

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 5, 1974  
1:00 P.M.Council Chambers  
301 West Second Street

The meeting was called to order with Councilman Dryden presiding.

## Roll Call:

Present: Councilmen Binder, Dryden, Friedman, Lebermann

Absent: Mayor Butler, Mayor Pro Tem Love, Councilman Handcox

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

## RECOGNITION

Councilman Dryden took this opportunity to recognize a group of fifth-grade students from Sunset Valley as follows who were accompanied by their teacher, Mrs. Joan Ponder, and one of the student's parents, Mr. and Mrs. Gene Greenwood:

Jon Long  
James Walsh  
Vincent MendietaTheresa Ellerbee  
Cynthia Greenwood  
Leigh Connally

Councilman Dryden also recognized a group of tenth and twelfth-grade students from Johnson High School who were accompanied by their teacher, Mr. J. W. Studak.

He also introduced Ms. Lucille Savage, who in turn introduced a group of students from Doss Elementary School and noted that this was part of the Career Awareness Program.

## APPROVAL OF MINUTES

Councilman Friedman moved that the Council approve the Special Meeting and Regular Meeting Minutes of November 21, 1974. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

#### APPOINTMENTS TO GOALS ASSEMBLY

Councilman Friedman moved that the Council accept nominations and appoint the following to the Goals Assembly of the Austin Tomorrow Program to bring it to full standard:

Mr. Ron Carricer	Mr. Charles Wade
Mr. Daniel Eden	Rev. Wilson Wade
Mr. William Smith	

#### TAX APPEALS

Councilman Dryden opened the consideration of tax appeals scheduled for 1:00 p.m. Mr. Jack Klitgaard, Tax Assessor-Collector, noted that there were four remaining appeals on which the Council had to make a final decision:

Charles Wendlandt by Walter Wendlandt  
F. W. Woolworth Company by R. J. Timbo  
Daylin Inc.-Gulf Mart Division by R. J. Timbo  
William R. Bright and James R. Irion III by James R. Irion

Mr. Klitgaard noted that these had been postponed from previous meetings due to the fact that there had not been a full Council.

#### Motion

Councilman Friedman moved that the Council uphold the decision of the Board of Equalization in all four cases. Councilman Lebermann seconded the motion.

City Attorney, Don Butler, noted that it would take four votes to overturn the decision of the Board. Councilman Lebermann stated that he was not in objection to a delay if the appellants desired.

#### Roll Call on Motion

Roll call on Councilman Friedman's motion, Councilman Lebermann's second, showed the following vote:

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

The motion failed to carry by a 3 to 1 vote.

\*Councilman Dryden prefaced his negative vote by stating that the appellants should be given a chance to present their cases before a full Council.

Motion

Councilman Binder moved that the four cases be placed on the agenda for December 12, 1974. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

## ANNEXATION HEARING

Councilman Dryden opened the public hearing scheuled for 1:00 p.m. to consider the annexation of the following:

Total of 67.33 acres of land;

29.83 acres of land out of the J. C. Tannehill League,  
unplatted land. (Requested by Mr. Gary Johnson, owner.)

37.50 acres of land out of the Phillip McElroy League,  
unplatted land. (8.74 acres requested by Mr. Gary  
Cutsinger, owner; 26.58 acres requested by Mr. William L.  
Putney, III, owner; and 2.18 acres portion of Decker Lake  
Road initiated by City.)

Councilman Friedman moved that the Council close the hearing and direct the administration to institute annexation proceedings to annex the afore-mentioned. The motion, seconded by Councilman Binder, carried by the following vote:

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

## ZONING HEARINGS

Councilman Dryden announced that the Council would hear the zoning cases scheduled for 1:00 p.m. for public hearing at this time. Pursuant to published notice thereof, the following zoning applications were publicly heard:

CITIZENS NATIONAL	5401-5537 North I.H.	From "C" Commercial
BANK OF AUSTIN	35	6th Height and Area and
By Phil Mockford		"C" Commercial
C14-74-153		2nd Height and Area
		To "C" Commercial
		2nd Height and Area
		RECOMMENDED by the Planning
		Commission

In response to Councilman Binder's question, Mr. Phil Mockford, representing the applicant, noted that when they went to Building Inspection for the purpose of getting a sign location changed, it appeared on their map that there was a small corner of the northeast side of the building that was outside the field

notes on their map. He added that upon the request of Building Inspection, they had a surveyor go back and survey everything under lease at Capital Plaza and were including this in the application so there would never be any question about it.

