

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 2, 1967
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Akin presiding.

Roll call:

Present: Mayor Akin, Councilmen Janes, LaRue, Nichols
Absent: Councilman Long

Present also: R.M. Tinstman, City Manager; Doren R. Eskew, City Attorney;
Robert A. Miles, Chief of Police

Invocation was delivered by FATHER RAYMOND BRENZA, Chaplain, Holy Cross Hospital.

Councilman Long absent as she was in Geneva, Switzerland.

MAYOR AKIN called attention to the innovation of the Council Room thanking the City Manager also an architectural engineer, for the general design of the new Council table. He commended the City of Austin, Maintenance and Construction Department for all of the skilled work done on this splendid piece of furniture and complimented the Director of Planning for providing the fine sound devices.

Councilman LaRue moved that the Minutes of the Special Meeting of October 25, 1967, be approved. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Complaint of loitering inside area of distance markers during election

MRS. LORA LEE appeared before the Council to discuss events taking place during the Council Election on April 1, 1967, in Precinct 121, Palm School, at which time she was the Presiding Judge. This was the first time there had been free voting, and many people had appeared in the polling place for the first time. She reported a man loitering within the distance markers talking to the

voters, who in turn had told her he was telling them how to vote. She had asked him not to stand around there within the marker distance. Another man not living in the precinct reported to her that he had received reports about this person loitering within the precinct markers telling people how to vote. Mrs. Lee stated she followed the gentleman out to tell the person he must not stand out there directing people how to vote. Two others had joined him and emphasized that this was a free street. She said as she told them she was going to notify the police she was shoved so hard she almost fell. She reported the loiterer did not stay long enough then for the police to get there. She had discussed the matter with JUDGE TOM BLACKWELL. On election day, several precinct judges received a telegram as to how they were holding the election. The other matter concerned the selection of people to hold the election, stating perhaps the next city election would be a Bond Election. The Presiding Judge at the September 30 Election had only a half day's experience, and knew nothing about holding an election. MRS. LEE suggested MRS. ZOYLA CANTU as a Presiding Judge, as she is experienced in holding elections, and can speak Spanish. Mrs. Lee asked that the Council consider the quality of the persons whom they put in charge. MAYOR AKIN thanked MRS. LEE for giving the Council the benefit of her observations.

Petition for Redress of Grievance -- Human Relations Commission

MAYOR AKIN reported at the organizational meeting of the new HUMAN RELATIONS COMMISSION, the night before, there was a petition for redress of grievance presented by a group of citizens. He read the petition as follows:

"PETITION FOR REDRESS OF GRIEVANCE

"The undersigned citizens of the City of Austin, interested in promoting mutual appreciation of the privileges and responsibilities of citizenship among all racial, religious, ethnic and nationality groups, in improving human relations and in the elimination of prejudice and discrimination in the community, hereby petition the City Council of the City of Austin to consider and act on this complaint which in itself seeks to correct the City Council's almost complete disregard of provisions contained in Sec. 14A.1 and Sec. 14A.2, Paragraph 12 of Ordinance #671005-B, adopted on October 5, 1967 and entitled: AN ORDINANCE AMENDING THE AUSTIN CITY CODE OF 1954 BY THE ADDITION OF CHAPTER 14A ESTABLISHING THE CITY OF AUSTIN HUMAN RELATIONS COMMISSION; PRESCRIBING ITS DUTIES AND TERM OF OFFICE; AND DECLARING AN EMERGENCY.

"Provisions in Sec. 14A.1 have been virtually disregarded in that the membership of the Commission does not reflect the requirement that "commissioners shall be as nearly as possible representative of the several social, economic, religious, cultural, ethnic and racial groups which comprise the population of the City of Austin."

"Furthermore, the undersigned citizens strongly feel that provisions of Paragraph 12 of Sec. 14A.2 of said ordinance have been disregarded in that the provisions of cooperation with ... racial, ethnic, nationality groups ... and individuals should mean the full involvement and participation by these groups and individuals in the workings and functions of the Commission.

"It is a well known fact that over seventeen percent (17%) of the total population of the City of Austin is comprised of citizens of Mexican descent,

one out of every six citizens residing in the community. It is also a known fact that because of historical prejudice, current employment discriminatory practices, inequities in school and social structure and indifference and apathy toward this minority group, much of the work of the Commission will be related to seeking solutions with respect to the problems of this minority.

"It is the strong conviction of these petitioners that a serious mistake has been made by the City Council in its almost complete disregard for adequate representation of this minority group in the membership composition of the Human Relations Commission. The petitioners further feel that in order for the Commission to achieve the very noble and indeed a very needed mission assigned to it by the City Council, it must be additionally composed of minority group persons who can bring the Commission special knowledge and insight into the many problems confronting Mexican-Americans in the community. This mission cannot properly be achieved without the leadership of the Mexican-American community being represented on the Commission.

"The undersigned petitioners call on the City Council of the City of Austin to act in fairness toward the Mexican-American community of Austin and implement by deed the spirit and letter of its ordinance by immediately amending Sec. 14A.1, Ordinance #671005-B and providing a Commission composed of twenty nine residents of the City of Austin so that proper Mexican-American representation can be effected.

"In anticipation of the validity and justness of this petition, and in keeping with our fundamental democratic process, an election was held on the evening of October 31, 1967 at 1619 East First Street, in which forty (40) community leaders designated the following persons as their representatives to the Human Relations Commission:

1. Ray N. Moncivais, 6103 Club Terrace
2. Humberto Aguirre, 2604 Lehigh
3. Gabriel Gutierrez, Jr., 3008 Oak Crest Avenue
4. Dr. Sergio D. Elizondo, 2407 Sharon Lane
5. Dr. George I. Sanchez, 2201 Scenic Drive
6. Richard Moya, 2804 Oakcrest Avenue
7. Alfredo Garcia, 803 Terrell Hill Drive
8. Mrs. Amanda Benavidez, 2400 Thrasher Lane

"The undersigned hereby certify the persons for appointment thereto.

"It is the strong feeling of these petitioners that incorporation of the requested amendment will result in a stronger Commission, one which will have the confidence and respect of the entire community. Anything less will result in increasing the grave concern of the Mexican-American over the obvious exclusion." The petition had 34 signatures.

MAYOR AKIN stated it was the decision of the Council, on his recommendation that since the Commission had been appointed by the City Council; and without any defense of possible error and giving due consideration to proper balance of ethnic groups, that the matter lies in the hands of the Human Relations Commission. Chairman TOM BLACK, appointed a Committee of seven members for the purpose of studying and recommending procedure and other arrangements pursuant to the work of the Commission and will report back to the Council on their findings. He said he had felt it was his responsibility to read the petition in the Council meeting this morning.

