

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting
May 18, 1972
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 FATHER RICHARD E. McCABE, Catholic Charities.

APPROVAL OF MINUTES

Councilman Nichols moved the Council approve the Minutes of the Regular Meeting of May 4, 1972. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

COMMENDATION

Councilman Nichols read a Resolution adopted by the City Council commending Mr. G. A. "Pete" McNeil for his dedication as a good citizen and his contributions on behalf of his union, his city and all of Austin Residents, and a page be set aside in the Official Minutes of the City Council. (Resolution follows).

PROCLAMATION - WOMEN IN EDUCATION DAY

On behalf of the City Council, Mayor Butler proclaimed May 21st, 1972, as WOMEN IN EDUCATION DAY and presented Mrs. Martha Yarbrough the proclamation.

PROCLAMATION - GERMAN DAY IN AUSTIN

Mayor Pro Tem Love, on behalf of Mayor Butler, in recognition of this roll of individuals of German descent in the progress of this nation, State and City, proclaimed Sunday, October 15, 1972, as GERMAN DAY IN AUSTIN, urging all citizens to join with their neighbors and friends of German descent and give due importance to this anniversary.

RESOLUTION

WHEREAS, the City of Austin has been made great by the devoted work of its outstanding citizens who have given freely of their time and efforts; and

WHEREAS, G. A. "Pete" McNeil has made many contributions, during his 27 years of service in Austin, to his community as well as to his Union; and

WHEREAS, Mr. McNeil has won the broad support of the membership of his United Brotherhood of Carpenters and Joiners of America, Local 1266, and has been re-elected every two years without opposition since 1955; and

WHEREAS, Mr. McNeil has given his service to many civic endeavors, such as the Committee on Aging, the Telephone Rate Study Committee, and the Planning Commission, giving strong assurance to their success; and

WHEREAS, Mr. McNeil has encouraged his Union members to join him in community activities, and pioneered in an apprentice program and in racial integration; and

WHEREAS, his achievements and dedication have caused him to be promoted to a position in his Union of national recognition as General Representative to the National President;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF
THE CITY OF AUSTIN, TEXAS:

That the City Council of Austin hereby honors and recognized this outstanding community leader for his initiative and dedication as a good citizen, and commends him for his contributions on behalf of his Union, his City, and all Austin residents, and that a page be especially set apart in the Official Minutes of the City Council to recognize this action, and that a copy of this Resolution be presented to the said G. A. "Pete" McNeil.

Mr. Fritz Walker
Mr. Richard Hilcher
Mr. Joe Schultz
Mr. Manfred Haulk

Mr. Walter Meyer
Mr. Eugene Wukasch
Mr. Charles Trenckmen
Mr. Carl Widen

SENIOR CITIZENS WEEK

Mr. Alton Ream, Mary Curry, H. A. Hoyt, C. E. Watt, Evelyn Owen, Seth Breedings, Dr. H. H. Power, S. I. Dunn, Colonel M. S. Martin, Mrs. Herman Henry, and Mr. Lysie Hammer, were present, when the Mayor and Council proclaimed the week of May 21-27 as SENIOR CITIZENS WEEK.

EASEMENTS RELEASED

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

A portion of an existing drainage easement out of Lot 28,
Block D, THE VILLAGE, SECTION FOUR.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

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

Two (2) Public Utilities easements out of Lots 3 and 4,
Block E, BLUFFINGTON, SECTION 2.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

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

A portion of an electric easement out of Lot 6, Block
One, BARTON TERRACE, SECTION 6.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

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

Ten (10.00) foot waste water easement out of Lot D,
Block D, the resubdivision of Block D, DEVONSHIRE PARK, SECTION 3.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

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

A five (5.00) foot electric easement out of Lot 3,
AUSTIN HEIGHTS.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

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

Two (2) public utilities easements out of Lots 18 and
19, WOODWARD INDUSTRIAL DISTRICT.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

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

Four (4) portions of an existing electric easement out of
Lots 41 through 56, THE PARK AT QUAIL CREEK.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

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

A drainage easement out of Lots 431-A and 432-A,
LAKEWAY, first resubdivision of Section 7 - A and
unplatted land

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

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

A portion of a public utilities easement out of Lot 19,
Block A, HIGHLAND HILLS, SECTION EIGHT.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

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

A public utilities easement out of Lot 10, Block J,
QUAIL CREEK PHASE 2, SECTION 2.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

LICENSE AGREEMENT

Councilman Nichols moved the Council adopt a resolution granting a license
agreement for the use of the following:

ROBERT W. NORRIS - encroachment of a proposed retaining
wall into the sidewalk area at 303 West 12th Street.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

Councilman Nichols moved the Council adopt a resolution granting a license
agreement for the use of the following:

LEON SCHMIDT - encroachment of proposed building across
an existing twenty (20.00) foot drainage easement, located
at Lot 2, Allandale North, Section Five.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

ANNEXATION HEARING SET

Councilman Nichols moved the Council adopt a resolution setting a public
hearing at 2:00 P. M., June 1, 1972, to consider annexing the following:

Total of 151.05 acres of land out of William Cannon
League and Santiago Del Valle Grant as follows:

9.40 acres of land out of the William Cannon League and the Santiago Del Valle Grant - proposed BATTLE BEND SPRINGS, SECTION FOUR. (requested by owner's representative)

107.06 acres of unplatted land and a portion of WEIDMAR LAND. (initiated by the Planning Department of the City of Austin)

