

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 25, 1972
10:00 A. M.

COUNCIL CHAMBERS, CITY HALL

The meeting was called to order with Mayor Pro Tem Love presiding. It was noted that the Mayor was not in the City.

Roll Call:

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

The Invocation was delivered by REVEREND THOMAS WHITCOMB, Trinity United Church of Christ.

APPROVAL OF MINUTES

Councilman Lebermann moved the Council approve the minutes of the Regular Meeting of May 11, 1972. The motion, seconded by Councilman Friedman, carried by the following vote:

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

PROCLAMATIONS

Councilman Dryden read the Resolution commending Mrs. Johnnie Mae Burleson for almost 28 years of dedication and loyalty as an employee at Brackenridge Hospital and recognizing her for her many contributions in the healing arts and health care for the Austin residents. Present were Dr. DaSilva, Pathologist, Administrator, Mr. Bill Brown, Mrs. Stoval, and Mrs. Brice.

Councilman Friedman read a Proclamation recognizing Miss Eula Lee Gill for her part in the education of hundreds of youngsters in the Austin Community for her 46 years of dedication as a teacher. Mayor Pro Tem Love proclaimed Sunday, May 28, 1972, as EULA GILL DAY.

Councilman Nichols read the Proclamation paying tribute to those who had lost their lives, health, or livelihood as a result of military service, and designating May 25th - June 3rd, 1972, as "BUDDY POPPY DAYS" in the City of Austin. Signed by Mayor Pro Tem Love and all members of the Council, Mayor Butler absent as he was out of the city. The Proclamation was presented to Mr. and Mrs. Bell.

INTRODUCTION OF ADMINISTRATIVE ASSISTANT

Councilman Nichols introduced his Administrative Assistant, Mr. Mark Hanna.

RECOGNITION OF MR. CHUCK SPACE

Councilman Nichols stated Mr. Mark Hanna probably would be his "right hand", but his "right-right hand" has been and will continue to be one of the better employees, Mr. Chuck Space. Councilman Nichols stated "Chuck" had done a tremendous job for him and that he appreciated and valued Chuck's friendship and all of the things he had done for him. He wanted Chuck to continue to be his "right-right hand" as he had been a good one.

SPACE ASSIGNMENTS

Councilman Nichols moved the Council adopt a resolution granting space assignments to the University of Texas System for steam tunnel crossings in East 18th Street, East 19th Street, and Red River Street. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Absent: Mayor Butler

Not in Council Chamber when Roll was called: Councilman Handcox

EASEMENTS RELEASED

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

Twenty (20) public utilities easements out of Lots 24 through 31, WOODWARD INDUSTRIAL DISTRICT.

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

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

Noes: None

Absent: Mayor Butler

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

A portion of a public utilities easement out of Lot 5, Highland Hills Section Four.

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

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

Noes: None

Absent: Mayor Butler

SEWER SERVICE

Councilman Nichols moved the Council adopt a resolution authorizing outside

the City Sewer Service as follows;

Installation of five (5) sewer taps for Mr. Clarence Flournoy at Lots 1, 2, 3, 4, and 5, Flournoy Acres, Section 4, Resubdivision of Lots 2, 3, and 4, Block "A". Letter of credit for \$1,250.00 has been submitted.

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

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

Noes: None

Absent: Mayor Butler

CONTRACTS AWARDED

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

ALLIS CHALMERS
(Abilene, Texas)

- Bid Invitation No. 2-0849, Six (6) 138
KV Oil Circuit Breakers - Total \$139,392

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

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

Noes: None

Absent: Mayor Butler

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

DOVER ELEVATOR COMPANY
HUNTER-HAYES DIVISION
(Austin, Texas)

- For the modernization of Passenger Elevator at Municipal Building - \$18,722.00 (completion date is March 31, 1973; City's estimate was \$23,500.00; Capital Improvements Program Project No. 8201).

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

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

Noes: None

Absent: Mayor Butler

ENGINEERING SERVICES

Councilman Nichols moved the Council select Freese, Nichols, Endress for the engineering services on the proposed alignment and environmental relationships study and report for Bull Creek Wastewater Interceptor (East Branch Rte. 2222 to Spicewood Springs Road - Project No. 5031 O.) (Estimated construction cost is \$850,000.00.) The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Councilman Nichols moved the Council select Forrest and Cotton, Inc. for engineering services on the installation of drainage, utility adjustments and street improvements on various City streets in Model Cities Area - 2nd Year Program - Project Nos. 6069 1, 4078 1, and 5057 1. (Estimated construction cost is \$165,000.00). The motion, seconded by Councilman Dryden, carried by the following vote:

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

AGREEMENT - SCHOOL OF NURSING

Councilman Handcox moved the Council adopt a resolution approving an agreement between the City of Austin and the Shoalcreek Hospital, Incorporated, for Brackenridge Hospital School of Nursing. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

SALE OF HOUSES

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

Clarence Cullen Co.	3309 East 12th Street	\$299.00
Clarence Cullen Co.	3606 East 12th Street	\$224.00

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

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

ESCROW AGREEMENT

Councilman Friedman moved the Council adopt a resolution authorizing the Acting City Manager to approve the Escrow Agreement and submit a warrant in the amount of \$56,500 to the Texas Highway Department for City participation in the North Lamar project. (Capital Improvements Project Nos. 6065 2 and 7022 9). The motion, seconded by Councilman Nichols, carried by the following vote:

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

NEIGHBORHOOD DEVELOPMENT PROGRAM

Councilman Nichols moved the Council adopt a resolution approving the Neighborhood Development Program, annual increment and filing of an application for financial assistance. The motion, seconded by Councilman Handcox, carried by the following vote:

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

EMINENT DOMAIN PROCEEDINGS

Councilman Nichols moved the Council adopt a resolution authorizing eminent domain proceedings for 138 KV Transmission Line Easements on the following:

Strip of land containing 9.57 acres out of A. E. PATTON
#541 Survey.

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

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

Councilman Nichols moved the Council adopt a resolution authorizing eminent domain proceedings for 138 KV Transmission Line Easements on the following:

Strip of land containing 6.76 acres out of Green McCoy
#29 and Joseph Scott #27 Surveys.

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

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

MODEL CITIES PROPOSALS

Councilman Handcox moved the Council adopt the following resolution:

1. authorizing amendment to the Model Cities Second Year Plan to include Communication Skills Project of the Austin Independent School District - Total cost of the Program is \$2,162,573. Model Cities share is \$195,247; AISD funds - \$1,760,633; other Federal Funds - \$206,694.

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

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

Councilman Handcox moved the Council adopt the following resolution;

2. authorizing contract between the Model Cities Department of the City of Austin and the City of Austin Water and Wastewater Department for the Water and Sewer Relocation and Re-grading for Street Construction Project #20205 - Total Project cost is \$44,645. 100% Model Cities funds.

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

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

Noes: None

Absent: Mayor Butler

REFUND CONTRACT - PURCHASE OF APPROACH MAINS CONTRACT

Mayor Pro Tem Love introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ACTING CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH AUSTIN SAVINGS & LOAN ASSOCIATION, WAYNE RIDDELL, PRESIDENT AND CHARLES OUTLI, VICE-PRESIDENT; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: Councilman Friedman

Absent: Mayor Butler

A second roll call was held regarding the approach mains contract. Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately, regarding the approach mains contract. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: Councilman Friedman

Absent: Mayor Butler

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

STREET IMPROVEMENTS

Mayor Pro Tem Love introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE

PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.

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

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

Noes: None

Absent: Mayor Butler

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

SPEED ZONES

Mayor Pro Tem Love introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 21-41 OF THE AUSTIN CITY CODE OF 1967 SO AS TO SET THE MAXIMUM PRIMA FACIE SPEED ALONG EAST SECOND STREET; 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 Dryden, carried by the following vote:

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

Noes: None

Absent: Mayor Butler

ZONING ORDINANCES

Mayor Pro Tem Love introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
(1) LOT 11, WOODLAND ADDITION, LOCALLY KNOWN AS 500 OAKLAND; 1406-1410 WEST 5TH STREET, FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; AND,
(2) LOT 21, ISHERWOOD HEIGHTS SUBDIVISION, LOCALLY KNOWN AS

2612 ROGERS AVENUE; 2100-2104 WALNUT AVENUE, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, SECOND HEIGHT AND AREA; AND,

(3) A 4.114 ACRES TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 690-698 PLEASANT VALLEY ROAD; THE REAR OF 2608-2712 GONZALES STREET, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; AND,

(4) LOT 151, NORTHFIELD ADDITION, LOCALLY KNOWN AS 106 NORTH LOOP BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND,

(5) LOT 1, BLOCK 8, W. A. HARPER RESUBDIVISION, LOCALLY KNOWN AS 300 EAST 35TH STREET; 3501-3505 GROOMS, FROM "BB" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS: AND DECLARING AN EMERGENCY.

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

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

Noes: None

Absent: Mayor Butler

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

Mayor Pro Tem Love introduced the following ordinance:

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

(1) A 11.87 ACRE TRACT OF LAND, LOCALLY KNOWN AS 6709-6741 COOPER LANE; 6706-6738 SOUTH 1ST STREET, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,

(2) LOTS 1 AND 2, SOUTH MEADOWS, SECTION 2, LOCALLY KNOWN AS 6404-6408 BILL HUGHES ROAD, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; AND,

(3) LOT 10, OAKLAND SQUARE SUBDIVISION, OUTLOT 78, DIVISION D, LOCALLY KNOWN AS 110 WEST 38TH STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT; AND,

(4) A 0.28 ACRE TRACT OF LAND, LOCALLY KNOWN AS 6613-6701 AIRPORT BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT AND "B" RESIDENCE DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS AND DECLARING AN EMERGENCY.

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

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

Ayes: Councilmen Lebermann, Friedman
Noes: None
Absent: Mayor Butler

The Mayor Pro Tem announced that the ordinance had been finally passed.
Mayor Pro Tem Love introduced the following ordinance:

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

(1) THE RESUBDIVISION OF LOTS 9 AND 10, WILLIAM THIELE
SUBDIVISION, LOCALLY KNOWN AS 1505-1507 WEST 35TH STREET,
FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; AND,
(2) TRACTS B AND C, SOUTH CREEK, SECTION II, LOCALLY KNOWN AS
THE REAR OF 1823-2001 NORTH BLUFF DRIVE; 2001-2219 NORTH BLUFF
DRIVE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA
DISTRICT TO "MH" MOBILE HOME, FIRST HEIGHT AND AREA DISTRICT;
ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY,
TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES
ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

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

ANNEXATION HEARINGS SET

Councilman Handcox moved the Council adopt a resolution setting a public hearing to consider annexations as follows:

For June 8, 1972:

0.03 of one acre of land out of the Theodore
Bissel League - portion of the first resub-
division of THE VILLAGE, SECTION TWO. (re-
quested by owner's representative)

13.61 acres of land out of the Theodore
Bissel League - THE VILLAGE SECTION FOUR,
and a portion of First Resubdivision of
Lots 11-14 of Block A, THE VILLAGE, SECTION
TWO. (requested by owner)

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

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

Councilman Handcox moved the Council adopt a resolution setting a public hearing to consider annexations as follows:

For June 22, 1972:

986.66 acres of land out of the J. C. TANNEHILL LEAGUE and THOMAS ELDRIDGE SURVEY - portions of Ed Bluestein Boulevard, Springdale Road, FM 969, Tannehill Street, Tracor Lane, Hudson Street, and Harold Court. (initiated by City).

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

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

Noes: None

Absent: Mayor Butler

"L - LAKE DEVELOPMENT DISTRICT"

At 11:30 A. M., Mayor Pro Tem Love opened the public hearing to consider an amendment to the text of the Zoning Ordinance by creating a new USE District "L" LAKE DEVELOPMENT DISTRICT.

The Planning Director, Mr. Dick Lillie, referred to the map on the wall which included the Town Lake Development Plan - 13 miles of total shore line, of approximately 70,000 square feet. He then pointed out the 15,000 square feet (or about 20% of the total shore line of Town Lake) of private ownership, including approximately 6,000 feet along Stratford Drive.

Attention was called to the privately owned property developed under a special permit in most instances, for apartment dwelling groups. Other developments were listed - Gondolier Motor Hotel, Steak Island, and two other restaurants, and an office building, thus leaving about 4,000 feet of lake shore property privately owned and undeveloped, or about 5% of the total lake shore.

The proposed ordinance was submitted to the Planning Commission and a study committee was appointed by the Chairman to hold work sessions with the owners and with the staff to review the preliminary draft. The Committee submitted its recommendation to the Planning Commission, and it, in turn, recommended the ordinance under discussion today.

Mr. Lillie pointed out the major changes in the ordinance - (1) increasing the permitted uses from the "O" to the "LR" and adding six uses from the "GR" District; (2) the accessory uses were expanded from "LR" to "GR"; (3) signs would be permitted on top of the building, but billboards would be prohibited, and the height was changed from 120' to 200'; (4) the 100' setback from the Lake was eliminated, leaving the setback requirements as those for residential uses and business uses now existing in the ordinance (25' from the street and 5' minimum on side yards and no rear yards); (5) enclosed parking rather than surface parking - if this were provided, the coverage may be increased from 55% of the lot to 70%, after a review by the Planning Commission and the City Council; (6) reduction on area requirements - from 800' per hotel unit to 400'; (7) a special permit procedure from a one step procedure to a third dimensional procedure, showing what the building would look like in height and mass on

location in relation to the Lake and downtown area. The remainder of the ordinance dealing with the special permit and modifications and the environmental factors remains the same. Mr. Lillie reviewed the proposed special permit procedure.

The special permits will be submitted to the Parks and Recreation Department, the Navigation Board, and the Board of Natural Resources for review and comment to the Planning Commission.

Mr. Lillie discussed the hike and bike or pedestrian walkway along the south shore, and pointed out possibilities of extending over private properties — acquisition, easements, or by sub-levels.

Mr. Richard Baker, representing Jagger Associates, Inc., Messrs. Burnet, Carter, and Watson, and a number of owners, stated on their behalf that this is a workable ordinance which will protect the citizens, Town Lake, and offer developers a unique opportunity to use their imagination in coming up with proper developments on the Lake, and he recommended the passage of the ordinance.

Mr. Robert Bradshaw, Attorney, representing Christi's Restaurant, concurred in Mr. Baker's statements, and distributed plans of Christi's development to the Council, which could include a hike and bike trail. He urged the adoption of this ordinance as presented to the Council. Mr. Tom Leach, Architect, pointed out the walkway in front of Christi's stating an addition could be constructed to connect with this walkway, being a portion of the hike and bike trail. This plan was discussed by the Council.

In discussion of the hike and bike trail, Mr. Lillie stated the plan adopted by the Council in 1967 shows the Hike and Bike Trail along the Lake shore; and the City has received funds from various governmental units to construct the hike and bike trail on some portions of Town Lake. No plans have been made to construct it at this particular location, keeping in mind this area is under private ownership and not in the 80% of the shore line which is public land. Councilman Lebermann was concerned about the hike and bike trail's being on the plan, and he did not want to be in non-compliance with the plan not receiving additional federal funds.

The Director of Planning stated the Council needed some answers as to how the plan can be achieved, and he suggested that the various departments become involved in putting the project together and presenting it to the Council along with the cost figures, and as to how the plan can be accomplished.

Mr. Bradshaw stated Christi's was willing to work with the authorities in this respect.

Dr. Alan Taniguchi spoke in terms of the whole lake, the linear open space, and the different possibilities in the various sections. He stated the ordinance as proposed could work very well, and it would place a lot more responsibility on the Commission and the Council in terms of appraising special permit applications.

Mr. Moton Crockett made inquiry about his property, which had no lake frontage, but which was involved. It was pointed out this ordinance creates a new zone, and the zoning would follow the same procedures under this provision as other zoning cases. Mr. Crockett was concerned about the signs, stating he would be denied the privilege of having a free standing sign in front of his development, and he did not want one on top of the building. The City Attorney

explained the sign provisions in "LR" Local Retail Districts.

Mr. Rogan Giles noted this ordinance applied only to four pieces of property or four tracts. The entire development of the lake has taken place up to this point. Now there are essentially four tracts left to which this ordinance would apply in a practical effect. He stated the ordinance was a good one if there had to be a lake ordinance applying to their four pieces of property involved. As to the hike and bike trail, he would oppose the idea of going across private land under the circumstances with a hike and bike trail; and he suggested the 13 miles of shoreline of public property. His suggestion was to begin at the 1st Street bridge (Drake Bridge), go due west to Barton Springs, up to the dam, and come around the Tom Miller Dam on the north side the entire distance to Longhorn Dam and never cross privately owned property.

Councilman Lebermann asked that before a special permit under this ordinance is considered, that the guidelines which Mr. Lillie had referred to earlier be brought forward and made operative. City Manager Davidson stated these specifications and guidelines would be brought in.

Motion to Pass Ordinance

Mayor Pro Tem Love introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967, BY ADDING THERETO A NEW USE DISTRICT, "L LAKE DEVELOPMENT DISTRICT"; PROVIDING REGULATIONS FOR THE DEVELOPMENT OF LAND LOCATED IN SAID DISTRICT; WAIVING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: Councilman Friedman

Absent: Mayor Butler

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

Motion Providing for Zoning

Councilman Lebermann moved the Council instruct Mr. Lillie and the Planning Department to commence the zoning applications for those properties along Town Lake which have water frontage. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Absent: Mayor Butler

STREET & ALLEY VACATION

At 2:00 P. M. Mayor Pro Tem Love opened the hearing on vacating certain streets and alleys.

Mr. Ruel E. Snow, homeowner at 1506 Lupine Lane, spoke in his behalf and also for Mr. Earl Doerflinger at 1503 Inglewood, stating they were not opposing the closing of the alley that Mr. Doerflinger and he had fenced in for 20 years. Their concern was based on fear and protection in keeping the little isolated neighborhood on Inglewood "A" Residence. Referring to a previous alley closing by the Hardin brothers, Mr. Snow stated that the Council conditioned the closing on a 25-year restriction that the property would be developed only with duplexes.

Councilman Dryden made a motion that this particular alley not be closed. Councilman Dryden discussed the City's giving property to the adjoining owners, when alleys or streets were vacated.

Councilman Nichols offered a substitute motion to delay this matter for one week until they could get a policy statement by the Law Department. After discussion, Councilman Nichols amended the motion to include Items D.1. (a), (b), (c), (d), (e); and Item D.2. (a), (b), (c), (d), (e) until next week. Councilman Handcox seconded the motion.

Mr. C. L. Reeves asked for action on 1. (e), the vacating of a portion of SHADOW PARK DRIVE from Greystone Drive northerly 150' to the termination of the street.

Councilman Nichols withdrew his motion.

Mr. David Tisinger, Attorney for Mrs. Laura A. Burns spoke in opposition to the closing of a portion of SHADOW PARK DRIVE from Greystone Drive northerly 150' or more or less to termination of the street.

Mr. Doren Eskew, representing Hillcrest Baptist Church, (Item D. 1. (b) asked that the Council consider vacating a portion of INTERSTATE HIGHWAY 35 ALLEY from East 29th Street southerly to the proposed east right of way line of Interstate Highway 35. Mayor Pro Tem Love stated the Council was delaying action these street and alley vacations until the Council could define its policy.

Councilman Nichols then moved the Council delay vacating the following for one week:

A portion of LUPINE LANE ALLEY, contiguous to Lots 1, 2, 3, 14, 15, 16, and 17, Block 11, BELLVUE PARK.

A portion of INTERSTATE HIGHWAY 35 ALLEY, From East 29th Street southerly to the proposed east right of way line of Interstate Highway 35.

A cul-de-sac off the east line of SHOAL CREEK BOULEVARD, contiguous to Lots 4 through 9, Block T, ALLANDALE ESTATES, SECTION THREE.

A portion of SAN GABRIEL STREET, from Poplar Street northerly 58 feet, more or less.

A portion of SHADOW PARK DRIVE, from Greystone Drive northerly 150 feet more or less to termination of street.

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

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

Noes: None

Absent: Mayor Butler

Mr. Bill Williams, representing the Urban Renewal Agency, explained the position of the Urban Renewal Agency in changing the policy and a week's delay would cause hardship at the Agency. The vacation of these streets and alleys is a condition of the cooperation agreement which the City has with Urban Renewal, and he asked that action be taken today on the Glen Oaks Project alleys and streets.

Mayor Pro Tem Love introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THOSE CERTAIN PORTIONS OF STOKES DRIVE, WEBBERVILLE ROAD ALLEY, AND GLEN RAE STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING EASEMENTS IN THE CITY FOR PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: None

Not in Council Chamber when Roll was called: Councilman Handcox

Absent: Mayor Butler

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

ADDITIONAL POSITIONS - BUILDING INSPECTIONS DEPARTMENT

Mr. Dick Jordan, Building Official, stated this authorization would not require any more money, but would require one more person beyond what the Department has now. Additional money would not be appropriated as there is money in the budget. He stated this is a necessity which requires the emergency expenditure and could not be foreseen. He briefly reviewed the back log of plans caused by the building boom; and stated these plans must be reviewed.

Mayor Pro Tem Love introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 710909-I BY ADDING AN ADDITIONAL POSITION TO THE BUILDING INSPECTION DEPARTMENT; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately.

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

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

Noes: None

Absent: Mayor Butler

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

REJECTION OF BIDS

City Manager Davidson stated the Staff believed the unit prices bid on the contract for the 8" concrete sewer main and appurtenances were too high, and he asked that the Council reject that bid and that the City forces install that particular job. The developers are in a hurry for the facility and the bids are over \$16,000. It is believed the job can be done for around \$8,000 maximum.

Under the item on Cold Drink and Candy Vending Machine Concession Rights, he stated there were some changes to be made in the specifications so that good bids acceptable to the bidders and the City of Austin could be received. Mr. Bennett and Mr. Sheffield will call a meeting with the potential bidders so they could review the specifications and make certain that everyone could bid on them.

Councilman Lebermann moved the Council adopt resolutions rejecting the bids for sewer mains and vending concessions. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Noes: None

Absent: Mayor Butler

Councilman Nichols asked the City Manager to give him a cost report on the concrete sewer main contract as to the City's installation.

DISCUSSION ON CONTRACT TO DOVER ELEVATOR CO.

City Manager Davidson stated the completion date shown is March 31, 1972. The elevator will be in operation as it is until one month before that date. The present elevator would be out of order for 20-30 days, just prior to March 31st. The City Manager stated the employee who is operating that elevator would have another position with the City, as she is a valuable employee and will continue to work off the City of Austin.

ORDINANCE APPROPRIATING FUNDS

City Manager Davidson reported that these substations were shown in the 1972-1973 C.I.P. Program, and it is necessary to move the authorization up so that they could proceed with these improvements. There will be no cash flow in this fiscal year but the authorization is needed to commit the money.

Mayor Pro Tem Love introduced the following ordinance:

AN ORDINANCE APPROPRIATING FUNDS FOR CERTAIN CAPITAL IMPROVEMENTS ACCOUNTS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: None

Absent: Mayor Butler

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

REQUEST FOR LAND FOR BASEBALL LEAGUE

Mr. David Weatherford, representing the South Austin Youth Association, told the Council about their Boy's Baseball League, stating their territory was quite large -- extending up Lamar crossing 35th Street, and the business district to 19th Street; plus everything south of Town Lake. There are other leagues in this area doing a fine, job but as the City moved outward it leaves them off center. Today he was asking for about 7 to 10 acres of land. Much of the land is earmarked for softball. There are approximately 275 to 300 private boys baseball teams in Austin, sponsored by parents, Optimist Clubs and others. Councilman Nichols asked that the Council receive a report from the Parks and Recreation Department with a recommendation for next week. Mr. Weatherford stated he would like to incorporate in their organization the Children's Football Program. He asked if they could have the use of the Babe Ruth Field and extend their fences approximately 50 feet more. They hope to incorporate the nine and ten year old boys.

Mayor Pro Tem Love asked Mr. Weatherford to return next week and the Council would have a report on this matter.

Mobile Home Community

Mr. Jon Coffee, on behalf of owners of Green Valley Mobile Home Community, asked the Council to modify or consider a grandfather clause on the Council's announced but not yet an active policy with respect to tie-ons to sewer systems outside the City limits within the five-mile area. The 15-acre tract in question was platted and subdivided in 1970 and approved by the City agencies and by the FHA as an approved trailer-housing project. Easements were granted across the tracts for the main gravity sewer main. After approval by all parties, it was thought all the time that there would be a tie-in fee. Since the mobile home project is finished, they are confronted with a deposit of \$250 per trailer space, which is 108 parking spaces, and the total deposits were \$27,000. That is more than 10% of the total cost of the subdivision. There is no objection to the monthly user fee, which could be amortized by raising the rent.

They have no objection to the tie-in fee and that money has been paid to the City. The letter of credit for the \$27,000 has been posted under protest with the understanding that they need an expression from the Council or permission now to tie-in irrespective to what is decided with respect to the charges. They feel that they are entitled to equitable relief because the City approved these plans and has in effect a commitment that they could tie into that line. Since the subdivision is finished, there is no way to recoup by financing or otherwise whatever cost may be passed on by way of this tie-on charge. There should be a grandfather clause to exempt the subdivision from the policy under consideration insofar as the subdivision was in construction and approved by the City and approved by City agencies prior to the time the policy was enacted.

Mr. Coffee understood the "Stewart" formula pertained to sewers outside the

City Limits. Councilman Nichols explained the formula that the developers put up the \$250 to tie on; and when it is determined what the fee will be, the City would guarantee that the fee would not exceed the \$250. At that time the developer would be repaid or charged the entire \$250. Mr. Coffee reiterated that there should be some relief for those whose plans had been approved before the Stewart formula. The plans had been approved in April, 1970, for 108 trailer homes. Mr. Coffee stated they had put up the money and also had paid the only charge they were told about at the time the subdivision was approved; \$600.00 tie-in fee on which they have no quarrel, but they never heard of the "privilege fee" until the subdivision was finished. They cannot borrow any more money until they hook-up, and FHA will not let them raise the cost of this mobile subdivision by 10% to cover this charge.

Councilman Dryden stated the Council was attempting to establish a policy whereby some of the sewer costs could be passed on to the developers or to the home owner to reimburse the City for cost of the sewers. Mr. Coffee stated their only argument was there should be a grandfather clause. Councilman Lebermann said Mr. Coffee was asking relief for those entrapped in the transition period; and when annexation took place then this project would come under the refund program. Councilman Nichols explained the user fee was to take of the transportation and operation costs of the sewer system.

Mr. Richard White, Water and Waste Water Department, reported the plans were reviewed about two years ago as to the technical nature only. At that time, there was no user privilege fee and it was not discussed at that time. The developers would have had to construct a lift station; but in the meantime they have been relieved of this lift station because there is a sewer system in the area. In discussion the cost of a lift station, Councilman Lebermann estimated for 108 units a station would cost a minimum of \$6,000. Councilman Nichols pointed out that others had put up the \$250; and it is the thinking the amount would not be that much. Councilman Nichols suggested that the Water and Wastewater Department come up with a cost factor; and in this policy the cost factor could be set exactly -- \$100 or \$120 for the tap fee.

Councilman Lebermann, due to the facts in this case which is a transitional case, moved that Judge Coffee's client be permitted to tie into the line and that negotiations be entered into based on real cost figures developed by the City's Department for an economical solution. The motion, seconded by Councilman Dryden, carried by the following vote:

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

CONTRACTS

Repair of Caterpillar Crawler Tractor

City Manager Davidson reported having distributed copies of the bids received since the last Council meeting along with the analysis of the labor costs versus the parts cost to repair the unit. The Fleet Administrator, Mr. Rogers, stated Holt submitted the low bid at \$5,900 with \$2,000 labor. He listed the total bids. Percentage-wise the low bid is approximately 33% which is in line with other work of this type.

Councilmen Nichols and Lebermann were interested in the City's doing this type of repair. Mr. Rogers stated to tool the shop for diesel repair would call for specialized machine shop equipment and specialized mechanics; the volume the City would have would not warrant specialization in equipment and mechanics. Councilman Dryden inquired about bids. Mr. Rogers stated these were competitive bids, and the companies sent their men to make an on-the-site analysis of the repairs.

Councilman Lebermann moved the Council award the contract to the low bidder, HOLT MACHINERY COMPANY, \$5,900 for parts and \$2,000 for labor. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Noes: None

Absent: Mayor Butler

AUSTIN WELFARE RIGHTS ORGANIZATION

Mr. Pat Hubbard, attorney with Travis County Legal Aid, spoke in Mr. Ed Casanova's place, saying that he wanted to come up with a new method of solving grievances arising between some of the people effected by the City programs and those operating the programs. Specifically, they had two grievances about the operation of Brackenridge Hospital: (1) the durational residency requirement and (2) there is little if any procedure for deciding when a person should receive a clinic card or when it should be terminated. He pointed out the "durational" period. One had to wait for six months as a resident of Travis County or 12 months as a resident of the State before being eligible for those services. The second grievance regards the procedures for determining eligibility for a clinic card. He felt those two aspects of the operation of the hospital resulted in a denial of constitutional rights.

Mr. Hubbard wanted to establish a more efficient manner of handling grievances where the City is effecting their clients and they have a complaint. Councilman Lebermann stated the listing on the agenda was to discuss a situation at Brackenridge Hospital and not the method of hearing grievances, as the City has a variety of effective grievance vehicles. Councilman Friedman asked him if he were asking the Council to instruct the City Attorney to issue an opinion. The City Attorney stated Mr. Hubbard had outlined the problem quite well -- the first part of his problem does not require extensive review on the part of his Department; however, the second part does require rather extensive of the entire procedure and Mr. Jan Kubicek, the Assistant City Attorney, has been working with Mr. Casanova for some time.

The City Attorney, Mr. Butler, stated that no acutely ill patients regardless of residence are denied admission. Mr. Hubbard stated they would appreciate an opinion from the City Attorney's office (1) whether or not he agreed that the durational residence requirement is unconstitutional, and (2) whether or not he agreed or disagreed that some procedural changes are required as to clinic cards. Mr. Hubbard wanted to find out whether or not the City Attorney agreed or disagreed as to the law; and if he agrees, they would understand the problems of adjusting; if not, they would like to know as soon as possible so they could pursue the matter in another way.

MOUNT BONNELL TRANSMISSION MAIN

The City Manager, Mr. Dan Davidson, called on Mr. Al Eldridge to present the Mount Bonnell study proposal. Mr. Eldridge, Director of Construction Engineering, stated the Council had recently selected Forrest and Cotton Engineers for work on the Mount Bonnell water main. At that time, it was anticipated and assumed that the main would be a 54" main from the Davis Water Treatment Plant to the junction of Mount Bonnell Road and FM 2222. Since that time, it has been brought out that a more thorough study of the extension should be made because the main eventually would be extended over to the Spicewood Springs Reservoir area on Loop 260. To properly design this main and to study the effects of that main on the north service area and the northwest service area further study should be made. The additional cost to extend the first main would be \$21,500; and as to the timing, they would have to negotiate with the engineers. The extension of this Mount Bonnell West Loop or Loop 260 over to Spicewood Springs Reservoir would be approximately \$1,600,000. The total would be over \$2.6 or \$2.7 million.

Councilman Nichols inquired about clarification of the contract with the engineering firm, and then moved that the recommendation of Mr. Davidson, Mr. Eldridge, Mr. Reed, Mr. Johnson, and Mr. Barker be upheld and approved as set out. Councilman Dryden seconded the motion, which received the following vote:

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

This motion was in the form of a resolution.

In review Mayor Pro Tem Love stated the additional net cost would be about \$22,000. City Manager Davidson stated the additional development in the northwest area came to the attention of Mr. Johnson and Mr. Eldridge, and they realized what was being designed on the first line might not be adequate so they came back and studied it with the consultants, and that resulted in what is before the Council now.

REQUEST TO WITHDRAW ZONING

Councilman Nichols moved the Council grant the request to withdraw Zoning Case No. C14-72-072, Pat Carlisle, 3535-3613 Cima Serena. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

LITTER ORDINANCE - NO DISCUSSION

There was no discussion on Mrs. Fiegel's request to appear before the Council regarding the Litter Ordinance, as she was not present in the Council Chamber.

USE OF AUDITORIUM SHORES

Councilman Dryden moved the Council grant the request of Mr. Phillip Patman to use the Auditorium Shores on May 30, 1972, for a picnic honoring Mr. Dolph Briscoe. The motion, seconded by Councilman Nichols, carried by the following vote:

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

IMPROVED STREET LIGHTING ADJACENT TO PAROCHIAL SCHOOLS

City Manager Davidson reported there were 15 Parochial Schools where street lighting adjacent to those schools should be improved and adequate lighting can be provided for about \$4,600 of funds now existing in the street lighting portion of the Capital Improvement Plan. He recommended that the expenditure be approved of that money — so they could proceed with lighting.

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

CHARTER STUDY COMMITTEE

Mr. Victor Ravel, a member of the Charter Study Committee, stated the first motion passed by the Committee was virtually a frivolous motion. It does not take nine or ten months of study to bring a charter in conformance with State law. The report reflects a majority of the Committee; however, Mrs. Holmes had some statistics which were distributed to the Council. The only question he raised was that there may be some advantage of dialogue between the Council and the Committee because the cold statement of facts do not represent the thinking that went into this. Councilman Lebermann stated the Council should take Mr. Ravel's suggestion under advisement, and stated that Mrs. Holmes had written an excellent letter to each Council member. Mayor Pro Tem Love stated that serious consideration was going to be given by the Council as to what the Committee had done. Mr. Ravel stated he would like to be available to the Council for any clarification. Councilman Nichols stated he would talk personally to each of the Committee members.

Mrs. Edith Buss, Co-Chairman of the Citizens for Equal Representation, stated she was here because of some of the confusion that had arisen publicly in the paper with regard to the last meeting of the Charter Study Committee. The Citizens for Equal Representation met and directed her to issue this statement. She read the statement, stating the C.E.R. calls on the City Council to ignore last-minute maneuvering at the May 17th meeting of the Charter Study Committee and accept the recommendations contained in their final report as compiled by the City Attorney's Office. If there is any doubt that the democratic majority's recommendations reflected the public opinion of this community that doubt should be resolved through a public referendum on the proposed revisions.

REPORT FROM CHARTER STUDY COMMITTEE

Mayor Pro Tem Love stated the Council had received a report from the Citizens Charter Committee. Councilman Lebermann moved the acceptance of the report with gratitude to the Commission and with a statement of appreciation for their long and genuinely arduous efforts to arrive at an updating of the Charter; and the second part of his motion would include the dissolution of the Commission with a "well done." The motion, seconded by Councilman Handcox, carried by the following vote:

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

ZILKER PARK RAILROAD, INC.

Mr. Dan Davidson, City Manager, reported receipt of a request from Mr. John Avery, representing Mr. Glenn, the operator of the Zilker Park Railroad, who has a contract extending to 1976. Mr. Glenn wants to make improvements to this facility in the amount of \$35,000. In order to justify these improvements, he requests the Council extend his agreement until March, 1981. After discussing this with the Recreation Department staff, and with Mr. Glenn it is believed this is one of the better agreements for this sort of operation on this property. Mr. Glenn meets his commitments; maintains required accounting standards; and he has an operation attractive to adults and children in Zilker Park. City Manager Davidson and the staff recommended the extension. Councilman Dryden was concerned about the length of the contract extending until 1981. As of this date, he was not in favor of extending the contract from 1976 until 1981. Mayor Pro Tem Love stated Mr. Glenn was projecting \$35,000 improvements and he could understand why he would want further project protection.

In discussion, City Manager Davidson stated Mr. Glenn stored the equipment in the tunnel and he needs to extend the tunnel to take care of additional equipment. He pointed out a 10-year contract with a concessionaire for \$80,000 equipment.

Mr. John Avery, Attorney representing the Zilker Park Railroad, and Mr. Glenn, stated they were there to request and propose an amendment to their contract dated January 23, 1960, a ten year contract with one five-year option, and they are currently one year into this option. Mr. Glenn proposed to double the capacity of the railroad and add additional feet to the tunnel already there. This would be at his personal expense. They are asking for the extension of the contract so that he would be able to operate the railroad properly and amortize his costs over a 10-year period of time rather than a four-year term, so as to keep the costs of the rides to the consumer at the low price of 25 cents per adult and 25 cents per child. The low cost has been maintained because of the expertise of Mr. Glenn and by the help of the Council, and they are asking for this extension for that purpose, to help Mr. Glenn to help the City. Mr. Avery stated they were asking for an option at the end of the term, April, 1976, to renew for an additional five-year period.

Mayor Pro Tem Love asked the Director of Recreation, Mr. Sheffield, how vital to the City of Austin were the \$35,000 improvements. Mr. Sheffield stated with the growing demand for train rides, expanding population, and growing uses of the park, this will accommodate more users of the train, and give more citizens a chance to enjoy this particular activity. From the City's standpoint financially and recreationally, Mr. Sheffield recommended this type of operation.

Councilman Lebermann moved the Council grant this contract with the option codicil. The motion, seconded by Councilman Dryden, carried by the following vote:

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

ZONINGS SET FOR PUBLIC HEARING JULY 6, 1972

The City Manager reported that the following zoning applications had been referred to the Planning Commission for recommendation and had been set for public hearing on July 6, 1972:

AUSTEX DEVELOPMENT COMPANY, LTD. By W. T. Williams, Jr. C14-72-080	Intersection of Stassney Lane and Westgate Blvd.	From Interim "A" Res- idence First Height and Area to "GR" General Retail First Height and Area
BRUNO MILBURN By Thomas T. Smith C14-72-092	4312-4314 Marathon Blvd.	From "A" Residence To "O" Office
DAVID B. BARROW By Jeryl D. Hart C14-72-101	3800-3836 Far West Blvd.	From Interim "A" Res- idence First Height and Area to "GR" General Retail First Height and Area
MRS. PAUL J. PHILLIPS & S & R CONSTRUCTION COMPANY C14-72-103	4312-4314 Avenue F	From "A" Residence First Height and Area To "B" Residence Sec- ond Height and Area
WALTER CARRINGTON BUILDER, INC. By C. B. Carpenter C14-72-105	700-714 Stassney Ln. 5520-5546 So. 1st St.	From "GR" General Retail First Height and Area to "GR" General Retail Second Height and Area
MRS. MARY E. McKINNEY By H. E. McKinney C14-72-106	2700-2702 Enfield Rd. 1500 Exposition Blvd.	From "A" Residence To "B" Residence
JOE L. SMITH, ET UX By Charles K. Goldman C14-72-107	1605 W. 39 ½ St.	From "A" Residence To "B" Residence
W. H. BULLARD By George Lange C14-72-108	616-618 Franklin Blvd. 613-615 Nelray Blvd.	From "A" Residence To "B" Residence
LLOYD C. SMITH By J. Alton Bauerle C14-72-109	210-212 W. Olforf St. 2317-2319 Wilson St.	From "A" Residence To "LR" Local Retail
A. S. DUNCAN C14-72-110	3712 Manchaca Road	From "A" Residence To "O" Office
W. L. MAYFIELD By Glen Cortez C14-72-111	3900 Spicewood Springs Road	From Interim "A" Residence First Height and Area to "O" Office First Height and Area

O. C. HARDIN C14-72-112	3606 Clawson Road	From "BB" Residence To "LR" Local Retail
ACME BRICK CO. By Chris Crow C14-72-113	9058 Research Blvd. (Highway 183)	From Interim "A" Res- idence First Height and Area to "C" Com- mercial First Height and Area
MRS. M. D. STEUSSY By Harry E. Montandon C14-72-114	4901 Woodrow Ave.	From "A" Residence To "O" Office
KAY MEARS MURCHISON TRUST By Wroe Ownes C14-72-115	3509 Lawton Ave.	From "A" Residence To "GR" General Retail
WHELESS LANE BAPTIST CHURCH By Sheron Sheppard, Jr. C14-72-116	2700-2704 Wheless Ln.	From "A" Residence to "BB" Residence
LOGAN SELLERS By S. R. Sheppard, Jr. C14-72-117	2612 Wheless Lane	From "A" Residence To "BB" Residence
JERRY BOB KIRKLAND C14-72-118	1901 Brentwood St.	From "A" Residence First Height and Area to "B" Residence Sec- ond Height and Area
JAMES RAPER C14-72-119	4206-4208 Avenue A.	From "A" Residence First Height and Area To "B" Residence Second Height and Area
VANCE FOX C14-72-120	4403 Red River St.	From "A" Residence To "O" Office
DON SEWARD, ET AL C14-72-121	5612-5910 Nancy Dr. 5703-5907 Nancy Dr.	From "A" Residence To "MH" Mobile Home
DON WOODY, TRUSTEE By Steve Harris C14-72-122	2401-2415 Parker Ln.	From "A" Residence To "BB" Residence
BALCONES ASSOCIATES, LTD. By Bob R. Howerton C14-72-123	3301-3303 Northland Dr.	From "LR" Local Retail First Height and Area To "LR" Local Retail Second Height and Area
COMMUNITY TRANSPORT, INC., ET AL By Douglass D. Hearne C14-72-124	1604-1738 East Live Oak (Oltorf Street)	From "O" Office To "LR" Local Retail

FRANCIS ELLEN McINNIS
& GEORGE S. SLINING
By John B. Selman
C14-72-125

3903 Seiders Ave.
1509 W. 39 1/2 St.

From "A" Residence
First Height and Area
To "B" Residence
Second Height and Area

HENRY WENDLANDT, JR.
& E. E. NAUMANN
By Richard Baker

1001-1005 Shoal Creek
824 W. 10th Street

From "B" Residence
First Height and Area
To "O" Office Second
Height and Area

A. R. McTEE
By J. Glen Rosen
C14-72-127

710 West Avenue

From "B" Residence
Second Height and Area
To "O" Office Second
Height and Area (Tr. 1)
& "O" Office First
Height and Area (Tr. 2)

W. N. McELROY
ESTATE, ET AL
By Robert C. Sneed
C14-72-128

Intersection of Balcones
Dr. and Spicewood Springs
Road

From "A" Residence
To "GR" General Retail
(Tract 1) and "O"
Office (Tract 2)

CITY OF AUSTIN
By R. K. Speedie
C14-72-129

Rear of 210-216 So.
Lamar Blvd. (Zachry

From "A" Residence
To "C-2" Commercial

Planned Unit Developments

WALTER R. CARRINGTON
C814-72-05

Fort Clark Drive &
Spanish Bluff Drive

PLANNED UNIT DEVELOP-
MENT with attached
single-family dwelling
units, common recrea-
tional facilities, and
common open space.

WALTER R. CARRINGTON
C814-72-06

So. Congress Ave.,
Ramble Lane,
Baywood Street &
Williamson Creek

PLANNED UNIT DEVELOP-
MENT with attached
single-family dwelling
units, common recrea-
tional facilities, and
common open space.

ADJOURNMENT

The Council then adjourned.

APPROVED:

Ray Butler
Mayor

ATTEST:

City Clerk