

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 23, 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

Invocation was delivered by REVEREND CARL EATON, Covenant Presbyterian Church.

As the City Manager, Mr. Andrews, was absent, Mr. Dan Davidson, Deputy City Manager, acted in his behalf.

## APPROVAL OF MINUTES

With the addition of zoning case C14-71-169, Loreta Carter, Councilman Love moved that the Minutes of the Regular Meeting of September 16, 1971, be approved. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Noes: None

## RENAMING OF CONGRESS AVENUE

Mayor Butler announced that Councilman Lebermann proposed to rename Congress Avenue for one day, September 29th, "MAURICE PERESS AVENUE" honoring Mr. Peress, Musical Director of the Austin Symphony Orchestra, who achieved national recognition, both for himself and Austin through the news media, Time, News Week, Television, and newspapers across the United States by conducting "The Mass", composed by Leonard Bernstein at the opening of the John F. Kennedy Center for the Performing Arts in Washington, D.C. On Councilman Lebermann's motion, Councilman Friedman's second, the Council honored Mr. Maurice Peress, and asked that a Resolution be brought in naming Congress Avenue "MAURICE PERESS AVENUE: for the day, and that the Mayor and Council be in attendance at the time the street name is changed. The motion carried by the following vote:

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

Noes: None

#### COMMENDATION OF RIVER CITY BASS CLUB

Councilman Handcox moved that the Council, commend the River City Bass Club for cleaning up Town Lake. Councilman Nichols seconded the motion, which carried by the following vote:

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

Noes: None

#### CONTRACTS AWARDED

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

L. H. LAND PAINTING - For cleaning and painting the exterior of the Main Building Brackenridge Hospital - \$23,832.00. (90 consecutive calendar days for completion; estimate was in the range of \$27,000.00)

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

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

Noes: None

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

AUSTIN METAL & IRON COMPANY - Sale of Scrap Metal - \$3,944.00.

Only one bid was received, and Councilman Nichols inquired about the delivery process, if it would be to the City's advantage in the bid form to include the delivery of containers. Mr. Bennett, Purchasing Agent, stated it was possible for the City to deliver the containers, and he would look into this provision. This stipulation might encourage more bidders. Mr. Dan Davidson, Deputy City Manager, suggested calling a pre-bidding conference and determine if the present way of advertising should be changed in order to attract more bidders.

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

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

Noes: None

Councilman Love moved the Council adopt a Resolution awarding the following contract:

PENGO HYDRA-PULL  
CORPORATION

- One (1) each Puller-Tensioner -  
\$40,190.00.

In response to Mayor Butler, the Director of Electric Utilities, Mr. R. L. Hancock, explained the use of this technical equipment which is to string overhead conductors to serve as safety devices keeping the City from having to provide special guard crossings as one line intersects another.

Mayor Butler emphasized that all purchases made by the City conform with the present price freeze status; and that this should be stipulated in all future purchase documents. The Council agreed.

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

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

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

FORD-WEHMEYER

- For the installation of approximately  
498 linear feet of 3-inch sewer pipe,  
2,678 linear feet of 21-inch sewer pipe,  
4,846 linear feet of 12-inch sewer pipe,  
and 763 linear feet of 10-inch sewer pipe  
located along Walnut Creek from F.M. 969  
to Decker Lane - Big Walnut Creek Sanitary  
Sewer Main - \$181,151.60. (180 Working  
days for completion; City's estimate:  
\$270,350.00; Capital Improvement Program)

Councilman Friedman brought up for discussion the use of improved types of materials in these sewer lines. Mr. Curtis Johnson, Assistant Director of the Water and Waste Water Department, gave a resume of the materials and their uses. Mayor Butler and Councilman Nichols discussed the City estimate and possible affects such might have on the bidding.

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

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

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

UNITED CONTRACTING  
COMPANY

- For the installation of approximately 6,887 linear feet of 24-inch C.S.C. water main and appurtenances - Braker Lane North Lamar Boulevard to Bluff Bend Drive 24-inch water main - \$245,978.40. (100 working days for completion; City's estimate: \$260,996.75; Capital Improvement Program)

Councilman Nichols, noting a water line going into the area of Cameron Road, recalled that Councilman Lebermann had asked for a report on the Cameron Road area as far as annexation was concerned. The Deputy City Manager stated he would check into this request.

