

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 27, 1972
10:00 A. M.

COUNCIL CHAMBERS, CITY HALL

The meeting was called to order with Mayor Butler presiding. It was noted that Councilman Dryden was absent.

Roll Call:

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

The Invocation was delivered by REVEREND JOHN BARCLAY, Retired.

MINUTES APPROVED

Councilman Nichols moved the Council approve the Minutes of the Regular Meeting of April 13, 1972. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

PROCLAMATIONS

Mayor Butler read a proclamation designating April 29, 1972, as "SCOUTING, KEEP AMERICA BEAUTIFUL DAY" and urging all citizens to support this effort to make litter prevention effective and to contribute to conservation of natural resources by encouraging recycling of trash wherever practical. The proclamation was presented to Mr. John Thompson, and two Girl Scouts and two Boy Scouts were recognized.

The proclamation setting May 1, 1972, as "LOYALTY DAY IN AUSTIN" was read by Mayor Butler and presented to Mrs. June Bell. The Mayor urged that all schools, churches, organizations, and individuals and homes proudly display the Flag of the United States of America, and participate in patriotic Loyalty Day activities. Mrs. Bell read a Loyalty Day Citation to the Council for fulfilling a basic obligation of true patriotism by publicly reaffirming complete loyalty to this country during Loyalty Day observance and throughout the years.

EASEMENTS RELEASED

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

Portions of two (2) electric easements out of Lot 17,
PARKWOOD IN UNIVERSITY HILLS, SECTION ONE.

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

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

Noes: None

Absent: Councilman Dryden

Not in Council Room when Roll was called: Councilman Friedman

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 17,
Block P, WINDSOR HILLS, SECTION FIVE

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

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

Noes: None

Absent: Councilman Dryden

Not in Council Room when Roll was called: Councilman Friedman

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 25,
Block D, SINGING HILLS SECTION ONE.

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

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

Noes: None

Absent: Councilman Dryden

Not in Council Room when Roll was called: Councilman Friedman

LICENSE AGREEMENT

Councilman Nichols moved the Council grant a license agreement for the use of the following easement:

DON BECKER - encroachment of patio into public utilities
easement across Lot 16, Block C, CHERRY CREEK EAST.

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

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

Noes: None

Absent: Councilman Dryden

Not in Council Room when Roll was called: Councilman Friedman

CONTRACTS AWARDED

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

ALLIED CHAIN LINK
FENCE CO.
(Austin, Texas)

- MoPac Boulevard Control of Access Fence, Contract No. 72-x-106 - \$89,558.94. (80 working days for completion; Engineer's estimate was \$81,800.00; Capital Improvements Project No. 6077 0).

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

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

Noes: None

Not in Council Room when Roll was called: Councilman Friedman

Absent: Councilman Dryden

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

ED H. PAGE
(Austin, Texas)

- For construction of a reinforced concrete single box culvert in Mountain Ridge Dr., Great Hills I, Contract No. 72-Cc-109 - \$8,450.00. (40 working days for completion; Engineer's estimate was \$8,000.00; Capital Improvements Program Project No. 6526 5).

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

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

Noes: None

Not in Council Room when Roll was called: Councilman Friedman

Absent: Councilman Dryden

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

AUSTIN ENGINEERING CO.
(Austin, Texas)

- Installation of approximately 325' of 8" concrete wastewater mains and appurtenances for the Northgate Terrace Annex Subdivision - \$7,156.50. (20 working days for completion; City's estimate was \$5,810.00; Capital Improvements Program Project No. 3501 1).

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

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

Noes: None

Not in Council Room when Roll was called: Councilman Friedman

Absent: Councilman Dryden

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

WHOLESALE ELECTRONIC
SUPPLY
(Austin, Texas)

- Bid Invitation No. 2-0784, Miscellaneous
Batteries, Twelve (12) month supply -
\$7,802.84.

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

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

Noes: None

Not in Council Room when Roll was called: Councilman Friedman

Absent: Councilman Dryden

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

BESCO, INC.
(Austin, Texas)

- Bid Invitation No. 2-0645, Twelve (12)
months supply agreement Large Lamps -
Estimated \$9,000.00.

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

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilman Handcox, Mayor
Butler

Noes: None

Not in Council Room when Roll was called: Councilmen Lebermann, Friedman

Absent: Councilman Dryden

Mayor Pro Tem Love moved the Council adopt a resolution awarding the following contracts:

Bid Invitation No. 2-0670
Twelve (12) month Supply Agreement for Miscellaneous Household Paper
Products and Related Items:

(1) NATIONWIDE PAPERS
(San Antonio, Texas)

- Bid Items Nos. 3,4,5,7,9,10,11,15,16,19,
20,21,22,26 and 27 - \$11,922.84.

(2) LONE STAR PAPER CO.
(Austin, Texas)

- Bid Item Nos. 1,2,6,8,12, and 18 -
\$5,949.49.

(3) AUSTIN PAPER CO.
(Austin, Texas)

- Bid Item Nos. 17,23,24, and 28 - \$1,980.89

(4) BANCROFT PAPER CO.
(Austin, Texas)

- Bid Item Nos. 13,14, and 25 - \$737.94.

