

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 19, 1974
1:00 P.M.Council Chambers
301 West Second Street

The meeting was called to order with Mayor Butler presiding.

Roll Call:

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

Absent: None

The Invocation was delivered by REVEREND JERRY JAY SMITH, Northwest Hills United Methodist Church.

SANTA BOWL DAY

Mayor Butler read and then presented a proclamation to representatives of the Police Department "Rams" football team and the Brackenridge Hospital "Newts" football team proclaiming Sunday, December 22, 1974, as "Santa Bowl Day" (a benefit contest to provide toys and foodstuffs to be delivered to deserving Austin families on Christmas Eve) and urged all citizens to attend the game at 1:00 p.m. on Sunday at Williams Field or to take a donation to various locations.

VOLUNTEER BLOOD DONOR MONTH

Mayor Butler read and then presented a proclamation to Messrs. John Kemp and Bill Teague proclaiming January, 1975, as "Volunteer Blood Donor Month" and urged all to participate in this observance by pledging or donating a unit of blood at their community or hospital blood bank to establish protection for themselves and loved ones. It was noted that the Travis County Medical Society Blood Bank would need approximately 1,200 volunteer donors each month. Mr. Kemp thanked the Council for the proclamation.

BIG BROTHERS' WEEK

Mayor Butler read and then presented a proclamation to Messrs. Charles Morrison, President of Board of Directors of Big Brothers, Boyce Hornburg, Past President; and Larry Guillot, Executive Director, proclaiming the week of January 5-11, 1975, as "Big Brothers' Week" and called on all citizens to support the important work of the Big Brothers. Mr. Morrison noted that three years ago they started with three, and now they were serving over 450 fatherless boys. He thanked the Council for the proclamation.

APPROVAL OF MINUTES

Councilman Friedman moved that the Council approve the Minutes of December 12, 1974. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

EXECUTIVE SESSION ACTION

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

Airport Master Plan Study Advisory Committee

Councilman Handcox moved that the Council appoint the following to the Airport Master Plan Study Advisory Committee:

General Kit Carson	Peter Coltman
Frank D. Phillips	Ralph Janes, Jr.
Tom Backus	Dick Hodgkins
Bill Nolen	Mrs. June Barnes
Charles Zlatkovich	Jay N. Miller

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

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

Municipal-Citizens Traffic Safety Commission

Councilman Binder moved that the Council appoint the following to the Municipal-Citizens Traffic Safety Commission:

Dan Amato	R. C. "Bob" Armstrong
Tom Moore	Mrs. Gordon Dickey
Bella Caballero	Reverend Jim Abington

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

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

Deputy City Clerk

Mayor Pro Tem Love moved that the Council appoint MR. ELDEN ALDRIDGE as the new Deputy City Clerk. The motion, seconded by Councilman Binder, carried by the following vote:

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

Human Relations Commission

Mayor Pro Tem Love moved that the Council appoint MR. HECTOR DELEON to the Human Relations Commission. The motion, seconded by Councilman Binder, carried by the following vote:

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

Historical Landmark Commission

Mayor Pro Tem Love moved that the Council appoint MR. DONALD CHAPMAN to the Historical Landmark Commission. The motion, seconded by Councilman Binder, carried by the following vote:

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

HEARING ON PROPOSED ORDINANCE CONCERNING
CODE OF ETHICS AND FINANCIAL DISCLOSURE

Mayor Butler opened the public hearing continued from November 21, 1974, on a proposed ordinance concerning the Code of Ethics and Financial Disclosure. It was noted that the City Attorney had written a draft of an ordinance which was similar to Councilman Friedman's proposal except the portion on Financial Disclosure would only pertain to City officials and would not effect spouses or dependent children.

The following appeared in support of Councilman Friedman's proposal:

MR. BUCK WOODS, Common Cause, noted that he would be speaking on his behalf. He commented that he was familiar with this type of ordinance and had participated in drafting the State Law governing financial disclosure of State officials. He pointed out that Common Cause had gone on record as being in favor of the proposed ordinance. He stated he was disappointed when he had heard of a Financial Disclosure ordinance that did not ask for information concerning the spouse or children and pointed out that the State Law did have this provision.

Discussion

In response to Mayor Butler's question, as to whether or not he wanted a similar ordinance such as the State's Statute, Mr. Woods commented that the categorical amounts were too low in the State's.

Mr. Woods stated that he did accept the elimination of disclosure from members of various boards and commissions but not the spouses and children and commented that the State Statute stated that all property held by the office holder's spouse and children would be reported over which the holder had control.

City Manager Davidson noted that at the first hearing there were board and commission members who brought up certain problems they felt citizens would have continuing to serve on boards and commissions. He stated that the City Attorney had pointed out that the original proposal contained phrases that were possibly a violation of the Charter or in conflict with certain personnel rules and regulations already adopted by Council.

There was discussion by Council as to what the Attorney's proposal contained. There was mention of the fact that the original proposal did not contain a provision for an attorney serving a Council to defend a client having to do with cases involving a policeman or any City employee.

Councilman Binder commented that the City's proposed ordinance was insulting, demeaning; and he was surprised it came out.

Councilman Lebermann felt there was room for substantial compromise and felt that Councilman Friedman's ordinance was unnecessarily cumbersome.

MR. ROY HALE, Political Vice President of Capitol City Young Democrats and a member of the University of Texas Young Democrats, noted that on December 2 the groups had passed similar resolutions dealing with Councilman Friedman's proposal with the following observations:

1. Declared unqualified the support for the resolution.
2. Both organizations would view with strong disfavor any attempt to dismember or sever the ordinance.

They believed that the Council should provide nothing less than a strong, effective ethic/financial disclosure ordinance. He concluded that the organizations' membership totalled 600 people who supported the ordinance.

In response to Mayor Butler's question, Mr. Hale stated that the State Law to his organizations would be unacceptable; but if it came to a reasonable compromise, they would accept it. He noted that he disagreed with the method the Country was being run and thought that the City should set higher standards than the State or Federal Government.

MR. ALAN HURST, co-author of the Friedman proposal, indicated he was present to answer any questions and noted that it was based almost entirely on the Houston ordinance and the State Statute. He addressed himself to the issue of a spouse's filing a statement and noted that the person filing would sign an affidavit saying that his wife had her own holdings which she had before they were married, and he had no control over them whatsoever.

MR. GORDON CUNTER, Coordinator for Travis County Common Cause, suggested that simply because there were guidelines in the Charter, people would go by them. He submitted that to pass Councilman Friedman's proposal or the State Statute would be a plus, but to pass the City Attorney's proposal would be a definite minus.

MR. DAVID BLOCK stated that he had attended three different meetings in connection with this issue at which time there had been a request as to how many would be willing to serve on boards and commissions under the provision of financial disclosure as set out by Councilman Friedman's proposal. He noted that 30 names had been collected. He felt that it would become apparent with financial disclosure that there were many people on the boards and commissions whose interests were represented, such as real estate development and banking.

In response to Mayor Pro Tem Love's question as to whether or not Dr. Block believed Councilman Friedman's proposal would force mass resignation, Dr. Block suggested that most of the resignations threatened would never come about. He wanted to see a turnover and more varied representation.

Dr. Block announced that MR. FRANK WRIGHT, West Austin Democrats, could not be in attendance; but he had requested that Dr. Block announce that the West Austin Democrats unanimously endorsed Councilman Friedman's proposal.

AUMLA noted that he was a candidate for Council and felt that Councilman Friedman's proposal would tend to eliminate some bias and give the people more information. He suggested that there was a conflict of interest, and the Council was trying to keep the City in the dark about just where the conflict existed. In conclusion, he stated that he was definitely for financial disclosure.

The following appeared in opposition to Councilman Friedman's proposal:

MR. BILL MILSTEAD noted that he had served for three consecutive appointments on the Planning Commission; and he stated that he and the other members went by the Charter, and no one had to tell them if something was right or wrong. In connection with financial disclosure, he suggested that the City had problems getting qualified, able and dedicated people to serve, whether appointed or elected. He did not believe there was a need to know what the spouses income was and felt that Councilman Friedman's proposal was unnecessary and would be a detriment to Austin.

MR. R. L. "BOB" FINNEY felt that the like situations of Councilman Friedman's ordinance and the City Attorney's ordinance were very fine, needed, and hoped the Council would give favorable consideration to them. However, as far as the financial disclosure as set out in Councilman Friedman's proposal, he felt they were unnecessary and an overreaction probably stemming from the handful of people at all levels of government who have "sold people down the river." He believed that there were enough laws on the books and that the Statute took care of conflicts of interest. He submitted that if he had had to file a statement as called for in Councilman Friedman's draft, he would not have accepted the position of Chairman of the Tax Equalization Board. He felt that with the information being obtained that was requested in the City Attorney's ordinance and the laws already in effect, the City could continue to get the people that had displayed responsibility and integrity as in the past.

MR. DICK WHORRALL, Chairman of the Energy Conservation Commission, stated that if Councilman Friedman's proposal was passed, he would have to resign in that as an employee of I.B.M., his income was a personal matter between him and his employer.

It was brought out later in the meeting that the Energy Conservation Commission members would not be effected by Councilman Friedman's proposal.

MRS. BOB WILKES noted that she has served as an elected official and realized the importance of the numerous volunteers who serve on boards and commissions. She stated that she was not disturbed by the City Attorney's proposal and felt that it was an effective document, was pragmatic, and would get the job done. She noted that she had discussed this with several of her friends serving on boards and commissions and pointed out that they felt the same way. In connection with Councilman Friedman's proposal, she suggested that the children would be subject to ridicule or jealousy and envy, whichever the case.

MR. CLARK RECTOR, member of the Austin Housing Authority, was opposed to the specifics in Councilman Friedman's proposal. He noted that he was in the advertising business, which was highly competitive; and under Councilman Friedman's proposal, he would have to disclose his advertising budget. He submitted that should this pass, he would have to resign from the Austin Housing Authority in that he could not make the information public because his clients would not stand for it. He indicated that there was no way he could continue to function and comply with the ordinance.

Councilman Friedman noted that members of the Austin Housing Authority would not be effected by his proposal.

DR. J. J. SEABROOK noted that he had served on boards and commissions under four mayors and did not think the public wanted to know the personal business of a man. He suggested that if there were people serving of good morals and character, money was not that important. He felt that if the people serving got a salary, he would understand financial disclosure.

MR. JOE K. WELLS felt that there was no reason to believe that there was a problem in Austin that would call for the expansion of the ordinance in the fashion that was being proposed by Councilman Friedman. He stated that he would put Austin and its government up against Houston and the State of Texas all the way through. He suggested that if the Council felt something should be done, they should vote for the substitute proposal; but he felt the entire issue should be voted down.

Discussion

In response to Councilman Lebermann's question, Councilman Binder felt it was important that there be both the disclosure of the source of income as well as the amount. Councilman Friedman pointed out that the proposal was not asking for specific amounts, and he felt that the categorical amounts were broad enough to give sufficient leeway.

Mayor Pro Tem Love suggested that many people treasured their means of income as a private matter. Councilman Friedman felt that each individual willing to serve the public should be willing to let the people know.

Councilman Lebermann did not mind enumerating his sources of income as they related to the public task he was performing.

Motion

Mayor Butler introduced the following ordinance:

AN ORDINANCE ESTABLISHING A CODE OF ETHICS FOR THE CITY OF AUSTIN; PROVIDING STANDARDS OF CONDUCT; REQUIRING THE FILING OF FINANCIAL ACTIVITY STATEMENTS; PROVIDING PENALTIES; AND PROVIDING A SEVERABILITY CLAUSE.

Councilman Friedman moved that the Council close the public hearing, waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion was seconded by Councilman Binder.

Substitute Motion

Councilman Lebermann felt that the Council was headed toward a sensible compromise and moved that the hearing be continued until January 9, 1975. The substitute motion died for lack of a second.

Roll Call on Motion

Roll Call on Councilman Friedman's motion, Councilman Binder's second, to pass Councilman Friedman's ordinance for Code of Ethics and Financial Disclosure, showed the following vote:

Ayes: Councilmen Friedman, Binder

Noes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro
Tem Love, Councilman Dryden.

The Mayor announced that the motion had failed to carry by a 2 to 5 vote.

HEARING ON PROPOSED ROUTING OF BULL CREEK WASTEWATER INTERCEPTOR

Mayor Butler opened the public hearing scheduled for 1:00 p.m. on the proposed routing of the Bull Creek Wastewater Interceptor under a portion of Bull Creek Park. Mr. Curtis Johnson, Director of Water and Wastewater, reviewed this by stating that on December 20, 1973, the Council instructed the staff to proceed with the engineering on the project and to invite citizens' participation in the planning. He noted that they were returning to Council with final plans and specifications for the Council's approval and indicated that residents had been involved in the proposal before the Council. He reviewed the last year's work on this project with the use of slides, noting that the net effect of the route would be to reduce the amount of open cut through the park from a total of 2,080 lineal feet to 792 lineal feet at no increase in total cost.

MR. GENE PIPKIN, Lakewood Park Homeowners Association, requested that if this was approved, the construction along the Creek be closely supervised and keep the contractors from destroying or damaging this Creek. He urged that the Council in the near future submit a development proposal for development of the entire area down to Road 2222.

Councilman Lebermann noted that the Lake Austin Development Plan would include Bull Creek and its drainage.

Councilman Dryden commented that a year ago the Council asked the contractors to observe the Creek and the trees and not destroy anything unnecessary. He suggested that the City's engineers and the City Manager would see that this was supervised.

The City Manager felt that he could assure the residents and the Council that this would be carried out in the same manner that they had tried to do in planning the project.

AUMLA noted that he lived in the area and felt that since Loop 360 had been put in, the area had been destroyed. He did not believe the Council should be encouraging more "destruction" in the area.

Mayor Pro Tem Love moved that the Council close the public hearing and instruct the staff to proceed with their request for the wastewater interceptor. The motion, seconded by Councilman Dryden, carried by the following vote:

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

HEARING CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974

Mayor Butler opened the public hearing scheduled for 3:30 p.m. to ascertain the needs of citizens in Austin for physical and social services improvements eligible under the "Housing and Community Development Act of 1974." Mr. Fran Szarejko, Acting Director of Community Development, noted that this hearing was required under the Federal regulations governing the Act and would result in providing legitimate citizen participation for consideration in the application for an estimated \$7.94 million in Federal funds enabled by the Act and then would be submitted to the Department of Housing and Urban Development after Council's review. He noted that a list had been published and citizens had been asked to comment on these. He noted that this would serve as a starting point.

MR. GEORGE BRAY, President of a local chapter of the American Association of Retired Persons stated that for five years they had met in the same place; but about two weeks ago the place had gone bankrupt. He indicated that they needed accommodations for 200 or more, and their meetings dealt with such issues as the following:

1. Health care
2. Safety
3. Fraud
4. Burglary
5. Defensive driving course

He commented that they were having to go from home to home to carry out their functions, and they needed a kind of facility where all kinds of programs could be carried on.

MR. TOM JOHNSON, chairman of the committee to study the locations for the meeting places, noted that he had examined the needs of the retired people to have a centralized location and commented that the Parks and Recreation Board had done a wonderful job in supplying their small community centers. He submitted that they needed a location that would adhere to the following:

1. Easy accessibility by City buses.
2. Large enough to seat at least 300.
3. One that would have a craft room and a sales room for display of crafts for sale.
4. Room for a medical consultant.
5. Kitchen facilities to be able to serve meals for 200 to 300.

He noted that when this study was completed, they would turn it over to the proper people for further study.

MS. GLORIA PENNINGTON, President of the Seniors' Community Workshop Market, felt that there was a need for the seniors' center. She noted that her organization was federally funded with a City staff and was located at Mayfield Park. She further noted that they had to share with several other City agencies, and one of the problems with this was that the closest City bus stop was several blocks away from the workshop; and she felt that there was a need for a place of their own along side other agencies designed to help senior citizens. She stated that they supported the proposal for a center and asked that the Council consider the many needs of approximately 23,000 seniors in Austin.

MS. HENRIETTA JUAREZ, Board Member of a senior citizens' group serving East Austin and South Austin, felt that there should be a centrally located building to serve the entire City and asked that the Council give the proposal considerable consideration.

MR. TOM SHEFELMAN, President of the Austin Natural Science Center, noted that the Natural Science Association was supporting a request by Parks and Recreation for federal funding for a proposed science center in Zilker Park. He made a plea for any federal funding available for such a community facility. He commended and encouraged Parks and Recreation in its continuing expansion over the years of its definition of the word "recreation" and suggested that the Council support such a program for public recreation in that he felt this would be helping the majority of Austinites.

A gentleman representing the Diocese of Austin (Father Richard E. McCabe, Catholic Charities Director, and Reverend Vincent M. Harris, Bishop of Austin) addressed himself to the issue of purchasing deteriorated or undeveloped properties and the matter concerning elderly, low income people. He noted that they were needing some additional help with the Governor's Hotel and that they had achieved approximately \$60,000 worth of help through private foundations. He felt that they were in compliance with four major guidelines that had been listed in the newspaper:

1. Purchase of deteriorated property for improving social services dealing with welfare.
2. Development of decent housing for the elderly/poor.
3. Development of suitable living environment for elderly/poor.
4. Expanding economic opportunities for persons of low and moderate income.

He concluded that they were supporting their request to the Council with documentation for the Council and requested that this number one problem be considered in this funding.

MRS. CECIL CABANISS hoped that the Council would consider a more centrally located center for senior citizens.

MR. BILL MULLER noted that his main concern was child-care service and infant care and submitted that more centers for this were needed.

A gentleman noted that he was concerned about the Blackshear area and wondered if any provision had been made for the completion of the work started there, and he suggested that someone from that area be included in what was to be done in that area.

In response to this, City Manager Davidson noted that none of the plans were completed at this time and added that any of the improvements would be considered as part of what would be presented to the Council. In response to the gentleman's question, Mr. Davidson requested that he give Mr. Szarejko his name and address to be sure he was aware of the decisions.

MS. NANCY GRANGER spoke in behalf of the senior citizens of Austin and submitted that they had a lot of needs.

Mr. Davidson took this opportunity to point out that the staff would compile all these concerns, and they would be considered as part of the plan review, which would be brought back about the last meeting in February.

Councilman Handcox moved that the Council close the public hearing and instruct the City Manager to bring back a compilation of the requests made. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

RELEASE OF EASEMENTS

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

All of the Drainage and Public Utilities Easement ten (10.00) feet in width centered on the common lot line of Lots 13 and 14, Block 1, LINCOLN GARDENS, SECTION ONE. (Requested by Rev. J. R. Williams, owner)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

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

All of the Drainage and Public Utilities Easement that covers the west ten (10.00) feet of Lots 5, 6 and 7, ST. ELMO INDUSTRIAL SUBDIVISION. (Requested by Mr. B. F. Priest, Registered Public Surveyor representing Mr. Odas Jung, owner)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

CONTRACTS AWARDED

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

MAINTENANCE ENGINEERING CORPORATION	- Check Valves for Auxiliary
3711 Clinton Drive	Boiler Feed Pump Discharge
Houston, Texas	Line, Holly Power Plant
	Turbine Unit No. 3, Electric
	Utility Department
	Item 1 - \$5,295.00
	(subject to escalation)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

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

E. E. STUESSY COMPANY, INC.	- Construction of electric
2716 East 5th Street	ductline and manholes at
Austin, Texas	Warren Substation - \$84,114.00

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

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

WORTHINGTON PUMP
INTERNATIONAL, INC.
6901 West 63rd Street
Overland Park, Kansas

- Vertical Pumps for Decker Unit
#2 - \$290,740.00

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

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

SCHMIDT CONSTRUCTION COMPANY
Star Route A, Box 635
Austin, Texas

- Installation of a 24" concrete
steel cylinder water main (Phase
II of William Cannon Drive)
C.I.P. No. 4071 3 - \$96,829.00

