

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 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, Mayor-Pro-Tem Love, Councilmen  
Lebermann, Friedman, Handcox, and Mayor Butler

Absent: None

The invocation was delivered by REVEREND CLIFFORD ZIRKEL, JR., Tarry-  
town United Methodist Church.

APPROVAL OF MINUTES

Councilman Dryden moved the Council approve the Minutes of the Regular  
Meetings of November 18th and of November 23rd, 1971. The motion, seconded by  
Councilman Nichols, carried by the following vote:

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

Noes: None

Present But Not Voting: Mayor-Pro-Tem Love, as he was not present on  
November 23, 1971

Not in Council Room when Roll was called: Councilman Lebermann

SPECIAL RECOGNITION

Mayor Butler recognized Dr. J. A. Hewitt, Paris, France, a former mayor,  
and presently a member of its City Council. Honorary Citizenship was bestowed  
upon Dr. Hewitt by Mayor Butler, who also presented him with the key to the  
City of Austin.

PROCLAMATION

Mayor Butler, introducing Miss Myra Smith, read a Proclamation declaring  
December 10th and 11th as COMMUNITY ACTION WEEK END, noting a large number of  
University students were concerned with a project in the East St. Johns Area,

along with a number of building contractors, who had pledged their support to assist the students. The Mayor said by this Proclamation, they encouraged all other citizens to help in this fine project.

#### RESOLUTION

Mayor Butler read a resolution expressing appreciation to the Austin Institute of Architects for acting as consultants to the Civic Center Committee, for the tremendous contribution to the orderly development of the City. Mr. Chuck Stahl, architect, received the Official Resolution signed by all members of the Council. Mr. Stahl introduced Mr. David Graeber and Mr. Howard Barr, of Brooks, Barr, Braeber, and White; Mr. Louis Southerland, of Page, Southerland, and Page; Mr. Herbert C. Crume, of Jessen, Jessen, Millhouse, Graeven, Crumè, Day, and Newman; and Mr. Joe Barnes, of Barnes, Landes, Goodman and Youngblood.

#### ZONING HEARINGS

The Mayor announced it was 10:00 A. M., and the Council would hear the zoning cases scheduled for public hearing at this time. The following applications were heard and all interested parties were given time to express themselves:

Howard Brunson, ET AL	5716 Manor Road	From "GR" General Retail
By David Mitchell		District to "C-2" Commer-
C14-71-259		cial District RECOMMENDED
		by the Planning Commission

Councilman Nichols moved that the change be granted to "C-2" Commercial District as recommended by the Planning Commission. The motion, seconded by Mayor-Pro-Tem Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor-Pro-Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden  
 Noes: None

The Mayor announced that the change had been granted to "C-2" Commercial District as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

R. D. SEIDERS	1600-1706 East	From "A" Residence District
By Philip Bashara	51st Street	To "LR" Local Retail Dis-
C14-71-262	5100-5116	trict-Tract 1 "BB"
	Berkman Drive	Residence District-Tract 2
		(as amended) RECOMMENDED
		by the Planning Commission

Councilman Nichols moved that the change be granted as amended to "LR" Local Retail District - Tract 1 and "BB" Residence District - Tract 2 as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

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

## CITY OF AUSTIN, TEXAS

The Mayor announced that the change had been granted to "LR" Local Retail District - Tract 1 and to "BB" Residence District - Tract 2 (as amended) as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

HOMER S. JOHNSON  
C14-71-267

505 Campbell St.

From "B" Residence District  
Second Height and Area to  
"C" Commercial District Second  
Height and Area RECOMMENDED  
By the Planning Commission

Mayor-Pro-Tem Love moved that the change be granted to "C" Commercial District Second Height and Area as recommended by the Planning Commission. The motion seconded by Councilman Nichols carried by the following vote:

Ayes: Councilman Lebermann, Friedman, Handcox, Mayor Butler, Councilmen  
Dryden, Nichols, Mayor-Pro-Tem Love

Noes: None

The Mayor announced that the change had been granted to "C" Commercial District Second Height and Area as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

JOE H. DAYWOOD  
By John Selman

505 Swanee Dr.

From "BB" Residence District  
to "B" Residence District  
RECOMMENDED by the Planning  
Commission

Councilman Nichols moved that the change be granted to "B" Residence District as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Friedman, Dryden, Mayor Butler, Councilmen Handcox, Nichols,  
Mayor-Pro-Tem Love, Councilman Lebermann

Noes: None

The Mayor announced that the change had been granted to "B" Residence District as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

ODAS JUNG  
By George Ramsey &  
Berl Handcox  
C14-71-271

2603-2609 Manor

From "C" Commercial District  
Fifth Height and Area to  
"C-2" Commercial District Fifth  
Height and Area RECOMMENDED by  
The Planning Commission amending  
the area of the location as  
set forth in the field notes

Councilman Handcox announced he was involved in this particular zoning and would abstain from taking any part and disqualify himself from voting.

Reverend Emmett J. Tanner, Pastor of Simpson United Methodist Church, expressed strong opposition to this zoning which would permit the sale of alcoholic beverages, noting seven liquor establishments now operating between East Avenue and Airport Boulevard and Seventh Street and Manor Road. He had a petition opposing the change. Mayor Butler stated the matter of liquor, wet or dry, is not before the Council, as this is purely a zoning matter, and the area is already commercial. The Planning Staff had recommended the zoning to the Commission, as the proposed use is in conformance with existing zoning, is on a major thoroughfare, and would not adversely affect the area. The Commission concurred unanimously in the recommendation to the Council.

Councilman Dryden noted the request was for a package store and not a cocktail lounge. He did not believe parking would be increased by this use.

Councilman Nichols moved that the change as amended be granted to "C-2" Commercial District as recommended by the Planning Commission. The motion, seconded by Mayor-Pro-Tem Love, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor-Pro-Tem Love, Councilmen Lebermann, Friedman

Noes: None

Present but not voting: Councilman Handcox, as he disqualified himself from voting because he was involved in the zoning.

