

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 28, 1967
9:00 A.M.

COUNCIL CHAMBERS, CITY HALL

The meeting was called to order with Mayor Akin presiding.

Roll Call:

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

The Invocation was delivered by REVEREND JAMES OGLESBY, Associate Minister of the University Christian Church.

HERITAGE SOCIETY INVITATION

Mr. John Nash introduced to the Council Mr. Conoly Bartlett, President of the Austin Heritage Society. Mr. Bartlett announced that the Heritage Society was having an Antique Show and Sale and that all proceeds would go to further the restoration of the "Bakery Project", a tourist information center located at 1006 Congress. He then invited the Council to attend the opening at 10:30 A.M., September 29, 1967 in the Municipal Auditorium.

RETIRING EMPLOYEE

Mayor Akin expressed his gratitude for the forty-five years of service to the City by retiring City employee, Mr. Fred Quist, and read the following resolution in his honor:

WHEREAS, the lives and properties of the people of Austin have been protected and enhanced during the last four and one-half decades through faithful performance of duty by many outstanding city employees; and,

WHEREAS, it is appropriate to call to the attention of the people a public servant who has steadfastly served with extraordinary faithfulness, but without public recognition; and,

WHEREAS, upon the occasion of his retirement after forty-five years of service both day and night, in all seasons and kinds of weather, against fires, floods, and other hardships, and with only two days of absence from duty because of illness and only eight days absence because of illness and death of others, Fred J. Quist will have contributed many thousands of dollars to his fellow taxpayers in earned sick leave benefits, because he so disciplined his life and his habits that he rendered forty-five consecutive years of exemplary service to his fellow-citizens; and,

WHEREAS, the consistently unselfish devotion of Fred J. Quist, above and beyond the normal call of duty, deserves the notice and appreciation of his fellow-citizens; Now, Therefore,

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

That upon the occasion of his well-earned retirement, the inspiring example of Fred J. Quist, whose life of remarkably consistent service to others be publicly recognized, and especially recorded in the official permanent minutes of the City Council on a page set apart for that purpose, and that a copy of this resolution be presented to the said Fred J. Quist with the gratitude and best wishes of the people of Austin, along with a new deer rifle which a few of his many friends have privately bought for this occasion as a token of their high esteem and gratitude.

PERSONAL PROPERTY TAX PROTEST

Mr. Bob Lusk appeared before the Council to express his dissatisfaction with the current personal property ordinance. He stated that people who owned personal property were escaping taxation and that businesses and professionals were paying an unfair share of taxes. He then invited the Council to attend a public meeting to be held that evening in Wooldridge Park on the subject of personal property taxes.

CITIZEN APPEARANCE

Mrs. Leon Donn appeared before the Council to protest the enclosing of a brochure concerning the sales tax in the pay envelopes of City employees.

CITY OF AUSTIN, TEXAS

ANNEXATION ORDINANCE

Mayor Akin brought up the following ordinance for its final 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 2.55 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J.C. TANNEHILL LEAGUE AND 0.88 OF ONE ACRE OF LAND OUT OF THE JAMES P. WALLACE SURVEY NO. 18, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

RELEASE OF EASEMENTS

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes in, upon and across that certain portion of Lots 1 through 19, inclusive, of Block B, Flournoy's Sweetbriar, Section 2, and Resubdivision of Lots 2-17 of Flournoy's Sweetbriar, Section 1, a subdivision of record in Book 30 at Page 39 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has requested the City Council of the City of Austin to release the hereinafter described 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 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 utilities easement, to-wit:

A strip of land seven and one-half (7.50) feet in width, same being the east seven and one-half (7.50) feet of Lots 1 through 19, inclusive, of Block B, Flournoy's Sweetbriar, Section 2, and resubdivision of Lots 2-17 of Flournoy's Sweetbriar, Section 1, a subdivision of record in Book 30 at Page 39 of the Plat Records of Travis County, Texas.

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

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain easements were granted to the City of Austin for public utility purposes in, upon and across that certain portion of Dyess Heights; said Dyess Heights being a subdivision of a portion of the James P. Wallace Survey Number 57 in the City of Austin, Travis County, Texas, according to a map or plat of said Dyess Heights of record in Book 5 at Page 79 of the Plat Records of Travis County, Texas; and,

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

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

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

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

Four (4) strips of land, each of the said four (4) strips of land being five (5.00) feet in width; the strip of land hereinafter described as Number One being out of and a part of Lot 2, Dyess Heights; the strip of land hereinafter described as Number Two being out of and a part of Lot 2A, Dyess Heights; the strip of land hereinafter described as Number Three being out of and a part of of Lots 10 through 14, Dyess Heights; and the strip of land hereinafter described as Number Four being out of and a part of Lot 19, Dyess Heights; said Dyess Heights being a subdivision of a portion of the James P. Wallace Survey Number 57 in the City of Austin, Travis County, Texas, according to a map or plat of said Dyess Heights of record in Book 5 at Page 79 of the Plat Records of Travis County, Texas; each of the said four (4) strips of land five (5.00) feet in width being more particularly described as follows:

CITY OF AUSTIN, TEXAS

NUMBER ONE, BEING all of the south five (5.00) feet of said Lot 2, Dyess Heights.

NUMBER TWO, BEING all of the north five (5.00) feet of said Lot 2A, Dyess Heights.

NUMBER THREE, BEING all of the south five (5.00) feet of said Lots 10 through 14, Dyess Heights.

NUMBER FOUR, BEING all of the north five (5.00) feet of said Lot 19, Dyess Heights.

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

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

ANNEXATION HEARING SET

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 4.52 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE HENRY P. HILL LEAGUE IN TRAVIS COUNTY, TEXAS, AND 6.82 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS AND T. J. CHAMBERS SURVEYS IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman Long moved that the ordinance be published in accordance with Article I, Section 6 of the Charter of the City of Austin and set for public hearing on October 12, 1967 at 10:30 A.M. The motion, seconded by Councilman LaRue, carried by the following vote:

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

ANNEXATION HEARING

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

16.91 acres out of the James M. Mitchell Survey - unplatted tract. (requested by developer)

Councilman Nichols moved the Council close the hearing. The motion, seconded by Councilman Janes, carried by the following vote:

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

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 16.91 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES M. MITCHELL SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

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

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

PUBLIC HEARING SET

Councilman Janes moved the Council set a public hearing on the Master Plan and the Capital City East General Neighborhood Renewal Plan for Thursday, October 26, at 10:30 A.M. The motion, seconded by Councilman LaRue, carried by the following vote:

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

STREET VACATION ORDINANCES

Mayor Akin introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF LAMAR BOULEVARD ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Akin introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF WEST 26TH STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR WATER LINE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

RIGHT OF WAY PURCHASES

The Council had before it for consideration, approval of time warrants for the purchase of the following street rights of way:

- (1) extension of West 15th Street, 1205 Enfield Road
- (2) widening of West 29th Street, 2830 Rio Grande

Councilman LaRue moved the Council approve the time warrants for purchase of property listed at 1205 Enfield Road for \$24,000, and authorize the City to rent the property at \$125.00 a month for a period up to five years. The motion, seconded by Councilman Janes, carried by the following vote:

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

Councilman LaRue 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 \$24,697.43 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" (See original resolution for Exhibit A)

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

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

Councilman Janes moved the Council approve warrants to purchase the property at 2830 Rio Grande for a fee up to \$30,000. The motion, seconded by Councilman Nichols, carried by the following vote:

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

LAND PURCHASE

City Attorney Doren Eskew stated that the Council had previously approved of the selling of land which would give access to the alley way north of 24th Street to Mr. Jack Andrewartha.

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

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

That R.M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a warranty deed on behalf of the City of Austin, conveying to Jack Andrewartha the following described property to-wit:

2800 square feet of land, same being a strip of land twenty (20.00) feet in width out of and a part of Lots 9, 10 and 11, Block 3, Robard's Subdivision of Outlots 43, 44, 45, 54 and 55, Division D, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas; a map or plat of said Robard's Subdivision being of record in Book 1 at Page 12 of the Plat Records of Travis County, Texas; which Lots 9, 10 and 11, Block 3, Robard's Subdivision were conveyed together with other property to the City of Austin, a municipal corporation, by warranty deeds dated March 24, 1966, of record in Volume 3101 at Pages 1406, 1449 and 1453 of the Deed Records of Travis County, Texas; said 2800 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at the southeast corner of said Lot 9, Block 3, same being the southeast corner of the herein described tract of land, same also being the northeast corner of Lot 2 of a Subdivision of a portion of Outlot 43, a subdivision of record in Book 29 at Page 35 of the Plat Records of Travis County, Texas, and which point of beginning is in the west line of an alley twenty (20.00) feet in width;

THENCE, with the south line of said Lots 9, 10 and 11, N 83° 54' W 140.00 feet to a point in a line one hundred and forty (140.00) feet west of and parallel to the said west line of an alley twenty (20.00) feet in width, which point is in the north line of Lot 1 of the said Subdivision of a portion of Outlot 43, and which point is the southwest corner of the herein described tract of land;

THENCE, with the said line one hundred and forty (140.00) feet west of and parallel to the west line of an alley twenty (20.00) feet in width, N 05° 49' E 20.00 feet to a point in a line twenty (20.00) feet north of and parallel to the south lines of said Lots 9, 10 and 11, which point is the northwest corner of the herein described tract of land;

THENCE, with the said line twenty (20.00) feet north of and parallel to the south lines of Lots 9, 10 and 11, S 83° 54' E 140.00 feet to a point in the said west line of an alley twenty (20.00) feet in width, which point is the northeast corner of the herein described tract of land;

THENCE, with the said west line of an alley twenty (20.00) feet in width, S 05° 49' W 20.00 feet to the point of beginning.

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

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

SALE OF HOUSES

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 19, 1967, for the removing of certain City-owned houses; and,

WHEREAS, the bid of Lois H. Sutherland, in the sum of \$1,277.00 for house located at 5800 North Lamar Boulevard, the bids of J.H. Means, in the sum of \$101.00 for house located at 1119 East 51st Street, and in the sum of \$51.00 for house located at 2302 Haskell Street, were the highest and best bids therefor, and the acceptance of such bids has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bids of Lois H. Sutherland and J.H. Means be and the same are hereby accepted, and that R.M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute contracts, on behalf of the City, with Lois H. Sutherland and J.H. Means.

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

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

REFUND CONTRACT ORDINANCE

Mayor Akin introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH NORTH ACRES CORPORATION, FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

REFUND CONTRACT POSTPONED

The Council had before it for consideration the request of Mr. Odas Jung for joint construction of water and sewer lines in lieu of refund contracts; total cost approximately \$15,000. The Director of the Water and Sewer Department suggested that bids be taken in order to determine the exact cost of the project. The Council agreed to postpone action until the necessary information could be obtained.

HUMAN OPPORTUNITIES COMMITTEE

Father Victor Goertz, Chairman of the Employment Committee of the Human Opportunities Corporation and other members of the Committee appeared before the Council to report the findings of a study made of the wage rates in Austin. Dr. James Groesbeck, Ph. D. in Economics, summarizing the study for the Council stated that it dated from November, 1965, and compared the Austin wage rates of low skilled workers with that of low skilled workers and the wage rates existing in eight other metropolitan areas. Austin ranked lowest in the comparative study having a median wage of \$1.00 per hour. Dr. Groesbeck said that since April of 1967, Austin continued to remain at the bottom of the areas studied with respect to the wage level. Dr. Groesbeck suggested that individuals interested in the elimination of poverty support a lower tax base, and that they consider organizing community groups to help fight the problem.

Mayor Akin thanked Father Goertz, Dr. Groesbeck, and group for their efforts in compiling the study and assured them that the Council would do all that they possibly could within the boundaries of the recommendations made.

MINUTES APPROVED

Councilman Nichols moved the Council approve the Minutes of the Regular Meeting of September 7, 1967 and the Special Meeting of August 28, 1967. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, Long, Nichols, Mayor Akin
Noes: None
Present But Not Voting: Councilman LaRue

PUBLIC HEARING SET

Councilman Nichols moved the Council set a public hearing on annexation policies for October 12, 1967 at 11:00 A.M. The motion, seconded by Councilman Long, carried by the following vote:

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

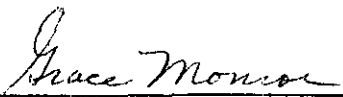
ADJOURNMENT

The Council then adjourned.

APPROVED


Mayor

ATTEST:


Asst. City Clerk