

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 23, 1974
1:00 P.M.Electric Auditorium
301 West Avenue

The meeting was called to order with Mayor Butler presiding.

Roll Call:

Present: Councilman Binder, Dryden, Friedman, Handcox, Lebermann,
Mayor Butler

Absent: Mayor Pro Tem Love

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

PRESENTATION

Mr. J. Paul Comola, Assistant Regional Administrator for Congressional and Intergovernmental Relations of the Environmental Protection Agency of the Texas Water Quality Board, appeared before Council and presented a progress check to Austin in the amount of \$2,095,600 as payment on the interceptor tunnel. Mayor Butler thanked Mr. Comola.

BUDDY POPPY DAYS

Mayor Butler read and then presented a proclamation to Mr. Belos Alvis, Commander of Manchaca Post 3377, Mr. I. P. (Sarge) Bell, Poppy Chairman, and Mrs. Belos Alvis, Auxiliary Sr. Vice President, proclaiming May 24-June 2, 1974, as "Buddy Poppy Days", urging all citizens to recognize the merits of this Veterans of Foreign Wars' cause by contributing generously to its support through the purchase of Buddy Poppies being sold in the Austin area by various VFW Posts and Auxiliaries. Mrs. Alvis thanked everyone for their contributions and urged all to participate in the buying and selling of the Poppies. Mr. Alvis noted that the Poppies had been made by hand by disabled veterans at the Temple Veterans Administration Hospital. Sarge Bell further noted that Mr. Alvis had spent a lot of his life in a Japanese war prison camp.

TEXAS SPECIAL OLYMPICS DAY

Mayor Butler read and then presented a proclamation to Messrs. John Wymer and Gerald Williams and Dr. Bill Walker proclaiming May 23, 1974, as "Texas Special Olympics Day," and noted that the Special Olympics program had been established to give the mentally handicapped a chance to develop their skill, experience success, and grow physically, mentally, and socially through an organized program of physical development. He further noted that 300 mentally handicapped individuals would compete in the 1974 Texas Special State Meet on May 23-25, 1974. Mr. Wymer thanked the Council and urged everyone to attend the opening exercises that night at 6:30.

RECOGNITION

Councilman Dryden read and then presented a resolution signed by the Mayor and Council members to Mr. Paul Tutt, Past President of the Texas Section of the Institute of Traffic Engineers, and noted that the Texas Section of the Institute of Traffic Engineers was encouraging voluntary compliance with the 55 mile per hour speed limit; more efficient use of public transportation, car pooling, park-and-ride facilities, trip consolidation, vehicle maintenance, and driving techniques; most efficient sources for street lighting; restrictions on the size, type, and time of operation of advertising signs, re-examination of traffic controls to provide the most efficient traffic flow; and was recommending that all governmental entities of the State take action to achieve a 15% reduction in total energy consumption as compared to the 1973 rate. Mr. Tutt thanked the Council for this recognition.

EXECUTIVE SESSION ACTION

Mayor Butler announced that the Council had been in an Executive Session earlier that day and that appointments and the selection of a site were discussed and were now before the Council for action.

Planning Commission

Councilman Binder moved that the Council reappoint the following to the Planning Commission:

Mr. C. W. Hetherly - Chairman Mr. O. P. Bobbitt

and appoint the following to the Planning Commission:

Mr. George Ramsey Mr. Rizer Everett

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

Ayes: Mayor Butler, Councilmen Binder, Dryden, Friedman, Handcox,
Lebermann

Noes: None

Absent: Mayor Pro Tem Love

Site for Central Library

Mr. Dan Davidson, City Manager, indicated that the Council had been furnished a recommendation for the location of the site for the Central Library as being the south one-half block between Guadalupe and San Antonio between 8th and 9th Streets directly south of the existing Central Library. Mayor Butler added that the committee for the selection of the site had come up with several downtown sites but that this referenced site had met all criteria from the Library's standpoint; and because it was owned by the City, there would be no delay in acquisition time. Therefore, he felt that this was a very good selection. Councilman Lebermann moved that the Council accept the report and select the afore-mentioned site as being the location for the new Central Library. The motion, seconded by Councilman Friedman, carried by the following vote:

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

APPROVAL OF MINUTES

Councilman Lebermann moved that the Council approve the Special Meeting Minutes of May 9, 1974 (11:00 a.m.) and the Regular Meeting Minutes of May 16, 1974 (1:00 p.m.). The motion, seconded by Councilman Dryden, carried by the following vote:

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

HEARING ON APPROPRIATION OF REVENUE SHARING FUNDS

Mayor Butler opened the public hearing scheduled for 1:00 p.m. to consider requests for appropriation of Revenue Sharing Funds. Mr. Joe Liro, Management and Budget Administrator, noted that at this point in the fiscal year there was \$944,697 of the current year's general revenue sharing allocation which had not yet been designated for specific programs or projects. He indicated that the recommendation that had been forwarded to Council requested the conformation of financial requirements for three projects already approved by the Council:

| | |
|--|-----------|
| Municipal Golf Course Improvements | \$400,000 |
| St. John's Area Redevelopment (Partial funding) | \$250,000 |
| Red River Relocation (Partial funding) | \$150,000 |

He added that if the Council adopted this recommendation, \$144,697 would be available to fund additional requirements or additional City needs and that before the Council were communications from eight community agencies requesting

grants from this revenue sharing allocation. He noted that the dollar amount had been changed for the United Action for Elderly, Inc. request from \$31,426 to \$24,216, which now made the eight requests total \$135,437. He commented that this particular group of applications was a mid-year request and that their goal was to get all grants on a cycle corresponding with the City's fiscal year.

Councilman Friedman moved that the Council approve the recommendations for allocation of the Revenue Sharing Funds to include the following with the surplus to be included in an account for construction contingencies:

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|--|-----------|
| Municipal Golf Course Improvements | \$400,000 |
| St. John's Area Redevelopment (Partial funding) | \$250,000 |
| Red River Relocation (Partial funding) | \$150,000 |
| Afro-American Players, Inc. | \$ 9,557 |
| Austin Ballet Theater | \$ 1,986 |
| Austin Rape Crisis Center | \$ 2,557 |
| Big Brothers of Austin | \$ 1,570 |
| Legal Aid and Defender Society of Travis County | \$ 30,058 |
| St. John's Community Association | \$ 36,000 |
| United Action for the Elderly | \$ 24,216 |
| United Cerebral Palsy of the Capitol Area | \$ 29,493 |

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

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

Noes: None

Absent: Mayor Pro Tem Love

ANNEXATION HEARING

Mayor Butler opened the public hearing scheduled for 1:00 p.m. to consider the annexation of various tracts of land:

Total of 18.05 acres of land:

- a. 12.33 acres of land out of the Wilkenson Sparks Survey - portions of Lots 41 and 42, LAKE SHORE ADDITION and unplatted land. (Requested by Thalbert R. Thomas, owner.)