The Mayor announced that the change as amended had been granted to "C-2" Commercial District as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

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NORTHGATE BOULEVARD  
INC.  
By Robert Sneed  
C14-71-275

9025-9101 Northgate  
Boulevard  
1800-1840 Colony  
Creek Drive

From "B" Residence District to "GR" General Retail District RECOMMENDED by the Planning Commission amending the area to delete the most easterly 100' of the property

Councilman Nichols moved that the change be granted to "GR" General Retail District as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor-Pro-Tem Love, Councilmen Lebermann, Friedman

Noes: None

The Mayor announced that the change had been granted as amended to "GR" General Retail District as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

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CAROLYN WEBB  
By Raymond Campi  
C14-71-280

1300-1302 Anderson  
Lane  
7901-7903 Gault  
Street

From "A" Residence District to "GR" General Retail District RECOMMENDED by the Planning Commission

Councilman Nichols moved that the change be granted to "GR" General Retail District as recommended by the Planning Commission. The motion, seconded by Mayor-Pro-Tem Love, carried by the following vote:

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

Noes: None

The Mayor announced that the change had been granted to "GR" General Retail District as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

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HAROLD BRUMLY  
By Al Bauerle  
C14-71-211

1106 East 32nd Street

From "A" Residence District  
to "B" Residence District  
RECOMMENDED by the Planning  
Commission subject to 5'  
of r-o-w on East 32nd  
Street

Councilman Nichols moved that the change be granted to "B" Residence District as recommended by the Planning Commission. The motion, seconded by Mayor-Pro-Tem Love, carried by the following vote:

Ayes: Councilmen Nichols, Lebermann, Mayor-Pro-Tem Love, Councilmen Friedman, Handcox, Mayor Butler, Councilman Dryden

Noes: None

The Mayor announced that the change had been granted to "B" Residence District as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

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ROY BUTLER  
By George Burks  
C14-71-251

716 Henderson Street  
901-905 West 9th  
Street  
617-701 Wood Street

From "B" Residence District  
Second Height and Area to  
"C" Commercial District  
Second Height and Area  
RECOMMENDED by the Planning  
Commission subject to 5'  
of r-o-w along Henderson  
Street from Tract 1

Councilman Nichols moved that the change be granted to "C" Commercial District Second Height and Area as recommended by the Planning Commission. The motion, seconded by Mayor-Pro-Tem Love, carried by the following vote:

Ayes: Mayor-Pro-Tem Love, Councilmen Lebermann, Friedman, Handcox, Dryden, Nichols

Noes: None

Present but not voting: Mayor Butler, as he disqualified himself from voting because he was involved in the zoning.

The Mayor announced that the change had been granted to "C" Commercial District Second Height and Area as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

CONRAD G. WISIAN, JR.  
C14-71-252

4007-4011 Manchaca  
Road

From "A" Residence  
District to "O" Office  
District RECOMMENDED by  
the Planning Commission  
subject to a short form  
subdivision combining the  
two parcels as one tract

Mayor-Pro-Tem Love moved that the change be granted to "O" Office District as recommended by the Planning Commission. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman  
Nichols, Mayor-Pro-Tem Love, Councilman Dryden  
Noes: None

The Mayor announced that the change had been granted to "O" Office District as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

ALTENHEIM, a  
Division of Lutheran  
Social Service  
By Rolf Norman  
C14-71-254

4101-4105 Avenue H

From "A" Residence  
District to "B" Residence  
District RECOMMENDED by  
the Planning Commission  
subject to the granting  
of a continued easement on  
the north side of the  
property for a driveway  
and subject to a restric-  
tive covenant, on the sub-  
ject tract as well as  
property across 41st St.,  
so that should the property  
not be used for a nursing  
home it would revert to  
"A" Residence District

Councilman Friedman moved that the change be granted to "B" Residence District First Height and Area on 4101-4105 Avenue H with the restrictive covenant so that if the property is not used as a nursing home it does revert to "A" Residence District on that property only; and that East 41st Street be kept open as it was voted by this Council. The motion, seconded by Mayor-Pro-Tem Love, carried by the following vote:

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

The Mayor announced that the change had been granted to "B" Residence District First Height and Area as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

TRINIDAD DELGADO  
C14-71-258

2417 South 3rd Street

From "A" Residence District  
to "BB" Residence District  
RECOMMENDED by the Plan-  
ning Commission subject to  
a short form subdivision  
tying the two properties  
together and that the  
street be physically im-  
proved across the front of  
the property

The Planning Director, Mr. Lillie, explained South 3rd and South 2nd Streets were in place. Because of "BB" Residence District zoning granted on 3rd Street, there was an area dedicated to the City for street purposes. As the lots, which have frontage only on the alley are zoned for apartment use, access could be made out of Oltorf and the alley would become a street. The Commission's concern was that the street begin to be physically improved as density increases.

Councilman Nichols moved that the change be granted to "BB" Residence District as recommended by the Planning Commission, subject to a short form subdivision tying the two properties together and that the street be physically improved, subject to city standards, across the front of the property. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

The Mayor announced that the change had been granted to "BB" Residence District as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

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A. W. VOGELPOHL  
By Robert Sneed  
C14-71-260

4823 Riverside Drive

From "A" Residence District  
To "BB" Residence District  
(as amended) RECOMMENDED  
by the Planning Commission  
subject to r-o-w to be  
determined by the Public  
Works Department

Councilman Friedman asked if the Planning Staff and Commission were maintaining awareness of Riverside Drive, as it is getting highly congested with apartment complexes. The Director of Planning explained that several years ago, about 600-700 acres north and south of Riverside Drive were included in a Master Plan amendment to permit medium residential and only about 20 or 30% of that area is now developed. There is still quite a bit of property for development. The Master Plan permits this development. He stated the street planning in the area was before the Council recently dealing with all the major arterial streets for the whole southeast area. East Riverside Drive as it affects this particular property needs to be designated by Public Works before this zoning should be granted. He stated when they went into the Master Plan Program again, this street would be reviewed.

Councilman Nichols moved that the change be granted to "BB" Residence District subject to contingencies, as recommended by the Planning Commission.

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

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

Noes: None

The Mayor announced that the change had been granted to "BB" Residence District, subject to contingencies as outlined, as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

C. A. GILBERG  
By Arthur Pihlgren  
C14-71-261

Rear of 1211  
Montopolis Drive  
Rear of 6304 Porter  
Street

From "A" Residence  
District to "GR" General  
Retail District RECOMMENDED  
by Planning Commission sub-  
ject to a short form sub-  
division trying the sub-  
ject tract to the existing  
"GR" General Retail tract  
with a six foot privacy  
fence on the north, east,  
and south boundaries

Councilman Nichols moved that the change be granted to "GR" General Retail District, subject to contingencies, as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Nichols, Lebermann, Mayor-Pro-Tem Love, Councilmen Friedman, Handcox, Mayor Butler, Councilman Dryden

Noes: None

The Mayor announced that the change had been granted to "GR" General Retail District, subject to contingencies, as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinances to cover.

