

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 20, 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 Mayor Butler and Councilman Lebermann would enter the meeting late.

## Roll Call:

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

Absent: Mayor Butler, Councilman Lebermann

The Invocation was delivered by REVEREND SANFORD COON, University Methodist Church.

## APPROVAL OF MINUTES

Councilman Nichols moved the Council approve the Minutes of the Regular Meeting of July 6, 1972, with the correction of the spelling in regard to the proclamation of "POP WARNER JUNIOR LEAGUE FOOTBALL WEEK." The name was incorrectly spelled "Werner". The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Absent: Mayor Butler, Councilman Lebermann

## EASEMENTS RELEASED

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

A portion of a public utilities easement out of Lot 1,  
HIGHLAND HILLS SECTION 1.

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

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

Noes: None

Absent: Mayor Butler, Councilman Lebermann

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

Two (2) public utilities easements 7.50 feet in width out of Lot 1, Block D. NORTHWEST HILLS SECTION 9-C

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

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

Noes: None

Absent: Mayor Butler, Councilman Lebermann

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

A portion of a drive and public utilities easement out of Lot 66, HIGHLAND HILLS SECTION 9, PHASE 2.

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

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

Noes: None

Absent: Mayor Butler, Councilman Lebermann

#### OUTSIDE CITY SEWER SERVICE

Councilman Nichols moved the Council adopt a resolution authorizing outside the City sewer service as follows:

City Forces to install one (1) sewer tap for MR. JAMES H. SPENCER at 825 Ed Bluestein Boulevard. Owner has deposited the required fee of \$250.00 in escrow and has entered into an agreement with the City for this installation.

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

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

Noes: None

Absent: Mayor Butler, Councilman Lebermann

#### CASH SETTLEMENT

Councilman Nichols moved the Council adopt a resolution authorizing a 60/40% cash settlement with Robert L. Ogden for water and wastewater mains installed in Creek Bend, Section 2 - Owner's cost @ 40% is \$3,206.20; City's cost @ 60% is \$4,809.29. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: Councilman Friedman

Absent: Mayor Butler, Councilman Lebermann

## LICENSE AGREEMENT

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to enter into a license agreement with the SOUTHERN PACIFIC TRANSPORTATION COMPANY to install an 8-inch sanitary sewer pipe line crossing the railroad's property at Decker Lake Road (Loyola Lane) in east Austin, Texas. Cost to the City of Austin: No Charge. The motion, seconded by Councilman Dryden, carried by the following vote:

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

## CONTRACTS AWARDED

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

COMMERCIAL BODY CORPORATION - Trenching Machine with Earth Saw-  
 (San Antonio, Texas) \$13,254.00

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

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

Councilman Nichols noted Commercial Body Corporation was not the low bidder by \$4.00. Mr. Johnston, Assistant Fleet Administrator, explained that the low bidder submitted a 24" saw, and the requirements called for a 30" earth saw.

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

WESTINGHOUSE ELECTRIC CORPORATION - TCU-TA2 Control System - \$65,260.00  
 (San Antonio, Texas)

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

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

## LICENSE AGREEMENT

Councilman Nichols moved the Council adopt a resolution authorizing a license agreement with RICHARD S. PRYOR and JOHN RAMSEY covering the use of a tract of City-owned property on East 19th Street. (FM 969) The motion, seconded by Councilman Dryden, carried by the following vote:

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

#### BIDS REJECTED

Councilman Nichols moved the Council adopt a resolution rejecting bids for the following:

Estimated Athletic Equipment requirement for Parks and Recreation Department.

Mayor Pro Tem Love inquired about the specifications as to the influence of change in delivery date; the response of only two bidders out of 13; some not meeting specifications; and 11 companies not bidding. City Manager Davidson explained the effort to obtain the equipment needed immediately for the summer support program along with the total requirements for the next few months. It was obvious some of the bidders could not meet the deadlines. The delivery date was changed so more would have an opportunity to supply the material needed now. The other bids could be taken later. He stated the limited time probably was a factor and it was thought the athletic equipment should be rebid.

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

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

Councilman Nichols moved the Council adopt a resolution rejecting bids for the following :

Motor Controller Line Up for Water and Wastewater Treatment Division.

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

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

Councilman Lebermann entered the Council Chamber at this Time.

#### SALE OF STRUCTURES

Councilman Nichols moved the Council adopt a resolution approving sale of structures in Brackenridge N.D.P. Area, Tex, A-11-1 as follows:

Parcel No. 6-5	400 East 17th Street	Edwin Johnson at \$3,100.00
Minimum acceptable sales price: \$800.00		

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

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

## PUBLIC HEARING SET

Councilman Handcox moved the Council set a public hearing at 2:00 P. M. August, 10, 1972, to consider amendments to the Zoning and Subdivision Ordinances. The motion, seconded by Councilman Nichols, carried by the following vote:

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

## NO ACTION--SUMMER YOUTH TRANSPORTATION

There was no action taken by the Council on the item of authorizing the City Manager to apply for \$7,000 in Department of Labor funds under the 1972 Summer Youth Transportation Program, as this item was removed from the Agenda at this time.

## MAYOR ENTERS

Mayor Butler entered the Council Chamber at this time.

## ANNEXATION ORDINANCE

Mayor Butler introduced 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 9.40 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE AND PARTLY OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; 107.06 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; AND 34.59 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE ISAAC DECKER LEAGUE AND PARTLY OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE; ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman Nichols moved the Council finally pass the ordinance. 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

The Mayor announced that the ordinance had been finally passed.

## 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:  
THE WEST SEVENTY FEET OF LOT 6, BLOCK 11, WARD SUBDIVISION, LOCALLY KNOWN AS 108 EAST 38TH STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B"

RESIDENCE, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

- (1) LOT 17 AND THE WEST 22.2 FEET OF LOT 9, BLOCK 8, GROOMS ADDITION, LOCALLY KNOWN AS 101-103 EAST 31ST STREET; 3001-3011 UNIVERSITY AVENUE, FROM SECOND HEIGHT AND AREA DISTRICT TO THIRD HEIGHT AND AREA DISTRICT; AND,
  - (2) LOT 2 (EAST ONE-HALF), BLOCK 5, AND LOT 2 (WEST ONE-HALF AND THE NORTH 33 FEET OF THE WEST ONE-HALF OF LOT 1), BLOCK 5, PLEASANT GROVE SUBDIVISION, LOCALLY KNOWN AS 1601-1603 WEST 39 1/2 STREET, FROM "A" RESIDENCE DISTRICT AND "B" 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: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love,  
Councilmen Lebermann, Friedman, Handcox

Noes: None

The Mayor announced that the ordinance had been finally passed.

#### REFUND CONTRACTS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE ACTING CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH WALTER CARRINGTON BUILDER, INC. AND AUSTEX DEVELOPMENT COMPANY, LTD.; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

The Mayor announced that the ordinance had been finally passed.

SALE OF SURPLUS REAL PROPERTY

Mr. Morahan, Director of Land Division reported that they had recommended the acceptance of a total of \$115,990.25 worth of properties. The sales of surplus properties were to be awarded to the lowest bidders.

Councilman Nichols moved the Council adopt a resolution awarding the sale of the following property:

NO. 7 RUBEN H. JOHNSON 1509 W. 38th St. \$35,925.00

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

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

Councilman Nichols moved the Council adopt a resolution awarding the sale of the following property:

NO. 436 RUBEN H. JOHNSON 2106 Greenwood Ave. \$2,531.25

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

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

Councilman Nichols moved the Council adopt a resolution awarding the sale of the following property:

NO. 465 MR. M. CORPORATION 4417-4423 Duval Street \$37,501.00  
(of San Antonio) 501-509 E. 45th Street

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

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

Mayor Pro Tem Love moved the Council adopt a resolution awarding the sale of the following property:

No. 506 DONALD S. THOMAS 1022-1046 Reinli Street \$357,000.00  
 1015-1047 Clayton Lane  
 5800-5920 Sheridan Lane

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

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

Councilman Nichols moved the Council adopt a resolution awarding the sale of the following property:

NO. 1056 RUBEN H. JOHNSON 4514 Highland Terrace \$12,600.00

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: Councilman Friedman

Councilman Nichols moved the Council adopt a resolution awarding the sale of the following property:

NO. S-22 E. S. (EDDIE) ROBINSON 2421 Winsted Lane \$217.00

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

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

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

NO. 1070 RUBEN H. JOHNSON 2801-07 Oakmont Blvd. \$12,565.00

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

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

NO. 1069 D. L. McCARRON 1709 Northwood Road \$14,651.00  
 at MoPac Expressway

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

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



Councilman Nichols moved the Council reject the following bid:

NO. 489 (Rejected and reBid) 7201 Bennett Avenue  
924-928 E. St. Johns Avenue

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

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

Noes: None

Mr. Morahan reported this totals an approval of \$472,990.25 which brings in this series of sales about \$1,168,000.00 of surplus properties which would add about \$14,500.00.

City Manager Davidson stated Mr. Morahan and his staff had done a fine job with this program. Surplus properties become a burden to a city, in keeping them off the tax rolls, keeping them managed, weeds cut, etc., and stated he was well pleased with this program.

REVOCATION OF DESIGNATION OF H.O.C.  
AS COMMUNITY ACTION AGENCY AND THE CITY DESIGNATED

Councilman Nichols moved that the designation of the Human Opportunities Corporation as the Community Action Agency for the City of Austin be and is hereby in all respects revoked; that the City of Austin be and is hereby in all respects designated as the Community Action Agency for the City and County; that the City Administrative Staff and be and is hereby authorized to submit an application, together with all necessary documentation thereto, to the Regional Office of Economic Opportunity in order that said designation and application be recognized and approved. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: Councilman Friedman

Mayor Butler distributed a statement as to some basic questions that had been outlined and answered.

LAND - TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 1

City Attorney Don Butler stated this request was recommended by the City Manager and the Legal Department. However, he pointed out if this area were closer in, this action would not be recommended, and the possibility of annexation is remote. Councilman Nichols asked if this were setting a precedent. The City Attorney explained Lakeway is within the extraterritorial jurisdiction, only because the City limits follow the Lake, and this would be a distinction between other requests. Mayor Butler said the City Attorney was not recommending that this language be included in any other transaction, and this would not be a precedent.

Mayor Pro Tem Love moved the Council adopt a resolution amending consent to inclusion of land within the Travis County Municipal Utility District No. 1. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

Not in Council Chamber when Roll was called: Councilman Dryden

Councilman Nichols cast his affirmative vote predicated on setting a precedent.

#### ANNEXATION HEARING SET

Mayor Pro Tem Love moved the Council adopt a resolution setting a public hearing at 2:00 P. M., August 3, 1972, to consider annexing the following:

2.03 acres of land out of the J. C. Tannehill League -  
"Stone Ridge Section One." (requested by developer)

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

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

Noes: None

#### COMPUTER SYSTEM - BILLING AND ACCOUNTING

Mayor Butler asked for a report on the trip made recently to another City regarding this system.

City Manager Dan Davidson stated this step in the computer system was recommended in the Tax Study Commission's report to the Council, and is the new policy adopted by the Council regarding the tax re-evaluation program. In modernizing the City's approach in record keeping, processing files, and in the work that has to be done year round, Messrs. Klitgaard, Tax Assessor and Collector; McCasklin, Data Processing; and Homer Reed, Executive Administrator, are submitting a proposal that will save money and take less time to modernize this approach, and to utilize a design now in operation in Wichita Falls. The Consultant that created the Wichita Falls approach also recommended this method, and City Manager Davidson recommended it also.

Mr. Homer Reed explained the program would computerize those portions of the tax appraisal, tax billing, and accounting system, which are time consuming in terms of clerical appraiser work. It would not eliminate the on-the-ground appraisal; instead the appraiser would have a computer print-out on the particular property updating all of the values shown in accordance with the latest schedules. The greatest return in terms of dollars would be in a cost savings in clerical effort in that most of that function would be transferred to the computer thus reducing space requirements for files, and reduce personnel maintaining them. He stated this was a step forward in accord with the Tax Commission recommendation.

Councilman Nichols passed on a commendation from Mr. Ornot, member of the Tax Commission, to Mr. Reed for this action and expressed appreciation of the City's efforts in supporting their action.

In response to Mayor Love's question, as to the capital investment for this type of program, Mr. Reed stated the contractor's cost would be \$140,000 and conversion and other support costs in the Tax and Data Processing Department would be \$117,000. The estimate of savings is \$50,000 per year, along with

benefits to the public as to better service and accurate information.

City Manager Davidson had submitted names of three capable consultant firms, recommending the BASYS firm, a subsidiary of Booze, Allen, and Hamilton, as Basys met the deadline with a price in line. Basys is the group that set up the system in Wichita Falls and are able to do this job at a lesser cost than the other firms, and they are the only firm that commits completion by June 1973.

Mr. Reed stated Mr. Klitgaard, when Assistant Tax Assessor, had helped design the Wichita Falls System, and a great deal accomplished there could be transferred to Austin.

Mayor Butler said the Council had been trying to give business to firms, assuming prices, products, and service were the same, to Austin taxpayers and business residents. It was pointed out the other firms could not quote a firm price, but one has an estimate well in excess of twice what the Booze, Allen, and Hamilton price is.

Councilman Nichols moved that BASYS, INCORPORATED, a subsidiary of Booze, Allen, & Hamilton, be awarded the contract. (Contract for computer system design and programming services needed to install a computer-assisted appraisal tax billing and accounting system.)

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

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

#### APPEAL ON SPECIAL PERMIT - CARRINGTON HOMES

Mr. Rodney Sheppard, representing Carrington Built Homes, Inc., stated Carrington Built Homes in a meeting this night with the University Hills Club, will offer an option or an offer to sell this property to the Club. The Club will have a period up through August 30 to determine the feasibility and to determine if they can purchase the property, he suggested that the City consider purchasing the land. Because of the negotiations; he asked in behalf of Carrington Built Homes, Inc., that the hearing on this matter be delayed until at least August 31.

Mayor Pro Tem Love, who had attended the last citizens' meeting, commended the interested groups for their efforts toward resolving this matter. A citizen from the audience stated he represented the citizens of northeast Austin, and they did not withdraw their notice of appeal, and they wish to proceed and appear before the Council in that respect. The lateness of the date would not affect any one of them.

Mayor Pro Tem Love moved the Council set a public hearing for September 14th. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Councilman Dryden discussed the price. Mr. Sheppard reported that 75 cents per square foot had been set, and that would total approximately \$104,000.

Mayor Butler stated if the University Hills Club purchased the property, it would not be public property, but private property. Mr. Sheppard reported the present membership could not purchase the property, but there are 1200 residents in the area that are eligible for membership. City Manager Davidson read a resolution whereby the Board of Directors of the University Hills Club recommended that the property of University Hills Club and the two vacant tracts adjacent thereto be used as follows, listed in preference:

1. Private Neighborhood Club
2. Public Park
3. Condominium Development
4. Apartment Complex
5. Shopping Center

In view of mistaken rumors, the Board members were adamant that no offer to the City to purchase the property be made.

Mayor Butler stated the Council hoped they could work this out; and if not, the hearing would be on September 14th.

Mr. Keith Markley wanted to bring to the Council's attention that four out of seven members on the Board are Mr. Carrington's appointees. Mr. Markley stated they were interested in owning the area out there.

It was announced that the public hearing is set for September 14th.

#### ZONING REQUIREMENTS - FENELON & I. H. 35

Mr. James Crow stated last year he had purchased a piece of property on which he inherited the zoning which was not complete. He would like to have the zoning under different conditions than those stipulated at the time it was heard. The area was different at that time than it is now, and he listed the conditions that were to be met as follows:

1. The applicant was not to have access from Fenelon Drive to the property.
2. Five feet along Fenelon to be dedicated to widen the street which could not be used anyway.
3. A 6' masonry fence to be built along the back of the property where it adjoins residential property.
4. Sixty feet of the property on the east which adjoins the residential property to be given only "B" Residence First Height and Area zoning. He stated since that time, property adjoining this all along has been zoned "GR" with no stipulations similar to these. He would accept the "O" Office without the stipulations.

Mr. Crow then listed the stipulations he would like to have removed:

1. He asked for access to Fenelon Drive which adjoins the property and that he not be required to dedicate 5' right-of-way because all they could do would be to give 5' from their property and create a jog.
2. There is a 6' wooden fence all along the east property line.
3. The 60' of "B" Residence zoning.

Mr. Crow said the property has never been zoned because they never met these stipulations. The Planning Director, Mr. Dick Lillie, stated in his discussion with Mr. Crow, he had mentioned only the relief on the right-of-way requirement. Councilman Nichols stated this should go back to the Planning Commission.

As to the 5' right-of-way requirement, Mr. Lillie stated this is a one-block street, paved, curbed, and guttered, with the access limited to I. H. 35, and there was no problem on the right-of-way. As to the egress off of Fenelon Drive, Mr. Lillie stated if the right-of-way and paving were not to be increased, then the access should come off I.H. 35 as originally recommended and adopted by the Council. Mr. Lillie stated ingress and egress off Fenelon could be considered if limited to a fairly close distance from I.H. 35 -- not back against the residential area -- or within 100' from I.H. 35. On Fenelon, Mr. Lillie suggested a driveway should be restricted to the first 100 feet.

Councilman Nichols moved the ingress and egress be limited to the 100 feet; that the 5' of right-of-way be waived, and that the fence recommendation be waived, leaving the zoning remain as is. 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

#### ANNEXATION & SEWER EXTENSION POLICIES

Councilman Lebermann stated the Council decided to hear the annexation and wastewater policy on August 10th instead of the 3rd, which was a zoning day. City Manager Davidson reported the Planning Commission had requested a hearing on septic tanks, package plants, etc. The Mayor stated this would be three weeks, and there would be time to notify Mr. Copus, Mr. Bradfield, and those who were on the Committee. City Manager Davidson stated he would call them.

#### TOWN LAKE FISHERMEN - GASOLINE POWERED BOATS

Mr. Don G. Martin wanted to make a proposal regarding the opening of Town Lake to fishermen with gasoline powered boats, to enable those who cannot get to a given spot on the lake to move against the currents or winds. He said there were about 350 members in the Bass Clubs who would be interested.

The gasoline engine would be used only to get a fishing boat to a general area where the fisherman intends to fish. A man has a motor boat ranging up to 135 horsepower, but he also has a trolling motor which is an electric motor run by a battery. He would like to put his bass boat on the lake at a ramp specified by the City, be able to drive at a reasonable speed (5 miles per hour) to a general area where he wanted to fish. His gasoline engine is no use until he moves to a farther area, or to return to the ramp. The rest of the time, he uses the trolling motor.

Councilman Lebermann suggested that Mr. Martin go before the Navigation Board; and because of the uniqueness of Town Lake and what is being attempted there, he suggested that the Parks and Recreation Board hear this matter also. The Mayor and Council members concurred.

## TEXAS GIRLS' CHOIR WELCOMED

Mayor Pro Tem Love reported to the Mayor that last week, in the Mayor's absence, he welcomed the Texas Girls' Choir. Those young ladies from Fort Worth had been all around the world several times as goodwill ambassadors. Mayor Pro Tem Love reported that Mayor Stovall, of Fort Worth, had made Mayor Roy Butler an honorary citizen of Fort Wroth. He also sent Mayor Butler a key to the City of Fort Worth.

## RODENT EXTERMINATION - CONTRACT WITH U.R.A.

Mayor Pro Tem Love moved the Council adopt a resolution authorizing the City Manager to renew a contract between the City of Austin and the Urban Renewal Agency for Rodent Extermination in the Blackshear Urban Renewal Project. The motion, seconded by Councilman Nichols, carried by the following vote:

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

## NOVICE SKI TOURNAMENT

Mayor Pro Tem Love moved the Council grant the request of Mr. Dick Williamson, Senior Vice President of the Austin Ski Club, for permission to have a novice tournament at Festival Beach on Saturday, July 22nd, preceding their Aqua Festival Tournament. The motion, seconded by Councilman Nichols, carried by the following vote:

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

## CONSIDERATION OF CAPITAL IMPROVEMENTS PROGRAM

## Item (73/40-57)

Councilman Lebermann had expressed concern about this item in the Capital Improvements Program, which had not been reviewed at all by the Department or Commission. It develops there will be about 2500 acres in this area, and a 24" water main will be needed to extend on South I.H. 35 to Onion Creek. The Cedar Park Water District has applied for doubling its size, which will require an additional line. There is a golf course, four miles outside the City limits, and perhaps there is more development. He was concerned as to how far the City could go in spending to serve these water districts, and developments, far from the immediate City limits. It was brought out this was planning for the future. He stated it would not be good City planning to extend miles out to a development with the anticipation of having specific areas filled in at will and without any thought of planning. He was not opposed to development if it were carefully thought out and developed properly. He stated the Planning Commission should have reviewed this for the Council. Councilman Nichols stated this was a worthwhile item and it would not increase taxes, but would increase the ability to develop an area. There was adequate time for the Commission to consider this before August 24th.

Mr. Lillie stated the Commission did not consider this item as it was not a part of the proposed system submitted by the Water and Wastewater Department. It would seem that if an extension of a major waterline such as this had been necessary, it would have been included in the Water and Wastewater Department's C.I.P. for submission to the Commission. City Manager Davidson stated a report that could go to the Planning Commission could be filed at the time it would consider the matter.

Councilman Lebermann moved the Council vote that this \$575,000 water extension project (72/40-57) be referred to the Planning Commission for their review and study. He commented that his concern in no way indicated opposition to the program, but merely concerned an item of this size, and one that likely will establish a substantial precedent, needs to be reviewed by the Commission. The motion, seconded by Councilman Friedman, carried by the following vote:

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

Councilman Dryden voted "yes" with the statement that he did not think it is a good idea to go ahead and let the Commission make this study and listen to their recommendation. He was in favor of this extension because the City is behind in these areas already. Obviously Austin will grow in all directions and all types of utilities will be needed to go in all directions.

#### Item (73/86-45)

Mr. Homer Reed reported this item of Decker Lake Park Improvements was listed in the C.I.P. as a future project without funding during the five year period. This would move the item from the future category into the current category. Mayor Butler stated this was Mayor Pro Tem Love's suggestion that a start be made toward picnic tables and hiking trails, irrigation improvements and some road improvements. Mayor Pro Tem Love stated this was within a figure based on City Manager Davidson's recommendation as to what could be done now.

City Manager Davidson stated the remainder of the tabulation updates the total figures in the C.I.P. if the Council were to adopt these other two suggestions. They would automatically tabulate that for the Council as soon as the Council has added all it is going to add.

Mayor Pro Tem Love stated in addition to the \$25,000 just discussed for picnic and park facilities at Decker, he asked the Council to approve \$50,000 in the following year's C.I.P. for the beginning of a new 18-hole golf course at some location. He had no recommendation as to the location, but would lean on the staff, the Austin Golf Association, and other experts in that field to decide. He proposed also that adequate funds to the program for the JIMMY CLAY GOLF COURSE now under construction and nearly completed be increased an additional \$80,000 now. If that \$80,000 is available, it would seem to be necessary to develop a club house that is suitable and feasible for the Jimmy Clay operation. He was asking for another \$80,000 in this coming fiscal year for this course. In summary, Mayor Pro Tem Love stated in discussing the \$25,000 picnic facilities at Decker, he was suggesting \$50,000 in the following C.I.P. to start planning another 18-hole course in 73-74 to get underway with the project so it would be in operation by the time the City loses the Municipal Golf Course to the

University. He emphasized the need of 18 holes of golf to maintain the standards of growth of the community.

Councilman Handcox had to leave the City and he had some comments along this line. Mayor Pro Tem Love stated Councilman Handcox requested that a 9-hole facility be constructed and completed within a few months of the completion of the new facility on Webberville Road, perhaps by 1975. Mayor Pro Tem Love suggested moving that to 1974 for planning so that it would be ready about the completion date of the project on the Crosstown and the project on Webberville.

In this line, Councilman Dryden was frustrated about \$20,000 for planning and study, etc., and he was hesitant about approving or building a 9-hole golf course because it is rather impractical, and an 18-hole course could be operated more reasonably than a 9-hole course. He suggested considering acquisition of more land regarding this 9-hole course and making it 18.

City Manager Davidson clarified a statement about the 9-hole course; and even though a course of 18 holes is more economical, there was confusion as to the location as to reference to the Walnut Creek Park area instead of the Walnut Creek. The comments pertained to that site, and he still recommends a golf course there for that and some other reasons. At the Walnut Creek Treatment Plant site, 9 holes can be constructed with fewer problems than the Walnut Creek site. Councilman Dryden was for planning on something more economical as it is not as economical to have a 9-hole course as it is an 18 hole course.

Mayor Butler asked that research be done on this item, hoping that the course could be expanded to 18. Mayor Pro Tem Love, along with Councilman Handcox, believed that the general part of the community is where the 18 holes should be located without any question. Councilman Dryden agreed. Mayor Pro Tem Love stated there was a possibility of a golf course at City Park in view of the terrain.

Councilman Friedman made a statement. "Figures are being prepared now and hope to have them before the Council next week as to proposed changes on the C.I.P. that I would like to see. For that reason, I won't be discussing anything with you now, since we have to the 24th. I hope to have those figures for the Council and City Manager and staff by next week with proposed changes on the C.I.P."

He stated he was talking about parks, paving and streets. They are trying to keep it down as much as possible but within the realm of reasonableness. He stated his figures would be back before the 8th of August.

Mayor Butler stated Water and Wastewater, Parks, Public Works and the Hospital are the only areas that are not finalized. Councilman Lebermann had an item about Parks; and he wanted to check on available funds before he made a recommendation to the Council.

Councilman Nichols moved the Council vote that with the exception of Parks, Public Works, Hospital and Water and Wastewater, at this point in time, to approve the C.I.P. Project. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

Absent: Councilman Handcox



Mayor Butler had a memorandum about property to be acquired for the Police Department. It was stated if this is to be purchased, it should be added to the C.I.P. as there are no other funds. This was deferred until the following week, July 27, to be heard along with Councilman Friedman's recommendations; and in the meantime perhaps a federal application could be pursued. The City Manager stated after checking with Chief Miles and the architects, he recommended that this stay in the program as it is and not be changed.

City Attorney Don Butler pointed out that August 10th is the last date the C.I.P. can be firmed up in relation to a proposed bond election. Mayor Butler stated the Council would set a deadline then of August 10th as to making any additions or deletions.

ADJOURNMENT

The Council then adjourned.

APPROVED: Ray Butler

Mayor

ATTEST: \_\_\_\_\_

City Clerk