Mr. Alvin Golden, attorney for the estate of Thalbert R. Thomas, noted that his client had passed away in April and had just learned of this, and therefore, requested a 60-day delay. He assured the Council that nothing would transpire during the postponement to alter plans.

- b. 5.72 acres of land out of the Wilkenson Sparks Survey - portions of Lots 43 through 54, LAKE SHORE ADDITION, portion of WEST LAKE DRIVE and unplatted land. (initiated by the City of Austin).

Councilman Dryden moved that the Council postpone action for 60 days on the afore-mentioned 18.05 acres of land. The motion, seconded by Councilman Binder, carried by the following vote:

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

Total of 138.80 acres of land:

- a. 1.47 acres of land out of the James Rogers Survey - BALCONES WOODS, SECTION TWO-A. (Requested by T. P. Wilcox, Bryant-Curington, owner's representative.)
- b. 137.33 acres of land out of the JAMES ROGERS SURVEY - unplatted land. (Initiated by the City of Austin.)

Mr. Thomas Watts, Austex Development Company (Manager of the Balcones Woods Estates area), appeared in reference to the two afore-mentioned pieces of land. He noted that the staff had added a large area to the north and west of Balcones Woods, Sections Two and Three-A. They requested that only that area that had been requested be annexed at this time because there was a triangle to the east between the hatched area and the railroad also under their ownership and part of the same tract, and they felt that this undeveloped land should be annexed along with it. They preferred that the remaining undeveloped area not be annexed because of the problems caused primarily with the clearing of the land and the State air pollution law. He noted that there was no provision for burning of excess brush that would be cleared off of property and that if this were out of the limits, they could obtain a permit from the State. In conclusion, he requested that the Council annex the 1.47 acres but not the other until they could bring it into a more developed form that would be more logically part of the City.

Mr. Dick Lillie, Director of the Planning Department, stated that since this request was made by the owner, the City began an area study for annexation on 183. He thought it might be proper for Council to postpone action on this and look at the recommendations on the area. Councilman Lebermann moved that the Council direct the administration to institute annexation proceedings to annex the 1.47 acres of land and postpone action for 60 days on the 137.33 acres of land. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Councilman Dryden moved that the Council direct the administration to institute annexation proceedings to annex the following:

Total of 284.72 acres of land:

- a. 90.20 acres of land out of the J. C. Tannehill League - unplatted land and portions of ED BLUESTEIN BOULEVARD, The Missouri Kansas and Texas Railroad and the Houston and Texas Central Railroad. (Initiated by City of Austin.)
- b. 194.52 acres of land out of the J. C. Tannehill League - COLORADO EAST, unplatted land and portions of ED BLUESTEIN BOULEVARD, LEVANDER LOOP, GARDNER ROAD, TRACY LYNN ROAD, EAST LESLIE CIRCLE and BRET LANE. (Initiated by City of Austin.)

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

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

Councilman Lebermann moved that the Council postpone action for 60 days on the following:

65.59 acres of land out of the JOHN APPLEGAIT SURVEY - unplatted land. (Initiated by the City of Austin)

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

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

RELEASE OF EASEMENTS

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

The east two and one-half (2.50) feet of the south seventy-five (75.00) feet of the west seven and one-half (7.50) feet of LOT 5-A, BLOCK D, FIRST RESUBDIVISION OF QUAIL CREEK, PHASE III, SECTION I, from the Public Utilities Easement seven and one-half (7.50) feet in width in the rear of said Lot 5-A.
(Requested by Harold E. Burgeson, owner)

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

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

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

A Drainage Easement fifteen (15.00) feet in width along the north property line of MESA DRIVE between Spicewood Springs Road and Steck Avenue. (Requested by Bryant-Curington, Inc., Consulting Engineers, agent for Wallace Mayfield, owner.)

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

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

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

The north five (5.00) feet of the Public Utilities Easement ten (10.00) feet in width along the south side of LOT 4, 5 and 6 of NORTHWEST HILLS SECTIONS 9-B. (Requested by Bryant-Curington, Inc., Consulting Engineers, agent for Northwest Savings Association, owner)

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

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

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

A portion of the Drainage Easement of varying widths along the west boundary of LOT 2, BLOCK A, TOWN LAKE PLAZA. (Requested by Martin Boozer representing Frank G. Newman, owner.)

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

Ayes: Mayor Butler, Councilmen Binder, Dryden, Friedman, Handcox, Lebermann

Noes: None

Absent: Mayor Pro Tem Love

In response to Councilman Lebermann's question, City Manager Davidson noted that the applicant was taking more desirable land from the standpoint of conservation of native plant materials.

INCORPORATION OF LAKEWAY

Mr. Jack McCreary, attorney appearing on behalf of a committee appointed by Lakeway, noted he was present to petition the Council's permission to incorporate. He reviewed the fact that he had appeared before Council some 10 months ago and had given a report concerning the feasibility of incorporation at which time the Council had postponed any action for four to five months. In response to Councilman Lebermann's question, Mr. McCreary indicated that the outcome of the meeting with Mr. Homer Reed, Deputy City Manager, had been that they had agreed that if the City would permit Lakeway to incorporate its township, they would agree to enter into an intergovernmental contract between Lakeway and Austin to relinquish all of the extraterritorial jurisdiction that would be in conflict with the extraterritorial jurisdiction of Austin. There was discussion to the effect that the Council should direct the staff to bring back the appropriate resolution for Council to formally consider the request. Mr. McCreary felt that this was probably the most expedient way to accomplish their objectives and hoped that through this agreement there would be something to meet their needs at Lakeway and be a model for other areas to follow to help solve the dilemmas.

Councilman Handcox understood the situation at Lakeway and sympathized with the residents, but he did not understand how this would be a model situation with all that had been taking place around the periphery of the City. In response to this, Mr. McCreary stated that this was cooperation between political entities and that he had worked with political subdivisions and had been looking for a vehicle that could meet the needs of people in Lakeway that needed police protection and yet not violate the practicing of incorporation. He felt that this would be a model contract that would meet these people's needs and give the City the decision on annexation and development.

There was discussion by Mr. Don Butler, City Attorney, as to what would be included in the resolution. He noted that the City would have subdivision control but not control over their ordinances. Discussion was held on Lakeway's relinquishing its control of the extraterritorial jurisdiction.

Mr. Jack Shelton, resident of Lakeway, stated that the Committee had met with City department heads but had not met with the people involved. In response to Mayor Butler's question, he indicated that he was one of the 71 who had voted against incorporation. He commented that the crime wave had consisted of one vandalism and that the roads were better than any city's and therefore, did not see any need for incorporation. Councilman Dryden felt that it would be appropriate if Mr. Shelton's questions could be answered by Mr. McCreary and the Committee.

Councilman Lebermann moved that the Council instruct the City Attorney to present to Council on May 30, 1974, the appropriate document for final action permitting incorporation of Lakeway under certain conditions. The motion, seconded by Councilman Dryden, carried by the following vote:

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

CASH SETTLEMENTS

Councilman Dryden moved that the Council adopt a resolution authorizing the following cash settlement: ~~the~~ mod

AUSTIN INDEPENDENT SCHOOL DISTRICT - For wastewater approach main to L. C. Anderson High School Tract. Cost of wastewater main \$32,072.15. City's cost @ 75% - \$24,054.11; School District cost @ 25% - \$8,018.04.

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

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

Councilman Dryden moved that the Council adopt a resolution authorizing the following cash settlement:

DENNIS BOLDING AND F. N. BOLDING, JR., owners - For 60%/40% cash settlement in lieu of refund contract for water mains in Gillis Heights. Total cost \$1,800.00. City's cost at 60% is \$1,080.00; Owners cost @ 40% is \$720.00

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

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

COST DIFFERENCE PAYMENT

Councilman Lebermann moved that the Council adopt a resolution authorizing payment to EDWARD R. RATHGEBER, CECIL D. PERKINS, and DORIS HARRIS WARLICK for the cost difference of 12"/8" water main appurtenances in Onion Creek Plantations, Section 1 - \$10,837.31. The motion, seconded by Councilman Binder, carried by the following vote:

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

AGREEMENT IN CONNECTION WITH
WATER AND WASTEWATER UTILITIES

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to enter into a standard utility agreement and utility joint use agreement with the Texas Highway Department to cover adjustments and relocations of water and wastewater utilities in Interstate Highway 35 from U. S. Highway 183 south to 46th Street. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

CONTRACTS AWARDED

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

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| Bid Award: | - Tires and Tubes for the Department of Vehicle and Equipment Services |
| B. F. GOODRICH 116 Congress Avenue Austin, Texas | - Items 2-6, 8-16, 18-20, 22-24, 34-36 and 175-184 - \$23,422.06. |
| GOODYEAR SERVICE STORES 101 Congress Avenue Austin, Texas | - Items 25-28, 37, 38, 39-67, 69-90, 91-101, 103-115, 117-123, 125-136, 138-150, 152-170, 172, 175-226 and 228-248 - \$99,499.81. |

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

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

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

Bid Award:

TRINITY FORMS
1112 Crown Oaks
Austin, Texas

- Data Labels, Continuous Custom Forms and Continuous Stock Paper for Data Processing Department and other Departments.

- Items 37 through 40, Labels \$3,826.00
Items 41 through 50, Continuous Custom Forms \$5,508.20.
Items 51 through 54 and 57 through 66, Continuous Stock Paper with Carbon Paper \$41,115.73 - Total \$50,449.93.

UARCO
1210 Nueces
Austin, Texas

- Items 86 through 91, Continuous Stock Paper, customized - \$18,763.60.

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

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

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

GIFFORD-HILL-AMERICAN, INC.
2949 Stemmons Freeway
Dallas, Texas

- Miscellaneous Prestressed AWWA-C301 Steel Cylinder Concrete Pipe and Fittings for Water Distribution Division
Items 1 through 26 - \$20,890.22.

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

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

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

TECHLINE, INC.
8750 Shoal Creek Boulevard
Austin, Texas

- Street Light Poles, Central Stores for Electric Department.
Item 1: 200 each - \$47,400.00

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

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

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

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|--------------------------|---|
| GENERAL ELECTRIC COMPANY | - Network Protectors for Electric Dept. |
| 1600 NE Loop 410 | Item 1: 16 ea. @ \$5,040.00 |
| San Antonio, Texas | Item 2: 8 ea. @ \$4,405.00 |
| | Total \$15,880.00 (subject to escalation) |

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

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

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

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|-----------------------------|------------------------------|
| ALLIS-CHALMERS CORPORATION | - Potential Transformers for |
| 310 South St. Mary's Street | Electric Department |
| San Antonio, Texas | Items 1 and 2 - \$35,475.00 |

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

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

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

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|-----------------------------|--|
| AUSTIN OXYGEN COMPANY, INC. | - 36 months supply agreement for |
| 503 Neches | Medical Gases, Brackenridge Hospital - |
| Austin, Texas | \$40,055.00 |

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

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

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

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| MILK PRODUCTS - MAPLEHURST DAIRIES | - 6 months supply agreement for Milk |
| 9300 Old U. S. Highway 183 | Products - \$22,152.98. |
| Austin, Texas | |

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

Ayes: Councilmen Handcox, Lebermann, Binder, Dryden, Friedman

Noes: None

Absent: Mayor Pro Tem Love

Not in Council Chamber when roll was called: Mayor Butler

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

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|----------------------------|--|
| TEXAS EMULSIONS | - Latex Modifier for Street and Bridge |
| 1103 Perry Brooks Building | Division and Department of Public |
| Austin, Texas | Works - \$5,808.00 |

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

Ayes: Councilmen Handcox, Lebermann, Binder, Dryden, Friedman

Noes: None

Absent: Mayor Pro Tem Love

Not in Council Chamber when roll was called: Mayor Butler

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

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|----------------------|--------------------------------------|
| J. T. THORPE COMPANY | - Emergency Repair of Boilers #5 and |
| P. O. Box 33399 | #7, Seaholm Power Plant, Electric |
| Houston, Texas | Utility Department - \$13,000.00. |

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

Ayes: Councilmen Handcox, Lebermann, Binder, Dryden, Friedman

Noes: None

Absent: Mayor Pro Tem Love

Not in Council Chamber when roll was called: Mayor Butler

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

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|-----------------------------|-------------------------------------|
| AMERICAN RIGGING, INC. | - The loading, transportation and |
| 11252 Harry Hines Boulevard | unloading of an autotransformer for |
| Dallas, Texas | Austrop Substation - \$14,769.99. |

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

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

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

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|-------------------------------|------------------------------------|
| THOMPSON PIPE & STEEL COMPANY | - Steel circulating water pipe for |
| P. O. Box 2852 | Decker Unit #2 - \$44,785.00. |
| Denver, Colorado | |

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

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

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

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|-----------------------------|---------------------------------------|
| GIFFORD-HILL-AMERICAN, INC. | - Concrete circulating water pipe for |
| 6400 Southwest Freeway | Decker Unit #2 - \$128,748.60. |
| P. O. Box 36467 | |
| Houston, Texas | |

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

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

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

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|------------------------------|----------------------------------|
| THOMAS BROTHERS CONSTRUCTION | - Jimmy Clay Golf Course fueling |
| COMPANY | facility, Vehicle & Equipment |
| 3400 East First Street | Services - \$14,443.00. |
| Austin, Texas | |

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

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

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

M. AND J. CONSTRUCTION COMPANY
2112 Mannix, Suite 13
San Antonio, Texas

- For construction of a reinforced concrete two barrel (8' x 4') box Culvert in Aldford Drive, Cherry Creek, Phase III, Section I - \$12,674.37.

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

Ayes: Councilmen Handcox, Lebermann, Binder, Dryden, Friedman

Noes: None

Absent: Mayor Pro Tem Love

Not in Council Chamber when roll was called: Mayor Butler

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

B. L. MCGEE CONSTRUCTION COMPANY
and B. L. MCGEE, INC.
P. O. Box 1545
Austin, Texas

- Confirming final construction agreement for Brackenridge Hospital Phase II - \$5,274,357.00.

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

Ayes: Councilmen Handcox, Lebermann, Binder, Dryden, Friedman

Noes: None

Absent: Mayor Pro Tem Love

Not in Council Chamber when roll was called: Mayor Butler

AGREEMENT FOR SUMMER EMPLOYMENT

Councilman Friedman moved the Council adopt a resolution authorizing the City Manager to enter into an agreement with Project SET, (Summer College Work Study Program), for the summer employment of up to 19 SET students. City will pay 31.7% of each student's salary for a 12-week employment period. City's cost - \$5,782.08. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Lebermann, Binder, Dryden, Friedman, Handcox

Noes: None

Absent: Mayor Pro Tem Love

Not in Council Chamber when roll was called: Mayor Butler

AUSTIN AREA METROPOLITAN PLANNING ORGANIZATION

Councilman Friedman moved that the Council adopt a resolution designating the Steering Committee established by the Joint Transportation Planning Agreement as the Austin Area Metropolitan Planning Organization for the purpose of preparing the Urban Transportation Plan. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

APPLICATION FOR NEIGHBORHOOD DEVELOPMENT PROGRAM

Councilman Friedman moved that the Council adopt a resolution approving the Urban Renewal Agency's proposed Neighborhood Development Program Application for the extension of the fourth action year for a period of six months, July 1, 1974, through December 31, 1974. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

CONTRACT FOR AUSTIN ASSOCIATION
FOR RETARDED CHILDREN'S SUMMER CAMP

Councilman Friedman moved that the Council adopt a resolution authorizing approval of a Special Services Fund Contract with the Austin Association for Retarded Children to provide for a summer camp for 110 retarded children and adolescents (Operation Sunshine). Total cost of project - \$23,425.00; City's share - \$12,500.00. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

GRANT FROM TEXAS CRIMINAL JUSTICE DIVISION

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to accept a continuation grant award of \$74,568.00 from the Texas Criminal Justice Division for the "Development Assistance for Rehabilitation Employment/Education Program". The motion, seconded by Councilman Lebermann, carried by the following vote:

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

CONTRACT TO PROVIDE INSTRUCTION IN CONVERSATIONAL SPANISH

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to enter into a contract with the Bilingual Institute of El Paso to provide instruction in Conversational Spanish for police cadets and officers. Total cost \$11,036.00 - 100% Criminal Justice Council funding. (March 1, 1974 - February 28, 1975.) The motion, seconded by Councilman Lebermann, carried by the following vote:

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

ACQUISITION OF LAND FOR ST. JOHNS PARK AREA

Councilman Friedman moved that the Council adopt a resolution authorizing the acquisition of certain land, 7501-7505 Providence Avenue (Walter Green et ux), for the St. Johns Park Area. The motion, seconded by Councilman Dryden, carried by the following vote:

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

ACQUISITION OF LAND FOR ST. JOHNS DRAINAGE PROJECT

Councilman Friedman moved that the Council adopt a resolution authorizing the acquisition of certain land, 7400 Blessing Avenue (George Gillar), for the St. Johns Drainage Project. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

SETTING MARKET VALUE ON LAND

Councilman Lebermann moved that the Council adopt a resolution setting a fair market value on certain land to be acquired for the Southeast District Park site. (\$465,000.00) Mr. David Barrow inquired as to the value being set. Mr. Joe Morahan, Director of Property Division, noted that in accordance with the Department of Housing and Urban Development the Council had to set the value before he could make an offer and that this would be done within the next three or four days. The motion, seconded by Councilman Dryden, carried by the following vote:

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

HISTORIC ZONING ORDINANCE HEARING SET

Councilman Lebermann moved that the Council set a public hearing for June 13, 1974 at 1:00 p.m. to amend the Historic Zoning Ordinance. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Butler, Councilmen Binder, Dryden, Friedman,
Handcox, Lebermann

Noes: None

Absent: Mayor Pro Tem Love

PROPOSED NAMING OF STREET

Mr. Bert D. Burnes appeared before the Council requesting that the unnamed street one block east of Guadalupe Street, running north from 35th Street to the alley that separated 35th and 37th Streets, be named. He noted that the reason for this request was that the residents in the area had to refer to the street frequently and that it should be referred to by name. City Manager Davidson indicated that he was hesitant to designate this as a street because it was 25 feet wide and should be regarded as an alley. He added that the petitioners were not the owners of the property abutting the area. Mr. Burnes stated that the police had to be called every two weeks to have the area cleared so that it could be traversed in that there were old cars stored there.

In response to this, Mayor Butler indicated that there was an ordinance on the storing of abandoned vehicles and added that the appropriate people would be instructed to investigate that aspect. In response to Mr. Burnes' further requests, Mayor Butler requested that Mr. Burnes meet with Mr. Joe Ternus, Director of Urban Transportation, to obtain the necessary assistance.

REQUEST FOR ACQUISITION OF SIDEWALK SPACE

Mr. Daniel Farmer, representing the 23rd Street Marketeers, appeared before the Council regarding the possibility of acquiring sidewalk space on the north side of 23rd Street between Guadalupe and the alley on Saturdays only. He indicated that to the best of his knowledge there were only 71 spaces available on 23rd Street for their use and that there were several hundred permits issued. Because of this, they were requesting more space. Mayor Butler noted in regard to the number of permits that some of the people who had permits had left town for the summer. Mr. Farmer was advised that under the ordinance a final decision could not be made at this time; however, Mayor Butler indicated that a member of the staff, Mr. Randy Turner, would take a survey in the area to determine the number of active permits there. Mr. Farmer felt that this was a good suggestion but also felt that there should be a way to keep the permit more current.

FAMILY PRACTICE CLINIC

Dr. J. L. Kelley, Acting Director of the Department of Family Practice Education at the Central Texas Medical Foundation, appeared before Council to present a proposal of the Foundation for the operation of a Family Practice Clinic in a new building to be erected on Sabine Street adjacent to Brackenridge Hospital. He reviewed literature that had been submitted to the Council from the Foundation. He noted that basically this was the latest endeavor of the Central Texas Medical Foundation along the lines of educating physicians at the post-graduate level at the Hospital. Responding to the needs for primary or family physicians in the community, they were trying to comply with a training program for family or primary level physicians. He indicated that the American Academy of Family Practice had come up with a specialty training program for family physicians and that the main difference in this kind of post-graduate education and the general specialty training in existence was that they would be integrating overall medical education into the traditional in-house specialties and they had introduced the treatment of a patient in an ambulatory or an out-patient facility, which they would call the model of the family practice clinic. That was the reason he was there; and he indicated that the Foundation proposed to do this and had accomplished this up to this point by integrating the total education of these physicians into the graduate program at Brackenridge and other hospitals, but they needed to add the mode of the clinic into the educational system to meet the requirements. He noted that the American Medical Association requirements and guidelines stipulated that there must be a Family Practice Clinic in a mode very similar to a physician's office in which the graduates would spend up to 50% of their time, learning to efficiently and economically treat the ambulatory patient.

In order to offset cost of this new educational program, he stated that a fee for service schedule had been recommended and was before the Council. He indicated that the fees would be considerably lower than emergency rooms due to a more efficient economical physical plant and that there would be a sliding scale for patients according to ability to pay because they would be seeing a cross-section of all levels of social-economic people. As a service to the community, he stated they would be opening a 5,000 square foot office staffed by three full-time people with a minimum of four residents in the building at any one time. In conclusion, he indicated that this had been unanimously approved by the County Medical Society, Central Texas Medical Foundation, Brackenridge Hospital staff, and the State Department of Health, Commissioner on Health. In response to Mayor Butler's question, Dr. Kelley stated that the building had been proposed to be built on City-owned land and that they had requested that an arrangement be worked out such that the Central Texas Medical Foundation would have the use of this property on which they would construct and finance their own building for an indefinite period of time. In response to Mayor Butler's question, Dr. Kelley noted that the estimated price of the building would be \$100,000 and that this would be an unsecured loan made by physicians of the County Medical Society with one of the local banks, which had requested a letter indicating that the Central Texas Medical Foundation would have use of the property for some time, and they hoped to retire the note with Foundation grants, philanthropic gifts, etc. In response to Councilman Lebermann's comment with respect to problems in connection with the architectural features of the building, Mr. Homer Reed, Deputy City Manager, noted that with the assistance of the City's architect, Mr. J. D. Murchison, the Foundation had made certain modifications in their design; but he added that the staff wanted to work with the Foundation further on the Sabine Street frontage of the building.

In response to Councilman Lebermann's question, Dr. Kelley stated that the Central Texas Medical Foundation already had a budget and a contract with the City and that the future budget which would include expansion would be addressed at another time. There was discussion held on the Clinic's relieving some of the emergency room flow of patients. Dr. Kelley stated that the County Medical Society hoped to arrive at a method where they could accept referrals from the emergency room for those people who would not have a physician and could pay their bills. He felt that probably up to 50% of their clients would come from the emergency room and the other clinic patients already at Brackenridge Hospital. In response to Mayor Butler's question, Dr. Kelley requested a motion approving the concept of the family health center as a new area in medical education and instruction to the Legal Department to pursue with appropriate documents in order that they might come back to Council and proceed with the mechanics of their construction program.

In response to Councilman Friedman's questions with regard to the reasons for the clinic's relieving the emergency flow, Dr. Kelley indicated that to a limited degree the emergency room must by every nature of its operation see the people that come in but that many would need continuing care, not crisis care. He noted that this was an academic program that would accept patients in limited numbers and assign them to residents and that a three-year training program would exist. In response to Mayor Butler's question, Dr. Kelley stated that they would maintain physician's office hours. There was discussion by Councilman Friedman with regard to the emergency room's and clinic's overlapping in that they would be handling the same function.

Mr. William K. Brown, Brackenridge Hospital Administrator, stated that this proposal would complement the Hospital's program by relieving some of the congestion in the emergency room. He also felt that it would be complementary to the medical education program. He mentioned that he had taken a survey a few weeks ago with the supervisory staff of 35 key individuals in the Hospital. He noted that only about 11 of them had primary physicians. He added that he thought this was a great step in the right direction. There was discussion by Councilman Lebermann and Dr. Kelley to the effect that people were interested in coming into family practice.

Councilman Dryden moved that the Council approve the concept of the family practice residency program in conjunction with the Central Texas Medical Foundation and instructed that negotiations be started with the Foundation and the City for the parcel of land required for their building. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann,
Mayor Butler

Noes: None

Absent: Mayor Pro Tem Love

DONATION FROM PITCH IN COMMITTEE

Mr. Dick Jordan, Coordinator of Pitch-In for Austin, indicated that the campaign had ended and thanked the Council, City Manager, and all the departments of the City for their help in this campaign and stated that without this help they could not have been successful in making their goal. He submitted the Council with a report of the support given by various departments. He indicated that it was the purpose of the Committee to not only physically

pick up litter on the streets but to have an educational facility as well. He thanked the media for their action in this. He noted that it had been estimated that 12,000 persons had participated in the drive and that approximately 75 tons of litter had been removed from the City, which surpassed their goals. On behalf of the Pitch In Committee, he presented the City with a check in the amount of \$749.20 to be used for beautification of Town Lake. Mayor Butler thanked Mr. Jordan and stated that the Council was appreciative of the Committee's work.

FEES FOR RELOCATION OF HISTORICAL STRUCTURE

Mr. John Wooddell, representing Mr. Robert P. Fowler, appeared before Council to discuss relocation of one particular historical structure as well as the required fees charged by the City, Southwestern Bell Telephone Company, and Capital Cable Company for moving costs. He indicated that the structure was located at 315 West 7th and had been the Walter Tip's home and added that he was pleased with the final product of the Historical Zoning Ordinance and felt that this was a step in the right direction. He showed pictures of the home that had been built in 1877. He indicated that the property at 315 West 7th had been sold and the building would be relocated at 1610 Rio Grande. He noted that it was impossible to keep a structure on a lot if the economics could not be justified. He reviewed the estimated cost of relocation of this home from 315 West 7th to 1610 Rio Grande:

| | |
|---|------------------|
| Austin utility wire and traffic signal relocation | \$ 4,635.00 |
| Southwestern Bell wire relocation | 10,000.00 |
| Capital Cable Company | 2,000.00 |
| Electrical rewiring at both locations | 12,000.00 |
| Paved parking lot | 4,000.00 |
| House moving costs | <u>17,500.00</u> |
| | \$48,635.00 |

In response to Mayor Butler's question, Mr. Wooddell requested the following:

1. City Manager submit a report to Council determining whether or not the City could completely waive the \$4,600 fee for relocation of structures which had significant historical value.
2. City influence and negotiate with Southwestern Bell and Capital Cable for the costs of this one-time move.
3. City amend the zoning ordinance and building code to allow owners of historical structures which were moved to eliminate the necessity for complete and total rewiring and replumbing.