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

Ayes: Mayor Pro Tem Love, Councilman Handcox, Mayor Butler, Councilman
Nichols

Noes: None

Not in Council Room when Roll was called: Councilmen Lebermann, Friedman

Absent: Councilman Dryden

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

MOTOROLA, INC.
(Austin, Texas)

- Bid Invitation No. 2-0806, Fifteen (15)
Each Mobile Radio Transmitter-Receiver -
\$7,890.00.

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

Ayes: Councilman Handcox, Mayor Butler, Councilman Nichols, Mayor Pro Tem Love,

Noes: None

Not in Council Room when Roll was called: Councilmen Lebermann, Friedman

Absent: Councilman Dryden

Discussion was held regarding the proposed contract for THE NEELEY VENDING, CO. It was pointed out there were two bidders and one no-bid received. Deputy City Manager Davidson said there should be a better answer than using vending machines at the present Municipal Course; and the administration is ready to do something before the 2-year period. There is a clause that provides for a 60-day cancellation, and that could be worked out. Discussion ensued on a cancellation clause. Mayor Pro Tem Love noted there were three golf courses and three systems of concessions, and each course was discussed. (It was pointed out the Municipal Golf Course is not City property.)

Mayor Pro Tem Love moved the Council adopt a resolution awarding the following contract as recommended subject to a 60-day cancellation clause:

THE NEELEY VENDING
CO.
(Austin, Texas)

- Bid Invitation No. 2-0804, Two (2) year
Contract Municipal Golf Course Automatic
Vending Machine Concession Service, Parks
and Recreation Department - \$2,400 annually
plus 7.2% of gross receipts payable
monthly to the City.

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

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

Noes: None

Not in Council Room when Roll was called: Mayor Butler

Absent: Councilman Dryden

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

CUTLER-HAMMER

- Contract 424, Low Voltage Switchgear at
Holly Street #4, Item III - \$36,427.00.

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

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

Noes: None

Not in Council Room when Roll was called: Mayor Butler

Absent: Councilman Dryden

CHANGE ORDER - AUSTIN ROAD COMPANY

Deputy City Manager Davidson explained this change order includes costs required to adjust existing lighting facilities on the airfield as a result of work performed under the contract. Mr. Al Eldridge, Director of Construction Engineering, stated the principal item involves striping in the amount of \$4,500, brought on by the change in the F.A.A. requirements for the width of the striping. Originally it was 12". Recently the F.A.A. has made some changes on both of the runways; and with the change, they have required the threshold markings to make the center line striping wider, in order to use more of the runways. Because of the steeper angle of approach to utilize the entire runway, the lighting had to be changed appropriately.

Councilman Nichols moved the Council adopt a resolution approving Change Order No. 1 to Austin Road Company's contract for Paving Improvements to Runway 12-R-30L and 16R-34L, Related Taxiways and Apron at Robert Mueller Municipal Airport - \$6,441.64. (50-50 participation with Federal Funds. Extension of construction time by 30 calendar days; Capital Improvements Program Project No. 8102). The motion, seconded by Councilman Handcox, carried by the following vote:

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

Noes: None

Not in Council Room when Roll was called: Mayor Butler, Councilman Friedman

Absent: Councilman Dryden

CASH SETTLEMENTS

Councilman Nichols moved the Council adopt a resolution authorizing cash settlements as follows:

25/75% cash settlement with JOHN FELTER to provide water approach main to John Felter Subdivision - City's cost @ 75% is \$1,710.00, Owner's cost @ 25% is \$570.00.

40/60% cash settlement with JOHN FELTER to provide water service to John Felter Subdivision - City's cost @ 60% is \$1,735.71; Owner's cost @ 40% is \$1,157.74.

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

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

Noes: None

Not in Council Room when Roll was called: Mayor Butler, Councilman Friedman

Absent: Councilman Dryden

SALE OF HOUSES

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

Southwest Rathgeber	4417-4423 Duval	\$1,411.40
Clarence Cullen	2523 Winsted	\$ 191.00

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

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

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

Ronald L. Kinney 2610 Jefferson \$50.00

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

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

At this point, Councilman Dryden entered the Council chambers.

ALTERATION OF BANK OF TOWN LAKE - PRIVATE PROPERTY

Councilman Nichols moved the Council adopt a resolution granting the application of Mr. Jim Hudson to alter the bank of Town Lake at 500 East Riverside Drive (private property) by doing excavation work to install a concrete slab for the purpose of docking - landing sailboats by residents of apartment complex. The motion, seconded by Councilman Handcox, carried by the following vote:

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

TRANSFER OF LIEN

Councilman Nichols moved the Council adopt a resolution approving execution of a transfer of lien on Special Assessment Certificate No. 7104-4771-70-18(c) - P-3098(j) purchased by Austin Savings and Loan Association for the improvement of Reyes Street. The motion, seconded by Councilman Handcox, carried by the following vote:

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

AGREEMENT BETWEEN CITY & MH-MR

Councilman Nichols moved the Council adopt a resolution authorizing an agreement between the City of Austin and the Texas Department of Mental Health and Mental Retardation to provide for relocation of certain MH-MR facilities from MoPac right-of-way, and also accepting sanitary sewer easement in connection with the cross-town interceptor. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Noes: None

Not in Council Room when Roll was called: Councilman Friedman, Mayor Butler

LEASE AGREEMENTS RENEWED

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to renew the lease agreements of the two Police-Community Relations Centers between the City of Austin and:

Mr. J. D. Culp at 747 Montopolis Drive (original Lease beginning July 1, 1971)

Mr. George Hammond at 1621 Rosewood (original Lease beginning February 1, 1972).

