

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 29, 1971  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order by Mayor Pro-Tem Love.

Roll call:

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

The Invocation was delivered by Reverend J. Ralph Hess, Lutheran Chaplain.

APPROVAL OF MINUTES

Councilman Nichols moved the Council approve the Minutes of the Regular Meeting of July 22, 1971, and the Special Meeting of July 21, 1971. 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

APPOINTMENT OF JUDGES FOR TEMPORARY ASSIGNMENT

Councilman Nichols moved the Council appoint Mr. J. P. Darrouzet to temporarily replace Judge Roy Martin, on vacation leave from August 1 through August 13, 1971. 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

Councilman Nichols moved the Council appoint Mr. Jon N. Coffee to temporarily replace Judge Ronnie Earle, on vacation leave. 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

## ANNEXATION HEARING SET

Councilman Nichols moved the Council adopt a resolution setting a public hearing at 2:00 P.M., August 12, 1971, to consider annexing the following:

20.49 acres of land out of the John Applegait  
Survey - proposed Windsor Hills, Section Three,  
and an unplatted tract of land.

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

## EASEMENTS RELEASED

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

A portion of a public utilities easement out of Lot  
15, Block G, QUAIL CREEK WEST, PHASE 2, SECTION 1.

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

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

Water Line easement across the Baker-Jones-Crow  
Number Three Company tract of land, recorded in  
Volume 1716, page 89 of the Deed Records of Travis  
County, Texas.

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

## STREET LIGHTING - 183 &amp; LOOP 275

Councilman Nichols moved the Council adopt a resolution approving an agreement dated July 29, 1971, between the State of Texas and the City of Austin for the

installation, construction, existence, use, operation and maintenance of a Highway project (street lighting) at the intersection of U.S. 183 and Loop 275 (North Lamar), and authorizing the City Manager to execute the agreement and to transmit same to the State of Texas. 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

#### CONTRACTS AWARDED

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

AUSTIN ENGINEERING  
COMPANY

- For the installation of electric conduit and concrete foundations for street lighting on 9th Street from San Antonio Street to I.H. 35 and on Congress Avenue from Capitol Grounds Entrance to East 19th Street - \$97,227.70. (180 calendar days for completion; Capital Improvement Program; City's estimate - \$124,048.50)

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

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

COMMERCIAL BODY  
CORPORATION

- Four (4) each Cable Reel Carriers Fleet Specifications No. K-105 - \$15,968.00.

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

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

TECHNICON INSTRUMENT

- Technicon SMA - 12 JR., chemical equipment \$1,050.00 per month

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

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

Mr. William K. Brown, Hospital Administrator, described the machine and its performance. In answer to Councilman Nichols' inquiry, Mr. Brown estimated the purchase price to be around \$80,000. Mayor Butler noted the company would not only maintain the machine but would update it with new technical improvements. Mr. Brown stated this was the advantage of leasing, particularly in highly technical medical equipment. The lease is for five years, but the Hospital is obliged for only twelve months and the lease may be cancelled at any time with a slight charge.

Councilman Dryden pointed out the need of this highly specialized equipment, stating with the new improvements being made all along during the five year lease which could be terminated in a year, this was not a bad arrangement.

Mayor Butler stated he would like for the Administration to look into this to see if leasing is economically feasible, as it is a technical piece of equipment with no competition.

#### ANNUAL CONTRACTS FOR OFFICE SUPPLIES

Councilman Dryden moved the Council adopt a resolution awarding contracts for annual requirement, from August 1, 1971 to July 31, 1972, for office Supplies to be stocked by Office Services and issued to all City Departments the following:

a. BAIRS'	-	\$ 13,244.42
b. MAVERICK-CLARKE	-	\$ 10,840.27
c. ABEL STATIONERS	-	\$ 7,798.20
d. AUSTIN PAPER	-	\$ 5,226.36
e. RIDGWAYS	-	\$ 4,466.34
f. LINDSAY OFFICE PRODUCTS	-	\$ 2,577.73
g. GURKS REPRODUCTION & OFFICE SUPPLIES	-	\$ 499.80
h. MILLER BLUE PRINT	-	\$ 355.58
Total Contract	-	\$ 45,008.70

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

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

Noes: None

The City Manager, Mr. Andrews, pointed out these contracts will save the City 6.3% on these purchases.

#### LAND ACQUISITION

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

2519 Winsted Lane - Average of Appraisals - Osborne C. Hardin

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

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

Noes: None

Not in Council Room when Roll was called: Councilman Handcox.

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

29 Margranita Crescent - Average of appraisals - Justine B. Blakeslee

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

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

Noes: None

Not in Council Room when Roll was called: Councilman Handcox

#### EMINENT DOMAIN

Councilman Nichols moved the Council adopt a resolution authorizing eminent domain proceedings for the right-of-way for Mo-Pac Boulevard on the following property:

1909 Winsted Lane

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

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

Noes: None

Not in Council Room when Roll was called: Councilman Handcox

Councilman Nichols moved the Council adopt a resolution authorizing eminent domain proceedings for the right-of-way for Mo-Pac Boulevard on the following property:

2417 Winsted Lane

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

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

Noes: None

Not in Council Room when Roll was called: Councilman Handcox

Councilman Nichols moved the Council adopt a resolution authorizing eminent domain proceedings for the right-of-way for Mo-Pac Boulevard on the following property:

23 Margranita Crescent

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

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

Noes: None

Not in Council Room when Roll was called: Councilman Handcox

Councilman Nichols moved the Council adopt a resolution authorizing eminent domain proceedings for the right-of-way for Mo-Pac Boulevard on the following property:

25 Margranita Crescent

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

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

Noes: None

Not in Council Room when Roll was called: Councilman Handcox

The item of consideration of eminent domain proceedings at 500-512 South 1st Street was deleted from the Agenda.

Mayor Butler expressed concern on acquisition of total properties at the average appraisals, noting that sometimes the appraisals are not such that the owner can replace his home. He was aware that the municipality could not pay more than the value of the appraisals, but some seem low. There are instances on the east side where properties could not be replaced at the amount of the condemnation award.

#### FAMILY OUTPATIENT CLINIC - MODEL NEIGHBORHOOD

Councilman Nichols moved the Council adopt a resolution authorizing an agreement between the Model Cities Department and the Austin-Travis County Health Department for the operation of a Family Outpatient Clinic in the Model Neighborhood. Total Cost: \$233,927.00. (Model Cities Share: \$194,316.00; H.E.W. Family Planning Grant: \$39,611). The motion, seconded by Councilman Friedman, carried by the following vote:

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

Noes: None

#### LICENSE AGREEMENT WITH MR. JERRY A. HUNT

Councilman Nichols moved the Council adopt a resolution, authorizing a license agreement with Mr. Jerry A. Hunt for installation of decorative columns, subject to the property owner's agreement to remove the columns at his expense upon the City's request. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Noes: None

Mayor Butler wanted assurance this instrument would be recorded so that this license agreement could be of record in case of the sale of this property. The Assistant City Attorney, Mr. Charles Dippel, stated the license agreement was subject to being recorded in the deed records.

## POLICE PROFESSIONAL LIABILITY INSURANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 700924--E ADOPTING THE BUDGET FOR THE CITY OF AUSTIN FOR THE 1970-71 FISCAL YEAR BY INCREASING THE BUDGET FOR SPECIAL SERVICES; APPROPRIATING A CERTAIN SUM IN ACCORDANCE WITH SUCH AMENDMENT; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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 Love, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

The City Manager explained that the only national company issuing this type of policy is the "American Home Insurance Company", of which the local agent, "Nieman Hanks & Puryear" of Austin has been assigned by the Association to handle this particular insurance transaction.

## APPROPRIATION - AUSTIN TRANSIT - JUNE

Mayor Butler introduced the following ordinance:

AN ORDINANCE APPROPRIATING FUNDS TO BE EXPENDED TO AUSTIN TRANSIT CORPORATION IN ACCORDANCE WITH CONTRACT DATED MARCH 26, 1971, CONCERNING THE OPERATION OF A TRANSIT SYSTEM; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

## UNIVERSITY SCHOOL OF NURSING

Councilman Love moved the Council adopt a resolution authorizing the City Manager to enter into an agreement with the University of Texas, School of Nursing, for an affiliation for the University Students to use Brackenridge Hospital facilities for clinical experiences. The motion, seconded by Councilman Nichols, carried by the following vote:

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

#### LICENSE AGREEMENT

Councilman Dryden moved the Council adopt a resolution authorizing a license agreement with Robert A. Bond, Bond's Television, covering use of City-owned property at 1008 West Lynn Street. The motion, seconded by Councilman Friedman, carried by the following vote:

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

#### CLEARANCE OF CITY PROPERTY - WEST 12TH AND ELM STREET

Councilman Dryden moved the Council authorize the demolition and site clearance on City property at West 12th and Elm Streets when possession is obtained on October 1, 1971. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The City Manager reported this site had been purchased for the crosstown expressway in 1968. An agreement was made with the Church congregation that they could use the property until this particular point in time. The termination date is October 1, 1971, and Mr. Andrews recommended that the buildings be demolished as they are in poor and hazardous condition. Discussion covered clearing the property and leasing it until the construction began. Demolition costs were estimated at \$6000. Mr. Joe Morahan, Public Property Manager, reviewed the status of the structures, rentals and subleasing of the facilities.

#### AUSTIN HOUSING AUTHORITY - PAYMENT IN LIEU OF TAXES

Mr. Joe Wells, Chairman of the Board of the Austin Housing Authority, presented a check for \$28,895.89 in lieu of tax payments, stating this amount made a total of \$527,343.23 paid by the Authority, as a reimbursement for services and facilities rendered by the City to the Housing Authority. Mayor Butler, on behalf of the Council, expressed appreciation for this payment by the Austin Housing Authority. Mr. Wells and Mr. George R. Brooking, Executive meetings of the Housing Authority every third Tuesday at 11:00 A.M., at the high-rise apartments.



## DISCUSSION OF ENVIRONMENTAL SITUATION IN AUSTIN

Mayor Butler stated that he received a note from Mrs. Sandra DuPuy, asking that her appearance before Council be postponed since a study of the subject matter, the "Environmental Situation in Austin" has not as yet been completed.

## EXTENSION OF SANITARY SEWER LINES-WILLIAMSON CREEK TO BRODIE LANE

At the request of Mr. Buford Stewart to remove from the Agenda the item of discussing the extension of sanitary sewer lines westward in Williamson Creek to Brodie Lane, by agreement of Council, this matter has been re-scheduled for hearing on Thursday, August 19, 1971.

## CREATION OF BICYCLE LANES - UNIVERSITY OF TEXAS AREA

Mr. Dan M. Meador proposed to Council that the City create a special lane for the use of bicyclists only, particularly in the University area, by removing one parking lane or by re-lining the areas where parallel parking does not exist, since the students' major means of transportation is the bicycle. Mayor Butler questioned the possibility of his proposal in certain areas and streets, but advised Mr. Meador to confer with Mr. Joe Ternus, Director of Traffic and Transportation so that he will make a thorough study pertaining to this matter and report to Council at a later date.

## PRESENTATION OF PEDESTRIAN SAFETY AWARD

At the request of Mr. John Fenton to present the Pedestrian Safety Award, the Council agreed to have this matter, originally scheduled on July 29, 1971, placed on the Agenda on Thursday, August 12, 1971.

## REQUEST FOR HEARING - MR. WALTER CAVEN

Mayor Butler announced that the request of Mr. Walter Caven for an emergency hearing to be held at 2:00 P.M., was cancelled.

## "JOB - 70" PROGRAM

Mayor Butler presented copies of the resolution, commending the five participating members for having been graduated in the "Job-70" Program. Mr. John Gray, Chamber of Commerce, gave a resume of this program which assists employers to hire employees to fill their needs and to up-grade their job skills.

## RECOGNITION OF VISITORS

The City Manager, Mr. Andrews, introduced to Council and audience his daughter, Mrs. Murray (Carolyn) Cooper and his grandchildren, Curt Cooper and Lynn Cooper.

## FLOOD MANAGEMENT PROGRAM - PUBLIC HEARING

Mr. Dick Eillie, Director of Planning, presented the Flood Management Program. He reviewed the status of the flood plain ordinance submitted to the Planning Commission by the Council in March 1970, stating after public hearings the Commission tabled the ordinance basically for lack of technical engineering data and problems of enforcement.