In response to Councilman Binder's further question, Mr. Mockford stated that the building height was 35 feet. Councilman Friedman moved that the Council grant "C" Commercial, 2nd Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Lebermann, Binder, Dryden, Friedman

Noes: None

Absent: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love

Councilman Dryden announced that the change had been granted to "C" Commercial, 2nd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

J. VANCE RILEY  
C14-74-156

2202 Lake Austin  
Boulevard

From "A" Residence  
To "GR" General Retail  
RECOMMENDED by the Planning  
Commission

In response to Councilman Binder's question, Mr. Dick Lillie, Planning Department Director, stated that at least 50 percent of this area was already zoned for Local Retail District or General Retail District. He anticipated that the remainder would have applications for some kind of commercial zoning.

Councilman Lebermann moved that the Council grant "GR" General Retail District, as recommended by the Planning Commission. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Lebermann, Binder, Dryden, Friedman

Noes: None

Absent: Mayor Butler, Mayor Pro Tem Love, Councilman Handcox

Councilman Dryden announced that the change had been granted to "GR" General Retail District, and the City Attorney was instructed to draw the necessary ordinance to cover.

WILLIAM J. JOSEPH,  
ET UX  
By Arthur Pihlgren  
C14-74-154

7400 North I.H. 35

From "LR" Local Retail  
To "GR" General Retail  
RECOMMENDED by the Planning  
Commission, subject to 1/2  
the right of way (5 feet) to  
increase both Delmar and  
Blackson Avenues from 50 to  
60 feet

Councilman Friedman moved that the Council grant "GR" General Retail District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann

Noes: None

Absent: Mayor Butler, Mayor Pro Tem Love, Councilman Handcox

Councilman Dryden announced that the change had been granted to "GR" General Retail District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover,

-----

MRS. CARRIE B. HOUSER, ET AL By J. W. Howeth C14-74-161	612-622 West 37th Street 3701-3709 Ronson Street, also bounded by West 38th Street	From "A" Residence To "O" Office RECOMMENDED by the Planning Commission, subject to 1/2 the right of way (2,5 feet) to increase Ronson Street from 45 to 50 feet
--	--	--

Councilman Lebermann moved that the Council grant the change to "O" Office District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann

Noes: None

Absent: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love

Councilman Dryden announced that the change had been granted to "O" Office District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover,

-----

NELSON INVESTMENT COMPANY C14-74-162	704 Wonsley Drive 8106 North I.H. 35	From "A" Residence 1st Height and Area and "C" Commercial 6th Height and Area To "C" Commercial 6th Height and Area RECOMMENDED by the Planning Commission, subject to right of way necessary to increase Wonsley Drive from 50 to 60 feet
--	---	--

Councilman Lebermann moved that the Council grant the change to "C" Commercial, 6th Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Lebermann, Binder

Noes: None

Absent: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love

Councilman Dryden announced that the change had been granted to "C" Commercial, 6th Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

LUPE R. AND LYDIA  
C. OJEDA  
By Phillip Rivers  
C14-74-157

4703-4707 Weidemar  
Lane

From Interim "A" Residence  
1st Height and Area  
To "D" Industrial  
1st Height and Area  
RECOMMENDED by the Planning  
Commission as amended, subject  
to 1/2 the additional right  
of way (approximately 20 feet)  
to increase Weidemar Lane  
to 80 feet

In response to Councilman Friedman's question, Mr. Lillie noted that this was designated Industrial in the Master Plan; and the Council had already approved the zoning. Councilman Friedman moved that the Council grant the change to "D" Industrial, 1st Height and Area District, as amended, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Friedman, Lebermann, Binder, Dryden

Noes: None

Absent: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love

Councilman Dryden announced that the change had been granted to "D" Industrial, 1st Height and Area District, as amended, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