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

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

Noes: None

Not in Council Room when Roll was called: Councilman Friedman, Mayor Butler

PAYMENT TO AUSTIN TRANSIT

Councilman Handcox moved the Council authorize payment to Austin Transit Corporation for transit service during the month of March in the amount of \$11,223.00. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

Not in Council Room when Roll was called: Mayor Butler, Councilman Friedman

MINUTE ORDER ACCEPTED

Councilman Nichols moved the Council adopt a resolution accepting and approving Minute Order #66069 providing for an interchange at Steck Avenue and MoPac Boulevard. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Noes: None

Not in Council Room when Roll was called: Mayor Butler, Councilman Friedman

AGREEMENT - TRANSPORTATION PLANNING PROCESS

Councilman Nichols moved the Council adopt a resolution authorizing an agreement for the continuation of the existing transportation planning process with the State of Texas and Travis County. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Noes: None

Not in Council Room when Roll was called: Mayor Butler, Councilman Friedman

LEASE IN TRAVIS BUILDING

Mayor Butler inquired if this lease were bid. Deputy City Manager Davidson stated there were no bids, but information from various people who had office buildings was obtained. Mayor Butler pointed out an owner of a building closer than the Travis Building is renting space at 28 cents and he had contacted the City, but never received any response. The Travis Building charged 32 cents for office space, likewise with no parking. The Mayor stated the Council is ratifying this lease now by adding to it, and he asked why the City was paying 32 cents. Mr. Davidson replied the space needed at this time had to be close to the Personnel Department, Human Relations Office, and to Model Cities. Mr. Davidson said he would get an analysis which was given to the former Council at the time this additional space was leased. At the time, the City already had three major departments located in the Travis Building, in February 1971. At that time, Mr. Carothers, who was on the staff, and Mr. Morahan assisted in the negotiations. Mr. Davidson stated when the former lease was made in February 1971, the City's representative went through the Brown Building and three other buildings within two blocks of the City Hall, and there was a report on the adequacy of that space then, before any recommendation was submitted to the Council.

The need at that time was for the utility service office where the public would come to pay their bills. The Brown Building did not have a first floor space and the Travis Building did. There was needed a Tax Service Office also for the public, and that needed to be on the first floor. The Brown Building did not have any space that was accessible to that many members of the public. Mr. Davidson named the Department already under lease, before any additional space was added; Human Relations, Personnel Department, and Model Cities. Mayor Butler asked the Deputy City Manager to get a recapitulation of this prior to February 1972, by the afternoon.

Mr. Davidson, later in the meeting, submitted a report on the leases. Councilman Nichols moved to retract his former motion - to enter into a lease agreement - until there could be some investigation. Mayor Pro Tem Love seconded the motion, which carried by the following vote:

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

Noes: None

Not in Council Room when Roll was called: Councilman Handcox

FIRE & EXTENDED COVERAGE

Mr. Allen recalled on several occasions they had gone over some updating procedures for the City's insurance, comprising several saving devices to improve the coverage, and listed suggestions for cutting out non-insurance properties and emphasizing the protection against major catastrophic losses on buildings such as the Auditorium, Airport, Power Plants, etc. He pointed out the needs of updating some of the better valued buildings which had not been increased in value since 1964, and reviewed the use of a deductible as a premium saving device. Mr. Allen's recommendation was the elimination of the low valued properties, and he suggested the \$10,000 as the point to start eliminating. Concerning the deductible, he recommended a \$5,000 deductible for the City. In answer to Mayor Butler's inquiry

about the net worth of these insurance companies, Mr. Allen stated the figure of \$15 - \$20 million in surplus, and a billion dollars in assets. Every company on the City schedule is A+5A rated; and they have upwards to a billion dollars in annual premiums a year.

Mayor Butler stated the purpose of insurance was to protect one against a disaster which one could not afford. The City was in a position to meet certain losses, and he pursued the 'Column No. 4' where it appeared a \$35,000 saving could be realized, and he asked the Finance Director if \$35,000 were saved, how much in bonds at 4.6 interest could be retired. Mr. Barker responded about \$350,000. Mayor Butler pointed out the City could take the savings per year and pay for a \$350,000 loss with its ability to borrow, and pay it out, principle and all. After discussion, Mayor Butler stated, in summary, by eliminating properties below \$100,000 and using a deductible of \$10,000 the City would save from \$27,000 to \$28,000.

Councilman Nichols moved that the properties below \$100,000 be eliminated, and there be a \$10,000 deductible on the remainder. Mayor Pro Tem Love seconded the motion, which carried by the following vote:

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

Noes: None

Mayor Butler suggested to Mr. Allen that there be a continued study as economic factors change.

HEARING - AUSTIN DEVELOPMENT PLAN

At 2:00 P. M., Mayor Butler opened the hearing on proposed amendments to the Austin Development Plan, as legally published on April 23 and 24, 1972.

Mr. Dick Lillie, Director of Planning, announced there were two applications for amendments to the Development Plan -- (1) a 50 acre tract on South Congress south of Ben White Boulevard, and (2) 50 acres in north Austin south of Duval Road.

The area (1) on South Congress is an application by Mr. Will Thurman for ten acres of land on Clawson Road, and the Staff added 40 acres to include all of the area on Sheridan Avenue south to Stassney Lane to Williamson Creek. In 1961, this area was designated as "Manufacturing and Related Uses", down to the Greenwood Hills Subdivision. South of that, the area was designated Recreation and Greenbelt area. In 1962, the Master Plan was amended to include Greenwood Hills and the Plan was changed to include residential uses east of the creek, and to change the industrial area back to commercial and residential.

Mr. Thurman's application proposes a building contractors' outdoor storage yard. About 80% of the 50 acres was oriented to heavy industrial and light manufacturing, including a seven acre junk yard. It was the Staff's recommendation that this area be amended to Commercial Services and Semi Industrial Use, down to the extension of Mockingbird Lane. Areas to the south are still predominantly vacant with some commercial and residential uses. In the area to be changed there are some good residential uses present. The designation would not prohibit the residents from continuing their use, but would prohibit the construction of new residential uses in that area. The Planning Commission followed the recommendation of the Staff, and in addition stated the designation should follow only to the drainage easement or the Green Belt area that would fall along Williamson Creek

and that the Greenbelt area should be left as it is. Councilman Nichols asked about the property that fronts on Congress up to the north end of the tract, and if the entire tract of this individual had been included or had part of it been left out. The Director of Planning stated the total tract was included in this amendment.

Councilman Nichols asked that the Minutes of the meeting reflect that all of Mr. Bowles' property fronting on Congress Avenue (up to the north end of the tract) is included in this amendment.

No one appeared to be heard on this item.

Councilman Nichols moved the Council close the public hearing and approve the change as recommended by the Planning Commission and the Staff. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Noes: None

Not in Council Room when Roll was called: Councilmen Lebermann, Friedman

Mr. Dick Lillie, Planning Director, stated this area (2) was an application of 50 acres in the northwest part of the City by Nash Phillips Copus, and Pringle Company. Balcones Woods Subdivision and Mesa Park Subdivision have subdivision plats for their acreage submitted. The eastern portion which is 500 feet off of MoPac is presently designated industrial in the Austin Development Plan. Mr. Lillie pointed out on a Map the MoPac Boulevard, I.B.M., Highway 183, and Duval Road.

The proposal of the subdivision includes the use of the 500 foot depth for residential purposes; but as presently designated, residential use could not be permitted. The Staff recommended that the plan be rolled back to include the residential uses as requested by the subdividers. Mr. Lillie pointed out the area that had already been annexed, noting all will be annexed when the final plats are approved. The developers of this area propose multi-family and commercial. When the area is annexed, the developers will come in for proper zoning. It was pointed out sewer utilities are available and adequate, but there will be no request for utilities until after the land is annexed and developed.

No one appeared in opposition. Councilman Nichols moved the Council close the hearing, and pass the amendment to the Plan as requested. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

Not in Council Room when Roll was called: Councilman Friedman

STREET & ALLEY VACATIONS - U.R.

At the scheduled time, Mayor Butler opened the hearing on vacating streets and alleys in the Urban Renewal area.

Glen Oaks Project

Alley between Glen Rae Street and Webberville Road from Neal Street to Stokes Drive.

Alley between Glen Rae Street and Webberville Road from Stokes Drive to Pleasant Valley Road.

Stokes Drive from Kuhlman Avenue to Webberville Road.

Alley between Kuhlman Avenue and Glen Road Street from Stokes Drive to Neal Street.

Alley between Kuhlman Avenue and Glen RAE Street from Pleasant Valley Road to Stokes Drive.

Mr. Jackson, Webberville Road, did not object to the closing of the alley, but title to half of the alley would pass to him, and he did not want to be assessed for taxes. He made a complaint that the alley had not been cleared. Mr. Bill Williams III reported after they had inspected the work of clearing and cleaning, they felt it was inadequate and they are going back and getting the work improved.

Reverend Relford stated they were not clear on these changes and he would appreciate having something in writing, particularly as concerns Stokes Avenue. He requested that representatives from the Urban Renewal meet them on the ground to see what they want, so that they could all be together in the closing of these streets, etc. He stated Mrs. Blalock had property and she did not object to the closing, but they want to know what is to be developed on this property. They did not understand about the easements.

Mr. Bill Williams III stated letters of approval from the abutting property owners were received endorsing the closing of the alley.

Councilman Dryden, noting there were some questions in the minds of these property owners, suggested that this matter be postponed until these people that own property in the area can meet with Mr. Williams, and get an understanding; then come back to the Council as quickly as possible with something more specific and agreeable to them.

University East Project

Mayor Butler introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THOSE CERTAIN PORTIONS OF SABINE STREET, OLDHAM STREET, EAST 20TH STREET, RED RIVER STREET ALLEY, AND SABINE STREET ALLEY; IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING EASEMENTS IN THE CITY FOR PUBLIC UTILITY AND DRAINAGE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

No one appeared to be heard.

Councilman Nichols moved the Council close the hearing, grant the request of the Urban Renewal Agency, and pass the ordinance waiving the second and third readings, and declaring an emergency. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Not in Council Room when Roll was called: Councilmen Lebermann, Friedman

The Mayor announced that the ordinance had been finally passed.

ANNEXATION HEARING

Mayor Butler opened the public hearing scheduled for this time on the annexation of certain properties. No one appeared to participate in this hearing.

Mayor Pro Tem Love moved the Council close the hearing and direct the administration to institute annexation proceedings to annex the following:

Total of 82.10 acres of land out of the Santiago Del Valle Grant:

75.14 acres - proposed CREEK BEND and CREEK BEND, SOUTH.
(requested by owner)

5.01 acres of land, a part of NORTH BLUFF DRIVE.
(initiated by City)

1.95 acres of land, a part of NUCKLES CROSSING ROAD.
(initiated by City).

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

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

Noes: None

Not in Council Room when Roll was called: Councilmen Lebermann, Friedman,
Handcox

ANNEXATION ORDINANCE - 1ST & 2ND READINGS

Mayor Pro Tem Love brought up the following ordinance for its first and second readings:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 39.19 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES ROGERS SURVEY; AND 37.00 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; 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 pass the ordinance to its third reading. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Not in Council Room when Roll was called: Mayor Butler, Councilman Friedman

The Mayor Pro Tem announced that the ordinance had been passed to its third reading.

CITY OF AUSTIN, TEXAS

REFUND CONTRACTS

Mayor Pro Tem Love introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH AUSTIN SAVINGS AND LOAN ASSOCIATION, AND DON BECKER BUILDERS, INCORPORATED, DON BECKER, PRESIDENT; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: None

Not in Council Room when Roll was called: Mayor Butler, Councilman Friedman

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

PURCHASE OF SEWER MAINS

Mayor Pro Tem Love introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH AUSTIN SAVINGS AND LOAN ASSOCIATION, AND DON BECKER BUILDERS, INCORPORATED, DON BECKER, PRESIDENT; 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: Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Dryden, Nichols

Noes: None

Not in Council Room when Roll was called: Mayor Butler, Councilman Friedman

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

ZONING ORDINANCES

Mayor Pro Tem Love 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 1-G, RESUBDIVISION NO. THREE OF THE RESUBDIVISION OF LOT 1, RESEARCH BOULEVARD COMMERCIAL AREA, SAVE AND EXCEPT AN AREA OF 50' X 150' FROM LOT 1-G TO U. S. HIGHWAY 183, AND AN AREA OF 50' X 110' FROM LOT 1-G TO OHLEN ROAD, LOCALLY KNOWN AS 1711-1725 OHLEN ROAD; 8550-8624 U. S. HIGHWAY 183, FROM "GR" GENERAL RETAIL 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 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 Lebermann, carried by the following vote:

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

Noes: None

Abstain: Councilman Handcox

Not in Council Room when Roll was called: Mayor Butler

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

Mayor Pro Tem Love introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: A 0.894 ACRE TRACT OF LAND, LOCALLY KNOWN AS 123-129 CUMBERLAND ROAD; 2701-2709 EDENS DRIVE, 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 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 Leberman, carried by the following vote:

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

Noes: None

Abstain: Councilman Handcox

Not in Council Room when the Roll was called: Mayor Butler

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

Mayor Pro Tem Love 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: (1) THE WEST THIRTY FEET OF LOT 1, BALCONES DRIVE ADDITION, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND, (2) LOT 19, BLOCK 5, BUDDINGTON SUBDIVISION, LOCALLY KNOWN AS 405 WEST 35th STREET, FROM "A" RESIDENCE TO "B" RESIDENCE DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: None

Not in Council Room when Roll was called: Mayor Butler

Abstain: Councilman Handcox

Mayor Pro Tem Love 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: THE EAST SEVENTY-FIVE FEET OF LOT A, ANOTHER WORLD SUBDIVISION, LOCALLY KNOWN AS 409-411 WEST 39TH STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: None

Not in Council Room when Roll was called: Mayor Butler

REFUND CONTRACTS - 2ND & 3RD READINGS

Mayor Butler brought up the following ordinance for its second and third readings:

AN ORDINANCE AUTHORIZING THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH AUSTEX DEVELOPMENT COMPANY, LTD., NASH PHILLIPS, ATTORNEY-IN-FACT; NORWAL, INCORPORATED, JERRY N. WALLACE, PRESIDENT; AND JOSEPH CLAYTON, OWNER; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council pass the ordinance through its second and third readings. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

EXCURSION TOURS - TOWN LAKE

Mayor Pro Tem Love moved the Council grant the request of Mrs. Helen Mathias to renew the agreement for operation of excursion tours of Town Lake, for a 12 month period. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Noes: None

Not in Council Room when Roll was called: Councilmen Friedman, Handcox

MRS. VIRGINIA BROWN - ST. JOHN'S COMMUNITY

Mrs. Virginia Brown spoke in behalf of those in the St. John's Community, expressing concern about the condition of their area, particularly drainage and paving. They have petitions for paving filed over a year ago. Weeds have taken over; and on St. Johns Avenue between Cobb and Boone, trees overhand in the middle of the right-of-way, blocking the view of all cars. She issued a complaint against the sanitation workers. Councilman Nichols asked that the City Manager take these lists of complaints and bring back an answer next week as to what is being done, what will be done, and when, about these complaints.

Deputy City Manager Davidson announced there are some definite recommendations that will come to the Council as part of the C.I.P. He would have a report to the Council next week.

Mayor Pro Tem Love wanted to see a list of these requests also, as Mrs. Brown had not exaggerated the condition at all.

Mrs. Brown asked besides a report on the paving, that there be some consideration of Buttermilk Creek.

Mr. F. D. Bragg, 6900 Blessing Avenue, reported a wave of burglaries and as the street is so dusty, the Police cannot see them.

Mayor Butler reported to the group that the Council would have a list of these questions, and answers will be reported next week.

PEACE ACTION COMMITTEE - S. M. C. --PARADE PERMIT

Mr. Tom Kincaid, representing the Austin Peace Action Committee and the Student Mobilization Committee, requested a parade permit for April 29th and requested Council endorsement of the Anti-War Demonstration for this Saturday.

The Council questioned Mr. Kincaid on controls of the paraders. In reply to Councilman Nichols about Mr. Kincaid's part of the demonstration last Saturday at the University, Mr. Kincaid said he was in Los Angeles at that time, but it might have been that some of his group individually participated; however, the Student Mobilization Committee was not a sponsoring party. Mr. Kincaid did not endorse destruction of property, but he would not condemn anything like that under the circumstances, as he felt it was understandable. He pointed out there had been no problems with any of their demonstrations.

Motion

Councilman Lebermann pointed out this Council had simplified the Parade Ordinance and had yet to deny a parade permit. He said it was regrettable and a little anachronistic to advocate peace by violence as happened the past week. Councilman Lebermann stated he was in favor of granting the parade permit for the reason they had granted all of those before. Because he thought this would contribute to civil stability, he moved that the parade permit be granted. Councilman Friedman seconded the motion.

Councilman Dryden asked what assurance Mr. Kincaid could give as to the conduct of the parade; what discussion and instructions; and Councilman Dryden stated Mr. Kincaid was being asked to assure the Council that emphasis is to be made to the 2,000 people that there is not to be any property destroyed or violence. Mr. Kincaid stated there would be a sizable contingent of monitors to each person,

which monitors would explain to the people exactly the policy. Probably on Friday evening or on Saturday morning, the monitors would go over exactly what their role is and what they are supposed to do. He invited Councilman Dryden to attend, watch, or participate in this meeting. Councilman Dryden stressed the point there was not to be any property destroyed or any violence.

Councilman Nichols questioned Mr. Kincaid as to what he would do should the demonstration erupt. Mr. Kincaid answered if something happened, and the police started shooting tear gas and clubbing everyone, he would run. Councilman Nichols placed the responsibility on Mr. Kincaid to see that this does not happen. He was questioned by Councilman Dryden about the police taking into custody one who got out of line. Mr. Kincaid said he had no position on what is right. When they break the character of the demonstration, they are no longer a part of it, and his group is no longer assuming responsibility for them.

Councilman Nichols questioned the use of obscenities in the parade. Mr. Kincaid responded they did not censor their parade in any way. The people are free to chant, carry slogans of whatever character they wish. He would hope that the object of the Anti-War movement would go over to the people with the message and not turn them off.

Roll Call

Roll call on Councilman Lebermann's motion to grant the parade permit, seconded by Councilman Friedman, showed the following vote:

Ayes: Councilmen Lebermann, Friedman, Mayor Butler, Councilman Dryden
Noes: Mayor Pro Tem Love, Councilman Nichols
Not in Council Room when Roll was called: Councilman Handcox

Mayor Butler read into the minutes the basis of his vote as follows:

"The Austin City Council is faced with a major decision each time a parade permit is considered. The leadership for parade organizers are requesting permission to display a "cause" on a public street.

Other persons, citizens and visitors alike, will be subjected to the demonstrator's display, whether they want to or not. For that reason, it falls upon the shoulders of the sponsors of such an event to encourage all participants to remember the rights of non-parade citizens.

It should be clear to all persons, that a permit issued for the purpose of conducting a parade is not a license to violate laws, shout obscenities, or intimidate other citizens or police officers.

The Council supports its law enforcement officers and expects them to enforce the law, making appropriate arrests when any person or group of persons may be violating the rights of others.

I would like to be assured by those requesting the permit that the parade will be handled in reasonably good taste, and will not be a source of embarrassment to the sponsors, the Council, the residents of Austin or our many visitors. I would hope that it will not be a prelude to disruption and destruction.

On that basis and the assurance that this parade will be conducted in that manner, I vote 'yes'."

