

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 9, 1971
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Butler presiding.

Roll call:

Present: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Absent: None

The Invocation was delivered by RABBI JUDAH LEON FISH, Congregation Agudas Achim.

MINUTES APPROVED

Councilman Dryden moved the Council approve, with the corrections noted on the September 2nd set, the Minutes of the Regular Meeting on September 2, 1971, and the Special Meeting of June 9, 1971. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

SEPTEMBER AND OCTOBER
PROCLAIMED UNITED FUND MONTHS

Mayor Butler read a Proclamation designating the months of September and October as United Fund Months. Mr. Lewis Timberlake received the Proclamation, and introduced John Alvarado (12 years old), Boys' Club, who presented the Mayor and Council a plaque - "If you don't do it, it won't get done!"

CONTRACTS AWARDED

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

BLAND CONSTRUCTION COMPANY

- For the installation of approximately 4,063 linear feet of 24-inch concrete steel cylinder pipe, 12 linear feet of 16-inch concrete steel cylinder

(CONTRACTS continued)

pipe, 66 linear feet of 8-inch cast iron pipe and 100 linear feet of 6-inch cast iron pipe water main in Rundberg Lane - \$129,129.70. (75 working days for completion; City's estimate - \$167,471.00; Capital Improvement Program)

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

Ayes: Councilmen Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Noes: None

Not in Council Room when Roll was called: Councilman Dryden

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

SOUTHERN STATES, INC.

- For the purchase of six (6) each High Voltage Air Switch Gear Operated and one(1) each High Voltage Air Switch Motor Operated - \$17,706.00. (Capital Improvement Program)

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

Ayes: Councilmen Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Noes: None

Not in Council Room when Roll was called: Councilman Dryden

Councilman Nichols moved the Council adopt a resolution awarding the following contract to Patterson Steel, predicated upon the certification to the effect of domestic steel:

PATTERSON STEEL

- Galvanized Steel for Hi-Cross Substation - \$14,868.00. (City's estimate: \$12,000.00; Capital Improvement Program)

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

Ayes: Councilmen Dryden, Love, Nichols, Friedman, Handcox

Noes: None

Not in Council Room when roll was called: Councilman Lebermann and
Mayor Butler

Councilman Nichols asked if this requirement of domestic steel could be a part of the specifications. The City Manager suggested if the Council wanted to do that, in future bids, he would be glad to do so. Mayor Pro-Tem Love asked that he bring a report to the Council.

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

FORD-WEHMEYER

- For the installation of electric conduit and concrete foundations for street lighting on 8th St. from San Antonio St. to I.H. 35 - \$51,510.35. (130 calendar days for completion; Engineer's estimate - \$66,360.50; Capital Improvement Program)

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

Ayes: Councilmen Nichols, Love, Lebermann, Friedman, Handcox, Mayor Butler

Noes: None

Not in Council Room when Roll was called: Councilman Dryden

ANNEXATION HEARING SET

Councilman Handcox moved the Council adopt a resolution setting a public hearing at 2:00 P.M. September 23, 1971, to consider annexing the following:

114.90 acres of unplatted land out of the J. C. Tannehill League (63.42 acres requested by owner's representative; 51.48 acres initiated by the City of Austin)

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

Ayes: Councilmen Dryden, Love, Lebermann, Friedman, Handcox, Mayor Butler

Noes: None

Present but not Voting: Councilman Nichols

Councilman Nichols suggested that these tracts be separated whenever there is a public hearing; as in some instances the Council members might have an interest in one particular area and could not vote on the remaining tracts.

LAND USE PLAN AMENDMENT - HEARING SET

Councilman Love moved the Council set a public hearing on an amendment of the Austin Land Use Plan (located outside the City limits) at 2:00 P.M., September 23, 1971, on the request of Mr. Conway Taylor, owner of approximately 73 acres located on Howard Lane, just west of I.H. 35 in North Austin, from Suburban Residential to Manufacturing and Related Uses. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox

Noes: None

Present but not Voting: Mayor Butler, as he has an interest in the area.