TEXAS MOTOR TRANSPOR-  
TATION ASSOCIATION, INC.  
By Charles Wendlandt  
C14-74-164

Ed Bluestein Boulevard  
at the planned inter-  
section of East 51st  
Street and also bound-  
ed by Tannehill Lane

From "A" Residence  
1st Height and Area  
To "A" Residence,  
"O" Office and  
"GR" General Retail  
1st Height and Area  
RECOMMENDED as amended, by the  
Planning Commission, subject to  
right of way along Tannehill  
Lane and a 6-foot privacy  
fence along the east line of  
the "A" Residence buffer strip

In response to Councilman Friedman's question, Mr. Lillie stated that General Retail District would stop with the proposed location of 51st Street. Councilman Friedman moved that the Council grant the change to "A" Residence, "O" Office and "GR" General Retail, 1st Height and Area District, as amended, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Lebermann, Binder, Dryden, Friedman

Noes: None

Absent: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love

Councilman Dryden announced that the change had been granted to "A" Residence, "O" Office and "GR" General Retail, 1st Height and Area District, as amended, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

BARNES ENTERPRISES,  
LTD.  
By Howell Finch  
C14-74-159

410 Oak Plaza  
502-506 Oertli Lane  
8501 Rosemary Lane  
206 Elliot Street  
8420 North I.H. 35

From Interim "A" Residence  
1st Height and Area and  
"C" Commercial  
5th Height and Area  
To "O" Office  
1st Height and Area and  
"C" Commercial  
5th Height and Area  
NOT Recommended  
RECOMMENDED by the Planning  
Commission "O" Office  
1st Height and Area and  
"C" Commercial  
5th Height and Area  
excluding a 25-foot buffer of  
"A" along the western boundary  
adjacent to the lots which  
front Rosemary Lane and  
Primrose Street north to the  
creek; no access to the minor  
residential streets which abut  
the western and southern  
boundaries except for two  
emergency access points, one on  
Oertli Lane and one on Oak  
Plaza; a 6-foot privacy fence  
along the western and southern  
property lines (excluding the  
access strip to I.H. 35), 1/2  
the right of way (10 feet) to  
increase Oertli Lane to 50  
feet

In response to Councilman Binder's question, Mr. Howell Finch, representing the applicant, stated that the narrow portion on the map that connects the tract to I. H. 35 would be "C" with the remainder being "O" Office District. Councilman Friedman moved that the Council grant the change to "O" Office, 1st Height and Area District, and "C" Commercial, 5th Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Lebermann, Binder, Dryden, Friedman

Noes: None

Absent: Mayor Butler, Mayor Pro Tem Love, Councilman Handcox

Councilman Dryden announced that the change had been granted to "O" Office, 1st Height and Area District, and "C" Commercial, 5th Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

## ZONINGS DENIED

MR. & MRS. HAROLD E. 603 Driskill Street  
RUSSELL  
By Mitty Bollman  
C14-74-135

From "A" Residence  
To "C" Commercial  
NOT Recommended by the Planning  
Commission

Councilman Friedman moved that the Council deny the zoning change to "C" Commercial District. The motion, seconded by Councilman Binder, carried by the following vote:

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

Councilman Dryden announced that the change had been DENIED.

-----  
WALTER & MAYDELLE 5603 Manor Road  
DAVIS GROTE  
C14-74-151

From "A" Residence  
To "LR" Local Retail  
NOT Recommended by the Planning  
Commission

Councilman Friedman moved that the Council deny the zoning change to "LR" Local Retail District. The motion, seconded by Councilman Binder, carried by the following vote:

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

Councilman Dryden announced that the change had been DENIED.

-----  
JOE B. CAMPOS ET UX 1122-1/2 Gunter  
C14-74-152 Street

From "A" Residence  
To "C" Commercial  
NOT Recommended by the Planning  
Commission

Councilman Friedman moved that the Council deny the zoning change to "C" Commercial District. The motion, seconded by Councilman Binder, carried by the following vote:

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

Councilman Dryden announced that the change had been DENIED.



