

## MINUTES OF THE CITY COUNCIL

## CITY OF AUSTIN, TEXAS

## Regular Meeting

October 18, 1973  
7:00 P.M.

ELECTRIC AUDITORIUM, 301 WEST AVENUE

The meeting was called to order with Mayor Butler presiding.

## Roll Call:

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

The Invocation was delivered by DR. JOHN BARCLAY, Central Christian Church.

## APPROVAL OF MINUTES

Councilman Handcox moved the Council approve the Minutes of the Regular Meeting of September 13, 1973. The motion, seconded by Councilman Dryden, carried by the following vote:

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

## EARTH AWARENESS FOUNDATION AWARD

Mr. Eugene Horton, President of the Earth Awareness Foundation, briefly explained the nature and activities of the Foundation and introduced Astronaut Mr. Walter Cunningham. Mr. Cunningham elaborated on the activities sponsored by the Foundation, noting that Austin's Waller Creek chapter was the first adult chapter of the nationwide Earth I Care Clubs.

Noting that this was the first time the award had been presented, Mr. Cunningham presented to the Council, the "One Small Step Award for Environmental Achievement," an exact replica of the first human footprint in lunar dust. Mayor Butler noted that Councilman Lebermann, whom he termed the Council's guiding light in the environmental area, expressed by letter his regret at being unable to attend the meeting and his pride in receiving the award. The Mayor and Council members then accepted the award.

Mrs. Margo Beasley and Dr. Phillis Proctor invited the Council to attend the October 21 Waller Creek celebration to see the Earth Awareness Foundation exhibits and then presented T-shirts to members of the Council.

## ALL VETERANS DAY AND POPPY DAYS PROCLAMATIONS

Mayor Butler read and then presented a proclamation, proclaiming October 22, 1973, as All Veterans Day.

The Mayor also read and presented a proclamation, proclaiming the days of October 18 through October 22 as Poppy Days and encouraged the citizens of Austin to wear poppies in tribute to all veterans. Mrs. June Bell accepted the proclamations and called on members of the audience representing organizations involved in these activities to stand.

## PROCLAMATION - NATIONAL DRUG ABUSE PREVENTION WEEK

Mayor Pro Tem Love read and then presented a proclamation to Mr. Sandy Bauman, proclaiming the week of October 21-27 as Drug Abuse Prevention Week. Mayor Butler commended Mr. Bauman's work in connection with Austin Drug Central. Mr. Bauman accepted the proclamation and expressed his appreciation to the Council.

## PUBLIC HEARING ON PROPOSED NATURAL SCIENCE CENTER

At 7:00 P.M., Mayor Butler opened the hearing on the proposed Natural Science Center scheduled for that time. Mayor Butler indicated that those who wished to speak had signed a card and that he would like to impose a 3-minute rule on each speaker. He then called on the proponents of the proposal to speak first.

Proponents

Mr. Dick Baker, as spokesman for the Austin Natural Science Center Association and the Austin Natural Science Guild, supported the recommendation of the Parks and Recreation Board that the Natural Science Center should be relocated to the area designated by the Council in the Town Lake Comprehensive Development Plan approved February 21, 1968, which was the area of Zilker Park west of MoPac Expressway and east of Rollingwood, referred to as the proposed Natural Science Center Complex. The proposed Natural Science Center Building in the Complex would be large enough to accommodate classrooms for the instruction now carried on by the Natural Science Center Program and to house no more than 20 small native Texas animals.

Mr. Baker traced the history of the Natural Science Center Program from its inception in 1960. He noted that the plan developed in 1969 for a location in Zilker Park had been abandoned because of opposition generated, and Council approval was sought only for the modified plan proposed which included construction of the Natural Science Center Building and the development of interpretative nature trails within the proposed Complex. He traced the budgeting and staffing of the program since 1960. He listed the activities of the Natural Science Center program and noted that the Natural Science Center Association continued to be a support group for the program. The Association and Guild asked for no lease on City land, no operating agreement, and no control; any funds utilized and any equipment purchased belonged to the City and not the Association or Guild.

He cited the purposes of the Natural Science Center Association and stated that those purposes had been accomplished. He traced the cash contributions of the Association and the Guild from 1963 to a total of \$14,000 in 1973. He cited the contribution by the Association of over 100,000 volunteer hours donated to the Natural Science Center Program in 1972 and traced the number of classes held since 1960. He reported that the classes now had a ratio of ten students to one volunteer instructor (docent). He read from letters, from Marshall Ashley, Director of Educational Development, and from the Community Nursery School (the United Fund Program serving low income families), which expressed appreciation for the instruction provided to students.

Mr. Baker stated that the Natural Science Center Association supported the program proposed by the Department of Parks and Recreation Board because the existing buildings were inadequate--outdated and too small. He felt that the area designated in Zilker Park for the Complex had unique rock formations and vegetation ideal for nature trails with interpretative instructions placed on the trails.

He listed the actions which the Natural Science Center Association and Guild would undertake should the Council approve the proposal. These included providing funds to the Parks and Recreation Department for commissioning an architect to draw plans and specifications for the building, assisting the Department in preparing the interpretative nature trails, and training additional docents to assist in the use of the trails. Whenever the Council might approve the specifications for construction of the building, the Association and Guild would undertake to raise money for construction. In response to Councilman Friedman's questions, Mr. Baker reaffirmed that the Building would remain the property of the City.

Mr. Bob Honts, on behalf of Dr. Irby Carruth, Chairman of the Parks and Recreation Board, who could not attend, reported on the activities devoted to this issue by the Board which served as an advisory board to the Council. These activities included calls, letters, visits, meetings, studies, reviews, and staff reports. He noted that the facility proposed was much smaller than that which was originally a part of the proposed Master Plan, and he mentioned other differences from the original concept. At the same time he believed the proposal was in accord with the intent of the original Town Lake Master Plan and the intentions of Colonel Zilker. The original plan was to move from Deep Eddy when needs had grown, and he believed that the present area was now too small.

Mr. Honts presented a resolution adopted by an 8-2 vote of the Parks and Recreation Board that day, recommending the area west of Mo-Pac expressway and east of Rollingwood as the location for the Natural Science Center, operated for the benefit of the general public, owned by and under the direct control and supervision of the City for no usage incompatible with public park purposes.

Mrs. Barr McClellan, representing the Parks and Recreation Board, supported the resolution introduced by Mr. Honts. She stated that the resolution retained the responsibility for the land and its development with the Parks Department where it belonged and that the proposal provided an expanded educational opportunity for all Austin citizens. She further stated that the facility would be centrally located and readily accessible. She believed that the objections raised the previous December had been positively answered in the proposal. She concluded by indicating her agreement with the statements of others concerning the value of

Zilker Park and preservation of the environment and quoting the Friends of Zilker and President Lyndon B. Johnson concerning the preservation of Austin's beauty.

Mr. W. W. Coates, also representing the Parks and Recreation Board, spoke on the educational value of Dry Creek which was in the proposed area and stated that the Natural Science Center would protect and preserve the land.

Mrs. Jean Bringle, President of We Care Austin, reported that the organization she represented was concerned both with protecting the environment and with fostering environmental education and awareness. She reported that the Task Force for We Care, composed of seven members, studied numerous documents and materials and toured the area of Zilker Park in question. They made the observations that the existing facilities of the Natural Science Center were inadequate and that the proposed area of Zilker Park was not being used to its fullest advantage with parts of it in danger of being spoiled. The Task Force proposed that the following recommendations be submitted to the Council:

- 1) That the recommended area be fenced to prevent further deterioration,
- 2) That the Natural Science Center Building be constructed on the site of the unused gravel pit,
- 3) That the Building, parking lot, and capital improvements necessary be constructed only within areas already altered by man,
- 4) That the present character of the wilder portion of the landscape be preserved, providing a buffer between the developed land and the residential areas to the west of Zilker Park,
- 5) That the system of nature trails be preserved and enhanced.

Mrs. Shannon Armstrong reported on the services rendered to the community by the Natural Science Center through its corps of volunteers. She discussed the early actions of the Junior League of Austin providing volunteers to the Center. She stated that programs had been expanded and that they had increased the effectiveness of the Center. She discussed the guided tours, special tours for handicapped children, kindergarten program, and school lectures and playground activities, serving about 9,000 children, with an overall total participation of about 19,000 in 1972-73.