CROSS COUNTRY, INC.  
By M. H. Crockett, Jr.  
C14-71-265

Rear of 1015-10-27  
Highway 290

From "B" Residence District  
Second Height and Area to  
"GR" General Retail Dis-  
trict Second Height and  
Area RECOMMENDED by the  
Planning Commission sub-  
ject to a privacy fence  
on the east property line  
retaining First Height  
and Area within 75' of  
east property line, and a  
short form subdivision  
deleting the references to  
Broadview

Councilman Nichols moved to grant the change to "GR" General Retail District Second Height and Area subject to a privacy fence on the east property line, a minimum building setback of 25' from the east property line, retaining First



Height and Area within 75' of east property line, and a short form subdivision deleting the references to Broadview. The motion, seconded by Mayor-Pro-Tem Love, was carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor-Pro-Tem Love

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

The Mayor announced that the change had been granted to "GR" General Retail District Second Height and Area, subject to contingencies, as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

TOM FAIREY  
Mr. Fairey represented  
himself.  
C14-71-266

5602 Manor Road

From "B" Residence District to "GR" General Retail District RECOMMENDED by the Planning Commission subject to a short form subdivision separating the subject tract from Tract 3.

Councilman Nichols moved that the change be granted to "GR" General Retail as recommended by the Planning Commission subject to a short form subdivision separating the subject tract from Tract 3. The motion, seconded by Councilman Handcox, was carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor-Pro-Tem Love

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

The Mayor announced that the change had been granted to "GR" General Retail District as recommended by the Planning Commission, subject to a short form subdivision separating the subject tract from Tract 3, and the City Attorney was instructed to draw the necessary ordinance to cover.

JOE H. DAYWOOD  
By John Selman  
C14-71-269

4716 & 4718 Depew  
Avenue

From "A" Residence District to "B" Residence District RECOMMENDED by the Planning Commission subject to 5' r-o-w along Depew Avenue

Councilman Nichols moved that the change be granted to "B" Residence District as recommended by the Planning Commission subject to 5' of r-o-w along Depew Ave. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Councilman Dryden, Nichols, Mayor-Pro-Tem Love, Councilmen Lebermann, Friedman

Noes: None

Not in Council Room when Roll was called: Councilman Handcox

The Mayor announced that the change had been granted to "B" Residence District as recommended by the Planning Commission, subject to 5' of r-o-w along Depew Avenue, and the City Attorney was instructed to draw the necessary ordinance to cover.

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WILLIAM JOE GAGE, SR.  
C14-71-272

Rear of 1411 Morgan  
Lane

From "A" Residence District to "GR" General Retail District RECOMMENDED by the Planning Commission subject to a modified special site plan of CP14-69-049, a short form subdivision tying the subject tract to the existing mobile home park tract, also subject to any restrictions on the existing mobile home tract

Councilman Nichols moved that the change be granted to "GR" General Retail District, subject to contingencies, as recommended by the Planning Commission. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Nichols, Lebermann, Mayor-Pro-Tem Love, Councilmen Friedman, Handcox, Mayor Butler

Noes: None

Not in Council Room when Roll was called: Councilman Dryden

The Mayor announced that the change had been granted to "GR" General Retail District as recommended by the Planning Commission, subject to contingencies, and the City Attorney was instructed to draw the necessary ordinance to cover.

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PETER REINHARDT  
By Richard Baker  
C14-71-276

409-413 West 38th  
Street

From "A" Residence District First Height and Area to "B" Residence District Second Height and Area RECOMMENDED by the Planning Commission subject to 5' of r-o-w along West 38th St. and a short form subdivision tying the 3 lots into one tract

Councilman Nichols moved that the change be granted to "B" Residence District Second Height and Area, subject to 5' of r-o-w along West 38th St. and a short form subdivision tying the 3 lots into one tract, as recommended by the Planning Commission. The motion, seconded by Mayor-Pro-Tem Love, carried by the following vote:

Ayes: Councilmen Nichols, Lebermann, Mayor-Pro-Tem Love, Councilmen Friedman, Handcox, Mayor Butler, Councilman Dryden

Noes: None

The Mayor announced that the change had been granted to "B" Residence

District Second Height and Area, subject to 5' of r-o-w along West 38th Street and a short form subdivision tying the 3 lots into one tract, as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

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JOHN HARRIS, J.T. &                      900-908 Banister Lane  
ROBERT WAUGH  
By Richard Baker  
C14-71-277

From "BB" Residence District to "B" Residence District RECOMMENDED by the Planning Commission subject to a privacy shield on the north, east and west sides and to a short form subdivision by each of the property owners on their respective tracts

Councilman Nichols moved that the change be granted to "B" Residence District subject to a privacy shield on the north, east and west sides and to a short form subdivision by each of the property owners on their respective tracts, as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, was carried by the following vote:

Ayes: Councilman Lebermann, Mayor-Pro-Tem Love, Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols  
Noes: None

The Mayor announced that the change had been granted to "B" Residence District, subject to a privacy shield on the north, east and west sides and to a short form subdivision by each of the property owners on their respective tracts, as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

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B. L. MCGEE                              1308-1504 East 51st  
By Richard Baker                      Street  
C14-71-278

From "BB" Residence District and "A" Residence District to "O" Office District RECOMMENDED, subject to a restrictive covenant stating that should the property be used for apartments they be limited to "BB" Residence District First Height and Area density requirements, by the Planning Commission

Mr. Richard Baker, representing the applicants, stated this application represents the requests of five different owners and three have agreed to and filed the covenant with the Planning Department. They had not been able to reach the other owners to whom they did not believe the covenant would be satisfactory. The Mechanical Contractors of Austin have a contract to purchase one of the three remaining tracts with a deadline of December 15th, on which they want to construct an office building. Mr. Baker asked that the Council sever out the two

owners whom they had not been able to get the consent to the covenant, and he further requested the Council to pass the zoning as recommended by the Planning Commission and to pass the ordinance today.