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

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

Councilman Dryden moved the Council adopt a Resolution awarding the following contracts:

INTERNATIONAL HARVESTER  
COMPANY

- Five (5) Pick-up Trucks - \$15,088.78;  
One (1) Carryall - \$3,849.38; Total -  
\$18,938.16.

## GMC SEARCY TRUCKS, INC.

- One (1) Carryall - \$4,128.01.

Mayor Butler asked why out of the five or more truck builders there are only two bids. Mr. Bennett, Purchasing Director, reported that the major bidders were not interested in small quantities. Councilman Nichols asked for certain information (1) where these vehicles will be used; (2) if the only reason for buying this equipment were to spend some money before October 1st. Mr. Rogers, Fleet Administrator, stated one of the trucks was for the Tax Department; and the other for Public Works. The others will go to the Parks Department and Electric Distribution. Later in the meeting, Mayor Butler explained why only two bids were received on this equipment, and it appears these bids will be the best that can be received at this time. He stated there was an urgency for this purchase, as it takes from 60 to 90 days for delivery.

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

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

COST DIFFERENCE TO GREATER NORTHWEST INC.  
AUSTEX DEVELOPMENT CO.

Councilman Nichols moved the Council adopte a resolution authorizing payment to Greater Northwest Incorporated, Walter R. Carrington, President, and Austex Development Company, Ltd., Nash Phillips, Attorney-in-fact, for the cost difference of 12" /8" A.C. sewer main in Balcones Woods, Section 1 - \$1,887.53. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Not in Council Room when Roll was called: Councilman Love

It was explained that the City's paying for larger sewer mains than those required is normal practice to serve future subdivisions in the area.

REFUND CONTRACT TO GREATER NORTHWEST INC.  
AUSTEX DEVELOPMENT CO.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH GREATER NORTHWEST, INCORPORATED AND AUSTEX DEVELOPMENT COMPANY, LTD.; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for the reading of ordinances on three separate days, and finally passed an ordinance through all required readings authorizing a five (5) year contract with Greater Northwest Incorporated, Walter R. Carrington, President; and Austex Development Company, Ltd., Nash Phillips, Attorney-in-fact, to purchase the sanitary sewer and water approach mains serving Balcones Woods, Section 1 - \$77,999.20. The motion seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Not in Council Room when Roll was called: Councilman Friedman

EASEMENTS RELEASED

Councilman Nichols moved the Council adopt a resolution authorizing the release of the following easement:

A public utilities easement out of Lot 18 and Lot 17, Block Q, FLOURNOY'S SWEETBRIAR SECTION VII.

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

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

Noes: None

Not in Council Room when Roll was called: Councilman Love

Councilman Nichols moved the Council adopt a resolution authorizing the release of the following easement:

Four (4) electric easements, each being a portion of that certain electric easement described in an instrument dated December 13, 1968, of record in Volume 3621 at Page 2034 of the Deed Records of Travis County, Texas.

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

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

Noes: None

Not in Council Room when Roll was called: Councilman Love

#### SALE OF HOUSE

Councilman Nichols moved the Council adopt a resolution authorizing the sale of a house, accepting a positive bid on a house to be demolished as follows:

James Reyes	604 E. 13th St.	\$26.00
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The motion, seconded by Councilman Handcox, carried by the following vote:

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

Noes: None

Not in Council Room when Roll was called: Councilman Love

#### SUBSTANDARD STRUCTURES

Councilman Nichols moved the Council approve the recommendations from the Building Standards Commission that the Law Department take proper legal disposition of the following substandard structures which have not been repaired or demolished within the required time:

1901 E. 12th St.  
Randolph Hawkins

- That the structure located on this lot be declared a public nuisance by the City Council; that the owner of such property be given sixty days from July 14, 1971, in which to repair or demolish the structure and clean the premises; that after expiration of the sixty day period, the owner has failed to repair or demolish the structure and clean the premises, the Legal Department of the City of Austin be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; that upon a termination of the legal proceedings in favor of the City of Austin, the failure of the defendant to abate the nuisance, the forces of the

1001 E. 14th Street  
George Kuempel Estate

- City of Austin, with permission of the court, be empowered to demolish the structure and affix the costs thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.