ONE-WAY STREETS - FOOTBALL GAMES

Councilman Love moved the Council adopt a resolution establishing one-way streets as listed below during specified time intervals (Memorial Stadium Football Games) in conjunction with the University one-way plan:

Temporary One-Way Streets

Red River Street from 15th Street to 32nd
Street - Southbound

San Jacinto Street from 19th Street to 30th
Street - Northbound

Temporary Reversible One-Way Street

Manor Road from Red River Street to West
Service Road of I.H. 35.

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

Ayes: Councilmen Nichols, Lebermann, Friedman, Handcox, Loyal, Mayor, Lo
Butler

Noes: None

Not in Council Room when Roll was called: Councilman Dryden

ACQUISITION OF LAND - MO PAC

Councilman Nichols moved the Council adopt a resolution authorizing the acquisition of certain land for the Mo-Pac Expressway - Phase 4:

3212 Funston Street (Partail Acquisition)
Clyde L. Ellis

All of the west twenty-five (25.00) feet of Lot 15, Brykerwoods Annex.

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

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Noes: None

Mayor Butler stated he did not want to encourage people to be hard to deal with the City, but the Council had expressed concern in the past over some of these partial takings; and he wondered if a lot of citizens under the threat of eminent domain had sold below market value; and he would like to encourage the citizens that this is a sympathetic Council, and it did not want to take anyone's property without paying for it. He wanted each to know he would get a fair hearing.

SELECTION OF ENGINEERING SERVICES - MODEL CITIES

Councilman Love moved the Council select Bennet & Associates to perform engineering services for Model Cities Area Park Improvements. (Capital Improvements Program; Estimated cost - \$135,050). The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Nichols, Love, Friedman, Handcox, Mayor Butler

Noes: None

Not in Council Room when Roll was called: Councilmen Lebermann and Dryden

Councilman Handcox expressed concern over the reference to these firms' being "Austin Firms", stating this might cost more than a bidder from out of town. Both Mayor Butler and Councilman Love agreed that all things being equal - quality, merchandise, service, and price - preference should be given to local firms; of course never to the expense of the taxpayer.

ACQUISITION OF PROPERTY AND PASSAGE OF ORDINANCE
APPROPRIATING THE FUNDS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 700924-E TO APPROPRIATE FROM UNAPPROPRIATED GENERAL FUNDS A SUM TO BE APPLIED TO THE LIBRARY CAPITAL OUTLAY LAND ACCOUNT; AND DECLARING AN EMERGENCY.

The Council had before it the acquisition of property located at 406-414 West 8th Street under the terms of an option agreement for an amount of \$107,816.00.

Mayor Butler asked Mr. Morahan, Land Division, for a resumé of acquisition procedures.

Mr. Morahan stated there was an option which had to be exercised within six months; and at that time there were no funds, and the situation was left as it was at that time.

After discussion, Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox, Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

U.R. PAVING & IMPROVEMENT - UNIVERSITY EAST

Councilman Dryden moved the Council adopt a resolution authorizing the City Manager to execute an agreement with the Urban Renewal Agency for paving and related improvements in the University East Urban Renewal Project. (This agreement will authorize reimbursement to the City of \$96,000.00) The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler
 Noes: None
 Not in Council Room when Roll was called: Councilman Lebermann

JUVENILE DELINQUENCY PREVENTION PROJECT

Councilman Nichols moved the Council adopt a resolution authorizing agreement between the City of Austin and Travis County Juvenile Court for the operation of the Juvenile Delinquency Prevention Project, #11800. Total Cost: \$251,386. Model Cities Share: \$101,167; State Criminal Justice Council matching share: \$150,219. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler
 Noes: None
 Not in Council Room when Roll was called: Councilman Lebermann

ZONING HEARING

Pursuant to published notice thereof the Mayor announced the Council would now hear the Zoning Case scheduled for public hearing on this date as follows:

J. G. WEBSTER, JR.
 C14-71-179

2404 Winsted Lane

From "A" Residence
 To "BB" Residence
 NOT recommended by
 the Planning Commission
 DENIED

Mr. M. J. Crockett, representing Mr. Webster, described the area and exhibited a picture of a duplex on the front of the lot, a structure in the rear housing a three-bay garage, and an apartment upstairs. The intent is to enclose the garage thus adding an additional apartment unit without extending the original structure. The 13,000 square feet would supply ample parking space. Mr. Lillie, Planning Director, described the area, stating it is of single family dwellings with some duplexes, and it appears the neighborhood will not change in the near future. A zoning change now would be an encroachment into the area. Should a change be granted, more zoning requests would be made. Councilman Love moved that the "BB" Residence Zoning be granted, subject to the restrictive covenant as guaranteed by the applicant. The motion, seconded by Councilman Handcox, failed to receive the necessary votes to carry as follows:

Ayes: Councilmen Dryden, Nichols, Love, Handcox, Mayor Butler
 Noes: Councilmen Lebermann, and Friedman

The Mayor announced the zoning had been DENIED.

MRS. DONALD FIEGEL DISCUSSED LITTER

Mrs. Donald Fiegel appeared before the Council, objecting strongly to litter being strewn upon her property, and called particular attention to the throwing of circulars, community newspapers, advertising papers. She understood such an ordinance had been considered but was never completed. Councilman Nichols moved that since there is not ordinance, that the Mayor or Councilman Love ask for a report from both the City Manager and the City Attorney on this matter and bring back to this Council the recommendation on just what Mrs. Fiegel had been discussing this morning; and at the same time, notify her as to what their recommendation is. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Friedman, Handcox, Mayor Butler
Noes: None
Not in Council Room when Roll was called; Councilman Lebermann

CONSIDERATION OF THE PROPOSED 1971-72 CITY OF AUSTIN
BUDGET

Councilman Nichols brought up the following items for consideration:

Park Police

1. He suggested that in the future the Park Rangers be bona fide policemen with the same qualifications as the police and operated under the Police Department. He did not want to lose any of the present Rangers, but in the future they could be phased out through transfers and by attrition. Mayor Butler concurred, stating he had brought this out that these men should be full time fully qualified police officers; and any officer hired in the future could be assigned to the Parks Department. It was also suggested that they have regular police uniforms; and that there not be two grades of law enforcement officers. Mayor Butler wanted to raise the salary range high enough that there would be no recruiting problems. Councilman Handcox stated since the Park Rangers' duties were mostly monitoring, a ranger would not require such intense police training; however, he would need help available. Councilman Friedman stated with rotating assignments, Police Rangers would be losing time between assignments, and it would take him longer to know his "beat", but generally he was in agreement with the Mayor's suggestion.

Rose Garden in Zilker Park

2. Councilman Nichols mentioned that the Garden Club at one time had a rose garden at Zilker Park, and he would like to see this re-established. He was told there would be no City funds required to put the rose garden back in. Mr. Andrews referred to the maintenance of the garden. Councilman Nichols asked that this could be handled through the Parks and Recreation Department. Mayor Butler asked that the City Manager bring in a report as soon as possible.

Gazebo Moat

3. Councilman Nichols reported that "Women in Construction" had given the City a Gazebo, and he suggested that the moat be opened as had been planned originally. The City Manager asked if this were a referral to the reflecting pool. After review, Mayor Butler asked that a report on cost factor on the Gazebo request be brought in.

Budget Deletions

Mayor Butler at this time announced that after thorough examination of the 1971-1972 budget, the Council, from an accounting standpoint, was able to cut some \$87,700 from the proposed budget, with the exception of an item to be presenting by Councilman Lebermann in the afternoon meeting. Mr. Lebermann regarding the creation of the environmental department, wanted to enlarge on salary of the Director, and personnel.

