MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 20, 1967 9:00 A.M.

COUNCIL CHAMBERS, CITY HALL

The meeting was called to order with Mayor Akin presiding.

Roll Call:

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

The Invocation was delivered by City Attorney Doren Eskew.

APPROVAL OF MINUTES

Councilman LaRue moved the Council approve the Minutes of November 2, 1967. The motion, seconded by Councilman Janes, carried by the following vote:

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

CITIZEN APPEARANCE

Mr. Rudy Cisneros appeared before the Council to express his dissatisfaction with Mrs. Laura Lee's account of an incident which occurred in her precinct on election day.

Mr. Frank Horsfall appeared before the Council to speak on a matter concerning dogs.

CITY OF AUSTIN. TEXAS

RELEASE OF EASEMENTS

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain easements were granted to the City of Austin for public utility purposes in, upon and across that certain portion of Block D, Townlake Plaza, a subdivision of a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, according to a map or plat of said Townlake Plaza of record in Book 18 at Page 38 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has requested the City Council of the City of Austin to release the hereinafter described portions of said easements; and,

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

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

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described portions of said public utility easements, to-wit:

> Four (4) strips of land, each being ten (10.00) feet in width and each being out of and a part of Block D, Townlake Plaza, a subdivision of a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, according to a map or plat of said Townlake Plaza of record in Book 18 at Page 38 of the Plat Records of Travis County, Texas; the strip of land hereinafter described as Number One being out of and a part of Lots 1, 2 and 4, said Block D, the strip of land described as Number Two being out of and a part of Lots 2 and 4, said Block D, the strip of land hereinafter described as Number Three being out of and a part of Lots 2 and 3, said Block D, and the strip of land hereinafter described as Number Four being out of and a part of Lots 3 and 4, said Block D; the centerline of each of the four (4) strips of land ten (10.00) feet in width being more particularly described as follows:

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NUMBER ONE, BEGINNING at a steel pin at the most northerly corner of said Lot 1, Block D, same being the most westerly corner of Lot 2, and which point of beginning is in the southeast line of Arena Drive;

THENCE, S 41° 01' E 636.45 feet to point of termination at a steel pin at the most easterly corner of said Lot 1, same being the most southerly corner of Lot 4, and which point of termination is in the west line of Town Creek Drive.

NUMBER TWO, BEGINNING at a steel pin at the most southerly corner of said Lot 2, same being the most westerly corner of Lot 4;

THENCE, N 48° 59' E 200.58 feet to point of termination at a steel pin at the southeast corner of said Lot 2, same being the most westerly corner of Lot 3.

NUMBER THREE, BEGINNING at the steel pin at point of termination of Strip Number Two as described above;

THENCE, N 03° 21' E 40.00 feet to point of termination.

NUMBER FOUR, BEGINNING at the steel pin at point of termination of Strip Number Two as described above;

THENCE, S 59° 03' E 40.00 feet to point of termination.

The motion, seconded by Councilman LaRue, 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 ANNEXA-TION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 2.05 ACRES OF LAND OUT OF THE ISAAC DECKER 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. -CITY OF AUSTIN, TEXAS

Councilman Long 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 December 7, 1967 at 10:45 A.M. The motion, seconded by Councilman LaRue, carried by the following vote:

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

SALE OF HOUSES

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 15, 1967, for the sale of eleven (11) houses that Urban Renewal has turned over to the City for disposal, nine (9) to be demolished and two (2) to be moved; and,

WHEREAS, the bid of Joe Tenorio in the sum of \$67.00 for the house located at 2804(R) Webberville; and the bids of B. Fillis in the sum of \$21.21 for the house located at 903 Midway, in the sum of \$14.14 for the house located at 902 Nile; the bid of M.T. Powell in the sum of \$5.50 for the house located at 1002 Nile; the bids of A.Heyer in the sum of \$2.50 for the house located at 2804(F) Webberville, in the sum of \$31.00 for the house located at 1156 Walnut, in the sum of \$38.50 for the house located at 2320 Waldine; the bids of W. Johnston in the sum of \$21.00 for the house located at 1004 Midway, in the sum of \$41.00 for the house located at 2214 Martha; the bid of A.M. DeBerry in the sum of \$1,026.00 for the house located at 2807 East 12th Street; and the bid of W.W. Hoerman in the sum of \$777.00 for the house located at 1197 Cedar, 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 Joe Tenorio, B. Fillis, M.T. Powell, A. Heyer, W. Johnston, A.M. DeBerry and W.W. Hoerman, 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 Joe Tenorio, B. Fillis, M.T. Powell, A. Heyer, W. Johnston, A.M. DeBerry and W.W. Hoerman.

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

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SANITARY SEWER PROJECTS

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

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

That R.M. Tinstman, City Manager of the City of Austin be and he is hereby authorized and directed to make revisions in City of Austin application WPC-Tex-506 (Bergstrom Air Force Base Outfall and Treatment Facilities) for a federal grant under Public Law 660, as amended, as may be necessary to meet the requirements of the Texas Water Quality Board as outlined in its letter dated November 6, 1967, and to sign and forward the revised application and other necessary documents required to complete the project to obtain a federal grant to be applied to the cost of construction of said sewage facilities, with the City of Austin agreeing to pay the remaining costs of the approved project; and,

BE IT FURTHER RESOLVED that R.M. Tinstman, City Manager of the City of Austin likewise be and he is hereby authorized and directed to sign applications and any other necessary documents required to complete City of Austin federal grant projects WPC-Tex-474 (Additional Primary Settling Tank at Govalle Sewage Treatment Plant) and WPC-Tex-475 (Dry Creek Interceptor) with the City of Austin likewise agreeing to pay the remaining costs of such approved projects.

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

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

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin, Texas, has reviewed the procedures, conditions and assurances as furnished in the Federal Water Pollution Control Administration's correspondence (with Attachments 1, 2 and 3) dated October 3, 1967, necessary to meet the requirements set forth in Section 8 of the Federal Water Pollution Control Act for reimbursement from appropriations which may be made by Congress at some future date; Now, Therefore,

BE IT RESOLVED that the City of Austin, Texas fully understands that there is no commitment or obligation on the part of the United States to provide funds to make or pay any grant for project WPC-TEX-506 Bergstrom Air Force Base Outfall and Treatment Facilities, unless the Congress appropriates the necessary funds and the State authorizes the actual obligation of funds to this project at some future date; and

BE IT FURTHER RESOLVED that the City of Austin, Texas is in agreement with the aforementioned terms and conditions and hereby accepts said terms and conditions of the Federal Water Pollution Control Administration; and,

BE IT FURTHER RESOLVED that the City of Austin, Texas has or will procure a fee simple or such other estate or interest in the site of the project, including the necessary easements and rights-of-way, as to assure undisturbed use and possession for the purposes of construction, operation and maintenance of the works for the estimated life of the project; and that in the event such title, estate, or interest in such site, easements or rights-of-way may in the future be contested, the City of Austin, Texas will defend and maintain its title in such site and hold the United States Government blameless in such action; and that before any federal payment is requested pursuant to said grant, said City will provide certification as to the sufficiency of such estate or interest.

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

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

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin, Texas, has reviewed the procedures, conditions and assurances as furnished in the Federal Water Pollution Control Administration's correspondence (with Attachments 1, 2 and 3) dated March 23, 1967, necessary to meet the requirements set forth in Section 8 of the Federal Water Pollution Control Act for reimbursement from appropriations which may be made by Congress at some future date; Now, Therefore,

BE IT RESOLVED that the City of Austin, Texas fully understands that there is no commitment or obligation on the part of the United States to provide funds to make or pay any grant for project WPC-TEX-475 Dry Creek Interceptor, unless the Congress appropriates the necessary funds and the State authorizes the actual obligation of funds to this project at some future date; and

BE IT FURTHER RESOLVED that the City of Austin, Texas is in agreement with the aforementioned terms and conditions and hereby accepts said terms and conditions of the Federal Water Pollution Control Administration; and, -CITY OF AUSTIN, TEXAS-

BE IT FURTHER RESOLVED that the City of Austin, Texas has or will procure a fee simple or such other estate or interest in the site of the project, including the necessary easements and rights-of-way, as to assure undistrubed use and possession for the purposes of construction, operation and maintenance of the works for the estimated life of the project; and that in the event such title, estate, or interest in such site, easements or rights-of-way may in the future be contested, the City of Austin, Texas will defend and maintain its title in such site and hold the United States Government blameless in such action; and that before any federal payment is requested pursuant to said grant, said City will provide certification as to the sufficiency of such estate or interest.

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

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

CONTRACT AWARDED

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 15, 1967, for the purchase of Automotive Replacement Batteries for a twelve (12) months period for all departments; and,

WHEREAS, the bid of Austin Battery & Electrical Co., in the sum of \$8,781.78 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

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

That the bid of Austin Battery & Electrical Co., in the sum of \$8,781.78, be and the same is hereby accepted, and that R.M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with Austin Battery & Electrical Co.

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

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ANNEXATION REQUESTS WITHDRAWN

The Council granted the request for withdrawal of the following annexation items:

- (a) 118.82 acres of land out of the Santiago Del Valle Grant - unplatted land - east of Austin Country Club and north of Riverside Drive.
- (b) 50.83 acres of land out of the Santiago Del Valle Grant - two unplatted tracts of land and portion of Fairway Street. (Alternate)
- (c) 35.91 acres of land out of the Santiago Del Valle Grant - unplatted tract of land and portion of Fairway Street. (Alternate)

ANNEXATION HEARINGS

Mayor Akin opened the public hearing scheduled for this time on the following annexations:

- (a) 32.6 acres of land out of the James Mitchell Survey - unplatted land - STECK TRACT.
- (b) 22.73 acres of land out of the James P. Wallace Survey No. 57 - proposed COLONY NORTH, SECTION 3 and unplatted tract.
- (c) 8.58 acres of land out of the William Cannon League Proposed BUCKINGHAM PLACE, SECTION 1.
- (d) 5.21 acres of land out of the Isaac Decker League Proposed PERKINS TRAILS.
- (e) 25.33 acres of land out of the James P. Wallace Survey No. 18 - Proposed ALLAN-DALE ESTATES, SECTION 2.

No one appeared to participate. Councilman Long moved the Council close the public hearing. The motion, seconded by Councilman Nichols, carried by the following vote:

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXA-TION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 32.60 ACRES OUT OF THE JAMES M. MITCHELL SURVEY; 22.73 ACRES OUT OF THE JAMES P. WALLACE SURVEY NUMBER 57; 8.58 ACRES OUT OF THE WILLIAM CANNON LEAGUE: 5.21 ACRES OUT OF THE ISAAC DECKER LEAGUE AND 25.33 ACRES OUT OF THE JAMES P. WALLACE SURVEY NO. 18; ALL LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the 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 ordinance be 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

Mayor Akin opened the public hearing scheduled for this time on the following annexation:

- (a) 23.35 acres of land out of the Theodore Bissell League George W. Davis Survey and James Mitchell Survey - four unplatted tracts - CUNNINGHAM SCHOOL and adjacent streets, library site on Manchaca Road, water reservoir site on Spicewood Springs Road and electric substation site on U.S. Highway 183.
- (b) 39.76 acres of land out of the James Mitchell Survey unplatted land south of Steck Avenue between Balcones Drive and Missouri Pacific Railroad. (Partially requested)

No one appeared to participate. Councilman LaRue moved the Council close the public hearing. The motion, seconded by Councilman Long, carried by the following vote:

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXA-TION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 23.35 ACRES OF LAND OUT OF THE THEODORE BISSELL LEAGUE, GEORGE W. DAVIS SURVEY AND THE JAMES MITCHELL SURVEY; AND 39.76 ACRES OF LAND OUT OF THE JAMES M. MITCHELL SURVEY; ALL IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

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

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

Mayor Akin opened the public hearing scheduled for this time on the following annexations:

- (a) 43.05 acres of land out of the George W. Davis Survey three unplatted tracts in North Austin in the vicinity of Burnet Road.
- (b) 36.85 acres of land out of the Thomas Eldridge, S.Q. Whatley and Henry Warnell Surveys - three unplatted tracts in Northeast Austin.
- (c) 2.74 acres of land out of the James P. Wallace Survey No. 18 unplatted land - STRIPLING-BLAKE LUMBER COMPANY TRACT.
- (d) 30.77 acres of land out of the James Mitchell Survey unplatted land.

No one appeared to participate. Councilman LaRue moved the Council close the public hearing. The motion, seconded by Councilman Janes, carried by the following vote:

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 43.05 ACRES OF LAND OUT OF THE GEORGE W. DAVIS SURVEY, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

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

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

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 36.85 ACRES OF LAND OUT OF THE THOMAS ELDRIDGE, S.Q. WHATLEY, AND HENRY WARNELL 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.

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

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

Mayor Akin introduced the following ordinance:

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Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXA-TION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 2.74 ACRES OF LAND OUT OF THE JAMES P. WALLACE SURVEY NO. 18 IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

The ordinance was read the second time and Councilman LaRue moved that the ordinance be 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

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXA-TION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 30.77 ACRES OF LAND OUT OF AND A PART OF THE JAMES MITCHELL SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

HUMAN RELATIONS COMMISSION ORDINANCE

Mayor Akin introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 14A OF THE AUSTIN CITY CODE OF 1954 SO AS TO PROVIDE FOR TWENTY-FIVE COMMISSIONERS ON THE CITY OF AUSTIN HUMAN RELATIONS COMMISSION; 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 LaRue, carried by the following vote:

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

DATA PROCESSING EQUIPMENT AND CONFIRMATION OF ORDER REPORT

City Manager Tinstman presented to the Council an analysis of the present critical computer problems and recommendations for their correction. The Council agreed to discuss the matter further on November 30, 1967.

ADJOURNMENT

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

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The Council then adjourned.

APPROVED:		Harry	akin
	Mayor	- d	<u> </u>

ATTEST: Grace Monroe ant City Clerk