Mr. Les Gage expressed the view that all parties concerned were concerned with the environment and the preceding speakers had pointed out the educational functions of the Natural Science Center and its Association. He asked that the Association be allowed to move its building to Zilker Park or to some other location which the Council might find to be proper. He concluded that the program was no different from any other program sponsored by the Parks and Recreation Department and expressed his confidence that the Council would find a proper solution.

Miss Holly Hebbe, educator, spoke for the proposal, citing the educational value of what the Natural Science Center was trying to do.

#### Opponents

Mr. Bob Gibbons, representing the Friends of Zilker, stated that he had no quarrel with the merits and intentions of the Natural Science Center Association but objected primarily to the specific location proposed. He stated that last

December, the Friends of Zilker had appeared before the Parks and Recreation Board to oppose a proposed \$6,000,000 82-acre zoo on which the Association had spent at least \$30,000 in developing a feasibility study and a Master Plan for the zoo. At that hearing experts had testified to the pollution, health hazards, and other possible harmful effects. Mr. Gibbons stated that their main contention continued to be that open urban spaces in Austin should be preserved.

He stated that the Parks and Recreation Board by a split vote had approved an 82-acre fenced Pioneer Farm Zoo and a million dollar Natural Science Center headquarters but required that the zoo be built somewhere other than Zilker Park. Consequently, the Natural Science Center Association proposed a compromise, moving the Pioneer Farm to Walnut Creek, but Mr. Gibbons believed this compromise kept the real issue from coming before the citizens of Austin at a public hearing.

Mr. Gene McKee, an architect and resident of Austin since 1945, provided background information to show those who did not know, and to remind those who did, the location of the proposed area. He presented some visuals revealing the area in question. He reported on the costs and anticipated revenues of the original Master Plan. He concluded with some photographs of the current uses of portions of Zilker Park.

Judge Jack Pope reported that he had worked on this issue for a year and that he believed the issues went beyond Zilker Park and involved the organization of the Parks Department and the heart of Parks policy one hundred years from now. He commended the Natural Science Center and its Association. He noted that tonight was the first time he had heard that the Association did not want to lease and was not seeking control of the land. He also commended the Parks and Recreation Department. He was concerned that the Association, a privately incorporated and good supportive organization, had been making the plans and decisions rather than the Parks and Recreation Department. He feared that the Association was subsuming functions of the Department rather than remaining a supportive organization.

He spoke to the issue of the Natural Science Center as an educational institution, fearing that the proposed building when eventually outgrown would be expanded further disturbing the environment. He stated that the construction of a building to be used as a school would involve the problem of bussing since there was currently no bus service into or around Zilker Park. Judge Pope referred to the deed of Mr. Zilker which stated that the park was given to the City of Austin "for park and public playground purposes." Mr. Zilker did not intend it for a zoo. Judge Pope knew of people going to the Natural Science Center only a few times while the children playing in Zilker Park used it continually.

With regard to saving the proposed area from vandalism, he stated that from personal observation he had found little litter there and that day he and his wife had cleaned up the 82-acre area in 45 minutes.

Judge Pope stated that the significant issue before the Council concerned the future of Austin. He feared that the proposed construction would lead to further marring of the park, even though the present officers of the Association were renouncing what the officers had been doing six months earlier. Judge Pope then discussed four City parks whose origins went back to 1839 and elaborated on how three of them were no longer parks, with only Wooldridge Park remaining as a park from the original four. With regard to Zilker Park, he cited the misuses of

it which had already occurred but argued that further construction should not be justified on the basis that the park had already been damaged. The polluted spaces around the gravel pit should be restored and the proposed building should not be constructed.

He concluded by noting that only the Council could protect the Park, and potential City benefactors were probably observing to see how well the City protected the integrity of Mr. Zilker's gift. The only structure he would like to see erected in the Park was a monument saying "The Park of Austin, Texas, was dedicated in perpetuity by the City Council on October 18, 1973."

Mr. Thompson of San Antonio, grandson of Colonel Zilker, noted the exceptional natural beauty of Zilker Park when it had been given to the City and regretted the building of the Mo-Pac freeway through it and the proposed Town Lake High School. He urged the Council to disapprove the proposal, stated that it would materially affect the character of the park.