Pursuant to published notice thereof the following zoning applications were publicly heard:

COLORADO HILLS	1729 Parker Lane	From "BB" Residence
ESTATES	1800-1904 Woodland Avenue	To "A" Residence
By Thomas B. Watts	(Proposed)	RECOMMENDED by the Planning Commission

Councilman Nichols moved that the change to "A" Residence be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Mayor announced that the change had been granted to "A" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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JUANITA KLINGEMANN	3700-3710 Manchaca Road	From "A" Residence
By Russell Rowland		To "O" Office
		RECOMMENDED by the Planning Commission

Councilman Nichols moved that the change to "O" Office be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

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JEANETTE GILES	2019-2105 Anchor Lane	From "O" Office
By Joe Crow Real	3210-3220 Manor Road	To "C" Commercial
Estate		RECOMMENDED by the Planning Commission

Councilman Janes moved that the change to "C" Commercial be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Mayor announced that the change to "C" Commercial had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

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CAL MARSHALL

1104-a through 1118-a
Gardner RoadFrom Interim "A" Residence
1st Height & Area
To "B" Residence 1st
Height & Area
RECOMMENDED by the
Planning Commission

Councilman LaRue moved that the change to "B" Residence 1st Height and Area be granted. The motion, seconded by Councilman Nichols, carried by the following vote:

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

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

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FRANK C. BARRON
By Harry Price2955-2971 East 51st
StreetFrom "A" Residence
To "BB" Residence
RECOMMENDED by the
Planning Commission

Councilman LaRue moved that the change to "BB" Residence be granted. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the change had been granted to "BB" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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BUDDY G. THOMAS

900-902 Taulbee Lane

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

Councilman Nichols moved that the change to "B" Residence be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

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

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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CHERRYLAWN PROPERTIES 6216-6228 Springdale Road
INC., By John B.
Selman

From Interim "A" Residence 1st Height & Area
To "LR" Local Retail 1st Height & Area
RECOMMENDED by the
Planning Commission

Councilman LaRue moved that the change to "LR" Local Retail 1st Height and Area be granted. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the change had been granted to "LR" Local Retail 1st Height & Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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LLOYD W. PAYNE 1616-1628 Riverside Drive
By Frank E. Montgomery

From "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission

MR. FRANK MONTGOMERY stated they would accept "GR" General Retail as indicated by the Planning Commission. Councilman Nichols moved that the change of zoning on this tract from "A" Residence to "GR" General Retail be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

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

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

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HOWARD E. BRUNSON 1421 Arena Drive
1422 Town Creek Drive

From "B" Residence
To "LR" Local Retail
RECOMMENDED by the
Planning Commission

Councilman LaRue moved that the change to "LR" Local Retail be granted. The motion, seconded by Councilman Janes, carried by the following vote:

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

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

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ROBERT C. NOREN
By Van Thompson, Jr.

4612 (4606) Glissman Road

From "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission

The Chief of Plan Administration stated there was on file a letter offering required right of way. Councilman LaRue moved that the change to "C" Commercial be granted. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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ALICE MILLER and
ANN MILLER CROCKETT
By Richard Baker

1016-1022 East 50th Street
5000-5002 Interregional
Highway (U.S. 81)

From "A" Residence 5th
Height & Area
To "C" Commercial 5th
Height & Area
NOT Recommended by the
Planning Commission

The Chief of Plan Administration stated Mr. Richard Baker had filed a letter offering the right of way. The Assistant City Attorney had noted there was also a question of an avigation easement over one of the lots. Councilman Janes moved subject to the receipt of the avigation easement that the request be granted. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial 5th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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MRS. WILBERT KRAUSE 2214 Thornton Road

From "A" Residence
To "BB" Residence
NOT Recommended by the
Planning Commission

MR. JOHN SELMAN representing the applicant, read a letter granting required right of way, which letter is on file in the Planning Department. MR. JOHN B. MORGAN whose home was next door to this property, opposed the change to permit apartments. He had a 90' set back, and the apartment construction would go up to the street, and he would be looking into the back yards of the apartments. His concern was he would lose the use of his home as such. Mr. Selman stated

this tract of land under consideration is adjacent to "C" Commercial, and "BB" Residence is a graduation. He described the design of the apartments in that there would be no apartments close to the road or adjoining the neighbor's home. It would be a logical extension of the zoning ordinance. Councilman LaRue moved that the change be granted. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the change had been granted to "BB" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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CHESTER D. BROOKS	3210-3212 Bailey Lane	From "BB" Residence 1st
	1201-1203 West 33rd Street	Height & Area
		To "B" Residence 2nd
		Height & Area
		NOT Recommended by the
		Planning Commission

Councilman Janes moved that the hearing be continued for two weeks. The motion, seconded by Councilman Nichols, carried by the following vote:

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

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JAMES E. RAFFA	1037 East 44th Street	From "B" Residence 1st
By John B. Selman	4304-4308 Clarkson Avenue	Height & Area
		To "B" Residence 2nd
		Height & Area
		NOT Recommended by the
		Planning Commission

Mr. John Selman stated the property was zoned "B" Residence 1st Height and Area and "B" Residence 2nd Height and Area would permit them six more units; but since the neighborhood is opposed to the change of zoning, Mr. Raffa would like to withdraw the application. Councilman Nichols moved that the applicant be granted permission to withdraw the application. The motion, seconded by Councilman LaRue, carried by the following vote:

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

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WILLIAM LODEN
By John B. Selman

4510-4524 Bennett Avenue
919-923 East 46th Street

From "A" Residence 1st
Height & Area
To "B" Residence 2nd
Height & Area
NOT Recommended by the
Planning Commission
RECOMMENDED "B" Resi-
dence 1st Height & Area

Mr. John Selman stated the recommendation of the Planning Commission of "B" Residence 1st Height and Area was not satisfactory. They could get only a few more units, but the property would not accomodate "B" Residence 2nd Height and Area in its maximum, because of the parking requirements. Under "B" Residence 1st Height and Area, 26 units could be constructed; with "B" Residence 2nd Height and Area, 41 or 42 units could be built. They were talking about only 15 or 16 more units on the property. There was quite a bit of opposition present. Mr. Selman asked that action be postponed until all members of the Council were present. Councilman LaRue suggested for the convenience of those present, that the case be heard. Members of the group suggested if the hearing were postponed, that it be set at a definite hour. After discussion, Councilman Nichols moved that the hearing be continued until 10:30 A.M. four weeks from today, November 30, 1967, scheduling it first on the list. The motion, seconded by Councilman Janes, carried by the following vote:

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

Noes: None

Absent: Councilman Long

SOL SMITH

509-515 West Lynn Street
1509-1511 West 6th Street

From "B" Residence 2nd
Height & Area
To "O" Office 2nd
Height & Area
NOT Recommended by the
Planning Commission