HENRY WENDLANDT, JR.  
and E. E. NAUMANN  
By George Hatfield  
C14-74-160

2222 Rosewood Avenue  
also bounded by  
Chestnut Avenue

From "C" Commercial  
To "C-2" Commercial  
NOT Recommended by the Planning  
Commission

Councilman Friedman moved that the Council deny the zoning change to "C-2" Commercial District. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann

Noes: None

Absent: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love

Councilman Dryden announced that the change had been DENIED.

#### ZONINGS POSTPONED

CLIFFORD BRIGGS  
By Fred D. Mann  
C14-74-128

1814 Maple Avenue  
also bounded by  
East 19th Street

From "A" Residence  
To "O" Office  
RECOMMENDED subject to a  
6-foot privacy fence along the  
southern boundary where  
adjacent to "A" Residence

It was noted that there was a valid petition in opposition to this, and Mr. Don Butler, City Attorney, noted that it would require six votes to grant this change. In response to Councilman Dryden's question, Mr. Clifford Briggs, the applicant, stated that he preferred a one-week delay in order that a full Council might be present.

Councilman Binder moved that the Council continue the public hearing until December 12, 1974. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann

Noes: None

Absent: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love

SAM LANE, ET AL  
C14-74-155

2803-2815 and 2901  
Swisher Street  
also bounded by East  
30th Street

From "A" Residence  
1st Height and Area and  
"BB" Residence  
2nd Height and Area  
To "O" Office  
4th Height and Area  
NOT Recommended  
RECOMMENDED by the Planning  
Commission "O" Office, 2nd  
Height and Area

Mr. Lillie noted that the applicant had to leave the meeting and had requested that this be postponed for one month. Councilman Binder moved that the Council postpone consideration of this application until January 2, 1975. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann

Noes: None

Absent: Mayor Butler, Mayor Pro Tem Love, Councilman Handcox

Councilman Dryden announced that the zoning had been postponed.

JOHN V. FELTER  
By Jack Peevey  
C14-74-120

5900-6108 Johnny  
Morris Road

From Interim "A" Residence  
1st Height and Area  
To "C" Commercial  
2nd Height and Area  
NOT Recommended by the Planning  
Commission

Mr. Rivers, representing Travis Construction Company and the applicant, stated that they would like a postponement on this so that they might meet with the neighborhood and the Planning Department to work out differences.

Mr. Don Sullivan, representing the LBJ Neighborhood Association, stated that they were in agreement in asking for a delay of at least 90 days to work with Mr. Lillie and the representatives of the Company. He asked that the Council give some indication that the Association would have the cooperation of Mr. Charles Graves, Director of Engineering, in helping solve the flooding problem in the area. He noted that they would be opposed to anything other than "A" Residence District until they fully understood the situation. He felt that the delay would give sufficient time to attack a majority of these problems and become more informed and possibly reach an agreement.

Councilman Friedman moved that the Council postpone consideration of this for 90 days with the staff working with both sides to come up with a compromise proposal. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann

Noes: None

Absent: Mayor Pro Tem Love, Councilman Handcox, Mayor Butler

Councilman Dryden announced that the zoning had been postponed.

Councilman Handcox entered the Council Chamber at this point.

#### PLANNED UNIT DEVELOPMENT

N P C ASSOCIATES  
By Mike Ashford  
C814-74-012

Coronado Hills Drive  
at Barcelona Drive

From "B" Residence  
1st Height and Area  
To a Planned Unit Development  
51 attached single-family  
dwelling units with recreation-  
al facilities and common open  
space called, "Old Town-Phase  
III."  
RECOMMENDED by the Planning  
Commission (continued)

N P C ASSOCIATES  
(continued)

subject to compliance with departmental requirements as on file with the Planning Department, and granted a variance on the 50-foot requirement on the public street

Mr. Tom Witt, 7401 Barcelona, appeared in opposition to this application. He felt that some basic rules had been waived in the Planning Commission's approving this application such as the 50-foot minimum frontage requirement on a public street. He noted that he had reviewed this back to 1968, and in many cases the staff had set as much as 60 feet because of traffic problems. He commented that there were no sidewalks in the area which would create a problem in getting children to school. He submitted that there were presently 400 cars in the intersection during peak hours, and the proposal would create an additional 114 cars. He pointed out that he had talked with Mr. Woodrow Sledge, Austin Independent School District, who had indicated that there were plans in the near future for the block of land adjacent to the proposal.

It was noted that the driveway would be 35 feet; and in response to Councilman Friedman's suggestion that it be increased to 50 feet, Mr. Witt stated that this would make him happy, but he would not be satisfied. In conclusion, Mr. Witt requested that the Council reject this application and consider the fact that the School District would be using the adjacent tract of land.

It was noted that this would entail 5.34 acres of land; and in response to Councilman Binder's question, Mr. Lillie noted that this proposal would involve 51 units, with "B" Residence District density allowing 40 units per acre. He pointed out that there would be about 30 to 50 vehicles entering or exiting the drive during peak hours in the morning and evening.

In response to Councilman Binder's question, Mr. Tom Watts, representing Austex Development, the developer, felt that the issue concerning a 50-foot versus a 35-foot corridor was one of technicality. He pointed out that the zoning and subdivision ordinance stated that it be a minimum of 50 feet in width; however, at the time the Planned Unit Development ordinance was created, it recognized that in certain cases it could be waived to achieve the most efficient and most economical use.

In response to Councilman Friedman's question, Mr. Watts stated that he would be willing to provide 50 feet if requested by the Council. He noted that to provide 50 feet would include the adjacent lot which had been developed. After discussion, it was determined that nothing would alter the traffic flow.

Mr. Woodrow Sledge stated that it had been the School District's policy to participate in the improvement of streets adjacent to school property; however they did not want the street opening into the stadium area. He added that it had been decided that they had no need for the street, but they had agreed to participate if it was developed. He stated that it was their position that Mr. Sledge not interfere with zoning matters with such low density.

Mr. Lillie commented that he thought this was a good project with appropriate ingress-egress.

Mr. Witt again asked that this be denied and then suggested that it be postponed in that two Councilmen were absent and that many of the area's residents were not aware of what was going on. Councilman Dryden felt that it had been more appropriate if the request for postponement had been made earlier.

After discussion, Councilman Handcox moved that the Council grant the change to a Planned Unit Development, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilman Binder, carried by the following vote:

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

Noes: None

Absent: Mayor Butler, Mayor Pro Tem Love

Councilman Dryden announced that the change had been granted to a Planned Unit Development, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

#### HEARING ON REQUEST TO BARRICADE WEST 23RD STREET

Councilman Dryden opened the public hearing scheduled for 1:00 p.m. on a request of the 23rd Street Vendors Association to barricade West 23rd Street between Guadalupe and San Antonio Street. MR. MARK MAYFIELD, representing the Association, noted that their request would only involve the closing on the remaining Saturdays before Christmas. He further noted that at their last appearance before the Council on November 21, 1974, Rev. John Towery, pastor of the Congregational Church of Austin, spoke in behalf of this after the Church had a unanimous vote in favor of the proposal. He also pointed out that Mr. John Shudde, manager of Hemphill's Book Store, spoke in favor and noted that a letter had been submitted from the manager of the University Co-Op in favor of the proposal.

Mr. Mayfield stated that their request was based on the following:

1. Needed more space, especially during this time of the year.
2. Safety considerations. He noted that traffic was highly congested on Saturdays with the pedestrian overflow almost constant on 23rd Street.

In conclusion, he requested that 23rd Street be barricaded between Guadalupe and San Antonio, leaving the alley open for access.

Mr. Homer Reed, Deputy City Manager, pointed out that it had been reported by the Police Department that an ordinance was being violated in that the vendors were leaving permanent structures overnight. He stated that the ordinance stipulated that the area be cleared between midnight and 2:00 a.m. He added that until there was action to amend this plan, the Police Department had been instructed to begin enforcement of the ordinance.

MS. ALICE ROBERTS, representing the Association, commented that there were 600 permits issued but only 200 available spaces and felt that by barricading 23rd Street more spaces could be put up in the Street.

In connection with Ms. Roberts' statement, Mr. Mayfield suggested that it might be beneficial for the City to mark off areas with tape or chalk for the first Saturday; and the vendors would handle it the remaining two Saturdays.

In response to Councilman Dryden's comment that the area should be vacated so that it might be cleaned, Mr. Mayfield stated that one reason stands were being left was because some people were desperate to make a living.

In response to Councilman Dryden's question, MR. MEL STANDEY, member of the Marketing Committee of the Association, stated that they had been doing some research in other market places and hoped to come up with more information; but as far as the problem of vendors from out of state, he suggested that it was only a small fraction. He added that they did not need a permanent market to accommodate 700 vendors. It was only at certain times that this space would be needed.

In response to Councilman Binder's question, Mr. Reed stated that no particular survey had been made in other cities. Councilman Friedman noted that California was setting up a system and was looking at Austin's as an example.

MR. WOODROW SLEDGE made a personal observation by stating that there were thousands of senior citizens threatened with starvation because of inflation and added that he would not be surprised if there were senior citizen street vendors.

In response to Councilman Dryden's question, Mr. Reed stated that there was no problem barricading West 23rd as far as fire and police protection as long as the alley remained open. It was also pointed out that the property owners in the area had been notified.

Councilman Dryden asked that the Association cooperate in vacating the area between midnight and 2:00 a.m. Mr. Mayfield indicated that they would cooperate as much as possible, but he noted that there were vendors who were not members of the Association and were not required to be; however, they would do all they could.

Councilman Dryden introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE BARRICADING OF WEST 23RD STREET BETWEEN GUADALUPE STREET AND SAN ANTONIO STREET FOR DECEMBER 7TH, 14TH, AND 21ST, 1974; PROVIDING THAT THE ALLEYWAY BETWEEN GUADALUPE STREET AND SAN ANTONIO STREET SHALL REMAIN OPEN; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ 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 barricading West 23rd Street between Guadalupe and San Antonio Streets on December 7, 14, and 21, 1974. The motion, seconded by Councilman Binder, carried by the following vote:

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

Councilman Dryden announced that the ordinance had been finally passed. The City Attorney noted that the barricading would be done to coincide with the present market hours.

#### RELEASE OF EASEMENTS

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

A portion of the Public Utilities Easement seven and one-half (7.50) feet in width which covers the south seven and one-half (7.50) feet of Lot 1, Block B, INDIAN OAKS, a subdivision in Travis and Williamson Counties, Texas, said portion requested to be released being 2.30 feet in width by 33.00 feet in length, plus an additional area of one (1.00) square foot. (Requested by The Home Mart, Inc., owner.)

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

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

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

All of the Public Utilities Easement seven and one-half (7.50) feet in width which covered all of the north seven and one-half (7.50) feet of Lot 17, Block K, WINDSOR HILLS, SECTION SIX, and which presently lies mostly in the interior of Lot 16, Block K, WINDSOR HILLS, SECTION SEVEN. (Requested by Austex Development Company, Ltd., owner.)

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

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

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

The south 113.00 feet of the Public Utilities Easement that covers the west five (5.00) feet of Lot 1, Block J, QUAIL CREEK, PHASE 2, SECTION 2 (also known locally as 1106 Inland Greens) and release of a triangular portion containing four (4) square feet of land out of the Public Utilities Easement that covers the east five (5.00) feet of said Lot 1. (Requested by Austex Development Company, Ltd., owner.)

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

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

Councilman Binder noted that he had requested information concerning how many requests had been from Austex Development. Councilman Friedman stated that he had received the information; and as he recalled, there was not a significant number by any one person or entity.

#### LICENSE AGREEMENT

Councilman Friedman moved that the Council adopt a resolution granting the following License Agreement:

ESTATE OF BEN H. POWELL - Permitting encroachment by a proposed retaining wall and footing in the south side of the right of way of Treadwell Street, the area of encroachment to be a strip of land of varying width, 82.00 feet in length, and adjacent to the north line of the property at 1001 South Lamar Boulevard, said property being Lots 31 thru 34, Block 18, SOUTH HEIGHTS, a subdivision. (Requested by Mr. William B. Houston, in behalf of said Estate of Ben H. Powell, owner.)

