have not been repaired or demolished within the required time:

- |                                  |                     |
|----------------------------------|---------------------|
| 1. Mr. Dovie Cain                | 1168 Waller (front) |
| 2. Mr. O. L. Sheffield           | 1165 Poquito St.    |
| 3. Mrs. Ethel Bradley Washington | 1210 Angelina       |
| 4. Mr. Dovie Cain                | 1168 Waller (rear)  |
| 5. Mr. Lee Pickett               | 1004 Catalpa        |
| 6. Mrs. Eliza Thomas             | 1409 Cedar          |

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

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

## SANITARY SEWER EASEMENT EXECUTION

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 Associate City Manager, Charles V. Hill, 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 January 30, 1968, for the installation of an 8-inch sewer pipeline crossing at Banister Lane, being 1,626 feet north of Mile Post 183 at 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

## EMINENT DOMAIN PROCEEDINGS

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires a right-of-way across a 283.85 acre tract of land owned by H. F. W. Roitsch, et ux, for proper and adequate distribution and transmission of electric current from generative facilities of the City of Austin; and

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of a right-of-way easement across the hereinafter described tract of land to provide for the transmission of electric current from the generative facilities of the City of Austin; and

WHEREAS, the City of Austin has negotiated with the owner of said land and his attorney and has been unable to agree with such owner or attorney as to the fair cash market value thereof; Now, Therefore,

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

That the City Manager be, and he is hereby authorized and directed, to file, or cause to be filed, against the owner and lienholder a suit in eminent domain to acquire the hereinafter described easement across the following described land for the aforementioned purposes, to-wit:

A tract of land, the same being out of and a part of a 283.85 acre tract of land described in the deed records, Vol. 945, page 496, of the Deed Records of Travis County, Texas, said tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point being the northwest corner of a 100 acre tract of land described as the second tract of land conveyed to C. A. McEachern, recorded in Vol. 758, page 187, of the Deed Records of Travis County, Texas;

THENCE southwest along the eastern boundary of the H. F. W. Roitsch, et ux, tract S. 37° 28' West 100.83 feet;

THENCE crossing said 283.85 acre tract N. 59° 54' West 113.71 feet and N. 56° 24' West 1899.63 feet to the western boundary of said H. F. W. Roitsch, et ux, 283.85 acre tract of land;

THENCE following the western boundary of said 283.85 acre tract of land N. 27° 28' East 100.58 feet;

THENCE crossing said H. F. W. Roitsch, et ux, 283.85 acre tract of land S. 56° 24' E. 1907.31 feet and S. 59° 54' East 123.57 feet to the point of beginning, said tract containing 4.64 acres, more or less.

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

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

## REFUND CONTRACTS

Mayor Akin introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH NELSON PUETT, 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 Long 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 Long 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 Long moved that the ordinance be finally passed. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

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Mayor Akin introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH MICHAEL PHILLIPS AND ETHEL LORRAINE WILSON, 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 Long 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 Long 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 Long 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.

#### GARBAGE PICK-UP AND SANITARY FILLS

Councilman Long asked the City Manager to study the possibility of putting in two more sanitary fills, and of instituting 4 or 5 extra garbage days to carry off excess junk free. She wanted to encourage citizens to throw away trash, too.

#### POLICE AND COURTS JUDGES

Mayor Akin read a statement explaining that the two vacancies on the Corporation Court had not yet been filled because the City Council was trying to attract the best people for the job. He suggested that greater prestige and remuneration would be required to attract the most qualified individuals.

He also brought up the question of uniformity of treatment in the Corporation Court, and suggested that the Council hold a public hearing to look into this problem.

Councilman LaRue moved the Council call a Special Meeting of the City Council for Friday, February 23 at 10:00 A.M. to investigate and review the procedures now being followed in the Police and Courts Building. The motion, seconded by Councilman Janes, carried by the following vote:

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

Mayor Akin also announced that the Council would meet in Executive Session on Thursday, February 22 at 10:00 A.M. to fill the vacancies on the Corporation Court. Mayor Akin suggested that the Council invite Richard Hill, Corporation Court Clerk.

#### ADJOURNMENT

The Council then adjourned.

APPROVED: \_\_\_\_\_

Mayor

ATTEST: \_\_\_\_\_

*Grace Monroe*  
 Asst. City Clerk