Mr. Sol Smith explained his request was to change the zoning from "B" Residence to "O" Office wherein he could have some offices in the existing structure on the lower portion of 509 West Lynn Street. Adjacent to this property he had a vacant lot, 50' x 152', which could be used for parking 15-20 automobiles. The recommendation of the Planning Commission calls for a right of way of 10 or 15' on West Lynn Street which would cut into two of his three structures which would require their being torn down or moved, thereby confiscating his property. In answer to Councilman LaRue's question, Mr. Smith stated he could not provide the right of way unless he was compensated for the house. Councilman LaRue stated the City would need to widen West 5th and West 6th eventually. The City Manager discussed whether or not the structures would need to be acquired in addition to the right of way in connection with the widening. Mr. Smith stated the old structure is to be improved for use of office space on West Lynn, but no change on the outside of the structure is to be made. Only one structure is concerned at this time. Mr. Smith was concerned about widening of West Lynn. The City Manager asked if Mr. Smith would be willing to dedicate a part of the right of way up to the point that it would not interfere with the structures. Mr. Smith stated both houses were so near the street, they would be right on the street even if part of the right of way were

provided. Mayor Akin inquired about his moving the buildings. Mr. Smith said he would not want to move them himself, as it would be very costly. Councilman Nichols discussed the present set back. Mr. Smith said the house on the corner of West 6th and West Lynn is about 10-12' back from West Lynn; and the 509 West Lynn Street house is not over 10' from the curb line. Councilman LaRue asked that definite information be obtained on this matter. The City Manager suggested that this matter be continued a week and they could work with Mr. Smith and determine the public right of way, how extensive the improvements are, and an agreement could be reached on at least a part of the right of way. It will be probably several years before this street will be widened. Mr. Smith stated this would be satisfactory and the City Manager said they would work with him on this. The Council postponed the application.

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G. B. SIMMS
By Ed Padgett

1700-1706 Patton Lane
6601-6719 Berkman Drive

From "A" Residence 1st
Height & Area
To "O" Office 2nd Height
& Area
NOT Recommended by the
Planning Commission

Mr. Padgett reported no opposition appeared at the zoning hearing; however the Planning Staff submitted three objections pertaining to right of way, the "O" Office zoning, and the 2nd Height and Area which pertained to height and reduction of set backs on abutting streets. He would have a signed agreement that the 35' building restriction under 1st Height and Area would be retained; and that there would be a 25' setback from the frontage street as well as 25' from the side streets, keeping in mind this is a corner lot. Councilman Nichols inquired why "O" Office 1st Height and Area was not acceptable. Mr. Padgett explained they would not want to build more office space than they had leases to sign. The balance of the tract would be apartment use, and "O" Office 2nd Height and Area would be necessary. In answer to Councilman LaRue's question about the right of way, Mr. Padgett stated the letter dedicating the right of way was filed this morning with the Planning Department. He pointed out the property abutts "C" Commercial 5th Height and Area, and the request for "O" Office 2nd Height and Area was not unreasonable. Mr. Padgett's plans were not quite complete, as to the number of apartments they would build and the amount of office space to be used. Councilman Janes asked if the applicants would agree to a deed restriction on the height and set back, would that remove the objections from the staff. The Chief of Plan Administration pointed out a question initiated by the Commission as this would set a precedent of 2nd Height and Area on Patton Lane and would set a pattern for the whole area. Councilman LaRue pointed out another objection by the Commission as this zoning would result in too intensive zoning for the area. Mr. Padgett stated the 104 apartments permitted under "B" Residence 2nd Height and Area would not be constructed--they would need something between 104 and 52. If they were granted "O" Office 2nd Height and Area, they would have a maximum of 75 units, and the portion for office would be pro rated. Mr. Padgett stated this might be worked out by coming in with 2nd Height and Area down 150' to the corner, and from there on go "O" Office 1st Height and Area. In answer to Mayor Akin's question, the Chief of Plan Administration reported Mr. Frank Montgomery had filed an application to amend the zoning text regarding density, and this proposal is coming before the Commission about November 14th. Councilman Janes stated in view of the deed restriction, and proposal of the density consideration, that there was room

for negotiation between the Department and Mr. Padgett. It was suggested that this request be delayed until the 14th, when the Commission considers the amendment of the zoning text providing something in between 750 square feet and 1500 square feet for construction in 1st Height and Area; and that this particular case be considered at the same time. After discussion, Councilman LaRue moved that this application be referred back to the Planning Commission. The motion, seconded by Councilman Nichols, carried by the following vote:

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

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DALE O. JOHNSON,	6207-6211 Langham Street	From "A" Residence 1st
ET AL	1800-1806 Montopolis Drive	Height & Area
By Dale O. Johnson	6206-6212 Kasper Street	To "B" Residence 2nd
		Height & Area
		NOT Recommended by the
		Planning Commission

Mr. Johnson represented a group of citizens in this zoning request stating they had amended the application to meet the objections of the Planning Commission, requesting "B" Residence 1st Height and Area rather than "B" Residence 2nd Height and Area. Besides the density, the matter of street widths was a part of the objection. Their request was to permit a prototype low rent project for the area. This area is in a run down condition, and several structures have been condemned. "B" Residence 1st Height and Area is a logical extension of the commercial zone existing to the north of this property. The Austin Baptist Association joined in this request for change of zoning of its property to indicate its support. Councilman LaRue inquired as to the number of apartments to be constructed, and the Chief of Plan Administration replied there could be 39 under 1st Height and Area and 78 under second. He said there are three parcels of land, the church having the east 150' on the side and the other two parcels are those Mr. Johnson is representing. If they were put together, with the five feet subtracted, under "B" Residence 1st Height and Area, he could have four units on each lot or 12 units in a hotel apartment provision; or eight or nine units on combining the lots. The apartments are to be built on Lots 6 and 1, and the Church will remain. Councilman Nichols inquired about the right of way. Mr. Johnson stated on their two lots they were willing to dedicate the right of way, but he could not speak for the church. Mr. Johnson pointed out how important this development is to the social area, and the funds are generated by private enterprise. It is their understanding after consulting with the O.E.O. that this will be one of the relocation areas under the Urban Renewal Project. This construction will be a permanent, good type of construction commensurated with high rise apartments, and the rentals will be in the area of \$60.00 per unit. Mayor Akin noted the points brought out in the Minutes of the Commission concerning this whole matter, and said this was a case where all members of the Council should be present. Mr. Johnson stated they had offered to present to the Planning Commission the plans as drawn up, and they are ready to embark upon this type of project. He reported the Planning Commission had recommended "B-1". After receiving the report of Dr. Hazard, the Commission felt the apartment development should not be permitted, but that the area be left as single family

development. The Commission did not have the amended request when they decided against apartments. Mr. Johnson stated the economic character of the area is such that it could not be developed as single family dwellings by the individuals in the neighborhood. Councilman LaRue expressed interest in private development entering into this area. He also asked that some indication from the church be obtained as to whether or not it would dedicate the right of way on Montopolis Drive. He would be in favor of "B" Residence 1st Height and Area if this were so indicated. After discussion, Councilman LaRue moved that the applicant be requested to work with the Planning Department and report back to the Council. The motion, seconded by Councilman Janes, carried by the following vote:

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

GENERAL COMMUNITY

Annexation

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 4.52 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE HENRY P. HILL LEAGUE IN TRAVIS COUNTY, TEXAS, AND 6.82 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS AND T. J. CHAMBERS SURVEYS 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. (Barton Terrace, Section 5; Northwest Hills, Sections 9 and 9-A)

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, Nichols, Mayor Akin
Noes: None
Absent: Councilman Long

The Mayor announced that the ordinance had been finally passed.

