

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 7, 1963
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by REV. ROBERTO ESCAMILLA, Emmanuel Methodist Church.

MR. WALTER CAVEN, 2800 Scenic Drive, representing a large group of residents in the vicinity of 35th Street and Scenic Drive, concerned with a proposed amendment to the filling station ordinance, asked the Council for a continuation of any consideration on that amendment for at least 30 days, so that they could make proper legal preparation to protect themselves to any action that would be adverse to their interests. He referred particularly to any filling station permit at 35th and Scenic Drive. MR. LONNY ZWIENER stated there is an application under consideration for changing the zoning from "C" Commercial to "A" Residence, and he said the zoning question should be decided first before any permit is given to a filling station. The Mayor explained the proposed amendment. Councilman Perry stated the Council could discuss this and set a date on a regular Council day. The Mayor stated Mr. Caven and Mr. Zwiener would be notified of this date.

Councilman White moved that the Minutes of the Meeting of January 24, 1963, be approved. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The City Manager read a letter from MR. SIM GIDEON, General Manager, Lower Colorado River Authority, as follows:

"February 6, 1963

"Mr. W. T. Williams, Jr.
City Manager, City of Austin
Austin, Texas

"Dear Mr. Williams:

"This will refer to Mr. Kinney's letter of January 22, 1963, wherein the City of Austin requests the LCRA to lower and control the lake elevation of Lake Austin approximately 12 feet below the crest of the dam. The letter requested that the period of such operation is to start down February 18, 1963, and start back up March 18, 1963.

"The Authority desires to cooperate with the City in the lake lowering to curtail the weed growth to the extent such lake lowering may be done without jeopardizing LCRA operations. The Authority desires to replace seals on the flood gates at Tom Miller Dam during the drawdown period referred to above. Since repairs to four of the nine flood gates will require the lake elevation of Lake Austin to remain approximately 18 feet below the crest of the dam for a period of approximately 7 days, City agrees to such additional lowering of lake elevation. The Authority is willing to endeavor to lower the water level of Lake Austin during the period mentioned above on the following bases:

"1. Authority will begin lowering the elevation of Lake Austin on Monday, February 18, 1963, by operation of the unit or units available at Tom Miller Dam to the extent permissible without jeopardizing the repair work now in progress on a small dam across the Colorado River near Bay City, Texas, until Lake Austin has been lowered approximately 18 feet. As soon as the lake elevation falls below the sills of the 18-foot flood gates, Authority shall proceed immediately to replace the seals on the flood gates. Upon completion of the seal installation on the four 18-foot flood gates, Authority will operate Marshall Ford generating units to raise the lake elevation of Lake Austin approximately 6 feet in order to maintain the lake elevation of Lake Austin at approximately 12 feet below the crest of the dam during the remainder of the drawdown period. Authority plans to curtail operation of its Marshall Ford generating units during the drawdown period to the extent possible, provided the elevation of Lake Travis, in the sole opinion of Authority, permits such type of operation.

"2. As a result of such operation procedures for Marshall Ford Plant it may be necessary to hold in Lake Travis storage 16,000 acre feet of water more than would be retained under normal operating conditions. If the Authority is required to release water through the flood gates at Marshall Ford during February, March, April and/or May, 1963, in accordance with existing agreements covering operation of facilities for flood control purposes, the amount of water so released up to 16,000 acre feet will represent a loss in electric energy production equal to 200 kilowatt hours per acre foot. City agrees to deliver power and energy to Authority from its available capacity when requested by Authority, and City shall make no charge for the energy which it delivers during 1963 in an amount equal to the sum of the following:

"(a) The acre-feet of water released through the flood gates at Marshall Ford during February, March, April

and May, 1963, times 200 kilowatt hours, provided, however, that the maximum amount of the obligation under this subparagraph (2) shall not exceed 3,200,000 kilowatt hours, and

- "(b) One-half the total loss in kilowatt hours as a direct result of operating the Austin hydro plant at reduced head during the drawdown period. Such determination is to be made under the same bases used in 1958, 1959, 1960, 1961, and 1962.