In response to Mayor Butler's question as to whether or not the cost of relocation had been considered when Mr. Fowler sold the property to Lamar Savings, Mr. Wooddell indicated that the cost had been contemplated. In response to Councilman Friedman's question, Mr. Wooddell requested that a decision be made within two months or the move could not be completed and the structure would have to be destroyed because of the contract. In conclusion, he requested a policy decision on the part of the Council which would be a form of encouragement to owners of historical structures and especially Mr. Fowler.

After further discussion, it was determined that Councilman Lebermann would be responsible for negotiating this matter and was requested to present this to Council at a later date.

ORDINANCE AMENDING SOUTHERN UNION GAS FRANCHISE

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

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE GRANTING TO TEXAS PUBLIC SERVICE COMPANY A FRANCHISE TO CONSTRUCT, MAINTAIN, AND OPERATE A NATURAL GAS DISTRIBUTING PLANT AND SYSTEM IN THE CITY OF AUSTIN, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON THE 12TH DAY OF AUGUST, 1948, AND WHICH IS RECORDED IN ORDINANCE BOOK "N," PAGES 254-267, INCLUSIVE, AS HERETOFORE AMENDED AND SUPPLEMENTED BY ORDINANCE NO. 620719-A, OF THE CITY OF AUSTIN, BY AMENDING SECTION 3 OF SAID ORDINANCE OF AUGUST 12, 1948, TO PROVIDE THAT GRANTEE OF SAID FRANCHISE RETAIN OWNERSHIP AND CONTROL OVER AND ACCESS TO ALL PIPELINES CONVEYING UNMETERED GAS; PROVIDING FOR GRANTEE TO INSTALL YARD LINE GAS PIPES CARRYING UNMETERED GAS AT ESTIMATED ACTUAL COST; PROVIDING FOR CERTAIN FILINGS OF COST DATA; AND PROVIDING THAT GRANTEE MAINTAIN ALL PIPELINES INSTALLED BY GRANTEE.

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

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Butler

Noes: None

Absent: Mayor Pro Tem Love

Not in Council Chamber when roll was called: Councilman Binder

SPEED ZONE ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SUBSECTIONS (a) AND (e) OF SECTION 21-42 OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN DELETIONS AND ADDITIONS TO SAID SUBSECTIONS, THEREBY DECLARING THE 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 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 Friedman, Handcox, Lebermann, Mayor Butler,
Councilman Dryden

Noes: None

Absent: Mayor Pro Tem Love

Not in Council Chamber when roll was called: Councilman Binder

The Mayor announced that the ordinance had been finally passed.

The following are the changes to speed zones:

1. Amending Section 21.42(a) by adding the following:

| <u>ON</u> | <u>FROM</u> | <u>TO</u> |
|--------------------|---------------------------|-----------------|
| Far West Boulevard | 600 feet west of Balcones | Chimney Corners |

2. Amending Section 21.42(e) by deleting the following:

| | <u>55 M.P.H.</u> | |
|------------------------|-----------------------------------|--|
| U. S. 183 (southbound) | Station 56+70 | Station 91+02 (South City Limits) for a distance of .650 miles |
| U. S. 183 (northbound) | Station 91+02 (South City Limits) | Station 58+25 for a distance of .611 miles |

3. Amending Section 21.42(e) by adding the following:

| | <u>55 M.P.H.</u> | |
|------------------------|-----------------------------------|--|
| U. S. 183 (southbound) | Station 56+70 | Station 94+52 (South City Limits) for a distance of .716 miles |
| U. S. 183 (northbound) | Station 94+52 (South City Limits) | Station 58+25 for a distance of .687 miles |

REFUND CONTRACT - FIRST READING

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

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH EDWARD R. RATHGEBER, JR., CECIL D. PERKINS, AND DORIS HARRIS WARLICK; AND BAKER-CROW COMPANY. (Onion Creek Plantations; Great Hills, Section IV)

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

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Councilman Dryden
Noes: Councilman Friedman
Absent: Mayor Pro Tem Love
Not in Council Chamber when roll was called: Councilman Binder

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 2, 3 AND THE SOUTH 36.25 FEET OF LOT 1, OF HODGES INDUSTRIAL SUBDIVISION, LOCATED AT F M ROAD 1325 AND T & N. O. RAILROAD SPUR, 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. (B. A. Hodges, et al, C14-73-253)

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

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:

TRACT 1: LOTS 7 AND 8, BLOCK 7, NORTH LOOP TERRACE SUBDIVISION, SAVE AND EXCEPT, THE NORTHERNMOST TWENTY-FIVE FEET, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; AND,

TRACT 2: THE NORTHERNMOST TWENTY-FIVE FEET OF LOTS 7 AND 8, BLOCK 7, NORTH LOOP TERRACE SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; LOCALLY KNOWN AS 5309-5315 JEFF DAVIS AVENUE; 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. (Austin Savings and Loan Association, C14-74-032)

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

The Mayor announced the ordinance had been finally passed.

ANNEXATION ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 441.82 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE AND PARTLY OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

The Mayor announced the ordinance had been finally passed.

GOLF FEE ORDINANCE

It was noted that reconsideration of the Golf Fee Ordinance was before Council and that amended fees had been submitted. In response to Councilman Friedman's question, Mr. Jack Robinson, Director of Parks and Recreation, noted that the months June through August could be designated as a third semester in connection with the golf team cards.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 24-2.1(a) OF THE AUSTIN CITY CODE OF 1967, TO ADD AN ADDITIONAL INTRAMURAL GOLF TEAM RATE; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

The Mayor announced the ordinance had been finally passed.

REFUND CONTRACT - SECOND READING

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 THE HORSESHOE BEND JOINT VENTURE; GRAY AND BECKER, INCORPORATED; AND SPRING CREEK ESTATES, INCORPORATED. (Horseshoe Bend Subdivision; Gray & Becker Industrial Subdivision; Spring Commercial Park)

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

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler
Noes: Councilman Friedman
Absent: Mayor Pro Tem Love
Not in Council Chamber when roll was called: Councilman Binder

APPROACH MAIN 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 JONES AND LAKE DEVELOPMENT COMPANY. (The Creeks Subdivision.)

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

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler
Noes: Councilman Friedman
Absent: Mayor Pro Tem Love
Not in Council Chamber when roll was called: Councilman Binder

REFUND CONTRACT - THIRD READING

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 CERTAIN REFUND CONTRACTS WITH AUSTEX DEVELOPMENT COMPANY, LTD.; JESS WEBB AND BILL DAVIS; AND BURBA-CLARKE DEVELOPMENTS. (Royal Oaks Estates, Section III-A; Austin Highlands, Section 3; Angus Valley Annex, Section 3)

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

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler

Noes: Councilman Friedman

Absent: Mayor Pro Tem Love

Not in Council Chamber when roll was called: Councilman Binder

The Mayor announced that the ordinance had been finally passed.

WATER AND WASTEWATER RATE REPORT

City Manager Davidson asked Mr. Curtis Johnson, Director of Water and Wastewater Department, to distribute copies to Council and the news media of the Black & Veatch report on water and wastewater rates. Mr. Charles Keller, representing Black & Veatch, commented on the report by stating that the basis for the study was that the water and wastewater systems would be financially self-supporting, a situation which had not been so in the past with the electric utility carrying some of the burden. He noted that some alternatives based on other premises had been prepared although these did not appear in the report. He reported that the study consisted of three parts:

1. Total revenue requirements
2. Cost of servicing classes of customers, such as residential, commercial, industrial.
3. Design of specific rates in accordance with the cost of service. He added that rates for service would be proportional to the cost of service to various customer classes.

He indicated that the revenue requirements for the water utility took into account operating and maintenance expenses and debt service on existing bonds, on assumed bonds from water districts and water districts on future bonds for future construction programs. He stated that the report was premised on a five-year projection and also included were cash requirements for the water utility, or the capital improvements from revenues, money spent for minor capital improvements that did not warrant spending of bond funds, main extension refunds, and general fund transfers in the amount of 20% of the gross revenue. He noted that these would result in a needed increase for the water utility of 135%.

He reported that current wastewater revenues were computed by subtracting the water-only charge from the combined water and sewer charge and that wastewater revenue requirements were the same as for the water utility except that a 20% transfer to the City's general fund would not be assumed. He noted that the total implied wastewater revenue should be increased by 390%. He indicated that in the Cost of Service Study the various costs were broken down into component parts and that the cost was associated with the quantity of water provided and that facilities were designed for peak demand requirements which usually occurred in the summer. He stated that the break-down of cost elements was allocated to the customer classes in accordance with their water use characteristics to determine the cost of providing for that class customer. He added that also included were costs of meter reading, billing and maintaining customer accounts, which were not proportionate to use, and that cost allocation for the sewer utility was similar, with costs based on volume and sewer strength.

Mr. Ron Hardin, also representing Black & Veatch, referred to several tables in the report.

Water Utility

Table 8 projected for the Capital Improvement Program total capital expenditures for the next 5 years of approximately \$59 million for the water utility (\$49 million for major capital improvements and \$9.6 million for routine additions).

Table 13 reported the water utility revenue requirements from \$10.88 million in 1974 to \$15.7 million in 1978. Revenues under existing rates ranged from \$7 million to \$8 million by 1978. The percentage increase in total revenues ranged from 85% in 1974 to 139% in 1978 with an average figure of 123%. The 135% recommendation reflected some customer cut-backs and coverage requirements.

Table 22 reported the total cost of service taking into account allocations by customer classes, totalling \$16 million in a 1976 test year. The ratio of cost of service to the revenue under existing rates ranged in percentage increases from 119% for certain outside city customers to approximately 400% for other outside city customers, with an overall figure of 235%.

Table 23 reported the proposed charges for the water utility to be on a self-supporting basis for the next five years. A monthly charge with first 2,000 gallons at \$3.00 for a 5/8" meter was recommended. Other charges were proportionately greater for larger size meters. Volumetric charge varied from beyond the minimum of 70¢ a thousand gallons to 56¢ a thousand gallons.

Table 25 indicated the typical inside-city water bills. For an average residential customer using 10,000 gallons per month, the present rate was \$3.50 per month. The proposed rate will be \$8.60.

Wastewater Utility

Table 27 projected for the wastewater utility Capital Improvement Program for the next 5 years major capital improvements of \$72-1/2 million with anticipated federal grants from EPA and other contributions totalling \$17 million, for a net obligation to the City of \$55 million. An additional \$9 million of routine improvements would bring the total support from rates required at \$64 million.

Table 31 reported the wastewater utility revenue requirements ranging from \$7.8 million in 1974 to \$13.9 million in 1978. Revenues under existing rates were computed at \$2.6 million in 1974 to \$3 million in 1978. The average percentage increase was calculated at 376%. The 390% recommendation reflected some customer resistance and coverage requirements.

Table 39 reported the total cost of service by customer classes. Ratio of cost of service to revenues was 490% overall, varying by customer class.

Table 40 recommended wastewater charges for inside-city customers with a minimum charge of \$3.50 per month for the first 2,000 gallons and charges for each additional gallon, ranging from 90¢ to 48¢. Mr. Hardin pointed out that the report recommended that wastewater charges to most customers should be based on their winter quarter water use so that water used for lawn sprinkling would not be charged as a sewer service charge.

Table 42 indicated that for an average residential customer using 4,000 gallons per month during the winter quarter, the present rate was 86¢; the proposed rate will be \$5.30. For a customer using 8,000 gallons, the present rate was \$1.46; the proposed rate will be \$8.90.

Mr. Hardin reported that these rates should meet EPA regulations for the user charge system required to receive grants on new project facilities and that also included in the report were recommendations on methods to follow for installing an industrial cost recovery system.

Discussion

Mayor Butler commented that Houston had adopted an increase of some 400% on wastewater but not as high on water as the Black & Veatch report. Councilman Lebermann expressed his concern that some relief be provided to users in relation to the recommended increases. City Manager Davidson commended the report for laying out the basis for recommended increases and noted that he would complete this study to allow the Council an opportunity to examine various options as a policy matter.

In response to Mayor Butler's question, Mr. Keller stated that financing capital improvements out of annual net revenues meant that existing customers would pay for facilities to be used by people in the future. He added that an argument for bond financing with repayment over a period of 25 or 30 years was that customers who used the facilities equally shared these costs. Mr. Keller further stated that the report was based on what was felt to be an optimum combination of bond financing and financing out of net revenues.

In response to Mayor Butler's question, Mr. Keller stated that for the five-year period considered, outstanding refund contracts which could not be changed would have little effect on proposed rates and that changing the refund policy so that it would be less costly would provide some rate relief in 5 or 10 years.

In response to Councilman Lebermann's question, Mr. Keller stated that the report recommended that no more than 5% of the total contract amount should be refunded annually for new agreements. In response to Mayor Butler's question, Mr. Keller explained that a 5% annual limit meant that the refund was made over a 20-year period. In response to Councilman Binder's question, Mr. Keller indicated that the 5% annual refund applied to the cost of the mains, so that a man putting in \$100,000 worth of utility lines would be refunded no more than \$5,000 per year but would be refunded for 100% of his cost in 20 years.

Mayor Butler noted that the current policy under review was 90% of 100% of the cost. In response to Mayor Butler's question, Mr. Keller indicated that the rationale for the annual limit was to avoid accelerating refund payments because of increased rates, a situation which would shorten rather than lengthen the pay period. In response to Councilman Binder's question, Mr. Keller stated that his report did not study the 90% refund payment policy. In response to Councilman Binder's question, Mr. Keller indicated that the recent trend in refunds was to take more of the burden of the costs off the rate payers and place it on the builder. He further replied that a change in refund policy would have an impact only in 5 or 10 years.

Discussion was held among Councilmen Binder and Friedman and Mayor Butler as to how a change in refund policy would save money or cost more money for future users.

Mayor Butler thanked the Black & Veatch representatives for presenting their report and expressed the Council's desire to ask them to return at a future Council meeting in the event of further questions at that time.

In response to the question of an unidentified man in the audience, Mr. Hardin stated that they had conducted water rate studies in a number of other cities including St. Louis, New Orleans, Kansas City, Cincinnati, Rochester, Flint, Oklahoma City, and Tulsa. He further stated that the recommended rates were high and that comparisons with other cities were difficult because of differing fiscal and physical situations. He noted that one element making the rates high was the City's transferring 20% of the gross revenue of a water utility to the general fund.

TROLLEY CAR FEASIBILITY STUDY

Mr. Joe Ternus, Director of Urban Transportation, noted that in response to Council's request they had completed a preliminary analysis of the trolley system in the central area and that the report reviewed the history of trolleys generally and particularly in Austin, operational characteristics, needs of the central area, a possible CVD trolley system, internal circulation alternatives, funding and socio-economic development. After having presented the report to Council, he indicated that they noted a discrepancy in their power consumption requirement. This reduced the requirements from 4.3 to .36 million kilowatt hours per year, which reduced the gross operating costs to \$110,000; the net operating cost to \$50,000; and the net operating cost per mile to \$1.40. He further noted that these figures did compare with other figures that they had received from cities throughout the country that had trolleys.

He further reviewed the report mentioning that there were several operational problems that should be considered in the development of such a system and also noted that they did not anticipate that federal funds were available at this time. They also discovered that this system would have a definite impact on land use and thus the need for a comprehensive development plan for the central business district. They felt that this system or a similar system should be coordinated with the total transportation needs of both the central business district as well as the central area.

He stated that it was their recommendation that this report and other information that might be submitted to the Council be forwarded to the transportation study currently under way and that it be considered as part of the City of Austin's Tomorrow program, specifically the transportation element and the core area element.

In response to Councilman Friedman's question, Mr. Ternus noted that the operating cost of buses was 62¢ a mile. In response to Councilman Binder's question as to the discrepancy in this figure between Mr. Ternus' report and Mr. David Graeber's report, which had been stated at around \$1.62 per mile, Mr. Ternus stated that this figure had been based on operating cost as of 1972 and that this was not an accurate comparison.

Mr. David Graeber, representing the East Sixth Street Conservation Society, noted that copies of their review of the Urban Transportation Department's report had been submitted to Council. He was very concerned about getting "mouse trapped" into a long study because when he had originally appeared before the Council in December, 1973, he had been told this study would take only 6 weeks.

He stated that he was in agreement with Mr. Ternus that there needed to be a transportation subsystem in the central business district and that the need was becoming more urgent as new facilities were being built downtown. They felt that the thing to do was to discuss this with other cities that were utilizing the trolley system: El Paso, San Francisco, and New Orleans. He indicated that New Orleans would come closer to having a system somewhat like Austin was providing and that it was about 6 miles long and part of an overall transportation plan basically based on buses. He mentioned that they had spoken with Mr. James, the General Manager of the transportation system. With

regard to the afore-mentioned corrected figures, he stated that their figures were fairly close. However, they differed in the operating costs. He reviewed the operating costs for buses in San Francisco as being approximately \$1.17 per mile and in New Orleans as being approximately \$.97 to \$1.17 per mile. They discovered that the operation of buses and trolleys was generally about the same in other cities. He cited New Orleans as an example. With a 15¢ fare and free transfer, the New Orleans public service recovered 60% of their total cost on the trolley system and 58% of their total cost on the bus system. He reviewed one of the remarks in the City's study as to the aesthetics of the trolley system and noted that there would not be a presence of additional wiring because only one wire would be needed to provide power.

He pointed out that a trolley system would encourage social and economic development. He felt that the very essence of a trolley system in the central business district would not be the capital cost and the operating cost but an overall long-term effect on the City. He noted that in a 3-day period of trying to get signatures of those supporting a trolley system, they had obtained over 500 signatures from all over the City. He felt that the proposal would:

1. Increase economic activity in downtown Austin.
2. Become a major stimulus to stop the decline of the central business district.
3. Encourage renovation of many buildings that form Austin's history and tradition.
4. Will be a major tourist attraction and will provide the tourists a link between some of Austin's major tourist items.

He asked that Council prepare a committee not to look at the feasibility of a downtown transportation system but an Ad Hoc Committee to study the implementation of this. He realized there were problems of funding the system but wanted to explore other sources with a committee with a short time schedule. He mentioned a time period of 30 days.

In response to Councilman Friedman's question, Mr. Graeber felt that the Committee should have at least seven members and should have call on the staff of the City to get information from them.

There was discussion among Council with regard to whether or not the committee should be utilized for implementation. City Manager Davidson mentioned inquiries from people interested in some other unique transportation solutions. He hoped that if this committee were appointed it would not be limited to the study of a trolley system. There was further discussion among the Council to the effect that this would be limited to the implementation of trolleys.

Councilman Handcox moved that the Council approve the request to appoint a 9-member Ad Hoc Committee to study the implementation of a trolley system. It was noted that this appointment would take place in two to three weeks. The motion, seconded by Councilman Binder, carried by the following vote:

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

NATIONAL FLOOD INSURANCE PROGRAM

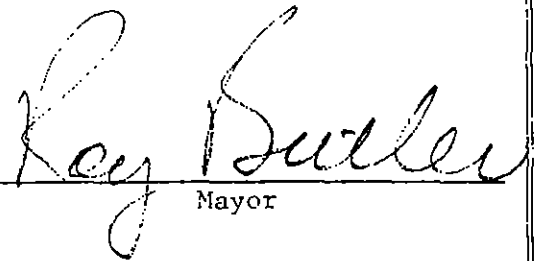
City Manager Davidson noted that the Council had been furnished a progress report on the National Flood Insurance Program which pointed out some of the things that the City must do in order to get in a position for the City to apply for the program and for the citizens and property owners to apply for insurance under such a program. Councilman Lebermann moved that the Council accept the report and instruct the staff to move forward with the implementation in terms of the required aspects enumerated as well as the time table set out in the report. The motion, seconded by Councilman Friedman, carried by the following vote:

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

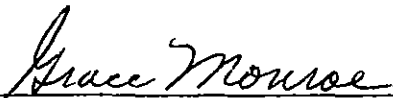
ADJOURNMENT

The Council adjourned at 4:35 p.m.

APPROVED


Mayor

ATTEST:



City Clerk