Ms. Lee Rohne, President of the Austin Student Bar Association and representing the University of Texas student government, reported that the UT student government voted unanimously against the Natural Science Association building. They believed that an open space was more aesthetic than a building, and that the building would eventually be added to when more room would be needed. She referred to a statement made by the Federal Parks and Recreation Committee that errors had been made in permitting the absorption of park lands and destruction of park values. She concluded that the City should vote to leave all of Zilker Park for all of the people of Austin.

Mr. Don Walden, representing the Executive Committee of the Sierra Club, favored the preservation of open space for the enjoyment and use of the public and of future generations. He did not believe that the Natural Science Center had examined sufficiently or presented a convincing argument against expanding their facility at Deep Eddy. He believed that a building had no place in the open space and natural area of Zilker Park. He further discussed the five acres available at Deep Eddy, arguing that the area was large enough for any new building needed and for parking space needed and making use of pictures to point out the available areas for such construction. He concluded by asking the Council to find a site other than Zilker Park.

Mr. Gibbons summarized the reasons for opposition to the location of the Natural Science Center Association headquarters in Zilker Park:

- 1) The few remaining natural areas in the City should remain free from the encroachment of buildings or parking lots.
- 2) Public park land should not be turned over to a private organization.
- 3) There was no way to prevent future City Councils from permitting further expansions of the proposed facilities into other areas of the Park.
- 4) The proposal would set a bad precedent, making it easier for other organizations to locate in the Park.
- 5) There were better locations for the expansion of the Natural Science Center, such as the present Deep Eddy area and the land on Walnut Creek.

Mr. Gibbons referred to Texas Statute article 5421Q requiring that public park land be taken for use of a project only if there were no feasible or pertinent

alternative. Article 1019 of the Texas Statute and Article 2, Section 4, of the City Charter required a vote of the people of the City should the Council decide to lease the land. He asked the Council to vote tonight not to allow the Natural Science Association to locate their headquarters in Zilker Park and advocated location elsewhere on non-park land.

Mayor Shaw of the City of Rollingwood, spoke to the natural beauty of Zilker Park and expressed suspicions that further development was planned beyond that proposed this evening. She favored expansion at the present location and concluded by quoting the Federal Wilderness Act of 1964.

Mr. Arnold Lopez Separo, of the University of Texas Physics Department, spoke against the caging of animals in a zoo, citing the pitiable conditions of caged animals.

Mr. Carl Hardin, representing property owners in the area, requested that another site be selected, citing management problems that would result.

#### Motion

Mayor Pro Tem Love moved the Council delay action for two weeks to permit a recommendation from the City Manager and his staff. The motion, seconded by Councilman Handcox, carried by the following vote:

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

#### PUBLIC HEARING ON PROPOSED DOOR LOCK ORDINANCE

At 7:00 P.M. Mayor Butler opened the hearing on the proposed Door Lock Ordinance scheduled for that time. Councilman Friedman noted that the Austin Apartment Association had assisted in the preparation of an ordinance to reduce the number of crimes committed by breaking through doors in residential areas. He reported that the ordinance would not be retroactive but would apply only to construction begun after the passage of the ordinance.

Councilman Friedman moved the Council close the hearing and direct the City Attorney to prepare a door lock ordinance to be submitted to the Council for consideration. There was discussion as to whether it would be feasible and enforceable to make the ordinance retroactive for a three-year period.

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

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

## ZONING HEARING POSTPONED

Councilman Handcox moved the Council postpone until November 15, 1973, at 7:00 P.M., the following zoning hearing (postponed from October 4, 1973):

|   |  |   |
|---|--|---|
| A. C. BRYANT, INC.<br>by Tom Curtis<br>C14-73-183 | Rear of 2711 Exposition<br>Boulevard (locally known<br>as 2719 on bldg.) | From "C" Commercial to<br>"C-2" Commercial (for a<br>limited area)<br>RECOMMENDED by the<br>Planning Commission for a<br>limited area |
|---|--|---|

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

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

## WORDING OF ITEMS ON BOND ELECTION BALLOT

Mayor Pro Tem Love moved that the wording on the Bond Election ballot for November 17, 1973, be that of Option #2 as follows:

Proposition Number 1

FOR \_\_\_\_\_ The Issuance of \$ \_\_\_\_\_ Revenue Bonds for Electric Light  
AGAINST \_\_\_\_\_ and Power System Extensions and Improvements.

Proposition Number 2

FOR \_\_\_\_\_ The Issuance of \$ \_\_\_\_\_ Revenue Bonds for Electric Light  
AGAINST \_\_\_\_\_ and Power System Extensions and Improvements (Nuclear  
Power Plant Generation)

Councilman Friedman spoke in favor of the wording of Option #6 as follows:

Revenue Bond Election

FOR \_\_\_\_\_ The Issuance of \$ \_\_\_\_\_ Revenue Bonds for Electric Light  
AGAINST \_\_\_\_\_ and Power System Extensions and Improvements.

Referendum

The following is submitted, as a Non-Binding Referendum Issue, to seek public opinion as to what should be a possible source of energy for the City of Austin in the future.

YES \_\_\_\_\_ Should the City of Austin participate in the South Texas  
NO \_\_\_\_\_ Nuclear Project now under construction in Matagorda County by  
City of San Antonio, Houston Light & Power and Central Power  
& Light (at an estimated cost of \$\_\_\_\_\_.)

Councilman Friedman believed that this option permitted the voters initially to vote for energy production and then to express their views as to whether nuclear energy or some alternate source of energy production should be used. Mayor Butler noted that Option #2 also permitted this in that if Proposition 2 should fail, Proposition 1 would authorize enough bonds to carry through 1979. Councilmen Handcox and Binder, Mayor Butler, and Mayor Pro Tem Love discussed the merits of a binding vote, as in Option 2, vs. a non-binding vote, as in the referendum portion of Option 6. Councilman Friedman stated that Option 6 did not force the voter opposed to nuclear to be opposed to all energy, and Mayor Butler countered that Option 2 did not force the voter to be in the position of either being for energy or against energy. Mayor Butler and Councilman Dryden further noted the desirability of giving the voters a binding vote. Mayor Butler and Councilman Friedman discussed the comparability of the previous flouridation referendum when the Council had pledged themselves to adhere to the results of a non-binding vote.

#### Substitute Motion

Councilman Friedman moved the Council select Option 6 as the wording for the November 17 Revenue Bond Election. The substitute motion, seconded by Councilman Binder, failed to carry by the following vote:

Ayes: Councilmen Friedman, Binder  
Noes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden, Handcox  
Absent: Councilman Lebermann

#### Amendment to Original Motion and Vote

Mayor Pro Tem Love offered as an amendment to the original motion that the ballot wording incorporate the statement that Austin would be involved in 16% participation in the South Texas Nuclear Project. The original motion as amended, and seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden, Handcox  
Noes: Councilmen Binder, Friedman  
Absent: Councilman Lebermann

#### Second Motion

Councilman Friedman moved that the following two items be placed in a non-binding referendum on the November 17 Bond Election ballot:

- 1) The present utility rate structure is designed to give the heavy consumer a discounted lower rate per kilowatt hour; this present utility rate structure should be changed to a single progressive rate in which the more electrical energy consumed, the higher the rate, levels and rates to be set by the City Council upon completion of the rate study to be finished in early 1974.

- 2) Currently lower rates are available for "all electric" residences and "all electric" commercial users. The favored status of "all electric" classifications should be eliminated.

City Manager Davidson believed that placing such an issue on the ballot would constitute a legal problem. City Attorney Don Butler stated that a progressive rate was contrary to the idea that rates should be based upon cost of service. Mayor Butler noted that the courts had previously ruled against discriminating against people outside the City limits by charging them a higher rate. Councilman Friedman did not believe this proposal was any more discriminatory than a surcharge imposed on heavy users. He realized the risk of losing the City's triple A bond rating but believed that energy conservation was vital.

Mr. Curtis Adrian, financial bond adviser, suggested postponing this referendum until a later date in order to avoid confusing it with the bond election. Councilman Friedman and Mr. Adrian discussed the comparability of this situation to the warnings one year earlier that the City's credit rating might be hurt at that time. In response to Councilman Binder's question, City Attorney Don Butler reiterated this belief that no rate structure could be sustained which was not based on cost of service. City Manager Davidson noted that they had been unable to find a similar proposal adopted by a major utility. He further stated that the rate analyst had been instructed to study the method of structuring the rate for the future. City Manager Davidson and Mr. Adrian recommended not considering this item at this time.

In response to Councilman Binder's questions, Mr. Adrian stated that the rate studies were not yet completed to determine what effect a rate change might have on the City's income from the electric utilities, which data was important to a determination of bond rating. Councilman Friedman and Mayor Butler discussed Southern Union Gas Company's decreasing rates for large consumers. Mayor Pro Tem Love and Councilman Binder discussed whether Councilman Friedman's statement implied that any members of the Council had referred to any other members as "radicals." Councilman Dryden expressed his confidence in the City Manager and Mr. Hancock recommending how rates should be set.

#### Vote

The second motion, seconded by Councilman Binder, failed to carry by the following vote:

Ayes: Councilmen Binder, Friedman  
Noes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden, Handcox  
Absent: Councilman Lebermann

In response to Mayor Butler's question, Mr. Norman Barker stated that he expected the rate study to be presented around the first of the next year.

#### ..... EASEMENTS RELEASED

Mayor Pro Tem Love moved the Council adopt a resolution authorizing release of the following easement:

Two (2) public utilities easements seven and one-half (7.50) feet in width out of Lots 314 and 315, IMPERIAL VALLEY, SECTION 2:

(1) The west seven and one-half (7.50) feet of said Lot 314.

(2) The east seven and one-half (7.50) feet of said Lot 315.

(requested by Bob Johnson, owner)

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

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

Noes: None

Absent: Councilman Lebermann

---

Mayor Pro Tem Love moved the Council adopt a resolution authorizing release of the following easement:

Four (4) public utilities easements seven and one-half (7.50) feet in width out of Lots 15-18, Block F, UNION CREEK, SECTION 1:

(1) The east seven and one-half (7.50) feet of said Lot 15.

(2) The east seven and one-half (7.50) feet of said Lot 16.

(3) The east seven and one-half (7.50) feet of said Lot 17.

(4) The east seven and one-half (7.50) feet of said Lot 18.

(requested by Mark J. Hanna, as agent for owner, Lumberman's Investment Corporation)

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

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

Noes: None

Absent: Councilman Lebermann

---

#### INSTALLATION AGREEMENT

Councilman Friedman moved the Council adopt a resolution authorizing the City Manager to execute an agreement for the installation, maintenance and operation of the traffic signals at the intersection of I.H. 35 Frontage Roads with St. Johns Avenue. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox,  
Mayor Butler

Noes: None

Out of Room at

Roll Call: Mayor Pro Tem Love

Absent: Councilman Lebermann

## CONTRACTS AWARDED

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

E. E. STUESSY COMPANY, INC.  
Austin, Texas

Capital Improvements Program Project  
Numbers 3533 0 and 3522 2  
Electric Ductlines and Concrete  
Foundations at Salem Walk Substation  
\$139,587.00

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

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

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

GULF OIL COMPANY, U.S.  
Houston, Texas

Bid Invitation #3-1887  
Gasoline, Kerosene, Solvent, Diesel  
Fuel, Oils and greases - Twelve (12)  
Months Supply Agreement - Estimated  
Total \$621,000.00 - Tankwagon prices  
subject to escalate with posted tank-  
wagon prices in effect at time of  
delivery.

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

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

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

GMC TRUCK AND COACH DIVISION  
Pontiac, Michigan

Bid Invitation #3-1873  
Five (5) each Transit Buses @  
\$40,816.88 - Total \$204,084.40

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

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

---

#### FUND CONTRACTS

Councilman Friedman moved the Council adopt a resolution authorizing the following four Special Services fund contracts:

|  |          |                                      |
|--|----------|--------------------------------------|
| Austin Evaluation Center                                   | \$ 3,000 | October 1, 1973 - September 30, 1974 |
| Austin Child Guidance Center                               | \$43,398 | October 1, 1973 - September 30, 1974 |
| Agricultural Extension Service (Ornamental Horticulturist) | \$ 4,000 | October 1, 1973 - September 30, 1974 |
| United Action for the Elderly, Inc. (Meals on Wheels)      | \$ 1,552 | November 1, 1973 - December 31, 1973 |

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

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

#### ARCHITECTURAL SERVICES

Councilman Friedman moved the Council select Ronald B. Helton as the Architectural Services in connection with the following 1974 Capital Improvements Program Project for Vehicle Maintenance:

East Service Center - Enclose Open Shed (Building B) -  
Project No. 8912 1.

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

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

Councilman Dryden moved the Council select E. Earl Dillard as the Architectural Services in connection with the following 1974 Capital Improvements Program Projects for the Auditorium:

Rathskeller Modernization - Project No. 8012 1.

Improvements to stage floor, concession area and interior walls - Project No. 8013 1.

Divider for Main Floor - Project No. 8014 1.

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

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

#### PUBLIC HEARING SET

Mayor Pro Tem Love moved the Council approve by motion the setting of a public hearing for November 15, 1973 at 7:00 P.M. to amend the Zoning Ordinance to allow the following:

- a. Townhouses under "B" Residence, "O" Office, "LR" Local Retail and "GR" General Retail.
- b. Non-farm animal veterinary clinics and hospitals within "LR" Local Retail and less restrictive districts by special permit.

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

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

#### BRACKENRIDGE HOSPITAL - PRICE INCREASE

Councilman Handcox moved the Council adopt a resolution authorizing Brackenridge Hospital to seek Cost of Living Council approval for a price increase for selected hospital services averaging 6%. (A schedule of revised rates will be submitted for Council action after approval is obtained from the Cost of Living Council and the Administrators of Medicare and Medicaid.) The motion, seconded by

Councilman Dryden, carried by the following vote:

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

#### VIET NAM VETERANS

Councilman Binder moved the Council grant Mr. Chavel Cermeno, President of the East Austin Lions Club, their request that the island, located at I.H. 35 East Frontage Road, Brushy Street, East First Street and East Second Street, be used as a scenic area with a monument to be dedicated in honor of the Viet Nam Veterans. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

#### HANGING OF BANNERS

Councilman Binder moved the Council grant the Austin Travis County All Veterans Day Committee their request for the hanging of the red, white and blue banners on Congress Avenue for the week end of October 19th through October 22nd. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

#### ZONING ORDINANCES

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: TWO (2) TRACTS OF LAND, LOCALLY KNOWN AS 3507-3511 WEST AVENUE, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE 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.

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS  
ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
LOT 14, BLOCK 9, ALTA VISTA SUBDIVISION, LOCALLY KNOWN AS 1200-1202  
WEST 42ND STREET AND 4200 BELLVUE AVENUE, 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.

Mayor Pro Tem Love moved the Council waive the requirement for three read-  
ings, declare an emergency and finally pass the ordinance effective immediately.  
The motion, seconded by Councilman Handcox, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

#### REFUND CONTRACT

Mayor Butler brought up the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN  
REFUND CONTRACT WITH JAGGER PROPERTIES, INCORPORATED.

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

Ayes: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love,  
Councilman Dryden  
Noes: Councilmen Friedman, Binder  
Absent: Councilman Lebermann

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

Ayes: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love,  
Councilman Dryden  
Noes: Councilmen Friedman, Binder  
Absent: Councilman Lebermann

## REFUND CONTRACTS POSTPONED

The Council at this time postponed until October 25, 1973, the third reading of an ordinance authorizing the following refund contracts:

- |    |   |   |
|----|---|---|
| a. | NORWAL, INC.<br>Jerry N. Wallace, Pres. | For water and sewer mains in Quail Creek<br>West, Phase 2, Section 11 - \$19,521.06 |
| b. | NORWAL, INC.<br>Jerry N. Wallace, Pres. | For water and sewer mains in Quail Creek<br>West, Phase 2, Section 10 - \$50,688.97 |

## FEES AND CHARGES

Councilman Friedman moved the Council postpone until November 8, 1973, at 7:00 P.M., the item to consider amending an ordinance establishing fees and charges for Municipal Auditorium and Coliseum. The motion, seconded by Councilman Binder, carried by the following vote:

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


## COUNCIL CHAMBER MOVED

City Manager Davidson stated that there was a need to move Council Meetings to a more adequate Chamber. He reported that meetings would be moved to the Electric Building in the evenings, starting in two weeks on November 1, 1973.

## ADJOURNMENT

The Council then adjourned.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk