

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 21, 1974
2:00 P.M.Electric Auditorium
301 West Avenue

The meeting was called to order with Mayor Butler presiding.

Roll Call:

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

Absent: Councilmen Binder, Friedman

The Invocation was delivered by REVEREND B. C. SCHMIDT, First United Methodist Church.

ANNOUNCEMENT

Mayor Butler took this opportunity to announce that the Council had been in a joint Executive Session with the L.C.R.A. Board since 11:00 a.m. and had arrived at a site selection and other arrangements for the new proposed joint coal-fired facility plan, that being the reason for the delay of the Council meeting until 2:00 p.m.

JOE PERRONE DAY

Mayor Butler read and then presented a proclamation to Messrs. Joe Perrone, Joe Davis, Don Reed, and J. B. Scott proclaiming Tuesday, March 26, 1974, as "Joe Perrone Day." It was announced that Mr. Perrone was completing a term as President of the Texas Association of Realtors and had formerly served as President of the Austin Board of Realtors, of which he is a charter member. Mr. Perrone presently serves as a Director of the National Association of Realtors.

CULTURAL ARTS WEEK

Mayor Pro Tem Love read and then presented a proclamation to the following Austin Independent School District School Community Liaison Representatives proclaiming the week of March 24-30, 1974, as "Cultural Arts Week":

Mr. Larry Williams

Ms. Eva Cleveland - Coordinator of Cultural Arts Festival

Mr. Arturo Gil

Mr. Bob Ewing

It was announced that more than 30 student organizations would participate in the first community-wide Cultural Arts Festival to exhibit Austin's confluence of cultures sponsored by the Community Relations Department of the Austin Independent School District on March 28, 1974, from 10:00 a.m. through 10:00 p.m. at Martin Junior High School. Mr. Williams thanked the Council for the proclamation and invited everyone to attend the Festival.

NATURAL SCIENCE DAY

Mayor Butler read and then presented a proclamation to Mrs. Philip F. Patman, President of the Natural Science Guild, and Mrs. Amon Burton, Secretary of the Guild, proclaiming Friday, April 5, 1974, as "Natural Science Day." It was announced that the Guild would be sponsoring a Spring Gala to benefit the Natural Science Center. On behalf of the Natural Science Guild, Mrs. Patman thanked the Council and invited everyone to attend the Spring Gala to be held at the American Bank Plaza on April 5, 1974, from 8:00 to 11:00 p.m. She further added that reservations could be made through the Natural Science Center with proceeds benefiting the Center, a project of the Austin Parks and Recreation Department.

APPROVAL OF MINUTES

Councilman Lebermann moved that the Council approve the Regular Meeting Minutes of March 14, 1974. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Noes: None

Absent: Councilmen Binder, Friedman

Not in Council Chamber when roll was called: Councilman Dryden

HEARING ON URBAN RENEWAL AMENDMENTS

Mayor Butler opened the public hearing scheduled for 1:00 p.m. to consider amendments to the (a) Glen Oaks Urban Renewal Plan and (b) Saint John's Urban Renewal Plan. No one appeared regarding these amendments. Councilman Lebermann moved that the Council close the public hearing and approve the referenced amendments. The motion, seconded by Councilman Handcox, carried by the following vote:

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

ANNEXATION HEARING

Mayor Butler opened the public hearing scheduled for 1:00 p.m. to consider annexation. No one appeared regarding this matter. Councilman Handcox moved that the Council close the public hearing and direct the administration to institute annexation proceedings to annex the following:

1. 25.83 acres of land out of the Theodore Bissel League -
CHERRY CREEK, PHASE IV, SECTION TWO. (Requested by
Austex Development Company, Ltd., owners.)
2. Total of 59.39 acres of land out of the James Rogers Survey:
 - a. 39.55 acres - BALCONES WOODS, SECTION THREE A - 25.43 acres
BALCONES WOODS, SECTION THREE B - 14.12 acres
(Requested by owner's representative, T. P. Wilcox.)
 - b. 19.84 acres of land - unplatted. (Initiated by City of
Austin.)

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

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

RELEASE OF EASEMENTS

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing release of the following easement:

A portion of a drainage easement forty (40.00) feet in width
in Lot 1-D, RESUBDIVISION LOT D, CHEVY CHASE CENTER, AUSTIN.
(Requested by Department of Engineering of the City of Austin.)

Mr. Dan Davidson, City Manager, indicated that this would require the cost of an estimated \$7,000 for relocating a drainage channel. The staff recommended this on the basis that someday it might prevent the City and Texas Highway Department from having to move a building.

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

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

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing release of the following easements:

Public utilities easements five (5.00) feet and seven and one-half (7.50) feet in width in Lot 56, Block A, GREAT HILLS III.
(Requested by Mr. Jerry N. Wallace, owner of said Lot 56.)

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

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

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing release of the following easement:

A portion ten (10.00) feet in width out of a sanitary sewer and drainage easement fifteen (15.00) feet in width along the north line of Lot 21, Block A, BALCONES PARK, NO. 1, known locally as 4528 Balcones Drive. (Requested by Rediform Service Company in behalf of Mr. Terry Sasser, owner of said Lot 21.)

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

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

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing release of the following easements:

Public utilities easements five (5.00) feet in width at the rear of Lots 1 through 10, Block A, MOCKINGBIRD HILLS, SECTION ONE. (Requested by Mr. B. F. Priest, Registered Public Surveyor, as agent for Mr. Jim Shurtleff, owner of said Lots.)

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

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

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing release of the following easement:

A triangular portion one (1.00) square foot in area, and to a vertical height of sixteen (16.00) feet above natural ground, out of the telephone and electric easement fourteen (14.00) feet in width in Lot 5, Block A, MOCKINGBIRD HILLS, SECTION ONE. (Requested by Mr. B. F. Priest, Registered Public Surveyor, as agent for Mr. Jim Shurtleff, owner of said Lot 5.)

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

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

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing release of the following easements:

Electric easements five (5.00) feet in width in Lots 1 and 2, Block D; Lots 2 and 3, Block E; Lots 9 and 10, Block F; and Lots 2, 3, 4, and 5, Block H, BUCKINGHAM RIDGE, SECTION TWO. (Requested by Buckingham Ridge Developers, owner of said Lots.)

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

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

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing release of the following easement:

A portion five (5.00) feet in width out of the public utilities easement ten (10.00) feet in width in Lot 7, Block D, NORTHWEST HILLS, NORTHWEST OAKS II. (Requested by Mr. Dough Monzingo, owner of said Lot 7.)

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

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

CONTRACTS AWARDED

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

GRAYBAR ELECTRIC COMPANY	- Warehouse Shelving Bins for
P. O. Box 2245	storage of spare parts -
Austin, Texas	Electric Utility Department -
	\$28,701.00

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

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

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

AUSTIN AUTO & PLATE GLASS CO.	- Safety glass and installation of
701 East 5th Street	same, Department of Vehicle &
Austin, Texas	Equipment Services - \$6,400.00

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

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

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

SIGNAL ENGINEERING CO.	- Items 1 and 2 - \$24,670.40
P. O. Box 13221	
Houston, Texas	
AUTOMATIC SIGNAL CO.	- Items 3, 4, 5, 8 and 9 - \$53,850.00
P. O. Box 10039	
Ft. Worth, Texas	
TECHLINE, INC.	- Items 6 and 7 - \$54,945.00
8750 Shoal Creek Boulevard	
Austin, Texas	

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

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

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

BELL & HOWELL	- Micro-Filmer
Micro-Data Division	Office Services Division
6901 North Lamar	Bid Item 1 - \$6,539.15
Austin, Texas	

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

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

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

AUSTIN ENGINEERING COMPANY	- Drainage improvements in Sherwood
203 East Riverside Drive	Lane easement from Longbow Lane to
Austin, Texas	St. Edwards Drive - \$28,788.00

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

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

DEDICATION OF LAND FOR DRAINAGE EASEMENT

Councilman Handcox moved that the Council adopt a resolution authorizing dedication and use of a strip of land 6 feet in width containing 2,603 square feet out of the J. C. Tannehill League (City of Austin) for an enclosed drainage easement. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

ACQUISITION OF LAND FOR SPRINGDALE ROAD

Councilman Lebermann moved that the Council adopt a resolution authorizing the acquisition of 1120 Springdale Road (Ned Granger) for widening Springdale Road from East 5th Street to Airport Boulevard. The motion, seconded by Councilman Handcox, carried by the following vote:

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

ACQUISITION OF LAND FOR A PARK

Councilman Lebermann moved that the Council adopt a resolution authorizing the acquisition of 7411 Providence (Jon G. Montgomery, et ux) for a park in the St. John's neighborhood area. The motion, seconded by Councilman Handcox, carried by the following vote:

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

ACQUISITION OF LAND FOR FIESTA GARDENS

Councilman Lebermann moved that the Council adopt a resolution authorizing the acquisition of certain land for the expansion of Fiesta Gardens at Town Lake as follows:

27 Chicon Street - Feliberto Zapata et ux

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Dryden

Absent: Councilmen Binder, Friedman

Councilman Lebermann moved that the Council adopt a resolution authorizing the acquisition of certain land for the expansion of Fiesta Gardens at Town Lake as follows:

24 Lynn Street - A. R. Holstine et ux

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Dryden

Absent: Councilmen Binder, Friedman

Councilman Lebermann moved that the Council adopt a resolution authorizing the acquisition of certain land for the expansion of Fiesta Gardens at Town Lake as follows:

2104 Bergman - Juanita Vasquez

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Dryden

Absent: Councilmen Binder, Friedman

ARCHITECTURAL SERVICES

Councilman Lebermann moved that the Council adopt a resolution selecting Environetics for architectural services in connection with the following 1974 Capital Improvements Program Project for the Parks and Recreation Department:

Montopolis Community Center Alterations (Capital Improvements
Program Project No. 8664 0)

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

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

SUPPLEMENT TO PROFESSIONAL ENGINEERING SERVICES AGREEMENT

Councilman Lebermann moved that the Council adopt a resolution approving a supplement to the Professional Engineering Services Agreement for Model Cities area and other park site improvements between the City of Austin and Bryant-Curington, Inc., Consulting Engineers, dated November 26, 1973, and approved by the Council on October 25, 1973, to include the following project:

Montopolis Neighborhood Park - Lighting, Irrigation & Fencing
Improvements (Capital Improvements Program Project No. 8648 5)

Mr. Dan Davidson wanted to mention the significance of these contracts to upgrade the Montopolis Community Center. He stated that for years people in the area had been asking that a park facility be provided, and now the engineering and design work was being undertaken. Councilman Lebermann further added that the City had recently applied for a federal grant for the exterior improvements for the Center in the amount of \$87,000. The motion, seconded by Councilman Handcox, carried by the following vote:

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

ENGINEERING TESTING SERVICES

Mayor Pro Tem Love moved that the Council select Stapp-Hamilton and Associates for soil investigation and engineering testing services in connection with the following Capital Improvements Program Projects:

1. Davis Lane Reservoir (Capital Improvements Program Project No. 4091 0).
2. Southwest Austin Water Transmission Main (Capital Improvements Program Project No. 4088 0).
3. Emerald Forest Water Transmission Main (Capital Improvements Program Project No. 4071 0).

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

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

COST DIFFERENCE PAYMENTS

Councilman Handcox moved that the Council adopt a resolution authorizing payment to WAYNE McDONALD, President of Lumbermen's Investment Corporation, for the cost difference of 18"/8", 16"/8", 12"/8" and 10"/8" sewer mains in Colony Park Hills, Section 1-A in the amount of \$44,490.71. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Councilman Handcox moved that the Council adopt a resolution authorizing payment to WILLIAM B. COTTON, President of Spicewood Development Company, Inc., for the cost difference of 12"/8" water main and appurtenances in Spicewood at Balcones Village, Section 1 in the amount of \$8,004.15. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

CASH SETTLEMENT

Councilman Lebermann moved that the Council adopt a resolution authorizing a cash settlement as follows:

WILLIAM B. COTTON - for 60%/40% cash settlement in lieu of refund contract for water main installed in Balcones Village, Section II. Total cost - \$4,706.62 and City's cost at 60% - \$2,823.97.

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

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

HEARING SET TO AMEND GLEN OAKS URBAN RENEWAL PLAN

Mayor Pro Tem Love moved that the Council set a public hearing for 1:00 p.m. on April 25, 1974, to amend the Glen Oaks Urban Renewal Plan. The motion, seconded by Councilman Handcox, carried by the following vote:

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

HEARING SET TO AMEND ZONING ORDINANCE

Mayor Pro Tem Love moved that the Council set a public hearing for 1:00 p.m. on April 11, 1974, to amend the zoning ordinance to allow fifty-foot structures on lots between sixty and sixty-five feet in width. The motion, seconded by Councilman Handcox, carried by the following vote:

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

TEMPORARY CLOSING OF PEARL STREET AND SCENIC DRIVE

Councilman Lebermann moved that the Council adopt a resolution temporarily closing PEARL STREET between West 24th Street and West 25th Street from 3:00 p.m. to 7:00 p.m. on April 19, 1974, for street dance (University of Texas Round-Up Week); and temporarily closing SCENIC DRIVE between Stevenson and Mathews Streets from 1:00 p.m. to 8:00 p.m. on March 30, 1974, for West Central Neighborhood Group neighborhood party (a trial run for the annual Fourth of July neighborhood party, particularly for Bicentennial 1976). The motion, seconded by Councilman Dryden, carried by the following vote:

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

WILDING DEVELOPMENT

Authorization of the creation of Travis County Fresh Water Supply District No. 1 to serve the "Wilding" Development and a third-party beneficiary agreement concerning the creation of this were before Council for consideration upon the request of Southern Living and Leisure. Mr. Tom Leonard, partner in the law firm of Stalcup, Johnson, Meyers, and Miller of Dallas, stated that he represented East Ranch Limited, the land owner of this project, which has as its general partner Southern Living and Leisure of Austin. Mr. Curtis Johnson, Director Water and Wastewater, set up maps showing the location of the project, the location of Travis County Fresh Water Supply District No. 1 within that project, and the area designated as part of the third-party beneficiary contract. Mr. Johnson commented that Wilding would pay the entire cost of a line adequate to serve their development; and the City would bear the cost of the extra capacity for a little larger line (blue line on map), which would amount to about 6.3% of the cost. Mr. Leonard briefly reviewed some of the history behind the two proposals before Council. He stated that since last September, his organization had been working with the City Manager's office and Mr. Johnson to arrive at the package which had been presented. He added that in the course of doing that, they had gone through several redrafts for engineering reports to make the system one that would meet all the City's standards and stated that the comprehensive plan which would apply to the entire 3500 acres had been revised over the last year by the planners and engineers, Caudill, Rowlett, and Scott of Houston. He indicated that in the last year the densities

for the entire project had been reduced from 15,000 to 11,500 people. He also discussed the third-party beneficiary contract and stated that it would enable the creation of a fresh water supply district to provide water and sewer facilities for the first 1181 acres of this 3500-acre project. He added that it complied in all respects with the existing City policy for the creation of districts within the extra-territorial jurisdiction of the City of Austin. He also indicated that it had been their purpose from the outset to provide a means for permanent disposal of the sewage at the earliest feasible date to protect the integrity of Lake Austin.

In regard to the financing of this project, he stated that the basic concept would be that the City pay base cost of a line sized to serve the natural drainage of Bull Creek, which would be provided for in the Capital Improvements Program; and Wilding would pay for additional cost of enlarging this line to make it adequate to transport sewage from the Wilding area as well as the Bull Creek drainage basin. He also indicated that in addition to this line, an additional line must be constructed parallel to the Cow Fork of Bull Creek from Highway 2222 to the Wilding area and that under the proposed agreement, Wilding would pay for construction of a line of sufficient size to serve Wilding. The City would pay an added cost to have this line enlarged to serve the remaining portions of the Cow Fork drainage basin. There was discussion between Councilman Dryden and Mr. Leonard as to the costs involved.

Discussion was also held by Councilmen Handcox and Dryden, Mr. Don Butler, City Attorney, the City Manager, and Mr. Leonard in reference to this being resumed as a public hearing to allow for more citizen input. Mr. Kevin Burnett appeared and stated that he was in favor of the public hearing to allow more citizen input.

Councilman Handcox moved that the Council set a public hearing for April 4, 1974, at 1:00 p.m. to consider the "Wilding" project and the third-party beneficiary agreement. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Mr. N. Joseph Swift requested to speak in regard to training programs; however, he was advised to submit a written request to be placed on the agenda for March 28, 1974.

DONATION FOR PARKS AND RECREATION SENIOR ACTIVITY CENTERS

Mayor Pro Tem Love moved that the Council accept a \$2,829.00 donation from the Austin District Council on Ministries of the Methodist Church to be used in the operation of the Parks and Recreation Senior Activity Centers. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

PROCEDURE FOR HANDLING ALLEGED POLICE MISCONDUCT

Mayor Butler requested postponement of consideration of the procedure for handling alleged police misconduct for two or three weeks and asked that it be omitted from the agenda until further notice. He added that the reason for postponement was that several groups had asked for more time to prepare responses to this and to include changes that they might have. He also stated that progress was moving forward rather rapidly and hopefully a plan would evolve soon.

HEARING SET ON TELEPHONE RATE ORDINANCE

Mayor Pro Tem Love moved that the Council set a public hearing for March 28, 1974, at 1:00 p.m. to consider an amendment to the Telephone Rate Ordinance (mobile phone rates and other minor miscellaneous rate adjustments). The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Absent: Councilmen Friedman, Binder

REQUEST TO OPERATE TOUR BOAT

Mr. Christie Sarris, of Christie's Seafood Restaurant, had requested to appear before the Council to request permission to operate the tour boat on Town Lake for a period of two years. However, because of his absence from the Council meeting, it was decided that his request would be postponed until March 28, 1974.

DATA DOCUMENTS INC. PRICE ADJUSTMENT

Mr. Robert E. Billman, Division Manager of Data Documents Inc. of Houston, appeared before Council in regard to action taken by Council on March 14, 1974, on Data Documents' request of a desired increase of cost in paper from \$3.02 per thousand sheets to \$4.40 per thousand and in regard to the Council's decision that Data Documents Inc. uphold their contract at \$3.02.

Mr. Billman indicated that it was not their intent to make it difficult for the City or to set a precedent in this matter. He stated that he was there to reason with Council on this, resolve the problem, and ship the products to the City's computer operations. He felt that conditions in the paper industry today in no way could have been anticipated by anyone a year ago. He referred to an article of publication by the National Business Forms Association. He also referred to communication from International Paper Company, Data Documents' supplier:

"...Because of controls, we are unable to price our products at realistic levels necessary to provide an adequate return on our investment; therefore, until further notice, all shipments will be invoiced at International Paper's price levels on date of shipments..."

In answer to Councilman Lebermann's question about Data Documents' warehousing paper, Mr. Billman stated that they tried to carry a month's inventory at a time. Councilman Lebermann wondered how they could operate on an annual contract arrangement by making monthly purchases. Mayor Butler felt that amending the contract opened the door to every other supplier of Austin who is experiencing a similar difficulty. There was discussion as to the legal aspects of the contract price. The City Attorney stated that the City could not have awarded the contract had there been no price specified in the bid.

Mayor Butler thanked Mr. Billman for appearing and stated that the Council appreciated his dilemma from a business standpoint; however, he added that Data Documents had a contractual obligation.

EXTENSION OF RESEARCH EXPERIMENTS

It was noted that a written request had been submitted by Mr. Hudson Matlock, Chairman of the Department of Civil Engineering at the University of Texas, for a one-year extension of the current expansive clay research experiments being conducted at Lake Long. Councilman Handcox moved that the Council grant the request. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

SPEED ZONES

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 21-42 OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN DELETIONS AND ADDITIONS TO SUBSECTIONS (d) AND (e) THEREOF, AND DELETING SUBSECTIONS (f), (g), (i) AND (j) IN THEIR ENTIRETY, THEREBY DECLARING MAXIMUM PRIMA FACIE SPEED LIMITS UPON CERTAIN STREETS AND HIGHWAYS WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 6701d); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Lebermann moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately regarding various additions, deletions, and amendments to speed zones. The motion, seconded by Councilman Handcox, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 21-41, SUBSECTIONS (d) AND (f), OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN DELETIONS AND ADDITIONS TO SAID SUBSECTIONS, THEREBY DECLARING MAXIMUM PRIMA FACIE SPEED LIMITS ON CERTAIN STREETS WITHIN SCHOOL ZONES IN THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 6701d), REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 21-41, SUBSECTIONS (d) AND (e), OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN DELETIONS AND ADDITIONS TO SAID SUBSECTIONS, THEREBY DECLARING MAXIMUM PRIMA FACIE SPEED LIMITS ON CERTAIN STREETS WITHIN SCHOOL ZONES IN THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 6701d), REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

REFUND CONTRACTS

The Mayor introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH SPICEWOOD DEVELOPMENT COMPANY, INCORPORATED, AND LUMBERMEN'S INVESTMENT CORPORATION; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Balcones Village, Section 1) (Colony Park Hills, Section 1-A; Colony Park, Section 1, Phase 1; and Colony Park, Section 1, Phase 3)

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 Dryden, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

APPROACH MAIN CONTRACT

The Mayor introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH LUMBERMEN'S INVESTMENT CORPORATION; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Colony Park, Section 1, Phase 1)

Mayor Pro Tem Love moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately authorizing a five-year approach main contract. The motion, seconded by Councilman Dryden, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE CORRECTIONS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 710225-A, ENACTED BY THE CITY COUNCIL ON FEBRUARY 25, 1971, BY CORRECTING THE USE DESIGNATION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (C14-70-195)

Mayor Pro Tem Love moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately correcting an error in the USE designation from "A" Residence to "B" Residence District in Zoning Ordinance No. 710225-A. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Noes: None

Absent: Councilmen Binder, Friedman

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 731213-1, ENACTED BY THE CITY COUNCIL ON DECEMBER 13, 1973, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (C14-73-190)

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 Handcox, carried by the following vote:

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

Noes: None

Absent: Councilmen Binder, Friedman

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE AMENDMENTS

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 1, ONION CREEK FOREST, SECTION 3, LOCALLY KNOWN AS 5305-5509 NUCKOLS CROSSING ROAD AND 6601-6719 SOUTH PLEASANT VALLEY ROAD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND, (C14-73-057)

(2) A 6,750 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 2624-2626 GUADALUPE STREET, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; AND, (C14-73-241)

(3) A 16,050 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 7131-7137 NORTH LAMAR BOULEVARD AND 721-731 ST. JOHN'S AVENUE, FROM "D" INDUSTRIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; (C14-74-012)

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 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: None

Absent: Councilmen Binder, Friedman

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 TWENTY (20) SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 2611-2615 WESTERN TRAILS AND 4600-4608 SAGEBRUSH TRAIL, FROM "O" OFFICE 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. (C14-74-011)

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: None

Absent: Councilmen Binder, Friedman

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
TRACTS 1 AND 2: BLOCKS "A" AND "C", TIMBER VILLAGE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,
TRACT 3: BLOCK "B", TIMBER VILLAGE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,
TRACT 4: LOTS 1-15, BLOCK "D", TIMBER VILLAGE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND,
TRACT 5: LOT 16, BLOCK "D", TIMBER VILLAGE, SAVE AND EXCEPT, A 0.23 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; AND

TRACT 6: A 0.23 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 1304-1610 MATTHEWS LANE AND ALSO BOUNDED BY I. G. & N. RAILROAD; 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. (C14-73-122)

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: None
Absent: Councilmen Binder, Friedman

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:
NORTHWEST HILLS, SECTION "9G," LOTS 2, 2L, 3, 4 AND 5, LOCALLY KNOWN AS 3535-3563 FAR WEST BOULEVARD; 7001-7025 VILLAGE CENTER DRIVE AND 3600 NORTH HILLS DRIVE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (C14-73-137)

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: None
Absent: Councilmen Binder, Friedman

The Mayor announced that the ordinance had been finally passed.

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

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 14, DIXIE TERRACE ADDITION, LOCALLY KNOWN AS 8300 BOWLING GREEN DRIVE AND 2300-2304 OHLEN ROAD, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND DECLARING AN EMERGENCY. (C14-73-250)

The ordinance was read the third time, and Councilman Dryden moved that the ordinance be finally passed. 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: None

Absent: Councilmen Binder, Friedman

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 ONION CREEK DEVELOPMENT COMPANY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Onion Creek, Section 1)

The ordinance was read the second time, and Councilman Dryden 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: Councilmen Dryden, Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love

Noes: None

Absent: Councilmen Binder, Friedman

The Mayor announced that the ordinance had been finally passed.

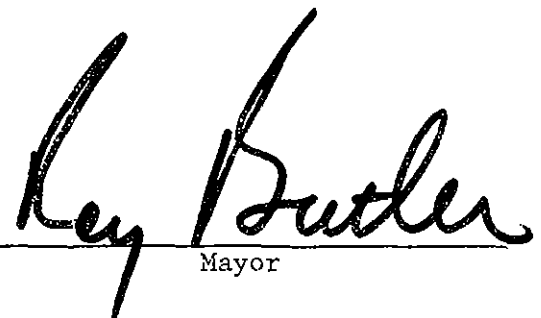
GAS RATE ORDINANCE

The second and third readings of the Gas Rate Ordinance were postponed until March 28, 1974.

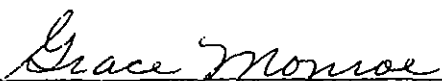
ADJOURNMENT

The Council adjourned at 3:30 p.m.

APPROVED


Mayor

ATTEST:


Acting City Clerk