34.59 acres of unplatted land. (initiated by the Planning Department of the City of Austin)

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

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

GRAVE SPACE

Councilman Nichols moved the Council adopt a resolution establishing a price of \$55.00 per grave space in Lots 1 through 23 of Section "E" OF EVERGREEN CEMETERY. The motion, seconded by Councilman Friedman, carried by the following vote:

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

ACQUISITION OF LAND

Councilman Nichols moved the Council adopt a resolution authorizing the acquisition of certain land for the MoPac Expressway Construction Detour:

2305 Lake Austin Blvd. (Average of Appraisals)
Mrs. Zella Koch

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

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

Councilman Handcox moved the Council adopt a resolution authorizing the acquisition of certain land for the widening of Manchaca Road:

4501 Manchaca Road (Partial Acquisition)
Frank Trekell, Jr. et ux

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

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

Noes: None

Not in Council Room when Roll was called: Councilman Dryden

Councilman Handcox moved the Council adopt a resolution authorizing the acquisition of land for the widening of Manchaca Road:

4507 Manchaca Road (Partial Acquisition)
J. T. Talley

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

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

Noes: None

Not in Council Room when Roll was called: Councilman Dryden

SEWER SERVICE

Councilman Nichols moved the Council adopt a resolution authorizing Outside the City Sewer Service as follows:

City Forces to install one (1) sewer tap for Mr. S. B. Wingfield at 1111 Bastrop Highway. Owner has deposited the required fee of \$250.00 in escrow and entered into an agreement with the City for this installation.

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

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

Noes: None

AUTHORIZATION TO SIGN

Mayor Pro Tem Love moved the Council adopt a resolution authorizing the Acting City Manager to sign necessary documents applicable to transactions approved by the City Council as follows:

On April 1, 1971, for the purchase and installation of a centrifuge at each of the City's Water Treatment Plants.

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

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

Noes: None

Mayor Pro Tem Love moved the Council adopt a resolution authorizing the Acting City Manager to sign necessary documents applicable to transactions approved by the City Council as follows:

On May 29, 1969, for the construction of Shoal Creek Mains, Contracts No. 1, No. 2, and No. 3.

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

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox,

Ayes: Mayor Butler, Councilmen Dryden, Nichols
 Noes: None

Mayor Pro Tem Love moved the Council adopt a resolution authorizing the Acting City Manager to sign necessary documents applicable to transactions approved by the City Council as follows:

On April 1, 1971, for construction of City's wastewater treatment and collection facilities; namely the Crosstown Tunnel and Walnut Creek Wastewater Treatment Plant.

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

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

SUBSTANDARD STRUCTURES

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

2803 E. 17th Street	Leon Annis
907 Juniper	Albert Stephens Estate
909 Juniper	Albert Stephens Estate
1818 West 11th Street	Mrs. Minnie Crittendon
1616 West 11th Street	Mrs. Melvina P. Glass
5306 South Congress Avenue	O. D. Whorton
3304 South 5th Street	
(Front Unit)	R. L. Voight
3304 South 5th Street	
(Rear Unit)	R. L. Voight

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

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

AGREEMENT WITH SYMPHONY ORCHESTRA

Councilman Handcox moved the Council adopt a resolution authorizing the City Manager to execute an agreement with Austin Symphony Orchestra for the performance of "Our Afro-American Heritage" Children's Concerts. The motion, seconded by Councilman Friedman, carried by the following vote:

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

MINUTE ORDERS ACCEPTED

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to accept Minute Order Nos. 66216, 66217, and 66218 pertaining to the

installation or modernization of automatic grade crossing protective devices under the TOPICS Program. The motion, seconded by Councilman Friedman, carried by the following vote:

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

Noes: None

EMINENT DOMAIN

Councilman Nichols moved the Council adopt a resolution authorizing Eminent Domain Proceedings for right-of-way for MoPac Boulevard on the following property:

4518 Highland Terrace

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

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

Noes: None

MODEL CITIES PROPOSALS

Councilman Nichols moved the Council adopt a resolution authorizing the following:

Agreement between the Model Cities Department and the Traffic and Transportation Department for the installation of traffic control equipment in the Model Neighborhood - Total cost: \$61,244. 100% Model Cities Funds.

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

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

Noes: None

Councilman Nichols moved the Council adopt a resolution authorizing the following:

Model Cities Department to contract with the Austin-Travis County Mental Health and Mental Retardation Center for a Comprehensive Alcoholism Treatment Program for Travis County - Total cost of 12 month program: \$431,100. Model Cities Funds - \$96,280; Federal Funds - \$238,538; Other Funds - \$96,282.

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

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

Noes: None

Councilman Nichols moved the Council adopt a resolution authorizing the following:

Contract between the Model Cities Department and the Public Works Department for Street Improvements #20201 in the Model Neighborhood Area - Total cost of Project: \$183,013. 100% Model Cities Funds.

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

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

Noes: None

Councilman Nichols moved the Council adopt a resolution authorizing the following:

Contract between the Model Cities Department and the Texas Department of Community Affairs for an interagency technical assistance contract to conduct and implement an attitudinal housing survey for the Model Neighborhood Area.

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

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

Noes: None

REFUND CONTRACTS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ACTING CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH AUSTIN LAND INVESTMENTS, INC., HUNTER SCHIEFFER, PRESIDENT; JESSIE B. SHELBY ANDERSON; M. H. FLOURNOY; AND MONTOPOLIS COMMUNITY CENTER; 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 the reading of ordinances on three separate days, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: Councilman Friedman

The Mayor announced the ordinance had been finally passed.