Councilman Nichols moved that the change be granted to "O" Office District on Tracts Number 1, 2, 3, and 5 as recommended by the Planning Commission, and that the hearing on Tract 4, 1310-12 E. 51st Street, be continued at a future date. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen, Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols  
Mayor-Pro-Tem Love, Councilman Lebermann  
Noes: None

The Mayor announced the change had been granted to "O" Office District on Tracts Number 1, 2, 3, and 5, as recommended by the Planning Commission, and that the hearing on Tract 4, 1310-12 E. 51st Street, would be continued at a future date, and the City Attorney was instructed to draw the necessary ordinance.

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ZONING ORDINANCE AMENDED

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:

TRACT 1: A 20,400 SQUARE FOOT TRACT OF LAND, FROM "BB"  
RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND,

TRACT 2: A 41,820 SQUARE FOOT TRACT OF LAND, FROM "A"  
RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND

TRACT 3: A 20,503 SQUARE FOOT TRACT OF LAND, FROM "A"  
RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND

TRACT 4: A 20,625 SQUARE FOOT TRACT OF LAND, FROM "A"  
RESIDENCE DISTRICT TO "O" OFFICE 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 Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols,  
Mayor-Pro-Tem Love, Councilman Lebermann  
Noes: None

The Mayor announced that the ordinance had been finally passed.

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B. L. MINCE &  
W. R. COLEMAN  
By Richard Baker  
C14-71-279

1501 Lupine Lane

From "A" Residence District  
to "B" Residence District  
RECOMMENDED by the Plan-  
ning Commission subject to  
a setback restriction on  
any improvements for the

for the full depth and width of the lot, to the retention of a 2' wide strip of "A" Residence District zoning on the Lupine Lane r-o-w and adjacent to lot on east, to the building being brought up to acceptable standards of the Building Inspector, to proper shielding by solid fences between the "A" Residence District property and the subject tract, and to a short form subdivision tying this property to the west zoned "LR" Local Retail District

Mr. Tom Watkins, Attorney for Mr. Ruel Snow, who had opposed this zoning change at all stages, but is withdrawing his opposition because of the condition today warrants something to be done for relief. He did want to make a public statement that this building was constructed in violation of the building permit, larger than it was supposed to have been. Because it was larger than permitted more parking area had to be provided resulting in destruction of the trees. He stated they felt there was negligence in allowing this to happen.

Councilman Nichols moved that the change be granted to "B" Residence District as recommended by the Planning Commission, subject to contingencies. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor-Pro-Tem Love, Councilmen Lebermann, Friedman  
Noes: None

The Mayor announced the change had been granted to "B" Residence District as recommended by the Planning Commission, subject to contingencies, and the City Attorney was instructed to draw the necessary ordinance to cover.

EARL AND EUGENE  
WUKASCH

5210 Huisache Street From "A" Residence District to "O" Office District  
NOT Recommended by Planning Commission RECOMMENDED "O" Office District on west 80' of the lot, "B" Residence District on east 50' of the lot except for a 2' strip along Huisache Street to be zoned "A" Residence District, subject to a short form subdivision tying this tract to the tract abutting Lamar Boulevard.

Mr. Wukasch had concurred with the modified recommendation of the Planning Commission. However, rather than combining the area through a short form subdivision, he preferred filing a covenant. The Director of Planning pointed out the 2' "A" Residence District residence strip would not permit a driveway for commercial purposes. If traffic is to come off Lamar, the property should be combined in one tract.

Councilman Lebermann moved that the change be granted as recommended by the Planning Commission as to "O" Office District on the west 80' of the lot; "B" Residence District on the east 50' of the lot except for a 2' strip along Huisache to be zoned "A" subject to an access easement rather than a short form subdivision. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Nichols, Mayor-Pro-Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden  
Noes: None

The Mayor announced that the change had been granted as recommended by the Planning Commission as to "O" Office District on the west 80' of the lot; "B" Residence District on the east 50' of the lot except for a 2' strip along Huisache to be zoned "A" Residence District subject to an access easement rather than a short form subdivision, and the City Attorney was instructed to draw the necessary ordinance to cover.

TIP INVESTMENTS,  
LTD.  
By Hub Bechtol  
C14-71-256

1500 Wheless Lane

From "BB" Residence District First Height and Area to "B" Residence District Second Height and Area NOT Recommended by Planning Commission

Mr. Hub Bechtol represented the applicants, asking that this be changed to "B" First Height and Area.

Councilman Nichols moved that the change be granted to "B" First Height and Area as modified, as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

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

The Mayor announced that the change had been granted to "B" Residence District First Height and Area as modified and recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

#### ZONING REFERRED TO PLANNING COMMISSION

R. D. McMains,  
GEORGE MABRY  
VIRGINIA POWELL  
TRUMAN MONTANDON &  
LEON MOFFETT

4500-4514 Avenue F  
106-110 East 45th  
Street

From "A" Residence District First Height and Area NOT Recommended by Planning Commission for property located at 4502-

C14-71-263

4514 Avenue F; RECOMMENDED  
by Planning Commission  
for property at 106-110  
E. 45th, that property  
adjacent to 45th St., sub-  
ject to 5' r-o-w on Avenue F.

Mr. Paul Cherry, representing Mr. Truman Montandon, pointed out existing "B" Residence District zoning on Speedway and North of 45th Street, stated he did not understand why his zoning was not recommended. The Director of Planning, Mr. Dick Lillie, reviewed previous applications before the Council, noting the trend not to extend zoning north of 45th due to the character of the neighborhood and the streets. Development could occur along the arterial, but not extend into the neighborhood. Mr. Cherry felt that apartments would improve the area. He had contracts for Lots 22 and the south half of Lot 23; and on Lots 19 and 20, for apartment construction.

Opposition was expressed by Mr. Lee Herridge, 4527 Speedway, who complained of students from the apartment house nearby parking on this narrow street now.

Councilman Dryden moved that this application be referred to the Planning Commission. The motion, seconded by Mayor-Pro-Tem Love, was carried by the following vote:

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

The Mayor announced that the application had been referred to the Planning Commission.

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ZONING DENIED

C. B. CARPENTER & ODAS JUNG by James Johnson C14-71-257	2358-2374 Rosewood Avenue	From "LR" Local Retail District to "C-2" Com- mercial District NOT Recommended by Planning Commission
---------------------------------------------------------------	------------------------------	-------------------------------------------------------------------------------------------------------------------

No one appeared to represent the applicant. The Director of Planning stated this property is in the Glen Oaks Urban Renewal Project and this particular use is not permitted in the commercial zone within that project. This property has already been sold and the purchasers are required under the plan to develop the property under the uses permitted by the plan. Mr. Woodrow Sledge, School District, reported that the school Superintendent had written a letter opposing this zoning.