"3. As a result of lowering the water elevation at Lake Austin Authority will be required to use water from City's water mains in the operation of its air-conditioning system in the ICRA General Office Building. City agrees to read the water meter at Authority's General Office Building on the day that the air-conditioning system is transferred to City water and to again read such meter on the day the air-conditioning equipment is transferred to lake water after Lake Austin has been refilled. No charge for the water used by Authority during such period, as determined by the two meter readings listed above, shall be made by City.

"4. City has knowledge of Authority's responsibility with reference to the operation of its facilities for flood control, and City agrees that Authority cannot make a definite commitment with reference to the maintenance of the water level in Lake Austin. Authority will endeavor to operate its facilities as set out above; however, Authority reserves the right to discharge water from Marshall Ford Reservoir into Lake Austin in any manner and to any extent and at any time deemed advisable in the sole discretion of Authority. Authority also reserves the right to operate the facilities at Tom Miller Dam, including turbines, flood gates, etc., in any manner deemed advisable by Authority.

"5. City agrees to protect and save Authority harmless from any claims for damages that may be asserted by reason of or resulting from or pertaining to the lowering and refilling of Lake Austin as set out above; and by reason of or resulting from or pertaining to any work which City might do in the Lake Austin Reservoir.

"If the above is in accordance with your understanding and is satisfactory to City, please so indicate on copy of this letter at the place provided and return same to Authority, and upon receipt thereof we will proceed with the plan outlined above.

"Yours very truly,
s/ Sim Gideon
General Manager"

It was announced that the lake would begin to refill on March 18th; that it would not be at its usual level on that date. MR. FOREST PEARSON, Chairman of the Navigation Board, stated this extra depth would jeopardize the sanitary facilities of the residents on the lake, and would create a problem and those residents need to be prepared. The Mayor announced for publicity that any property owner along the lake that contemplates any kind of shore line improvement or docks, or alterations of the shore line, must apply for a permit from the Building Inspector, and he urged them to do that as early as possible. Councilman Perry stated the date for refilling the lake is a firm date, and cannot be

postponed upon personal appeal of any who had not completed their construction work at that time.

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

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 4-6, GYPSY GROVE ADDITION, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; SAID PROPERTY BEING LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Shanks, White, Mayor Palmer
Noes: Councilmen Armstrong, Perry

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: A TRACT OF LAND FRONTING 332 FEET ON THE NORTH RIGHT-OF-WAY LINE OF CROCKETT STREET, LOCALLY KNOWN AS 106-204 CROCKETT STREET, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer
Noes: None
Present but not voting: Councilman Perry

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

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer
Noes: None
Present but not voting: Councilman Perry

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

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer

Noes: None

Present but not voting: Councilman Perry

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: (1) TWO PARCELS OF LAND FRONTING 100 FEET ON THE NORTH RIGHT-OF-WAY LINE OF EAST 32ND STREET, LOCALLY KNOWN AS 1000-1002 EAST 32ND STREET, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (2) AN IRREGULAR SHAPED TRACT OF LAND FRONTING 50 FEET ON THE EAST RIGHT-OF-WAY LINE OF AIRPORT BOULEVARD AND 69.59 FEET ON THE SOUTH RIGHT-OF-WAY LINE OF MANOR ROAD, LOCALLY KNOWN AS 2211-2213 AIRPORT BOULEVARD AND 3101-3103 MANOR ROAD, FROM "GR" GENERAL RETAIL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (3) (A) LOT 2, I. J. COOK SUBDIVISION, AND (B) FOUR PARCELS OF LAND FRONTING 321.53 FEET ON THE NORTH RIGHT-OF-WAY LINE OF MANOR ROAD, LOCALLY KNOWN AS 2500-2510 MANOR ROAD, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT; (4) A TRACT OF LAND FRONTING 79.9 FEET ON THE SOUTH RIGHT-OF-WAY LINE OF BANISTER LANE, LOCALLY KNOWN AS 605-607 BANISTER LANE AND 604-606 WEST BEN WHITE BOULEVARD, FROM "IR" LOCAL RETAIL DISTRICT TO "C-2" COMMERCIAL DISTRICT; (5) LOT 14, BLOCK 2, CHERNOSKY SUBDIVISION NO. 15, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; (6) AN INTERIOR TRACT OF LAND CONTAINING 1775 SQUARE FEET, SAID TRACT BEING LOCATED APPROXIMATELY 125 FEET EAST OF THE EAST RIGHT-OF-WAY LINE OF THE INTER-REGIONAL HIGHWAY AND APPROXIMATELY 243 FEET NORTH OF THE NORTH RIGHT-OF-WAY LINE OF EAST 38 $\frac{1}{2}$ STREET, LOCALLY KNOWN AS 3815 EAST AVENUE, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; (7) LOTS 2 AND 3, BLOCK 2, SOUTH EXTENSION OF BOULDIN ADDITION, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; AND (8) LOTS 6 AND 7, BLOCK H, WESTERN TRAILS, SECTION 2, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its second reading. The

motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer
Noes: None
Present but not voting: Councilman Perry

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

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer
Noes: None
Present but not voting: Councilman Perry

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

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer
Noes: None
Present but not voting: Councilman Perry

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"February 4, 1963

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, February 1, 1963 at the Office of the Director of the Water and Sewer Department for the installation of the FISKVILLE SCHOOL AREA SANITARY SEWER. The bids were publicly opened and read in the Second Floor Conference Room of the Municipal Building.

"The following is a tabulation of bids received:

<u>"FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Walter W. Schmidt	\$60,881.25	135
Capital Cities Utilities	74,910.65	180
H & M Construction Company	78,666.75	180
Ford - Wagner, Inc.	80,598.00	150
Austin Engineering Company	86,831.10	200
Bland Construction Company	106,369.60	170
City Estimate	66,993.05	-

"It is recommended that the contract be awarded to Walter W. Schmidt on his low

bid of \$60,881.25 with 135 working days.

"Yours truly,
s/ Victor R. Schmidt, Jr.
Superintendent Sanitary Sewer Division
s/ Albert R. Davis
Director Water and Sewer Department"

Councilman Armstrong offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 1, 1963, for the installation of the Fiskville School Area Sanitary Sewer; and,

WHEREAS, the bid of Walter W. Schmidt, in the sum of \$60,881.25, 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 Walter W. Schmidt, in the sum of \$60,881.25, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Walter W. Schmidt.

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The City Manager stated there was some right-of-way needed for the cut-off between West 38th and 35th Streets, and the City owned property on the east side north of 38th Street. The City Attorney displayed a map showing the property of DR. HUGO LEIPZIGER-PEARCE on which the Council had authorized condemnation, for this cut-off. He pointed out the route of Shoal Creek Boulevard. He said Dr. Leipziger-Pearce had indicated he would exchange his tract for the City's tract west of George Street. He said if the Council approved the exchange it would be necessary to vacate a small triangular tract in George Street, and he recommended this trade. Councilman Armstrong offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the creation of an east-west thoroughfare to connect West 38th Street, West 35th Street, and Bull Creek Road in the vicinity of the point at which West 38th Street crosses Shoal Creek, in order to provide for the free and safe flow of traffic in the indicated area within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of Lots 11, 12, and 13, Block 16, Glen-Ridge, for right-of-way to permit the creation of the indicated thoroughfare section; and,

WHEREAS, the fee simple title in the above referred Lots 11, 12, and 13, Block 16, Glen-Ridge, is in Hugo Leipziger-Pearce and wife Martha Leipziger-Pearce; and,

WHEREAS, these owners are agreeable to an even exchange of said Lots 11, 12, and 13, Block 16, Glen-Ridge for portions of Lots 1 and 2, Block 6, Pleasant Grove Addition, presently owned by the City of Austin; and,

WHEREAS, it is to the best interest of the City of Austin to enter into a contract with Hugo Leipziger-Pearce and wife, Martha Leipziger-Pearce for the even exchange of the aforementioned real properties; Now, Therefore,

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

That the City Manager be and he is hereby authorized and directed to enter into a contract with Hugo Leipziger-Pearce and wife, Martha Leipziger-Pearce for the even exchange of the aforementioned real properties.

