

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 28, 1973
10:00 A.M.

COUNCIL CHAMBERS, CITY HALL

Acting Mayor Dryden called the meeting to order noting that Mayor Butler and Mayor Pro Tem Love were out of the city.

Roll Call:

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

The Invocation was delivered by Mr. David Earl Holt, Director of Libraries.

APPROVAL OF MINUTES

Councilman Binder moved the Council approve the Minutes of the Regular Meeting of June 14, 1973. The motion, seconded by Councilman Handcox, carried by the following vote:

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

PROCLAMATION

Councilman Binder read and presented a proclamation designating June 30, 1973, as Ed M. O'Dell Day for Mr. O'Dell's work as a Pony and Little League Baseball Manager.

RETIREMENTS

Councilman Friedman recognized Mrs. Gladys Ballender of the Police Department, who was retiring. Councilman Handcox recognized Senior Patrolman Jones of the Police Department, who was also retiring.

RECOGNITIONS

The Council recognized 24 cadets from the Police Department.

The Council also recognized Judge Alberto Garcia of the Municipal Court.

VACATING HEARING

At 10:00 A.M., Acting Mayor Dryden opened the vacating hearing scheduled for that time. No one appeared to participate in the hearing. Acting Mayor Dryden then introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF EAST 4TH STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR DRAINAGE AND HIKE AND BIKE TRAIL PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Friedman 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 Binder, Lebermann, Friedman, Handcox, Dryden
Noes: None
Absent: Mayor Butler, Mayor Pro Tem Love

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

ANNEXATION HEARINGS

Acting Mayor Dryden opened the annexation hearing scheduled for 10:00 A.M. No one appeared to participate in the hearing. Councilman Friedman moved the Council close the hearing and direct the administration to institute annexation proceedings to annex the following:

Total of 257.91 acres of land out of the James Burleson Survey:

(1) 246.49 acres:

(a) 226.78 acres - COLONY PARK SECTION TWO. (requested by Jeryl D. Hart, engineers and agents for the owners, Lumbermen's Investment Corporation)

(b) 19.71 acres - Portions of DECKER LAKE ROAD and DECKER LANE. (initiated by City of Austin)

(2) 11.42 acres - COLONY PARK SECTION ONE, PHASES 2-A and 3. (requested by Jeryl D. Hart, Engineers and agents for the owners, Lumbermen's Investment Corporation)

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

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

Councilman Handcox moved the Council direct the administration to institute annexation proceedings to annex the following:

Total of 289.94 acres of land out of the Santiago Del Valle Grant:

- (1) 176.45 acres - ONION CREEK PLANTATIONS SECTION ONE, AUSTIN INDEPENDENT SCHOOL DISTRICT TRACT of land and unplatted land. (requested by John F. Campbell, Attorney for Edward R. Rathgeber, Jr., Doris Harris Warlick, Cecil Perkins and Dr. Raleigh R. Ross, owners; and Jack L. Davidson, Superintendent Austin Independent School District, owner)
- (2) 102.54 acres:
 - (a) 102.17 acres - MEADOW SPRINGS SECTION 1 and unplatted land. (requested by John F. Campbell, Attorney for Edward R. Rathgeber, Jr., Michael R. Eledge, D. L. West and John F. Campbell, owners)
 - (b) 0.37 acres - portion of COLTON ROAD. (initiated by City of Austin)
- (3) 10.95 acres - portion of NUCKLES CROSSING ROAD. (initiated by City of Austin)

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

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

Councilman Friedman moved the Council direct the administration to institute annexation proceedings to annex the following:

64.68 acres of land out of the James Rogers Survey - MESA PARK SECTION SIX and MESA PARK PHASE TWO, SECTIONS ONE and TWO. (Requested by Jorge D. Perez, Engineer for the Pringle Real Estate, Inc., owners)

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

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

Councilman Binder moved the Council direct the administration to institute annexation proceedings to annex the following:

17.84 acres of land out of the Theodore Bissel League - unplatted land. (Requested by Thomas B. Watts, Engineer for Austex Development Company, owners)

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

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

ANNEXATION HEARING POSTPONED

Councilman Friedman moved the Council postpone until 10:00 A.M., July 12, 1973, the annexation hearing on the following:

Total of 10.68 acres of land out of the Wilkenson Sparks Survey:

- (1) 1.96 acres - portions of Lots 51-54, LAKESHORE ADDITION and unplatted land, (requested by Gerald Maddock Dempsey et ux., owners by Tom Curtis, Attorney)
- (2) 8.72 acres - portions of Lots 47-54, LAKESHORE ADDITION and portion of WEST LAKE DRIVE. (initiated by City of Austin)

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

Ayes: Councilmen Handcox, Dryden, Binder, Friedman
Noes: None
Out of Room at
Roll Call: Councilman Lebermann
Absent: Mayor Butler, Mayor Pro Tem Love

EASEMENTS RELEASED

Councilman Handcox moved the Council adopt a resolution authorizing release of the following easements:

- a. Three (3) seven and one-half (7.50) foot public utilities and drainage easements, eighteen (18) five (5.00) foot public utilities and drainage easements and two (2) ten (10.00) foot public utilities embankment and excavation easements out of Lots 2526 through 2530 and Lots 2532 through 2536, Lakeway Section Twenty-Two. (Applicant: Bryant Curington, Inc., Engineer for the owner, the Lakeway Company)
- b. Five (5.00) foot public utilities easement along the west line of Lot G4-5, Northwest Hills Ranch, Resubdivision of Lot G-4. (Applicant: Douglas Stringfellow, Engineer for owner Logan-Melton)

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

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

CONTRACTS AWARDED

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

PLAINS MACHINERY COMPANY	Bid Inv. - 3-0676 Bid Item 1.1-3.1
San Antonio, Texas	Supply agreement for Street Sweeper
	Main Brooms and Gutter Broom Segments
	Total - \$11,669.04

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

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

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

A-J LEASING COMPANY	Bid Inv. - 2-0906
	Exercise purchase option for one 1972
	Flatbed Truck and two 1972 Dump Trucks
	used for EDA project.
	Bid Item 5 - 1 each @ \$2,562.02
	Bid Item 6 - 2 each @ \$3,926.21
	Total - \$10,414.44

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

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

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

KRUEGER ENGINEERING & MANUFACTURING COMPANY	Bid Inv. - 3-1274
Houston, Texas	Retubing Feedwater Heater #52 -
	\$8,599.99 (Seaholm Power Plant)

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

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

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

MOORE BUSINESS FORMS	Bid Inv, 3-1276
Austin, Texas	Bid Item 1-5 - \$10,202.25

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

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

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

DALMARK INC.	Capital Improvements Program Project
Austin, Texas	No. 3523 0
	Electric Ductlines and Concrete
	Foundations at Sprinkle Substation -
	\$93,017.96

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

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

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

JACK A. MILLER INC.	Capital Improvements Program Project
Austin, Texas	No. 3906 1
	Construction of parking lot improve-
	ments at 3rd Street and West Avenue -
	\$9,638.45

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

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

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

BLAND CONSTRUCTION CO.
Austin, Texas

Capital Improvements Program Project
No. 4087 0

For the installation of approximately
1005 Linear feet of 12" water main and
appurtenances - Woodward Street from
Ben White Boulevard to Parker Lane -
\$12,759.00

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

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

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

DAVIS TRUCK & EQUIPMENT
COMPANY
Dallas, Texas

Refuse Collection Bodies
Bid Item 36,2 - 12 each @ \$6,120.00
Total - \$73,440.00

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

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

HEARING SET

Councilman Lebermann moved the Council adopt a resolution setting a hearing three weeks from today's date, July 19, on an appeal by Ms. Rosanne G. Potter, Ms. Esta Land and Ms. Lucette Sharp of the decision of the Planning Commission granting a special permit for the construction of five townhouses on a piece of property bounded by West 29th, Jefferson, and Glenview. File No. CP14-73-019. The motion, seconded by Councilman Friedman, carried by the following vote:

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

PUBLIC HEARING SET - AUSTIN DEVELOPMENT PLAN

Councilman Friedman moved the Council adopt a resolution setting a public hearing at 10:00 A.M., July 12, 1973, on the following amendments to the Austin Development Plan:

- a. An area of approximately 43 acres out of Santiago Del Valle Survey, plus an additional area of 43 acres added by the City, both tracts located just north of U.S. 183 and 71 Interchange - requested by Frank Bryant - from Low Density Residential to Commercial Service and Semi-Industrial Use.
- b. An area of approximately 140 acres plus two additional areas added by the City of approximately 54 acres located along U.S. 290 and Boston Lane south of Travis Country Subdivision - requested by Max H. Buaas, White Instruments, Charles Nemis and Fred A. Buaas - from Suburban Residential to Commercial Service and Semi-Industrial Use.
- c. Approximately 7 acres located on Howard Lane west of I.H. 35 - requested by Nelson Puett - from Suburban Residential to Commercial Service and Semi-Industrial Uses.

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

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

APPLICATION APPROVAL

Councilman Lebermann moved the Council adopt a resolution approving an application submitted in behalf of Southwestern Bell Telephone Company requesting permission to install two 6,000-gallon diesel fuel tanks underground in the sidewalk area on the east side of Colorado Street between 9th and 10th streets. The motion, seconded by Councilman Binder, carried by the following vote:

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

WATER AND WASTEWATER STUDY

Councilman Friedman moved the Council select Black and Veatch as the consulting firm to conduct a Water and Wastewater Study for the City of Austin. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

SELECTION OF ENGINEERING CONSULTANT

Councilman Lebermann moved the Council select Lockwood, Andrews and Newman as the Engineering Consultants for the following 1973 Capital Improvements Program Projects for the Water and Wastewater Department:

Water Treatment Plant No. 3 Discharge Pumps and Southwest Austin
Water Transmission Main - Project Nos. 4936 0 and 4088 0

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

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

MODEL CITIES PROPOSALS

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

The Model Cities Department to contract with the State Department of Public Welfare for the Services for the Elderly Project #30220. The total cost of this contract is \$154,939 - Texas Department of Public Welfare share is \$108,457 and Model Cities share is \$46,482.

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

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

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

The Model Cities Department to contract with the Child and Family Service, Inc., for the ~~Services~~ for the Elderly Project #30220. The total cost of this contract is \$154,939 - Texas Department of Public Welfare share is \$108,457 and Model Cities share is \$46,482.

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

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

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

The Model Cities Department to contract with the Travis County Juvenile Court for the Specialized Services Unit Project #30410. Total cost of this contract is \$103,101 and Model Cities share is \$23,884, Travis County share is \$40,010 and Criminal Justice Council share is \$39,207.

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

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

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

The Model Cities Department to contract with the Austin Independent School District for the Communication Skills Project #30010. Total cost of this contract is \$2,379,073 and Model Cities share is \$169,000; Title I share is \$202,951; State and Local share is \$1,688,478; and other Federal share is \$318,644.

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

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

INTRODUCTION OF INTERN

Miss Sandra Gonzalez, Model Cities intern, was introduced to the Council.

ITEM WITHDRAWN

The item of Mr. Phillip Presse requesting to appear before the City Council regarding two mobile homes in violation of the City Code Zoning Ordinance was withdrawn at this time.

PUBLIC HEARING POSTPONED

Councilman Handcox moved the Council grant that the public hearing for Zoning File No. C14-73-122 be postponed from July 5, 1973, to August 2, 1973, as requested by Mr. Robert C. Sneed. The motion, seconded by Councilman Friedman, carried by the following vote:

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

ZONING CASE WITHDRAWN

Councilman Friedman moved the Council grant permission to withdraw Zoning File No. C14-73-117 that was scheduled to be heard by the City Council on July 5, 1973, as requested by Mr. Richard L. Barton, Agent for Harold C. Byler. The motion, seconded by Councilman Handcox, carried by the following vote:

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

HONOR AMERICA DAY

Councilman Lebermann moved the Council grant permission to Mr. Jack W. Lyle, Director of Special Projects for the Austin Jaycees, to conduct an Honor America Day Fireworks Display on July 4, 1973, on Auditorium Shores west of the Gazebo and to include the Austin Boat Club with a parade of boats on Town Lake. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Lebermann, Handcox, Dryden, Binder
Noes: None
Present But Not Voting: Councilman Friedman
Absent: Mayor Butler, Mayor Pro Tem Love

TEMPORARY STREET CLOSING

Councilman Lebermann moved the Council grant the request of Mr. A. G. "Irish" Matthews, Vice President, Texas AFL-CIO, to close 11th Street between Guadalupe and Lavaca Streets on July 11, 1973, at 8:00 P.M. for the purpose of ground breaking ceremonies. The motion, seconded by Councilman Handcox, carried by the following vote:

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

USE OF ULLRICH WATER TREATMENT PLANT FOR SPECIAL ELECTION

Councilman Lebermann moved the Council grant the request of Mr. W. R. Webb, Deputy County Clerk of Travis County, Texas, to use the Ullrich Water Treatment Plant for the Special Election to be held Tuesday, July 17, 1973. The motion, seconded by Councilman Friedman, carried by the following vote:

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

TEMPORARY STREET CLOSING

Councilman Lebermann moved the Council grant the request of Miss Liz Daily, Students for Doggett Committee, to close the 2000 block of Whitis Street on July 5, 1973, from 2:00 P.M. to 5:00 P.M. to hold a block party. The motion, seconded by Councilman Friedman, carried by the following vote:

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

ZONING CASE REOPENED

Councilman Friedman moved the Council reopen Zoning Case C14-73-107, as requested by Mr. Marvin Hickman, representing H & N Motors. The motion, seconded by Councilman Handcox, carried by the following vote:

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

MANVILLE WATER SUPPLY CORPORATION CONTRACT

Councilman Lebermann moved the Council adopt a resolution authorizing the City Manager to enter into a contract with the Manville Water Supply Corporation to furnish water. The motion, seconded by Councilman Friedman, carried by the following vote:

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

CITIZEN APPEARANCE

Mrs. Altha M. Inman appeared before the Council to discuss her commercial property on East 1st Street.

STREET PAVING ORDINANCE

Acting Mayor Dryden introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY

OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.

Councilman Lebermann 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, Binder, Lebermann, Friedman, Handcox
Noes: None
Absent: Mayor Butler, Mayor Pro Tem Love

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

ZONING ORDINANCES

Acting Mayor Dryden 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:
A 5.50 ACRE TRACT OF LAND, LOCALLY KNOWN AS 7011-7015 NORTH INTERSTATE HIGHWAY 35, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL, SIXTH HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, SIXTH 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 Lebermann moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Friedman, carried by the following vote:

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

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

Acting Mayor Dryden 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 48,638 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 7107-7203 BURNET ROAD, 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 Lebermann moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Friedman, carried by the following vote:

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

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

CARPORT SETBACK REQUIREMENTS AMENDMENT

Councilman Lebermann moved the Council direct the Planning Commission to study the recommendation that the carport setback requirement be changed to 15 feet. The motion, seconded by Councilman Handcox, carried by the following vote:

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

RECREATIONAL PLANNING TASK FORCE ITEM WITHDRAWN

The Recreational Planning Task Force item regarding Youth Baseball Leagues was withdrawn by request of the Task Force pending additional study of the matter.

CONSUMER VENDOR ORDINANCE

Col. Ralph Pearson addressed the Council regarding a consumer vendor ordinance.

ADJOURNMENT

The Council adjourned at 11:45 A.M.

APPROVED:


Mayor

ATTEST:


City Clerk