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

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

#### AMENDMENTS TO PERSONNEL POLICIES

It was noted that the Council had before it for consideration amendments to the City of Austin Personnel Policies due to implementation of the Fair Labor Standards Act. In response to Councilman Handcox's question, Ms. Andrea Beatty, Personnel Director, reviewed the proposed changes:

1. Recognition of the exempt or non-exempt status of employees in relation to eligibility for overtime payment.
2. Redefinition of overtime to reflect calculation on the basis of a 40-hour week. The current policy defines overtime on the basis of an 80-hour basis,
3. Elimination of "comp" time as it is now known. At present it is accumulated without limit, but the law limits the application of "comp" time to be within the same pay period.
4. Redefinition of "on-call" to a less restrictive concept,
5. Elimination of "on-call" or "stand-by" pay.
6. Various minor changes in wording:
  - a. Deletion of the requirement for certification of overtime by department head.
  - b. Revision to emphasize hourly status of non-exempt employees.

Councilman Friedman moved that the Council adopt a resolution amending the City of Austin Personnel Policies as afore-mentioned due to implementation of the Fair Labor Standards Act. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

#### CHANGE ORDER

Councilman Handcox moved that the Council adopt a resolution approving a Change Order in the amount of \$7,500.00 to Contract Number 74-Db-117 (C.I.P. Project No. 7014 1), Bullard Drive Storm Drain. 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, Mayor Butler

#### MODIFICATION OF TRANSIT ROUTES

It was noted that the Council had before it for consideration the modification of transit routes. Mr. Joe Ternus, Urban Transportation Director, reviewed this by noting that about three weeks ago when this had originally been brought before the Council, the Department was requested to study this to see if adjustments could be made. He noted that after reviewing the needs of those who appeared, it was determined that they could accommodate the needs of the Austin State School students participating in their current program of "Night College," which is held at 29th and San Gabriel Streets, by retaining one of the



two runs originally recommended for deletion from this route. He noted that the State School and the AARC concurred with this.

He did not feel that they could satisfy the needs of the other citizens in connection with routes serving campuses of Austin Community College.

Councilman Lebermann moved that the Council adopt a resolution modifying the transit routes by changing the Balcones/Chicon route to accommodate Austin State School. The motion, seconded by Councilman Handcox, carried by the following vote:

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

#### CONTRACTS AWARDED

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

THOMAS BROTHERS CONSTRUCTION COMPANY 3400 East First Street Austin, Texas	- For construction of Electric Ductlines and Concrete Founda- tions at Ili-Cross Substation - \$32,468.18
--	--

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

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

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

WESTINGHOUSE ELECTRIC SUPPLY 9230 Research Boulevard Austin, Texas	- Three 500 KVA Transformers, Electric Department, Item 1 - \$2,151.00 ea, Total - \$6,453.00 (subject to escalation)
--	---

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

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

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

BECKMAN INSTRUMENTS  
2600 Stemmons Freeway  
Dallas, Texas

- Beckman Bio Gamma Radiation  
Counting System for Brackenridge  
Hospital Laboratory.  
Item 1 - \$9,700.00

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

Ayes: Councilmen Dryden, Handcox, Lebermann, Binder

Noes: None

Absent: Mayor Butler, Mayor Pro Tem Love

Not in Council Chamber when roll was called: Councilman Friedman

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

Bid Award:

- Air Compressors, Vehicle and  
Equipment Services Department.

WEHRING-GROSS EQUIPMENT  
I. H. 35 & Weidner Road  
San Antonio, Texas

- Item 1 - 2 ea. @ \$4,808.75  
2 - 10 ea. @ \$4,303.75  
Total - \$52,655.00

CENTRAL TEXAS EQUIPMENT CO.  
127 East Riverside  
Austin, Texas

- Item 3 - 1 ea. @ \$11,079.50  
4 - 1 ea. @ \$10,859.40  
Total - \$21,938.90

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

Ayes: Councilmen Dryden, Handcox, Lebermann, Binder

Noes: None

Absent: Mayor Butler, Mayor Pro Tem Love

Not in Council Chamber when roll was called: Councilman Friedman

#### PROFESSIONAL ENGINEERING SERVICES

It was noted that the Council had before it the selection of professional engineering services for a project at the Municipal Airport. Mr. Reed noted that this would involve enlarging the parking area near the new terminal building.

