

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 17, 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 Mr. Lynn Andrews, City Manager.

APPROVAL OF MINUTES

Councilman Love moved the Council approve the Minutes of the Regular Meetings of June 3, 1971, and June 10, 1971. The motion, seconded by Councilman Dryden, carried by the following vote:

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

PROCLAMATIONS

Mayor Butler read a proclamation designating June 20th through 26th as "Nursing Home Week", and presented the document to Mr. Milton Matthews, and others with him who were interested in the Nursing Home profession.

The Mayor akded Councilman Friedman to read a proclamation honoring Shannon Coffman, "Little Miss LaPetite"; Lilla Lue Merrick, "Our Little Miss"; Sheryl Mart, "Our Miss Talent", for representing Austin in competition in the State Pageant "Our Little Miss" contest, June 21 through 26, 1971, at Baylor University in Waco.

## CONTRACTS AWARDED

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

AUSTIN ARMY AND NAVY STORE - Renewal of twelve (12) month contract to furnish Fire Department Uniform Clothing - \$21,746.69.

The motion, seconded by Councilman Dryden, 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:

BALTIMORE PAINT & CHEMICAL CORPORATION - 3500 gallons of yellow and 4500 gallons of white Traffic Line Marking Paint - \$13,860.00.

The motion, seconded by Councilman Dryden, carried by the following vote:  
Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

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

SOUTHWEST-RATHGEBER COMPANY - One contract for Property Clearance Program for clearing a minimum of 2,000,000 square feet of property - \$13,320.00.

The motion, seconded by Councilman Friedman, carried by the following vote:  
Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

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

E. E. STUESSY COMPANY - For the installation of electric conduit and concrete foundations for street lighting on 10th Street from San Antonio Street to I. H. 35 and 11th Street from San Antonio Street to Guadalupe Street - \$77,647.30.  
(130 calendar days for completion)

The motion, seconded by Councilman Dryden, carried by the following vote:  
Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

(CONTRACTS continued)

Councilman Nichols moved the Council adopt a resolution awarding contracts for Athletic Equipment to be used by the Parks and Recreation Department in their programs:

ROOSTER ANDREWS SPORTING GOODS - \$11,319.65

OSMAN'S SPORTING GOODS - \$ 2,544.77

The City Manager stated this was the first one-year contract and there is an 18% savings on items previously purchased - amounting to \$2,079.66.

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

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

Noes: None

Councilman Love moved the Council adopt 7 resolutions awarding contracts for Office Furniture and Equipment to be used by all departments:

GENERAL OFFICE EQUIPMENT - \$25,537.66

FOREMOST EQUIPMENT - \$ 4,431.40

ROCKFORD FURNITURE ASSOCIATION - \$ 4,240.55

ABEL FURNITURE EQUIPMENT - \$ 2,674.53

CAPITOL CITY OUTFITTERS - \$ 1,491.40

BARKER FURNITURE - \$ 1,002.00

VON BOECKMANN-JONES - \$ 466.37

Councilman Dryden stated he felt in the selection of contracts awarded to firms, preference should be given to local companies although the bids may be slightly higher, but he did not intend to abandon the policy of the low bid concept nor discourage out-of-town merchants to submit bids. Councilman Nichols asked for copies of tabulations to be furnished the Council.

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

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

Noes: None

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

REVELL & COMPANY - Office fixtures and furnishing to be  
INTERIOR DESIGNERS used in Council complex and reception  
room - \$8,551.82.

Mr. A.G. Scholtz, questioned the expenditure for furnishings and

**(CONTRACTS continued)**

renovations. He was also of the opinion that the City was not open to bids, but it was stated by the City Manager, Mr. Andrews, that the City did ask for further bids; no others were received.

The City Manager stated the previous Council had authorized the expenditure for remodeling the City Hall, not breaking the expenditures down to any area. The Mayor's and Councilmen's offices are a part of these funds. Remodeling of the Municipal Building is far behind as past Councils felt other needs should come first.

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

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

Noes: None

**EASEMENT RELEASED**

Councilman Nichols moved the Council adopt a resolution authorizing the correction of a resolution passed on May 13, 1971, pertaining to release of a public utilities easement out of Lot 12, Block F, Country Club Gardens, Section 4. The motion, seconded by Councilman Love, carried by the following vote:

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

Noes: None

**BRANCH LIBRARY LEASE**

Councilman Love moved the Council adopt a resolution authorizing the City Manager to execute a lease for the North Village Shopping Center Branch Library located at the intersection of Burnet Road and Anderson Lane. (five year lease amounting to \$450.00 per month) The motion, seconded by Councilman Friedman, carried by the following vote:

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

Noes: None

**ACQUISITION OF LAND**

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

1705 Winsted Lane (rear) (Partial Taking) Phase 4  
608 Atlanta Street (Partial Taking) Phase 3

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

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

Noes: None

## SELECTION OF ARCHITECTURAL SERVICES - AUDITORIUM

Councilman Love moved the Council approved the selection of WILSON RATCLIFF to carry out architectural services in connection with repairs and improvements to the Auditorium. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Noes: None

Not in Council Room when roll was called: Councilman Dryden

Mr. Al Eldridge, Director of Construction Engineering, pointed out that previous contracts were awarded to this company and commented on the quality of job performance. Councilman Friedman raised the question as to whether or not this \$23,000.00 contract would include risers and the City Manager, Mr. Andrews stated that the previous Council considered and investigated the issue of new risers, but found that it would be a rather expensive proposition since: (1) the selection of an engineering firm to design risers would have to be taken into consideration; (2) it would require bids for specifications since the manufacturing of this particular type of risers has never been constructed heretofore. Consequently, previous Councils postponed decision of the subject matter until such time as a new convention center may be constructed, the design calling for a theatre type floor in order to furnish the needed floor space.

SELECTION OF ENGINEERING SERVICES IN CONNECTION WITH  
WALNUT CREEK WASTEWATER PLANT

The City Manager, Mr. Andrews, reported the Council had requested information from three firms and the results of discussions are indicated on a memorandum furnished the Council. Those making proposals were:

- |                        |  |
|------------------------|--|
| CAMP, DRESSER, & McKEY | - indicating joining a local firm for a joint venture.   |
| BLACK & VEATCH         | - stated they would associate with S. A. Garza if selected.  |
| GREELEY & HANSEN       | - also indicated using local firms to work with them and would consider a joint venture if selected. |

He explained these engineering services are for a sewer plant estimated to cost \$7,000,000. It will possibly be a new type -- different from anything the City ever had before, in that more detailed treatment of the waste water soule be anticipated.

The Director of Water and Waste Water, Mr. Vic Schmidt, explained that there was a new treatment process developed in the last 10 years, to treat sewage in the same fashion as drinding water. The City wants to hire a firm to make a preliminary study so the staff may be advised as to the process - the present biological of the physical-chemical method, which would cost only 20-25% more to go to tertiary plan rather than 100%. After discussion,

Councilman Love moved the Council select the firm of Black and Veatch. The motion, seconded by Councilman Nichols, carried by the following vote:

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

#### SPEED LIMITS ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTIONS 21-40, 21-41, 21-42, AND 21-43 OF THE CITY CODE OF THE CITY OF AUSTIN, 1967, IN ORDER TO DECLARE THE MAXIMUM PRIMA FACIE SPEED LIMITS AND THE MINIMUM SPEED LIMITS UPON THE STREETS AND HIGHWAYS WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF AUSTIN PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST. ART. 6701d), REPEALING ALL ORDINANCES OR RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE, AND DECLARING AN EMERGENCY.

(resetting speed limits as the result of a decision by Corporation Court Judge Earle)

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, Lebermann, Friedman, Handcox, Mayor Butler  
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 99.9 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE THEODORE BISSEL 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. (Proposed Cherry Creek, Phase II, Section Four; the Village, Section One; The Village, Section Two; the Village, Section Three; and unplatted land)

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

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

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

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

#### RAW MILK ORDINANCE REPEALED

The Council had before it an ordinance repealing the one prohibiting the sale of raw milk in Austin.

After discussion covering a technicality - "certified raw" - milk and/or "Grade 'A' raw" milk, and the extra time it takes to inspect the dairies selling raw milk, Mayor Butler introduced the following ordinance: (ordinance repealing the Ordinance passed January 7, 1971, making it illegal to sell raw milk)

AN ORDINANCE AMENDING SECTION 20-2 OF CHAPTER 20  
OF THE AUSTIN CITY CODE OF 1967, BY INSERTING  
THE WORDS "CERTIFIED RAW, AND GRADE A RAW;" 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, Lebermann, Friedman, Handcox,  
Mayor Butler  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Dryden stated the people wanted the privilege of drinking what they wanted to.

Mr. John Loving read a petition from consumers thanking the members of the Council and the Mayor for restoring them the privilege of buying raw milk in Austin.

#### 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: LOTS 1-4, BLOCK 24,

HYDE PARK, SECTION 1, LOCALLY KNOWN AS 4113-4115 AVENUE D; 105-107 WEST 42ND STREET, 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. (First United Pentecostal Church - C14-71-057)

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

Ayes: Councilmen Dryden, Nichols, Love, 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 ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOTS 1-8, BLOCK 20, HYDE PARK SUBDIVISION, LOCALLY KNOWN AS 4209-4215 AVENUE G; 301-303 EAST 43RD STREET, 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. (Helen D. Nohra - C14-71-075)

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

Ayes: Councilmen Dryden, Nichols, Love, 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 ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOT 8, BLOCK 29, HYDE PARK ADDITION, LOCALLY KNOWN AS 4013 AVENUE H, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Althenheim, A Division of Lutheran Social Service, Inc. C14-71-076)



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

Ayes: Councilmen Dryden, Nichols, Love, 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 ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOTS 5, 6, AND 7, BLOCK N, JAMES E. BOULDIN ADDITION, LOCALLY KNOWN AS 909-913 WEST MARY STREET, FROM "B" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL 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. (Frank W. McBee, C14-71-090)

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

Ayes: Councilmen Dryden, Nichols, Love, 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 ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: A 3.87 ACRE TRACT OF LAND, LOCALLY KNOWN AS 5803-5927 WESTMINSTER DRIVE, FROM "B" 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. (Trinity Presbyterian Church, C14-71-112)

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

Ayes: Councilmen Dryden, Nichols, Love, 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 ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: A 15,600 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 807 AND 809 EAST 32ND STREET, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE 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. (John Cashin, C14-71-087)

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  
Noes: Mayor Butler

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 7.07 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1104-1114 CLAYTON LANE, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE 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. (Frank B. Leggett, C14-71-071)

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

Ayes: Councilmen Dryden, Nichols, Love, 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 ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: A 13.947 ACRE TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 8436-8602 NORTH LAMAR BOULEVARD AND 800-936 THURMOND DRIVE, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL 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. W. H. Bullard,  
C14-68-49)

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.

#### REFUND CONTRACT

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO  
ENTER INTO A CERTAIN REFUND CONTRACT WITH DEVELOPMENT  
ASSOCIATES; AND DECLARING AN EMERGENCY, (Water and  
sewer mains in Cavalier Park, Section 1 - \$28,402.94)

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

#### HEARING ON AMBULANCE FRANCHISE

Mayor Butler opened the hearing scheduled at 2:00 P.M. to consider application of City Ambulance Company for an ambulance franchise.

Mr. Price Ashton represented the City Ambulance Company, stating there were some people present to speak in favor of granting the franchises - and some letters endorsing the City Ambulance Company were read.

Mr. Nat Richter said a second company was needed in Austin as he had heard of a number of cases where the present company refused to pick up patients for lack of funds. Mr. Victor Manning, Adult Services Council, outlined the failure of the present company to recognize Medicare or other insurance programs for its payment and insisted on cash payments. He said Mr. Carter, City Ambulance Company, would never refuse service to a patient because he could not pay cash in advance. In discussion of collections, Mr. Smith knew of only three methods of collection - offer free service, require cash in advance, or bill later. The Adult Services Council supports the franchise for the City Ambulance Company.

Mr. Manning believed competition is needed. Mrs. Edwin Ally, Adult Service Council, spoke against a monopoly.

The matter of public convenience and necessity was reviewed by the City Attorney; and that in addition, the provision required that existing ambulance and transfer services would not be so adversely effected so as to lower its standards.

Mr. Doyle Carter, applicant, reviewed his operation as to location of ambulances to provide the service in the county at this time, and described his ambulance facilities. He alleged the existing company took 45 minutes to answer a call.

Mr. Conwell Smith, Austin Ambulance Service, answered the allegations, stating there were no facts no statistics presented; that the company did recognize Medicare and Medicaid; and that they answered calls in 15 minutes. He discussed the service to the strategic areas where most of the emergency calls emanate. He pointed out the evidence presented was strictly on their method of collection for transfer calls, which was approved by a prior Council. There were no facts that an additional ambulance service would be a public need and convenience.

In conclusion, Mr. Smith stated the opposition did not present one fact that his service was not satisfactory, although his company had made over 40,000 calls in the last five years. The applicants did not prove that they could operate at a profit, which is a part of the stipulation. Mr. Smith said his company would operate with the collection of transfers at the Council's wishes and direction.

After Mayor Butler ascertained there were no others to be heard on this application for an ambulance franchise, Councilman Dryden made a motion that the service continue with Mr. Smith's firm with the understanding that the intricacies of the transfer patient and the collection be worked out mutually with the City Manager, Mr. Andrews, and the Austin Ambulance Service. He withdrew this motion. Councilman Dryden moved that the franchise not be allowed to the City Ambulance Company, since credentials presented did not prove the necessity for the City at this time. The motion, seconded by Councilman Love, carried by the following vote:

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

The Franchise for City Ambulance Company was denied.

#### DECLARING NECESSITY AND ORDERING IMPROVEMENTS

Mayor Butler introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF

THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY. (Unit Nol 71-9 Peyton Gin Road from EGL Research Blvd. to WGL North Lamar Blvd. - Contract 71-Pa-109 covering 18 blocks - Capital Improvements Program)

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

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

Noes: None

Not in Council Room when roll was called: Councilman Lebermann

The Mayor announced that the ordinance had been finally passed.

#### CITIZENS' TAX ADVISORY COMMISSION

Mr. Rogan Giles, Austin Property Owners Association, appeared in the interest of the Ordinance creating the Citizens' Tax Advisory Commission, stating the Commission should have free access to all types of information, and have an interest in the budget. After discussion, Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 32 OF THE AUSTIN CITY CODE OF 1967, BY ADDING THERETO A NEW ARTICLE VI, ENTITLED "CITIZENS' TAX ADVISORY COMMISSION"; PRESCRIBING RESPONSIBILITIES AND PROCEDURES OF SUCH COMMISSION; AND DECLARING AN EMERGENCY.

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 Nichols, 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.

## RECREATION SUPPORT PROGRAM (\$84,000 Grant)

The Director of Recreation presented this program which was a diversified cultural program for children ages 7 to 13. Councilman Love moved the Council adopt a resolution authorizing the City Manager to execute a contract with the U. S. Department of Labor for the Recreation Support Program in the amount of \$84,000. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Noes: None

## PARADE PERMIT

MR. TERRY DeBOIS appeared in behalf of James Drysdale, Viet Nam Veterans Against the War, requesting a parade permit on July 4,,1971, from 2:00 P.M. to 4:00 P.M. from the Capitol down Congress to 1st Street, west to Guadalupe, north on Guadalupe to Woodbridge Park. Mr. Jim Sawyer spoke in the interest of the parade ordinance stating Section 8, providing a fee for Police supervision, should be eliminated from the ordinance. After considerable discussion, Councilman Nichols moved the Council grant the parade permit on July 4th. The motion, seconded by Councilman Love, carried by the following vote:

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

Noes: None

Councilman Friedman moved that the City Attorney be instructed to bring in an ordinance repealing the Ordinance for Parade Permits, eliminating Section 8, which calls for the payment of Police protection. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Noes: Councilman Dryden, Mayor Butler

A public hearing is to be held on this matter on June 24, 1971.

## APPROPRIATION FOR CIVIC CENTERS COMMITTEE

Mayor Butler shared a communication from the "Civic Centers Committee" originally asking for \$18,000 for services rendered on a voluntary basis - appraising, engineering, etc. At this time, now, the Committee was asking only for \$9,000. Councilman Nichols moved the Council appropriate \$9,000 from the Room Tax Fund, and that it is understood that when the organization needed more funds, they would be available to them. The motion, seconded by Councilman Love, carried by the following vote:

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

Noes: None

## ANNEXATION HEARING

Mayor Butler opened the hearing scheduled for 2:00 P.M. to consider annexing the property described below. No one appeared to be heard. Councilman Friedman moved the Council close the hearing and direct the administration to institute annexation proceedings to annex the following:

22.85 acres of land out of the William Cannon League -  
proposed BATTLE BEND SPRINGS, SECTION THREE. (requested  
by owner's representative)

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

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

Noes: None

## APPEARANCE REGARDING LITTER POSTPONED

Mrs. Donald Fiegel asked to postpone her appearance before the Council regarding litter until June 24th. Councilman Lebermann moved the Council re-schedule her appearance for that date. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Noes: None

## CHANGE OF ZONING HEARING DATE DENIED

Councilman Lebermann moved the Council deny the request of Mr. Benton Coopwood to set zoning applications No. C14-71-150 and No. C14-71-151 for July 15, 1971, instead of the normal hearing date of August 5th, 1971, however he suggested that the Ordinances be prepared for the hearing date. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Noes: None

## ZONING WITHDRAWN

Councilman Nichols moved the Council grant the following to withdraw zonings:

Mr. John Lewis - C14-71-116, scheduled to be heard by the  
Council on July 1, 1971.