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 9.95 ACRES OF LAND OUT OF THE JAMES MITCHELL SURVEY; 2.45 ACRES OF LAND OUT OF THE T. J. CHAMBERS SURVEY; AND TWO (2) TRACTS OF LAND CONTAINING 2.77 ACRES OUT OF EAST 19TH STREET, ALSO KNOWN AS FM. ROAD 969, AND 1.31 ACRES OF LAND OUT OF THE WILLIAM M. COLLINS SUBDIVISION, OUT OF THE J. C. TANNEHILL LEAGUE 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.

(Requested by developer or property owner. Balcones Hills, Section 3; Northwest Hills, Section 11, Phase 1; William M. Collins Subdivision and a portion of East 19th Street)

Councilman LaRue moved that the ordinance be published in accordance Article 1, Section 6 of the Charter of the City of Austin and set for public hearing on November 16, 1967 at 10:30 A.M. The motion, seconded by Councilman Nichols, carried by the following vote:

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

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 37.77 ACRES OF LAND BEING OUT OF AND A PART OF BURLESON ROAD HEIGHTS AND POLVADO SUBDIVISION NO. 2, OUT OF THE SANTIAGO DEL VALLE GRANT 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. (Portions of Burleson Road Heights, Polvado Subdivision No. 2 and a portion of Burleson Road. Requested by property owners in Burleson Road Heights but not owners in Polvado Subdivision No. 2)

The City Manager stated this was one small area that was not requested for annexation; but utilities are available, and it was recommended that these small parcels be included.

Councilman Nichols moved that the ordinance be published in accordance Article 1, Section 6 of the Charter of the City of Austin and set for public hearing on November 16, 1967 at 10:30 A.M. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Report on Lucy Read Elementary School PTA Request for
Traffic Control in the Area

The City Manager reported this request was held up from last week to allow the various City Departments to look into the overall situation. He and

members from the Police Department and Traffic and Transportation Department inspected the vicinity of the Lucy Read Elementary, Burnet Road, Burnet Junior High School, and St. Louis Parochial School, giving particular consideration as to the crossing on Burnet Road as far as the school children were concerned, and as to the movement of the traffic from the side streets onto Burnet Road. He specifically had requested that the various Departments look at Burnet Road from the standpoint of an overall major thoroughfare. Further development and increased traffic on Burnet Road as well as on east-west thoroughfares are anticipated. There are signalized or protected intersections at major crossings at the present time.

The City Manager pointed out the close proximity of Ridgescreek and St. Josephs crossings, which are just one block apart, and the number of children and pedestrians are crossing at the St. Joseph's crossing in more volume than at the crossing at the Ridgescreek intersection. The pupils crossing Burnet Road to go to Lucy Read Elementary School are crossing at their own volition, because the district line for the Elementary School is at Burnet Road. Most of the youngsters live on the west side of the road.

Also of concern, and Councilman Nichols had raised the question, was that should a signal be installed at the intersection of Ridgescreek and Burnet Road, it would have a tendency of attracting further traffic on Ridgescreek Road, an east-west thoroughfare. This seems not in the interest of the School children at Lucy Read or even the motorist or the parents transporting their youngsters to and from school. This would be an obvious conflict of traffic movement, and that street is only of a limited width and can handle just so much traffic. It is unfortunate that the elementary school is located on that street which does have a tendency to serve as a feeder route. The City Manager read certain recommendations and suggestions.

TRAFFIC REPORT

1. An adult Safety Patrolman be assigned to Steck Avenue and Burnet Road.
2. Adult Safety Patrolman be reassigned from St. Joseph and Burnet Road to Richcreek and Burnet Road. This would remove the Adult School Safety Patrolman from the northern intersection down to Richcreek. Even at St. Joseph's crossing there is no sidewalk and the youngsters are forced to walk along the shoulders of the thoroughfare.
3. The Principals and Presidents of the P.T.A. of Lucy Read, Burnet Junior High, and St. Louis Schools, had been contacted, and one motorcycle unit have been assigned to the School zones on Burnet Road at the morning, noon and afternoon peak periods, Monday through Friday. The 20 mile per hour school zone will have increased enforcement. A radar unit has been assigned to this area to make certain the average motorist is aware of the approach to the school zone. The increased enforcement will be helpful.
4. Commenting on the suggestion that Silvercrest Drive be made one way, the City Manager pointed out the one way designation would be in effect continuously--not just during school hours. This would affect movement of traffic throughout the whole area. The recommendation is that "no parking at any time" be established on Silvercrest on the side of the School. This regulation has worked

sucessfully in other school locations throughout the community, and it will help the movement of traffic as well as getting the youngsters to school. It was not felt that from the standpoint of traffic in the area, that the one way traffic designation would be desirable.

The City Manager pointed out part of the problem was the school's being in the proximity of a major thoroughfare; also problems of pedestrians crossing; and movement of vehicles on and off of Burnet Road. To install traffic signals indiscriminately would mean great expense, and less effectiveness. An adult safety patrol at school guarded crossing is better protection than a traffic installation. The City Manager stated these are recommendations jointly by the Traffic Department, the Police Department, and himself after extensive investigation.

MR. LEON LURIE expressed thanks not only to the City Manager's Office but also the various departments concerned with this problem. Mr. Lurie approved of the parrolman's assisting the children crossing the street, but stated this would not help the traffic situation whereby there are only two streets coming into the Allandale Section, Greenlawn and Richcreek. To go to a protected exit, one must go either to Anderson Lane or to Justin Lane. Speaking for the P.T.A., Mr. Lurie stated these were excellent proposals to a point; however, they believe they have a much greater problem there than these proposals will solve. He pointed out the number of stop-signs farther down on Burnet Road. He stated it was the general consensus of the P.T.A. that a vote be held today on the matter of a signal at the corner of Burnet Road and Ridgewood Creek, and recognizing the recommendations that have been made.

COUNCILMAN JANES stated he had spent quite a bit of time in this area, and at no time did he have to wait more than he would have had to wait for a red light change. The City Manager anticipated future homes in the vacant property north of the school, and said the City would stay alert to the future growth and future increase of traffic, and will be working with the community on this. He said the City should work more closely with the schools as to streets and off street parking.

It was pointed out there was no 20 mile speed limit on Richcreek and on Burnet Road, and as one turns left, there is no indication there is a school in the vicinity. The City Manager stated the Traffic Engineer was working this out.

COUNCILMAN LaRUE stated he believed the recommendation should be given a trial run; and he moved that the Council accept the recommendation of the City Manager. The motion, seconded by Councilman Janes, carried by the following vote:

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

Councilman made the following statement:

"I still feel there should be a light, but I will go along giving this a trial."

ZONING ORDINANCE

The Council had before it the following zoning:

MILDRED WICKS &	2515-2603 Longview Street	From "B" Residence 2nd
KATE WITHERS TRUST	2601-2633 Lamar Boulevard	& 5th Height & Area
		To "O" Office 2nd & 5th
		Height & Area

The City Attorney stated the Council was unanimous in its vote at the hearing. The City Attorney, MR. RICHARD BAKER has furnished copies of letters from the principles indicating they are aware of the restriction on curb cuts on Lamar, and they have so designed their structure and will prevent vehicles from existing on Lamar.

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 10, 11, 12, 13, 14, AND PARTS OF LOTS 24, 25, AND 26, OUTLOT 55, DIVISION "D", A 24,150 SQUARE FOOT TRACT OF LAND OUT OF OUTLOT 55, DIVISION "D" AND THE NORTH 108 FEET OF A NORTH-SOUTH ALLEY LOCATED BETWEEN LONGVIEW AND LEON STREETS, LOCALLY KNOWN AS 2515-2603 LONGVIEW STREET AND 2601-2633 LAMAR BOULEVARD, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REUQIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
Noes: None
Absent: Councilman 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 Nichols, carried by the following vote:

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

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, Nichols, Mayor Akin
Noes: None
Absent: Councilman Long

The Mayor announced that the ordinance had been finally passed.

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise except marine supplies and tackle, and no living quarters of any character shall be erected on any pier, dock, wharf, float, island, piling, or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which shall show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the lake be constantly kept in a state of good repair and that the premises be kept reasonable clean at all times.

"Respectfully submitted,
s/ Dick T. Jordan
Dick T. Jordan
Building Official"

The motion, seconded by Councilman Janes, carried by the following vote:
Ayes: Councilmen LaRue, Nichols, Mayor Akin, Councilman Janes
Noes: None
Absent: Councilman Long

LOWERING LAKE AUSTIN

The City Attorney stated the City had a contract providing for the lowering of the lake January 5 and March 1, 1968, for construction purposes in connection with a channel from Lake Austin to Filter Plant No. 3 intake structure. Councilman Janes moved that Lake Austin be lowered between January 5, 1968 and March 1, 1968. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the following described tract of land owned by the City of Austin, a municipal corporation situated in Travis County, Texas, be and the same is hereby set aside and dedicated for use as a public street and thoroughfare in the City of Austin, said tract being described as follows:

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flags or other warnings for daylight use.

"(4) That all structures extending out into the lake be constantly kept in a state of good repair and that the premises be kept reasonable clean at all times.

"Respectfully submitted,

s/ Dick T. Jordan
Dick T. Jordan
Building Official"

The motion, seconded by Councilman Janes, carried by the following vote:
Ayes: Councilmen LaRue, Nichols, Mayor Akin, Councilman Janes
Noes: None
Absent: Councilman Long

Councilman Nichols offered the following resolution and moved its adoption subject to the restrictions set forth by the Building Official:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approve the erection of boat docks on the property owned by MR. WALTER BOHN as described in the Travis County Deed Records and known as Lot 25, Rivercrest Addition, Section 1 as described on the attached plot plan and hereby authorizes the said MR. BOHN to construct, maintain and operate the boat docks to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of the boat docks after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable, and proper present and future regulations and ordinances of the city of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said MR. BOHN has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
October 30, 1967

"Memorandum To: Mr. R. M. Tinstman, City Manager
Subject: RESOLUTION, BOAT DOCK

"I, the undersigned, have reviewed the plans and have considered the application of Mr. Walter Bohn, owner of the property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road and known as Lot 25, Rivercrest Addition, Section 1 as described on the attached plans recorded in the Travis County Deed Records, for permission to construct and maintain boat docks projecting out into the lake approximately twenty (20') feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Mr. Bohn is granted his request by the City Council, that it be subject to the following conditions.

Councilman Nichols offered the following resolution and moved its adoption subject to the restrictions set forth by the Building Official:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approve the erection of a boat dock on the property owned by MR. WALTER BOHN as described in the Travis County Deed Records and known as Lots 65 and 66, Rivercrest Addition, Section 2 as described on the attached plot plan and hereby authorizes the said MR. BOHN to construct, maintain and operate this boat dock to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable, and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said MR. BOHN has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
October 27, 1967

"Memorandum To: Mr. R. M. Tinstman, City Manager
Subject: RESOLUTION, BOAT DOCK

"I, the undersigned, have reviewed the plans and have considered the application of Mr. Walter Bohn, owner of the property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road and known as Lots 65 and 66, Rivercrest Addition, Section 2 as described on the attached plans recorded in the Travis County Deed Records, for permission to construct and maintain a boat dock that will not project into the lake, but property will be dredged and the docks installed within the private property. The construction details meeting all requirements, I recommend that if Mr. Bohn is granted his request by the City Council, that it be subject to the following conditions.

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character shall be erected on any pier, dock, wharf, float, island, piling, or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which shall show all around the horizon for night use and shall be equipped with

0.15 acre of land out of the William Cannon League, Travis County, Texas, a part of that certain 9.0 acre tract conveyed to Max Keilbar by deeds recorded in Volume 880, page 386 and Volume 985, page 188 of the Deed Records of Travis County, Texas; said tract also being same tract which was conveyed to the City of Austin by Max Keilbar by deed recorded in Volume 1027 at page 384 of the Deed Records of Travis County, Texas, and being more particularly described as follows:

BEGINNING at an iron stake in the east line of Manchaca Road as presently located at the northwest corner of that certain 9 acre tract conveyed to Max Keilbar by two (2) separate deeds recorded in Volume 880, page 386 and Volume 985, page 188 of the Deed Records of Travis County, Texas, for the northwest corner of the tract herein described;

THENCE, with the north line of the said Keilbar 9 acre tract, South 60° 00' East, a distance of 18.25 feet to an iron stake set for the northeast corner of this tract;

THENCE, South 30° 10' West, a distance of 377.0 feet, to an iron stake set for the southeast corner of this tract in the south line of the said Keilbar 9 acres;

THENCE, with the south line of the said Keilbar 9 acre tract, North 62° 48' West, a distance of 17.15 feet to an iron stake at fence corner at the southwest corner of the said Keilbar 9 acres in the present east line of Manchaca Road for the southwest corner of this tract;

THENCE, with the present east line of the said Manchaca Road and the west line of the said Keilbar tract, North 30° 00' East, a distance of 377.84 feet to the place of beginning, containing 0.15 acre of land.

The motion, seconded by Councilman LaRue, carried by the following vote:
Ayes: Mayor Akin, Councilmen Janes, LaRue, Nichols
Noes: None
Absent: Councilman Long

GLUE PRODUCTS ORDINANCE

The City Manager reported the ordinance regulating the sale of certain glue and cement products was prepared in response to general comments and inquiries, and in accordance with recent Grand Jury and Police Department consideration. Mayor Akin introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 21 OF THE AUSTIN CITY CODE OF 1954 BY ADDING THERETO A NEW SECTION, DESIGNATED SECTION 21.27, PROHIBITING THE SALE, OFFER OF SALE, DELIVERY OR GIFT TO ANY PERSON UNDER 17 YEARS OF AGE OF CERTAIN TYPES OF GLUE AND CEMENTS; 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, Nichols, Mayor Akin
 Noes: None
 Absent: Councilman Long

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, Nichols, Mayor Akin
 Noes: None
 Absent: Councilman Long

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, Nichols, Mayor Akin
 Noes: None
 Absent: Councilman Long

The Mayor announced that the ordinance had been finally passed.

PUBLIC IMPROVEMENTS

Contracts

The City Manager submitted the following:

"October 25, 1967

"Memorandum To: Mr. R. M. Tinstman, City Manager

Memorandum From: Victor R. Schmidt, Jr., Director of Water and Sewer Department

"Sealed bids for BERGSTROM AIR FORCE BASE SANITARY SEWER OUTFALL MAIN were received until 11:00 A.M., Wednesday, October 25, 1967, at the Office of the Director of the Water and Sewer Department for the installation of 2,729 feet of 12-inch cast iron siphon pipe and 1,370 feet of 18-inch vitrified clay sanitary sewer main from State Highway 71 northerly in Popham Lane and Dalton Lane Easement to the north side of the Colorado River, thence along the north bank of the Colorado River to the Hornsby Bend Treatment Plant. The purpose of this project is to provide a short direct main to the Hornsby Bend Sewage Treatment facilities in order to reduce the sewage load on the Govalle Sewage Treatment Plant. The bids were publicly opened and read in the First Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>"FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Bland Construction Company	\$106,292.75	90
Ford-Wehmeyer, Incorporated	117,970.00	175
Walter Schmidt Construction Company	118,398.95	120
Austin Engineering Company	136,679.50	80
Howard Stitch Construction Company	149,437.46	160
City of Austin (Estimate)	\$119,998.50	-

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"It is recommended that the contract be awarded to the Bland Construction Company on their low bid of \$106,292.75, with 90 working days.

"Yours truly,

s/ Victor R. Schmidt, Jr.

Director Water and Sewer Department"

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 25, 1967, for the installation of 2,729 feet of 12-inch cast iron siphon pipe and 1,370 feet of 18-inch vitrified clay sanitary sewer main from State Highway 71 northerly in Popham Lane and Dalton Lane Easement to the north side of the Colorado River, thence along the north bank of the Colorado River to the Hornsby Bend Treatment Plant; and,

WHEREAS, the bid of Bland Construction Company, in the sum of \$106,292.75, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Bland Construction Company, in the sum of \$106,292.75, 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 Bland Construction Company.

The motion, seconded by Councilman Janes, carried by the following vote:
Ayes: Councilmen LaRue, Nichols, Mayor Akin, Councilman Janes
Noes: None
Absent: Councilman Long

The City Manager submitted the following:

"October 27, 1967

"To: Mr. R. M. Tinstman,
City Manager

Subject: Assessment Paving -
Contract Number 67-A-17

"Following is a tabulation of bids received at 11:00 A.M., Tuesday, October 24, 1967, for the construction of approximately thirty-eight (38) blocks of pavement and accessories known as Assessment Paving Contract Number 67-A-17, consisting of 27 units.

Pat Canion Excavating Company	\$126,605.82
Ed H. Page	\$134,307.35
Jack A. Miller	\$138,826.74
City's Estimate	\$127,856.03

"Breakdown of the bid price is as follows:

Bond Bund	\$ 52,567.26
Property Owners Participation	\$ 74,038.56
	<u>\$126,605.82</u>

"I recommend that Pat Canion Excavating Company, with their low bid of \$126,605.82, be awarded the contract for this project.

"From: S. Reuben Rountree, Jr.
Director of Public Works
Signed S. Reuben Rountree, Jr."

The City Manager called attention to a map prepared by the Public Works Department indicating the streets to be paved under this contract and noted they were widely distributed over the City.

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 24, 1967, for the construction of approximately thirty-eight (38) blocks of pavement and accessories known as Assessment Paving Contract Number 67-A-17, consisting of 27 units; and,

WHEREAS, the bid of Pat Canion Excavating Company, in the sum of \$126,605.82, 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 Pat Canion Excavating Company, in the sum of \$126,605.82, 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 Pat Canion Excavating Company.

The motion, seconded by Councilman Nichols, carried by the following vote:
Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, LaRue
Noes: None
Absent: Councilman Nichols

Acquisition of property

The City Manager reported he had reviewed the recommendation from the Law Department, and it is his recommendation that the average appraisal be authorized.

Councilman Nichols moved to purchase the following properties at the average appraisals; noting these properties would be purchased from bond funds:

2107 Winsted Lane for \$9,875
1600 Newfield Lane for \$9,000

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

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

The City Manager reported on other property he had reviewed, stating he had further information to justify the recommended price, bearing in mind always the Council is not committed by any agent of the City, he said there were negotiations to recommend these acquisitions to the Council. After discussion, Councilman LaRue moved that the City Manager be authorized to purchase the following three pieces of property at the average appraisal:

800 Winsted Lane
807 Winsted Lane
1005 Winsted Lane

The motion, seconded by Councilman LaRue, carried by the following vote:
Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
Noes: None
Absent: Councilman Long

In this line, Councilman Nichols commended the gentleman for his patience in waiting a week for further consideration of the purchase of his property.

FINANCE and ADMINISTRATION

Sale of Houses

The City Manager submitted the following:

"October 25, 1967

"To: Mr. R. M. Tinstman, City Manager Subject: SALE OF HOUSES

"Bids were opened in my office October 25, 1967, at 10:00 A.M. for the sale of eleven (11) houses that Urban Renewal has turned over to us for disposal by demolition.

"Bids from four different individuals were received and a breakdown of the bidding is attached.

"The high bid on each house is underscored in red. Due to the fact that these structures are dilapidated, it is recommended that these bids be accepted, as it would cost this office several hundred dollars if we had to demolish them.

"If the bids are acceptable, the contracts will be forwarded to you for your signature, and should be returned to me for attestation and distribution.

"From: Dick T. Jordan, Building Official
Signed Dick T. Jordan

"ADDRESSES and AMOUNTS BID								
BIDDERS	1172 Hargrave	1149 (R) Railroad	1152 Walnut	2325 Rosewood	1108 Nile	2703 Walter	2700 Vaiden	1009 (F) Midway
August Heyer	-----	\$11.00	\$10.00	\$7.00	\$11.00	\$ 1.00	\$3.00	\$16.00
W. Johnston	\$1.00	7.00	12.00	7.50	9.00	1.50	4.50	1.00
M. T. Powell	5.00	-----	18.00	-----	69.00	1.50	2.00	2.00
Joe Tenorio	-----	-----	-----	-----	47.00	27.00	-----	-----

BIDDERS	1009(R) Midway	1101 Midway	1126 Midway
August Heyer	\$8.00	\$10.00	\$ 1.00
W. Johnston	3.00	13.00	1.50
M. T. Powell	2.00	33.00	7.50
Joe Tenorio	-----	-----	56.00 "

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 25, 1967, for the sale of eleven (11) houses that Urban Renewal has turned over to the City for disposal by demolition; and,

WHEREAS, the bids of August Heyer in the sum of \$11.00 for the house located at 1149(R) Railroad, in the sum of \$16.00 for the house located at 1009(F) Midway; and the bids of W. Johnston in the sum of \$7.50 for the house located at 2325 Rosewood, in the sum of \$4.50 for the house located at 2700 Vaiden; and the bids of M. T. Powell in the sum of \$5.00 for the house located at 1172 Hargrave, in the sum of \$18.00 for the house located at 1152 Walnut, in the sum of \$69.00 for the house located at 1108 Nile and in the sum of \$33.00 for the house located at 1101 Midway; and the bids of Joe Tenorio in the sum of \$27.00 for the house located at 2703 Walter and in the sum of \$56.00 for the house located at 1126 Midway, 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 August Heyer, W. Johnston, M.T. Powell, and Joe Tenorio, 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 August Heyer, W. Johnston, M. T. Powell, and Joe Tenorio.

The motion, seconded by Councilman Nichols, carried by the following vote:
 Ayes: Councilman Nichols, Mayor Akin, Councilmen Janes, LaRue
 Noes: None
 Absent: Councilman Long

<u>Capacity in BTU</u>	<u>Rate</u>
Under 22,000 BTU	No fee required
22,000	6.00 (minimum fee)
22,000 - 59,999	6.00 + 9¢/1,000 BTU over 24,000
60,000 -119,999	9.24 + 7.2¢/1,000 BUT over 60,000
120,000 -239,999	13.56 + 5.4¢/1,000 BTU over 120,000
240,000 and over	20.04 + 4.2¢/1,000 BTU

Mayor Akin introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 38 OF THE AUSTIN CITY CODE OF 1954 BY AMENDING SECTION 38.13 PERTAINING TO FEES REQUIRED BY THE HEATING, AIR CONDITIONING, AND REFRIGERATION CODE; AND DECLARING AN EMERGENCY.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"October 30, 1967

"To: Mr. R. M. Tinstman, City Manager Subject: Bids on 4 Distribution Transformers (500 KVA) - Electric Distribution.

"Attached is a tabulation for the City Council.

"The City Council rejected all bids for these transformers on October 19, 1967 with instructions to re-advertise for bids with revised specifications and conditions. The specifications and conditions were revised to include a maximum delivery time to Austin, Texas of 23 weeks.

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"Electric Distribution has previously stated these transformers will replace an overloaded existing bank of 333 KVA transformers serving the Department of Public Safety Building on North Lamar Boulevard. They would like to replace the existing transformers prior to the summer load peak.

"The attached memorandum from Mr. T. L. Turner recommends the award be made to The Walter Tips Company whose bid meets the delivery requirements in our specifications and conditions.

"A report of these bids will be made to the United States Attorney General with a copy to the Texas Attorney General as soon as the award has been made.

"From: B. J. Bonds, Purchasing Agent
Signed B. J. Bonds"

"October 30, 1967

"To: Mr. B. J. Bonds - Purchasing Subject: 4-500 KVA, Single Phase, Distribution Transformers on Bid Inquiry #5312.

"From the tabulation of bid received on the subject bid inquiry, four suppliers quoted the same low unit price of \$2441.00. Of the four, only Walter Tips Company met the delivery requirement of 23 weeks in Austin, Texas after notification of award.

"Since delivery is a definite consideration in purchasing these transformers, we recommend that these four transformers be purchased from Walter Tips Company for a total price of \$9764.00 and delivered in Austin, Texas in 13 weeks as quoted.

"From: T. L. Turner
Signed T. L. Turner"

"October 30, 1967

"TO: Honorable Mayor and Members of the City Council.

SUBJECT: Bids for four (4) 500 KVA Distribution Transformers for Electric Distribution.

"Sealed bids were opened in the office of the Purchasing Agent at 10:00 A.M. October 27, 1967 for four (4) 500 KVA Distribution Transformers for Electric Distribution.

"The bids received are as follows:

<u>"Bidder</u>	<u>Brand</u>	<u>Net Total</u>	<u>Delivered Austin</u>
Techline, Inc.	Kuhlman	\$9,772.00	38-40 Weeks
Sterett Supply Co.	Line Material	9,764.00	*28-30 Weeks
Southern Electric Supply	Allis-Chalmers	9,764.00	* 65 Weeks
Priester-Mell Co., Inc.	Moloney	9,764.00	Factory shipment * 22 Weeks
The Walter Tips Co.	Westinghouse	9,764.00	13 Weeks
Graybar Electric Co., Inc.	General Electric	10,268.00	34 Weeks

November 2, 1967

*Our specifications and conditions required the maximum delivery time to Austin of these transformers to be 23 weeks.

"This tabulation is submitted with the apparent low bid meeting the City of Austin specifications and conditions underscored."

The City Manager reported the Council previously had taken action with respect to the purchase of these transformers; and today four identical bids have been received. He said he found this difficult to reconcile--with the difference of location, transportation costs, operating costs, etc; and with four different bidders on this particular item, it seems to indicate collusion. Revised specifications were prepared, placing emphasis on the delivery period, and the recommendation was to award the contract to the low bidder with the least delivery period.

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 27, 1967, for the purchase of four (4) 500 KVA Distribution Transformers for Electric Distribution; and,

WHEREAS, the bid of The Walter Tips Co., in the sum of \$9,764.00, 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 The Walter Tips Co., in the sum of \$9,764.00, 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 The Walter Tips Co.

The motion, seconded by Councilman LaRue, carried by the following vote:
Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin
Noes: None
Absent: Councilman Long

The City Manager submitted the following:

"October 27, 1967

"To: Mr. R. M. Tinstman, City Manager Subject: Bids on Street Lighting Poles -
Electric Distribution

"Attached is a tabulation for the City Council.

"Invitations to bid were sent to all known prospective bidders (10) in this area.

"A unit price comparison of this bid with the most recent previous bid is as follows:

6/12/67This bid

"31' Street Lighting Pole
with 1 arm bracket

12 - Each - \$110.25 60 Each - \$107.00

31' Street Lighting Pole
with 2 arm bracket

3 Each - \$123.37 3 Each - \$119.90

"The attached memorandum from Mr. H. L. Peterson, Assistant Superintendent of Electric Transmission & Distribution, indicates the general use of these poles.

"From: B. J. Bonds, Purchasing Agent
Signed B. J. Bonds"

"October 26, 1967

"To Mr. Bill Bonds - Purchasing Dept. Subject: Purchase of 63 Steel Street
Light Poles

"The Electric Distribution Division requested the Central Stores to have 63 - 30 foot steel street light poles available for the following street lighting projects.

<u>No. of Poles</u>	<u>Project</u>
52	15th Street from Red River to Enfield including the new over-pass and interchange at North Lamar.
8	Parking lot and street lighting at new Electric Building, 3rd and West Avenue.
3	Parking lot lighting - Oak Springs Library.
<hr/> 63	TOTAL

"From H. L. Peterson
Signed H. L. Peterson"

"October 27, 1967

"TO: Honorable Mayor and Members of the City Council.

"SUBJECT: Bids on Street Lighting Poles to be stocked in Central Stores and used by Electric Distribution.

"Sealed bids were opened in the office of the Purchasing Agent at 2:00 P.M. October 24, 1967 for Street Lighting Poles to be stocked in Central Stores and used by Electric Distribution.

"The bids received are as follows:

			Graybar	Priester-	Techline
		Net	Electric Co.	Mell Co.	Econolite Inc.
"31' Street Lighting					
Pole with 1 arm bracket	60 Each	Total	<u>\$6,420.00</u>	\$6,525.60	\$6,735.00
					\$6,534.00
31' Street Lighting		Net			
Pole with 2 arm brackets	3 Each	Total	\$ 359.70	\$ 365.01	\$ 378.30
					\$ 365.40

"This tabulation is submitted with the apparent low bids meeting the City of Austin specifications and conditions underscored."

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 24, 1967, for Street Lighting Poles to be stocked in Central Stores and used by Electric Distribution; and,

WHEREAS, the bids of Graybar Electric Co., in the sum of \$6,420.00, for sixty (60) 31' Street Lighting Poles with 1 arm bracket, and in the sum of \$359.70 for three (3) 31' Street Lighting Poles with 2 arm brackets, were the lowest and best bids therefor and the acceptance of such bids have been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

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

THAT the bids of Graybar Electric Co., in the sum of \$6,420.00 and in the sum of \$359.70, 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 Graybar Electric Co.

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

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

Noes: None

Absent: Councilman Long

Request for Annexation

MR. HARRY WHITTINGTON, representing the Steck Company, stating for the past ten years the Steck Company has had its plant located on about 36 acres of land north of the City. During the past year and a half, the Company has given right of way for Anderson Lane, and development is occurring at a rapid pace. School taxes on this plant and equipment had been paid; also city taxes on the downtown property. For the past five years the ownership has changed by purchases by MESSRS JACK and GRADY VAUGHN, who have enlarged the plant by 50%. Mr. Whittington told the Council he had read quite a bit about the annexation policies; and in order to help the Council in its deliberations and planning, they would like to make public their desires to be annexed voluntarily into the city limits, effective as soon as possible. Councilman LaRue expressed appreciation to Mr. Whittington and the Steck Company owners. MAYOR AKIN said this is a big help to the Council in formulation of future policies on this very controversial issue. The City Manager stated he and the staff would look forward to meeting with Mr. Whittington on this matter as soon as possible.

Ambulance Service

The City Manager reported a telephone call from MR. WALTER CRAWFORD, 3209 Bruce Drive, regarding what he considered an exorbitant charge by the Austin Ambulance Service, in that his wife was transferred from one hospital to another, and he was charged \$22.50 for this service by the Austin Ambulance Service. When presented with the bill he was informed that if he paid cash at that time, the charge would be only \$17.50. Mr. Crawford requested that this matter be brought up at the City Council Meeting November 2, 1967.

In this connection, Councilman LaRue stated it might be well for the Council to check the six months report of the Ambulance Company. Mayor Akin suggested in accordance with the understanding with the franchise holder, there would be a review of the situation which would include a full accounting and a general analysis of their operation at the end of the six months period. The City Manager stated he would refer this complaint to the Company for comment, and also ask them for their general report.

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The City Manager explained the public hearing on the Capital City East Master Plan Amendment was reset for November 30th, so as to work with the owners in the area. This date is a zoning date. Councilman Nichols moved the Council reset the hearing on the Master Plan amendment in the Capital City East G.R.N.P. one week later on December 7th. The motion, seconded by Councilman LaRue, carried by the following vote:

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

Councilman Nichols noted there were no center stripes on Anderson Lane and he realized in some areas there were no curbs. He reported a lot of accidents out there, and urged the restriping down the center. The City Manager stated this would be done on Anderson Lane as well as on Lamar, and he would urge the remarking of the improved street as promptly as possible.

Councilman Nichols commended the Chief of Police for the enforcement work he was doing on South 1st Street.

The City Manager was asked to look into a petition from property owners along Anderson Lane regarding East Crest and North Crest, it did not seem to have any identification.

Councilman Nichols asked if the report on curb parking along Exposition were ready yet. The City Manager stated it had not yet been received.

After discussion, Councilman Nichols moved that the Council meet Monday, November 20, 1967, at 10:00 A.M. (Thanksgiving week) The motion, seconded by Councilman LaRue, carried by the following vote:

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

The City Manager stated the Personnel Policies provided that the City employees would observe Thanksgiving on the last Thursday in November. Under the provisions of the Charter, he recommended that the Personnel Policies be amended whereby the Thanksgiving Holiday would be observed on the 4th Thursday in November. Councilman Nichols moved that the Personnel Policies be amended designating the 4th Thursday in November to be observed as Thanksgiving Day. The motion, seconded by Councilman LaRue, carried by the following vote:

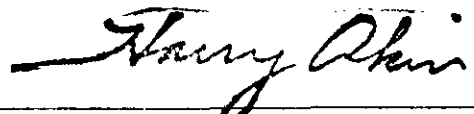
Ayes: Councilmen LaRue, Nichols, Mayor Akin, Councilman Janes
Noes: None
Absent: Councilman Long

Councilman LaRue moved that the Council adjourn. The motion, seconded by Councilman Nichols, carried by the following vote:


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

The Council adjourned at 12:30 P.M.

APPROVED


Mayor

ATTEST:


Asst. City Clerk