1110 E. 12th Street  
Ben Chambers &  
Vivian Chambers

- That the structure located on this lot be declared a public nuisance by the City Council; that the owner of such property be given sixty days from December 9, 1970, in which to demolish the structure and clean the premises; that after expiration of sixty days period, the owner has failed to demolish the structure and clean the premises the Legal Department of the City of Austin be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; that upon a termination of the legal proceedings in favor of the City of Austin, the failure of the defendant to abate the nuisance, the forces of the City of Austin, with permission of the court, be empowered to demolish the structure and affix the costs thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.
- That the structure located on this lot be declared a public nuisance by the City Council; that the owner of such property be given sixty days from July 14, 1971, in which to repair or demolish the structure and clean the premises; that after expiration of the sixty day period, the owner has failed to repair or demolish the structure and clean the premises; the Legal Department of the City of Austin be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; that upon a termination of the legal proceedings in favor of the City of Austin, the failure of the defendant to abate the nuisance, the forces of the City of Austin, with permission of the court, be empowered to demolish the structure and affix the costs thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.

## COUNCIL'S STAND ON DRUGS

Councilman Nichols brought up the item discussed at a Press Conference the evening before and the stand the Council was to take on certain issues. He wanted to formalize the action and moved that the Council affirm formally the stand that it articulated at its press conference on Wednesday at 2:00 P.M. Councilman Love seconded the motion.

Councilman Friedman offered an amendment to include reaffirmation of what was said in the press conference and was not issued in the release, that the Council is looking and trying to work with the community as a whole to find an adequate and well working rehabilitation and drug education program, one of the necessities for this entire program to work.

Mayor Butler added another amendment that the Council is amenable to any other plan, in addition to the Council's Plan, that would help in this cause.

Motion

Councilman Nichols moved that the Council affirm formally the stand it articulated at its press conference on Wednesday at 2:00 P.M.; that the Council is looking and trying to work with the community as a whole to find an adequate and well working rehabilitation and drug program, one of the necessities for this entire program to work; and that the Council is amenable to any other plan, in addition to the Council's plan, that would help in this cause. The motion, seconded by Councilman Love, carried by the following vote:

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

## LIBRARY

The Council had before it an application to the Texas State Library (in conjunction with the Texas Education Agency) for approximately \$10,000. Councilman Nichols asked if funds would be available for another library. Mr. Earl Holt, Librarian, reported this fund would carry a designated program until June 30, at which time an additional application would be filed. Through a different title, funds would be available for construction of a new Central Library. When the papers are received, around October 1, an application will be filed. The Deputy City Manager reported that the Planning Commission is working on a Master Library Plan resulting from the work of the Library Commission and this will come before the Council in about 60 days.

## APPROVAL OF TAX ROLL

Mayor Butler acknowledge receipt of the letter from the card of Equalization setting the tax valuation at \$1,191,619,000.00 upon which the tax rate of \$1.29 would be sufficient to support the Budget for the coming year.

Councilman Nichols asked what percentage of the \$1,191,619,000.00 and of last year's evaluation of \$1,069,000,000.00 was due to the annexation of property as opposed to the increase in the assessment value. The information was not broken down at this time. Councilman Nichols said the Council should have such a report.



It was explained the Tax Department is scheduled for redesign of its data processing in late 1972 or 1973.

Councilman Nichols moved the Council adopt a Resolution approving the tax rolls for 1971 at \$1,191,619,000.00. The motion, seconded by Councilman Love, carried by the following vote:

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

#### ORDINANCE APPROVING THE TAX RATES

Councilman Nichols moved the Council waive the second and third readings, and pass the Ordinance setting the tax rate as follows through all required readings.

