

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 8, 1970
9:00 A.M.

COUNCIL CHAMBERS, CITY HALL

The meeting was called to order with Mayor LaRue presiding.

Roll Call:

Present: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue

Absent: None

The Invocation was delivered by REVEREND CARL L. V. ISRAEL, Grace Methodist Church.

PROCLAMATION

Mayor LaRue read a proclamation for "War on Poverty" and set October 19-23 as "War on Poverty Week." The proclamation was accepted by Mr. LaSalle Barnett, President, Human Opportunities Corporation Board.

BRACKENRIDGE HOSPITAL SPOKESMEN

Dr. Atys Q. Da Silva and Dr. Bud Dryden appeared before the Council in behalf of the Medical Staff of Brackenridge Hospital, in regard to the plan to use the new portion of Brackenridge Hospital, medical education and staffing.

USE OF SITE BY OPTIMIST CLUB

Councilman Gage moved the Council approve the request of the Optimist Club of Southwest Austin to use the northwest corner of Barton Springs Road and Bouldin Avenue for the sale of Christmas trees. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue

Noes: None

PARADE PERMIT - ALL VETERANS DAY

Councilman Gage moved the Council approve the request of Mr. A.T. Mullins for a parade permit for All Veterans Day Committee, November 11, 1970, 6:30 P.M. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue
Noes: None

TRAFFIC CONTROLS - L.L. CAMPBELL PTA

Mr. Robert L. Green, President, L.L. Campbell PTA, submitted requests for improved traffic safety measures and devices in the Campbell School vicinity. It was pointed out that some of the requests had been honored, others had not, but safety controls had been installed. Councilman Janes suggested that since the Traffic Engineer had placed remedial activities into effect, that they be tried at least for 30 days, and if not satisfactory, the Council would review the problem.

Mr. Joe Ternus reviewed the safety features placed in the area and emphasized education of the child and traffic enforcement. Deputy City Manager, Dan Davidson, explained that with the 54 other elementary schools emphasis was on standardizing the kinds of controls and signs that were placed around the schools.

Discussion was held by the Council members. It was suggested that the Police watch the area closely and have a crash enforcement program, that the Campbell PTA try to encourage the paving of area streets and secure applications and that the group try the present plan, as recommended by the Traffic Engineer, for 30 days.

WITHDRAWAL OF APPEAL

Councilman Johnson moved the Council note the receipt of a letter requesting the withdrawal of an appeal by Mr. Aaron Gill from a decision by the Planning Commission in denial of a Special Permit. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue
Noes: None

CITIZEN APPEARANCE - DR. BRYAN W. FORISTER, JR.

Mr. Malcolm Robinson appeared as a spokesman for Dr. Bryan W. Forister, Jr. concerning Dr. Forister's complaint over a situation at Brackenridge Hospital. Dr. Forister read a statement to the Council and then elaborated upon the problem at Brackenridge Hospital. After discussion among the Council, it was decided to hold the matter in abeyance for two weeks before reaching a decision.

ANNEXATION ORDINANCE - FINAL PASSAGE

Mayor LaRue 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 17.99 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APPELGAIT 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 third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Out of Room at Roll Call: Councilman Atkison

The Mayor announced that the ordinance had been finally passed.

REFUND CONTRACT

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH FRANK PHILLIPS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue

Noes: None

The Mayor announced that the ordinance had been finally passed.

ORDINANCE - TAXICAB FRANCHISE - 2ND READING

Mayor LaRue brought up the following ordinance for its second reading:

AN ORDINANCE AMENDING SECTIONS 1, 2, 3, 4, 7, AND 8 OF AN ORDINANCE ENTITLED "AN ORDINANCE GRANTING TO GEORGE KNOX, DOING BUSINESS AS HARLEM CAB COMPANY, A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED", FINALLY PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON THE 20TH DAY OF SEPTEMBER, 1951 AND RECORDED IN ORDINANCE BOOK "Q", AT PAGES 660-662, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 1 THEREOF PRESCRIBING THE NUMBER OF TAXICABS AUTHORIZED TO BE OPERATED, BY AMENDING SECTION 2 THEREOF PRESCRIBING PAYMENTS TO BE MADE TO THE CITY, BY AMENDING SECTION 3 THEREOF PRESCRIBING RECORDS TO BE MAINTAINED, BY AMENDING SECTION 4 THEREOF REQUIRING A PERFORMANCE BOND AND PUBLIC LIABILITY AND PROPERTY DAMAGE INSURANCE, BY AMENDING SECTION 7 THEREOF REQUIRING COMPLIANCE WITH CITY ORDINANCES REGULATING TAXICABS, AND BY AMENDING SECTION 8 THEREOF PRESCRIBING CAUSES FOR FORFEITURE AND CANCELLATION; PROVIDING FOR PUBLICATION AND THREE SEPARATE READINGS.

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue

Noes: None

ZONING ORDINANCES

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

(1) LOT 1, BLOCK A AND LOT 1, BLOCK B, NORTH CREEK SUBDIVISION, LOCALLY KNOWN AS 306-312 EAST RUNDBERG LANE, 9400-9403 NORTH STREET, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT;

(2) LOTS 134 AND 136, BLOCK 3, NORTHFIELD ADDITION, LOCALLY KNOWN AS 207 AND 209 FRANKLIN BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT;

(3) LOT 9 SAVE AND EXCEPT NORTH 60 FEET, BLOCK 4, SHOALMONT ADDITION LOCALLY KNOWN AS 2201-2203 NORTHLAND DRIVE, 5610-5614 MONTVIEW STREET, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Present but Not Voting: Councilman Johnson

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

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Present but Not Voting: Councilman Johnson

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

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
PRESENT but Not Voting: Councilman Johnson

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 5.65 ACRE TRACT OF LAND, LOCALLY KNOWN AS 8657-8717 U.S. HIGHWAY 183; 1613-1717 PEYTON GIN ROAD, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAIDDPROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue
 Noes: None
 Present but Not Voting: Councilman Johnson

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

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue
 Nbes: None
 Present but Not Voting: Councilman Johnson

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

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue
 Noes: None
 Present but Not Voting: Councilman Johnson

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue 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 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

- (1) LOTS 11 AND 12, BLOCK 14, HYDE PARK ADDITION #2, LOCALLY KNOWN AS 412 WEST 38 1/2 STREET AND 413 WEST 39TH STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT;
 - (2) LOT 6, BLOCK 5, BUDDINGTON SUBDIVISION, LOCALLY KNOWN AS 400 WEST 34TH STREET, FROM "A" RESIDENCE DISTRICT, FIRST HEIGHT AND AREA TO "B" RESIDENCE DISTRICT, SECOND HEIGHT AND AREA;
 - (3) LOT 15 OF HILLVIEW ADDITION, LOCALLY KNOWN AS 3408 WEST AVENUE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;
- ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
 Mayor LaRue
 Noes: None

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

- Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
- Noes: None

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

- Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue
- Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue 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 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOTS 8 AND 9, BLOCK 14, HYDE PARK ADDITION, LOCALLY KNOWN AS 4307-4309 AVENUE D, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, RSECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

- Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue
- Noes: Councilman Johnson

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

- Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue
- Noes: Councilman Johnson

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

- Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue
- Noes: Councilman Johnson

The Mayor announced that the ordinance had been finally passed.

RELEASE OF EASEMENT

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain easements were granted to the City of Austin for drainage purposes by map or plat of Cameron Park, Section One, a subdivision in the City of Austin, Travis County, Texas, of record in Book 34 at Page 47 of the Plat Records of Travis County, Texas; said easements being out of and a part of Lots 2 and 3, Block G, of said Cameron Park Section One; and,

WHEREAS, the owners of the above described property have 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 Deputy City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described portions of said drainage easements, to-wit:

Two (2) tracts of land, each being out of and a part of Block G Cameron Park, Section One, a subdivision in the City of Austin, Travis County, Texas, of record in Book 34 at Page 47 of the Plat Records of Travis County, Texas, the tract of land hereinafter described as Number One containing 1,002 square feet of land and being out of and a part of Lot 2 in said Block G and the tract of land hereinafter described as Number Two containing 5,464 square feet of land land being out of and a part of Lots 2 and 3 in said Block G; each of the said two (2) tracts of land is more particularly described by metes and bounds as follows:

NUMBER ONE, BEGINNING at the southwest corner of the herein described tract of land, same being a point in the west line of said Lot 2, Block G, Cameron Park, Section One, same being the east line of A.K. Black Subdivision No. 1, a subdivision of record in Book 4 at Page 184 of the Plat Records of Travis County, Texas, which point of beginning is in the north line of an existing ten (10.00) foot electric easement, same being a line five (5.00) feet north of and parallel to the south line of said Lot 2, Block G, and from which point of beginning an iron pin at the southwest corner of said Lot 2 bears S 29° 02' W 5.00 feet;

THENCE, with said west line of Lot 2, N 29° 02' E 66.81 feet to the northwest corner of the herein described tract of land;

THENCE, S 60° 58' E 15.00 feet to the northeast corner of the herein described tract of land, same being a point in a line fifteen (15.00) feet east of and parallel to said west line of Lot 2;

THENCE, with said line fifteen (15.00) feet east of and parallel to the west line of Lot 2, S 29° 02' W 66.81 feet to the southeast corner of the herein described tract of land, same being a point in the aforesaid north line of an existing ten (10.00) foot electric easement;

THENCE, with said north line of an existing ten (10.00) foot electric easement, N 60° 58' W 15.00 feet to the point of beginning.

NUMBER TWO, BEGINNING at the northwest corner of the herein described tract of land, same being a point in the south line of an existing ten (10.00) foot electric easement, same being a line five (5.00) feet south of and parallel to the north line of the aforesaid Lot 3, Block G, and from which point of beginning an iron pin at the northwest corner of said Lot 3 bears N 60° 58' W 5.00 feet and N 29° 02' E. 5.00 feet;

THENCE, with said south line of an existing ten (10.00) foot electric easement, S 60° 58' E. 10.00 feet to the most northerly northeast corner of the herein described tract of land, same being a point in a line fifteen (15.00) feet east of and parallel to the west line of said Lot 3;

THENCE, with said line fifteen (15.00) feet east of and parallel to the west line of Lot 3, S 29° 02' W 195.00 feet to an interior ell corner of the herein described tract of land, same being a point in the south line of said Lot 3, same being the north line of Lot 2, Block G;

THENCE, with said south line of Lot 3, S 60° 58' E 233.18 feet to an iron pin at the southeast corner of said Lot 3, same being the northeast corner of said Lot 2, same also being the most southerly northeast corner of the herein described tract of land, and which point is in the west line of Grand Canyon Drive;

THENCE, with said west line of Grand Canyon Drive, same being the east line of said Lot 2, S 29° 02' W 10.00 feet to the most northerly southeast corner of the herein described tract of land, same being a point in a line ten (10.00) feet south of and parallel to said north line of Lot 2;

THENCE, with said line ten (10.00) feet south of and parallel to the north line of Lot 2, N. 60° 58' W 233.18 feet to an interior ell corner of the herein described tract of land, same being a point in a line fifteen (15.00) feet east of and parallel to the west line of said Lot 2;

THENCE, with said line fifteen (15.00) feet east of and parallel to the west line of Lot 2, S 29° 02' W 108.19 feet to the most southerly southeast corner of the herein described tract of land;

THENCE, N 60° 58' W 10.00 feet to the southwest corner of the herein described tract of land, same being a point in a line five (5.00) feet east of and parallel to the west lines of said Lot 2 and the aforesaid Lot 3;

THENCE, with said line five (5.00) feet east of and parallel to the west lines of Lots 2 and 3, N 29° 02' E 313.19 feet to the point of beginning.

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue
Noes: None

CASH SETTLEMENT

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the owners of H.E.B. Commercial Site at Anderson Lane, have installed sanitary sewer mains at a cost of \$8,838.38, pursuant to a subdivision plan called H.E.B. Commercial Site at Anderson Lane, and have requested a 1/3 / 2/3 cash settlement of the above amount in lieu of a refund contract; and,

WHEREAS, 2/3 of the aforementioned \$8,838.38 equals \$5,892.25, which amount is agreed upon as the cash settlement value of said utility lines, in lieu of refund contract; and,

WHEREAS, the Deputy City Manager and the Director of Water and Waste Water Department of the City of Austin have recommended said cash settlement in lieu of a refund contract; Now, Therefore,

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

That Dan H. Davidson, Deputy City Manager be and he is hereby authorized and directed to execute a cash settlement contract under the terms of which the City of Austin shall acquire title to the above described mains from H.E. Butt Grocery Company and to pay H.E. Butt Grocery Company 2/3 of the actual cost thereof not to exceed \$5,892.25.

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue
Noes: None

SUBSTANDARD STRUCTURE

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

714 West Annie

Fred Wong

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue

Noes: None

RESTAURANT PARKING SPACES

Councilman MacCorkle moved the Council approve twenty-eight (28) spaces as an adequate number of parking spaces for restaurant at 801 Rio Grande Street. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue

Noes: None

SALE OF HOUSES

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 28, 1970 for the sale of eight (8) City-owned houses to be moved; and,

WHEREAS, the bid of J.A. Miller in the sum of \$538.00 for the house located at 2003 Sunset; the bids of Lee Rowe in the sum of \$1,521.00 for the house located at 2101 Lake Austin Blvd. and in the sum of \$550.00 for the house located at 502 Arlington; the bid of R.B. Carlow in the sum of \$2,317.00 for the house located at 702 Winsted Lane; the bid of Frank Viktorin in the sum off \$190.00 for the house located at 2000 Lake Austin Blvd., the bid of C.T. Eckert in the sum of \$2,500.00 for the house located at 2111 Lake Austin Blvd.; the bid of M.J. Kouri in the sum of \$577.77 for the house located at 2405 Hartford Road; and the bid of M.E. Bell in the sum of \$2.98 for the house located at 22 Chalmers, 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 bids of J.A. Miller, Lee Rowe, R.B. Carlow, Frank Viktorin, C.T. Eckert, M.J. Kouri and M.E. Bell, be and the same are hereby accepted, and that L.H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute contracts on behalf of the City with said named parties.

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue

Noes: None

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 28, 1970 for the sale of eleven (11) City-owned houses to be removed from the premises by demolition; and,

WHEREAS, Vincent Ferrer has bid in the sum of \$442.00 for the house located at 821 West 10th Street, in the sum of \$242.00 for the house located at 802 Essex, in the sum of \$342.00 for the house located at 1805 Lake Austin Blvd., in the sum of \$891.00 for the house located at 1303 Winsted Lane, in the sum of \$441.00 for the house located at 505 East 15th Street, and in the sum of \$220.00 for the house located at 1906 West 11th Street; Virgil Lynch has bid in the sum of \$231.00 for the house located at 1902 West 10th Street, in the sum of \$173.00 for the house located at 15 Salina, in the sum of \$173.00 for the house located at 22 Salina, and in the sum of \$173.00 for the house located at 27 Salina; and Dearing & Preston has bid in the sum of \$1,383.50 for the house located at 910 West Avenue; such sums being the lowest 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 Vincent Ferrer, Virgil Lynch and Dearing & Preston, be and the same are hereby accepted, and that L.H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute contracts for the payment of said sums, on behalf of the City, with said named parties.

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue
Noes: None

CONTRACTS AWARDED

Councilman MacCorkle, offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 11, 1970 for Annual Requirement for Polypropylene Sweeper Main Brooms to be purchased by the Fleet Administration Department and used by the Street and Bridge Division; and,

WHEREAS, the bid of Lone Star Brush and Chemical Company in the sum of \$9,424.82 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 Lone Star Brush and Chemical Company in the sum of \$9,424.82 be and the same is hereby accepted and that L.H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Lone Star Brush and Chemical Company.

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue

Noes: None

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

WHEREAS, bids were received by the City of Austin on September 11, 1970 for Annual Requirement for Caustic Soda (Approximately 140 tons) to be used by the Electric Production Division; and,

WHEREAS, the bid of Diamond Shamrock Chemical Company in the sum of \$10,934.00 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 Diamond Shamrock Chemical Company in the sum of \$10,934.00 be and the same is hereby accepted and that L.H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Diamond Shamrock Chemical Company.

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue

Noes: None

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

WHEREAS, bids were received by the City of Austin on September 11, 1970 for Annual Requirement for 35% Hydrozine Solution (Approximately 38 each, 250 pound drums), to be used by the Electric Production Division; and,

WHEREAS, the bid of Thompson Hayward Chemical Company, in the sum of \$5,795.00 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 Thompson Hayward Chemical Company in the sum of \$5,795.00 be and the same is hereby accepted and that L.H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Thompson Hayward Chemical Company.

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue
Noes: None

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 11, 1970 for Annual Requirements of 66° Baume Sulfuric Acid (Approximately 350 tons) to be used by the Electric Production Division; and,

WHEREAS, the bid of American Plant Food Corporation, in the sum of \$11,480.00 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 American Plant Food Corporation, in the sum of \$11,480.00 be and the same is hereby accepted and that L.H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with American Plant Food Corporation.

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue
Noes: None

ACQUISITION OF MO-PAC RIGHT - OF - WAY

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

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

That the offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$12,500.00 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

SEE ATTACHED EXHIBIT "A".

(2001 Woodmont)

(Attached Exhibits - See original exhibits in Resolution Book.)

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue
Noes: None

DELETION OF SPEED LIMIT

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the twenty (20) miles per hour speed limit controlling traffic on school days from 7:30 A.M. to 8:30 A.M. and from 2:30 P.M. to 4:00 P.M. is no longer needed and should be DELETED at the following locations:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
Koenig Lane	200 feet west of Guadalupe	200 feet east of Avenue F;

Now, Therefore,

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

That the record of the above-referenced location be marked "DELETED" so as to reflect the tenor of this Resolution and the findings herein.

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue

Noes: None

INSTALLATION OF SPEED LIMIT

Councilman Johnson offered the following resolution and moved its adoption.

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum, reasonable and safe speed for the operation of vehicles at the following location is less than thirty (30) miles per hour on school days during the hours of 7:30 A.M. to 8:30 A.M. and 2:30 P.M. to 4:00 P.M., and,

WHEREAS, after said investigation, the City Council has found that the maximum, reasonable and safe speed for the operation of vehicles is twenty (20) miles per hour on such days and during such hours at the following location:

<u>ON STREET+</u>	<u>FROM</u>	<u>TO</u>
Koenig Lane	Centerline of Guadalupe	Centerline of Avenue F

Now, Therefore,

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

That the City Clerk be authorized and instructed to record this finding in Section 21-41 of the Traffic Register.

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

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue

Noes: None

RECESSED MEETING

2:00 P.M.

AFTERNOON SESSION

The meeting was called to order with Mayor LaRue presiding and all Council members present.

SHOAL CREEK EROSION

Mr. Charles Graves, City Engineer, presented a report to the Council regarding erosion problems along Shoal Creek. He offered four alternatives to solve the problems.

The following area property owners addressed the Council regarding Shoal Creek:

Mr. Robert Akin, 6305 Shoal Creek West Drive
Mr. Frank Marchak, 5802 Shoal Creek Boulevard
Mr. Gene Tschoepe, 6207 Shoal Creek West Drive
Mr. Bert Tucker, 6205 Shoal Creek West Drive
Mr. Bill Newcomb, 6206 Shoal Creek Boulevard

Mrs. Fagan Dixon spoke in favor of a master drainage plan for the City.

There was discussion among the Council and the City Manager regarding how to solve the Shoal Creek erosion and flooding problems. The City Manager and staff were to meet with the people living in the immediate area being discussed to see what temporary solution could be worked out and to inform the residents of any alternative solution.

MUNICIPAL AUDITORIUM CAPITAL IMPROVEMENTS
Restrooms

The City Manager reported that restroom facilities on the main floor level of the auditorium could be built for about \$50,000. Councilman Gage moved the Council authorize the City Manager to proceed as outlined. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue
Noes: None

RISERS FOR PERMANENT SEATING

The City Manager presented two possible ways to handle the riser problem. After discussion among the Council, Councilman Atkison moved the Council set a public hearing on the Auditorium Plan for 2:00 P.M., October 29, 1970. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Out of Room at Roll Call: Councilman Janes

HOUSING AUTHORITY PROJECTS STREET LIGHTING

Councilman MacCorkle moved the Council submit to the Austin Housing Authority the street lighting report for street lighting in the vicinity of Housing Authority Projects. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Out of Room at Roll Call: Councilman Janes

LOT CLEARANCE

Mr. Dan Davidson reviewed the situation between the City and Mr. Ted Heaton and Mr. Coffee regarding charges for clearing lots owned by those two individuals and others. He then stated what action had been taken by the City and the contractor who had cleared the subject properties.

Mr. Coffee and Mr. Heaton stated to the Council their positions as the subject lots were concerned. After extensive discussion among the Council, the City Manager, the Deputy City Manager and Mr. Coffee and Mr. Heaton, it was decided that the matter would be handled through the City Attorney's office. Mr. Coffee and Mr. Heaton were to work out the problem with the City Attorney.

SELECTION OF PROFESSIONAL ARCHITECTURAL SERVICES POSTPONED

Consideration of architectural firms to provide professional services in connection with Brackenridge Hospital Development, Phase 1-B was postponed until October 15, 1970.

**SELECTION OF PROFESSIONAL ENGINEERING SERVICES
CROSSTOWN WASTEWATER OUTFALL**

The Council discussed with Mr. Al Eldridge several engineering firms which could provide engineering services on the crosstown wastewater tunnel. Councilman Janes moved the Council engage the firms of A.A. Matthews and Leeds, Hill and Jewett and a local consulting engineering firm acceptable to the City of Austin. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Gage, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: Councilman Atkison

Councilman Atkison stated that his vote was not against any engineering firm but that he was not for the tunnel.

GAS RATE CONSULTANT REPORT

Mr. Robert E. Bathen, partner and supervising executive engineer in the firm of R.W. Beck and Associates, presented to the Council his analysis of the requested gas rate increase of Southern Union Gas Company. Mr. Frank Denius, representing Southern Union Gas Company, requested a copy of the report.

GRAND JURY REPORT

Councilman Johnson moved the Council note the receipt of the Grand Jury Report. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle,
Price, Mayor LaRue
Noes: None

ADJOURNMENT

Councilman Price moved the Council adjourn. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle,
Price, Mayor LaRue
Noes: None

The Council then adjourned.

APPROVED:+

Mayor

ATTEST:

City Clerk