

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 1, 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 PASTOR SAMUEL GERTH, Holy Cross Lutheran Church.

APPROVAL OF MINUTES

Councilman Gage moved the Council approve the Minutes of September 17, 1970. The motion, seconded by Councilman Johnson, carried by the following vote:

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

Noes: None

CITIZEN APPEARANCES - LOT CLEARING PROJECTS

Mr. Ted Heaton, representing Whafco, Inc., Mr. Homer Mayhall, a member of Whafco, Inc., and Mr. Jon Coffee appeared before the Council regarding alleged damage to their properties in South Austin which was done by a City contractor. The Deputy City Manager, Mr. Dan Davidson, stated that he was gathering information on the matter and would report back to the Council next week. The item was placed on the Agenda for October 8, 1970.

ANNEXATION HEARING

Mayor LaRue opened the public hearing scheduled for this time on the following annexation. No one appeared to participate. Councilman Gage moved the Council close the hearing and direct the administration to institute annexation proceedings to annex the following:

28.44 acres of land out of the Santiago Del Valle Grant - proposed GREENBRIAR, SECTION TWO.

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

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

Mayor LaRue opened the public hearing scheduled for this time on the following annexation. No one appeared to participate. Councilman Price moved the Council close the hearing and direct the administration to institute annexation proceedings to annex the following:

5.93 acres of land out of the James Rogers Survey - unplatted land.

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

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

ZONING HEARINGS

Mayor LaRue announced that it was 9:30 A.M. and the Council would hear the zoning cases scheduled for public hearing at this time. Pursuant to published notice thereof, the following zoning applications were publicly heard:

WERNER KEILERS by William Doctorman C14-70-151	412 West 38 1/2 St. 413 West 39th St.	From "A" Residence, 1st Height and Area to "B" Residence, 2nd Height and Area RECOMMENDED by the Planning Commission
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Councilman Gage moved the Council grant the change from "A" Residence, 1st Height and Area to "B" Residence, 2nd Height and Area, as recommended by the Planning Commission. 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 change had been granted to "B" Residence, 2nd Height and Area and instructed the City Attorney to draw the necessary ordinance to cover.

S. I. ARNN
by John Selman
C14-70-159

1505 West 39 1/2 St.

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

Councilman Gage moved the Council grant the change from "A" Residence, 1st Height and Area to "B" Residence, 2nd Height and Area, as recommended by the Planning Commission. The motion, seconded by Councilman Johnson, carried by the following vote:

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

The applicant agreed to give five feet of right of way on W. 39 1/2 Street and to file a short-form subdivision to include both lots into one lot.

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

CORNELIA TERRY
by K. E. Hollen
C14-70-150

1909 Koenig Lane

From "A" Residence to "O"
Office
RECOMMENDED by the Planning
Commission subject to 10'
of right-of-way

Councilman Gage moved the Council grant the change from "A" Residence to "O" Office, as recommended by the Planning Commission subject to 10 feet of right-of-way. The motion, seconded by Councilman Price, carried by the following vote:

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

The Mayor announced that the change had been granted to "O" Office subject to 10 feet of right-of-way and instructed the City Attorney to draw the necessary ordinance to cover.

JACK THOMISON
by John Selman
C14-70-158

2009 Cullen Ave.

From "A" Residence to "B"
Residence
RECOMMENDED by the Planning
Commission subject to right-
of-way

Councilman Price moved the Council grant the change from "A" Residence to "B" Residence subject to right-of-way, as recommended by the Planning Commission. The motion, seconded by Councilman Johnson, carried by the following vote:

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

Noes: None

The Mayor announced that the change had been granted to "B" Residence, subject to right-of-way and instructed the City Attorney to draw the necessary ordinance to cover.

JOE R. LONG
14-70-161

305-309 West 35th St.