\$0.95 - Ad Valorum  
\$0.34 - Interest and Sinking Fund

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

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

#### MINUTE ORDER

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to accept Minute Order #65295, approved by the Texas Highway Commission (August 31, 1971), pertaining to traffic improvements on North Lamar Boulevard between Peyton Gin Road and Powell Lane. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox  
Noes: None  
Out of Council Room when Roll was called: Mayor Butler

#### ACQUISITION OF LAND

Councilman Nichols moved the Council adopt a resolution authorizing the acquisition of certain land for the MoPac Expressway, Phase 4, as follows:

2426 Hartford Road (Partial Acquisition)  
John R. Dickerson, et ux

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

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox  
Noes: None  
Out of Council Room when Roll was called: Mayor Butler

## EXECUTION OF DEED

Councilman Nichols moved the Council adopt a resolution authorizing execution of a deed conveying 5.3 acres of land in accordance with the Option Agreement dated September 16, 1968. The motion, seconded by Councilman Dryden, carried by the following vote:

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

## CONTRACT WITH U.T. - NO ACTION

There was no action taken on the item of consideration of a proposal contract with the University of Texas for remittance of revenue from Special Shuttle Bus collection.

## MODEL CITIES PROPOSALS

Councilman Dryden moved the Council adopt a resolution on the following:

Amending agreement between the Model Cities Department and the Water and Waste Water Department for additional water and sewer relocation necessitated by additional street construction in the Model Neighborhood. (Original Budget: \$69,720; amended budget: \$105,792. All Model Cities funds)

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

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Handcox, Mayor Butler  
Noes: None  
Present, but not voting: Councilman Friedman (he was out of the room when this was discussed, however, he stated that he does support all the Model Cities programs)

Councilman Dryden moved the Council adopt a resolution on the following:

Authorizing the Deputy City Manager to sign Payment Voucher Card on Letter of Credit drawdown for Model Cities Funds.

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

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

## FIRE STATION - 43rd &amp; SPEEDWAY

Mrs. Peterson spoke on behalf of citizens concerning the closing down of the Fire Station located at 43rd St. and Speedway, stating that a petition with

approximately 600 signatures has been gathered in protest of this by residents in the area. Mrs. Peterson pointed out that the existing fire station is needed to serve the area since homes within the area range from 30 to 50 years and its occupants are primarily older people.

Mayor Butler suggested that further study be made and that a report be rendered to Council by Thursday, September 30, 1971, at 11:00 A.M.

#### COMMENTS ON DRUG PROGRAMS

Mr. Hilton Sherrad, a stock broker, commended Mayor Butler and the Council on the handling of the drug problem, and referred to the procedure taken by City and State officials in Tampa, Florida, a University City with approximately 40,000 students. Mr. Sherrad explained that a tip program was established to turn in a drug pusher with the assistance and cooperation of FBI, City and State officials, by advertisement on billboards, newspaper, T.V., with persons' supplying such information remaining anonymous and using a code name. If such information leads to results, a reward is given depending upon the value of the assistance rendered. Law enforcement in Tampa seems very enthusiastic about this idea.

It was reported that ten (10) convictions and 35 arrests have been made as a result of this program which diminishes the drug problem at this time considerably, at a total cost of \$1,600.00 in compensation to personnel engaged in this program.

Mayor Butler thanked Mr. Sherrad for this presentation and felt that there were some good points for the Council to look into.

Mr. John Nippen, Area Coordinator for Viet Nam Veterans against the War in the Austin area, spoke and said that his organization is in the process of instituting a drug program. He was somewhat critical of Mr. Sherrad's presentation and felt that the program as emphasized by him in Tampa is ineffective and also felt that in general treatment Centers throughout the country are failing due to lack of proper rehabilitation centers and facilities to house drug addicts.

Mayor Butler and Councilman Dryden encouraged Mr. Nippen to cooperate with the City Council in order to work out an effective program in the future to reduce the drug problem in this City.

#### COUNCILMAN'S SON IN AUDIENCE

Councilman Lebermann introduced his oldest son, Don, who is interested in Government. The Council greeted and welcomed Don to Council Chambers.

#### MASTER PLAN HEARING

The Council resumed its business at 2:00 P.M.

