

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 5, 1972  
10:00 A. M.

COUNCIL CHAMBERS, CITY HALL

The meeting was called to order with Mayor Butler presiding. It was noted that Councilman Friedman would arrive late.

## Roll Call:

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

Absent: Councilman Friedman

The Invocation was delivered by FATHER RICHARD McCABE, Catholic Charities.

## MINUTES APPROVED

Councilman Nichols moved the Council approve the Minutes of the Regular Meeting of September 14, 1972, and the Special Meeting of September 11, 1972. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

Absent: Councilman Friedman

## PROCLAMATIONS

Mayor Butler read a proclamation designating the month of August, 1972, as "Volunteer Services Month" and presented the document to Mr. Olin LeBaron, Executive Director of the Community Council of Austin and Travis County and Mr. Maurice Graves.

Dr. Bud Dryden read the next proclamation naming October 6, 1972 as "National Coaches Day in Austin," presented the document to Coach Travis Raven, Director of the athletic program for public schools in Austin, and named 14 other coaches present.

Mayor Pro Tem Love read a proclamation designating the week of October 8 through 14, 1972, as "Johnny Appleseed Week", in honor of the premier performance of "Fresh From Heaven", a musical adaptation of "Johnny Appleseed", written by Dr. E. P. Conkle of the University of Texas faculty. Mr. Webster Smalley,

Department Chairman at the University of Texas, and two students accepted the proclamation.

### "BAREFOOT IN THE PARK" RALLY

Mrs. June Karp appeared before the Council to request permission to use Eastwood Park on Tuesday, October 10, from 5 to 7 P. M., for a political rally for Barefoot Sanders.

Councilman Lebermann moved the Council grant the request subject to coordination with the Parks and Recreation Director. The motion, seconded by Councilman Nichols, carried by the following vote:

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

### ZONING HEARINGS

It being 10:00 A. M., Mayor Butler announced that the Council would hear the zoning cases scheduled for public hearing at this time.

JOE C. SALDANA &  
wife LYDIA SALDANA  
C14-72-173

501-503 W. Oltorf St.  
(as amended)

From "A" Residence & "O" Office to "GR" General Retail RECOMMENDED subject to a subdivision, 10' of right-of-way on Oltorf and 5' right-of-way on Durwood.

Councilman Nichols moved the Council grant the change from "A" Residence and "O" Office to "GR" General Retail as recommended by the Planning Commission subject to a subdivision, 10' right-of-way on Oltorf and 5' right-of-way on Durwood. The motion, seconded by Councilman Handcox, carried by the following vote:

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

The Mayor announced that the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

B & C INVESTMENTS  
By James Crow  
C14-72-196

9401-9413 Middle  
Fiskville Road  
826-906 Rundberg Lane

From Interim "A" Residence First Height and Area To "GR" General Retail First Height and Area RECOMMENDED by the Planning Commission

Councilman Nichols moved the Council grant the change from "A" Residence First Height and Area to "GR" General Retail First Height and Area as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Love, carried

by the following vote:

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

The Mayor announced that the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

TALITHA MAY MILES &  
DOUGLAS R. DAY  
By Don Weedon, Jr.  
C14-72-194

4207-4211 Ave. B

From "A" Residence First  
Height and Area to "B"  
Residence Second Height  
and Area RECOMMENDED by  
Planning Commission sub-  
ject to a short form sub-  
division combining the  
four tracts into one.

Mayor Pro Tem Love moved the Council grant the change from "A" Residence First Height and Area to "B" Residence Second Height and Area as recommended by the Planning Commission subject to a short form subdivision combining the four tracts into one. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

LAWSON BOOTHE  
By James W. Townsend  
C14-72-195

4322-4324 Gillis St.  
1400-1404 Casey St.

From "A" Residence to  
"GR" General Retail  
RECOMMENDED by Planning  
Commission subject to 5'  
right-of-way on Gillis St.

Councilman Nichols moved the Council grant the change from "A" Residence to "GR" General Retail as recommended by the Planning Commission subject to a 5' right-of-way on Gillis St. The motion, seconded by Councilman Handcox, carried by the following vote:

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

The Mayor announced that the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

WALTER RAYMOND  
RAMSEY  
C14-72-197

1000-1004 W. 12th St.  
1200-1202 Lamar Blvd.

From "C" Commercial  
Second Height and Area  
To "C-2" Commercial  
Second Height and Area  
RECOMMENDED by Planning  
Commission subject to 5'  
right-of-way on 12th St.

Mayor Pro Tem Love moved the Council grant the change from "C" Commercial Second Height and Area to "C-2" Commercial Second Height and Area as recommended subject to 5' right-of-way on 12th Street. 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: None  
Abstain: Councilman Friedman

The Mayor announced that the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

GORDON DICKEY  
By Ethel DiLoreto  
C14-72-198

8247-8311 Research  
Boulevard

From "A" Residence  
to "C-2" Commercial and  
"C" Commercial (As  
amended) RECOMMENDED by  
Planning Commission as  
amended subject to a sub-  
division and a 6' privacy  
fence along the east prop-  
erty line.

Councilman Nichols moved the Council grant the change from "A" Residence to "C-2" Commercial and "C" Commercial (as amended) recommended by Planning Commission as amended subject to a subdivision and a 6' privacy fence along the east property line. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

The Mayor announced that the change had been granted as recommended and the City Attorney ~~was~~ instructed to draw the necessary ordinance to cover.

URBAN RENEWAL AGENCY  
OF THE CITY OF AUSTIN  
By Clifford Coffman  
C14-72-199

Webberville Road,  
Pleasant Valley Road,  
and Nile Street

From Tr. 1 - "A" Residence  
First Height and Area  
Tr. 2 & 3 - "C" Com-  
mercial First Height & Area  
Tr. 4 - "C" Commer-  
cial Second Height and  
Area  
Tr. 5, 6, 7 - "B"  
Residence First Height  
and Area

C14-72-199 (Continued)

To Tract 1- "B" Residence  
Second Height and Area  
Tracts 2 & 3 - "B"  
Residence First Height  
and Area  
Tracts 4, 5, 6 & 7- "A"  
Residence First Height  
and Area  
RECOMMENDED by Planning  
Commission subject to  
dedication of right-of-way  
as needed; subdivision as  
tracts are affected &  
field notes for any tract  
not identified as a lot  
within a subdivision.

Councilman Nichols moved the Council grant the changes from Tract 1 - "A" Residence First Height and Area, Tracts 2 & 3 - "C" Commercial First Height and Area, Tract 4 - "C" Commercial Second Height and Area and Tracts 4, 5, 6, and 7 "B" Residence First Height and Area, to Tract 1 - "B" Residence Second Height and Area, Tract 2 & 3 - "B" Residence First Height and Area, Tracts 4, 5, 6, and 7 - "A" Residence First Height and Area, as recommended by the Planning Commission subject to dedication of right-of-way as needed; subdivision as tracts are affected and field notes for any tract not identified as a lot within a subdivision. The motion, seconded by Councilman Dryden, carried by the following vote:

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

The Mayor announced that the change had been granted as recommended, and the City Attorney was instructed to draw the necessary ordinance to cover.

JACQUELYNE TIEMANN  
By Richard C. Barker  
C14-72-202

4100-4232 Ed Bluestein  
Boulevard

From Interim "A" Residence  
First Height and Area  
To "C" Commercial Fifth  
Height and Area RECOMMENDED  
by Planning Commission  
subject to subdivision  
combining the two tracts  
into one.

Councilman Nichols moved the Council grant the change from Interim "A" Residence First Height and Area to "C" Commercial Fifth Height and Area as recommended by Planning Commission subject to subdivision combining the two tracts into one. The motion, seconded by Councilman Handcox, carried by the following vote:

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

The Mayor announced that the change had been granted as recommended, and the City Attorney was instructed to draw the necessary ordinance to cover.

EDWARD G. SIEGMUND &  
MRS. JOHN A. SHERILL  
By Robert C. Sneed  
C14-72-203

4234-4418 Ed Bluestein  
Rear of 4100-4232 Ed  
Bluestein Blvd.  
4101-4427 Tannehill Ln.

From "A" Residence  
To "A" Residence, "B"  
Residence, "LR" Local  
Retail, & "GR" General  
Retail (as amended)  
RECOMMENDED by Planning  
Commission as amended  
subject to subdivision of  
these tracts and one-half  
of the varying right-of-  
way on Tannehill Lane to  
bring it to 60' and  
sufficient right-of-way  
from the subject tract to  
bring Tracor Lane to 60'.

Councilman Nichols moved the Council grant the change from "A" Residence to "A" Residence, "B" Residence, "LR" Local Retail, "GR" General Retail as recommended by the Planning Commission as amended subject to subdivision of these tracts and one-half of the varying right-of-way on Tannehill Lane to bring it to 60' and sufficient right-of-way from the subject tract to bring Tracor Lane to 60'. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

The Mayor announced that the change had been granted as recommended, and the City Attorney was instructed to draw the necessary ordinance to cover.

DICKSON PROPERTIES  
INC. and  
ROBERTA P. DICKSON  
C14-72-204

Approximately 497 acres  
out of Santiago Del Valle  
Grant, bounded on the  
north by the Colorado  
River, the west by Plea-  
sant Valley Road and the  
south by E. Riverside Dr.

From Interim "A" Residence  
First Height and Area  
To Tr. A - "B" Residence  
Third Height and Area  
Tr. B - "BB" Residence  
Second Height and Area  
Tr. C, D, E, F, & G - "BB"  
Residence First Height  
and Area, "LR" Local Retail  
First Height and Area for  
Neighborhood Commercial  
Tract & "GR" General Re-  
tail First Height and  
Area for Activity Center  
RECOMMENDED by Planning  
Commission subject to re-  
strictive covenants limit-  
ing the developments to  
those densities and uses  
proposed on the annexation  
plan as approved by the  
Planning Commission. These  
same restrictions are to  
be placed on the subdivi-  
sion plats, which are a  
requirement of the rezoning

Councilman Nichols moved the Council grant the change from Interim "A" Residence First Height and Area to Tract A - "E" Residence Third Height and Area, Tract B - "BB" Residence Second Height and Area, Tracts C, D, E, F & G - "BB" Residence First Height and Area, "LR" Local Retail First Height and Area for Neighborhood Commercial Tract & "GR" General Retail First Height and Area for Activity Center. Recommended by Planning Commission subject to restrictive covenants limiting the developments to those densities and uses proposed on the annexation plan as approved by the Planning Commission. These same restrictions are to be placed on the subdivision plats, which are a requirement of the rezoning. Required Right-of-way will be determined in subdivision review. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

The Mayor announced that the change had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

LEONARD N. BAGELMAN  
& wife NORMA W.  
BAGELMAN  
By Martin Boozer, Jr.

5706-5906 Balcones Dr.

From "A" Residence to  
"O" Office RECOMMENDED  
subject to subdivision  
and restrictive covenant  
as submitted by applicant.

Councilman Nichols moved the Council grant the change from "A" Residence to "O" Office as recommended subject to subdivision and restrictive covenant as submitted by applicant. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

The Mayor announced that the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

CARL F. NOACK, ET AL  
C814-72-008

2609 Pecos St.  
2612 Hillview Road

Planned Unit Development  
Creekside Oaks  
RECOMMENDED subject to  
the density being limited  
to 20 units and departmental  
requirements to include limitation  
of access to Westover  
Road.

Councilman Nichols moved the Council grant the change to Planned Unit Development, Creekside Oaks, as recommended subject to the density being limited to 20 units and departmental requirements to include limitation of access to Westover Road. The motion, seconded by Councilman Handcox, carried by the following vote:

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

The Mayor announced that the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

J. H. HAMILTON ESTATE  
By Velma Boone  
By Phil Mockford  
C14-72-200

2305-2401 Bluebonnet Ln.

From "A" Residence &  
"C" Commercial NOT  
Recommended RECOMMENDED  
"O" Office subject to  
subdivision and 6'  
privacy fence on north  
boundary line ("O"  
applicable only to that  
portion zoned "A")

Mr. Lillie, Director of Planning, located this property on Bluebonnet Lane and South Lamar, with 150' of depth, zoned "C". Several years ago, property had been zoned "B" on Bluebonnet Lane. It was the opinion that the "O" Office would present a buffer between the two. Opposition was expressed by Mr. Barry Vance, 2305 Bluebonnet Lane, adjoining this tract. He asked the Council not to grant "O" but that "B" be granted as the Staff had recommended, and that a duplex might be put in there and that would be acceptable. Opposition was also expressed by Mrs. Albert Addox, 2215 Bluebonnet Lane, as they did not want this storage for equipment. Mr. Phil Mockford stated this property is under contract to Mr. Gilbreth, who has his office building adjacent to this property on the south. Mr. Gilbreth wants to build an office building on the front part of the property.

After discussion, Mayor Pro Tem Love moved the Council vote to approve the zoning with conditions as set out. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

DAVIS & DANZE, INC.  
By Martin Boozer, Jr.  
C14-72-206

1100-1104 W. 38th St.  
3800 Medical Pkwy.

From "C" Commercial,  
"A" Residence, & "GR"  
General Retail First  
Height and Area To "C"  
Commercial Second  
Height and Area as amend-  
ed. RECOMMENDED by  
Planning Commission as  
amended subject to  
right-of-way on Medical  
Parkway to bring it to  
70'; 5' sidewalk ease-  
ment on Medical Parkway;  
right-of-way on W. 38th  
St. to be determined  
by the State Highway  
Department; and sub-  
division.



Councilman Nichols wanted the recommendation straightened out a part of his motion was that there be five feet of right-of-way and a five foot sidewalk way on Medical Parkway.

Councilman Nichols moved the Council grant the change from "A" Residence, "C" Commercial, and "GR" General Retail First Height and Area to "C" Commercial Second Height and Area as amended. The Planning Commission recommended as amended subject to right-of-way on Medical Parkway to bring it to 70'; a 5' sidewalk easement on Medical Parkway; right-of-way on W. 38th Street to be determined by the State Highway Department; and subdivision, and five foot right-of-way. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

The Mayor announced that the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

ROGAN GILES  
By John D. Byram  
CP14-72-046 (L)

176-218 E. Riverside Dr.  
(Two story 90,000 sq ft.  
office building & 126-  
unit Apt. complex)

Special Permit  
Within the "L" Lake  
District RECOMMENDED  
by Planning Commission  
for construction of  
100 units for an apart-  
ment complex and office  
building- subject to  
departmental require-  
ments with the excep-  
tion of the 25' ease-  
ment along the Lake.

Mr. Robert Sneed, representing Mr. Rogan Giles, had the plans of the building schematic layout and the landscaping pattern.

Councilman Nichols asked about the easement for the official Hike and Bike Trail. The Planning Director, Mr. Dick Lillie, reported the recommendation of the Planning Commission was that a public easement not be required; but as these developments came in, these buildings would be set back far enough that if the time came when it was necessary to have the public access, there would be no building in the way.

Mayor Butler stated it would mean 35' to the water's edge, and that was not a very wide area.

Mr. Robert Sneed stated the plan presented to the Commission was commended by the Commission, and is in exact keeping with the beautification plan for the Lake area. He expressed their concern over a Hike and Bike Trail until there is a continuity of such development and City regulation. The Ordinance prevents their doing any construction without approval of the permit by the Council. Councilman Dryden was emphatic that provisions for the Hike and Bike Trail be made. Mr. Sneed stated when the Trail is ready to come in the applicant was willing to burden this with the obligation that he will give to the City, either file as a part of the permit, or a letter to that effect, that he will do this so far as his 50 year leasehold estates holds out.

Mayor Butler read from the Commission's recommendation "'L' Lake Ordinance which does not require an easement along the Lake, but rather a provision for a pedestrian through the property for future use as a public Hike and Bike Trail when the area is fully developed, and the Trail is coordinated along the Lake with existing recreational areas." The Mayor wanted assurance that should this property be sold, the City would have this provision secured. Mr. Sneed stated then he would work with the City Attorney's Office to incorporate the additional language; that the burden with this property is as far as the leasehold estate is concerned in the obligation to give the Hike and Bike Trail when it is ready to open up.

Mayor Butler asked Mr. Harris about a proper procedure in this case. Assistant City Attorney Harris said it could be handled in two ways. The Council is granting these people a special permit to develop exactly what is shown on their plan, and in effect, that means nothing can be put in that area unless it is brought back before the Council. Additional language can be added to the Special Permit to the effect that the Council has just discussed, and it could be done with a separate document also.

Mayor Butler preferred a separate document spelling out the conditions.

Mayor Pro Tem Love, subject to those conditions, moved the approval of the Special Permit within the "L" Lake District in line with the Planning Commission's recommendation. 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 Chamber when Roll was called: Councilmen Lebermann, Friedman

The Mayor announced that the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

THOMAS JERRY GENTRY  
& wife C. M. GENTRY

1507-1509 Austin-  
Del Valle Road

From "A" Residence to  
"MH" Mobile Home  
RECOMMENDED subject to  
½ of the right-of-way  
needed to bring the  
Austin-Del Valle Road  
to sixty-foot standards.

The Director of Planning, Mr. Dick Lillie, located this tract as between the Bergstrom Interchange and Bergstrom Air Force Base. The area has many uses - single family homes, mobile homes, a mobile home subdivision, and some small apartments. The occupants would be Bergstrom personnel. The applicant has a mobile home on the Tract and it does not meet the requirements of the Mobile Home Ordinance - a park or subdivision. The area has mobile homes in it and could become more oriented to the mobile home use than the typical subdivision type of development. The Commission recommended that the zoning be granted.

Mr. Joe Witherspoon III spoke in opposition, representing Mr. and Mrs. Pete Davis, adjoining property owners. Mr. Witherspoon stated this property has

been in litigation with trespass to try title on the dockets for about two years. He said there was a boundary line dispute. He requested decision subject to the determination of the Courts as to ownership. He was opposed to having the zoning adjacent to the Davis' property; and on the basis that ownership has not been finally adjudicated.

Mr. Lillie had a tax certificate which is required from all applicants and this certificate has the Gentry's name on it.

Assistant City Attorney, Jerry Harris, stated Mr. Witherspoon had submitted the Gentry's had title by deed, and the City Tax Rolls carry the land in their name, and that he considered this to be a proper zoning application and the Council should pass on it. The Mayor stated the Planning Commission submitted a unanimous recommendation. Councilman Dryden said that the Council's problem was zoning and Mr. Witherspoon's was ownership.

Councilman Dryden then moved that the recommendation of the Planning Commission be upheld and the change be granted from "A" Residence to "MH" Mobile Home subject to one-half of the right-of-way needed to bring the Austin-Del Valle Road to sixty foot standards. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Noes: None

Not in Council Chamber when Roll was called: Councilman Friedman

The Mayor announced that the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

MAMIE LINDSEY  
By Robert C. Guerra  
C14-72-187

4807-4809 Red Bluff Rd.

From "A" Residence to  
"C" Commercial RECOM-  
MENDED by Planning Com-  
mission subject to sub-  
division and 6' privacy  
fence along the west  
property line.

Councilman Nichols, noting the privacy fence along the west side property line, stated the same conditions existed on the east and there should be a fence along the east property line also. The case was deferred until the afternoon meeting.

Later in the afternoon meeting, Councilman Nichols moved the Council grant the change from "A" Residence to "C" Commercial as recommended by the Planning Commission subject to a subdivision and 6' privacy fence along the west property line. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

The Mayor announced that the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

JANIE M. GERMAN  
By Glenn Cortez  
C14-72-201

3802-3806 Manchaca Rd.

From "A" Residence to  
"GR" General Retail  
NOT Recommended  
RECOMMENDED "O" Office  
by Planning Commission  
with "GR" limited to a  
one foot by eight foot  
area for the use of a  
sign, subject to short  
form subdivision and  
field notes for area  
of the sign.

Councilman Nichols moved the Council grant the change from "A" Residence to "O" Office as recommended by the Planning Commission with "GR" limited to a one foot by eight foot area for the use of a sign, subject to a short form subdivision and field notes for area of the sign. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

The Mayor announced that the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

JAMAIL PROPERTIES  
ET AL  
By Martin Boozer, Jr.  
C14-72-207

802-912 So. 1st St.  
900-912 So. 2nd St.  
700-710 Christopher

From "B" Residence  
& "A" Residence First  
Height and Area to "B"  
NOT Recommended  
RECOMMENDED by Planning  
Commission "B" Residence  
Second Height and Area  
to the middle of E.  
Bouldin Creek, with  
limitation of density  
to "B" Residence First  
Height and Area, sub-  
ject to subdivision  
and limitation of access  
to So. First Street.  
CONTINUED for 90 days.

Mr. Martin Boozer set out a problem about which they had just become aware, relating to ownership. The property was brought in on one application for zoning, but is concerned three owners, all of whom had sold to the same purchaser. The largest tract was subject to a pending law suit which was amended September 1st to include Mr. Jamail of San Antonio as a defendant as a part of the law suit, Mr. Jamail is the record title holder. Under the situation of the law suit, he asked at this time that the case be continued for 90 days at least unless sooner resolved. If it is resolved, he would ask in writing that the matter be placed back on the agenda. The Assistant City Attorney stated notices would have to be sent, and he asked Mr. Boozer to keep the timing in mind.

Councilman Dryden moved the case be continued for 90 days. The motion, seconded by Councilman Nichols, carried by the following vote:

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

CARLTON E. BUSKE  
 By Herbert Smartt  
 C14-72-186

1300-1302 West 34th St.  
 3400 Bailey Lane

From "GR" General  
 Retail First Height  
 and Area to "C-2"  
 Commercial Second Height  
 and Area NOT  
 Recommended by Planning  
 Commission

Councilman Nichols moved the Council deny the change from "GR" General Retail First Height and Area to "C-2" Commercial Second Height and Area as recommended by the Planning Commission. The motion, seconded by Councilman Friedman, carried by the following vote:

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

The Mayor announced that the zoning was denied.

CHARLES M. MILES  
 C14-72-189

4811-4813 Prock Lane  
 11400-11440 Don Ann St.

From "A" Residence to  
 "BB" Residence NOT  
 Recommended by Planning  
 Commission

Charles Miles could not accept the reason the Planning Commission or the Staff gave for denying this zoning application. The tract is about three blocks from Springdale Road rather than the one or one and a half blocks. He planned to build a duplex. There are duplexes in the area and some fourplexes along with many houses from Urban Renewal which have been moved into the area and made fourplexes. The Director of Planning stated the duplexes could be developed when the applicant resubdivides the 20,000 square feet into three lots. He would need a variance on one of the lots as there would be only 6,000 square feet. The application could be denied, Mr. Miles could resubdivide the area, and put duplexes on the bts. Mayor Pro Tem Love suggested that Mr. Miles work with Mr. Lillie on this matter. The Council, then on Mayor Pro Tem Love's motion, Councilman Handcox's second, upheld the recommendation of the Planning Commission and denied the request for zoning change by the following vote:

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

Members of the Council expressed concern about holding up the development. Mr. Lillie outlined the procedures Mr. Miles could follow, and the routine could be handled simultaneously. Mayor Butler stated the ten days would not be too much of a delay.

MOREY, STERZING &  
 WALKER, INC.  
 C14-72-190

1001-1003 East 16th St.

From "LR" Local Retail  
 to "GR" General Retail  
 NOT Recommended by the  
 Planning Commission

Mr. Sterzing represented the applicants who wish to develop a restaurant and sell alcohol, and they need "GR" General Retail. If they are in the right of way for the interchange cross town expressway, they should not be held back just because they will be in the right of way. If it goes in, the neighborhood will make a change. He described the uses surrounding his tract.

Mayor Pro Tem Love moved that the request from "LR" Local Retail to "GR" General Retail be granted. The motion, seconded by Councilman Nichols, failed to carry by the following vote:

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

Mayor Butler announced that the change had been denied.

MOREY, STERZING &	1106 West 22nd Street	From "B" Residence
WALKER, INC.	1100 West 22nd Street	First Height and Area
CI4-72-191	2200-2204 Leon Street	To "B" Residence
		Second Height and Area
		NOT Recommended by
		Planning Commission

Mr. Sterzing stated people across the street are building under B-2 zoning. They want to redevelop both pieces of property as the old houses are hard to repair and maintain and they would demand high rents. They want to build nine efficiency apartments on each of the lots across Leon. He stated the Commission's contention was that a greater density should not be allowed due to the inadequacy of the street. After discussion, Councilman Lebermann moved to uphold the recommendation of the Planning Commission and deny the zoning change from "B" Residence First Height and Area to "B" Residence Second Height and Area. The motion, seconded by Councilman Dryden, carried by the following vote:

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

The Mayor announced that the change had been denied.

MOREY, STERZING &	4510 Avenue G	From "A" Residence to
WALKER, INC.		"B" Residence NOT
CI4-72-188		Recommended by Planning
		Commission

Mr. Phil Sterzing, President of the Corporation, wanted to remodel an older house into a triplex and they lack 200 square feet to allow through "BB". They would not be changing the land use very much. The house has a large attic. They could develop a duplex, but they want to convert the house to a triplex by using the attic. Councilman Nichols noted the staff stated the zoning would be an intrusion into a low density area. Mr. Sterzing did not believe this zoning would be any more an intrusion than those apartments along Avenue A and Avenue B with streets the same width.

After discussion, Councilman Nichols moved the Council deny the change from "A" Residence to "B" Residence as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Ayes: Lebermann, Friedman, Handcox, Mayor Butler  
Noes: None

The Mayor announced that the change had been denied.

#### COST FOR UTILITY SERVICE AT SCHOOL FACILITIES

Councilman Nichols noted the City Manager had made a recommendation which said in part, "After reading this report, the City Council may care to direct my office to meet with the School Administrative Officials in an effort to arrive at a sound proposal for the future. This could be submitted to the Council's consideration at a later date." Councilman Nichols stated this had to do with the City of Austin costs for utility services at school facilities. He then moved that the Council instruct the City Manager to start this matter and give the Council a report. It was the consensus of the Council that no motion would be necessary.

The City Manager stated they already had some discussions with the Administration, and if the Council so desired, they could continue.

#### AMENDMENT TO AUSTIN DEVELOPMENT PLAN

An area of approximately 818 acres known as Travis Country Subdivision plus an additional area of 1,759 acres - from undesignated and Suburban Residential to Low Density Residential - requested by Walter Carrington, Owner, Paul Jones, Attorney.

The staff and Commission recommended this as a logical extension of the Austin Development Plan in the southwest; and after deciding that the park situation could be handled at a later date as the subdivisions come in, Councilman Nichols moved the Council adopt a resolution amending the Austin Development Plan to Low Density Residential for these areas. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

#### CONSIDERATION OF TRAVIS COUNTRY PARK MUNICIPAL UTILITY DISTRICT

Mr. Elbert Hooper announced Mr. Bill Brooks would discuss the features of the Planned Unit Development; that he would talk about the utility service of the Municipal Utility District and Mr. Carrington would discuss the project en toto and the rapid growth of the City.

Mr. Brooks, attorney for Travis Country Park, felt the Council should consider the value of Travis Country as a planned unit development in order to weigh

value of the Municipal Utility District. The main problem was the financing. It was felt by the developer that the sale of bonds for a Municipal Utility District would be about the only way to get enough money for this project. Mayor Butler asked if the City would not have to take over these bonds if they annexed the area. The City Attorney was asked what the minimum number of property owners could be to vote the sale of bonds. He said it would be just the resident owners of the property thirty days before the bond election, and could be as low as one person. (Mayor Butler pointed out that only 60 people voted on a \$39,000,000 bond issue at Lago Vista.)

The coverage of these bonds would be for water, sewer, storm drainage, as well as for contingencies, such as over-runs on contracts, and organizational expenses and interest during construction, legal fees, etc., compared with a refund contract, for which expenses include only water, sewer and paving. Twenty to 25 homeowners would have a difficult time servicing a several million dollar debt.

Councilman Nichols questioned the advisability of setting up a precedent and having numbers of little Municipal Utility Districts all around Austin.

City Manager Dan Davidson was asked to explain his recommendation in regard to this Municipal Utility District. His recommendation, based on the advise of City Departments, was that he could not recommend the creation of a Municipal Utility District where the City of Austin has some other choices and alternatives, either through the process of annexation to the City of Austin; to the process of contracting with the City and with the water district for various utility district bonds that would be issued in the future if every application that comes before the Council is approved, and while there would be increased taxes available to the City of Austin, this would not offset the increased costs of having to assume the bonds when the areas are annexed.

Since, as Mr. Nichols and the City Attorney pointed out, it would not be possible under the State law to limit the items which the bonds would cover, Mayor Pro Tem Love moved to deny the request for a Municipal Utility District, at the same time urging the City Departments and the City Manager to work as closely as possible with Mr. Carrington and his associates. There was discussion as to what should be the policy concerning Municipal Utility Districts within the jurisdictional areas of the City. The differences between a MUD and a refund contract were pointed out, and it was decided to give Municipal Utility Districts in the future a fair hearing, although not encouraging them. Councilman Nichols seconded the motion to deny the request for a Municipal Utility District for Travis Country Park. The motion carried by the following vote:

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

Noes: None

#### NO ACTION TAKEN

The Council took no action on consideration of a contract with Travis Country Park Municipal Utility District covering financial assurances, operation of facilities, dedication of park land and related matters.



## PUBLIC HEARING SET

Mayor Pro Tem Love moved the Council set November 9, 1972, at 10:00 A.M., for a public hearing on the proposed ST. JOHN'S NEIGHBORHOOD DEVELOPMENT PLAN. The motion, seconded by Councilman Handcox, carried by the following vote:

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

## CHANGE ORDER TO CONTRACT

Councilman Nichols moved the Council adopt a resolution authorizing Change Order to Contract 72-Pa-113, with Terry Edwards for street improvements by assessment paving - Capital Improvements Program Project No. 6041 1 - to add an additional street segment, being a portion of Jefferson Street from West 38 $\frac{1}{2}$  Street to 150 $\frac{1}{2}$  south of Emilie Lane; and design change in the Carver Street drainage to more effectively junction large storm sewer lines. Added cost is \$8,853.90. The motion, seconded by Councilman Dryden, carried by the following vote:

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

## NO ACTION - TRANSFER OF FUNDS

There was no action taken on the item of transferring of funds from the previously appropriated employee's pay increases to certain departmental accounts in order to effect the previously approved pay raise of \$35 per month or 3.92% per employee (whichever is greater), as this will be covered in the Budget.

## PAY SCHEDULE ORDINANCE AMENDED

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE NUMBERED 711123-F PASSED BY THE CITY COUNCIL ON NOVEMBER 23, 1971, BY REVISING THE BASIC PAY SCHEDULE THEREOF; AMENDING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith 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 Nichols, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

## CIVIL SERVICE EMPLOYEE SALARY

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING PART 2 AND PART 3 OF ORDINANCE NO. 711123-E SO AS TO PROVIDE FOR AN INCREASE IN THE MONTHLY BASE SALARY OF CIVIL SERVICE EMPLOYEES SERVING IN CLASSIFIED POSITIONS IN THE POLICE AND FIRE DEPARTMENTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; 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 Nichols, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

## ADDITIONAL RIGHT-OF-WAY

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to exercise an option to acquire additional right-of-way for Pleasant Valley Road north of East 7th Street. The motion, seconded by Councilman Friedman, carried by the following vote:

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

## LEASE AGREEMENT

Councilman Nichols moved the Council adopt a resolution authorizing a lease agreement with Highland Park West Enterprises for 740 square feet in the Highland Park Shopping Center at 3317 Hancock Drive, for the period October 1, 1972 through September 30, 1973, for Highland Park Branch Library. The monthly rental is \$75.00. The motion, seconded by Councilman Friedman, carried by the following vote:

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

## CONTRACTS AWARDED

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

ALSTON CONSTRUCTION CO.  
(Austin, Texas)

- Decker Creek Dam Irrigation System -  
\$41,000.00 (120 calendar days for completion; Engineer's estimate was \$43,000.00; Capital Improvements Program Project No. 3914 0).

Relative to the contract, Councilman Dryden expressed concern regarding the necessity for irrigation. He felt there were not any serious wash areas on the dam, which had been in that location a number of years. Mr. R. L. Hancock, Director of the Electric Department, explained that this way should be cheaper over a long range period.

Mayor Pro Tem Love seconded the motion to award the contract. The motion carried by the following vote:

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

Noes: Councilman Dryden

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

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

POOL AND ROGERS

- Construction of an asphaltic concrete overlay on San Jacinto Boulevard from East 19th Street to East 29th Street, Contract No. 72-Pb-134. (Capital Improvements Program Project No. 6065 5; cost to be reimbursed by University of Texas; Engineering estimate is \$17,000.)

The bids were opened on October 3, 1972, and the firm of Pool and Rogers with the low bid of \$15,662.50, was awarded the contract, with the understanding that the University of Texas System is going to repay the City.

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

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

Noes: None

Not in Council Room when Roll was called: Councilman Handcox

#### ANNEXATION ORDINANCE - FINAL PASSAGE

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 111.06 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THIS ORDINANCE.

Councilman Nichols moved the Council pass the ordinance through its third and final reading. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 35.75 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES BURLESON SURVEY 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 Mayor Pro Tem Love, carried by the following vote:

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

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

#### ZONING ORDINANCES

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A TWO ACRE TRACT OF LAND, LOCALLY KNOWN AS 511 ST ELMO ROAD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST 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 Lebermann, Friedman, Handcox, Mayor Butler, Councilmen  
Dryden, Nichols, Mayor Pro Tem Love  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 1, 4, 5, 6 AND 7, WOODRUFF BOULEVARD ADDITION, LOCALLY KNOWN AS 616-912 BEN WHITE BOULEVARD;; 3927-4003 PAYLOAD PASS, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST 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 Lebermann, Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACTS 2 AND 3 OF THE BLUESTEIN SHOPPING CENTER, LOCALLY KNOWN AS 7101-7125 ED BLUESTEIN BOULEVARD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST 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 Lebermann, Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 18-A, ENFIELD H, SOUTH EXTENSION, AND LOT 30-A, ENFIELD E, SOUTH EXTENSION, LOCALLY KNOWN AS 1812-1814 WATERSTON AVENUE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

## LINE EASEMENT

Councilman Dryden moved the Council adopt a resolution authorizing condemnation of an electric 138 KV transmission line easement on Ranch Road 2222, on James B. Beard tract. The motion, seconded by Councilman Handcox, carried by the following vote:

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

## APPLY FOR FEDERAL FUNDS

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to apply for Federal Funds for Airport Security Improvements required by the F. A. A. The motion, seconded by Councilman Friedman, carried by the following vote:

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

## RATE INCREASE AT BRACKENRIDGE HOSPITAL

Councilman Dryden moved the Council adopt a resolution authorizing 2.01% rate increase at Brackenridge Hospital (based upon August 22, 1972, approval by the Federal Price Commission.) The motion, seconded by Councilman Nichols, carried by the following vote:

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

City Manager Davidson stated this is in accordance with the original total price increase originally proposed and approved, but this portion of the increase was not approved by the Federal Price Commission until about 30 days ago.

CONTRACT WITH  
AUSTIN LOCAL DEVELOPMENT CORPORATION

Mrs. Jane Wells appeared, representing the Board of Directors of the Austin Local Development Corporation. The Business and Economic Development Project, in spite of internal problems, assisted 44 existing neighborhood businesses, and helped 33 people to go into new businesses. Mrs. Wells pointed out that the Board was committed to implement internal management controls, having already under contract a bookkeeper and accountant. Second, that they were committed to re-organizing the Board to provide real depth of experience and expertise in business, banking and legal areas; and third to strengthen the staff.

The City Manager mentioned that a team of auditors from OEO would come to Austin to audit the program carried out by the ALDC through the HOC program. There is a remaining balance of \$40,000 through April of next year through the HOC portion of the program. Records were not kept to show where monies went, but this

will be done in the future, so that an audit can be made.

Mrs. Wells listed the 8 members of the Board at present. There are plans to expand this to add people to give adequate and competent business advice in the manner of running this organization. Mayor Butler believed this would make the Board more operable.

Councilman Handcox moved the Council continue the existing contract until February 28, 1973, for 6 months. Mrs. Wells gave her personal assurance that the Board will be built up. Councilman Dryden added to the motion, that a report be given in 90 days to the City Manager. Councilman Nichols also asked for a report on this matter from Model Cities. The motion, seconded by Councilman Friedman, carried by the following vote:

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

#### SELECTION OF ENGINEERING TESTING SERVICES

Councilman Nichols moved the Council adopt a resolution selecting Snowden & Meyer of Engineering Testing Services in connection with the following Capital Improvements Program Project:

Regional Branch Library - Project No. 8507.  
(Estimated cost for proposed service is \$1,000.)

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

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

#### SELECTION OF ARCHITECTURAL SERVICES

Councilman Friedman moved the Council adopt a resolution selecting Taniguchi, Shefleman, Vacker, Minter, Architects of Architectural Services in connection with the following Capital Improvements Program project:

Regional Branch Library Project No. 8507.  
(Estimated cost for proposed service is  
\$33,000.)

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

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

## REQUEST FOR USE OF AUDITORIUM PARKING LOT

Mayor Pro Tem Love moved the Council grant the first part of the request of Mr. Gabe Folse, Chairman of the Spirit and Sportamanship Committee of the Student Council of Austin High School, to use the parking lot of Municipal Auditorium for the purpose of holding bicycle races. The motion, seconded by Councilman Handcox, carried by the following vote:

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

City Manager Davidson asked that decision on the second part of Mr. Folse's request, that the girls' tennis team of Austin High School be allowed to continue to use the Athletic Club (Recreation Center) tennis court, be delayed until the courts are finished and until a discussion is held with the School Administration and the Recreation Task Force. Mr. Robinson of the Recreation Department concurred in Mr. Davison's suggestion.

## AUSTIN BOAT CLUB

Mr. Stuart Henry, Director of Environmental Resource Management, stated that the present budget for the Environmental Department contains money to conduct an urban noise survey, anticipated between now and March 1973, when the Austin Boat Club is requesting the first race. It was his recommendation that the Boat Club be given the opportunity to conduct this one race, and if they are in violation of the ordinance resulting from the noise survey, that they not be allowed further races. Mr. Henry stated the only Federal law on noise regulation is the Walsh-Healey Act, which only regulates the working environment. This was the standard by which the boat club was tested previously. It was the understanding of the City Manager that the Council asked for an updating of the present ordinances concerning noise in urban areas. At present, the staff is looking at a Dallas ordinance, Dallas being the only Texas City known to have a noise regulation ordinance.

Mayor Butler and Mayor Pro Tem Love expressed concern at continued testing of the Boat Club after they have already passed standards tested previously. Mr. Henry stated that the equipment used to test the Boat Club last year was not adequate for testing urban noise, nor is there a Federal or City regulation on urban noise. This is the reason for the survey.

In answer to Councilman Lebermann's inquiry as to whether previous arrangements with the Boat Club - ramp removal, hours of activity, and prohibition of revving engines under bridges, etc. - had been complied with, City Manager Davidson stated they definitely had.

Councilman Dryden moved the Council approve the requested dates for the Austin Boat Club. The motion, seconded by Councilman Nichols, carried by the following vote:

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



ADJOURNMENT

The Council then adjourned.

APPROVED:

*Ray Butler*  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk