

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 30, 1967
9:00 A.M.

COUNCIL CHAMBER, 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 THEODORE MCELROY of the Hyde Park Christian Church.

CITIZEN APPEARANCE CANCELLED

Mr. Jeff Friedman withdrew his request to be heard before the Council concerning his arrest.

ANNEXATION ORDINANCE

Mayor Akin 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 16.56 ACRES OF LAND OUT OF THE GEORGE W. DAVIS SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 36.85 ACRES OF LAND OUT OF THE THOMAS ELDRIDGE, S. Q. WHATLEY, AND HENRY WARNELL SURVEYS IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

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

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

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

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

DATA PROCESSING EQUIPMENT
REPORT AND ORDER

City Manager Tinstman appeared before the Council to present a report on the City's data processing equipment. The report included the past history of the data processing equipment and the plans for the period during which time additional equipment would be in order. Mr. Tinstman stated that by confirming

the order for the new equipment, the Council would not actually be purchasing the equipment, but that it was a lease agreement with an option to purchase. Councilman Long moved the Council authorize the City Manager to enter into a contract for the data processing equipment. The motion, seconded by Councilman LaRue, carried by the following vote:

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

RELEASE OF EASEMENTS

Councilman Nichols offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for drainage and public utility purposes in, upon and across that certain portion of Lot 11, Block B, Holiday Heights, Section 1, 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 Holiday Heights, Section 1, of record in Book 18 at Page 99 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,

KNOW ALL MEN BY THESE PRESENTS:

That the City of Austin, a municipal corporation situated in Travis County, Texas, acting by and through R. M. Tinstman, its City Manager, hereunto duly authorized, has released and by these presents does hereby release unto the owner the following described portion of said drainage and public utilities easement, to-wit:

A strip of land seven and one-half (7.50) feet in width, same being out of and a part of Lot 11, Block B, Holiday Heights, Section 1, 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 Holiday Heights, Section 1, of record in Book 18 at Page 99 of the Plat Records of Travis County, Texas; the centerline of said strip of land seven and one-half (7.50) feet in width being more particularly described as follows:

BEGINNING at a point in the west line of a proposed drainage easement ten (10.00) feet in width, same being a line ten (10.00) feet west of and parallel to the west line of Duval Street, and from which point of beginning an iron stake at the most easterly corner of said Lot 11, Block B, Holiday Heights, Section 1, bears N 81° 26' E 12.81 feet and N 30° 08' E 75.00 feet;

THENCE, S 81° 26' W to point of termination in the north line of a proposed drainage easement five (5.00) feet in width, same being a line five (5.00) feet north of and parallel to the south line of said Lot 11.

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

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

Councilman Nichols 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 the Resubdivision of Block D in Townlake Plaza, said Townlake Plaza being a subdivision of a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, according to a map or plat of said Townlake Plaza of record in Book 18 at Page 38 of the Plat Records of Travis County, Texas; a map or plat of said Resubdivision of Block D in Townlake Plaza being of record in Book 37 at Page 2 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 utilities easements, to-wit:

Eight (8) strips of land, each being ten (10.00) feet in width and each being out of and a part of the Resubdivision of Block D in Townlake Plaza, said Townlake Plaza being a subdivision of a portion of the Santiago Del Valle Grant in the City of Austin, Travis County, Texas, according to a map or plat of said Townlake Plaza of record in Book 18 at Page 38

of the Plat Records of Travis County, Texas; a map or plat of said Resubdivision of Block D in Townlake Plaza being of record in Book 37 at Page 2 of the Plat Records of Travis County, Texas; the strip of land hereinafter described as Number One being out of and a part of Lots 3-A and 4-A, the strip of land hereinafter described as Number Two being out of and a part of Lots 1-A and 2-A, the strip of land hereinafter described as Number Three being out of and a part of Lot 2-A, the strips of land hereinafter described as Number Four and Number Five being out of and a part of Lot 4-A, and the strips of land hereinafter described as Number Six, Number Seven and Number Eight being out of and a part of Lot 5-A; the centerline of each of the said eight (8) strips of land ten (10.00) feet in width being more particularly described as follows:

NUMBER ONE, BEGINNING at an iron pin at the most easterly corner of said Lot 3-A, same being the most southerly corner of said Lot 4-A, and which point of beginning is in the west line of Town Creek Drive;

THENCE, N 31° 08' W 435 feet, more or less, to point of termination in the east line of an existing public utilities easement ten (10.00) feet in width.