Mayor Butler opened the hearing on a Master Plan Change of about 73 acres on Howard Lane west of I.H. 35 from Suburban Residential to Manufacturing and Related Uses. The Planning Director, Mr. Dick Lillie, reviewed the area, noting a 300 acre tract for a district park at Walnut Creek owned by the City. By 1980, another 100,000 people will be living in this area; and if the trend continues, the annexation ratio will be one acre to every five people, necessitating about 30 square miles to be annexed within 10 years. The Plan shows 5,000 acres designated Industrial. The Staff and Commission recommended that the request be retained as Residential, and emphasized the precedent which would be set for future development of this area for Residential should the request be granted. The Commission's recommendation was to deny the request. As to Commercial Development in the area, it would occur at major intersections.

Mr. Conway Taylor saw the necessity for Light Industrial at this time as there is a special need for this type of designation for small subcontractors.

He listed conditions he would follow if granted:

Lots would be 15,000 square feet comply with the zoning ordinance as to light industrial districts;

He received a letter from the Sanitary Engineer, City Health Department, regarding septic tanks, emphasizing a minimum of 15,000 sq. ft. for lots along Walnut Creek;

A buffer zone at least 200 feet to protect the residential qualities along Walnut Creek would be preferable to him;

The industrial park would carry the use of an industrial district; improvements would be controlled to preserve the picturesque nature of the area, and there would be a requirement for the upkeep;

All streets would meet City requirements with curbs and gutters; and

He would be willing to place 6 foot privacy fences around adjacent properties.

Questions from the Council included one from Councilman Friedman as to the timing of sewer lines to this area. The Director of Planning stated the C.I.P. had nothing indicating a big sewer line out to Big Walnut Creek any time soon. Mr. Lillie noted the restrictions Mr. Taylor had mentioned were zoning restrictions; and at this time there are no zoning controls outside of the City limits. Councilman Handcox inquired as to the effects of development should this be granted. Mr. Lillie stated the future residential area would be affected. Unless the industrial use were a Park situation, there would be a negative effect on sound long-range subdivisions.

Messrs. Karl Wagner and Frank Scofield, property owners, opposed the re-designation, both being of the opinion that once an industrial park is developed, surrounding areas will deteriorate. It was suggested that deed restrictions be imposed upon each lot, but the City Attorney pointed out limitations of enforcement under charter and Statute provisions pertaining to land outside of the City limits. Councilman Handcox recommended delaying action on this case. Councilman Friedman read the recommendation of the Planning Commission of September 14, 1971.

to deny the request, by a seven to one to zero vote. The Planning Commission had voted not to change the Austin Development Plan at this location as such change would set a precedent for further industrial development in an area designated Residential.

After further discussion, Councilman Nichols moved that the Master Plan change as request be granted, and that due consideration be given to Items 1, 2, 3, and 4, in Mr. Taylor's proposal having to do with minimum lot sizes, fences, building restrictions, and maintenance of the vacant land. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: Councilman Handcox

Present but not voting: Mayor Butler

Mayor Butler stated that he did not own this property, as he had sold it, but he thought it best to abstain.

#### NO ACTION ON ITEMS C6 & C7

The Council took no action on items C6 - amendment to Bus Ordinance - and C7 - amendment to the Transportation Enterprises Incorporated franchise.

#### REFUND CONTRACT

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH WALTER CARRINGTON AND LUMBERMEN'S INVESTMENT CORPORATION; 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, Handcox, Mayor Butler

Noes: None

Not in Council Room when Roll was called: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

#### ANNEXATION HEARING

It being 2:00 P.M., Mayor Butler opened the annexation hearing scheduled for this time. No one appeared to be heard. Councilman Dryden moved the Council close the hearing and direct the administration to to institute annexation proceedings on 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)

There will be two ordinances -- one on 4.38 acres and the other containing the remaining five tracts.

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

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

Noes: None

Present, but not voting: Councilman Nichols

Not in Council Room when Roll was called: Councilman Love

#### ANNEXATION ORDINANCE - 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 10.78 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY; 33.16 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE T. J. CHAMBERS GRANT; AND 6.25 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE WILLIAM CANNON 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.

The ordinance was read for the first time, and Councilman Nichols moved the Council pass the ordinance to its second reading. The motion, seconded by Councilman Love, carried by the following vote:

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

Noes: None

Not in Council Room when Roll was called: Councilman Friedman

The ordinance was read for the second time, and Councilman Nichols moved the Council pass the ordinance to its third reading. The motion, seconded by Councilman Love, carried by the following vote:

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

Noes: None

Not in Council Room when Roll was called: Councilman Friedman

#### ZONING REFERRED BACK TO ZONING COMMITTEE

Councilman Nichols moved the Council approve the request of Mr. J. Alton Bauerle that the zoning change at 1106 East 32nd Street (C14-71-211) scheduled to be heard before the City Council on October 7, 1971, be referred back to the Zoning Committee. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Not in Council Room when Roll was called: Councilman Love

## INVITATION TO TEXAS UNION

28. The Council discussed the invitation to attend the Texas Union on September. Plans were made to attend.

## STREET VACATION

Mayor Butler introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF PEYTON GIN ROAD AND PUTNAM DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING ANY AND ALL EASEMENTS IN THE CITY; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The Deputy City Manager, Mr. Davidson, stated this is a good opportunity by the City's participating to take advantage of the State's proposal to improve that street. The City's part is \$40,000; the State's is \$80,000 - total cost - \$122,000.

Mayor Butler asked if the City were giving up a title to a \$10,000 piece of land. Mr. Davidson stated many cities have a policy of charging on a square foot or some basis for vacating street rights-of-way. Austin does not have such a policy at this time.

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 Friedman, carried by the following vote:

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

Not in Council Room when Roll was called: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF CARLSON DRIVE IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING ANY AND ALL EASEMENTS IN THE CITY; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols stated that due consideration should be given to purchase of all rights-of-way in excess of so many feet and quit trading zoning for right-of-way.

Councilman Dryden called attention to an unusual traffic situation at Lanier School around 7:30 A.M. He wanted to be assured that by narrowing this street that no further traffic hazards are being created. It was pointed out that vacating this portion of the street will be an improvement. (Peyton Gin Road) The Director of Public Works listed the various major construction work that was going on in this particular area.

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 Friedman, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

#### REPORT ON CRAIGWOOD SUBDIVISION

Councilman Nichols moved the Council note receipt of the City Manager's report on Craigwood Subdivision. The motion, seconded by Councilman Dryden, carried by the following vote:

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

#### ROCK CONCERT DELAYED

Mr. Terry Booth, involved in an Ecology movement, co-sponsored by KRMH Radio, appeared in the interest of a recycling campaign; and in cooperation with Mr. Berger who previously had been before the Council concerning a rock concert, asked that the permit for this concert be extended up to and including Sunday, October 24. The Deputy City Manager stated since there are approximately 6,000 participants expected, he recommended that the area around the "rocks" would lend better service for this purpose than the band stand area as formerly planned. Mayor Butler stressed the importance of liability involved in this situation -- cleaning and policing the area. Councilman Dryden emphasized the responsibility both he and Mr. Berger had in this matter.

Councilman Friedman moved the Council approve the extension of the permit for the Rock Concert up to and including Sunday, October 24th, at the open space around the "rocks". The motion, seconded by Councilman Nichols, carried by the following vote:

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



## RECOGNITION OF DR. JEFFREY STANFORD, ENGLAND

Councilman Lebermann introduced Dr. Jeffrey Stanford, from England, now affiliated with St. Edwards University to create a Department of Environics. Dr. Stanford, medical doctor, formerly associated with Cambridge University, spoke before the Council concerning this subject.

## STATEMENT RE: ANNEXATION

Councilman Lebermann suggested plats should be provided as to usage before the areas are brought up for annexation.

## ITEM D2 WITHDRAWN

The item of the request of the Co-ordinating Council of the Austin Plan to appear before the Council was withdrawn.