Pay Increases for City Employees

Mayor Butler brought up the pay increase for City Employees. Councilman Nichols, after a thorough review, proposed that the pay raise for City employees, which will require no additional taxes, be in the amount of \$3,672,196.00, which includes Social Security and retirement costs; computed at \$50,000 across the board for all except the Fire and Police Departments; and the computation on the Police and Fire is at \$75.00 across the board. The reason for the Fire and Police \$75.00 as opposed to \$50.00 across the board for other employees, is because of qualification problems incurred in the past, and due to comparative pay in other cities. Councilman Nichols amended his motion to include the City Manager's recommendation that "only \$400,000.00 be transferred to the Capital Improvements, and \$200,000.00 held in the General Fund"

In discussion, the City Manager stated from the original printed budget there was \$2,018,000.00 and adding in 11% made \$2,240,000.00. An increase from that point is about \$1,400,000.00, which represents approximately the ending balance in the budget.

He stated that \$600,000.00 was set up in the General Fund Budget to be moved out of General Funds into Capital Improvements; and he recommended that only \$400,000.00 be transferred, and hold \$200,000.00 in the General Fund. (Councilman Nichols made this a part of his motion)

Mayor Butler stated the Council should be aware at this time, that the Council is committed to do the very best it could for the City employees and Police and Fire Departments. He pointed out this would be accomplished without raising taxes, but it will mean running a tight ship. Both Councilman Handcox and Mayor Butler suggested increasing certain fees which should not hurt the average person in Austin. Councilman Love referred to the "freeze", and the Mayor thought all City employees should be cautioned as to the "freeze" but that when it is lifted, employees should be receiving the promised increase.

The Mayor stated the Council should caution the City employees, that the Council has the funds for this increase, and is ready just as soon as the Federal Governments permits. He emphasized that the Council and administration must operate efficiently and prudently.

Roll Call on Motion for Pay Increases

Councilman Nichols' motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Love, Nichols, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

Mayor Butler brought out this was the largest pay increase this City had ever experienced - \$3,672,196.00.

The City Manager emphasized that City employees must know that this is a pay raise of \$50.00 and \$75.00 across the Board, but no clearance had been received as to what can be done on merit increases, and the seniority pay of \$3.00 per month per year. This is a portion of the pay increase - not the total amount which depends on what the Federal Government does, but this does show the Council's intent and that the Council was willing to go to the utmost for the employees. Councilman Friedman suggested that somehow the personnel be made aware of the situation about the increase and the freeze.

Mr. Jim Lumpkin expressed appreciation to the Council on behalf of City employees and himself for its action this morning.

MR. STEWART COLTEN - COMPLAINTS

Mr. Stewart Colten submitted a number of complaints before the Council, having to do with excessive billings for electrical service in a trailer park at 1143 Airport; alleged "racketeering" by some garages in misleading the customers as to the repair of their cars; the buzzing of airplanes and the rerouting of their paths to more sparsely populated areas; the court procedures having to do with police officers' not given ample notice to prepare the case, and their testifying before the defendant was called. The Council advised Mr. Colten that his complaints were not under Council jurisdiction, and suggested he contact his attorney.

HOSPITAL BOARD TENURE

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ARTICLE III OF CHAPTER 2 OF THE AUSTIN CITY CODE OF 1967 BY CHANGING THE SECTION NUMBERS THEREOF AND AMENDING ARTICLE II OF CHAPTER 2 OF THE AUSTIN CITY CODE OF 1967 BY CHANGING THE WORDING OF CERTAIN SECTIONS AND ADDING CERTAIN NEW SECTIONS; PROVIDING FOR THE COMPOSITION OF THE HOSPITAL BOARD; PROVIDING FOR THE TERM OF OFFICE OF THE BOARD MEMBERS AND THE SELECTION OF OFFICERS; PROVIDING FOR EX OFFICIO MEMBERS; PROVIDING FOR MONTHLY MEETING; ASCRIBING GENERAL DUTIES OF THE BOARD; AUTHORIZING THE BOARD TO PERFORM CERTAIN ADVISORY AND INVESTIGATIVE DUTIES; PROVIDING THE BOARD WITH ALL THE AUTHORITY NECESSARY AND ATTENDANT TO MAKING A FINAL DISPOSITION OF MATTERS PERTAINING TO MEDICAL STAFF PRIVILEGES AT BRACKENRIDGE HOSPITAL; PROVIDING THAT THE CLASSIFICATIONS OF MEDICAL STAFF MEMBERSHIP AND MEDICAL