Councilman Dryden made the following statement concerning his vote:

"I will also vote yes, and certainly again, Mr. Kincaid, I want to ask you as a gentleman and as a scholar, and solicit your help on just precisely what you have come before the City Council asking permission for a peaceful demonstration. And I think a lot is on your shoulders and the group that you represent. Thank you."

Mayor Pro Tem Love also made a statement concerning his vote:

"This is the first time I have voted 'no' in regards to any permit request. Based on the performance of this weekend, should it be as you have all but assured us, I will be voting 'yes' again. I think the timing is the big problem in my mind in the wake of this last weekend, as I try to reflect the thinking of the people throughout this community, and I wish you luck."

Mayor Butler brought up the second request Mr. Kincaid had made -- that the Council endorse and participate in this Anti-War Demonstration.

Mr. Kincaid wanted the City Council, as the City Council of Austin, to endorse this anti-war demonstration.

Councilman Lebermann noted on numerous occasions the Council had been asked to endorse a position on matters as important as this and less important. Each time the Council has made the decision not to endorse the position of an advocate coming before it unless the matter related specifically to Austin municipal affair, and that is a proper position for the job that each was elected to do.

Mayor Butler asked Mr. Kincaid to whom was he protesting and Mr. Kincaid stated "To the United States Government." He was not protesting to the North Vietnamese.

Councilman Dryden said each member individually as in a group, had gone on record as stating that each was not in favor of a war anywhere, and he felt that is all that is necessary for the Council to do. Mayor Butler said Mr. Kincaid's protest is to the United States Government for the war and not the North Vietnamese.

Councilman Dryden moved that the Council not endorse this anti-war demonstration as requested. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Noes: None

Abstain: Councilman Friedman

Not in Council Room when Roll was called: Councilman Handcox

JUNIOR BAR CONSUMER AFFAIRS COMMITTEE

Mr. Lloyd Doggett, on behalf of the Consumer Affairs Committee of the Austin Junior Bar Association, discussed a proposal on which they would like to have a hearing before the Council. The Consumer Affairs Committee was created by the Junior Bar to explore some of the problems and concerns of Austinites in the roles as consumers. With the large University, Air Base, and an expanding economy that attracts many new citizens, there are many people who are renters and who move into apartments.

The Committee has found an area which poses a problem, and that is the matter of security deposits, which cover property damage to property. It is only fair to expect a refund of the deposit if there were no damage; and at least a part in keeping with what damage has been done. Many landlords do this. However, there are a number of complaints that the deposits are being retained by the landlord without any reason. The cost of retaining an attorney is more than the cost of the deposit itself. The Junior Bar made a study and came up with a possible City Ordinance, which was passed unanimously, after discussion, a concept of the City Ordinance to handle this problem. The ordinance was submitted to the City Attorney who studied the proposal, responded to it, and advocated several changes. The Junior Bar Association is interested in meeting with the Apartment Owners Association to discuss the proposal with them. In the meantime, Mr. Doggett asked the Council to set a public hearing.

Mayor Butler brought up discussion in that the Junior Bar Association had not endorsed this ordinance -- perhaps only the concept of a City ordinance; nor had it endorsed any ordinance with a criminal versus civil aspect. The Mayor also noted that tenants with a \$5.00 filing fee up to \$200.00 could file in the Justice Court without an attorney.

The City Attorney approved the general concept as to legality. As to the wisdom of the ordinance that is a decision of the Council. He said the Law Department had not made a recommendation for the passage of the ordinance, as that is the Council's province.

Mr. Doggett reported 1300 complaints over the last two years to the Student Attorney's office at the University regarding deposits. Those at Bergstrom Air Force Base would never get filed. Councilman Nichols pointed out if the Council were to set up a hearing and go through all of the procedures and eventually pass the ordinance, it would be taking it out of the realm of the Civil Statutes and putting it into the realm of the criminal statutes. Mr. Doggett compared this ordinance to the Building Code in a manner. Councilman Friedman stated it is possible, in present laws, to have these matters in many areas in trying to get civil recovery for damage done under criminal sanctions, and vice-versa. He said the time for that is at a public hearing and that was the request.

Councilman Friedman made a motion to set a public hearing for two weeks hence, May 11th, at Huston-Tillotson College at 7:30 P. M.

The Mayor stated the Council was within its proper province of investigating whether there is enough grounds in its judgment to call the hearing in the first place -- not to decide the issue.

Councilman Lebermann favored the public hearing if there were a substantial number of people who felt they had a grievance, and he seconded the motion.

A student Attorney had petitions indicating interest, in about 2,000 individuals who had signed the petition. He stated these people were trying to make it very clear what the rights and responsibilities are thus avoiding disputes that occur later on.

Mr. Larry Nieman, Attorney, representing the Austin Apartment Association expressed opposition to placing this ordinance for public hearing as it is not the function of this Council to ride herd on the monetary obligations from landlord to tenant, any more than it is to ride herd on the controversies regarding the tenant's obligations to the landlord. He noted the ordinance admits that the greater majority of Austin landlords conscientiously abide by their contract

obligations, and he quoted from the ordinance "occasional abuse" of the deposit refund practices. He ventured to say there are more unpaid rents in this City than there are unrefunded deposits and it would be unfair to subject landlords to a penal ordinance for failure to make deposit refunds without applying the same standards to tenants for failure to pay their rental obligations. He pointed out the remedy is in the Justice of the Peace Court and it is a simple matter to file suit in the J. P. Court against a landlord. He said the whole question does not have merit sufficient to consume the attention and time of the Council, and he asked that Council not put this subject down for hearing, as it is not in the Council's province.

Roll Call on Councilman Friedman's motion to set a public hearing, seconded by Councilman Lebermann, showed the motion failed to carry by the following vote:

Ayes: Councilmen Lebermann, Friedman
Noes: Mayor Butler, Councilmen Dryden, Nichols
Abstain: Mayor Pro Tem Love
Not in Council Room when Roll was called: Councilman Handcox

Mayor Butler, in addressing Messrs. Doggett and Boyle, stated he would be glad to assist them at any time.

Mr. Barry Gillingwater claimed to be one of the largest landlords in Austin, and stated Mr. Friedman made a valid point that there are both sides here today, and he suggested that both sides get together and discuss this matter and get a solution between themselves rather than involving the City. Mayor Butler stated this was an excellent suggestion.

ECOLOGY

Mr. Goerge G. Wyche, Assistant Coordinator of Ecology Action, appeared to review the City's trial program recycling tin cans from the Ecology Action recycling centers to Newell Salvage. He asked the City to continue the program.

After discussion, Councilman Nichols moved the Council continue this program for sixty days. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

DISCUSSION OF POLICE CONTROL

Mr. Roland DeNoie referred to the discussion along with the parade permit, with several referrals made to the events of the past Saturday afternoon and Friday night. He referred to events at 20th and Guadalupe, on Friday afternoon, where there had been a peaceful demonstration predominately within the confines of the campus. The demonstrators were stopped at 24th Street and there was a lot of tear gas tossed around. Mr. DeNoie suggested that a special provision be placed in the parade permit ordinance to allow for spontaneous demonstrations, as occurred Friday afternoon.

Mr. DeNoie described the rock and brick throwing on the streets by 3,000 to 4,000 people. His theory was had there been no tear gas, there would have been no difficulty. Also had the demonstrators been allowed to proceed to the Capitol or

to the Federal Building, and walked back, the Council would have been applauded by the student body of the University for being conscientious protectors of the right to petition the government for redress of grievances. He stated as it turned out the Council was cast as oppressors of the people's right to speak.

Mr. DeNoie discussed at length the situations. Mayor Butler asked if when the 12 divisions of North Vietnamese came into South Vietnam was there any unrest or demonstration. Mr. DeNoie stated there was not as that did not involve the United States.

In conclusion, Mr. DeNoie stated he found destruction of property unfortunate. He would like to see MoPac destroyed and Congress Avenue plowed up from the bridge to the Capitol and planted with trees and gardens. The destruction of property that occurred at the University is regrettable but he understood how it happened.

Mayor Butler thanked him for coming up today.

OPPOSITION TO ONE WAY STREETS

Reverend Dan Villanueva, Cristo Rey Catholic Church, represented members of his community -- the principal of Zavalla School, other concerned teachers from schools in the area, and ministers from five churches on East 2nd Street -- stating they would suffer consequences because of the one-way street system, going into effect May 1. They asked for a delay to give them an opportunity to meet with the people from the Department of Traffic and Transportation and have a public hearing so they can work something out. He listed several technical hardships, and he was under the impression the traffic would be increased.

Deputy City Manager Davidson stated the Master Plan was approved in 1967; and in October 1971, the Model Cities Commission approved this one-way plan after holding three public hearings. After a public hearing, the Council approved the one-way plan. As a result of these hearings and actions the mechanics have been under way for some 30-60 days to put the plan into effect Monday. Last week letters went out to all property owners abutting the streets from the Traffic Director, offering to meet with those who have parking problems, etc., so they could help these people work out any problems. The City is ready to implement the plan.

Mr. Joe Ternus gave a detailed report on the plan and how it would benefit not only vehicular traffic but pedestrian traffic. He stated the one-way system would improve the flow of traffic in the area and reduce the congestion existing on East 1st Street, making the crossing of East 1st Street and 2nd Street much safer. He noted the addition of traffic signals, pedestrian protection for the children. Reverend Villanueva thanked the City for the traffic lights, but he did not want the one-way system. Mr. Ternus stated the increase on 2nd Street would be 70%; however, the actual traffic flow will in all likelihood decrease. There would be less traffic on 1st Street and more on 2nd; overall there would be less on both.

Mr. Ternus stated some of the controls were already installed.

A lady from the audience, a resident, but not a property owner, was trying to negotiate for the property she lives on. She became aware of the change in the street directions and was concerned, stating she has children who play in that street and that she hoped the Council would roll back this decision. She did not think this would work out. Mayor Butler stated these points would be brought out at the hearing where the engineers and traffic experts could give testimony.

ADJOURNMENT

The Council adjourned at 4:10 P. M.

APPROVED:

Ray Butler
Mayor

ATTEST:

City Clerk