ANNEXATION ORDINANCE - FINAL PASSAGE

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 65.71 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE H. T. DAVIS SURVEY AND PARTLY OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; 52.97 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE H. T. DAVIS SURVEY AND PARTLY OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; 9.43 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE H. T. DAVIS SURVEY AND PARTLY OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; 87.5 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; 12.64

ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; AND 10.49 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE THEODORE BISSEL 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.

Councilman Nichols moved the Council finally pass the ordinance. The motion seconded by Councilman Handcox, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

WOMEN'S ART GUILD OF LAGUNA GLORIA

Mr. Joe Bellafonte, General Chairman, Mrs. Fred W. Hansen, and Mrs. Clinton Craven, Ticket Chairmen, appeared before the Council, announcing the Laguna Gloria Fiesta from 12:00 to 12:00 Saturday, and 12:00 to 9:00 P. M., Sunday, May 20 and 21. Complimentary tickets were given to the Council Members.

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) A 28,600 SQUARE FOOT TRACT OF LAND, BEING A PART OF LOT 12, LIVE OAK GROVE SUBDIVISION, LOCALLY KNOWN AS 2501-2507 SOUTH 1ST STREET, FROM "A" RESIDENCE DISTRICT AND "C" COMMERCIAL DISTRICT TO "C" COMMERCIAL DISTRICT; AND,

(2) A 2,520 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 8312-8316 NORTH LAMAR BOULEVARD, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; AND,

(3) A 27,500 SQUARE FOOT TRACT OF LAND, BEING A PORTION OF LOTS 3 AND 4, DESHA BUNTON SUBDIVISION, LOCALLY KNOWN AS THE REAR OF 2539-2601 SOUTH CONGRESS AVENUE, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT; AND,

(4) A 6,396 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 5701 WOODROW AVENUE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; AND,

(5) LOTS 1-22, BLOCK H, SOUTH CREEK, SECTION 1, LOCALLY KNOWN AS 1700-2216 BITTER CREEK DRIVE; 1701-2217 BITTER CREEK DRIVE; 6619-6717 OLD LOCKHART HIGHWAY, FROM "A" RESIDENCE TO "MH" MOBILE HOME DISTRICT; AND

(6) LOTS 1 AND 2, SOUTH CREEK, SECTION 3, LOCALLY KNOWN AS 6601-6619 OLD LOCKHART HIGHWAY; 1801-1807 NORTH BLUFF DRIVE (CHUNN LANE), FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL 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 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 Lebermann, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen 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 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) A 7,185 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 2100 EAST RIVERSIDE DRIVE, FROM "GR" GENERAL RETAIL DISTRICT TO "C-2" COMMERCIAL DISTRICT; AND,
- (2) LOT 19, BLOCK A, BALCONES TERRACE SUBDIVISION, LOCALLY KNOWN AS 3501-3503 WESTCHESTER AVENUE; 824 BALCONES DRIVE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND,
- (3) A 10.08 ACRE TRACT OF LAND, LOCALLY KNOWN AS 4510-4528 SOUTH CONGRESS AVENUE; 125-209 ST. ELMO ROAD, FROM "DL" LIGHT INDUSTRIAL DISTRICT AND "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT, SAVE AND EXCEPT THE WEST 100 FEET TO BE "B" RESIDENCE IDSTRIC; AND,
- (4) A 0.78 ACRE TRACT OF LAND, LOCALLY KNOWN AS 6935 U. S. HIGHWAY 290 EAST, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL 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 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 Lebermann, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen 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 USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: THE WESTERLY 64.5 FEET(ON SOUTH BOUNDARY) AND 70.85 FEET(ON NORTH BOUNDARY) OF LOTS 10 AND 11, BLOCK 4, JAMES BURNES SUBDIVISION, LOCALLY KNOWN AS 909-911 WEST 29TH STREET; 2845-2847 SAN GABRIEL 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.

Councilman Dryden moved the Council waive the requirement for the reading of ordinances on three separate days, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen 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 USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOTS 23 AND 24, BLOCK 13, NORTH LOOP TERRACE SUBDIVISION, LOCALLY KNOWN AS 1408-1410 NORTH LOOP BOULEVARD; 5301-5305 JOE SAYERS AVENUE, 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.

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 Lebermann, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen 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 USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOTS 1 AND 2 OF THE RESUBDIVISION OF LOTS 52 AND 53, T. A. MAYS SUBDIVISION, LOCALLY KNOWN AS 1111 MYRTLE STREET; 1160-1168 NAVASOTA STREET; 1110-1114 JUNIPER STREET, FROM "B" RESIDENCE DISTRICT TO "C" 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.

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 Lebermann, carried by the following vote:

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

SPEED ZONES

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 21-42 OF THE AUSTIN CITY CODE OF 1967 SO AS TO SET THE MAXIMUM PRIMA FACIE SPEED ALONG PLEASANT VALLEY ROAD, AIRPORT BOULEVARD AND HUNTLAND DRIVE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

REPORT - TEXAS MUNICIPAL LEAGUE MEETING

Mayor Pro Tem Love gave a report on the Texas Municipal League meeting in San Antonio, at which he and Councilman Lebermann were in attendance, and commented on the good attendance and the informational meeting. Councilman Lebermann reported that Mayor Pro Tem Love participated on the program on two occasions.

RESIGNATION OF CORPORATION COURT JUDGE
AND APPOINTMENT OF JUDGES

Mayor Butler submitted the resignation of Judge Jon Coffee, stating it had been recommended by Judge Earl and Judge Hill that the Council appoint two additional individuals to be Relief Judges, during times of vacation, illnesses, or absences from the City. Pursuant to the Mayor's request to Judge Earl to recommend some attorney, he had submitted the names of Mr. Richard McCarroll and Mr. James A. Brady.

Councilman Lebermann moved the Council appoint Mr. Richard McCarroll and Mr. James A. Brady. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Noes: None

The City Attorney was asked to give proper notification and provide for the "swearing in" of each.

Councilman Nichols asked that a commendation be made to Judge Coffee for his services and that he be presented a "Distinguished Service Certificate."

REQUEST TO RENAME STREET

The Council had before it the request of Mr. Joe Parra, requesting that the 400 block of Tillery Street be renamed EDWARDS AVENUE for one day, Friday, May 19th.

Councilman Dryden moved the Council name the 400 block of Tillery Street "Louise Edwards Avenue" for Friday, May 19, 1972. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Noes: None

Councilman Dryden also suggested that Mrs. Edwards be extended recognition in her honor, acknowledging her dedication as a teacher, a fine citizen, and a schoolmate of President Johnson. Councilman Dryden suggested that Mrs. Louise Edwards be invited to come before the Council at 2:00 P. M.

The Council recessed until 2:00 P. M.

At 2:00 P. M. the Council resumed its business.

At this time, Councilman Dryden stated it was a pleasure for the Council to rename a portion of Tillery Street in her honor on May 19th. On May 19th, this street will be renamed "LOUISE EDWARDS AVENUE" in her honor for the many years of service she had given the Austin Public School System, especially to the children in the area in which she had been for many years. On behalf of the Mayor and Council, Councilman Dryden presented a street name sign bearing "LOUISE EDWARDS AVENUE" to her, and stated the other sign would be placed on the street. Mr. Bob Edwards, her husband, was recognized.

USE OF TOWN LAKE

Councilman Dryden moved the Council grant the request of the Glastron Boat Company to use Town Lake from Congress Avenue to Interregional Bridge on afternoons of July 24th and July 28th for a boat demonstration. The motion, seconded by Councilman Nichols, carried by the following vote:

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

REQUEST TO VACATE MATTHEWS DRIVE

Councilman Nichols noted the request by Dr. Doyle Leslie to vacate Matthews Drive between Windsor and Senic Drive had been before the Council several times. Councilman Nichols then moved that this matter be referred to the Public Works Department and to the Planning Commission for a recommendation to the Council. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

REQUEST FOR REVIEW OF ZONING CASE

Mr. Robert Nutter explained the zoning problem concerning the zoning of his property on Manchaca Road where they plan to put a Planned Unit Development. They could develop over 300 units but they are asking only for 183 units. The front portion is "O" and the rear is zoned "B" First Height and Area with certain restrictions which he would like reviewed. The restrictions imposed were that none of the buildings would be closer than 50' from the residential portion, and that

a fence be installed between the residential and the apartment areas. With all of the restrictions imposed, they would comply; but there is one restriction they would like to have reconsidered, which has to do with the density of the back portion. They have many trees on the property and they are attempting to save as many as possible. In working with the City Planning Department and the residents they asked that a particular building be moved from the front portion to the back, thus spreading the density over the entire property. He had met with the citizens in the area, and after he had explained to them what they wanted to do, there was no objection. This is one 10 acre tract. The Director of Planning stated this request had been resubmitted; and because there was a lot of citizen concern when the application was before the Commission and the Council, that Mr. Nutter submit it back to the neighborhood and review it with them; then take it to the Planning Commission and get its approval and then bring it to the Council. These remedies had been exhausted. The Planning Commission recommended that this density of 10 units per acre on the back 5 acres be waived. This was also the staff agreement. Mr. Lillie stated there was not citizen participation at the hearing. The applicant limited the back 5 acres to 10 units per acres as one of the compromises made to accomplish the zoning. This effects an increase from 50 units to 86 units. Before this could be supported, Mr. Nutter would have to go back to the neighbors and get their approval, and he did. Mayor Butler questioned the removal of the compromise Mr. Nutter had made previously. Mr. Lillie stated it was indicated that the neighbors were as concerned about the trees as Mr. Nutter, and did not feel that the shifting of density from the front to the back would create a problem. Mr. Nutter reported there were 27 at the meeting he held.

The Director of Planning suggested that if the Council wanted to hold another public hearing, notices should be sent out.

Finally, after more discussion, Mayor Pro Tem Love moved the Council set a public hearing for June 8, 1972, at 11:00 A. M., for this case. The motion, seconded by Councilman Friedman, carried by the following vote:

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

Noes: None

The City Attorney stated the Ordinance would be brought in for passage at that time.

APPOINTEES TO MODEL CITIES COMMISSION

Mayor Butler announced appointments of the new members of the Model Cities - Model Neighborhood Commission, and presented Certificates of Appointment to the following:

Mr. Gilbert Rodriguez
Mr. Morin M. Scott
Dorothy W. Madison

Reverend James Obey
Miss Gretchen Raatz
Marcel S. Rocha

The City Council recognized the out-going Commissioners and presented certificates of the Austin City Council's Distinguished Service Awards to:

Dr. J. J. Seabrook, original member of the Model Cities Commission
Mrs. Elizabeth Washington, original member of the Commission
Paul Tovar
Mr. Robert Hontz
Reverend W. A. Irvin

APPOINTEES - ENVIRONMENTAL BOARD

Mayor Butler, on behalf of the Council, presented certificates of Appointment to the members of the Environmental Board as follows:

Dr. Leon Cole, Chairman
Tom W. Bradfield
Reverend N. W. Bacon, Jr.
James O. Gerst
Romero Diza
Clarence Hansen
Russell H. Fish
Jac L. Gubbles
Donald C. Berman

David B. Barrow, Sr.
Richard S. (Cactus) Pryor
John Sutton
Dr. Geoffrey Stanford
Mrs. Fagan Dickson
Thomas H. Wolfe
James Sinclair Black
Mrs. Robert M. Wilkes

REQUEST FOR LEGAL OPINION ON CITY ELECTRICAL BOARD
COMPOSITION

Mr. James George, Jr., appeared before the Council on behalf of the Travis County Electrical Contractor Association and the Associated Independent Electrical Contractors of America to discuss the composition of the City Electrical Board. He felt that Mr. Max Ladusch did not qualify as an active Journeyman Electrician, according to Section 27-7 of the Electric Code, as he is a full-time employee of the International Brotherhood of Electrical Workers, serving as business manager of the Austin local of that union.

He believed that the Council should have the opportunity to have a formal opinion of its legal counsel as to Mr. Ladusch's status on the Board. He also noted that Mr. Ladusch maintained his homestead and family in Manchaca, though he has recently rented an apartment here in the City. He felt the membership should comply with the Code. There was also the possibility that past actions of the City Electrical Board might be in question.

Mr. Don Butler, the City Attorney, explained what procedures could be followed. If he, as City Attorney, should render an opinion that some public official might not be qualified, and if the official chose not to agree with him, the normal procedure would be to file quo warranto proceedings in the Court.

It was explained how the custom of choosing an elected representative of the unions came about, because an active Journeyman Electrician would lose part of a day's pay, and the business agent of the union volunteered his services and so on to today.

Mayor Pro Tem Love moved the Council formally request that the City Attorney render an opinion on what was the definition of an active Journeyman Electrician, to be given in two weeks. The motion, seconded by Councilman Handcox, carried by the following vote:

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

After the vote, Mr. George requested a stay of enforcement on a decision reached by the Board in the matter of supervision of apprentices. It was suggested that the proper place for this was in the Court.

AUSTIN ENVIRONMENTAL COUNCIL

Councilman Lebermann presented Mr. Russell Fish, Austin Environmental Council, who briefly discussed the A. E. C., and its goals to assist in preserving things that were dear to all. He pointed out specific items -- deviation from the Master Plan; Commercial zoning in restricted residential areas; roads moved to facilitate subdivision development; granting of building permits in restricted areas; and park land for commercial development. These problems occurring in the City encouraged the organization of the Austin Environmental Council. He called attention to the efforts of the A.E.C. in the Barton Creek Plan.

With respect to the Bull Creek Plan, the A.E.C. was here today to present a Bull Creek Plan to the Council -- many people had contributed to the development of this plan, and it was made possible by the America Beautiful Foundation, which gave a grant to the Austin Environmental Council for this study. Many local planners, architects and others assisted, as well as the U. S., the Soil Conservation Service, and the Architectural Department of the University. He presented the Austin Environmental Plan for Bull Creek, referring to maps, pointing out strategic areas, flood plans, recommended land use, and management plan. In order to implement the plan, the City would have to obtain drainage, conservation, and hike and bike easements. He stated their purpose today was to present these plans to the Council for its use with the hope that they dovetail in the City's planning. Councilman Lebermann congratulated Mr. Fish for these fine plans stating they would be passed on to Mr. Lillie for inclusion in his overall study.

CONTRACTS AWARDED

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

MILLER CONCRETE, INC.
(Austin, Texas)

- For Curb and Gutter adjacent to Parks and Playgrounds, Contract No. 72-X-110-\$14,768.19. (30 working days for completion; Engineer's estimate was \$9,500. Capital Improvements Program Project No. 6074 0).

City Manager Davidson, stated on the concrete curbing, the estimate was based on large quantities of curbing in this location. It could have been estimated based on a number of jobs spread throughout the City.

Councilman Nichols' motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

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

S & B CONSTRUCTORS OF
TEXAS, INC. and
S&B ENGINEERS, INC. (A Joint Venture)
(Houston, Texas)

- Construction of Sludge Handling Facilities
For Thomas C. Green, Albert R. Davis, and
Albert H. Ullrich Water Treatment Plants-

- \$783,685.00. Completion dates: Green-October 16, 1972, Davis - September 15, 1972, and Ullrich - January 25, 1973. City's estimate was \$630,185.00; Capital Improvements Program Project Nos. 4917, 4918, and 4919)

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

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

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

Vehicle and Equipment Leases were next for discussion.

In answer to Councilman Nichols' inquiry about leasing rather than purchasing, City Manager Davidson stated the lease purchase option is recommended by the Federal Government under the Economic Development Grant. It may be the equipment might not be needed for the first year and a half or two year program; but if the City continues beyond that point, it would have some credit to purchase the equipment. Councilman Friedman asked about the bid specification under Item 1. Mr. Rogers, Fleet Administrator stated the low bidder did not offer a purchase agreement at the end of the contract, and that was a part of the specifications.

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

Twelve (12) Month Vehicle and Equipment Lease with Purchase Option:

ABC TRUCK RENTAL &
LEASING CO.
(Austin, Texas)

- Bid Items No. 1, 2, 3, 4, and 7 -
\$38,624.28 estimated total.

A. J. LEASING CO.
(Austin, Texas)

- Bid Item Nos. 5 and 6 -
\$19,544.88 estimated total.

RIVER CITY
MACHINERY CO.
(Austin, Texas)

- Bid Item No. 8 - \$6,156.00
estimated total

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

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

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

The City Manager asked that the next contract be delayed for one week. It was the Staff's recommendation that this be held for competitive bids. City Manager Davidson stated the unit is dismantled at this time, and he would like to delay this for one week and obtain emergency type bids from others in the area that might be able to offer these repairs. If the Council would allow a telephone type request for these bids, they would bring this item back next week.

In accordance with the City Manager's request, Mayor Pro Tem Love moved the Council delay the following contract for one week:

HOLT MACHINERY COMPANY
(Austin, Texas)

- Repair of D7 Caterpillar Crawler Tractor
(Bulldozer) - Parts - \$3,900; Labor -
\$2,000 - Total - \$5,900.

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

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

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

REJECTION OF BIDS

Councilman Lebermann moved the Council adopt a resolution authorizing the rejection of the following bids:

Furnish and installation of drapes and drapery
equipment for the exhibition space at the City
Auditorium

The City Manager, Mr. Davidson, stated the bidders made
errors in the specifications as designed. The staff
will consider some suggestions by the bidders, rewrite
the specifications and readvertise.

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

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

Noes: None

ENGINEERING SERVICES

Councilman Nichols moved the Council select Engineering Services in connection with the following Capital Improvements Project:

NATIONAL ENGINEERING INC.

- Construction of an access road, on site
driveway, parking lot, and Williamson Creek
Crossing Structure to provide a utility
corridor, access and parking for new
Williamson Creek Golf Course - Project no.
8627 1. (Estimated construction cost is
\$60,000)

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

Mayor Pro Tem Love asked about the impact the closing of the Municipal Golf Course would have on golf. City Manager Davidson stated it appeared the Council had perfect timing in building the Williamson Creek Golf Course. However, the load placed on the Williamson Course is expected to be much greater and it may

be necessary to come back to the Council for consideration of construction of the 18 holes and a full scale club house and snack bar.

Discussion of the architect was held in that he was directed to design a facility that could be expanded by doubling or tripling the components he would design. He will be asked now to develop a concept on that basis. If he could not do this, they would come back to the Council to change the assignment. Councilman Dryden and Mayor Pro Tem Love agreed that action must be taken now. Mayor Butler stated no scheduled time had been set by the University at this time.

City Manager Davidson stated he would prepare a revised report for the Council. Mayor Butler suggested that since Decker Creek was the runner-up for the next golf course, that information on this site be brought in as to starting a course there reasonably soon, also absorbing the load. Mayor Pro Tem Love stated this was an emergency within this community. A more definitive report was asked by Mayor Pro Tem Love.

Councilman Nichols moved the Council select Engineering Services in connection with the following Capital Improvements Project:

KENNETH J. CUNNINGHAM

- Construction of a drainage structure and associated improvements on Barton Hills Drive (Southwest Austin Area) - Project No. 6530. (Estimated construction cost is \$65,000).

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

ARCHITECTURAL SERVICES

Mayor Pro Tem Love moved the Council select Mr. Kirby Perry as Architectural Services in connection with a new single story neighborhood health facility to be located at Webberville and Pleasant Valley Roads. The center will include space for the Health Department's generalized Nursing Section, Environmental Health Services and Treatment Areas - Project No. 9101. (Estimated construction cost is \$200,000 - Group II) Capital Improvements Program Project. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

LANDING FEES & RENTAL RATES - AIRPORT

The Director of Aviation, Mr. Vance Murphy, submitted the list of fees and rental rates for airlines using the Robert Mueller Municipal Airport from June 1, 1972 to May 31, 1973. He reviewed the various contracts, and compared the fees charged at this Airport with those of other airports. He explained the recommended one-year adjustment in that overlaying the runways and other work is under way. There will be another increase next year to amortize these improvements under construction. Other improvements are planned - improvement of the building, the baggage pick-up area, and the passenger loading finger.

Councilman Dryden brought up discussions concerning landing fees for general aviation planes. The Director of Aviation stated when fuel flowage fees are collected, there would be no landing fees. Councilman Dryden commended Mr. Murphy on the recommended rates and fees.

Councilman Dryden moved the Council adopt a resolution accepting the recommendation of the Director of Aviation and the City Manager as follows:

Rental Rates:

Counter Space	- \$6.50 per square foot per year
Operations Space	- \$6.00 per square foot per year

Landing Fees:

12¢ per 1000 pounds.

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

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

Noes: None

Not in Council Room when Roll was called: Mayor Pro Tem Love

MOUNT BONNELL TRANSMISSION MAIN

Mayor Butler announced that the City Manager had requested that the report on the proposed Mt. Bonnell Transmission Main be deferred.

**PRESENTATION OF A NEIGHBORHOOD DEVELOPMENT
PROGRAM FOR THE ST. JOHNS AREA**

Mr. Reynell Parkins recalled sometime back Mrs. Virginia Brown appeared before the Council, requesting Council consideration of improvements in that area. He had intervened and asked to come before the Council at this time, on behalf of the residents of the St. Johns area. He and his students had been working on a comprehensive plan of this area bounded by Ed Bluestein on the north, I. H. 35 on the west, Blessing Avenue on the east, and Atkinson Road on the south. He requested that this particular area be declared a Neighborhood Development Plan for the purpose of development. At this time there are about 300 families living in the area or about 1300 people. The area is about 40% developed, leaving about 60% vacant land, resulting in a possibility of doubling the density in that area of some 600 families without overcrowding. A developer has just completed a house worth about \$40,000 for one of the residents of that area. The Community Development Corporation has brought a number of houses into the area worth \$15,00 to \$17,000. A number of churches have been built in that area, and the community is moving upwards. They had tried to use the students at the University in the Graduate Planning Program, and the women of the Church of the Good Shepherd have a half-way house between the people and the city agency. Booklets prepared by the students and distributed in the area were also given to the Council to explain what this is and how the program can be used to help the area.

Councilman Nichols called attention to the paving in this area already approved by the Council, and asked if this were to be halted in this program. Mr. Parkins stated definitely not, that this should proceed. He outlined the organization of the people in the area and said representatives have been elected.

Mr. Parkins had signatures of 250 people indicating that the Neighborhood Development Plan had been explained to them, and that they wanted something done in the area. For the first action year, the priority is the drainage (Buttermilk Creek). The Director of Public Works had developed the costs and figures of this job. The second request is a resolution from the Council authorizing the Urban Renewal Agency to proceed with the development of the Neighborhood Development Plan for this area. Mr. Parkins stated the drainage would be about 90% of the improvements, and the total cost according to the City's figures would be \$641,750, of which one third would be about \$200,900, and the City could use its Urban Renewal credits. Mr. Parkins listed what would be necessary in this drainage — a ditch into Walnut Creek, and set all weather culverts across this ditch. Mr. Parkins stated he thought a final report and recommendation could be brought in by the first of July.

City Manager Dan Davidson stated unless the NDP or a similar program encompassing the entire area is used in St. Johns, there seems to be no chance to bring that section up to standard. NDP or something similar would have to be taken. The Department heads have worked closely with Mr. Parkins and what they have works well with the Capital Improvement Plan. He strongly recommended that this be considered.

Mr. Leon Lurie, Director of the Urban Renewal Agency, stated the Agency had taken some preliminary looks into the area, and the students had done a wonderful job. If the Council desires to have these boundaries set, Mr. Lurie stated they could get some information on this brought back to the Council within the next 60 days.

Mr. Lurie stated the Council must define the boundary lines for the proposed NDP area. Then all of the factual items and cost figures would be put together so that it would be known what the participation would be, and apply the necessary credits to the city's share. A public hearing would be held. Mayor Butler stated the No. One item today is to express whether or not the Council is in favor of the project. The Council's action would go to the Urban Renewal Board of Commissioners for ratification and the staff would begin working with Mr. Parkins. Mayor Pro Tem Love stated this would be a commitment of \$200,00 by the City. Mayor Butler explained this could be in credit form, not requiring actual cash. Mr. Lurie stated the boundaries as just set out were the ones that should be made. Later if they would need to be altered, the matter would come back to the Council. After discussing the boundaries with the Planning Director, Mayor Pro Tem Love endorsed the project at hand as has been discussed today, moved that the Council do so, involving the cooperation of the City and Mr. Lurie's office in upgrading that part of the City which needs it most — the St. Johns area. The motion, seconded by Councilman Dryden, carried by the following vote: (this was done in the form of a resolution)

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

Mr. Leon Lurie announced later information from HUD relative to the St. Johns area. If this application can be prepared and filed, it is possible to get this funded in from three to six months.

AUSTIN CONCERNED CITIZENS COMMITTEE

Mrs. Dayton gave an account of her son's arrest, while he and his dog were out, unaware of any demonstration. He was arrested and charged with two misdemeanors -- obstructing traffic and failure to obey a lawful order which he did not hear. The other charge was destroying public property.

Mr. Bill Patterson related his experience on April 20th as to his arrests; his was a charge of disorderly conduct and obstructing municipal property (a police car). He made allegations that he was clubbed, kicked, and maced in handcuffs.

Mr. Sommerville discussed the organization of a Community Review Board arrangement. Councilman Friedman suggested that Mr. Patterson should go before the Human Relations Commission. He referred to Mr. Sommerville's previous statement regarding hitch-hiking statutes and said he wanted to clarify the statement on hitch-hiking statutes; that his indication was people who were at the demonstration probably would not have been arrested for hitch-hiking had they not been there. Councilman Friedman said it was his experience as an Attorney that if one has long hair and is on the street, he would be arrested for hitch-hiking regardless of a demonstration. He said he did not want to give the impression that the whole Austin Police Department is guilty of abuses or excessiveness. There are those individuals in various groups who are prone to excessiveness. Councilman Friedman stated Mr. Sommerville was wrong by saying they were arrested for hitch-hiking because they were there; the chances are they would have been arrested if they had long hair.

Mayor Butler disagreed with the Councilman on that item as he had lived here longer than Councilman Friedman, and he had never been arrested for hitch-hiking. He did not believe there was any politics involved in that at all and he did not think any of the Police Officers arrest people for violating a law on the basis of their hair, dress, or actions. Councilman Friedman stated there were transcripts of Court actions of cases that were dismissed because of illegal arrests on hitch-hiking because someone had long hair.

Mr. Sommerville read a statement "Proposals to the Austin City Council from the Austin Concerned Citizens Committee". The four proposals are:

1. The City Council should investigate the recent protest -- related arrests and demand a dismissal of the many arbitrary charges.
2. The City Attorney investigate the constitutionality of certain municipal statutes used for political harassment; i.e., the loitering and anti-hitch-hiking statutes.
3. We demand a public hearing for Austin Citizens to determine for themselves the best manner in which Community Police Review Boards may be established.
4. The rapid establishment of Community Police Review Boards.

In answer to the Mayor's inquiry, Mr. Sommerville stated he was from Atlanta, Georgia, had lived in Austin two months, and his occupation was working for the Austin Concerned Citizens. Mr. Sommerville stated of his involvement now he was acting in situations that he felt overrode his responsibility of being a student; overrode the responsibility of being a worker, and this is trying to

stop a war he disagreed with. He was not paid for this.

Ms. Fran Bursey discussed arrests for littering where placards and literature were ripped and the pieces thrown on the ground and those who held them were arrested for littering. This took place on Lamar. She gave the source of her information. She alleged a blind boy was maced as was his seeing-eye dog.

In summary, Mr. Sommerville stated the group was referring to actions to the various demonstrations (including the demonstration with permit on April 21). Also discussed was the unauthorized parade starting from Wooldridge Park.

Mayor Pro Tem Love stated Mr. Sommerville and his representatives and associates were unfair to accuse the Austin Police Department of carte blanc dereliction of duty because there was an instance of 10,000 people having marched here two years ago, and there were no arrests, no brutality, no charges of brutality.

Mr. Paul Keller stated he was frequently stopped by a policeman and asked what he was doing, where he was going, who he was. He had never been arrested as he was always polite to the officer. He suggested that the police would save a lot of trouble if they would announce a warning of so many seconds to clear out or the tear gas would be used.

Councilman Friedman reviewed the four proposals submitted, stating proposal no. 1 had been sufficiently answered by the City Attorney as to status of discipline of Police Officers; proposal no. 2 — at the time an ordinance is passed, the City Attorney passes on its validity, and if there is a question, that would have to be answered by the courts; as to proposals 3 & 4, a Community Police Review Board, he would suggest that the Citizens talk to the Human Relations Commission.

The City Manager made a statement that since some of the complaints had started coming before the Council, that it was made clear that the Police Chief has the responsibility for the actions of his Department. A procedure was established within his office whereby any complaint by a citizen who thinks he was mishandled or treated discourteously or anything along those lines, to report his views of that particular incident, and it is thoroughly investigated. He stated he personally read and studied a minimum of 40 such reports, and in the cases where the Police Department has been proven incorrect by the action of an officer, the Chief has taken appropriate action.

The Police Chief has assured his office, and also the office of the City Council, that when a man is found to be wrong appropriate action would be taken. In the meantime, they are called upon to protect our citizens and keep traffic moving. The City Manager suggested to Mrs. Dayton that she contact the Police Office and arrange with the officer the Chief designates, and the report will be impartially investigated. Many complaints that have come before the Council have been investigated in that manner; and none have come back before the Council with further repercussions. He offered to help them in that manner; and regardless of what the Council does in the future, this is the procedure that is operating at this time effectively, and he invited any citizen who felt that he had been mistreated to take advantage of this procedure.

In the investigation, the Police views would be heard also.

APPOINTMENT OF COUNCIL AIDES

Mayor Butler announced the appointment of the Executive Assistant to the Office of the Mayor, Mr. Mike Smith, a native of Fort Worth, studied at Texas Tech University, and has five years experience in Municipal administrative positions for the City of Lubbock. Mr. Smith was an administrative aide in the City Manager's Office, and then named Executive Assistant to the Mayor. With his great deal of experience in City Government, he would help the Mayor to do a better job for the citizens of Austin. Mr. Mike Smith was presented and introduced.

Mayor Pro Tem Love announced the appointment of Mr. Charles Edward Hernandez Haywood as his administrative aide. Mr. Haywood, a native of Brownsville, will be graduated from the University of Texas in the next few days, with a degree in Communications. He has been active in the community outside of the University complex. He served as Editor of the Texas Public Employees Association magazine and was founder and publisher of the University Hotline. He was Public Information Director of the Rio Grande Valley Businessmen's Ecology Council, and has served as President of the South Texas Media Appreciation Committee.

RESOLUTION ON INDUSTRIAL WASTE
PERTAINING TO DUMP

The Council members had some data before them submitted by the City Attorney, concerning Industrial waste pertaining to the dump. The City Attorney stated the Council had the finding now. Councilman Friedman stated the Council should support the finding that the dump should not be where it is.

Councilman Nichols moved the Council follow the recommendation of the City Attorney and provide the necessary resolution. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

REQUEST FOR PLACEMENT ON ENVIRONMENTAL BOARD

Mr. Patrick Kelly wanted to appear regarding his appointment to the Citizens Board of Natural Resources and Environmental Quality. Mr. Kelly asked that the Council expand on the size of this Board. Mayor Butler stated the Council had expanded the Board from 15 to 17 people, and there are 17 people. Mr. Kelly stated it would be a simple matter to expand the Board one more time. He was interested in this type of service and he was making this kind of work his career and would like the opportunity to gain working experience. Mayor Butler stated the Council would consider this request. Councilman Dryden commended Mr. Kelly for offering his services. Mr. Kelly would be in Kansas this summer, and back in Austin in the fall. Councilman Nichols suggested that Mr. Kelly give his name to the Secretary, Miss Road, to be considered when a vacancy occurs.

ADJOURNMENT

The Council adjourned.

APPROVED: _____

Ray Butler
Mayor

ATTEST: _____

City Clerk