After an analysis of the flood problems by the Departments of Public Works and Planning, citizens, associations, clubs and attorneys were invited to participate in the development of a flood management program. As a result of a public hearing held by the Planning Commission on May 18th, the following recommendations were made:

1. That a Master Plan Study be made for the development of Austin's total drainage systems and that necessary information be provided to implement a Flood Management Program through design, criteria, hydraulic analysis, programming of open-channel and storm sewer improvements, and drainage requirements in new subdivisions. Also that consultants be retained to develop this plan with the cooperation of a steering committee appointed by the Council. (Completion in 18-24 months)

The Corps of Engineers has funds for analyses of flood plans of certain streams in the City.  
(Resolution adopted March 26, 1970)

The U. S. Geological Survey is cooperating in this work also.

2. Immediate steps to be taken to assure development by public and private property owners of channels and waterways on both developed and undeveloped watersheds in the City.
3. That a review be taken of the City's policy pertaining to the establishment of public and private property owners' responsibilities and implementation.
4. Require improvements of creeks and waterways within the bounds of new subdivisions at developers' expense. Protection of environmental quality of the creeks and waterways should be encouraged in channel development.. Drainageways should be accepted only within the terms of the proposed Floodway Easement Agreement. Also recommended is that the property value enhancement provisions in the Subdivision Ordinance (Sec. 41-47) be amended delegating to the Director of Public Works authority to designate how much of a drainage system should be opened or closed, except in cases of creeks or waterways that would be considered by the Planning Commission and Council.

Mr. Charles Grave, City Engineer, gave a slide presentation showing particular instances of problems and solutions relating to streams and creeks. The slides illustrated the benefits of wider easements and education on beautification of easements. There is a need for a system monitoring to prevent encroachment in the waterways and for detailed criteria for the staffs and consultants who guide builders and developers. In conclusion, Mr. Graves stated Austin was in better shape than most cities along these lines. The aim now is that Austin not only stay ahead, but look to the future to lead cities in Texas and the rest of the country.

The City Manager reported there was a tremendous coordination and team work on this study. He hoped the Council would consider the concept and ask that the staff proceed and bring back specific studies for Council action as rapidly as possible.

Mr. W. T. Williams was present in the interest of the program and asked for a copy of the report. Mr. George Nalle, Jr. congratulated the Planning Commission in turning down the Flood Plain Ordinance and commended it on this study, noting particularly their separating Lake Austin and the creeks. His comments were:

1. Strict control of septic tanks on Lake Austin.
2. No Building Code for Lake Austin is necessary.
3. The Lake Austin Improvement Association asks for better safety on the Lake and enforcement of the lighting of boats at night.

Mr. Banks Miller, Austin Chamber of Commerce, endorsed this study unanimously, adding three suggestions:

1. The entire approach to this study seemed to be engineering rather than environmental.
2. Further study should be given in order not to place undue responsibility upon property owners for conditions over which they had no control.
3. Undue burdens seem to be placed on the land owner to control vegetation, etc.

Mrs. Ashworth, League of Women Voters, concurred with the Chamber of Commerce recommendations. Suggestions of the League were listed:

1. An investigation should be made on flood insurance programs.
2. Water quality should be considered regionally as well as locally.
3. Future development on new flood plains should be restricted until the drainage study is made.

Mr. David Barrow commended the course this Council has taken.

Mr. Bill Milstead expressed appreciation for cooperation from the City Administration, the many interested citizens and organizations.

Councilman Nichols asked Mr. Milstead if he would get the staff and Planning Commission to derive an answer to the three items recommended by Mr. Banks Miller and by the League of Women Voters.

#### ZONING HEARING

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

ESTATE OF BEN H.  
POWELL.  
By John Barber.  
C14-71-139

916-922 North Lamar Blvd.  
1001-1013 W. 10th Street

From "C" Commercial  
to "C-2" Commercial  
RECOMMENDED by the  
Planning Commission

The Director of Planning reported the building was formerly occupied by S&H Green Stamp Company, and the applicant wants to operate a restaurant and night club. Mr. Tom Black, attorney, represented Mr. Barber in this endeavor. To serve mixed drinks, the "C-2" zoning is necessary. He said Mr. Barber had invested approximately \$50,000 upon the Commission's recommendation that the "C-2" Commercial be granted.

Mayor Butler at this time stated it is the Council's intent not to give any consideration toward premature expenditures before a zoning is actually granted before the Council.

Mayor Pro-tem Love questioned the nature of the musical entertainment, the noise factors, parking conditions, and general dimensions of night clubs. Mr. Barber discussed his operation, stating the music would be from a juke-box and recorded music, the 70' by 150' building is well insulated, and the 77 parking spaces meet the requirement.

Opposition was expressed by Mr. and Mrs. Charles Huntley, who presented a petition with 41 signatures of residents opposed to such rezoning. She described the area to the west and above Lamar as residential and stressed its preservation as such. Mayor Butler explained the area on Lamar is zoned Commercial.

After lengthy discussion covering operation, closing hours, and supervision, etc., Councilman Dryden moved the change to "C-2" Commercial be granted. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Noes: None

The Mayor announced that the change to "C-2" Commercial had been granted. and the City Attorney was instructed to draw the necessary ordinance.

## 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 10,500 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 916-922 NORTH LAMAR BOULEVARD; 1001-1013 WEST 10TH STREET, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL 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. (C14-71-139)

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler 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:

(1) LOT 9 LESS 4.39 FEET X 78 FEET, BLOCK 4, HYDE PARK ANNEX, LOCALLY KNOWN AS 4502 SPEEDWAY, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT;

(2) A 0.06 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1624-A BARTON SPRINGS ROAD, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT;

ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES; AND DECLARING AN EMERGENCY. (C14-71-084 and C14-71-078)

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

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

A 1.83 ACRE TRACT OF LAND, LOCALLY KNOWN AS 409 EAST BEN WHITE BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "D" INDUSTRIAL 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. (C14-70-001)

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.

With reference to Case No. C14-70-001, the Director of Planning, Mr. Lillie gave a background of the zoning of 400 acres in that the administration, staff and Planning Commission made an area study of the 400 acres in the Ben White Boulevard area, and the Commission recommended the zoning on the total area. The ordinance for each specific tract was held until the owners were ready to develop. This zoning is in conformity with the Master Plan.

Councilman Dryden noted this case was heard March 5, 1970, and is just now up for approval. He wanted to see these cases speeded up. Mr. Lillie stated many owners in this area are not ready to develop, and some may never develop. The Assistant City Attorney stated there were a number of pending zonings on which the applicants had never followed through on their requirements, and the Law Department was working on these to see if the zoning is to be granted, or if the applicant is no longer interested, and wants to withdraw the request.

#### ZONING CASES - AUGUST 5

Councilman Love said there were 12 items of zoning to be heard on August 5th, and the applicants should be notified that there will be only six members present at that time. Mayor Butler stated those people as well as those in opposition should be notified that the cases might be postponed. The City Manager stated a list of those who wished to have their cases postponed would be made, and the interested parties would be notified immediately.

Councilman Nichols moved the Council approve the recommendation. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

## ANNEXATION ORDINANCES

Mayor Butler introduced 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 24.91 ACRES OF LAND OUT OF THE WILLIAM CANNON LEAGUE; 7.17 ACRES OF LAND OUT OF THE WILLIAM CANNON LEAGUE; 30.61 ACRES OF LAND OUT OF THE GEORGE W. DAVIS SURVEY; AND 7.28 ACRES OF LAND OUT 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 the third time, and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman Love, carried by the following vote:

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Lebermann expressed concern about the irregular city limit line south and west of the above property. He asked that the field notes be brought in and property owners be notified of the intent to annex the area from Bluestein Coulevard to Rutland Drive, and from Cameron Road to I.H. 35.

The following item was deferred, pending release from Sunset Valley.

39.5 acres of land, more or less, out of the Theodore Bissel Survey - unplatted land and a part of Jones Road. (initiated by City)

## CENTREX COMMUNICATION SYSTEM

The City Manager stated during the past six months a study of the City's telecommunications system had been made, and the results indicate the system is inadequate. There appear two alternates--(1) to add to the present switchboard operation or (2) to convert to a CENTREX system.

Mr. C. A. Carpenter made the presentation of the Centrex System, stating it was the most modern system available. Along with his description he pointed out the necessity of the installation's coinciding with the issuance of the new telephone directory scheduled for December 1972. Installation takes 18 months.

Mayor Butler at this point called attention to the issuance of the Directory only once a year, suggesting it should be distributed semi-annually eliminating a number of problems. Mr. Carter stated he would relay this suggestion to the managers of the Company.

Mr. Carpenter listed six main advantages of the system, adding the advantages under the long distance calls as to immediate identification for billing purposes.

To expand the present system, Mr. Carpenter said it would cost \$181,877; and under Centrex, the base rate would be \$155,000 plus the \$1,000 for change over installation charge. For a three-year contract, Centrex would be \$99,500. Fewer operators would be required under the Centrex system than under the expanded system. In answer to Councilman Lebermann's inquiry, Mr. Carpenter stated the annual telephone bill approaches \$125,000 exclusive of operators, \$170,000 including operators. This does not include the Hospital, Police and Tax Departments.

Councilman Dryden noted the report indicated a savings of \$26,000 and asked that a specific study be made under the direction of City Manager Andrews. Mayor Butler suggested that the computation include Brackenridge Hospital, the Police and Tax Departments.

As to time of installation, Mr. Carpenter said the Company needed to know as rapidly as possible in order to meet the 18 months' deadline by December 1972; otherwise the time table would be in 1973.

#### EXECUTIVE SESSION

Mayor Butler announced the Council would go into Executive Session to discuss several eminent domain cases.

#### CITIZENS TAX COMMISSION

The Mayor announced appointment of the following to the Citizens Tax Commission:

Mr. Jacob Arnott  
Mr. Joe Crow  
Mr. Kenneth Wendler  
Mr. Alvino Mendoza

Mr. Clyde Copus  
Mr. Tom Gardner  
Mr. Alvin Golden  
Mr. Clyde Hill

#### CHARTER REVIEW COMMITTEE

The Mayor announced the appointment of the following to the Charter Review Committee:

Mr. Bill Youngblood  
Mr. Gus Garcia  
Mrs. Emma Long  
Dr. Philip White  
Mr. Dean Banks  
Dr. Joe Quander

Mr. Victor Ravel  
Mr. Ralph Janes, Jr.  
Mr. Barr McClellan  
Mr. Robert Tinstman  
Mrs. William Holmes  
Mr. Louis Shanks



## RECONSIDERATION OF ACTION ON APPEAL - SPECIAL PERMIT 027

At 2:00 P.M., Mayor Butler opened the hearing to further consider the appeal of Special Permit No. CP14-71-027 for a Day Care Center for Mrs. Ruby Wright.

The City Manager, Mr. Andrews, explained this case was placed on the Agenda for public hearing and for further consideration by the Council, as there was confusion as to just what could be done under this permit. The Council had granted a permit, limiting the enrollment to thirty children. Lengthy discussion was held with Mr. Orr, Attorney for Mrs. Wright, the Assistant City Attorney, Mr. Charles Dippel, the Director of Planning, Mr. Lillie and the Building Official, Mr. Jordan, Mr. Lewis I. Bennett and Mr. Bill Hewitt were present, representing the opposition.

After discussion, Councilman Handcox moved the Council vote that the previous Council action be rescinded. The motion, seconded by Councilman Handcox, carried by the following vote:

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

After further detailed discussion, Councilman Lebermann moved the Council vote to uphold the decision of the Planning Commission and to deny the Special Permit. The motion, seconded by Councilman Handcox, carried by the following vote:

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

## DESIGNATING LOCATION FOR COUNCIL MEETING - AUGUST 26, 1971

Councilman Nichols moved the Council vote that on the 4th Thursday in August, the Council have a neighborhood meeting in South Austin in the vicinity of Crockett School to bring the Government to the people. (August 26th). 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

## ADJOURNMENT

The Council adjourned at 4:45 P.M.

APPROVED

*Ray Butler*  
Mayor

ATTEST:

*Edna Woolley*  
City Clerk