Councilman Dryden moved that the Council uphold the recommendation of the Planning Commission and deny the change in zoning from "LR" Local Retail District to "C-2" Commercial District. The motion, seconded by Mayor-Pro-Tem Love, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilman Dryden, Love  
Noes: Councilman Nichols  
Not in Council Room when Roll was called: Councilman Lebermann

The Mayor announced that the change from "LR" Local Retail District to "C-2" Commercial District had been denied as recommended by the Planning Commission.

- - - - -

ZONING WITHDRAWN

RAYMOND & ROSALEE  
MAYES  
By John Selman  
C14-71-270

304 West 35th Street

From "A" Residence District  
to "B" Residence District  
NOT Recommended by the  
Planning Commission

Mr. John Selman, representing the applicant, stated this was a substandard lot, and he asked that the application be withdrawn.

Councilman Dryden moved that the request for a change from "A" Residence District to "B" Residence District be withdrawn. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols  
Mayor-Pro-Tem Love

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

The Mayor announced that the request for a change from "A" Residence District to "B" Residence District had been withdrawn.

- - - - -

JOHN GIDDINGS  
By Sidney Purser  
C14-71-235

200-204 West 31st  
Street

From "A" Residence District  
First Height and  
Area to "B" Second Height  
and Area NOT Recommended  
by the Planning Commission

Letters were filed by Mrs. J. L. Telford asking that the zoning be denied and that the letters be made a part of the official records.

Mr. John Giddings requested the withdrawal of zoning application C14-71-235.

Councilman Nichols moved that the Council grant the withdrawal of this application. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

The Mayor announced that the request for a change from "A" Residence District First Height and Area to "B" Residence District Second Height and Area had been withdrawn.

- - - - -

LICENSE AGREEMENT

Councilman Nichols moved that the Council adopt a Resolution authorizing the



City Manager to enter into a license agreement with Hal Starkey as follows:

To use a portion of an eight foot drainage easement across the north eight feet of the south 23 feet of Lot 12, Block 2, Fellman Heights.

The motion, seconded by Mayor-Pro-Tem Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor-Pro-Tem Love, Councilmen Friedman, Handcox, Mayor Butler, Councilman Dryden

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

#### SEWER EXTENSION CONTRACT

On approving the contract for sewer estension in Williamson Creek Area, the City Attorney stated he and Mr. Robert Sneed, attorney request that this item be postponed until next week.

#### MOTION

Mayor-Pro-Tem Love moved that the Council authorize Change Order #1 in the amount of \$11,386.45 to Contract 71-Db-108, Drainage Improvements on Peyton Gin Road from Research Boulevard to North Lamar Boulevard. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor-Pro-Tem Love, Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

#### REQUEST TO INITIATE ZONING

The Director of Planning, Mr. Lillie, reported the Planning Commission recommended that the area bounded by Red River, Airport Boulevard, and 45th Street be redesignated for apartment use, as this is a triangle of land that has had a lot of "spot" zoning in it. The Commission was of the opinion the whole area should be rezoned to apartment use.

Mayor-Pro-Tem Love moved that the Staff be instructed to proceed with assembling the material, to have a hearing and to make a recommendation. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilman Nichols, Mayor-Pro-Tem Love, Councilman Lebermann

Noes: None

Not in Council Room when Roll was called: Councilman Dryden

#### SAFETY COMMISSION

Mayor Butler announced the membership of the Safety Commission as follows:

Bill Nolen, Chairman

John Gray, Chamber of Commerce

John M. Paver, retired

Ralph Moreland, Restaurants  
Douglas Y. Nichols, American Bank  
George R. Gustafson, Safety Association  
Clyde Lee, University of Texas  
Tom Lee, Texas Insurance Advisory Association  
Bones Oldenburgh, Retired  
Harry Smith, KNOW  
Ken Johnson, Calcasieu  
Johnnie Hobbs, Businessman  
Harry M. Power, Retired  
Charles Scott, Insurance Agent  
Nancy Brown, student at Crockett High School  
Abel Ruiz, student and very interested in serving city  
Brad Smith, Executive Director Telephone Association

**SPECIAL RECOGNITION OF FORMER BOARD AND COMMISSION MEMBERS**

Mayor Butler announced the Council desired to make special recognition of members of various Boards and Commissions, and express in a manner, the Council's appreciation and gratitude to them for their past services. Certificates were presented to each by the Mayor and Councilmen.

**PARKS AND RECREATION BOARD**

Mrs. Alden Davis - 1951-1971, Chairman for many years; now Chairman Emeritus  
Mr. Taylor Glass - 1969-1971, former Mayor  
Mr. Charlie Goodnight - 1969-1971

**BOARD OF ADJUSTMENT**

Mr. Wallace Scott, Jr. - 1969-1971  
Mr. H. M. Totland - 1953-1969  
Mr. Burrell D. Johnston - 1969-1970  
Mr. Clyde Hill - 1970-1971

**NAVIGATION BOARD**

Mr. Marion Fowler - 1947-1971  
Mr. Bill Gaston - 1961-1971  
Mr. Kelton H. Spillar - 1969-1971

**HUMAN OPPORTUNITIES CORPORATION**

Mr. T. C. Calhoun - 1970-1971, Principal Kealing High School for  
37 years; associated with the schools for 42 years  
Mr. Victor Ravel - 1969-1971  
Mr. T. W. Kincheon, III - 1970-1971

Mr. W. T. Shropshire - 1970-1971  
Mr. Morris D. Johnson - 1970-1971

PLANNING COMMISSION

Mr. S. P. Kinser - 1955-1971, Chairman since 1955  
Mr. Jack Goodman - 1965-1970  
Mr. C. L. Reeves - 1969-1971  
Mr. Jack S. Crier - 1969-1971

BOARD OF EQUALIZATION

Mr. John E. Harrison, Sr. - 1967-1971  
Mr. Theo Meyer, Jr. 1967-1971

Several to have been honored at this time were unable to be present as they were out of town:

NAVIGATION BOARD

Mr. Frank DeGroot - 1969-1971  
Mr. Hiram Brown - 1969-1971

HUMAN OPPORTUNITIES CORPORATION

Les Gage  
Hugh Higgins  
Fred Minter

PARKS AND RECREATION BOARD

George C. Riggin  
Gil Kuykendall

PLANNING COMMISSION

Fritz Becker  
M. J. Anderson

Mayor Butler thanked the group again for their serving the City of Austin, and he hoped this would not mark the end of their service, but merely mark the time of expression of appreciation to each. The City would be counting on their advice and counsel.