STAFF PRIVILEGES SHALL BE SET FORTH IN THE CONSTITUTION AND BYLAWS OF THE MEDICAL STAFF OF BRACKENRIDGE HOSPITAL; PROVIDING THE BOARD THE POWER AND AUTHORITY TO INQUIRE INTO PROFESSIONAL CONDUCT CREDENTIALS, AND/OR QUALIFICATIONS OF ANY MEMBER OF OR ANY APPLICANT FOR MEMBERSHIP ON THE MEDICAL STAFF OF BRACKENRIDGE HOSPITAL; PROVIDING A PENALTY FOR WITHHOLDING EVIDENCE; PROVIDING THAT THE PRIVILEGES ATTENDANT TO MEDICAL STAFF MEMBERSHIP SHALL BE EXTENDED ONLY TO PROFESSIONALLY COMPETENT PRACTITIONERS WHO CONTINUOUSLY MEET CERTAIN QUALIFICATIONS, STANDARDS AND REQUIREMENTS; PROVIDING THAT APPLICATION OR REAPPOINTMENT TO THE MEDICAL STAFF SHALL CONSTITUTE CERTAIN SIGNIFICATION, AUTHORIZATIONS, CONSENTS, AND RELEASES; PROVIDING THAT MEDICAL STAFF APPOINTMENT AND REAPPOINTMENT AND CHANGES IN CLINICAL PRIVILEGES BE MADE ONLY BY THE BOARD; PROVIDING THAT MEDICAL STAFF DISCIPLINARY OR CORRECTIVE ACTION SHALL BE BY BOARD ORDER OR BY VOLUNTARY COMPLIANCE; PROVIDING APPELLATE REVIEW OF MEDICAL STAFF HEARINGS BY THE BOARD; PROVIDING FOR A NOTICE OF APPEAL TO THE HOSPITAL BOARD OR OF VOLUNTARY COMPLIANCE TO BE FILED WITH THE ADMINISTRATOR; PROVIDING FOR AN ENTRY OF A BOARD ORDER IN THE ABSENCE OF SUCH NOTICE; PROVIDING THAT THE RECORD OF THE MEDICAL STAFF HEARING SHALL BE FILED WITH THE ADMINISTRATOR; PROVIDING THAT THE PRACTITIONER SHALL BE DEEMED TO HAVE WAIVED APPEAL BY ABSENCE FROM APPELLATE HEARING; PROVIDING THAT WRITTEN NOTICE SHALL BE GIVEN TEN DAYS IN ADVANCE OF ANY HEARING AFFECTING A PRACTITIONER'S CLINICAL PRIVILEGES; PROVIDING THAT ADMINISTRATIVE AGENCY RULES OF EVIDENCE BE USED BY THE BOARD; PROVIDING THAT THE RULING OF THE HOSPITAL BOARD BE FINAL; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONSISTENT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

Councilman Dryden stated the matter of appointments and reappointments to the Hospital Advisory Board had been thoroughly examined and reviewed by the Hospital Executive Committee, by the Board, and was recommended for approval by the Council.

Councilman Dryden moved the Council waive the requirement of three readings, declare an emergency, and finally pass the ordinance effectively immediately amending Article II, Chapter 2, of the Code of the City of Austin to read "After serving for three years, a member of the Board 'may' enjoy at least one intervening year of absence". Dr. Seabrook, Chairman of the Brackenridge Hospital Advisory Board commended Mayor Butler and the Council for its cooperation and assistance to this Board. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

The Mayor announced that the ordinance had been finally passed.