Mr. Robert Sneed - C14-71-128, scheduled to be heard by the  
Council on July 1, 1971.

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

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

Noes: None

## REQUEST FOR A WORLD MEDITATION IN - DENIED

Mr. Lorado Cole, President of the New American Coalition, requested use of Congress Avenue from 5th to 7th Street for 24 hours, starting at 3:00 A.M. July to 3:00 A.M. July 10, for a "World Meditation-In". After discussion, Councilman Nichols moved the request be denied. The motion, seconded by Councilman Love, carried by the following vote:

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

## NEW ORLEANS CLUB

Mrs. Doris Miller appeared before the Council requesting that the New Orleans Club, in the Brackenridge Urban Renewal Tract, be preserved as a historical marker. Mr. Leon Lurie, Executive Director, Urban Renewal, reported this was a historical building and could be preserved, but the Club could not, as the location would be in "R" Residence District under the Urban Renewal Plan. A long discussion followed, and Councilman Love moved to delay this request for two weeks so that the owner could appear. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Councilman Love asked Mrs. Miller to notify the property owners so they could ask in writing to be on the Agenda for July 1, 1971.

## ZONINGS SET FOR PUBLIC HEARING AUGUST 5, 1971

The City Manager reported that the following zoning applications had been referred to the Planning Commission for recommendation and had been set for public hearing on August 5, 1971:

CATER JOSEPH & HARRY JOSEPH By Tom Curtis C14-71-088	1200-1204 E. 51st Street	From "A" Residence To "C-2" Commercial
HAZEL NELL CLARK By Dale Ossip Johnson C14-71-137	304 East 34th Street	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area
RICKER, BROWN & HASSELL By Tommy Thomas C14-71-138	7106-7108 Bennett 919-923 St. Johns	From "A" Residence To "GR" General Retail
ESTATE OF BEN H. POWELL By John Barber C14-71-139	916-922 North Lamar 1001-1013 West 14th St.	From "C" Commercial To "C-2" Commercial



C. BEN HIBBETTS By Larry Huff C14-71-140	1201 West 34th Street	From "C" Commercial 2nd Height & Area To "C-2" Commercial 2nd Height & Area
RUBY SMITH By George E. Smith	601-603 Hearn Street	From "A" Residence To "B" Residence
MRS. LONIE HOPE By A. R. Richey C14-71-142	3812-3818 South 2nd Street	From "A" Residence To "GR" General Retail
CENTRAL TEXAS BUILDERS By Mike Godfrey C14-71-143	7004 Guadalupe Street	From "A" Residence To "BB" Residence
WALTER CARRINGTON BUILDERS INC. By Paul D. Jones C14-71-144	808 West 10th Street	From "A" Residence 1st Height & Area To "O" Office 2nd Height & Area
CHARLES K. GOLDMAN C14-71-145	1607 West 39½ Street 3905-3909 Shoal Creek	From "A" Residence To "B" Residence
EDWARD JOSEPH By Rodney John Williams C14-71-146	1313 West 6th Street	From "C" Commercial 2nd Height & Area To "C-2" Commercial 2nd Height & Area
LEON SCHMIDT, JR. Trustee By Walter Young C14-71-147	8555-8561 U.S. Highway 183	From Interim "A" Residence 1st Height & Area To "C-2" Commercial 5th Height & Area
BOHLS & McCULLICK By Ken Gully C14-71-148	310-402-408, 606-608 Blackson Avenue 403-407, 501-503 Delmar Avenue	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area
AUSTIN TEACHERS FEDERAL CREDIT UNION By Arthur Amundson C14-71-149	602 Denson Drive	From "A" Residence To "O" Office
W. P. WATTS C14-71-152	108 West 38th Street	From "A" Residence 1st Height & Area To "B" Residence 2nd Height & Area
DR. R. V. MURRAY, JR. et al By Tommy Thomas C14-71-153	8784-8842 U.S. Hwy. 183 1900-1940 and 8701-8739 Peyton Gin Road	From Interim "A" Residence 1st Height & Area To "GR" General Retail 1st Height & Area

JACOBSON, WATSON, CLARK C14-71-154	3500-3508 Guadalupe 600-606 West 35th Street 601-607 Maiden Lane	From "C" Commercial 2nd Height & Area To "C-2" Commercial 2nd Height & Area
183 LIMITED By James A. Taylor C14-71-155	600-718 Morrow 7600-7848 Guadalupe 519-710 Anderson Lane 7601-7913 North Lamar	From "C" Commercial 1st Height & Area To "C" Commercial 2nd Height & Area
B. J. MASON & JOHN TABOR C14-71-156	2101-2103 Ivy Trail 2104-2110 Ben White Boulevard	From "A" Residence To "GR" General Retail
DR. THOMAS G. BRADFIELD By W. D. Young C14-71-157	501-603 Stassney Lane	From Interim "A" Residence 1st Height & Area To "C" Commercial 1st Height & Area
IRA MOORE By Wm. F. Kemp C14-71-158	2502 Wilson 2431-2433 Durwood	From "A" Residence and "B" Residence To "C" Commercial
SIDNEY SMITH C14-71-159	1415 West 51st Street	From "A" Residence 1st Height & Area and "C" Commercial 2nd Height & Area To "O" Office 1st Height & Area
FRANK W. McBEE, JR. By Joe Cummins C14-71-160	1108-1202 Treadwell	From "A" Residence To "O" Office
J. V. WALDEN By E. H. Smartt C14-71-161	1408-1410 North Loop 5301-5305 Joe Sayers	From "A" Residence To "B" Residence
G & M CATERING SERVICE, INC. By Charles Goodnight C14-71-162	3609 South Congress Avenue	From "D" Industrial 6th Height & Area To "C-2" Commercial 6th Height & Area
WALTER ORR By Ed Fleming C14-71-163	2708 Rio Grande Street	From "O" Office 2nd Height & Area To "GR" General Retail 2nd Height & Area
RYLANDER's FORD VILLAGE By Charles Avery C14-71-164	6931-7115 Manchaca Road 1806-1818 Matthews Lane	From Interim "A" Residence 1st Height & Area To "GR" General Retail 1st Height & Area
FOLEY, et al C14-71-165	2000-2004 Melridge Place 1201-1207, 1200-1204 Bluebonnet Lane	From "A" Residence To "AA" Residence

AUSTEX DEVELOPMENT CO. By W. T. Williams C14-71-166	1201-1401 Rutland Drive	From Interim "A" Residence 1st Height & Area To "GR" General Retail 1st Height & Area
C. L. REEVES By Dick Baker C14-71-167	8205-8225 Sam Rayburn Drive	From "BB" Residence To "B" Residence
C. WILLISTON By Philip Overton & Jack Dempsey C14-71-168	1801 North Lamar Boulevard	From "B" Residence 2nd Height & Area To "O" Office 2nd Height & Area
LORETA CARTER By Roane Puett C14-71-169	4505 Avenue F	From "A" Residence To "B" Residence
SID JAGGER C14-71-170	Tract 1 1800-1900 South IH 35 1217-1305 Woodland Tract 2 1203-1217 Woodland	From "A" Residence 1st Height & Area To Tr. 1: "GR" General Retail 5th Height & Area Tr. 2: "B" Residence 1st Height & Area
DAVID BARROW By Bryant Curington C14-71-171	3619-3725 Far West Boulevard	From Interim "A" Residence 1st Height & Area To "GR" General Retail 2nd Height & Area
CITY OF AUSTIN C14-71-173	Rear 4319 Manor Road	From "A" Residence To "GR" General Retail
WALTER CARRINGTON C814-71-01	900 Rutland	Planned Unit Development
BAKER, JONES, CROW C814-71-03	Rear of 8700-9000 Proposed Loop 360	Planned Unit Development (43 Units)
L. C. REESE C14-71-172	123-129 Cumberland Road 2701-2709 Edens Road	From "A" Residence To "O" Office

## ADJOURNMENT

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

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

ATTEST:

*Elin Woolley*  
City Clerk

APPROVED

*Ray Butler*  
Mayor