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

Councilmen Gage moved the Council grant the change from "A" Residence, 1st Height and Area to "B" Residence, 2nd Height and Area, as recommended by the Planning Commission. 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 change had been granted to "B" Residence, 2nd Height and Area and instructed the City Attorney to draw the necessary ordinance to cover.

JOE R. LONG
C14-70-163

4008-4010 Medical
Parkway

From "A" Residence, 1st
Height and Area to "B"
Residence, 2nd Height and
Area
RECOMMENDED by the Planning
Commission subject to right-
of-way and sidewalk easement

Councilman Price moved the Council grant the change from "A" Residence, 1st Height and Area to "B" Residence, 2nd Height and Area subject to right-of-way and sidewalk easement, as recommended by the Planning Commission. The motion, seconded by Councilman Johnson, carried by the following vote:

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

Noes: None

The Mayor announced that the change had been granted to "B" Residence, 2nd Height and Area subject to right-of-way and sidewalk easement and instructed the City Attorney to draw the necessary ordinance to cover.

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: LOTS 5 AND 6, JOSEPH BROTHERS SUBDIVISION, LOCALLY KNOWN AS 300-308 ALLEN STREET FROM "D" INDUSTRIAL DISTRICT TO "C-2" COMMERCIAL 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 Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Gage, MacCorkle, Price, Mayor LaRue
Noes: Councilman Janes
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 Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Gage, MacCorkle, Price, Mayor LaRue
Noes: Councilman Janes
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 Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Gage, MacCorkle, Price, Mayor LaRue
Noes: Councilman Janes
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: LOTS 11 AND 12, BLOCK 25, A. F. SMITH SUBDIVISION, LOCALLY KNOWN AS 1505-1507 NORTH STREET, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE 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, Johnson, Price, Mayor LaRue
Noes: None
Present But Not Voting: Councilman MacCorkle

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, Price, Mayor LaRue
Noes: None
Present But Not Voting: Councilman MacCorkle

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, Price, Mayor LaRue
Noes: None
Present But Not Voting: Councilman MacCorkle

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: LOTS 1 AND 2, BLOCK B, OUTLOT 42-B, N. S. RECTOR ET AL SUBDIVISION, LOCALLY KNOWN AS 1505-1509 WALLER STREET AND 901-903 EAST 16TH STREET, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE 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, 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: Councilman 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: Councilman Atkison, Gage, Janes, Johnson, MacCorkle, Price,
Mayor LaRue
Noes: None

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE AMENDED

Mayor LaRue introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 700820-C PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON AUGUST 20, 1970.

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, Price,
Mayor LaRue
Noes: None
Present But Not
Voting: Councilman MacCorkle

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, Price,
Mayor LaRue
Noes: None
Present But Not
Voting: Councilman MacCorkle

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, Price,
Mayor LaRue
Noes: None
Present But Not
Voting: Councilman MacCorkle

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 WESTOVER HILLS, INC.; 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 Janes, carried by the following vote:

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

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 Janes, carried by the following vote:

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

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

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

The Mayor announced that the ordinance had been finally passed.

ANNEXATION ORDINANCE

Mayor LaRue 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 20.69 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APPLGAIIT SURVEY; AND 74.2 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE THEODORE BISSEL LEAGUE; ALL OF SAID PROPERTY BEING 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 Price 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 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 Janes, carried by the following vote:

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

Noes: None

RELEASE OF EASEMENTS

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes on a map or plat of St. John's College Addition, a subdivision in the City of Austin, Travis County, Texas, of record in Book 4 at Page 71 of the Plat Records of Travis County, Texas; said easement being out of and a part of Lots 1 through 5, Block 17 of said St. John's College Addition; and,

WHEREAS, the owners of the above described property have requested the City Council of the City of Austin to release the hereinafter described portion of said easement; and,

WHEREAS, the City Council has determined that the hereinafter described portion of said easement is 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 portion of said public utility easement, to-wit:

Being all of the west three (3.00) feet of Lots 1 through 5, Block 17, St. John's College Addition, a subdivision in the City of Austin, Travis County, Texas, of record in Book 4, at Page 71 of the Plat Records of Travis County, Texas.

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

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

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain easements for electric and telephone purposes were provided for in an instrument dated October 27, 1969, of record in Volume 3871 at Page 2035 of the Deed Records of Travis County, Texas; said easements being out of and a part of Tract 1, Kirby Addition, a subdivision in the City of Austin, Travis County, Texas, of record in Book 46 at Page 46 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owners of the above described property have requested the City Council of the City of Austin to release the hereinafter described easements; and,

WHEREAS, the City Council has determined that the hereinafter described 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 electric and telephone easements, to-wit:

Being all those certain electric and telephone easements five (5.00) feet in width out of and a part of Tract 1, Kirby Addition, a subdivision in the City of Austin, Travis County, Texas, of record in Book 46 at Page 46 of the Plat Records of Travis County, Texas; which electric and telephone easements were provided for in an instrument dated October 27, 1969, of record in Volume 3871 at Page 2035 of the Deed Records of Travis County, Texas.

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

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

The release of easement of a portion of a drainage easement out of Lot 13, Block E, Northwest Hills Mesa Oaks, Phase 4-A was withdrawn from consideration at this time.

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes by map or plat of Point West of Westover Hills, Section Two, a subdivision of record in Book 35 at Page 49 of the Plat Records of Travis County, Texas; said easement being out of and a part of Lot 12, Block L, of said Point West of Westover Hills, Section Two; and,

WHEREAS, the owners of the above described property have requested the City Council of the City of Austin to release the hereinafter described portion of said easement; and,

WHEREAS, the City Council has determined that the hereinafter described portion of said easement is not now needed and will not be required in the future; SAVE AND EXCEPT, and aerial overhang easement is to be retained over, above and across the entirety of said easement described below; 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 portion of said public utility easement, to-wit:

Being all of the East eighty (80.00) feet of the South five (5.00) feet of Lot 12, Block L, Point West of Westover Hills, Section Two, a subdivision of record in Book 35 at Page 49 of the Plat Records of Travis County, Texas. It is to be retained, however, as an aerial overhang easement over, above and across the said strip of land five (5.00) feet in width described herein.

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

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

Noes: None

CASH SETTLEMENT

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the owners of Northwest Oaks, Section 1, have installed a 12 inch cast iron water main in lieu of an 8 inch cast iron water main with a cost difference of \$8,359.10, pursuant to a subdivision plan called Northwest Oaks, Section 1, and have requested that the City pay for the added cost of the 12 inch cast iron water main; and,

WHEREAS, the Deputy City Manager and the Director of Water and Waste Water Department of the City of Austin have recommended said payment; 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 enter into a cash settlement agreement under the terms of which the City of Austin shall acquire title to the above described main from Austin Corporation, the actual cost thereof not to exceed \$8,359.10 of which \$7,523.19 is to be paid pursuant to a refund contract (Ordinance No. 700813-B) and \$835.91 in cash to be paid to the Austin Corporation,

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

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

CONTRACTS AWARDED

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 21, 1970 for a Twelve Months Contract to Furnish Data Processing Cards; a Twelve Months Contract to Furnish Data Processing Forms and Stock Paper; and a Twelve Months Contract to Furnish Data Processing Labels, to be used by the Data Processing Division; and;

WHEREAS, the bid of Data Documents, Inc. in the sum of \$15,781.62 for a Twelve Months Contract to Furnish Data Processing Cards; the bid of Duplex Products, Inc. in the sum of \$18,460.20 for a Twelve Months Contract to Furnish Data Processing Forms and Stock Paper; and the bid of SCM Business Systems in the sum of \$15.85 for a Twelve Months Contract to Furnish Data Processing Labels, were the lowest and best bids therefor and the acceptance of such bids 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 bids as enumerated above 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 Data Documents, Inc., Duplex Products, Inc., and SCM Business Systems.

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

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

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 18, 1970 for One (1) each Hot Patch Unit to be purchased by the Fleet Administration Department and used by the Street and Bridge Division; and,

WHEREAS, the bid of Industrial Disposal Supply in the sum of \$10,763.28 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 Industrial Disposal Supply in the sum of \$10,763.28 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 Industrial Disposal Supply.

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

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

SALE OF HOUSES

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 21, 1970 for the sale of three (3) City-owned houses to be moved; and,

WHEREAS, the bid of Ernest Dunn in the sum of \$688.00 for the house located at 700 Theresa; the bid of Lottie Carraway in the sum of \$225.00 for the house located at 712 Theresa; and the bid of Earl Bradford in the sum of \$1,297.47 for the house located at 3402 Funston, 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 Ernest Dunn, Lottie Carraway and Earl Bradford 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 Gage, carried by the following vote:

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

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 21, 1970 for the sale of seven (7) City-owned houses to be removed from the premises by demolition; and,

WHEREAS, Southwest Rathgeber has bid in the sum of \$494.49 to remove the house located at 813 West 10th Street, in the sum of \$494.49 to remove the house located at 817 West 10th Street, and in the sum of \$299.99 to remove the house located at 806 Essex; Charles Sides has bid in the sum of \$450.00 to remove the house located at #4 Happy Hollow; Vincent Ferrer has bid in the sum of \$555.00 to remove the house located at 2108 Lake Austin Boulevard, and in the sum of \$474.00 to remove the house located at 1302 Newfield Lane; and Luke J. Luksovsky has bid in the sum of \$174.25 to remove the house located at 32 Salina; 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 Southwest Rathgeber, Charles Sides, Vincent Ferrer and Luke J. Luksovsky, 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

SALE OF STRUCTURE

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS APPROVING THE PRICES AND CONDITIONS SET FORTH IN THE BID OF MCR CONSTRUCTION FOR THE PURCHASE OF STRUCTURES LOCATED ON PARCEL 10-5, UNIVERSITY EAST PROJECT NO. TEX. R-103.

WHEREAS, on September 15, 1970, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 305-70, by which the Board accepted the bid of MCR Construction for the purchase of structures located on Parcel 10-5, situated in the University East Project, No. Tex. R-103, and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 305-70, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 16th day of September, 1970, by the Executive Director of the Urban Renewal Agency for approval of the prices and conditions of the proposed sale of said structures; and,

WHEREAS, the City Council finds nothing objectionable concerning the prices and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 305-70.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

That the prices and conditions set forth in the bid of MCR Construction for the purchase of structures located on Parcel 10-5, University East Project, Tex. R-103, are hereby approved.

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

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

SUBSTANDARD STRUCTURES

Councilman Janes 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:

- | | |
|-------------------------|-------------------------|
| 94 Rainey Street (Rear) | Jesus P. Lopez |
| 1805 Newton Street | Ken Gulley Realty, Inc. |
| 5114 Lancaster Court | Lillian E. Palmer |
| 1113 (E) Lott Avenue | Willie Lee Bailey |
| 1206 Luna Street | Clarence Flournoy |
| 5232 Ledesma | Roger W. Thomas, Jr. |

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

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

ACQUISITION OF RIGHT-OF-WAY

Councilman Price 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 \$3,040.00 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"

(2108 Anderson Lane)

(See original Resolution in book for Exhibit "A")

The motion, seconded by Councilman Gage, 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)

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 \$1,200.00 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"

(2210 Anderson Lane)

(See original Resolution for Exhibit "A")

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

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

SALE OF SURPLUS REAL PROPERTY

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin has properly published notice to sell certain land described by the exhibit attached thereto and has taken sealed bids for the purchase of same, all as required by Article 5421c; and,

WHEREAS, the highest bid received for the said property was that of S. E. Hinton, in the amount of \$6,100.00, and the City Council is of the opinion that same should be accepted; Now, Therefore,

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

That the property described in Exhibit "A" attached hereto, and made a part hereof for all purposes, be conveyed to S. E. Hinton upon payment of said consideration, and that the City Manager be, and he is hereby, authorized to execute and deliver a special warranty deed conveying same.

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, the City of Austin has properly published notice to sell certain land described by the exhibit attached hereto and has taken sealed bids for the purchase of same, all as required by Article 5421c; and,

WHEREAS, the highest bid received for the said property was that of Frederick Eby, Jr., in the amount of \$17,001.00, and the City Council is of the opinion that same should be accepted; Now, Therefore,

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

That the property described in Exhibit "A" attached hereto, and made a part hereof for all purposes, be conveyed to Frederick Eby, Jr., upon payment of said consideration, and that the City Manager be, and he is hereby, authorized to execute and deliver a special warranty deed conveying same.

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

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

EXECUTION OF AGREEMENT

Councilman Gage moved the Council authorize the City Manager to execute a contract with the Graduate School of Social Work at The University of Texas and that the City Manager look into Item 10 and clarify it so that it is acceptable to the City and the University. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

AGREEMENT - LOAN OF VEHICLES

Councilman Price moved the Council authorize an agreement with International Harvester Corporation or any other manufacturer for the loan of vehicles as outlined in discussion here. The motion, seconded by Councilman Atkison, carried by the following vote:

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

LAND ACQUISITION FOR MO-PAC EXPRESSWAY

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 \$13,075.00 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"

(1701 Winsted Lane)

(See original Resolution for Exhibit "A")

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

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

USE OF CITY PROPERTY - OPTIMIST CLUB

In return for the use of City-owned land off St. Johns at Northcrest, the Optimist Club of University Hills agreed to the following conditions:

1. Comply with the City Council Resolution "Regarding Junior Baseball Fields on City Land," as approved by the City Council October 6, 1966.
2. For the use of City utilities and land will provide complete maintenance of the entire tract of land and will provide all fences, bleachers and concession stands necessary to carry out the Sports Program.
3. Recognize the need for the abutting landowners of understanding the proposal and will enter into an agreement which will contain specific commitments on the part of the Optimist Club which will be shown to all interested parties,
4. Will upon approval of the request for the use of the described land comply with the requirements of Item No. 5 and Item No. 10 in the 1966 Resolution regarding the City Council approval of the layout and design of facilities and the amortization of payment.

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

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

FINANCIAL REPORT - JULY, 1970

Councilman Price moved the Council note the receipt of the Financial Report for July, 1970. The motion, seconded by Councilman Johnson, carried by the following vote:

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

RISERS AT MUNICIPAL AUDITORIUM

Councilman Gage asked about risers at the Auditorium. Mr. Davidson stated that he could possibly have some information before adjournment today.

GRAND JURY REPORT

Councilman Gage requested a copy of the Grand Jury Report and suggested that each member receive one. Councilman Johnson concurred. The item was placed on the Agenda for October 8, 1970.

CONDITION OF PECAN SPRINGS ROAD

Councilman Gage reported a bad condition on Pecan Springs Road about three or four months ago and stated that the condition still exists. He requested a report on the matter.

RESTROOMS AT AUDITORIUM

Councilman Price inquired as to whether or not a contract had been let for work on restrooms on the ground floor of Municipal Auditorium. Mr. Davidson stated that the contract had not been let.

LIGHTING BETWEEN 37TH AND 38TH STREETS

Councilman Price stated that there was one light short between 37th and 38th Streets. Mr. Davidson stated that he would check into the matter.

AIRPORT SECURITY

Councilman MacCorkle inquired about police protection at the Municipal Airport. Mayor LaRue stated that the Council would appreciate a report with detail as to what is taking place at the Airport.

EXECUTIVE SESSION

Mr. Allen Bailey, reporter with the Austin American-Statesman newspaper, stated that his newspaper did not recognize the matter of the requested rate increase by Southern Union Gas Company as an Executive Session. After some discussion between Mr. Bailey and the Council, Mayor LaRue announced that the Council would recess for five minutes and then go into Executive Session.

MODEL CITIES GRANT

Mayor LaRue announced that Senator Tower's press secretary had called to say that Austin's Model Cities Grant for \$3,454,000 and a planning grant of \$168,000 had been approved. Senator Tower was enroute to Washington and would send official confirmation in the next hour or so.

RECESSED MEETING

2:00 P.M.

ZONING HEARINGS

Mayor LaRue announced that it was 2:00 and the Council would hear the zoning cases scheduled for public hearing at this time. Pursuant to published notice thereof, the following zoning applications were publicly heard:

OTTO LENTZ
C14-70-149

309 Middle Lane

From "A" Residence to "C"
Commercial
NOT RECOMMENDED by the Planning
Commission

Councilman Gage moved the Council uphold the recommendation of the Planning Commission and deny the change from "A" Residence to "C" Commercial. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

The Mayor announced that the change had been denied.

SAFEWAY STORES INC.
by D. A. Stockwell
C14-70-152

1309-1335 Parker Ln.
1813-1919 E. Riverside
Drive

From "LR" Local Retail, 1st
Height and Area to "LR" Local
Retail, 2nd Height and Area
NOT RECOMMENDED by the Planning
Commission
RECOMMENDED "LR" Local Retail,
2nd Height and Area for sign and
light standards only

Councilman Gage moved the Council grant the change from "LR" Local Retail, 1st Height and Area to "LR" Local Retail 2nd Height and Area for sign and light standards only, as recommended by the Planning Commission. The motion, seconded by Councilman Atkison, 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 change had been granted to "LR" Local Retail, 2nd Height and Area for sign and light standards only and instructed the City Attorney to draw the necessary ordinance to cover.

ANDREW VISCARDI
C14-70-153

905-907 East 51st St.

From "A" Residence to "O" Office
RECOMMENDED by the Planning
Commission

Councilman Johnson moved the Council grant the change from "A" Residence to "O" Office, as recommended by the Planning Commission, subject to 15 feet of right-of-way. The motion, seconded by Councilman Janes, carried by the following vote:

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

The Mayor announced that the change had been granted to "O" Office subject to 15 feet of right-of-way and instructed the City Attorney to draw the necessary ordinance to cover.

ANDREW VISCARDI C14-70-154	1711-1813 Redwood Avenue	From "A" Residence to "GR" General Retail NOT RECOMMENDED by the Planning Commission RECOMMENDED "B" Residence, 1st Height and Area
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Councilman Gage moved the Council grant the change from "A" Residence to "B" Residence, 1st Height and Area, as recommended by the Planning Commission, subject to 5 feet of right-of-way. The motion, seconded by Councilman MacCorkle, carried by the following vote:

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

The Mayor announced that the change had been granted to "B" Residence, 1st Height and Area subject to 5 feet of right-of-way and instructed the City Attorney to draw the necessary ordinance to cover.

AUSTEX DEVELOPMENT COMPANY, LTD. COMPANY, LTD. C14-70-155	Tract 1 1816-1402 Rundberg Ln. Tract 2 1414-1446 Rundberg Ln. 9400-9522 Cameron Rd.	From "A" Residence to "C" Commercial NOT RECOMMENDED by the Planning Commission RECOMMENDED "LR" Local Retail for Tract 1 and "GR" General Retail for Tract 2
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Councilman Price moved the Council grant the change from "A" Residence to "LR" Local Retail for Tract 1 and "GR" General Retail for Tract 2, as recommended by the Planning Commission. The motion, seconded by Councilman Gage, carried by the following vote:

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

The Mayor announced that the change had been granted to "LR" Local Retail for Tract 1 and "GR" General Retail for Tract 2 and instructed the City Attorney to draw the necessary ordinance to cover.

W, D, DOWDY
by K. E. Hollen
C14-70-156

1907 Koenig Lane

From "A" Residence to "O" Office
RECOMMENDED by the Planning
Commission

Councilman Price moved the Council grant the change from "A" Residence to "O" Office, as recommended by the Planning Commission, subject to 10 feet of right-of-way. 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 change had been granted to "O" Office subject to 10 feet of right-of-way and instructed the City Attorney to draw the necessary ordinance to cover.

JOHN LAWRENCE
by Robert Jones
C14-70-157

3410-3412 Duval

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

Councilman MacCorkle moved the Council grant the change from "A" Residence to "B" Residence, as recommended by the Planning Commission, subject to right-of-way and sidewalk and utility easement. 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 change had been granted to "B" Residence subject to right-of-way and sidewalk and utility easement and instructed the City Attorney to draw the necessary ordinance to cover.

JOE R. LONG
C14-70-160

400 West 34th Street

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

Mr. Joe R. Long stated that at the time the Planning Commission recommended "B" Residence, 1st Height and Area that he did not have his plans back and he had asked for 8 units on the property. When he received the plans, they called for 10 units, so he was requesting that "B" Residence, 2nd Height and Area be granted.

Councilman Gage moved the Council grant the change from "A" Residence, 1st Height and Area to "B" Residence, 2nd Height and Area. The motion, seconded by Councilman Atkison, carried by the following vote:

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

JOE R. LONG
C14-70-162

4307-4309 Avenue D

From "A" Residence 1st Height
and Area to "B" Residence 2nd
Height and Area
RECOMMENDED by the Planning
Commission

Councilman Gage moved the Council grant the change from "A" Residence, 1st Height and Area to "B" Residence, 2nd Height and Area, as recommended by the Planning Commission. The motion, seconded by Councilman Price, carried by the following vote:

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

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

PATRICK L. McMANAS
C14-70-164

207-303 West Live Oak
2207-2211 Wilson St.

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

Councilman Gage moved the Council deny the change from "A" Residence to "B" Residence, as recommended by the Planning Commission. The motion, seconded by Councilman Price, carried by the following vote:

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

The Mayor announced that the change had been denied.

GEORGE OLSON
by Tom Curtis
C14-70-165

3408 West Avenue

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

Councilman MacCorkle moved the Council grant the change from "A" Residence to "B" Residence, as recommended by the Planning Commission. 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 change had been granted to "B" Residence and instructed the City Attorney to draw the necessary ordinance to cover.

GEORGE OLSON
by Tom Curtis
C14-70-166

618-620 West
31 1/2 Street

From "BB" Residence, 1st Height
and Area to "B" Residence, 2nd
Height and Area
RECOMMENDED by the Planning
Commission

Councilman Gage moved the Council grant the change from "BB" Residence, 1st Height and Area to "B" Residence, 2nd Height and Area, as recommended by the Planning Commission, subject to 5 feet of right-of-way. The motion, seconded by Councilman Price, carried by the following vote:

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

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

ZONING CASE POSTPONED

RICHARD CRISS, T
TRUSTEE

2104-2404 Stassney Ln.

From "A" Residence to "A"
Residence and "BB" Residence
RECOMMENDED by the Planning
Commission as amended

Mr. Robert Sneed, representing the applicant, stated that the recommendation as amended was not acceptable. He requested that the case be postponed until December 3, 1970. Councilman Price moved the Council postpone the case until December 3, 1970. The motion, seconded by Councilman Gage, carried by the following vote:

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

EXECUTIVE SESSION

The Council went into Executive Session to discuss a land purchase.

ADJOURNMENT

The Council then adjourned.

APPROVED: _____

Mayor

ATTEST: _____

City Clerk