## FIRE STATION - GARRISON PARK

MR. BURMAN objected strongly to the use of park land for location of a fire station, since with the expected growth of the City, park land is badly needed. Mayor Butler explained that this small area was selected as a site for a fire station as it borders a high traffic area, not suitable for children to play. Mr. Burman felt that once park land is taken for any purpose other than for recreational use, such will re-occur in the future, and that it was necessary for Council to adopt a principle. Mr. Dan Davidson, Deputy City Manager, told Mr. Burman that careful consideration was given to possible sites before this selection was made, bearing in mind the protection of parks, but that this location proved to be most appropriate in line with the Fire Protection Plan to achieve a three-minute response time in case of emergency. He went on to state that the Public Property Department made a study and it was found that within recent years a total of 4247 acres of non-park land owned by Austin, had been converted to park use. In answer to Councilman Friedman's question as to further development of the area surrounding Garrison Park, Mr. Davidson said that if the fire station were placed at the designated location as now planned, it will serve the entire area under the three minute response program. Mr. Jim Plight, Chairman of the Green Belt Committee, affiliated with the Austin Chapter of the American Institute of Architects, spoke in opposition to the fire station at Garrison Park, in that it would allow this Council and future Councils to use park land for other uses and felt that this particular 40 acre park may, in the future, be the only available open space for recreational activities in South Austin. Mr. Plight then referred to adjacent areas, Waller Creek, for instance, and suggested for Council to look into this before making final determination for the Fire Station at Garrison Park.

Councilman Dryden moved the Council instruct the Purchasing Department to purchase as adjacent area for the Fire Station. The motion, carried by the following vote:

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

Councilman Nichols suggested the proper marking of a gravesite in which the remains of a descendent of President Abraham Lincoln are interred.

#### CONVENTION CENTER COMMITTEE REPORT

Mr. Hart, Chairman of the Civic Center Committee, commended the Austin Chapter of the A.I.A. in being instrumental in the site selection and facility selection of this study and also the assistance rendered by the City Administration. He presented to the Council a 40-page report of the proposed convention center. Tentatively, the name of "Waterloo Square" was selected for this project which may be changed at the Council's discretion.

Mr. Barnes, architect, indicated the proposed site selections to be as follows:

1. At the intersection of 290 and IH 35. (NE corner) (Scarborough Property)
2. In the University area / Austin High School.
3. Bounded on IH 35 to East, 1st St. on the North, Waller Creek on the West and Town Lake on the South.
4. Existing site of Auditorium and Coliseum.
5. Core site, in the heart of the City. (lower Congress Avenue or and area adjacent to Town Lake)

Mr. Barnes also reported that in selection the aforesaid sites, a close view was given to the future development of the City, green belt areas, the existing Town Lake development, time-distance factors pertaining to tourist attractions, parks and recreation, restaurants, hotels and motels. A lengthy presentation was made by Mr. Barnes in which he outlined all possibilities, both in favor and against the erection of a Convention Center on each proposed site, as indicated in the detailed report submitted to all Council members. In addition, he presented a financial program to meet the costs of this convention center.

#### Recommendations -

- A. Establish a Neighborhood Development Program that encompasses the area described in Exhibit A in the 40 page resumé.
- B. Discuss with the Model Cities Committee the desirability of removing the area that has no living units from the Model Cities Program as described in Exhibit B in the resumé.
- C. Before May 1, 1972, calling a bond election to issue \$28,000,000 WATERLOO SQUARE bonds, to mature in minimum of 30 years.
- D. Authorize the UR Agency to begin preparing of an application to HUD for the project.
- E. Reconstitute the Civic Center Committee as the "Task Force for WATERLOO SQUARE" to advise with the Council on matters of the WATERLOO SQUARE project.

Mayor Butler commended the Committee for a job well done, noting that many people had spent thousands of hours on this project; and congratulated the group which had a \$15,000 budget but spent only \$2,000. Councilman Dryden joined in commending this Committee; and at his request the Council gave a rising vote of thanks to this Committee.

Members:

Lester Palmer  
Jay Barnes  
John Burns  
W. Price  
Sam Wood  
John Kingsbery  
Bill Hart  
Bill Milstead

Warren Beaman  
George Slaughter  
John Nash  
Charles Goodnight  
Joe Crow  
S. A. Garza  
M. J. Anderson  
Leon Stone  
Ted Read

ADJOURNMENT

At 5:45 P.M. the Council adjourned.

APPROVED: \_\_\_\_\_

*Ray Butler*  
Mayor

ATTEST: \_\_\_\_\_

*Elaine Woolley*  
City Clerk