APPLICATION TO CRIMINAL JUSTICE COUNCIL FOR GRANT  
TO PROVIDE POLICE LEGAL ADVISOR

The City Manager recommended that the application be drawn and submitted. Councilman Friedman asked if this Counselor would be a full time advisor in the Police Department, with duties only in that Department. The City Manager stated an Assistant City Attorney was being authorized and would work at the Police Department. Councilman Friedman wanted this Advisor to be full time in the Police Department, and that he be a designated person for full time. Councilman Dryden also was of the opinion that the basis on which this man would be employed would be that he would be assigned exclusively to the Police Department.

Councilman Friedman moved that the Council authorize the City Manager to file an application for funds for Police Legal Advisor, with the understanding that the advisor shall be haired as a fulltime Assistant to the Police Station and he will report to the City Attorney.

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

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

Ayes: Nichols, Mayor-Pro-Tem Love, Councilman Lebermann  
Noes: None

The City Manager reported that the two year program would call for a grant of \$15,879 for the first year, and a total of \$31,581 for both years. The City's appropriation, \$5,293 annually, will be required for matching funds.

#### ENGINEERING SERVICES

Councilman Nichols moved that the Council select Mr. Frank Bryant as the Consulting Engineer for the following:

- a. Paving and Associated Improvements at East Service Center - Capital Improvement Program. (Estimated cost is \$1,000.00)
- b. Tennis Court Facilities Improvements - Austin Recreation Center - Capital Improvement Program. (Estimated cost is \$400.00), and

the Council name Trinity Testing Corporation as the Consultants for the following:

- c. Walk and Bikeway and Associated Improvements - Town Lake Project - Capital Improvement Program. (Estimated cost is \$2,000.00)
- d. Metz Park Recreation Building and Park Improvements - Model Cities Projects - Capital Improvement Program. (Estimated cost is \$1,500.00)

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

Ayes: Councilmen Dryden, Nichols, Mayor-Pro-Tem Love, Councilmen Friedman, Handcox, Mayor Butler

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

#### AMBULANCE SERVICE BIDS

Mayor Butler announced the Ambulance Committee had met this morning and have a report to make.

Mr. Jimmy Clay, Chairman, reported that the Committee met at 11:00A. M., with the following members present: Dr. Fred Vaught, Messrs. Conwell Smith, Dale Owens, Victor Manning, Jon Coffee, Dr. Maurice Hood, Mr. Lynn Andrews, and himself.

Mr. Clay reported, a motion was made by Dr. Hood, and seconded by Dr. Vaught, that bids received on ambulance service be rejected. The motion was approved with Mr. Conwell Smith abstaining.

A second motion by Dr. Hood, seconded by Dr. Vaught that provision be made to extend the present specifications for service for a period of six months, was approved by a 4 to 3 vote.

The third motion made by Dr. Hood, seconded by Dr. Vaught, that the City recognize an obligation to assume responsibility for providing emergency ambulance service of the highest type. The vote was five for the motion; three men ab-

staining or voting "no".

The Mayor, for the record, stated that the specifications presented in those bid applications and forms (some 40 were sent out asking for invitations to bid) were set by this Committee and not this Council. The Council concurred in the Committee recommendation, and used those recommendations. Mr. Clay stated that was correct.

Mr. Clay noted the urgency in getting into operation as soon as possible, stating it would take a minimum of six months to obtain the modular type ambulance and train the personnel. The operation could be under a management contract or private enterprise. As to funding, certain specifications must be met to receive funds under the Highway Safety Act. The Committee was deeply involved in studying the funding, and Dr. Vaught is working closely to try to develop this type of system. Mr. Clay suggested proceeding promptly in getting the application filed.

The City Manager discussing the rebidding, asked for 15 days to readvertise and receive the bids. The problem with the bidders stemmed from the time of the contract, and not being able to amortize the equipment they would need in 18 months. He believed the six months' contract was too tight. It was his understanding that the present franchise holder would continue to operate the ambulance service on both an emergency and non-emergency basis. Mr. Smith had said if the City were going into the ambulance business, he would do everything in his power to keep it in the ambulance service, and keep the public properly protected as a responsible citizen, and the Committee appreciated that offer. It was the City Manager's recommendation to negotiate the contract at this point.

Councilman Nichols moved that the bids be rejected, and the City Manager be instructed to negotiate with the present ambulance franchise holder on a temporary basis -- a minimum of six months, or until such time as the Council could determine what the City is going to do. Councilman Lebermann, with the motion to be firm regarding the six months period and giving the Ambulance Committee time to bring forth their long range recommendation, seconded the motion.

Mr. Nichols in clarifying his motion stated that the Council would guarantee this for six months; and when they reach the six months period, they would talk about negotiations and allow for contingencies over which there were no control, as the escalation of the minimum wage as added by Councilman Lebermann.

Councilman Nichols' motion received the following Roll call:

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

Noes: None

The Mayor stated by this action, the Council was assuring the public of continued ambulance service and with a way to improve it.

Councilman Lebermann thought it would be appropriate to ask Mr. Clay and his Committee to stay organized on a permanent status and to continue their studies and come back to the Council with a long range recommendation.

Mayor Butler, in conclusion, stated this would be the offer of the Council to extend the contract for six months; and if it were approved here, and is agreeable and acceptable to the Ambulance Company, then the contract will be in effect.

## SCHEDULE OF COUNCIL MEETINGS

Mayor Butler suggested that the Council hold its Regular Session on Tuesday, December 21st, 1971.

Councilman Lebermann moved that the Council Meeting that would normally be held on December 23rd, 1971, be changed to Tuesday, December 21st, 1971. The motion, seconded by Councilman Handcox, carried by the following vote:

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

## BUS SITUATION

Mayor Butler stated at this time the Council would express itself regarding the Bus Situation.

In discussion, Councilman Nichols stated that at a later date a decision could be made as to whether or not the City operated the system or leased it. Mayor Butler announced the system would be purchased by the City with Federal Funds, and whether it be municipally operated or bid to private operators will not be a part of the application.