AUSTIN JAYCEES TO PRESENT PLANS
FOR HIKE AND BIKE TRAIL ALONG SHOAL CREEK

Mr. Phillip W. Gilbert, President of the Austin Jaycees, representing the Sierra Club; Professor Taniguchi, School of Architecture; several members of the Austin Chapter American Institute of Architecture; and other citizens interested in environment, asked that the City take the first step in the development of the Shoal Creek Hike and Bike Trail from 15th Street to Town Lake. Councilman Love explained that the Council was including \$10,000.00 in the budget for this project, and he suggested that Mr. Gilbert confer with the City Manager for further consideration.

Councilman Love moved the Council approve the project in principle. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

Mayor Butler announced this appropriation is in the budget which will be approved later in the afternoon.

ANNEXATION HEARING

It being 2:00 P.M., Mayor Butler opened the hearing scheduled for this time on annexing the following properties. No one appeared to be heard. Councilman Nichols moved the Council close the hearing and direct the administration to institute annexation proceedings to annex the following: (requested by owners' representatives)

10.78 acres of land out of the George W. Davis Survey -
QUAIL CREEK WEST, PHASE II, SECTION 6.

33.16 acres of land out of the T. J. Chambers Grant -
VISTA WEST II.

6.25 acres of land out of the William Cannon League -
proposed BUCKINGHAM ESTATES, SECTION TWO.

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

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

REFUND CONTRACT

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH WILLIAM B. HOUSTON AND BEN POWELL, JR.; AND DECLARING AN EMERGENCY. (For water and sewer mains in St. Johns Commercial Area, Section 3 - \$12,271.65.)

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Friedman recalled several weeks ago he requested from the City Manager as to the status of refund contracts to the rest of the State and how much the City owes or will be owing within the next few years, so that the Council could take a look at this program.

CODE AMENDMENT - OFF-STREET PARKING

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SUBSECTIONS (a) AND (b) OF SECTION 45-30 OF THE AUSTIN CITY CODE OF 1967 BY REDUCING THE AREA OF THE CITY NOT REQUIRED TO COMPLY WITH GENERAL OFF-STREET PARKING REQUIREMENTS; DELETING THE NECESSITY FOR COUNCIL APPROVAL OF OFF-STREET PARKING WITHIN SUCH REDUCED AREA; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency, and finally pass the ordinance effectively immediately. The motion, seconded by Councilman Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

PARADE PERMIT - UNIVERSITY

Councilman Nichols moved the Council grant the application from Mr. Jose Pena for a parade permit on September 24, 1971, for the University of Texas. (Pep Rally) The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Noes: None

AUSTIN BOAT CLUB RACES RE-SCHEDULED

Councilman Nichols moved the Council grant the request from Austin Boat Club that boat races on Town Lake scheduled for October 2 and 3 be re-scheduled for October 16 and 17. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

CREATION OF AN OFFICE
OF ENVIRONMENTAL RESOURCE MANAGEMENT

Councilman Lebermann announced he was submitting an ordinance to be considered by the Council, establishing a new department within the City of Austin. The City Attorney, Mr. Don Butler, read the ordinance caption entitled "Natural Resources and Environmental Quality, Chapter 46". The Ordinance not only provided for the establishment of the Office, but included a Director, and an appropriate staff to be appointed by the City Manager, and the facilities for the Office. The Director shall be an ex-officio member of the Citizens' Board of Natural Resources and Environmental Quality to be established later by amendment to this Chapter.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING THE AUSTIN CITY CODE OF 1967 BY ADDING A NEW CHAPTER, TO BE ENTITLED "NATURAL RESOURCES AND ENVIRONMENTAL QUALITY," AND TO BE NUMBERED CHAPTER 46; PROVIDING FOR THE ESTABLISHMENT OF AN OFFICE OF ENVIRONMENTAL RESOURCE MANAGEMENT, A DIRECTOR THEREFOR, FUNCTIONS OF SUCH DIRECTOR, AND AN APPROPRIATE STAFF AND FACILITIES FOR SUCH OFFICE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Lebermann moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler complimented Councilman Lebermann's interest in this matter even prior to his coming on the Council, getting the ordinance together, and in refreshing the interest of many people. Mayor Butler noted that this program was another "first" for this Council, due to Councilman Lebermann's leadership.

In connection with the Budget appropriation for the Office of Environmental Resource Management, Councilman Lebermann stated it was the concensus of the Council that \$35,000.00 be first established, recognizing the Director will not be found immediately, resulting in additional funds when he did arrive. This amount would give some additional funds (\$5,000) to bring in a professional Planner to aid in the development of the Department in a programmatic sense. He believed this to vital to the immediate success of what the Council is trying to do.

Councilman Lebermann moved the Council approve the \$35,000.00 as the budget figure for the Office of Environmental Resource Management. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

ZONING ORDINANCES

Mayor Butler introduced the following ordinance:

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

A 4,250 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 4319 MANOR ROAD, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (City of Austin - C14-71-173)

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler 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:

LOT 2, BURTON TERRACE, SECTION 2, LOCALLY KNOWN AS 2001-2115 BURTON DRIVE, FROM INTERIM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (A. E. Craus - C14-69-288)

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Attorney referred to this, Item b, as a matter of information, in that this case was heard in 1969, and covered an extensive area. The contingencies have been met, as a special permit was obtained in the subdivision on this area covered by this ordinance, but the area is only a portion of that originally heard in 1969 by the Council.

Mayor Butler 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:
LOT 4, SCHWINGE ADDITION, LOCALLY KNOWN AS 5900-5908 MANOR ROAD AND 2800-2806 SWEENEY LANE, FROM "LR" LOCAL RETAIL DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
(1) LOT 12 AND WEST 6.8 FEET OF LOT 11, BLOCK 174, ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 1411-1419 LAVACA STREET; 219-221 WEST 15TH STREET, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT;
(2) LOTS 1 AND 3, INDUSTRIAL TERRACE ANNEX, LOCALLY KNOWN AS 9416-9612 HIGHWAY 1325, FROM INTERIM "A" RESIDENCE DISTRICT AND "D" INDUSTRIAL DISTRICT TO "C" INDUSTRIAL DISTRICT;

(3) WEST 145 FEET OF LOT 1, FORT VIEW RESUBDIVISION OF LOTS 15 AND 16, LOCALLY KNOWN AS 4305 SOUTH 1ST STREET, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT;

(4) LOT 2, SAMON ADDITION, LOCALLY KNOWN AS 5418-5422 MANCHACA ROAD, FROM "GR" GENERAL RETAIL DISTRICT TO "C-2" COMMERCIAL DISTRICT;

(5) LOT 10, BLOCK 5, SILVERTON HEIGHTS SUBDIVISION, LOCALLY KNOWN AS 7005 GUADALUPE STREET, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT;

ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

The Mayor announced that the ordinance had been finally passed.

FURTHER DISCUSSION AND FINAL PASSAGE - BUDGET

In further discussion of the 1971-72 Budget, Mayor Butler announced there had been some changes approved when presented; some were increased, and some approved not quite to the full amount. The changes are listed and are available. Mayor Butler ascertained no one else desired to be heard on the Budget.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ADOPTING AND APPROVING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1971, AND TERMINATING SEPTEMBER 30, 1972, AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT, PROJECT AND ACCOUNT; AND DECLARING AN EMERGENCY.

Councilman Lebermann moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler announced this was the largest budget ever approved in the history of this City, and he hoped this would provide the service to all of the citizens that they deserve and need, and at the same time there will be no tax increase.

Mr. Peter Levine, representing the International Society of Krishna Consciousness, questioned the philosophy and validity of the new environmental department.

Councilman Love explained to Mr. Levine that there was no committee involved, and the action taken this morning was the creation of a new department which will function as an independent department answering to the City Manager who in turn answers to the Council. Mayor Butler added that the implementation of the Ordinance was as a result of Budget hearings.

Mr. Lee Arvin expressed appreciation for the achievements and the implementation of the Environmental Department.

ADJOURNMENT

The Council adjourned at 2:40 P.M.

APPROVED:

Ray Butler

Mayor

ATTEST:

Elaine Woodley

City Clerk