NUMBER TWO, BEGINNING at an iron pin at the most northerly corner of said Lot 1-A, same being the most westerly corner of said Lot 2-A, and which point of beginning is in the east line of Arena Drive;

THENCE, S 31° 08' E 269 feet, more or less, to point of termination in the west line of an existing public utilities easement ten (10.00) feet in width.

NUMBER THREE, BEGINNING at an iron pin on the east line of Arena Drive, and from which point of beginning an iron pin at the most northerly corner of said Lot 2-A bears N 48° 50' E 102.22 feet;

THENCE, S 41° 01' E 265.00 feet to point of termination in the west line of an existing public utilities easement ten (10.00) feet in width.

NUMBER FOUR, BEGINNING at an iron pin on the west line of Town Creek Drive, and from which point of beginning an iron pin at the most easterly corner of said Lot 4-A bears N 30° 57' E 107.50 feet;

THENCE, N 41° 01' W 361 feet, more or less, to point of termination in the east line of an existing public utilities easement ten (10.00) feet in width.

NUMBER FIVE, BEGINNING at a point in the south line of an existing public utilities easement ten (10.00) feet in width, and from which point of beginning an iron pin at the most northerly corner of said Lot 4-A bears N 48° 59' E 5.00 feet and N 41° 01' W 17.19 feet;

THENCE, S 48° 59' W 92 feet, more or less, to point of termination in the north line of Strip Number Four as described above.

NUMBER SIX, BEGINNING at a point in the north line of an existing public utilities easement ten (10.00) feet in width, and from which point of beginning an iron pin at the most southerly corner of said Lot 5-A bears S 48° 59' W 5.00 feet and S 41° 01' E 315.98 feet;

THENCE, N 48° 59' E 93.36 feet to point of termination.

NUMBER SEVEN, BEGINNING at point of termination of Strip Number Six as described above;

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

NUMBER EIGHT, BEGINNING at point of termination of Strip Number Six as described above;

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

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

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

STREET VACATION ORDINANCE

Mayor Akin introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF FOSTER LANE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; 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

FISHING DOCK

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approve the erection of a fishing dock on the property owned by MR. AND MRS. ARNOLD SCHMIDT as described in the Travis County Deed Records and known as Lot 10, Rivercrest Addition as described on the attached plot plan and hereby authorizes the said MR. AND MRS. SCHMIDT to construct, maintain and operate the fishing dock to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of the fishing dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable, and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said MR. AND MRS. SCHMIDT have failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

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

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

ZONING HEARING

Mayor Akin announced that it was 10:30 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:

CHESTER D. BROOKS 3210-3212 Bailey Ln.
 C14-67-159 1201-1203 W. 33rd St.

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

(Continued from November 2, 1967)

Councilman Nichols moved the Council postpone this application until December 28 at the request of the applicant. The motion, seconded by Councilman Janes, carried by the following vote:

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

AUSTIN NORTHWEST DEVELOPMENT CO. by James E. Crozier C14-67-171	2604-2906 Anderson Ln. 7927 Stillwood Ln. 7927 Parkdale Dr.	From Interim "A" Residence, 1st Height and Area & "B" Residence, 1st Height and Area to "GR" General Retail, 1st Height and Area RECOMMENDED by the Planning Commission
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Councilman Nichols moved the Council grant the change from Interim "A" Residence, 1st Height and Area and "B" Residence, 1st Height and Area to "GR" General Retail, 1st Height and Area, as recommended by the Planning Commission which includes the closing of certain streets. 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 change had been granted to "GR" General Retail, 1st Height and Area which included the closing of certain streets and instructed the City Attorney to draw the necessary ordinance to cover.

GORDON M. LANTZ C14-67-185	3408-3410 Red River St.	From "A" Residence to "BB" Residence NOT RECOMMENDED by the Planning Commission
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Councilman Long moved the Council grant the request of Mr. Lantz to withdraw his case. The motion, seconded by Councilman LaRue, carried by the following vote:

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

ROSS BLUMENTRITT, ET AL C14-67-187	907-911 Neches St. 501-507 E. 10th St.	From "B" Residence, 2nd Height and Area to "C" Commercial, 3rd Height and Area RECOMMENDED by the Planning Commission
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Councilman LaRue moved the Council grant the change from "B" Residence, 2nd Height and Area to "C" Commercial, 3rd Height and Area, as recommended by the Planning Commission. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial, 3rd Height and Area and instructed the City Attorney to draw the necessary ordinance to cover.

G. A. McNEIL	5904 Grover Ave.	From "A" Residence to "B"
by John B. Selman	Rear of 1201 Palo Duro	Residence
C14-67-189		RECOMMENDED by the Planning Commission

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

WILLIAM LODEN	4510-4524 Bennett Ave.	From "A" Residence, 1st Height
by John B. Selman	919-923 E. 46th St.	and Area to "B" Residence, 2nd
C14-67-165		Height and Area
		NOT RECOMMENDED by the Planning Commission
		RECOMMENDED "B" Residence, 1st Height and Area

Mr. John B. Selman, representing the applicant, Mr. Loden, pointed out that the area in question was surrounded by commercial development, but that the Planning Staff had recommended "B" Residence, 1st Height and Area due to the inadequacy of the streets and the intrusion of a residential neighborhood. Mr. Selman pointed out that the applicant would construct less than 52 apartment units and dedicate 5 feet of right-of-way for the widening of Bennett Street and a buffer alley protected the area where the few remaining nice homes were.

Opponents to the zoning change were Mr. Bernard Hyltin of 4523 Depew, Mr. Jesse Mitchell of 4512 Depew, Mrs. Bloom and Mrs. Theobald. Mr. Mitchell and Mr. Hyltin complained of the increased parking and traffic problem. Mrs. Bloom and Mrs. Theobald complained of litter, beer and whiskey bottles in the yards and streets distributed by the apartment tenants. After some discussion on apartment

unit parking restrictions, Councilman Nichols moved the Council grant the change from "A" Residence, 1st Height and Area to "B" Residence, 2nd Height and Area, subject to the restrictive covenant that no more than 40 units be built and that 5 feet of right-of-way be given. 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 change had been granted to "B" Residence, 2nd Height and Area subject to the restrictive covenant and instructed the City Attorney to draw the necessary ordinance to cover.

C. T. USELTON
C14-67-186

4307-4311 Ave. A

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

Councilman Long 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 Nichols, carried by the following vote:

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

F. S. COCHRAN &
R. L. KANEWSKE
by Sam Meyers
C14-67-178

312-314 W. 35th St.

From "A" Residence, 1st Height
and Area to "B" Residence, 1st
Height and Area (as amended)
RECOMMENDED by the Planning
Commission (as amended)

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

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

The Mayor announced that the change had been granted to "B" Residence, 1st Height and Area as amended and instructed the City Attorney to draw the necessary ordinance to cover.

EDGAR MONTGOMERY C14-67-182	1507-1509 Newning Ave.	From "A" Residence to "B" Residence RECOMMENDED by the Planning Commission
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Councilman LaRue moved the Council grant the change from "A" Residence to "B" Residence, as recommended by the Planning Commission. The motion, seconded by Councilman Nichols, carried by the following vote:

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

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

JOHN D. BYRAM by Robert C. Sneed C14-67-173	101-213 W. Anderson Ln. 101-511 E. Anderson Ln.	From "A" Residence, 1st Height and Area & "GR" General Retail, 1st Height and Area to "C" Commercial, 5th Height and Area (as amended) RECOMMENDED by the Planning Commission (as amended)
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Councilman Janes moved the Council grant the change from "A" Residence, 1st Height and Area and "GR" General Retail, 1st Height and Area to "C" Commercial, 5th Height and Area as amended with restrictive covenant, as recommended by the Planning Commission. 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 change had been granted to "C" Commercial, 5th Height and Area, as amended, with a restrictive covenant and instructed the City Attorney to draw the necessary ordinance to cover.

JOHN D. BYRAM by Sneed & Vine C14-67-194	213-219 W. Anderson Ln.	From "A" Residence, 1st Height and Area to "C" Commercial, 5th Height and Area & "GR" General Retail, 5th Height and Area (as amended) RECOMMENDED by the Planning Commission (as amended)
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Councilman Janes moved the Council grant the change from "A" Residence, 1st Height and Area to "C" Commercial, 5th Height and Area and "GR" General Retail, 5th Height and Area, as amended, with a restrictive covenant, as recommended by the Planning Commission. 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 change had been granted to "C" Commercial, 5th Height and Area and "GR" General Retail, 5th Height and Area, as amended, with a restrictive covenant and instructed the City Attorney to draw the necessary ordinance to cover.

O. J. HINTON
by Bob Barnett
C14-67-176

1009-1011 Aggie Ln.

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

Councilman Long 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 Nichols, carried by the following vote:

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

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.

RAY YATES
by Jack Ritter Jr.
C14-67-179

9525-9623 F.M. 1325
9530-9620 Georgetown Rd.

From "A" Residence to "DL" Light Industrial
NOT RECOMMENDED by the Planning Commission

Councilman Long moved the Council grant the change from "A" Residence to "DL" Light Industrial subject to a satisfactory dedication of right-of-way. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the change had been granted to "DL" Light Industrial subject to dedication of right-of-way and instructed the City Attorney to draw the necessary ordinance to cover.

JOHNNY LUCIUS by Forest Pearson C14-67-180	5101-5103 Evans Ave. 600-602 E. 51st St.	From "A" Residence to "B" Residence NOT RECOMMENDED by the Planning Commission
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Councilman Long moved the Council grant the change from "A" Residence to "B" Residence subject to 5 feet of right-of-way on 51st Street. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the change had been granted to "B" Residence subject to 5 feet of right-of-way on 51st Street and instructed the City Attorney to draw the necessary ordinance to cover.

AUSTIN SAVINGS & LOAN ASSOCIATION by George C. Green C14-67-181	1713-1801 State Hwy. 29 (Old Lockhart Hwy.) 1710-1802 Old Austin - Del Valle Rd.	From "A" Residence to "C" Commercial RECOMMENDED by the Planning Commission
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Councilman Janes moved the Council grant the change from "A" Residence to "C" Commercial, as recommended by the Planning Commission. 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 change had been granted to "C" Commercial and instructed the City Attorney to draw the necessary ordinance to cover.

ROBERT P. DUNNAM C14-67-193	806-814 San Antonio St. 501-515 W. 9th St.	From "C" Commercial, 3rd Height and Area to "C" Commercial, 4th Height and Area NOT RECOMMENDED by the Planning Commission
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Councilman Long moved the Council grant the change from "C" Commercial, 3rd Height and Area to "C" Commercial, 4th Height and Area with restrictive covenant. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial, 4th Height and Area with restrictive covenant and instructed the City Attorney to draw the necessary ordinance to cover.

VINCENT R. ARNOLD
C14-67-175

2608-2610 W. 7th St.

From "C" Commercial, 2nd Height
and Area to "C-2" Commercial,
2nd Height and Area
RECOMMENDED by the Planning
Commission

Councilman Long moved the Council grant the change from "C" Commercial, 2nd Height and Area to "C-2" Commercial, 2nd Height and Area as recommended by the Planning Commission. 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 change had been granted to "C-2" Commercial, 2nd Height and Area and instructed the City Attorney to draw the necessary ordinance to cover.

JACK ANDREWARTHA
by Phil Mockford
C14-67-177

413-507 W. 38 1/2 St.

From "A" Residence to "C"
Commercial
RECOMMENDED by the Planning
Commission

After some discussion, Councilman Long moved the Council grant the change from "A" Residence to "C" Commercial, as recommended by the Planning Commission, adding that no property upon which there was a questionable public easement for street widening purposes would fall under the change. 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 change had been granted to "C" Commercial subject to restriction and instructed the City Attorney to draw the necessary ordinance to cover.

J. ALTON BAUERLE
C14-67-184

2101-2105 Polaris Ave.