Mayor Butler said these Federal Funds would be available up to two thirds. He announced that this is a major step for the City of Austin, and it is hoped that within a year, Austin can have a new bus system.

Councilman Nichols moved that the Council instruct the City Manager and Staff to prepare the necessary application for the purchase of the new bus system, to secure the funds, and bring this application back as soon as possible. The Mayor noted the motion would be open as to the number of busses. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor-Pro-Tem Love, Councilman Lebermann  
Noes: None

## ANNEXATION HEARING

The Mayor opened the public hearing scheduled at 2:00P. M., to consider annexation of two tracts of land.

After discussion of annexing the two tracts under consideration, Mayor-Pro-Tem Love moved that the Council close the public hearing and directed the administration to institute annexation proceedings to annex the following:

1.33 acres of unplatted land out of the William Cannon League. (requested by owner)

13.21 acres of land out of the John Applegait Survey - proposed WINDSOR HILLS, SECTION FOUR. (requested by owner's representative)

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

Ayes: Councilmen Dryden, Nichols, Mayor-Pro-Tem Love, Councilmen Lebermann,

Ayes: Friedman, Handcox, Mayor Butler,  
Noes: None

Councilman Nichols inquired about adjacent land specifically not yet annexed, and land under annexation proceedings -- the area of 43.00 acres out of the John Applegait Survey, unplatted land which is to be read the first and second times this date. Discussion was held on an area to the south and west of the 13.21 acres bounded by Childress Drive on the South; Faylin Drive on the east; and the present City limit line on the west, as a possibility of this area becoming a "hole in the doughnut." In line with this request, Mr. Lillie stated the Council might want to include the entire subdivision that is already developed and on city services.

Mayor-Pro-Tem Love moved that the Council hear the area bounded by Woodstock Drive, Childress Drive, and Faylin Drive on the west, south and east, and Newport Drive on the north; and on December 21st, set a public hearing date. The motion was seconded by Councilman Nichols. Councilman Love, discussing the area bounded by Woodstock Drive, Childress Drive, and Faylin Drive on the west, south and east, and Newport Drive on the north, stated the area was in the Big Walnut Creek watershed.

The Council then reconsidered Mayor-Pro-Tem Love's motion. Mayor-Pro-Tem Love moved that the Staff bring in a report on the 21st of December. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Nichols, Mayor-Pro-Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden

DISCUSSION OF ANNEXATION POLICY AS TO A STANDARD  
AREA TO BE CONSIDERED FOR ANNEXATION

At Mayor Butler's suggestion, the Council discussed a policy requiring a certain amount of acreage of certain size tract for annexation rather than small tracts. It was suggested that no less than two acres be considered. He asked the Director of Planning that a minimum amount of property be set when the Council re-evaluates its practices and policies, fees, etc.

ANNEXATION ORDINANCES - FINAL PASSAGE

Mayor Butler 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 18.00 ACRES OF LAND OUT OF THE J. C. TANNEHILL LEAGUE; 28.00 ACRES OF LAND CONSISTING OF THREE TRACTS OUT OF THE J. C. TANNEHILL LEAGUE; 23.63 ACRES OF LAND OUT OF THE THOMAS ELDRIDGE SURVEY AND THE J. C. TANNEHILL LEAGUE; AND 6 ACRES OF LAND OUT OF THE THOMAS ELDRIDGE SURVEY, THE J. A. G. BROOK SURVEY AND THE J. C. TANNEHILL LEAGUE; ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman Handcox 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 Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden

Noes: None

Present but not voting: Mayor-Pro-Tem Love, Councilman Nichols

#### ANNEXATION ORDINANCES - 1st & 2nd READINGS

Mayor Butler 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 35.05 ACRES OF LAND OUT OF AN A PART OF THE SANTIAGO DEL VALLE GRANT; 2.72 ACRES OF LAND OUT OF AN A PART OF THE SANTIAGO DEL VALLE GRANT; 83.92 ACRES OF LAND OUT OF AN A PART OF THE SANTIAGO DEL VALLE GRANT; 13.42 ACRES OF LAND OUT OF AND A PART OF THE JOHN APPELGAIT SURVEY; AND 43 ACRES OF LANE OUT OF AND A PART OF THE JOHN APPELGAIT SURVEY; ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor-Pro-Tem Love, Councilman Lebermann

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 Dryden, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor-Pro-Tem Love, Councilmen Lebermann, Friedman

Noes: None

The Mayor announced that the ordinance had finally passed.

#### 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 27.183 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWS AS 408-410 WONSLEY DRIVE, FROM "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.



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: Mayor-Pro-Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols  
Noes: None

The Mayor announced that the ordinance had finally passed.

#### CONTRACT AWARDED

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

PAT CANION EXCAVATING  
COMPANY

- For the construction of paving and associated improvements at East Service Center - Base Bid and all Alternates in the total amount of \$83,481.00. (90 consecutive calendar days for completion; Capital Improvement Program)

that the contract in the amount of the base bid \$72,429.00; Alternate #2, \$1,500.00; and Alternate #3, \$4,500.00. The motion, seconded by Mayor-Pro-Tem Love, carried by the following vote:

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

#### MINIMUM STANDARDS FOR COMMUNITY SERVICE WORKERS

The City Manager stated this was the item carried over regarding the Model Cities Contract with the Police Department for operation of a Police Community Relations Program, where there would be Police Aids at the store front locations. Only one of ten has been hired, and Model Cities has been unsuccessful in getting others. The question then was whether or not the Police Aid should be called by another name and standards reduced so that it might be possible to hire the Service Workers from the Model Cities area. Some members of the Council did not want to reduce the standards and others felt that the standards should be reduced. The standards for Police Aids today are very important, as the aids have the opportunity to become policemen when they come of age. If the police aid requirements are reduced in the store front location, and the police aid requirements are reduced, it would reduce police requirement standards. He suggested calling these men Community Service Workers or some other appropriate name. HUD wants these people to be recruited from the Model Cities area. Councilman Nichols did not believe the police department could be upgraded by reducing the standards.

Councilman Friedman insisted the standards of the Police Department were not being reduced, and discussed this at length, suggesting that the test for the Service Worker could be lowered to 140 on the Army Alpha program; and in time, before he makes a transition to this point here to a cadet, he could be retested. The same work would be done by a Community Service Worker as a Police Aid and both would have opportunity to improve their performance.

Councilman Friedman moved "that we lower the standards of the Police Aids to meet those standards which have been set up to qualify somebody to be a Community Service Worker for all Police Aids; that we hire starting from the time of passage of this motion; and that before any Police Aid enters the Cadet Class of the Austin Police Department, he then takes the test over again and makes sure that he meets the minimum requirements of the Austin Police Department which will not be lowered, which will mean he will still have to have the 150 score on the Alpha Test, the height and weight requirements and all the other requirements that he must now meet." For clarification, he stated his motion would basically lower the standards of Police Aids, putting in a second stage testing to make sure that an individual meets the standards of the Austin Police Department.

Councilman Handcox seconded the motion, but preferred to "change the standards" rather than the statement "lowering the standards." Mrs. Donner, member of the Model Cities Commission, concurred in Councilman Handcox's statement in "changing the standards."

Councilman Friedman restated his motion, "the motion is to change the standards to become a Police Aid to those standards as set out by the City Manager qualifying someone to be a Community Service Worker, 17 to 21, male, minimum score of 140 on the Army Alpha Test, etc., and that before a Police Aid becomes a Police Cadet in the Austin Police Department, he must then take the test again to make sure he meets the minimum requirement of the Austin Police Department." There will be no changing of any standards to become an officer of the Austin Police Department. It is strictly for Police Aids in the hopes, while somebody is a Police Aid he will be able to expand, grow and build up his knowledge so that he may qualify under the minimum standards of the Austin Police Department. In no way will it affect the Austin Police Department. It is just setting up a separate testing facility for the Police Aids.

Police Chief Miles did not want to lower anything that would cause a lowering of the standards of the Police Department itself, and he did not recommend hiring anyone in these jobs who could not be a potential policeman.

Mr. Barrientos concurred in Councilman Friedman's philosophy.

The City Manager, Mr. Andrews, recommended changing the testing score, and set out a hypothetical figure -- for four classifications:

	18 years	19 years	20 years	21 years
	5.5	5.6	5.7	
Score	135	140	150	

Councilman Lebermann offered a substitute motion to instruct the City Manager to come back in the next or two weeks, if that much time is required, with hard numbers on the standards for an 18 year old, 19 year old, 20 and 21 year old, for final review and passage. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

#### BUILDING LEASE - POLICE COMMUNITY RELATIONS

The Council held over consideration of authorizing a lease for a building

located at 1621 Rosewood Avenue for use as storefront office of the police-community relations program - six months with an option to renew for an additional six months - \$65.00 monthly.

AUTHORIZATION OF PARTICIPATION IN PRELIMINARY STUDY REGARDING  
JOINTLY OWNED POWER PRODUCTION FACILITIES WITH  
CENTRAL POWER & LIGHT, HOUSTON LIGHTING & POWER  
CITY PUBLIC SERVICE BOARD OF SAN ANTONIO  
AND LOWER COLORADO RIVER AUTHORITY

Mr. R. L. Hancock, Director of Electric Utilities, gave a resume of the institution of this study with five utilities on nuclear power generation. Across this country there are a number of utilities participating in joint projects of this type. This is a preliminary study to obtain information. The electric utilities work together and discussed the possibility of staggered generation for economic reasons between the utilities.

The City Manager stated the Staff is asking the Council to authorize the administration to spend \$3,000 for a preliminary study. Mr. Hancock stated the study would be made by an organization called NUS (Nuclear Utility Service) with offices in Houston, although they are national in scope. He reviewed the cost, stating it would be divided equally between the five utilities for the preliminary study; and if all parties enter into the agreement and decided to participate in this type plan, at a point in time, it would be determined as to the degree of participation by each company as to how much capability they would want out of that plant. Then the costs, expense of site studies, preliminary feasibility studies, environmental studies, engineering, and architectural engineering costs would be prorated then in accordance with whatever the Company's participation was. He reviewed other aspects whether or not Austin would be tax exempt, stating there are a vast number of questions and a great deal of study that would have to be made to determine whether Austin should or should not participate.

Mayor-Pro-Tem Love moved that the Council authorize participation in this subject study.

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor-Pro-Tem Love

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

EMINENT DOMAIN

Discussion was held on acquisition of Southwest Fire Station Site at Southwest corner of Miles Avenue and Manchaca Road.

Mayor-Pro-Tem Love moved that the council set a public hearing at 11:00 A.M. December 21st, 1971, to hear this matter and instructed that adjoining property owners be notified. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Mayor-Pro-Tem Love, Councilmen Friedman, Lebermann

Noes: Councilmen Dryden, Nichols

TOWN LAKE BEAUTIFICATION PROGRAM

Mayor Butler announced the Friday Inauguration of the Town Lake

Beautification Program at 11:00 A. M.

#### COUNCIL MEETING LOCATION

Mayor-Pro-Tem Love moved that the Council adopt a resolution to schedule a meeting at Reagan High School, January 13th, 1972, at 7:30 P. M. Councilman Nichols seconded the motion and asked that the routine hard core items be reduced and give the people in the neighborhood a chance to be heard. Mayor Butler suggested almost eliminating the routine business and turn it over primarily to a neighborhood meeting. The resolution carried with the following vote:

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

Noes: None

#### TEMPORARY STREET CLOSING

Councilman Nichols moved the Council authorize temporary closing of the following streets on December 10th from 9:00 A. M. to 1:00 P. M. :

West First Street From Lamar Street to Guadalupe Street

One block of San Antonio Street

The motion, seconded by Mayor-Pro-Tem Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor-Pro-Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden

Noes: None

#### APPROPRIATION - CAPITAL IMPROVEMENT PROGRAM

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 710909-I TO TRANSFER APPROPRIATED GENERAL FUNDS FROM THE CIP ACCOUNT FOR FLEET ADMINISTRATION'S SERVICE CENTER CIP ACCOUNT; 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 Lebermann, authorizing transfer of \$92,000.00 from the appropriation for Capital Improvement General Fund support to CIP account number 43789060-994, carried by the following vote:

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

Noes: None

The Mayor announced that the ordinance had finally passed.

December 9, 1971 1175

CITY OF AUSTIN, TEXAS

ADJOURNMENT

The Council adjourned at 5:10 P. M.

APPROVED:

*Ray Butler*  
Mayor

ATTEST:

*Elsie Woodley*  
City Clerk