

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 8, 1971

10:00 A. M.

COUNCIL CHAMBERS, CITY HALL

The meeting was called to order with Mayor Butler presiding.

Roll Call:

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

Absent: None

The Invocation was delivered by REVEREND JAMES E. OBEY, David Chapel Baptist Church.

APPROVAL OF MINUTES

Councilman Nichols moved the Council approve the Minutes of the Regular Meeting of July 11, 1971, with the correction as noted on Page 1, and the addition of the Minutes of June 17, 1971. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Not in Council Chamber 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 approximately
598 linear feet of 8-inch concrete
sewer pipe and appurtenances -
\$7,820.30. (20 working days;
City's estimate - \$7,526.75.)

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 awarding the following contract:

CANYON CONSTRUCTION COMPANY

- For the construction of a Playscape and associated improvements at Kealing Park - \$27,247.55. (60 calendar days for completion; City's estimate - \$18,000.00; Capital Improvement Program)

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

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

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

AUSTIN METAL & IRON COMPANY

- Sale of scrap metal - \$3,997.55.

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

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

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

VERNON'S TIRE SERVICE

- Sale of used tires - \$1,272.00.

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

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

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

ED H. PAGE

- For construction of a reinforced concrete multiple box culvert in Parkfield Drive, Quail Creek Phase 2, Section 1, Contract No. 71-Cc-115-\$15,850.24. 50/50 Developer participation project - City funds required \$7,925.12. (35 working days for completion; Engineer's estimate: \$14,600.00; Capital Improvements Project).

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

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

Pad Mounted Distribution Transformers

Councilman Nichols moved the Council adopt a resolution awarding contracts for Pad Mounted Distribution Transformers, three phase, as follows:

GRAYBAR	- Two (2) each 500 KVA - 208/120V @ \$2,439.00 each - \$4,878.00.
GRAYBAR	- Two (2) each 500 KVA - 480/277V @ \$2,337.00 each - \$4,674.00.
RTE	- Two (2) each 750 KVA - 208/120V @ \$3,550.00 each - \$7,100.00.
TECHLINE	- One (1) each 750 KVA - 480/277V - \$3,430.00.
WALTER TIPS	- One (1) each 1000 KVA - 480/277V - \$3,985.00.

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

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

EASEMENTS RELEASED

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

Public utilities easement out of Lot 8 and Lot 9,
West Gate West.

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

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

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

Drainage easement out of Lots 1, 2, 3, and 4, West Gate West.

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

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

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

Sanitary sewer easement out of Lot 14, Block 11,
Broadacres.

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

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

Noes: None

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

Seventeen (17) public utilities easements out of
Lots 1 through 16, Block A, Vista West - 1.

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

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

Noes: None

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

Public utilities easement out of Lot 4, Block U,
Northwest Hills, Section Seven.

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

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

Noes: None

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

Ten (10) foot drainage and public utilities easement
as shown on plat of Turnabout Terrace.

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

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

Noes: None

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

Drainage easement out of Lot 1, Block A, Salughter Creek
Acres.

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

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

Noes: None

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

Public utilities easement out of Lots 1, 2, and 3,
Block A, Salughter Creek Acres.

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

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

Noes: None

PARKING - CARUSO'S

Councilman Nichols moved the Council adopt a resolution establishing 8 off the street parking spaces within a block provided through an agreement with the American National Bank, as an adequate number of parking spaces for Caruso's Cafe, located at 311 West 6th Stree. The motion, seconded by Councilman Friedman, carried by the following vote:

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

Noes: None

Not in Council Room when Roll was called: Mayor Butler

SALE OF HOUSES

Councilman Nichols moved the Council adopt a resolution authorizing the sale of houses and accepting negative bids on houses to be demolished as follows:

August Heyer	1611 Ulit Ave. (f)	\$70.00
August Heyer	1810 Cedar	\$70.00
Southwest Rathgeber Company	1701 Sanchez	\$292.29

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

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

Noes: None

Not in 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 as follows:

For Peyton Gin Road

1812 Peyton Gin Road (Partial Taking)

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

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

Councilman Nichols moved the Council adopt a resolution authorizing the acquisition of certain land as follows:

For the Mo-Pac Expressway, Phase 4

1702 Winsted Lane (Partial Taking)

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

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

LEASES EXTENDED

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to extend the following leases:

Providing quarters for the U.S. Weather Bureau (1075 square feet) for a period of one year terminating June 30, 1972. (\$1.00 per year)

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

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

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to extend the following lease:

With the U. S. Weather Bureau for quarters occupied by the Climatologist (462) square feet) at the rate of \$1,310 per year for a one-year period expiring June 30, 1972.

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

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

AGREEMENTS FOR SPECIAL TRANSPORTATION AND BUSINESS AID

Councilman Love moved the Council adopt a resolution authorizing an agreement between the City of Austin and the Montopolis Community Center Incorporated, for the operation of the Model Neighborhood Area Special Transportation Project: Total Cost: \$35,865.00 (All Model Cities funds.)

Mr. Homer Reed described this project. Two small buses will run shuttle services to meet the regular Austin Transit routes with stops to the service

T.E.C., downtown, and Brackenridge Hospital through referral from the Clinic.

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

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

Noes: None

Councilman Nichols moved the Council adopt a resolution authorizing an agreement between the City of Austin and the Austin Local Development Corporation for the operation of the Business and Industrial Development Project: Total Cost: \$92,861.00. (Model Cities Share: \$82,661.00.)

Mr. Tony Ojeda, Director of Model Cities, explained this project will try to create two business enterprises and assist four existing businesses to expand.

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

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

Noes: None

RETIREMENT BOARD - MEMBERS COUNCIL

Councilman Nichols moved the Council adopt a resolution appointing Councilman Dryden and Mayor Pro Tem Love to the Employees Pension and Retirement Board. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

ZONING ORDINANCES

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 31, NORTHFIELD ADDITION, LOCALLY KNOWN AS 5300-5304 GUADALUPE: 600 NORTH LOOP, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;
 - (2) LOT 2, BATY SUBDIVISION, LOCALLY KNOWN AS 7401 RIVERSIDE DRIVE, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT;
 - (3) A 840 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 7106 NORTH INTERSTATE HIGHWAY 35, FROM "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL SECOND 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 Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN HEIGHT AND AREA AND CHANGING THE HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
A 1,875 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 810-818 EAST 7TH STREET 701 NORTH INTERSTATE HIGHWAY 35, FROM SECOND HEIGHT AND AREA DISTRICT TO THIRD HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

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:
LOTS 1 AND 2, SOUTH MEADOWS SUBDIVISION, LOCALLY KNOWN AS 505-509 EBERHART LANE, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

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 0.475 ACRE TRACT OF LAND, LOCALLY KNOWN AS 2001-2007 MONTOPOLIS DRIVE, 6301-6303 RIVERSIDE DRIVE, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND 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: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Love, Lebermann, Friedman,

Noes: None

The Mayor announced that the ordinance had been finally passed.

ANNEXATION ORDINANCE

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 40 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL 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.

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

Noes: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

REFUND CONTRACTS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH SOMERSET WEST DEVELOPMENT COMPANY; AND DECLARING AN EMERGENCY.

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH CAROLINE REALTY COMPANY; AND DECLARING AN EMERGENCY.

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH AUSTIN SAVINGS AND LOAN ASSOCIATION; 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

Mayor Butler announced that the ordinance had been finally passed.

AGREEMENT - MODEL CITIES & WWW

Councilman Nichols moved the Council adopt a resolution authorizing an agreement between the Model Cities Department and the Water and Waste Water Department for water and sewer relocation necessitated by the street paving program in the Model Neighborhood. Total cost \$69,720. The motion, seconded by Councilman Handcox, carried by the following vote: (All Model Cities funds)

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

Noes: None

SPEED LIMIT

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 21-41 OF THE AUSTIN CITY CODE OF 1967 SO AS TO SET THE MAXIMUM PRIMA FACIE SPEED ALONG AIRPORT BOULEVARD; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

THIRD READING - PARADE ORDINANCE AMENDMENT

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

AN ORDINANCE AMENDING CHAPTER 31 OF THE AUSTIN CITY CODE OF 1967 BY AMENDING SECTION 31-12 THEREOF BY DELETING PARAGRAPHS 8 AND 9 OF SAID SECTION 31-12, AND AMENDING OTHER PARAGRAPHS OF SECTION 31-12 IN ORDER TO CONFORM WITH SAID DELETIONS.

Councilman Nichols moved the Council pass the ordinance through its third and final reading. The motion, seconded by Councilman Friedman, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

BOW FISHING IN CITY LIMITS

Mr. Sam Hoerster made a presentation in the interest of an ordinance allowing bow fishing within the City limits, stating that 90% of this sport would occur from 7:00 P. M. to 7:00 A. M. The members of the club are few and had been bow fishing until a Park Ranger interpreted the law as to include this sport under archery rather than under fishing. This interpretation rules out bow fishing in all of Lake Austin for 25 miles up the Lake. Mr. Hoerster stated the fishermen did not shoot game fish, but gar, carp and the rough fish which have a ratio of 3 to 1 over game fish. He listed provisions of an ordinance in that the test of line would be 50 lb. or in excess; no one would shoot a fish with anything besides a fishing type arrow - which must be attached to the bow; no bow fishing would be done within 25 yards of any swimming; there would be no bow fishing except between 7:00 P. M. and 7:00 A. M. The City Manager stated this might be an advantage in getting the gars out of the Lake. Most of the bow fishing is below the Mansfield Dam on Lake Austin, and in Barton Creek in the spring.

Councilman Dryden moved the Council instruct that an ordinance be drawn up to allow these gentlemen to do this bow fishing in accordance with the specifications outlined by Mr. Hoerster. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

APPROPRIATION TO AUSTIN TRANSIT CORP.
CONSIDERATION POSTPONED

The consideration of authorizing the appropriation to Austin Transit Corporation of \$15,350.25 in accordance with the operating contract approved by City Council on March 26, 1971 was postponed until July 22nd, when representatives of Austin Transit Corporation will be present to discuss the bookkeeping concerned.

TEMPORARY CLOSING OF STREETS - PARADE OF HOMES

Mayor Butler introduced the following ordinance:

AN ORDINANCE TEMPORARILY CLOSING TO PUBLIC TRAVEL PORTIONS OF PEPPERTREE PARKWAY DEADWOOD DRIVE AND TALLOW TREE DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; FIXING THE DATE UPON WHICH CLOSING TO PUBLIC TRAVEL SHALL BECOME EFFECTIVE; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE 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 Love, carried by the following vote:

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

Noes: None

Abstain: Councilman Dryden

The Mayor announced that the ordinance had been finally passed..

ITEM WITHDRAWN - WIGINTON

The item of his request for the use of various neighborhood parks to conduct meetings with music, speeches, and distribution of literature and beverages was withdrawn at the request of Mr. Wiginton.

USE OF TOWN LAKE - GLASTRON

Councilman Nichols moved the Council grant the request of Mr. Ernest J. Schmidt to use Town Lake from the Interregional Bridge to Congress Avenue during the afternoon hours of July 24th to July 28th, in accordance with the letter received from him. (Glastron Boat Company) The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

AQUA FESTIVAL EVENTS

Temporary Closing of Streets

Mayor Butler introduced the following ordinance:

AN ORDINANCE TEMPORARILY CLOSING TO PUBLIC TRAVEL PORTIONS OF RIVERSIDE DRIVE, DAWSON ROAD AND BOULDDING AVENUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; FIXING THE DATE UPON WHICH CLOSING TO PUBLIC TRAVEL SHALL BECOME EFFECTIVE; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

Re-naming of Town Lake

Councilman Nichols moved the Council grant the request of the Austin Aqua Festival Committee to change the name of Town Lake to "Festival Lake" during the Aqua Festival Activities. The motion, seconded by Councilman Friedman, carried by the following vote:

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

Noes: None

Parade Permit

Councilman Nichols moved the Council grant the application from Austin Aqua Festival for a parade permit on August 6, 1971, from City Auditorium, north on South First Street, across Town Lake, east on West First Street to Congress, north on Congress to 11th Street - from 7:30 P. M. to 9:30 P. M. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

Summary of Events

Councilman Nichols moved the Council approve the list presented showing the summary of events for the 1971 Aqua Festival as follows:

Texas Water Ski Championships	- July 31 and August 1
World Gas & Fuel Drag Boat Races	- August 7 and 8
Southern Outboard Championship	- August 14 and 15
Twilight Land Parade	- August 6
Water Parade	- August 13
Motorcycle Races	- August 15

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

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

Noes: None

It was noted that several City departments provide assistance through technical support and facilities preparation. A total of \$22,000 is reflected in these departmental budgets in order to accomplish this assistance.

Mr. Hatch stated the Austin Aqua Festival was a product of the Chamber of Commerce and the City of Austin; and the Chamber asked the Council continually for new ideas and concepts that any citizen might have to improve Austin's Festival, the largest festival in the Southwest. He urged the Council for any suggestions.

YOUTH DEVELOPMENT IN CONNECTION WITH MODEL CITIES - MR. RENE RAMIREZ

Mr. Rene Ramirez outlined their services of providing children an opportunity to go to a summer camp. Since most of the children come from the Model Neighborhood area, his group had gone before the Model Cities Commission and had received approval of their application.

Mr. Tony Ojeda, Executive Director, reported the Model Cities Commission approved this proposal, amended and expanded the Budget to include this program, not to exceed \$20,000. He explained the manner in which this could be administered through the Recreation Department, which could add 200 children from the Model Neighborhood area who are not attending any summer camps. Then Councilman Nichols moved the Council institute the program. The motion, seconded by Councilman Love, carried by the following vote:

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

Noes: None

Not in Council Chamber when Roll was called: Councilman Friedman

COMMISSIONS & COMMITTEES

Mayor Butler stated he was compiling a list of names, not only for nominees for the Tax Commission, but for vacancies on other boards and commissions, on which the Council would have to make replacements.

REPORT OF INCIDENT PENDING COURT HEARING

Mr. Gonzalo Barrientos, speaking as the Regional Director for the U. S. Catholic Convention Division for the Spanish Speaking People, and for many others, made an official statement regarding the death of the Lara youth Sunday morning. A hearing will be held in Judge Dear's Court, Friday, at 2:00 P. M., and the group will wait until the investigation before it requests action.

Mayor Butler asked Mr. Barrientos how he would suggest such incidents should be handled. The Human Relations Commission does not want to be involved with this type of activity as it may affect its credibility with those it serves. Many say such incidents should go to the Grand Jury. Mr. Barrientos' response was that each individual as an individual and is a member of any ruling body should take a high interest in each particular case.

Councilman Handcox stated the members of this Council are in sympathy with concerns of alleged police brutality, and he for one, would like to give it his full attention. Councilman Love suggested that Mr. Barrientos and his associates think about this matter in depth and bring the Council their strongest recommendation. Mr. Barrientos stated they would do that working with the Council, Human Relations Commission and other governing bodies. Mr. Hernandez asked for better training for the policemen.

Mayor Butler stated it was the Council's obligation to look into these matters, and it had an equal obligation when the Police Officer was right, that he should be supported just as he would be reprimanded should he be in the wrong.

PORTRAITS OF COLONEL ZILKER

A communication was received from Mrs. Alden Davis, requesting an appearance before the Council to present to the Council and to the City portraits of Colonel Zilker to be placed in the Garden Center. This matter was scheduled for the following week, July 15th, 1971.

EXECUTIVE SESSION

At 11:00 A. M., the Council went into Executive Session with the City Attorney regarding the Gas Rate Report.

LOG CABIN PLACEMENT

The Recreation Director, Mr. Beverly Sheffield, stated they had an old log cabin, which the Rosewood Recreation Association and Sorority had petitioned to be located at Rosewood Park to be used as a very small museum to house artifacts and mementos of the history of the negro heritage in Austin. The groups would maintain the Museum part and collect the items. The City Manager recommended that the cabin be erected at the Rosewood Park, between Rosewood Avenue, Chestnut, and the proposed Pleasant Valley Road. The original owner, Mrs. Greenwood Wooten, had approved of this project. Councilman Handcox stated that there was a lot of interest in the community for this kind of thing, and many had dedicated themselves to find objects and to put together a formal black history. Councilman Love moved the Council approve the project and the location. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Noes: None

ZONING HEARD AND GRANTED

GORDON NEELLEY
C14-71-078

1624-A Barton Springs Road

From "C" Commercial
Second Height and
Area To "C-2" Com-
mercial Second Height and Area
RECOMMENDED by
Planning Commission

The Director of Planning gave a resume of the area which is zoned "C" Commercial with nonresidential developments, one of which is a mobile home park. The "C-2" Commercial zoning would permit lounges, taverns, and package stores. Mr. Ralph Daugherty, Attorney, represented Mr. Neeley and stated the property was operated as a mobile home park in the area where there were

liquor stores, a lounge and a drive-in selling beer. Mr. Neeley wants to use this lot for a package store - not a bar.

Strong opposition was expressed by Mr. Hume Cofer, representing Mrs. John Lynn Scott, and speaking for 14 other people who were opponents. He filed a petition signed by a sufficient number of property owners to require six votes by the Council. His opposition was based on the "C-2" which would permit a bar; that the maps provided were inaccurate, and that a letter of opposition was not considered. As an amendment to the zoning ordinance, this change of zoning does not meet the provisions for public need, safety, general welfare, etc. Policing Zilker Park is troublesome now. A liquor store at the entrance would be a further burden to enforcement. Mrs. Scott operates a green house so near the site it would be vulnerable to vandalism. Mr. Daugherty said Mr. Neeley offered to build a gate so as to protect the property, but Mr. Cofer declined to accept the gate.

Councilman Love moved the Council grant the change from "C" Commercial Second Height and Area to "C-2" Commercial Second Height and Area as recommended by the Planning Commission with the restrictive covenant that there be a gate. The motion, seconded by Councilman Lebermann, 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 and the City Attorney was instructed to draw the necessary ordinance to cover.

ADJOURNMENT

Councilman Dryden moved the Council adjourn at 3:30 P. M. The motion, seconded by Councilman Nichols, carried by the following vote:

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

APPROVED:

Ray Butler
Mayor

ATTEST:

Elin Woodley
City Clerk