

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 1, 1971
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Butler presiding.

Roll call:

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

Absent: None

The Invocation was delivered by REVEREND JOHN BARCLAY.

APPROVAL OF MINUTES

Councilman Nichols moved the Council approve the Minutes of the Regular Meeting of June 24, 1971.

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

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

Noes: None

COMMENDATION

Mayor Butler read a commendation of Mr. J. M. Huff, recognizing a loyal and capable employee, serving the State for 30 years, 14 years with the County of Travis as Deputy Sheriff; 16 years as Safety Patrol Guard and Supervisor of Parking - a friend to all - after 48 years of public service retiring, to go into private enterprise.

RECOGNITION

The Council welcomed the Government classes from Lanier Junior High School, and McCallum High School.

ORGANIZATION DUES CHECK-OFF

Councilman Friedman moved the Council approve Councilman Friedman's request to withdraw his resolution introduced last week, regarding organizational checkoff. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Noes: None

ZONING HEARINGS

Mayor Butler announced it was 10:00, and the Council would hear the zoning cases scheduled for public hearing at this time. The Director of Planning reviewed each case, locating them in the area, describing the uses of surrounding properties, and adequacy of streets.

LA QUINIA
By Tom Curtis
C14-71-119

7106 No. I.H. 35

From "C" 1st H&A
To "C" 2nd H&A
RECOMMENDED for the
area of the sign only
GRANTED as Recommended

Councilman Nichols moved the change be granted to C 2nd H&A. The motion seconded by Councilman Dryden carried by the following vote:

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

Noes: None

The Mayor announced the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

TEXAS OIL CO.
By Felix Kneuper

810-818 E. 7th St.
701 No. I.H. 35

From "C" 2nd H&A
To "C" 3rd H&A
RECOMMENDED for the
area of the sign only
GRANTED as Recommended

Councilman Nichols moved the change be granted to "C" 3rd H&A. The motion seconded by Councilman Love, carried by the following vote:

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

Noes: Councilman Friedman

The Mayor announced the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

AUSTIN/HIGHLAND INC.
By John Selman

505-509 Eberhart Ln.

From "A" to "BB"
RECOMMENDED
GRANTED

Councilman Nichols moved the change be granted to "BB". The motion seconded by Councilman Handcox, carried by the following vote:

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

Noes: Councilman Lebermann

CITY OF AUSTIN, TEXAS

The Mayor announced the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

GEORGE KUEMPEL
ESTATE
By Henry Kuempel
Administrator
By Bill B. Brooks
614-71-117

1001 E. 14th St.
1307-1311 Waller St.

From "A" to "O"
RECOMMENDED subject to
5' of r-o-w on East
14th St. and r-o-w on
Waller St. to be
determined by the
Public Works Dept.
GRANTED as Recommended

Opposition was expressed by Mr. Jimmy Moody, 1005
East 13th Street.

Councilman Nichols moved the change be granted to "O" Office. The motion
seconded by Councilman Friedman, carried by the following vote:

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

F. A. CANTU, JR.
By John T. Schneider
C14-71-118

3208 Lyons Road

From "A" to "C"
RECOMMENDED subject to
10' of r-o-w on Lyons
Road.
GRANTED as Recommended

Councilman Dryden asked Mr. Dantu to be sure not to put his sign
on the Street, but to put it by his shop.

Councilman Friedman move the change be granted to "C". The motion, seconded
by Councilman Nichols, carried by the following vote:

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

The Mayor announced the change had been granted as recommended and the
City Attorney was instructed to draw the necessary ordinance to cover.

R. WAYNE MOORE
By W. Ammon Burton,
Jr.
C14-71-121

3418-3458 Steck Ave.
8201-8319 Balcones Dr.

From Interim "A" 1st H&A
To "DL" 1st H&A
RECOMMENDED subject to a
150' building set back on
the west property line
and west property line
Steck Avenue
GRANTED as Recommended

Councilman Love moved the change be granted to "DL" 1st H&A. The motion,
seconded by Councilman Friedman, carried by the following vote:

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

The Mayor announced the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

H. E. HENSON
By Roane Puett

4501-4503 Ave. F
200-202 E. 45th St.

From "A" to "B"
RECOMMENDED subject to
5' of r-o-w on Avenue F
GRANTED as Recommended

Councilman Nichols moved the change be granted to "B". The motion, seconded by Councilman Dryden, carried by the following vote:

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

The Mayor announced the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

DAVID B. BARROW
By Jeryl Hart
C14-71-136

3446-3600 North Hills
Drive
7001-7003 Village
Center

From Interim "A" 1st H&A
To "B" 2nd H&A
RECOMMENDED subject to
limitation of density to
"B" 1st H&A
GRANTED as Recommended

The Director of Planning stated the recommendation by the Staff and Commission was "B" 1st H&A. He had spoken to Mr. Barrow to consider "BB" 1st H&A which would do away with the restrictive covenant and Mr. Barrow asked that the Council consider the recommendation submitted by the Planning Commission; but if the buyers agree, then the ordinance could be drawn for "BB" 1st H&A. Mr. Irwin Salmanson, Vice-President, Northwest Civic Association, approved this zoning.

The City Manager, Mr. Andrews, suggested that the northwest corner of this tract be especially considered, as it is a blind, dangerous corner, and should be cleared. The Planning Director explained this would be under a special permit and would be considered.

Mr. Barrow stated a restriction was to be made limiting the units to a "B" 1st H&A, for 30 units instead of 40. "B" 1st H&A was satisfactory to him, and he planned to improve the northwest corner as recommended by the City Manager.

Councilman Nichols moved the change be granted "B" 2nd H&A, subject to limiting it to "B" 1st H&A density if accepted. The motion, seconded by Councilman Handcox, carried by the following vote:

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

The Mayor announced the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

JOHN D. BYRAM
By Robert Sneed
C14-71-129

9300-9334 N. Lamar Blvd. From "GR" 1st H&A
To "GR" 5th H&A
RECOMMENDED subject to
short form subdivision
and 10' of r-o-w on
Lamar Boulevard.
GRANTED as Recommended

Mr. John Selman represented the applicant on this case.

Councilman Dryden moved the change be granted to "GR" 5th H&A. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

DR. MARK KLEIMAN
MISS BLOSSOM PODLNICK
HARRY HIGH
By John Selman
C14-71-130

3515-3607 Spicewood
Springs Road

From Interim "A" 1st H&A
To "BB" 1st H&A
RECOMMENDED subject to
subdivision and r-o-w on
Spicewood Springs Road
to be determined by the Public
Public Works Department
GRANTED as Recommended

Mr. Irwin Salmonson approved the zoning in behalf of the Northwest Civic Association.

Councilman Nichols moved the change be granted to "BB" 1st H&A. The motion, seconded by Councilman Handcox, carried by the following vote:

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

The Mayor announced the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

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MILTON DOWN
By John Selman
C14-71-131

4503-4511 Speedway

From "A" 1st H&A
To "B" 2nd H&A
RECOMMENDED subject to
5' of r-o-w on Speedway
and a short form subdi-
vision
GRANTED as Recommended

Councilman Handcox moved the change be granted to B 2nd H&A. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

O. D. KINDRICKS
By Bill Riley
C14-71-084

4502 Speedway

From "A" 1st H&A
To "B" 2nd H&A
RECOMMENDED subject to
5' of r-o-w on Speedway
GRANTED as Recommended

Councilman Love moved the change be granted to "B" 2nd H&A. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

BRUCE KUEMMEL
By John Selman
C14-71-132

6605-6607 Guadalupe

From "A" 1st H&A
To "B" 2nd H&A
NOT Recommended
RECOMMENDED "BB" 1st H&A
subject to 5' of r-o-w on
Canyon Street
GRANTED as Recommended

Mr. Selman, representing the applicant, was not satisfied with the recommendation of the Planning Commission. He would accept "B" 1st H&A, and asked that the request be amended to "B" 1st H&A. In answer to Mayor Pro-tem Love's inquiry, the Planning Director stated this is the first zoning application off of Airport Boulevard, south of the intersection, and it would lead to more. If the neighborhood is ready for a higher density, it should be zoned at one time, as all streets are inadequate for higher density. There will be a number of

applications based on the one being granted. Their recommendation would hold that the apartment zoning be denied in the neighborhood and that type of development occur on the exterior of the neighborhood.

After discussion, Councilman Friedman's motion that "BB" 1st H&A subject to 5' of right-of-way on Canon Street be granted, failed to receive a second.

Councilman Dryden's motion, Councilman Nichols' second, that the zoning be granted "B" 1st H&A failed to receive sufficient votes to override the Planning Commission's recommendation. (4 to 3 vote, Councilmen Lebermann, Friedman, and Mayor Butler voting negatively)

Councilman Friedman moved, the Council reconsider their former action and grant "BB" Residence 1st H&A, subject to 5' of right-of-way on Canon Street as recommended. The motion seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the change had been granted to "BB" 1st H&A, Subject to 5' of r-o-w on Canon Street as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

JOHN C. TREADWELL
D.V.M.
C14-71-127

340-400 Bastrop Rd.

From "C" 6th H&A and
"A" 1st H&A
To "C" 1st H&A
RECOMMENDED subject to
subdivision and a special
permit for a veterinary
clinic.
GRANTED as Recommended

Councilman Love moved the change be granted to "C" 1st H&A. The motion seconded by Councilman Dryden carried by the following vote:

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

The Mayor announced the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

J. V. RILEY
C14-71-122

500-502 Atlanta St.
2200 Lake Austin Blvd.

From "A" to "C"
NOT Recommended
RECOMMENDED "GR"
subject to r-o-w on

Atlanta St. to be
determined by the
Public Works Dept.
GRANTED as Recommended

Councilman Nichols moved the change be granted to "GR" subject to r-o-w on Atlanta St.. The motion seconded by Councilman Love carried by the following vote:

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

The Mayor announced the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

H. C. BELL, JR.
By Arthur E.
Pihlgren

2001-2007 Montopolis
Drive
6301-6303 Riverside
Drive

From "A" to "C"
NOT Recommended
RECOMMENDED "GR"
subject to 10' of
r-o-w on Montopolis
Drive.
GRANTED as Recommended

The Director of Planning, Mr. Dick Lillie, reviewed the favorable recommendation of the Planning Commission, including its requirement for 10' of right-of-way on Montopolis Drive. Right-of-way requirements on Riverside Drive appeared to be excessive. He asked that the Council consider a building set-back line, or some designation of proposed right-of-way for Riverside Drive, providing for 30'-40' on the northwest corner, and 15'-20' on the northeast corner.

MR. ARTHUR E. PIHLGREN, representing H. C. (Dooley) Bell, Jr., in behalf of his client Mr. Russel McCreary, who will purchase this property, said he had filed a letter with the City Attorney whereby they are willing to dedicated 10' for the widening of Montopolis Drive; however, 10' may not required to make Montopolis Drive 70'. He amended his letter that if it were not necessary to dedicate 10', they would not want to dedicate the full 10'. As the set back line, the applicants were agreeable to negotiate with the City for the purchase of this right-of-way, along Riverside Drive. No opposition appeared.

Councilman Nichols moved the change be granted to "GR" 1st E&A, subject to 10' or less right-of-way on Montopolis Drive, and the set back line be worked out with the Building Official. The motion seconded by Councilman Dryden, carried by the following vote:

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

The Mayor announced the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

MORGAN L. PIERCE
By Richard Baker
C14-71-135

Rear of 507-613
Kinney Avenue

From "A" to LR"
RECOMMENDED subject to
short form subdivision
and a special permit for
a mobile home park
GRANTED as Recommended

The Director of Planning described the area as being a deep valley with property lines 30' in elevation to adjoining lots. Councilman Dryden was opposed to placing a mobile home park in the center of a residential area as this. Mr. Richard Baker represented the applicant, stating there would be no ingress and egress on Kinney Avenue, but on Barton Springs Road, nor is there any other outlet to any other street other than Barton Springs Road. A mobile home already exists on the tract and on Kinney Avenue there is a mobile home using a single family lot. If the special permit is granted by the Planning Commission, they would recommend that the zoning be granted. The owner wanted an indication from the Council if the zoning would be granted if the special permit were approved.

Councilman Handcox moved the change be granted to "LR" subject to the short form subdivision and the special permit for a mobile home park. The motion seconded by Councilman Love, carried by the following vote:

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

The Mayor announced the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

TERRELL TIMMERMANN
By John Selman
C14-71-134

5300-5304 Guadalupe
600 North Loop

From "A" to "B"
NOT Recommended
RECOMMENDED "BB"
subject to 10' of
r-o-w on North Loop &
5' of r-o-w on Guadalupe
Street.
GRANTED "B" 1st H&A

The Director of Planning, Mr. Lillie, stated this application was before the Council sometime back, but had received a 3 to 3 vote, and the case has been pending. Mr. Selman asked for "B" 1st H&A as it first was recommended last December. The Council passed it as such; but because of a technicality, there was a tie vote. No opposition appeared.

Councilman Dryden moved the change be granted to "B" 1st H&A subject to the 10' of right-of-way on North Loop and 5' of right-of-way on Guadalupe Street. The motion seconded by Councilman Nichols, carried by the following vote.

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

The Mayor announced the change had been granted to "B" 1st H&A and the City Attorney was instructed to draw the necessary ordinance to cover.

ZONING DELAYED

ANTONIO B. SALZAR
C14-71-082

3303 Govalle Avenue

From "A" to "C"
NOT Recommended
DELAYED

Councilman Dryden asked that Mr. Salazar move his sign off the street, and move the cars etc., to the back so the neighborhood will be more presentable.

Councilman Handcox asked if it would be in the best interest of the community in cases like this, that the City Manager recommend a time limit that this could be cleaned up and not be something pending permanently; but where the business could be continued and yet conform to the area.

Councilman Love moved that the Council delay action on this application. The motion seconded by Councilman Dryden, carried by the following vote:

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

ZONING WITHDRAWN

BETTY SMITH
C14-71-120

901 W. 24th Street

From "C" to "C-2"
NOT Recommended
WITHDRAWN

Mr. E. J. Holman is purchasing the property which is located in a highly commercialized area. The Planning Director read the recommendation of the Planning Commission in its denying the change of zoning. Opposition was expressed by Mr. James Price in the interest of his three aunts, who property is just behind this. He pointed out other residential uses in this vicinity, and stated the main problem was the in and out traffic into the area with inadequate access. No matter the use, this would still be a package store zoning. There are four fraternity houses and a sorority, with a great amount of members under age.

The Planning Director pointed out the problem, stating an outside door would require "C-2" permitting a lounge and taver. The restaurant could be upstairs and operated under the present zoning, serving drinks in conjunction with food. A separate bar would require "C-2" zoning.

Later in the meeting, the Director of Planning reported as long as the entrance to the club, which is to be on the second floor, is the current zoning would cover the proposed operation.

Mr. E. J. Holman asked that the zoning change application be withdrawn.

Councilman Friedman moved the Council accept the withdrawal of the zoning application. The motion seconded by Councilman Love, carried by the following vote:

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

 DENIED

SLAUGHTER &
 BRADFIELD, et al
 By William O.
 Doctorman
 C14-71-123

907-915 W. 23rd St.
 910-914 W. 22½ St.
 2213-2223 San Gabriel
 Street

From "B" 1st & 2nd H&A
 To "GR" 3rd H&A
 NOT Recommended
 DENIED

The Director of Planning, Mr. Dick Lillie, gave a history of the zoning of the area, in that two lots were applied for "GR" 3rd H&A, and "GR" was denied, but "B" 2nd H&A was granted. The applicants then put together more land and are applying on a larger area.

Mr. James Price, representing the opposition, filed a petition requiring a six member vote to grant the change. The application covered a 1.6 acre tract, but some of the lots are not for sale. Density was already too high for the street pattern existing.

Councilman Nichols moved the Council deny the "GR" 3rd Height and area. The motion seconded by Councilman Love, carried by the following vote:

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

POSTPONED

GORDON NEELLEY
C14-71-0781624-A Barton Springs
RoadFrom "C" 2nd H&A
To "C-2" 2nd H&A
RECOMMENDED
POSTPONED

This zoning was postponed at the request of the Attorney,
Hume Cofer.

ZONING HEARINGS GENERALLY

Regarding zoning hearings, Mayor Butler stated the Council session should not be a bartering session, as a zoning is either proper or not, and he would not want the Council to be placed in a position of trading.

CONTRACTS AWARDED

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

PAT CANNION EXC. CO.

-- For Sidewalks, Safe School Routes,
1971, Phase II, Contract 71-X-112 -
\$89,952.00. (75 working days for
completion; Engineer's estimate -
\$91,400.00; Capital Improvement
Program)

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

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

Noes: None

LEASE AGREEMENT -
Police Community Relations Center

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to execute a lease agreement for the Police Community Relations Center to be located in Montopolis Shopping Center - 747 Montopolis Drive (324 square feet for \$85.00 per month). The motion seconded by Councilman Handcox, carried by the following vote:

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

Noes: None

EMINENT DOMAIN

Councilman Nichols moved the Council adopt a resolution authorizing eminent domain on the purchase for Mo-Pac Boulevard for property as follows:

2100 Newfield Lane - \$625.00

The motion seconded by Councilman Love, 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 authorizing eminent domain on the purchase for Mo-Pac Boulevard for property as follows:

Upton and W. 7th St. - \$790.00

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

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

Noes: None

CONCESSION RIGHTS AT MUNICIPAL AUDITORIUM-COLISEUM

After a very detailed discussion of the contract for concession rights at the Municipal Auditorium-Coliseum, assurance that the service will be rendered well, and that the high bidder could perform.

Councilman Nichols moved the Council adopt a Resolution awarding MR. LES ELICH the concession rights in accordance with contract agreements. The motion seconded by Councilman Love, carried by the following vote:

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

In Council Room but not voting; Councilman Friedman.

CASH SETTLEMENT

Councilman Dryden moved the Council adopt a Resolution, authorizing a cash settlement to H. E. Butt Grocery Company in the amount of \$6,054.00 for the City's participation in paving Anderson Square from Anderson Lane to U. S. 183. The motion seconded by Councilman Friedman; carried by the following vote:

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

In Council Room but not voting; Councilman Nichols.

The Council recessed until 2:00 P.M.

RECESSED MEETING

2:00 P.M.

Mayor Butler called the recessed meeting to order at 2:00 P.M.

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:

TRACT 1: EAST 47 FEET OF LOT 10, BLOCK B, MURRAY PLACE SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; AND,

TRACT 2: WEST 80 FEET OF LOT 10, BLOCK B, MURRAY PLACE SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT;

LOCALLY KNOWN AS 5206-5208 HUISACHE; 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.

(Earl O. Wukasch)

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, Friedman, Handcox, Mayor Butler

Noes: None

Not in Council Room when roll was called; Councilman Lebermann.

Mayor Butler introduced the following ordinance:

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

TRACT 1: A 12.136 ACRE TRACT OF LAND, LOCALLY KNOWN AS 601-811 STATE HIGHWAY 71, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, SIXTH HEIGHT AND AREA DISTRICT; AND,

TRACT 2: A 0.947 ACRE TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 801-811 STATE HIGHWAY 71, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA 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 Handcox, carried by the following vote:

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

Noes: None

Not in Council Room when roll was called; Councilman Lebermann

The Mayor announced that the ordinance had been finally passed.

ANNEXATION ORDINANCES

Mayor Butler brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 27.89 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO THE ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

Noes: None

Not in Council Room when roll was called; Councilman Lebermann.

The Mayor announced that the ordinance had been finally passed.

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 22.85 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT AND PARTLY OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE 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 and second time and Councilman Nichols moved the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Friedman, carried by the following vote:

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

Noes: None

Not in Council Room when roll was called; Councilman Lebermann.

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 22.85 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT AND PARTLY OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJOINS TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

PARADE ORDINANCE

Councilman Dryden pointed out the Council is changing the Parade Ordinance eliminating the fee provided in Section 8, and those people who are going to Parade on July 4th should not be charged the fee at this time. The City Manager suggested the waiving of this fee, since the Council is committed on the Parade Ordinance.

Councilman Nichols moved that the Council instruct the City Manager to waive the fee for the 'Viet Nam Veterans Against the War' Parade for July 4th. The motion seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

The Council then decided not to have the Special Meeting scheduled for Saturday, July 3rd.

CHARTER STUDY COMMITTEE

Councilman Nichols asked Dr. White since the committee shall be advisory only with the Council making the final decision on any proposed charter amendment to be submitted to the citizens, what would he intend to do should the Council decide not to incorporate the district system. Dr. White, not authorized by the Citizens Equal Representation Committee, could not answer, but stated the Committee could pursue the submission of its petition to require within 30-90 days the calling of an election on the 6 - 1 plan. That was only a conjecture, as he would not speak for the committee. Councilman Lebermann stated the resolution has an informal committee devoted to the total charter study - not just this one exclusive issue, and to suggest areas of possible charter alteration. Mrs. Ashworth, League of Women's Voters, and Dr. White endorsed the Council's interest and quick action in this area.

Councilman Nichols moved the Council adopt a Resolution creating the "City Charter Committee". The motion seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

DECKER LAKE - WASTE WATER DISCUSSION

Mr. Doren Eskew, representing Messrs. Lewis W. Johnson, Bill Davidson, Jack Adams, Tom Kemp, Rupert Ceder, Joe Lundell, W. Z. Miller, Julian Zimmerman, John Moncrief, Drs. Raleigh Ross, Leggett, Stanton Glazener, Mrs. Gores, the United Methodist Church of Decker, and others, were interested in collection of waste water and maintaining the purity of Decker, Lake. They are asking that there be a method to dispose of the waste. He listed owners of 359 acres, willing to be annexed and they are asking for sanitary sewer services. He understood an interim plan had been engineered and is ready to be submitted to the Council.

The City Manager reviewed a plan possibly available in 1972, but which at this time would not be practical or economical. The Director of Water and Waste Water, described a plan for a line going down Waller Creek to 19th Street.

After a discussion of sanitary sewer proposed developments, Mr. Eskew stated if this could be handled economically and satisfactorily by taking the waste water out of the Decker Lake Water Shed to the Walnut Creek Treatment plant, it would seem logical to proceed with that method and making sanitary sewers available to these properties and using part of the City's investment already in the system. Annexation of properties that would be served by this system could be considered. He asked that this be done as speedily as possible. Mr. Schmidt reported there is an out-side sewer rate that is charged to those connecting on to the system.

In discussion, Mayor Butler stated he would like to see a position study that the City Manager could give the Council: costs, timing, and the whole picture, as he was sympathetic to the needs of these people. The City Manager foresaw the necessity that some method needed to be determined, and a basic policy developed by the Council, applying generally to the properties surrounding the City such as these under discussion.

Mr. Eskew believed this area was unique and would not fall in a general policy, as the City has \$500,000 invested now, and at present it is disposing of the wastes by private enterprise. He suggested, since there are a number of septic tanks in the area that are giving trouble now, that the City make available under a joint basis with the City and property owners a disposal system that would take care of the existing as well as future problems. In response to Mayor Butler, Mr. Eskew stated he was asking the Council to authorize the City Manager to explore the possibility of proceeding as soon as possible and report back to the Council on the costs and time involved.

NEW ORLEANS CLUB

Mrs. Doris Miller, Dr. Byron Smith and Mr. Rueben Kogut appeared on behalf of the New Orleans Club matter.

Mr. Rueben Kogut appeared and stated that he was informed by Mr. Lurie of the Urban Renewal Program that the property in question could not be used for its present purpose under the Urban Renewal Program.

The City Attorney felt that this issue is not for the Council to decide since it has become a matter of Urban Renewal Program Discussion and decision. Mr. Lurie concurred with the City Attorney's statement and reported that the issue of the New Orleans Club has been discussed several times before the Urban Renewal Board, realizing that the building is in fact of historical nature, but

that neither the Board nor the Federal Government is in a position to maintain the Club.

Dr. Byron Smith, operator of the New Orleans Club, asked help in keeping the Club in operation under Urban Renewal.

It was finally conceded that the Council was helpless to do anything about this particular problem at this stage. Mayor Pro-tem Love stated Mr. Lurie had been working with these people, and was more in a position to advise them of any possibilities than they.

Mr. Leon Lurie, Executive Director, Urban Renewal, had reviewed the status of this Club under Urban Renewal and had given a resume' of his research as to the historical value of this building.

BOAT PARADE - JAYCEES

Councilman Dryden moved the Council grant the request of Mr. Dick Waite of the Austin Jaycees, for permission for a Boat Parade in conjunction with the Jaycees' Fireworks Display July 4th. The motion seconded by Councilman Nichols, carried by the following vote:

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

LIABILITY INSURANCE FOR OPERATION OF MUNICIPAL VEHICLES

The City Manager reviewed a plan in which the City may buy liability insurance covering the City and the driver of the car. Councilman Nichols moved the Council authorize the City Manager to proceed as outlined in his memorandum of June 29th regarding liability coverage for City employees operating a municipal vehicle. The motion seconded by Councilman Love, carried by the following vote:

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

FLOOD MANAGEMENT PROGRAM HEARING

Councilman Nichols moved the Council set a public hearing on Flood Management Program at 2:00 P.M. July 29th. Councilman Love seconded the motion and it carried by the following vote:

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

REQUEST TO EXTEND CONCERT IN WOOLDRIDGE

Mayor Butler submitted the proposal of Mr. Terry DuBose about the hours and location of a concert. Mr. DuBose could use the amplifiers from 4:00 P.M. to 6:00 P.M. by administrative consent, but he would need Council approval for the additional two hours. The concert was to be held in Wooldridge Park. It was pointed out this matter was not on the agenda; nor did it have three days' posting notice.

OXYGEN UNITS AT SWIMMING POOLS

Councilman Friedman asked if the City Manager could look into the feasibility of placing oxygen units at the swimming pools. He cited a particular situation at one of the pools where a little boy was under water for quite a while; and it was discussed at that time had there been a unit available, it would have been a great help.

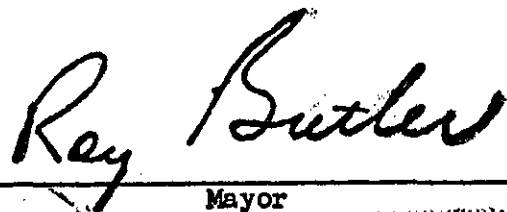
DISCUSSION ON TAX COMMISSION MEMBERS

Mayor Pro-tem Love was ready to nominate members of the Tax Commission. It was stated by Mayor Butler that letters had been mailed and many were being acknowledged; and he suggested that a comprehensive list be made as the letters come in. The Mayor suggested that this be considered next week. (July 8th, in Executive Session at 11:30 a.m.)

ADJOURNMENT

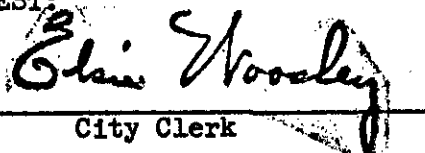
At 4:05 P.M. the Council adjourned.

APPROVED



Mayor

ATTEST:



City Clerk