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor brought up the following application deferred from last week:

E. M. CHOTE, JR.	2810-16 Salado Street	From "A" Residence 1st
	2811-17 San Pedro	Height and Area
		To "B" Residence 2nd
		Height and Area
		NOT Recommended by the
		Planning Commission

Councilman Armstrong moved that the change to "B" Residence 2nd Height and Area be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Shanks, White, Mayor Palmer
Noes: Councilman Perry

The Mayor announced that the change had been granted to "B" Residence 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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Regarding the 2810-16 Salado Street and 2811-17 San Pedro Street zoning, Councilman Armstrong moved that the area be studied for one way street patterns. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Also pertaining to the 2810-16 Salado Street and 2811-17 San Pedro zoning, Councilman Shanks moved that the Planning Commission study the entire area for rezoning. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor brought up the following zoning applications deferred from last week:

NELSON PUETT, JR.
By Isom H. Hale &
Associates

Tract 1
3104-12 Stoneway Drive
6901-09 Great Northern
Boulevard

From Interim "A"
Residence
To "IR" Local Retail
RECOMMENDED by the
Planning Commission

Tract 2
3105-13 Stoneway Drive
6827-6833 Great Northern
Boulevard

From Interim "A"
Residence
To "C-1" Commercial
RECOMMENDED by the
Planning Commission

Tract 3
6805-25 Great Northern
Boulevard

From Interim "A"
Residence
To "IR" Local Retail
RECOMMENDED by the
Planning Commission

Councilman Shanks moved that in view of the previous recommendations by the Planning Commission and in view of change of character of the area by extension of Hart Lane through an immediately adjacent area, changing the complexity of the situation, that the recommendation of the Planning Commission

be sustained, and the change granted to "IR" Local Retail for Tract 1, to "C-1" Commercial for Tract 2, and to "IR" Local Retail for Tract 3. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Perry, Shanks, White, Mayor Palmer
Noes: Councilman Armstrong

Councilman Armstrong voting against the motion stating in view of the well defined area that is purely residential; and since the Hart Lane development is a long time off; and there is such a very few purely residential areas, he would have to vote "no".

The Mayor announced that the change had been granted to "IR" Local Retail for Tract 1, to "C-1" Commercial for Tract 2, and to "IR" Local Retail for Tract 3; and the City Attorney was instructed to draw the necessary ordinance to cover.

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MRS. L. W. KING, ET AL 1401-05 Cotton Street
By Forest Pearson 1181-87 Angelina

From "A" Residence 1st
Height and Area
To "BB" Residence 2nd
Height and Area
NOT Recommended by the
Planning Commission

MR. FOREST PEARSON, representing the applicant, said the only question was Urban Renewal. He stated the change of zoning would not change the right of Urban Renewal to take this. The Mayor stated since the Council had not had an opportunity to check with the people involved, it would postpone this another week, and give him an answer next Thursday.

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GEORGE A. HAMMOND 1607 (1623) Rosewood
By Phillip Crawford Avenue

From "C-1" Commercial
To "C-2" Commercial
RECOMMENDED by the
Planning Commission

Councilman Shanks moved that the Council sustain the Planning Commission in its recommendation and grant the change to "C-2" Commercial. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C-2" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

Later in the meeting MRS. W. C. CRENSHAW and two others appeared protesting the change. The Mayor explained the situation for changing the zoning.

