

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 10, 1974
7:00 P. M.

Electric Auditorium
301 West Avenue

The meeting was called to order with Mayor Butler presiding.

Roll Call:

Present: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann,
Mayor Pro-tem Love, Mayor Butler

Absent: None

The Invocation was delivered by REVEREND MERLE G. FRANKE, First
English Lutheran Church.

RECOGNITION

Mayor Butler read resolutions commending retiring City Employees of the
Electric Utility Department for their faithful and loyal services and presented
the resolutions signed by all Council Members and the Mayor to the following:

Mr. R. G. "Dutch" Brydson - Assistant Power Plant Superintendent
Mr. Vernon B. Lee - Electric Meterman I
Mr. Floyd E. Butts - Line Foreman
Mr. Wickline R. Tumey - General Foreman

Upon receiving the resolutions, the retiring employees introduced their
wives to the audience. Mr. J. C. Blankenship, Power Production Superintendent,
presented each employee with a service pin from the City of Austin.

THINK TREES WEEK

Mayor Butler read a resolution declaring the week of January 12 to 18 as
"Think Trees Week." Mrs. Margaret Hofmann accepted the resolution on behalf
of the following organizations:

We Care Austin (the Women's Environmental Coalition)
Austin Neighborhoods Council
Audubon Society
Sierra Club
Travis County Democratic Women
Violet Crown Garden Club
Austin Area Garden Council

After Mrs. Hofmann introduced her family, Mr. Dorsey, representing all the organizations, presented to the City Council a new letterhead for the stationery for the City of Austin portraying trees and hills.

PROCLAMATION

Mayor Butler presented Mr. Morris Taylor and Mr. Walter Lilly of the Austin Jaycees with a proclamation declaring the week of January 14 to 18 as "Austin Car Pool Week."

Mayor Butler noted that Mr. Dan Davidson, the City Manager, was home from the hospital, recovering very well with little or no damage.

APPROVAL OF MINUTES

Councilman Dryden moved that the Council approve the Minutes of the Regular Meeting of January 3, 1974, with a request that the Minutes reflect a correction as follows:

Councilman Dryden was not present at the beginning of the Meeting due to an emergency to care for an employee of his for 28 years and then had to leave the Chambers to care for the City Manager, Mr. Davidson.

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

Ayes: Mayor Butler, Mayor Pro-tem Love, Councilmen Binder, Dryden,
Friedman, Handcox, Lebermann
Noes: None

Councilman Binder asked for a show of hands as to how many in the audience could not have attended the Meeting during the day. Approximately 50 percent could not have attended.

AERIAL PASSAGEWAY

As it was 7:00 P.M., Mayor Butler opened the hearing on the construction of an aerial passageway over Scenic Drive. The applicant, Mr. John D. Byram, appeared before the Council requesting a permit for the construction of the aerial passageway over Scenic Drive and an amendment of the Building Code to permit construction of aerial passageways over a street or alley without a fire door at each end under certain specified conditions. It was stated that there were four meetings held on this and that the Environmental Board recommended the application. Mr. Byram filed a petition with 185 names

representing residents of the area urging the City to grant his application. Since the issuance of the license agreement, which had been issued on September 21, 1971, additional property had been acquired; and 40' of this acquired property was encompassed under this fence which was not covered by the license agreement. Mr. Byram stated that if there were any violations in any way, he would take steps to correct this.

Mr. Robert Sneed, attorney for Mr. Byram, discussed the right-of-way lines of Scenic Drive and Matthews, the field notes, height of fence, and the method of measurement. In response to Mayor Pro-tem Love's noting that only the construction of the bridge was listed on the agenda for discussion, Mr. Sneed said that the Environmental Board asked the Council to look into the legality of the fences and other matters.

The following residents of the area appeared and spoke in favor of granting the permit to Mr. Byram:

Mr. Al Robinson III
Dr. Doyle Leslie
Ms. Cybil Leslie
Mr. Felder Thornhill
Mr. W. G. Swenson, Jr.
Ms. Ann Swenson
Mr. Arnie Ornasey

Dr. Irwin Spear reviewed the situation from its beginning in 1971, discussing the construction of the fences and walls and what he considered violations of the license agreement indicating that a number of factors had not been adhered to. He also stated that this aerial passageway was built without a permit and that it interfered with the view of others. Dr. Spear mentioned that several ordinances had been violated and disregarded.

The following appeared and spoke against granting the permit to Mr. Byram:

Mrs. Helen Spear
Ms. Jacqueline Walker
Mr. Scott J. Spear
Mrs. E. L. Copeland

Mayor Pro-tem Love suggested that the staff be instructed to determine whether there are any violations and come back to the Council with any recommendations. After discussion, Councilman Dryden moved that the Council grant the permit subject to all rules and regulations. The motion, seconded by Mayor Pro-tem Love, carried by the following vote:

Ayes: Mayor Pro-tem Love, Councilmen Dryden, Hlandcox, Lebermann
Mayor Butler
Noes: Councilmen Binder, Friedman

TAXICAB FARE RATE INCREASE

Mayor Butler opened the hearing on the taxicab fare rate increase. Mr. Forrest N. Troutman, attorney for Yellow Checker Cab Company, appeared before the Council requesting that the present rate of 50¢ be increased to 65¢ for the first one-quarter mile, maintaining the present 10¢ for each additional one-fifth mile. He requested this increase, noting that the cost of doing business had increased. The taxicab industry in Austin has experienced increased cost in insurance, tires, wages, gasoline, parts and other aspects going into the cost of operating a taxicab company. Mr. Troutman stated that the number of trips are going down. The Yellow Checker Cab Company had filed the original application in June, 1973, and all information had been furnished that was requested of them. He asked that this article be passed on an emergency measure.

Mr. Carlos Valasquez spoke on behalf of Roy's Taxi Service in favor of the 15¢ increase due to an increase in the cost of gasoline and equipment. Mr. James W. Townsend spoke on behalf of Harlem Cab Company requesting the increase. It was pointed out that complaints had been received as to the availability of cabs for late arrivals at the airport and on the general condition of the cabs. It was requested these conditions be corrected. Each company was asked about the number of cab permits and the number of cabs in operation:

Yellow Checker Cab Company - 60/40
Roy's Taxi Service - 30/20
Harlem Cab Company - 38/38

Mayor Pro-tem Love moved that the Council close the public hearing, ask for staff recommendation next week, January 17, and indicate that the item be placed on the agenda. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann, Mayor Butler, Mayor Pro-tem Love
Noes: None

CONTRACT - CENTRAL TEXAS MEDICAL FOUNDATION

Councilman Dryden moved that the Council adopt a resolution authorizing the contract between the City of Austin and the Central Texas Medical Foundation, Austin, Texas, October 1, 1973 - September 30, 1975, with the provision that any profit derived by Central Texas Medical Foundation from emergency room operations, if any, would be utilized in "upgrading the quality of care or for expanding education in either emergency room care or the medical education program at Brackenridge Hospital." It was also noted that there would be a monthly review of earnings and expenses. The motion, seconded by Councilman Handcox, carried by the following vote:

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

MOVING OF HOUSE

Mayor Pro-tem Love moved that the Council adopt a resolution authorizing disposition of property for right-of-way clearance as follows:

Accept positive bid - House to be moved

James M. Damon 810 West Avenue \$250.00

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

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler, Mayor Pro-tem Love, Councilman Binder

Noes: None

Not in Council Chamber when roll was called: Councilman Dryden

CROSSTOWN WASTEWATER INTERCEPTOR

Councilman Lebermann moved that the Council adopt a resolution authorizing the approval of Change Order Numbers 3 and 4 in connection with the existing Crosstown Wastewater Interceptor, Contract No. 5029 1 between Peter Kiewit Sons, Inc., and the City of Austin, in the amounts of \$10,000.00 and \$54,000.00 respectively. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro-tem Love, Councilmen Binder, Friedman

Noes: None

Not in Council Chamber when roll was called: Councilman Dryden

HEARING SET - URBAN RENEWAL

Mayor Pro-tem Love moved that the Council set public hearings for 7:00 P.M., February 14, 1974, to (a) amend the Saint John's Urban Renewal Plan and (b) amend the Glen Oaks Urban Renewal Plan. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro-tem Love, Councilmen Binder, Friedman, Handcox

Noes: None

Not in Council Chamber when roll was called: Councilman Dryden

ANNEXATION

Mayor Pro-tem Love moved that the Council adopt a resolution setting the public hearing at 7:00 P.M., January 31, 1974, to consider annexing the following:

Total acres - 643.46

19.05 acres of land out of the SANTIAGO DEL VALLE GRANT -
(Union Creek Forest, Section 4). Requested by owner,
CLEAR CREEK PROPERTIES, INC.

166.85 acres of land out of the SANTIAGO DEL VALLE GRANT -
(unplatted land). Initiated by the City

457.56 acres of land out of the SANTIAGO DEL VALLE GRANT -

205.28 acres of land - (JIMMY CLAY GOLF COURSE).
Initiated by the PARKS AND RECREATION DEPARTMENT

252.28 acres of land - (COOPER ADDITION and unplatted
land). Initiated by the City

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

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro-tem Love, Council-
men Binder, Friedman, Handcox

Noes: None

Not in Council Chamber when roll was called: Councilman Dryden

LICENSE AGREEMENT

Mayor Pro-tem Love moved that the Council adopt a resolution granting a
license agreement for PROVIDENT DEVELOPMENT COMPANY, BILL GUNN, Vice President,
for the temporary closing of a portion of Shadywood Drive to be used as a
landscaped mall. The motion, seconded by Councilman Lebermann, carried by the
following vote:

Ayes: Mayor Butler, Mayor Pro-tem Love, Councilmen Binder, Friedman,
Handcox, Lebermann

Noes: None

Not in Council Chamber when roll was called: Councilman Dryden

CONTRACTS AWARDED

After discussion, Mayor Pro-tem Love moved that the Council adopt a
resolution awarding the following contracts:

Radio Communication Equipment:

GENERAL ELECTRIC COMPANY	- Items 1- 4	114 Ea. @ \$	793.00
6901 North Lamar	5	3 Ea. @ \$	898.00
Austin, Texas	7- 9	8 Ea. @ \$	618.00
	10	3 Ea. @ \$	1,199.333
		Total	\$101,638.00

MOTOROLA C & E, INC.	- Item	6	22 Ea. @ \$	1,491.00
3320 Beltline Road			Total	\$ 32,802.00
Dallas, Texas				

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

Ayes: Mayor Pro-tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler
Noes: None

Mayor Pro-tem Love moved that the Council adopt a resolution awarding the following contract:

ALLIS CHALMERS CORPORATION	- Metalclad Switchgear			
310 South Saint Marys	Bid Item 1	2 Ea. @	\$	52,154.00
San Antonio, Texas	Bid Item 2	1 Ea. @	\$	49,119.00
	Bid Item 3	3 Ea. @	\$	51,191.00
		Total		\$307,000.00

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

Ayes: Mayor Pro-tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler
Noes: None

Mayor Pro-tem Love moved that the Council adopt a resolution awarding the following contracts:

Trucks and Sedan:

LEIF JOHNSON FORD	- Item	2	1 Ea. @ \$	4,832.00
501 East Koenig Lane		5	1 Ea. @ \$	3,044.00
Austin, Texas		9	4 Ea. @ \$	7,489.00
			Total	\$ 37,832.00

McMORRIS FORD	- Item	1	1 Ea. @ \$	4,808.61
808 Sixth Street		3	1 Ea. @ \$	4,895.81
Austin, Texas			Total	\$ 9,704.42

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

Ayes: Mayor Pro-tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler
Noes: None

Mayor Pro-tem Love moved that the Council adopt a resolution awarding the following contract:

COMBUSTION ENGINEERING
3334 Richmond Avenue
Houston, Texas

- Spare parts for Gas Burners
Items 1- 6 @ \$ 25,249.20

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

Ayes: Mayor Pro-tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler
Noes: None

Mayor Pro-tem Love moved that the Council adopt a resolution awarding the following contract:

FEDERAL PACIFIC COMPANY	- Power transformers		
c/o R. D. Erb Company	Item 1	5 Ea. @	\$113,185.00
2117 Cottie Lane	2	2 Ea. @	\$ 87,760.00
San Antonio, Texas	Total		\$653,685.00

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

Ayes: Mayor Pro-tem Love, Councilmen Binder, Dryden, Friedman
Handcox, Lebermann, Mayor Butler
Noes: None

Mayor Pro-tem Love moved that the Council adopt a resolution awarding the following contracts:

Three-phase pad mounted transformers:

GRAYBAR ELECTRIC COMPANY - Bid Item 1	1 Ea. @ \$	4,965.00
7434 North Lamar		
Austin, Texas		

TECHLINE, INC. - Bid Item 2	1 Ea. @ \$	6,425.00
8750 Shoalcreek		
Austin, Texas		

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

Ayes: Mayor Pro-tem Love, Councilmen Binder, Dryden, Friedman
Handcox, Lebermann, Mayor Butler
Noes: None

Mayor Pro-tem Love moved that the Council adopt a resolution awarding the following contracts:

Obsolete, surplus and burned out electric utility equipment:

TRANSFORMER REPAIR SERVICE - Bid Item Nos. 1.1, 1.2, 2.6, 2.7
418 Avenue K 2.10, 2.11, 2.12, 3.2
Lubbock, Texas and 3.3 - \$31,467.95

FRANK HYDEN - Bid Item No. 3.5 - \$1,000.00
#265 C. M. Allen
San Marcos, Texas

MEDINA ELECTRIC - Bid Item Nos. 2.8 & 2.9 - \$2,004.00
COOPERATIVE, INC.
Hondo, Texas

HARRY SCHWARTZ - Bid Item Nos. 1.3, 2.2, 2.3 and
2300 Roswell Avenue 3.1 - \$5,005.77
Charlotte, North Carolina

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

Ayes: Mayor Pro-tem Love, Councilmen Binder, Dryden, Friedman
Handcox, Lebermann, Mayor Butler
Noes: None

Mayor Pro-tem Love moved that the Council adopt a resolution awarding
the following contract:

MIDCO CONTROL SYSTEMS, INC. - Telemetering Totalizing System
10205 Okanella Bid Item No. 1 - \$40,490.00
Houston, Texas

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

Ayes: Mayor Pro-tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler
Noes: None

Mayor Pro-tem Love moved that the Council adopt a resolution awarding
the following contract:

AUSTIN ENVIRONMENTAL LANDSCAPE - Trees and plants
6901 North Lamar Bid Items 1-11 - \$7,360.60
Austin, Texas

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

Ayes: Mayor Pro-tem Love, Councilmen Binder, Dryden, Friedman
Handcox, Lebermann, Mayor Butler
Noes: None

Mayor Pro-tem Love moved that the Council adopt a resolution awarding the following contract:

LONGHORN CEMENT DIVISION	- Portland Cement
Kaiser Cement & Gypsum Corp.	Bid Item No. 1; 10,080 sacks (94 pounds
Route 13, Box 714	per sack) @ \$1.72 sack
San Antonio, Texas	Total \$17,337.60

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

Ayes: Mayor Pro-tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler
Noes: None

Mayor Pro-tem Love moved that the Council adopt a resolution awarding the following contract:

GIFFORD-HILL-AMERICAN, INC.	- 129 feet of pipe and miscellaneous
2949 Sterrmans Freeway	fittings - \$8,682.42
Dallas, Texas	(confirmation - emergency purchase)

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

Ayes: Mayor Pro-tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler
Noes: None

Mayor Pro-tem Love moved that the Council adopt a resolution awarding the following contract:

AUSTIN WHITE LIME COMPANY	- Quicklime
McNeil, Texas	Bid Item No. 1; 8,500 tons
	@ \$20.65 per ton Total \$175,525.00

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

Ayes: Mayor Pro-tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler
Noes: None

Mayor Pro-tem Love moved that the Council adopt a resolution awarding the following contract:

LANTORD EQUIPMENT COMPANY	- Anhydrous Ammonia
830 Airport Boulevard	Bid Item No 1; 92,000 pounds
Austin, Texas	@ \$.10/lb. Total \$9,200.00

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

Ayes: Mayor Pro-tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler
Noes: None

Mayor Pro-tem Love moved that the Council adopt a resolution awarding the following contract:

CULLUM & DICKEHUT CONSTRUCTION COMPANY	- For Turtle Creek Area Wastewater Relief Main - \$205,170.75
P. O. Box 426	(Capital Improvements Program
Marble Falls, Texas	Project Number 5068 0)

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

Ayes: Mayor Pro-tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler
Noes: None

Mayor Pro-tem Love moved that the Council adopt a resolution awarding the following contract:

STEPHENS CONTRACTING COMPANY	- For Country Club Creek Wastewater Main - \$440,476.00
5148 Lotus	(Capital Improvements Program
Houston, Texas	Project Number 5017 0)

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

Ayes: Mayor Pro-tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler
Noes: None

Mayor Pro-tem Love moved that the Council adopt a resolution awarding the following contract:

STEPHENS CONTRACTING COMPANY	- For Jollyville Reservoir 48" water feeder main - \$390,058.00
5148 Lotus	(Capital Improvements Program
Houston, Texas	Project 4067 2)

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

Ayes: Mayor Pro-tem Love, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann, Mayor Butler
Noes: None

CITIZEN APPEARANCE - REQUEST WITHDRAWN

Mrs. Burmah G. Hunt withdrew her request to appear before the City Council to discuss discrimination by Health Department, Legal Department, and Paving Department.

SEWER TAP REQUEST

Mr. A. D. Stenger reviewed the development of Ridgewood Village, Section I, and requested that the City furnish the sewer to Lot 6. The City had issued building permits to this subdivision, and Mr. Stenger had built on Lot 6 with the assumption that he would be furnished a sewer tap. The lot lines had been revised and the sewer would have to be extended 20 feet. Mr. Stenger requested that the City pay for this extension. Mr. Curtis Johnson, Director of Water and Wastewater Department, stated the tap would be very expensive as they would have to dig through solid rock. He indicated it was the position of the City that Mr. Stenger should have filed a short form subdivision and if he had done so, he would have been required to furnish another sewer tap.

Councilman Dryden moved that Mr. Stenger go ahead and file the short form subdivision and the City furnish him with the sewer tap. The motion, seconded by Mayor Pro-tem Love, failed to carry by the following vote:

Ayes: Councilmen Dryden, Handcox, Mayor Pro-tem Love

Noes: Councilmen Binder, Friedman, Lebermann, Mayor Butler

The Mayor announced that the motion had failed to carry. The request, having been denied, Mr. Stenger was advised to file the short form subdivision and apply for a 40%-60% cash settlement and get with Mr. Lonnie Davis, Building Official, and Mr. Johnson to expedite the matter.

REFUND CONTRACTS AWARDED

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH VILLAGE OAKS VENTURE, KERRY MERRITT, AND AUSTEX DEVELOPMENT COMPANY, LTD.; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro-tem Love, Councilman Dryden

Noes: Councilmen Friedman, Binder

The Mayor announced that the ordinance had been finally passed.

EXTENSION OF WATER SERVICE

Mayor Butler introduced the following ordinance:

AN ORDINANCE DESCRIBING THE METHOD CHARGES WILL BE CALCULATED FOR WATER SERVICE PROVIDED BY THE CITY OF AUSTIN OUTSIDE THE CITY LIMITS OF THE CITY OF AUSTIN AND OUTSIDE WATER CONTROL AND IMPROVEMENT DISTRICTS, MUNICIPAL UTILITY DISTRICTS, F.H.A. FINANCED WATER SUPPLY DISTRICTS, AND ANY OTHER GOVERNMENTAL ENTITY OR AGENCY WHICH IS NOT OWNED BY THE CITY OF AUSTIN; REPEALING ALL ORDINANCES, RESOLUTIONS, AND ORDERS IN CONFLICT HERewith; 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, levying an approach main charge for the extension of water service outside the City limits (Postponed from December 20, 1973).

Mr. Homer Reed, Deputy City Manager stated the City had been absorbing the essential cost of either enlarging distribution system for water supply outside the City limits or for extending new lines to new subdivisions. Under this policy change the developer will be absorbing that cost and reimbursing the City for it on a per-lot basis.

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

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro-tem Love,
Councilmen Binder, Dryden, 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 CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOT A, RIVERSIDE DIVIDE, LOCALLY KNOWN AS 1611-1705 EAST RIVERSIDE DRIVE; 1614-1705 OLD RIVERSIDE DRIVE, FROM "B" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro-tem Love,
Councilmen Binder, Dryden, 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: LOT 2, ANDERSON-DEL GUIDICE SUB-DIVISION, LOCALLY KNOWN AS 2011 RUTLAND DRIVE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS AND DECLARING AN EMERGENCY.

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

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro-tem Love,
Councilmen Binder, Dryden, 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 CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: A 1,560.00 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 1908 EAST RIVERSIDE DRIVE, FROM "GR" GENERAL RETAIL DISTRICT TO "C-2" COMMERCIAL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

AMBULANCE FUND

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 730913-G TO ESTABLISH AN AMBULANCE FUND IN THE 1973-1974 BUDGET; TO TRANSFER FUNDS FROM THE GENERAL FUND TO THE AMBULANCE FUND; TO TRANSFER FUNDS FROM THE HOSPITAL FUND TO THE GENERAL FUND; SUSPENDING 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 Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro-tem Love, Councilmen Binder, Dryden, Friedman, Handcox, Lebermann

Noes: None

The Mayor announced that the ordinance had been finally passed.

CAPITAL IMPROVEMENTS PROGRAM

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 730802-E (CIP APPROPRIATION ORDINANCE) APPROPRIATING ADDITIONAL FUNDS FOR ACQUISITION OF ADDITIONAL RIGHT OF WAY FOR U. S. 290; 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 Dryden, carried by the following vote:

Ayes: Mayor Pro-tem Love, Councilmen Binder, Dryden, Friedman, Handcox, Lebermann, Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

REFUND CONTRACT

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

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH NORWAL, INCORPORATED.

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

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Pro-tem Love
Noes: Councilmen Binder, Friedman
Present but not voting: Mayor Butler

The Mayor announced that the ordinance had been finally passed.

AERIAL PASSAGEWAY AMENDMENT

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 36 OF THE AUSTIN CITY CODE OF 1967, BY PROVIDING THAT AN AERIAL PASSAGEWAY CONSTRUCTED OVER A STREET OR ALLEY NEED NOT BE EQUIPPED WITH SELF-CLOSING CLASS "A" FIRE DOORS IF SUCH PASSAGEWAY IS UNCOVERED FOR ITS ENTIRE LENGTH; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

The Mayor announced that the ordinance had been finally passed.

REPEAL PEST CONTROL ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE REPEALING ALL SECTIONS OF CHAPTER 25 OF THE AUSTIN CITY CODE OF 1967, EXCEPT SECTIONS 25-5 AND 25-6, WHICH REPEALED SECTIONS PERTAIN TO LICENSING AND REGULATION OF PEST CONTROL IN THE CITY OF AUSTIN; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro-tem Love, Councilmen Binder, Dryden, Friedman
Noes: None

The Mayor announced that the ordinance had been finally passed.

REQUEST FOR FUNDS

The Council had before it for consideration requests for funds as follows:

Austin Ballet Theatre - \$2,000

Austin Rehabilitation Center Probation Services - \$28,022

Mr. Homer Reed, Deputy City Manager, stated both of these requests had been denied previously by the City Council; and he recommended against funding these projects. He requested the City Council to defer consideration of all the other requests for General Revenue Sharing Funds until a comprehensive plan is drafted proposing the allocation of the balance of funds and this be scheduled in March. It was the consensus of the Council that the situations had changed since they had been denied. Mayor Pro-tem Love moved that the Council give consideration to these requests in March with the others.

Mr. Gil Ortiz represented the Austin Rehabilitation Center Probation Services and asked the Council to consider this now. He commented on the report that had been submitted to the Council. Mrs. Billie Jo Forestell, Adult Probation Department, spoke for the program. It was brought out that this was an extension of the Adult Probation Department and was a County responsibility, and they should look to the County for the funding. After discussion, Councilman Lebermann made a substitute motion that the Council grant, on an emergency basis and only on an emergency basis, the \$28,000 requested by the Rehabilitation program, with the observation that the Council views this as a County responsibility and hope that they, the County, in the future so hold it. The following requests are to be heard in March: Afro-American Players, Inc., The Boys' Clubs of Austin and Travis County, Inc., United Action for the Elderly, Inc., Austin Ballet Theatre, and United Cerebral Palsy. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler, Mayor Pro-tem Love, Councilmen Binder, Dryden

Noes: None

ENERGY CONSERVATION COMMISSION

Councilman Friedman presented a proposal to restructure the Energy Conservation Committee. The proposal was to create a Commission for Energy Conservation - by title, the City Council Commission on Energy Conservation. It consists of a 21-person committee that shall be appointed by the Mayor and Council, that shall consist of 21 persons charged with the responsibility of maintaining an overview of all studies and proposals requested or completed by the City of Austin, the Executive Board of the Commission, or any interested citizens with the intended rights to comment on any of those proposals to the Council so that the Council has the direct input. The members shall be appointed for 3-year terms with the first 21 appointed, if the Council so approves, and shall draw lots as we have done with the Environmental Board to see which shall receive 1, 2, and 3-year terms until the program is in full swing.

An Executive Board shall be created out of the 21 members of the Commission, and the seven members of the Executive Board shall be Chairpersons of several sub-committees as follows:

- Transportation
- Education and Media
- Electrical code and performance levels, to establish standards for electrical use
- Joint chairmanship of building codes - to include general revision of said Building Code and specific revision for architectural design and construction techniques (three co-chairpersons)

These committees shall not be limited to these areas, but at a majority vote of the Executive Board they may be expanded or limited. Each chair of a standing committee shall select his own committee, and it shall consist of such size as the chair deems necessary; however, it shall consist of members of the City Council Commission who indicate a desire or interest in serving on any particular standing committee, as well as any other citizens.

The proposed ordinance would create three salaried positions for a full-time staff as follows:

- Executive Director - hired by the City Manager
- Researcher
- Secretary

The staff shall work for the City Manager, shall coordinate between the Committee and the City Council and all other departments and agencies utilizing energy conservation procedures and suggestions.

Dr. Barrie Kitto, Co-Chairman of the present Energy Conservation Committee, and Mr. Bill Harden, representative of the Austin Chapter of the American Institute of Architects, appeared and for their organizations supported the proposed City Council Commission on Energy Conservation.

After discussion, Councilman Friedman moved that the Council authorize and request that the Legal Department bring back to the Council next Thursday night, January 17, and set a public hearing at 7:00 P.M. on an ordinance creating a City Council Commission on Energy Conservation consisting of the creation of the 21-member Board with all the basic powers assigned them, a 7-member Executive Board, proposed structure of committees and their powers, plus the recommendations of the City Manager as to the staffing of that Committee. The motion, seconded by Councilman Binder, carried by the following vote:

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

Mayor Butler announced that the Council would meet at 5:00 P.M. on January 15, 1974, in the office of the Mayor at the Municipal Building, 124 West 8th Street, for the following purposes:

Publicly announce that during the meeting it will convene in a closed or executive session authorized by Section 2, Paragraph (g) of Article 6252-17, Texas Revised Civil Statutes Annotated.

Publicly appoint members to the Commission on Energy Conservation.

GOLF ITEMS

Mayor Pro-tem Love requested the City Manager to bring a report to the Council next week, January 17, 1974, with a fixed recommendation and alternate recommendation, having to do with green fees and/or surcharge, any kind of increase that the department along with Mr. Liro feels is encumbant on this Council. He asked that immediate action be taken on taking bids for the Engineering Services for the total city-wide golfing situation. He requested that a recommendation be given next week in an Executive Session on the top applicants for the Professional Position at Municipal Golf Course.

ADJOURNMENT

The Council adjourned at 11:15 P.M.

APPROVED


Mayor

ATTEST:


Acting City Clerk