From "A" Residence to "BB"
Residence
NOT RECOMMENDED by the Planning
Commission

Councilman Nichols moved the Council grant the change from "A" Residence to "BB" Residence. The motion, seconded by Councilman Long, carried by the following vote:

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

The Mayor announced that the change had been granted to "BB" Residence and instructed the City Attorney to draw the necessary ordinance to cover.

ROBERT BAILEY C14-67-188	4601-4605 Ledesma St. 1143-D - 1145-D Springdale Road	From "A" Residence to "LR" Local Retail NOT RECOMMENDED by the Plan- ning Commission
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Councilman Long moved the Council grant the change from "A" Residence to "LR" Local Retail. 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 change had been granted to "LR" Local Retail and instructed the City Attorney to draw the necessary ordinance to cover.

M. L. FOSTER C14-67-191	4002-4006 Clawson Rd.	From "A" Residence to "O" Office NOT RECOMMENDED by the Planning Commission
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Councilman LaRue moved the Council uphold the recommendation of the Planning Commission and deny the change from "A" Residence to "O" Office. 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 change had been denied.

HHR, INC. by John Jones C14-67-192	6508-6510 Hickman Avenue	From "A" to "B" NOT RECOMMENDED
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Councilman Nichols moved the Council uphold the recommendation of the Planning Commission and deny the change from "A" Residence to "B" Residence. 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 change had been denied.

SUBSTANDARD STRUCTURES

Councilman Nichols 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:

1. Mr. Marcelino Lucio, 1101 Estes Avenue
2. Mr. Ernest William Armstrong, 1131 Map Street
3. Mr. Gilbert Esquivel, 1113 Terry Drive

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

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

CONTRACT AWARDED

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 22, 1967, for the installation of 3,059 feet of 8 inch concrete sewer pipe from Glengarry Drive to the Bela Horizonte Section of Northwest Hills: and,

WHEREAS, the bid of J. C. Evans Construction Company, in the sum of \$25,871.60 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bid of J. C. Evans Construction Company, in the sum of \$25,871.60, be and the same is hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City, with J. C. Evans Construction Company.

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

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

APPROVAL OF GRANT APPLICATION

Councilman Long moved the Council approve the grant application for improvements to runway 321 at the airport. The motion, seconded by Councilman Janes, carried by the following vote:

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

REFUND CONTRACT

Mayor Akin introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH E. J. HOOD, TRUSTEE, 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 Nichols, carried by the following vote:

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

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

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

The ordinance was read the third time and Councilman LaRue moved that the ordinance be finally passed. The motion, seconded by Councilman Nichols, 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.

FIESTA GARDENS REPORT

Councilman Long moved the Council accept the City Manager's recommendations on the report regarding Fiesta Gardens' proposal. The motion, seconded by Councilman Nichols, 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 3881 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE PHILLIP McELROY, THE M. CASTRO, THE WM. SANDERS, THE M. WELLS, THE REUBEN HORNSBY AND THE JAMES BURLESON 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 Nichols moved that the ordinance be published in accordance with Article I, Section 6 of the Charter of the City of Austin and set for public hearing on December 14, 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

CONTRACT SPECIFICATIONS

City Manager Tinstman stated that for the purpose of clarification of specifications concerning contracts between the City and contracting companies, an amendment was being added to Article F-18. Mr. Tinstman noted that liquidation damages under Article F-30 would not be applied under the new Article F-18 "unless time loss due to jurisdictional labor disputes or other labor disputes are reasonably in the control of the contractor". He further stated that the purpose of the amendment was to prevent a contractor from bringing suit against the City if he should be held up in his work due to labor difficulties. Councilman Long moved the Council accept the recommendation of the City Manager for clarification of specifications concerning contractors. The motion, seconded by Councilman Janes, carried by the following vote:

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

CASH SETTLEMENT

ment: Councilman LaRue moved the Council approve the following cash settle-

IRVING SMITH - For cash settlement - sanitary sewer facilities, Brook Hollow Addition (\$5,394.75).

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

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

ADJOURNMENT

The Council then adjourned.



APPROVED: _____

Mayor



ATTEST:

City Clerk