

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 31, 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 Butler, Mayor Pro-tem Love

Absent: None

The Invocation was delivered by REVEREND HAROLD FOYE, St. Austin's Catholic Church.

NATIONAL O.E.A. WEEK

The Mayor read and then presented to the Office Education Association/Vocational Office Education program a proclamation declaring the week of February 3-9, 1974, as "National O.E.A. Week", with the following high schools represented by students and coordinators:

Anderson	McCallum
Austin	Reagan
Crockett	Lanier
Johnson	Travis

CECIL CABANISS

Mayor Butler read and then presented Mr. Cecil Cabaniss, Mr. Ronnie Bird, President Northwest Austin Sertoma Club, Mr. Ken Pringle, Vice President, and Mr. J. S. Crow, Project Chairman, with a proclamation declaring January 31, 1974, as "Cecil Cabaniss Day." Mr. Bird indicated that Mr. Cabaniss had been the recipient of their 1973 "Service to Mankind Award." Mr. Cabaniss thanked the Council for its consideration and hoped he would be able to continue to serve his mankind.

DENTAL HEALTH WEEK

The Mayor read and then presented to Dr. A. M. Tate, Jr., Chairman of the Dental Health for Travis County Dental Society, and Mrs. Judy Gearhart, Chairwoman for Women's Auxiliary of Dental Health, a proclamation declaring February 3-9, 1974, as "National Children's Dental Health Week."

APPOINTMENTS

Mayor Butler announced that the Council had been in an Executive Session earlier that evening and that several appointments were discussed and were now before the Council for action.

Human Relations Commission

Councilman Handcox moved that the Council name as Chairman of the Human Relations Commission the following member:

Mr. Joe Lung - Chairman

reappoint the following members of the Commission:

Mr. Louis Martinez
Mr. Norman Eaton

Mr. Robert C. Gray

appoint the following members to the Commission:

Mr. Merle Miles
Mr. Gary Hammon

Mr. Mack Ray Hernandez
Mr. Matt Garcia

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

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

Executive Committee of
City Council Energy Conservation Commission

Councilman Friedman moved that the Council appoint the following members to the Executive Committee of the City Council Energy Conservation Commission:

Mr. Dick Whorrall-Chairman
Mr. John Gallery
Mr. Mac Holder
Col. George Edwards

Dr. Archie Straiton
Mr. Chuck Hrcir
Mr. Bob Tieman

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

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

Town Lake Beautification Committee

Councilman Lebermann moved that the Council appoint the following member to the Town Lake Beautification Committee:

Mrs. Luci Johnson Nugent

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

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

Parks and Recreation Board

Mayor Pro-tem Love moved that the Council reappoint the following members of the Parks and Recreation Board:

Dr. Irby Carruth - Chairman	Mr. W. W. Coates, Jr.
Mrs. Barr McClellan	Mrs. Lem Scarbrough, Sr.

appoint the following members to the Board:

Mr. Tommy Lowe	Mrs. Bob Armstrong
Mr. Hector Grant	Mr. Gilbert Valdez
Mr. Carl Turner	Mr. Ralph Curton
Mrs. Ruth Isely	

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

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

Municipal Judges

Councilman Binder moved that the Council reappoint the following Municipal Judges:

Hon. John J. Brady	- Presiding Judge
Hon. Rob Robertson	- Associate Judge
Hon. Sarah Phillips	- Associate Judge (promoted)
Hon. Harriet Murphy	- Relief Judge
Hon. William R. Travis	- Relief Judge
Hon. H. Kirk Hays	- Relief Judge

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

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

Board of Equalization

Councilman Dryden moved that the Council appoint the following members to the Board of Equalization:

Mr. John D. Simpson, Jr.	Dr. J. J. Seabrook
Mr. Robert C. "Bob" Armstrong	

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

Navigation Board

Mayor Pro-tem Love moved that the Council reappoint the following members of the Navigation Board:

Mr. Jeff Geeslin - Chairman	Mr. Joe Manor
Mr. Conrad Fath	Mr. John Byram
Mr. Allen Searight	

appoint the following members to the Board:

Ms. Carol Fowler	Mr. Walter Caven
Mr. Bill Gaston	

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

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

APPROVAL OF MINUTES

Mayor Pro-tem Love moved the Council approve the Special Meeting Minutes of January 24, 1974, 5:00 P.M., and the Regular Meeting Minutes of January 24, 1974. 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

ANNEXATION HEARING

Mayor Butler opened the public hearing scheduled for 7:00 P.M. to consider annexation. Mr. Ed Guyon, representing some of the owners and residents of the 252.28 acres of land, Cooper Addition and unplatted land, filed a petition with 12 signatures requesting that the Council not necessarily fail to annex this area but to determine whether or not now would be an appropriate time to annex this area. He indicated that the large majority (80 acres) was owned by four people and that 75% of the land was:

1. Agriculture area
2. Pasture area
3. Woodland

He further added that the land was owned by people who were in the laboring profession and additional taxes would be detrimental to their ownership of this particular piece of land. He stated that it would be advantageous to them and to the City not to annex the land for the following reasons:

1. The additional taxes that would accrue from the annexation would be minimal because of the value of it.
2. The people have owned this land for a period in excess of 10 years using it for the following purposes:
 - a. Farmland
 - b. Headquarters to run businesses
 - c. Commercial purposes

Discussion was held pertaining to taxes not being due until March, 1976, and the owners' ability to maintain their various businesses as long as used for the same purposes without any expansion. Mr. Dick Lillie, Director of the Planning Department, indicated that the area could be serviced with utilities and stated that he felt it was timely for the City to consider annexation of the entire tract.

Mayor Pro-tem Love moved that the Council close the public hearing and direct the administration to institute annexation proceedings to annex the following:

Total acres - 643.46

1. 19.05 acres of land out of the SANTIAGO DEL VALLE GRANT - (Onion Creek Forest, Sec. 4). Requested by the owner, Clear Creek Properties, Inc.
2. 166.85 acres of land out of the SANTIAGO DEL VALLE GRANT - (unplatted land). Initiated by the City.
3. 457.56 acres of land out of the SANTIAGO DEL VALLE GRANT -
 - a. 205.28 acres of land - (JIMMY CLAY GOLF COURSE). Initiated by the Parks and Recreation Department.
 - b. 252.28 acres of land - (COOPER ADDITION and unplatted land). Initiated by the City.

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

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

Noes: None

HEARING ON EXTENSION OF FAR WEST BOULEVARD

Mayor Butler opened the public hearing on the extension of Far West Boulevard east of MoPac Boulevard.

Mr. Joe Ternus, Director of Urban Transportation, reviewed the planning, design, and traffic considerations pertinent to the extension of Far West Boulevard for its intersection with the MoPac Expressway east to Shoal Creek Boulevard, stating that in 1962-63 the Council did officially set the present location for the Far West Boulevard-MoPac interchange and extension up Far West Boulevard east to Shoal Creek as it was felt to be more desirable from both a neighborhood development and a traffic design viewpoint; and the street was not planned after the area was developed.

He listed dates when sections of MoPac would be opened or under contract: Spring of 1975, south of Northland Drive or North Hills Drive would be open to traffic; January, 1977, frontage roads south of 183 opened to traffic; January, 1978, the MoPac bridges, which would include Far West, would be set out for contract. He gave a projected traffic flow for 1990. Discussion was held on the method used in the projection, the original plan and alterations of the plan. Timing of this hearing when the intersection contract would not be let until 1978 was discussed. Mr. Ternus brought out the frontage roads of MoPac would be open to traffic one full year without the extension so there would be a year of operation on Shoal Creek by which they could review the operation and keep the options to extend it if traffic built up or not to build it if the traffic would not build up.

Opponents

Mr. Thomas Oakland, Co-Chairman of the Shoal Creek Committee in Allandale, presented additional names signed on a petition objecting to the extension of Far West Boulevard east over MoPac and opposing any future plan to extend the same through or over Northwest Park and urging the Council to consider the elimination of plans for this road. (The original petition plus the additional names filed brought the total number to 918 names opposing the extension.) He indicated that since October 11, 1973, the Committee had met with four citizens' boards, numerous City and State officials, civic associations, and others. He stated that the Traffic, Safety, and Planning Commissions, and the Executive Committee of the Northwest Hills Association favored Mr. Ternus' plan. The Parks and Recreation Board, the Citizens' Board of Natural Resources and Environmental Quality, and the Allandale Neighborhood Association opposed the extension of Far West Boulevard. Mr. Oakland listed as follows the areas they and the Urban Transportation Department agreed upon:

1. Not opposed to the construction of MoPac Boulevard.
2. Road should not be built through the Northwest Park, as specified in the 1961 Master Plan.
3. Opposed to road ever going through Northwest Park.
4. Far West Boulevard would no longer serve as a major east-west artery if stopped at Shoal Creek.

5. At least 18 accidents have occurred in 1973 near the proposed intersection.
6. Shoal Creek currently has too much traffic on it.
7. Stoppage of road at Shoal Creek would add more traffic onto Shoal Creek Boulevard and Great Northern Boulevard.
8. Construction of road to Great Northern would provide for the possibility of the road eventually going through the Park.
9. Far West extension would facilitate and encourage traffic flow.
10. Residents in Northwest Hills adjacent to Far West Boulevard would be concerned about added traffic and safety factors effecting their neighborhood.
11. Major issue actually was consideration of convenience and safety of motor vehicles versus quality of life in one's neighborhood.

In closing, Mr. Oakland expressed his confidence that the Council would agree that the deleterious effects of this road would far outweigh its advantages.

Dr. Allen Friedman, Allendale, stated that his organization had been informed a few months ago that they were too late in preventing the extension and that they were surprised to hear that 1978 was the proposed contract date. He indicated that he would be speaking on traffic flow, the issue of the parks and the issue of planning. Dr. Friedman requested an explanation from Mr. Ternus as to the data used for traffic projections. Mr. Ternus stated that they were based on land use, population and street networks. Dr. Friedman submitted his traffic projections to the Council, along with projections prepared by the State Highway Department. He discussed the original plan and part of the arterial plan as approved by the City Council in 1969. He reiterated that the Far West extension was never planned to dead end into Shoal Creek Boulevard but was planned and remains planned to go through the Park. Dr. Friedman indicated that changing conditions in the neighborhood argued against this road. Among the changes were:

1. The closing off of north access to Northwest Park.
2. Changing of school boundaries so that a large number of children must pass the point where the road would come into Shoal Creek.
3. Number of large shopping areas being built along Anderson Lane and south of Anderson Lane east of Shoal Creek Boulevard, generating enormous increase in traffic.
4. Anticipated quadrupling of current population in Northwest Hills from presently 12 to 14,000 to approximately 50,000.

He discussed the distance between entrances and exits on MoPac Boulevard.

Mr. Charles Croft, architect and planning consultant, stated that they had come up with an alternate use of the land being converted into park land. He also stated that drainage retainage on Shoal Creek was badly needed.

Mr. Bill Stoll, resident and homeowner of Allandale and member of the Allandale Neighborhood Association, discussed the background of the Association and a summary of the Association's decision that Far West Boulevard be stopped at the MoPac Expressway.

1. Proposed extension to Shoal Creek no longer serves as part of the major east-west thoroughfare.
2. Construction of the extension would increase traffic on Shoal Creek Boulevard.
3. Extension would jeopardize integrity of neighborhood.

In closing, he urged the Council to acknowledge, consider and respect the neighborhood's integrity and support their position.

Mrs. Maxine Friedman, Chairperson of the Gullett PTA Traffic and Safety Committee, felt that the safety problems of the neighborhood would be made worse by the extension. She stated that the proposed road would bring more non-residential traffic into Shoal Creek and Great Northern and appealed to the Council to stop Far West at MoPac because of the safety of their neighbors.

Mr. Kevin Burnette, Northwest Hills resident, indicated that he did not believe that cutting down the distance between driving was good enough reason to jeopardize the continuity of the Allandale neighborhood.

Proponents

Mr. Jack Goodman, President Northwest Austin Civic Association, presented the official action of the Executive Committee regarding the extension after deliberation with the Allandale Neighborhood Association and Shoal Creek Committee to Save Our Children and Our Neighborhood, and some of the residents and developers in Northwest Hills. He indicated that the Executive Committee supported the City Traffic and Transportation Department's recommendation for construction of the interchange at Far West Boulevard and MoPac, and also the extension of Far West to Shoal Creek Boulevard. They strongly urged the City Council to preserve the integrity of the Shoal Creek neighborhood as far as possible. He indicated their concern about the environmental aspects of a high road embankment that would penetrate into the Shoal Creek area. Speaking as a citizen, he stated that Northwest Hills would need the interchange to be able to go north or south from the western part of the Hills and that Northwest Hills would like to have a better access to the district park. He thought a compromise could be arranged between the two areas.

Mr. Clark Rector, Vice President of the Northwest Austin Civic Association, as a resident of Northwest Hills filed a petition with 740 signatures supporting the extensions proposed by the City Planning Department and the Department of Urban Transportation. He expressed the opinion that Northwest Hills residents were tied to Allandale whether they liked it or not because of the sixth-grade school, Little League Baseball in the neighborhood, and Pony League Baseball stressing that they needed the extension. In closing, he requested the Council to delay any decision until all matters could be looked into.

Mr. Bill Clendinning, resident Northwest Hills, bought his home with hope that there would be access east and west across the railroad and access to the Northwest Park, a regional park. He reviewed the different aspects of traffic specifying three major types:

1. Traffic from local people - north and south
2. Traffic east and west
3. Traffic not destined into local neighborhood on the Allandale side

He requested that the Council take a total City view of the extension. The subject was raised about a regional park on the west side. He thought that would relieve the park traffic but not the traffic to churches and schools.

Mr. David Barrow, developer of Northwest Hills, was of the opinion that the extension of Far West Boulevard to Shoal Creek Boulevard would not increase the danger to the people in Allandale. He questioned the figures used for the traffic flow. In closing, he reiterated that the extension would not increase traffic.

Mr. Bert Hooper, representing Mr. David Barrow, questioned the safety of Shoal Creek Boulevard at the present time. He reviewed the decision by the Citizens' Board on Environmental Quality and supplied additional information. They felt, if practical, that limited residential type access to MoPac from the east should be provided. Additional information included in the Parks and Recreation Board's decision was to further recommend that in view of the concern and complaints by citizens about inadequate access to Northwest Park that in all future development plans recommended be given to the design of arterial streets to insure proper access to the parks for the people of Austin. He offered the following safety features:

1. Different type of traffic
2. Less through traffic
3. Slower traffic because of the shorter trips
4. Fewer vehicles on south part of Shoal Creek
5. Slight increase in traffic north of the extension.

Mr. Jesse Skrivanek, resident Allandale west, felt that the City staff had made long-term studies and that he went along with the City and whatever would help the City and City's future traffic.

Motion

Councilman Friedman moved to close the public hearing and not permit the extension. Councilman Binder seconded the motion.

Substitute Motion

Councilman Lebermann made a substitute motion that the Council delay a final determination or decision until such time in the future as the staff's total transportation study is complete, which is now under way funded by the Federal government, and until the City's very excellent Goals for Austin Program is complete as a planning document. The motion, seconded by Mayor Pro-tem Love, carried by the following vote:

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

Statements for Record

Mr. Dan Davidson, City Manager, indicated that the Council had the option before it to delay any decision for one year or longer not endangering the construction schedule.

In seconding the motion, Mayor Pro-tem Love commented, "We all regret very much that you were advised some 3-1/2 or 4 months ago that it's too late now. It isn't so. We do have the lead time to intelligently pursue this matter without any fear on the part of the citizens in Allandale or any other interested citizens; and because of the strong recommendation of the staff in which I have considerable belief and give my support, I second that motion."

Councilman Handcox stated, "I feel so strongly about it that I am opposed to it going - so they can consider this at the time they are considering the total plan - that I would be very, very much opposed to an extension to Shoal Creek Boulevard."

Councilman Binder indicated, "I would join my colleague, Mr. Handcox, in the same sentiment." He further added, "While I am aware, and I think it has been made abundantly aware tonight that this can be changed by this or any other Council, there have been suggestions that the City was locked into plans put down as far back as 1964; and I would just like to make it clear that whether this passes or not, that the City would not be locked in. It is not too late; I just wanted to underscore that."

Councilman Dryden requested to go on record as saying, "I don't want to pass the buck to a next Council; and if this thing comes up before, I am ready and willing to vote on it. I don't want to pass the buck to another one, but I am perfectly willing to wait until the proper study comes forward."

(Transcript of this hearing on file in City Clerk's Office).

LYNN H. KING ZONING HEARING

Mayor Butler announced that the Council would hear the zoning case scheduled for Public Hearing at this time. Pursuant to published notice thereof, the following zoning application was publicly heard:

LYNN H. KING
C14-73-225

3512 East 17th Street
also bounded by Redwood
Avenue

From "A" Residence
To "B" Residence
NOT Recommended by the
Planning Commission

Mayor Pro-tem Love moved that the Council close the public hearing and deny the above zoning request postponed from January 17, 1974. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

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

The Mayor announced that the change had been DENIED.

WILL E. ODOM ZONING HEARING

Mayor Butler announced that the Council would hear the zoning case scheduled for Public Hearing at this time. Pursuant to published notice thereof, the following zoning application was publicly heard: (postponed from January 17, 1974)

WILL E. ODOM
By Tom Curtis
C14-73-231

616-700 Blanco Street
701-707 Harthan Street

From "B" Residence
2nd Height and Area
To "GR" General Retail
2nd Height and Area
NOT Recommended by the
Planning Commission

Mr. Tom Curtis represented Mr. Odom stating that this application for a change to "GR" 2nd Height and Area was for a specific use as a restaurant in an old home and that there was sufficient room for parking. It was brought out that it would be similar to other restaurants in old homes such as "Green Pastures" and "Old Vienna." He said that as it is now zoned they could construct an apartment building with 50 units, but they preferred to preserve the 75-year old home. It was brought out that the option time had expired in the contract they had for the restaurant, but they hoped to get another offer. Mr. Dick Lillie, Planning Director, stated that if the zoning was restricted to a restaurant as outlined, the staff would recommend the change.

Opposition

The following appeared opposing the change:

Linda MacNeilage	606 Harthan Street
Paul R. Davis, Jr.	607 Oakland
Sandra Weinstock	1109 West 9th Street
Mrs. Charles Hunter	
Fred Hoffman	1502 Wethersfield Road
Peter F. MacNeilage	606 Harthan Street

It was the consensus of the opposition that they were trying to upgrade an old neighborhood and that they would like for the zoning to be rolled back to "A" Residence District. They felt that there were other alternatives than apartments and a restaurant for the neighborhood.

Motions

Councilman Binder moved that the Council close the hearing and uphold the recommendation of the Planning Commission and that the change be denied. The motion, seconded by Councilman Handcox, failed to carry by the following vote:

Ayes: Councilmen Handcox, Lebermann, Binder

Noes: Mayor Butler, Mayor Pro-tem Love, Councilmen Dryden, Friedman

Councilman Friedman moved that the Council close the hearing and that the change be granted to "GR" General Retail, 2nd Height and Area, subject to the restrictive covenant. The motion, seconded by Councilman Dryden, failed to carry by the following vote:

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

Noes: Councilmen Binder, Handcox, Lebermann

The Mayor announced that as six votes were required to override the recommendation of the Planning Commission, the motion failed to carry and the zoning request was DENIED.

SETTING ANNEXATION HEARING

Mayor Pro-tem Love moved that the Council adopt a resolution setting a public hearing at 1:00 P.M., February 21, 1974, to consider annexing the following:

Total acres - 275.18

42.59 acres of land out of the HENRY P. HILL LEAGUE -
(portion of HORSESHOE BEND, SECTION TWO). Requested by
agent for owner.

232.59 acres of land out of the HENRY P. HILL LEAGUE -
(BARTON CREEK PARK and unplatted land). Initiated by
the City.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Handcox

SETTING HISTORIC ZONING DISTRICT HEARING

Councilman Lebermann moved that the Council adopt a resolution setting a public hearing at 1:00 P.M., February 21, 1974, to amend the zoning ordinance to provide for a historic zoning district. 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

AUTHORIZING ACQUISITION

Councilman Friedman moved the Council adopt a resolution authorizing acquisition of eleven parcels of right of way for Springdale Road. The motion, seconded by Councilman Handcox, carried by the following vote:

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

PROFESSIONAL ENGINEERING SERVICES

Councilman Lebermann moved that the Council select Bovay Engineers Inc. as professional engineering service in connection with the following 1974 Capital Improvements Program Project for the Water and Wastewater Department:

Barton Creek Wastewater Interceptor from existing west end westerly to Oak Hill Branch - Capital Improvements Program Project No. 5032 1.

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

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

Mayor Pro-tem Love moved that the Council select Trinity Engineering Testing Corporation for soils investigation and engineering testing services in connection with the following Capital Improvements Program Project:

Williamson Creek Wastewater Treatment Plant Improvements - Capital Improvements Program Project No. 5910 0.

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

Councilman Friedman moved that the Council select Austin Testing Engineers, Inc., for engineering testing services in connection with the following Capital Improvements Program Projects:

Wilshire Tennis Center - Capital Improvements Project No. 8648 0.

Neighborhood Tennis Facilities - Capital Improvements Project No. 8658 0.

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

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

CONTRACTS AWARDED

Councilman Lebermann moved that the Council adopt a resolution awarding the following contracts:

Construction equipment for Vehicle and Equipment Services
Department

RIVER CITY MACHINERY CO. - Bid Item No. 3; 2 ea. @ \$5,333.00
830 Sage Brush Bid Item No. 4; 2 ea. @ \$1,679.00
Austin, Texas Total \$14,024.00

INTERNATIONAL HARVESTER - Bid Item No. 2; 1 ea. - \$16,795.00
4711 East 7th Street
Austin, Texas

LANFORD EQUIPMENT CO. - Bid Item No. 5; 1 ea. - \$2,680.00
830 Airport Boulevard
Austin, Texas

GIRARD MACHINERY CO. - Bid Item No. 11; 3 ea. @ \$1,033.00
3428 Roosevelt Total \$3,099.00
San Antonio, Texas

CENTRAL TEXAS EQUIPMENT - Bid Item No. 1; 1 ea. - \$19,213.00
COMPANY
127 East Riverside Drive
Austin, Texas

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

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

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

GENERAL ELECTRIC X-RAY - X-Ray Film and Chemicals, Brackenridge
1616 Oaklawn Avenue Hospital, 12 months' supply agreement,
Dallas, Texas per QPL No. BH-6 - \$96,157.85

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

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

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

WCE CONSTRUCTORS, INC. 4600 Burnet Road, Room 210 Austin, Texas	- For construction of an electric ductline and transformer founda- tions at Hamilton Substation - \$50,169.32
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The motion, seconded by Councilman Friedman, carried by the following vote:

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

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

N. S. LEASE SERVICE, INC. P. O. Box 217 Marble Falls, Texas	- For Nuckles Crossing 24" water main - \$247,137.14
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The motion, seconded by Councilman Friedman, carried by the following vote:

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

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

TERRY EDWARDS 11607 North Lamar Austin, Texas	- For a four barrel 7' x 7' reinforced concrete box culvert across East Oltorf Street and a single barrel 48" reinforced concrete pipe culvert across Pleasant Valley Road in Willow Bend Addition, Section One - \$58,768.05
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The motion, seconded by Councilman Friedman, carried by the following vote:

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

UTILITY AGREEMENT

Councilman Dryden moved that the Council adopt a resolution authorizing the City Manager to enter into a certain Utility Joint Use Agreement and Standard Utility Agreement with the Texas Highway Department in connection with the intersection of U.S. 290 and Interstate 35. The motion, seconded by Councilman Handcox, carried by the following vote:

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

AIRPORT LIABILITY INSURANCE

Councilman Friedman moved that the Council adopt a resolution authorizing payment of premium in the amount of \$6,750 for Airport Liability Insurance, \$100,000/\$300,000 coverage, for three-year period January 10, 1974 to January 10, 1977. Annual premium for this policy - \$2,250.00. The motion, seconded by Mayor Pro-tem Love, carried by the following vote:

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

ENCROACHMENT

Mayor Pro-tem Love moved that the Council adopt a resolution authorizing encroachment of two tree wells into the sidewalk area in front of the office building located at 912 Brazos Street, Pat Nugent of Austin Investments. (Applicant: Claudia Taylor Johnson, owner.) The motion, seconded by Councilman Binder, carried by the following vote:

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

COMPREHENSIVE HEALTH PLANNING

Councilman Friedman moved that the Council adopt a resolution authorizing a contract between the City of Austin and the Capital Area Planning Council for Comprehensive Health Planning. This is a Special Services Fund Contract - \$12,500. Contract term January 15, 1974 to January 14, 1975. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler, Mayor Pro-tem Love
Noes: None
Not in Council Chambers when roll was called: Councilman Binder

CONTRACT FOR GENERAL MEMBERSHIP

Councilman Lebermann moved that the Council adopt a resolution authorizing contract between the City of Austin and the Capital Area Planning Council for general membership. The City Membership fee is \$25,181. Contract term January 15, 1974 to January 14, 1975. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler, Mayor Pro-tem Love, Councilman Dryden
Noes: None
Not in Council Chambers when roll was called: Councilman Binder

FUNDS FOR COMMUNITY ACTION AGENCY

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to accept an Office of Economic Opportunity Grant of \$109,137 for the continuation of Community Action Agency activities from February 1, 1974 to April 30, 1974. Amount of OEO Grant for Community Action Agency - \$109,137. The motion, seconded by Mayor Pro-tem Love, carried by the following vote:

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

Noes: None

Not in Council Chambers when roll was called: Councilman Binder

CEREBRAL PALSY CENTER CONTRACT

Councilman Friedman moved that the Council adopt a resolution authorizing contract between the City of Austin and the Austin Cerebral Palsy Center. This is a Special Services Fund Contract - \$12,500. Contract term September 1, 1973 to August 31, 1974. The motion, seconded by Mayor Pro-tem Love, carried by the following vote:

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

Noes: None

Not in Council Chambers when roll was called: Councilman Binder

MODEL CITIES GRANT

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to accept an additional Model Cities Grant for the City of Austin of \$235,488 from the Federal Housing and Urban Development Department. The City Manager is also authorized to submit a revised budget to HUD advising them of the adjusted budget situation. Amount of additional HUD Model Cities Grant - \$235,488. The motion, seconded by Mayor Pro-tem Love, carried by the following vote:

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

Noes: None

Not in Council Chambers when roll was called: Councilman Binder

SELECTION OF GOLF PROFESSIONAL

Councilman Handcox moved that the Council select Mr. George Turner as Professional at the Municipal Golf Course. The motion was seconded by Councilman Dryden.

Substitute Motion

Mayor Pro-tem Love moved that the Council select Mr. Bo Eilers as Professional at the Municipal Golf Course. The motion died for lack of a second.

2nd Substitute Motion

Councilman Lebermann moved that the Council assemble a panel, on the order of the Tennis Pro Selection, and come back in two weeks with a final recommendation. The motion, seconded by Councilman Binder, failed to carry by the following vote:

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

Original Motion

Roll call on the original motion (Councilman Handcox' motion, Councilman Dryden's second) that the Council select Mr. George Turner as Professional at the Municipal Golf Course, showed the following vote:

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

REDUCTION PLANS OF ELECTRICAL ENERGY

Dr. Barrie Kitto appeared before the Council making a formal presentation entitled, "Preliminary Contingency Plans for Reduction of Electrical Energy Consumption for the winter months, 1974." He explained the different phases as follows by use of slides:

- Phase IA - Voluntary Conservation
- Phase IB - Stronger Voluntary Measures
- Phase II - Legislated Conservation Measures which have the Least Effect on Economy
- Phase III - Legislated Surcharge on Commercial Electrical Consumption
- Phase IV - Legislated Reduction in Operating Hours for Commercial Establishments
- Phase V - Stronger Legislative Measures restricting Business Operations
- Phase VI - Cyclic Load Shedding

In closing, Dr. Kitto offered his full cooperation in assisting the Energy Conservation Commission. (Full report on file in City Clerk's office.)

REFUND CONTRACTS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH AUSTIN CORPORATION AND LOGAN MELTON; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Northwest Hills Northwest Oaks II - \$138,087.02; Yaupon Terrace, Section 2 - \$17,805.78)

Councilman Dryden 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, Lebermann, Mayor Butler, Mayor Pro-tem Love, Councilman Dryden

Noes: Councilmen Binder, Friedman

The Mayor announced that the ordinance had been finally passed.

COST DIFFERENCE PAYMENTS

Councilman Dryden moved that the Council adopt a resolution authorizing payment of cost difference as follows:

Authorizing payment to David B. Barrow for cost difference of 12"/8" A.C. water main and appurtenances in Northwest Hills Northwest Oaks II - \$4,119.78.

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

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

Noes: Councilmen Binder, Friedman

REFUND CONTRACTS

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 CERTAIN REFUND CONTRACTS WITH AUSTIN CORPORATION, BUCKINGHAM RIDGE DEVELOPMENT COMPANY, AND LEON WHITNEY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Northwest Hills, Section 13 - \$69,962.78; Buckingham Ridge, Section 2 - \$81,991.92; Northwest Hills Northwest Oaks III - \$86,734.80; Northwest Hills Northwest Oaks III - \$26,320.98.)

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

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

The Mayor announced that the ordinance had been finally passed.

REFUND CONTRACT

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

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE
DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND
CONTRACT WITH NORWAL, INCORPORATED. (Quail Creek
West, Phase 2, Section 12 - \$65,907.15)

The ordinance was read the third time, and Mayor Pro-tem Love moved the ordinance be finally passed. The motion, seconded by Councilman Handcox, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

CAPITAL IMPROVEMENTS PROGRAM FUNDS

The Council had before it an ordinance transferring General Revenue Sharing funds from the appropriated reserve for Capital Improvements Program items to specific project accounts as follows:

Montopolis Community Center	\$ 300,000
Municipal Administrative Facilities	\$1,000,000

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 730913-G TO
TRANSFER APPROPRIATED GENERAL REVENUE SHARE FUNDS
FROM THE CIP RESERVE FOR CERTAIN PURPOSES; SUS-
PENDING THE RULE REQUIRING THE READING OF ORDINANCES
ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann, Mayor Butler
Noes: None
Not in Council Chamber when roll was called: Councilman Handcox,
Mayor Pro-tem Love

The Mayor announced that the ordinance had been finally passed.

CAPITAL IMPROVEMENTS PROGRAM APPROPRIATION

The Council had before it an ordinance to provide the following in
FY 1973-74:

Montopolis Community Center	\$ 300,000
Municipal Administrative Facilities	\$2,965,000

and cancelling the following projects, transferring appropriated funds to the
project for Municipal Administrative facilities:

Urban Transportation Building Expansion	\$ 50,000
Water and Wastewater Administra- tive Building Addition	\$ 120,000

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 730802-E, CAPITAL
IMPROVEMENT PROGRAM BUDGET, FOR FISCAL YEAR OCTOBER 1,
1973 THROUGH SEPTEMBER 30, 1974, PROVIDING APPROPRIA-
TIONS FOR MONTOPOLIS COMMUNITY CENTER AND MUNICIPAL
ADMINISTRATIVE FACILITIES PROJECTS; CANCELLING THE URBAN
TRANSPORTATION BUILDING EXPANSION AND WATER AND WASTE-
WATER ADMINISTRATIVE BUILDING ADDITION PROJECTS AND
TRANSFERRING APPROPRIATED FUNDS TO THE MUNICIPAL ADMINIS-
TRATIVE FACILITIES PROJECT; SUSPENDING THE RULE REQUIRING
THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND
DECLARING AN EMERGENCY.

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

Ayes: Councilman Binder, Dryden, Friedman, Lebermann, Mayor Butler
Noes: None
Not in Council Chamber when roll was called: Councilman Handcox,
Mayor Pro-tem Love

The Mayor announced that the ordinance had been finally passed.

RESCHEDULE MEETINGS

Mayor Butler introduced the following ordinance:

AN ORDINANCE ESTABLISHING A SPECIFIC DAY AND TIME FOR THE MEETING OF THE AUSTIN CITY COUNCIL IN ACCORDANCE WITH THE PROVISIONS OF THE CITY CHARTER; PROVIDING THAT REGULAR MEETINGS OF THE CITY COUNCIL SHALL BE CONDUCTED IN THE CITY OF AUSTIN ELECTRIC AUDITORIUM, 301 WEST AVENUE; RESCHEDULING CERTAIN PUBLIC HEARINGS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (From 7:00 P.M. to 1:00 P.M. effective February 14, 1974.)

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: Councilmen Dryden, Friedman, Lebermann, Mayor Butler, Councilman Binder

Noes: None

Not in Council Chamber when roll was called: Councilman Handcox, Mayor Pro-tem Love

The Mayor announced that the ordinance had been finally passed.

TAXICAB RATE INCREASE

The following appeared before the Council requesting a 15 cent increase in the taxicab rate (from 50 cents to 65 cents):

Mr. Forrest N. Troutman - representing Yellow Checker Cab Company
Mr. Martin McClellan - representing Roy's Taxi Service
Mr. James W. Townsend - representing Harlem Cab Company
Ms. Sally Belleggie - driver for Yellow Checker Cab Company

It was brought out in discussion that the drivers' take-home pay was 42% of the meter. After this was ascertained, Mr. Homer Reed, Deputy City Manager, requested to go on record as saying the following:

"I think it should be pointed out here that the Council does not set the wages of the drivers. That 42% was not set by the Council."

Motion

Councilman Friedman moved that the taxicabs be allowed a 5 cent increase on the drop. The motion was seconded by Councilman Binder.

Substitute Motion

Mayor Pro-tem Love made a substitute motion for 10 cents on the drop. The motion was seconded by Councilman Lebermann.

2nd Substitute Motion

Councilman Dryden made a substitute motion for a 15 cent increase, waiving the 2nd and 3rd readings of the ordinance. The motion was seconded by Mayor Pro-tem Love who then withdrew his substitute motion. Councilman Lebermann withdrew his second to Mayor Pro-tem Love's substitute motion. Roll call showed the following vote:

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

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 34-42(b) OF THE CODE OF THE CITY OF AUSTIN OF 1967 BY AMENDING TAXICAB RATES AND FARES IN THE CITY OF AUSTIN AND SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS.

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

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

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOTS 1, 2 AND 5, CONNIE LYNN SUBDIVISION, LOCALLY KNOWN AS 5700-5706 SOUTH CONGRESS AVENUE AND 121-123 SANDRA STREET, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Hugo A. and Edith Kieke, C14-73-187)

Mayor Pro-tem Love 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: 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.

SCHOOL CROSSINGS

The City Manager's report on school crossings was postponed and rescheduled for February 7, 1974.

GOLF FEES

The City Manager's report on golf fees was postponed and rescheduled for February 7, 1974.

UTILITY DEPOSIT REQUIREMENTS

Upon the request of Councilman Friedman, it was decided that the City Manager submit a report to the Council on February 7, 1974, regarding utility deposit requirements for divorced women. It was brought out that this could apply to others.

FEDERAL FLOOD INSURANCE PROGRAM

Upon the request of Councilman Friedman, the City Manager was requested to report back in a few weeks on the Federal Flood Insurance Program.

ADJOURNMENT

The Council adjourned at 1:05 A.M.

APPROVED


Mayor

ATTEST:


Acting City Clerk