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

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

CAPITOL CITY UTILITIES
3113 Clawson Road
Austin, Texas

- Wastewater installation in
East Riverside Drive to Fire
Station No. 22, C.I.P. No.
5084 1 - \$6,394.50

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

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

TRAVIS CONSTRUCTION COMPANY
7101 Burleson Road
Austin, Texas

- Renovation of the Montopolis
Recreation Center, C.I.P. No.
8664 0 - \$140,422.00

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

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

A. B. CHANCE COMPANY
12317 Almeda Road
Houston, Texas

- Design and Fabrication of
Steel Transmission Line
Structures, Electric Department
Item 1 - \$712,211.00

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

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

SOUTHWEST SERVICE COMPANY
Route 4, Box 113
Georgetown, Texas

- Construction of a reinforced
concrete multiple box culvert
in Berkett Drive, C.I.P. No.
6543 1 - \$16,452.50.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

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

SOUTHWEST SERVICE COMPANY
Route 4, Box 113
Georgetown, Texas

- Construction of a reinforced
concrete multiple box culvert
in Pleasant Valley Road, C.I.P.
No. 6543 3 - \$25,003.25.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

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

AUSTIN ROAD COMPANY
8419 North Lamar Boulevard
Austin, Texas

- Construction of William Cannon
Drive from Manchaca Road to
I. H. 35, C.I.P. Nos. 4032 5,
8655 5 and 3831 4 - \$955,092.01.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

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

AUSTIN ROAD COMPANY
428 East Anderson Lane
Austin, Texas

- Relocation of Red River Street
Phase I, from 18th Street to
Manor Road, C.I.P. Nos. 6274 0,
7007 4 and 3832 2 - \$524,676.10.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

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

AUSTIN ROAD COMPANY
428 East Anderson Lane
Austin, Texas

- Community Development Program
proposed improvements for
District Number 3, C.I.P. Nos.
6236 3, 4036 3 and 5036 3 -
\$685,056.27.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

The Council had before it for consideration the following contract:

HENSEL PHELPS CONSTRUCTION CO.
420 Sixth Avenue
Greeley, Colorado

- Construction of the 9th and
10th Streets Improvements
Project from Lamar Blvd. to
West Avenue, C.I.P. Nos.
4034 1, 5018 2, 6220 1, and
6220 2 - \$781,262.00.

Motion

Councilman Handcox moved that a resolution be adopted awarding the aforementioned contract. Councilman Dryden seconded the motion.

In response to Councilman Binder's question, City Manager Davidson noted that the City Clerk's office had received an appeal to the creek portion of this; and it was scheduled to be on the agenda for January 2, 1975. He requested that the Council go ahead and consider this contract today. He mentioned that no action would be taken until the appeal procedure had been exhausted.

Councilman Binder suggested that the Council not vote on this until after the appeal had been heard. City Manager Davidson indicated that there were certain portions not involved with the appeal, and the awarding of the contract would enable the City to do some of the paperwork and have preconstruction conferences with the contractor.

Substitute Motion

Councilman Binder moved that this be delayed until after the appeal on January 2. The substitute motion died for lack of a second.

Vote on Motion

Councilman Handcox moved that the Council adopt a resolution awarding the aforementioned contract. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: Councilman Binder

Abstain: Mayor Butler

Not in Council Chamber when roll was called: Councilman Friedman

REJECTIONS OF BIDS

Councilman Lebermann moved that the Council adopt a resolution rejecting the bids on the following:

Rejection of bids

- Buttermilk Creek Improvements,
C.I.P. Nos. 7030 0, 6534 1, and
6534 2.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

CASH SETTLEMENT

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

CAROLA HOWARD - 60/40% cash settlement for wastewater main extension to Sunny Subdivision. Estimated cost of construction \$3,400.00 - City's share at 60% \$2,040.00; Developer's share at 40% \$1,360.00.

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

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

Noes: Councilman Binder

Not in Council Chamber when roll was called: Councilman Friedman

CHANGE ORDER

Councilman Handcox moved that the Council adopt a resolution approving a Change Order in the amount of \$61,082.00 with Granite Construction Company in connection with the Crosstown Wastewater Interceptor, C.I.P. Project No. 5029 3. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

MODIFICATION OF SHUTTLE BUS ROUTE

Councilman Lebermann moved that the Council adopt a resolution modifying the East Campus Shuttle Bus Route by deleting portions of 21st Street between San Jacinto and Speedway and by providing for bus operations on San Jacinto south to 19th Street, west on 19th to Speedway, north on Speedway to 21st Street. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

APPLICATION TO
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing the City Manager to incur costs as of December 1, 1974 for the planning preparation, and submission of an application to the Department of Housing and Urban Development. (Reimbursement for such cost will be dependent upon the availability of funds to implement the program and submission of a timely application). The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

USE OF A MOTORBOAT ON TOWN LAKE

Councilman Lebermann moved that the Council adopt a resolution approving the use of a motorboat on Town Lake by the U.S. Geological Survey through October 1, 1975. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

EMINENT DOMAIN PROCEEDINGS

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire property for Festival Beach project:

All of the South 50' of Lot 1, Block 6, Bergman Valley View
Addition. (Cruz Saldana)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

DISCUSSION OF USE OF FIREWORKS

Mrs. Ora Mae Duvall had requested to appear before the Council to discuss the use of fireworks; however, she was present but had to leave.

DISCUSSION OF RATE INCREASES

Mrs. Janet Klotz appeared before the Council to discuss water and wastewater rate increases. She felt that the Council had not given the citizens the true picture of the increase and had been misled into believing they would increase about 80%. She presented the Council with copies of a letter reviewing her bills for various months. She suggested that the Council consider a more acceptable method of determining the water and wastewater rates. She indicated that at the earliest possible date she would like to see figures as to what had been projected in the way of revenue as broken down by month and what the actual revenue was for October in that she felt the revenue was larger than that had been anticipated.

City Manager Davidson stated that he had not had an opportunity to see Mrs. Klotz' figures until now and suggested that the staff evaluate what she had presented and compare them with information presented to the Council at the time the increase was approved and come back to the Council and Mrs. Klotz at a later date.

Mayor Butler suggested that Mrs. Klotz make an appointment with Mr. Homer Reed, Deputy City Manager, to further review this.

REQUEST CONCERNING LEASE OF CITY-OWNED PROPERTY

Mr. Barr McClellan, Second Vice Chairman of the American Red Cross Centex Chapter, had requested to appear before the Council concerning the leasing of City-owned property; however, Mr. George Hill, member of the Red Cross, appeared in his stead. He indicated that they were asking permission to lease from the Junior Achievement, which was leasing a piece of City-owned property and to continue the present lease on a month-to-month basis.

The City Manager stated that the City could allow Red Cross to utilize the existing building on a month-to-month basis for an additional period of time. He noted that the Council had asked the Junior Achievement if they could pay some kind of reasonable rent to the City based on market value and then contract Red Cross to do the same thing. He stated that the City's recommendation would be (1) to approve that agreement on a month-to-month basis and (2) to work out some kind of agreement for them to use the other property next to Junior Achievement on which they would construct a building.

Mayor Butler noted that the Junior Achievement was completely an Austin project with funds being derived from Austin citizens; whereas, Red Cross paid part of their funds to New York. Mr. Hill noted that 100% of their services were provided for Austin-Travis County.

Councilman Friedman felt that it seemed like the City would be "cutting off their noses to spite their faces" and suggested that the City should not make it harder for the Red Cross. He summed up their request by stating that they needed a two-prong agreement; (1) an agreement to permit Junior Achievement to sublease to the Red Cross for a period of 10 years or at least to the end of their option and then an option for 10 more years for the Red Cross' new building and (2) at the same time the City give the Red Cross a month-to-month lease on their current headquarters until they are able to move out. Mr. Hill stated that their Board of Directors voted to undertake this on the basis Councilman Friedman mentioned.

In response to Mayor Butler's question as to why this was never sold, Mr. Joe Morahan, Property Management Director, stated that the City had an appraisal of the land and advertised for bids but never received any favorable bids; and Junior Achievement came in with their proposal, and it was approved.

City Manager Davidson noted that there was an understanding that the City could get the Junior Achievement building when not in use for recreational purposes. He suggested that the same type of agreement could be arranged. He further noted that at the end of the lease period the building would become the property of the City, and he assumed the Red Cross would agree to the same kind of understanding.

Mr. Morahan stated that the entire triangle was included because of the nature of its use and the fact that the City would be gaining the building at the end of the period. He stated that the Junior Achievement also agreed to maintain it.

Mayor Pro Tem Love moved that the Council approve the request as recommended by the City Manager so that (1) the present lease be on a month-to-month basis and (2) the City would work out some kind of agreement for the Red Cross to use the other property next to Junior Achievement on which they would construct a building. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Councilman Binder stated that it had been his policy that the land be leased based on market value, and he felt this was consistent with his status on the issue. The City Manager stated that the administration agreed with that proposal and suggested that any property not encumbered should be handled in that nature.

APPEARANCE CONCERNING PAVING OF STREET

Mr. John Akins, representing Mr. Lawrence Owens, appeared before the Council to present a petition seeking reversal of the decision to pave Hargrave Street from Rosewood Avenue to East 12th Street (approved by Council on October 31, 1974). Mr. Akins filed the petition with the City Clerk, stating that the reasons for the request for reversal of the decision was that they felt it was already adequately paved and that it could and does adequately serve the traffic flow. He quoted from a letter from Mr. Clarence L. Littlefield, Registered Professional Engineer, in which he made the following points clear:

1. He observed the street to be in very good condition for a street that had been in service for 7 to 8 years.
2. With normal maintenance and similar traffic, the expected life of the street could be almost indefinite.
3. He believed the street to be in as good a condition as many much newer streets.

Mr. Akins also quoted from a letter from Mr. Robert L. Ogden, Registered Professional Engineer, in which he stated that it was his opinion that the street did not need to be resurfaced except in isolated places, such as the edges of the pavement where there was no curb and where the street had been dug up for utility installation and house connections and the pavement not replaced properly. He felt that the existing conditions were adequate for any local traffic.

Mr. Akins noted that the petition contained 14 lot owners' signatures and submitted that the expense to pave would be a burden to the owners in comparison with the gain they would receive.

Mr. Davidson stated that the street should be completely removed and a new one installed in accordance with the City's standards and was part of an overall community development plan. He noted that it was anticipated in the beginning that there would be some hardship for property owners at first, but eventually these improvements would be beneficial. He recommended that the City go ahead with these improvements.

Mr. Charles Graves, Director of Engineering, noted that he had looked at this street on the ground and suggested that the cost would be considerably less to reconstruct than salvage. He submitted that if routine maintenance was applied to a gravel street, it would also last indefinitely.

In response to Mayor Butler's question concerning paving to the curb, Mr. Graves felt that there would be some problems in that the area was so flat. In response to Councilman Friedman's question as to how long it would take to check to see if it could be done, Mr. Graves stated that if they tried to retain anything that was sound, they would tear it up in the construction process.

Councilman Handcox suggested that the issue lay in the matter of whether the City wanted standard or substandard streets. Mr. Graves felt that it would still be a substandard street.

Mr. Owens asked for the Council's consideration and noted that he had been paying taxes since 1912.

Motion

Councilman Handcox moved that the request be denied. Mayor Pro Tem Love seconded the motion.

Councilman Dryden knew that Mr. Owens was a good citizen, and he stated that he would feel better if Mr. Graves had an opportunity to investigate the street to determine whether or not it could be paved from curb to curb.

Substitute Motion

Councilman Friedman moved that this be postponed until Mr. Graves could get back to the Council with information as to whether or not paving from curb to curb would be feasible.

There was further discussion, and Mr. Reed pointed out that while it might be possible, it would be more expensive to salvage what is there.

Withdrawal of Substitute Motion

Councilman Friedman withdrew his substitute motion.

Vote on Motion

The motion to deny the request showed the following vote, which carried:

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

ORDINANCE PROVIDING RELOCATION ASSISTANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 740822-A, PROVIDING THAT RELOCATION ASSISTANCE TO INDIVIDUALS AND FAMILIES DISPLACED AS A CONSEQUENCE OF CITY FUNDED REAL PROPERTY ACQUISITIONS ONLY WHEN THE TITLE TO THE PROPERTY ACQUIRED WILL VEST SOLELY IN THE NAME OF THE CITY OF AUSTIN; DECLARING AN EMERGENCY; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

The Mayor announced that the ordinance had been finally passed.

APPROACH MAIN CONTRACT

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH LAMAR SAVINGS ASSOCIATION AND VINTAGE HILLS, INCORPORATED. (Horseshoe Bend, Section 2)

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

The Mayor announced that 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 29.83 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE AND 37.50 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE PHILLIP MCELROY LEAGUE, ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Binder

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: A 0.783 ACRE TRACT OF LAND, SAVE AND EXCEPT THE NORTH 150 FEET WHICH SHALL REMAIN ZONED "C-2" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT; AND,

TRACT 2: A 0.731 ACRE TRACT OF LAND, SAVE AND EXCEPT THE SOUTH 10 FEET WHICH SHALL REMAIN ZONED "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;

LOCALLY KNOWN AS 801-807 BARTON SPRINGS ROAD; 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. (Forest Pearson, C14-74-145)

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 Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

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 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) TWO (2) TRACTS OF LAND CONSISTING OF 13,585 SQUARE FEET AND 60,208 SQUARE FEET, LOCALLY KNOWN AS 5401-5537 NORTH INTERSTATE HIGHWAY 35, FROM SIXTH HEIGHT AND AREA DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO SECOND HEIGHT AND AREA DISTRICT; AND,
- (2) LOT 8, BLOCK 4, CHARLES JOHNSON SUBDIVISION, LOCALLY KNOWN AS 2202 LAKE AUSTIN BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Citizens National Bank of Austin, C14-74-153; J. Vance Riley, C14-74-156)

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 Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilman Binder

The Mayor announced that the ordinance had been finally passed.

POSTPONEMENT OF AMENDMENT TO CITY CODE

The Council postponed until after the first of the year action on an ordinance amending Austin City Code as follows:

1. Chapter 31, Article II, "Construction and Repair of Sidewalks, Curbs, Gutter, Driveways, and Setbacks". (Section 31-16 & 31-22)
2. Add to Chapter 31 of Article IV, "Procedures and Standards for Closing or Partially Blocking Streets, Thoroughfares, Sidewalks and Alleys". (Section 31-45 through 31-58)
3. Chapter 36 of Article VIII, "Requirement for Use of Public Street". (Section 36-301 through 36-307)

ENERGY EFFICIENCY RATIO ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTIONS 39-1 AND 39-70 OF THE AUSTIN CITY CODE OF 1967 BY DEFINING THE TERM EER (ENERGY EFFICIENCY RATIO); ADDING STANDARDS FOR THE INSTALLATION OF AIR CONDITIONING SYSTEMS UNDER CERTAIN CONDITIONS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Binder

The Mayor announced that the ordinance had been finally passed.

CITY MANAGER REPORTS

The City Manager noted that the staff had completed the report on the Charter Revision Commission at Council's request and stated that if any additional information was needed, he would be happy to provide it.

He noted that a second report not placed on the agenda was one concerning annexing property along U. S. Highway 183 and added that he would bring this back early in January so that a public hearing could be scheduled.

TROLLEY IMPLEMENTATION COMMITTEE'S REPORT

Mr. David Graeber, Co-Chairman of the Committee, reviewed the Committee's study with the use of slides and noted that it was the consensus of the Committee and all who had been contacted that an internal transportation system interconnecting the University of Texas, the Capitol complex, and the central business district would be a most powerful incentive for increased economic activity in the central business district. He added that the Committee unanimously recommended that the Council enact the necessary ordinances and take the following action required to make the trolley system a reality:

1. Include the trolley system as an integral part of the overall transit system to be operated by the Department of Urban Transportation.
2. Negotiate "Certificates of Obligation" with the downtown banks to cover capital costs.
3. Bid and purchase 10 trolley cars as specified herein.
4. Engineer and construct the track and overhead lines on the routes as outlined.
5. Design and build a trolley maintenance barn on one of three proposed sites.
6. Commence operation as soon as feasible.
7. Initiate fare of 25 cents with transfers to bus system.

He felt that this could not be delayed any further for the following reasons:

1. The trolley cars would not be available much longer.
2. The price of the cars was still going up.
3. Would create more job opportunities.

He took this opportunity to thank and congratulate each of the members of the Committee for their unselfish and untiring efforts.

The City Manager felt that the Committee had done a thorough job in considering the feasibility of trolleys, but he noted there were four areas of concern:

1. Certificate of Obligation - the City does not have sufficient debt service reserve funds to repay Certificates of Obligation necessary to cover capital costs.
2. Federal funding - unless the trolley system is an integral part of the Austin Transportation Plan, the City cannot receive federal funding for either capital or operational expenditures.
3. Trolley routes - The Urban Transportation Department has some major concerns about specific routes recommended in the report. Alternative routes or major modifications are necessary in order to fully consider safety and traffic flow.
4. Availability of trolleys - the major need to purchase trolleys immediately is their doubtful future availability. He felt that should the Policy Advisory Committee recommend the trolley system and the Council approve such a system as part of the transportation plan, the City could purchase the desired type equipment.

He submitted that the Council could comply with the general intent of the recommendations of the Trolley System Committee by referring the report to the Transportation Study Office for inclusion in the current transportation planning process.

Mayor Butler wanted to know if there was any way to option the cars to protect their availability so that the City could get "the wheels turning."

After extensive discussion concerning the purchase of the cars and their availability, the City Manager suggested that the Council request Mr. Joe Ternus, Urban Transportation Director, and staff to get this entered into a study program as quickly as possible.

Councilman Binder suggested that there be some kind of vote that it was the feeling of the Council that they would like to go ahead and proceed with this if at all feasible. Councilman Friedman felt that this had already been done by creating the Committee.

Mayor Butler suggested that the Council go on record as being in favor and instruct the City Manager to come back next week with a plan telling the Council how the City can implement this with the \$150,000 on hand and get the cars.

Councilman Friedman moved that the Council instruct the City Manager to come back on January 2, 1975, with a report and in the meantime this would be placed in the Transportation Study Office. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

ZONINGS SET FOR PUBLIC HEARING

The City Manager reported that the following zoning applications had been referred to the Planning Commission for recommendation and had been set for public hearing on February 6, 1975:

GARY CUTSINGER and HENRY S. MILLER COMPANY, TRUSTEE (By William L. Putney III) C14-74-169	6617 and 6701 Decker Lane, also bounded by Decker Lake Road	From Interim "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
GARY JOHNSON, TRUSTEE C14-74-171	6504 Decker Lake Road, also bounded by Johnny Morris Road	From Interim "A" Residence 1st Height and Area To "LR" Local Retail and "A" 1st Height and Area (Tract 1) and "BB" Residence and "A" Residence 1st Height and Area (Tract 2)
CLAUDIA S. NABORS and JOHN McCRARY (By E. C. Thomas) C14-74-176	4308 Speedway Avenue	From "B" Residence To "C" Commercial
AUSTIN "45" LTD. C14-74-177	4109 Tannehill Lane	From "A" Residence To "B" Residence
JAGGER ASSOCIATES, INC. (By James H. Coleman) C14-74-178	2803-3309 West Ben White Boulevard (Loop 360) also bounded by French Colony Drive and the proposed MoPac Boulevard	From Interim "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area (Tracts 1, 2 & 5), "O" Office 1st Height and Area (Tracts 3 & 7) and "BB" Residence 1st Height and Area (Tracts 4 & 6)

ADJOURNMENT

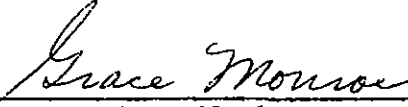
The Council adjourned at 6:25 p.m.

APPROVED



Mayor

ATTEST:



City Clerk