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The City Manager reviewed provisions in the zoning ordinance for off-street parking, and pointed out two areas of the City which had different standards--one, the down-town area, and the other an area around the University. He displayed a map showing the areas. After detailed review, the City Manager recommended extension of this area of Section 10-C of the Zoning Ordinance which would extend northward on Whitis and be extended east along the north boundary of 26th Street to the east boundary of Wichita Street including Lots 1, 2, & 3, Block 12, Whitis Addition, east to the alley; down the alley across 26th Street to its south boundary, west on 26th Street to the south prolongation of the east line of Wichita Street, south along that prolongation of the east line of Wichita Street to the north boundary of 24th Street, back to the point where it started. He stated it would be necessary to refer this to the Planning Commission. Councilman Armstrong moved that this recommendation be referred to the Planning Commission. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer brought up the following ordinance for its second 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 (A) 0.02 OF ONE ACRE OF LAND OUT OF THE T. J. CHAMBERS SURVEY, A PORTION OF RESUBDIVISION OF LOTS 7 AND 8, BLOCK I, NORTHWEST HILLS, SECTION 6, IN TRAVIS COUNTY, TEXAS; (B) 10.8 ACRES OF LAND OUT OF THE T. J. CHAMBERS GRANT, HIGHLAND HILLS SECTION 7, PHASE 1, IN TRAVIS COUNTY, TEXAS; AND (C) 16.35 ACRES OF LAND OUT OF THE T. J. CHAMBERS GRANT, NORTHMOOR PARK, 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 second time and Councilman White moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a deed on behalf of the City of Austin, conveying to Austin Independent School District the following described property, to-wit:

7.95 acres of land, same being out of and a part of that certain 103.24 acre tract of land out of and a part of the A. W. Canfield Survey No. 11 in the City of Austin, Travis County, Texas, which 103.24 acre tract of land was conveyed to the City of Austin by Warranty Deed dated June 13, 1957 of record in Volume 1823 at Page 97 of the Deed Records of Travis County, Texas; said 7.95 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a galvanized pin set at the northwest corner of the herein described tract of land, same being a point in the south line of Rogge Lane, and from which point of beginning a concrete monument at the southwest corner of Lot 18, Block R, Delwood 4 East, Section 3, a subdivision of record in Book 8 at page 125 of the Plat Records of Travis County, Texas, bears S 75° 04' W 175.00 feet and S 14° 56' E 140.00 feet;

THENCE, with the said south line of Rogge Lane, same being the north line of the herein described tract of land, N 75° 04' E 595.00 feet to a concrete monument at the northeast corner of the herein described tract of land, same being the point of intersection of the said south line of Rogge Lane and the west line of Westminster Drive;

THENCE, with the said west line of Westminster Drive, same being the east line of the herein described tract of land, S 14° 57' E 458.63 feet to a steel pin at the point of curvature of a curve whose angle of intersection is 45° 24', whose radius is 382.49 feet, and whose tangent distance is 160.00 feet;

THENCE, along said curve to the left an arc distance of 121.72 feet, the chord of which arc bears S 24° 04' E 121.23 feet to a galvanized pin set at the southeast corner of the herein described tract of land;

THENCE, S 52° 00' W 41.95 feet to a galvanized pin set at the point of curvature of a curve whose angle of intersection is 37° 03', whose radius is 447.50 feet, and whose tangent distance is 149.95 feet;

THENCE, along said curve to the right an arc distance of 289.37 feet, the long chord of which arc bears S 70° 31' W 284.38 feet to a galvanized pin set at the point of reverse curvature between the aforementioned curve and another curve to the left whose angle of intersection is 14° 00', whose radius is 1088.76 feet and whose tangent distance is 133.68 feet;

THENCE, along said curve to the left an arc distance of 193.82 feet, the chord of which arc bears S 83° 57' W 193.38 feet to a galvanized pin set at the southwest corner of the herein described tract of land;

THENCE, N 32° 57' W 231.32 feet to a galvanized steel pin set at the point of curvature of a curve whose angle of intersection is 18° 00', whose radius is 606.38 feet and whose tangent distance is 96.04 feet;

THENCE, along said curve to the right an arc distance of 190.50 feet, the long chord of which arc bears N 23° 57' W 189.71 feet to a galvanized pin set at the point of tangency of said curve;

THENCE, N 14° 57' W 179.99 feet to the point of beginning.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

MR. JOHN G. CAMPBELL showed a short film on the operation of cable TV.

The City Manager called attention to the filing of the Paving Summary sent out with the Agenda. Councilman Perry asked if figures were available as to the number of years it takes for the saving of maintenance costs of streets to equal the cost of paving. The City Manager said something would be worked out on this.

The City Manager called attention to the progress report of the Water and Sewer projects.

The Assistant City Manager reminded the Council of the Municipal League's Legislative breakfast, Monday at 8:00 A.M. at the Commodore Perry Hotel.

The City Attorney pointed out City owned property from North Loop to Franklin and on up to Nelray, and said two inquiries about the City's disposing of the property not needed for drainage purposes had been received. One property owner inquiring had frontage on Franklin; the other owned property on North Loop, both adjacent to the City owned property on Chesterfield. He said at the time this was discussed before, the Council suggested that when the property was sold that the entire tract be sold instead of a parcel, with a provision that a span be placed over the drainage ditch; and if the developer ever improved it, that would allow full use of the property and it could be used for the purpose of computing lot area. The City Manager recommended the sale of these three lots (two on Franklin, and the other on North Loop) with the safeguard that the drainage easement remain undisturbed; and if the owners want to use the surface over the area of the drainage easement they could construct an enclosed structure. Councilman Shanks moved that they attempt to sell the property involved with the restrictions outlined by the City Manager. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The City Attorney stated he had an inquiry from the property owner on 31st Street and Lamar to purchase some of the City's property lying south of his property. He said one question would be whether to sell this property to the adjacent owner, or put it up for bids. The Mayor asked that a thorough check be made to see if there was any possible future use for the property by the City.

Councilman Shanks reported a complaint from one on West 31st Street that the street could not be paved due to the need for widening. It was pointed out there was one strip of right-of-way that could not be negotiated.

Councilman Shanks offered the following resolution and moved its adoption:
(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the widening and improvement of an East-West thoroughfare known as West 31st Street, to connect Lamar Boulevard and West 34th Street to provide for the free and safe flow of traffic between such streets within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land for right of way to permit the widening and improvement of such connecting street in the City of Austin; and,

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

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

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land:

237 square feet of land, same being out of and a part of that certain portion of Lot 1 of the Jones and Sedwick Subdivision, a subdivision of a portion of the George W. Spear League in the City of Austin, Travis County, Texas, according to a map or plat of said Jones and Sedwick Subdivision of record in Volume Z at page 601 of the Deed Records of Travis County, Texas, which certain portion of Lot 1 of the Jones and Sedwick Subdivision was conveyed to Ronald Edward Dugger, et ux, by Warranty Deed dated November 19, 1956 of record in Volume 1755 at page 80 of the Deed Records of Travis County, Texas; said 237 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron pipe at the northwest corner of the said Dugger tract of land, same being a point in the present south line of West 31st Street;

THENCE, with the north line of the said Dugger tract of land, same being the said present south line of West 31st Street, S 59° 42' E 50.00 feet to the northeast corner of the said Dugger tract of land;

THENCE, with the east line of the said Dugger tract of land, S 30° 18' W 7.50 feet to a point in the proposed curving south line of West 31st Street; said curve having an intersection angle of 12° 38', a radius of 228.59 feet, and a tangent distance of 25.30 feet;

THENCE, along said proposed curving south line of West 31st Street to the right an arc distance of 50.40 feet, the chord of which arc bears N 53° 23' W 50.30 feet, to a point in the west line of the said Dugger tract of land;

THENCE, with the said west line of the Dugger tract of land, N 30° 18' E 1.98 feet to the point of beginning.

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Councilman Armstrong submitted a request for a street light at KEATING and DOMARION LANE. The request was referred to the City Manager.

Councilman Armstrong submitted a complaint on the length of time it took police to arrive at a certain area, and stated the officer apologized saying there were only two men for the whole area. He asked if there were an emergency if other patrolmen could be drawn from another area. The City Manager explained the policy, stating there was a machine which recorded the time the call comes in and the time the policeman answers, and the time intervening is different from what the people feel that it is under the circumstances of anxieties and the situation.

There being no further business Councilman Perry moved that the Council adjourn. The motion, seconded by Councilman Shanks, carried by the following vote:

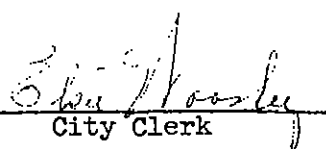
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Council adjourned at 12:30 P.M. subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:


City Clerk