#### Motion

Councilman Handcox moved that the Council select the firm of Kenneth J. Cunningham for professional engineering services for the following 1974 Capital Improvements Program Project for the Aviation Department: Councilman Binder seconded the motion:

Airport Apron Fillet Improvement, Robert Mueller Municipal  
Airport. (C.I.P. Project No. 8120 0)

It was noted that the firm of Forrest & Cotton, Inc., had been the staff's first recommendation in that work was presently being done. Councilman

Lebermann felt that it would make sense. Mr. Reed noted that it could be handled separately if the Council desired; however, he mentioned that the Council had awarded Forrest & Cotton a contract, and funds would not be available to complete the project. He noted that it had been recommended in that the work was closely related, and they would not receive the full fee.

Roll Call on Motion

Councilman Handcox moved the Council adopt a resolution selecting the firm of KENNETH J. CUNNINGHAM for the afore-mentioned. The motion, seconded by Councilman Binder, carried by the following vote:

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

CONTRACT IN ACCORDANCE WITH BUDGETARY ACTION

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to enter into a contract with the following agency in accordance with an appropriation approved September 19, 1974:

<u>Agency</u>	<u>Contract Term</u>	<u>Allocation</u>
Austin Child Guidance	Oct. 1, 1974 - Sept. 30, 1975	\$45,738

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

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

CONTRACT CONCERNING TELEPHONE SYSTEM AT HOSPITAL

The Council had before it for consideration a contract with Southwestern Bell Telephone to upgrade and modernize the telephone system at Brackenridge Hospital. Councilman Dryden commented that this would increase the monthly bill by \$568.00 and wanted to know when this would be due. Mr. Will Brown, Hospital Administrator, noted that it probably would not be due until the system was installed and added that this was probably 32 weeks down the road.

Mr. Reed also noted that billing would not start until the equipment was installed. The City Attorney reiterated Mr. Reed's remark and pointed out that there was nothing in the contract that indicated when completion date would be but suggested that there be some date set.

Councilman Lebermann moved that the Council adopt a resolution authorizing the City Manager to enter into a contract with Southwestern Bell Telephone Company to upgrade and modernize the telephone system at Brackenridge Hospital subject to the City Attorney's meeting with the Company to work out a date. The motion, seconded by Councilman Dryden, carried by the following vote:

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

#### AGREEMENT FOR TROPHY ROOM ADDITION

Councilman Handcox moved that the Council adopt a resolution authorizing the City Manager to enter into an agreement with the Austin Independent School District for construction of a trophy room addition to Doris Miller Auditorium. The motion, seconded by Councilman Friedman, carried by the following vote:

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

#### COUNCIL ON YOUTH AFFAIRS

Councilman Lebermann moved that the Council adopt a resolution establishing a Council on Youth Affairs. 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, Mayor Butler

#### APPEARANCE BEFORE COUNCIL BY SER

Ms. Annabelle Valle, Project Director of SER, had requested to appear before the Council for a brief presentation; however, MR. GABE GUTIERREZ appeared in her stead and noted that he had been retained by LULAC, one of the co-sponsors of SER national and SER local. He then introduced Mr. JORGE GUERRA, representing the American GI Forum in Austin, another co-sponsor of SER.

Mr. Guerra reviewed the relationship of the national, state, and local units of the GI Forum with the national and statewide programs innovated and developed with special assistance of professionals to meet special and unique needs of Spanish-speaking people. He stated that they did not want to look at the possibility of Austin's being reported as the only city in Texas that could not find a way to operate the SER program without appropriate and reasonable justification. He noted that it was important that their chapter make a report to their district convention, their Texas convention, and possibly the national convention.

He submitted that SER helped people to help themselves and felt that it had proven its effectiveness to the extent that it has been funded in 64 cities with 10 being in Texas. He also felt it was ironic that the number one SER program in efficiency and performance (Austin's SER program) had not yet been funded. He requested the Council's unanimous vote for funding so as to leave no doubt of the Council's sincerity in this matter. In conclusion, he stated that they were willing to discuss any situations that had not been discussed so they would not have to send a report that would reveal the real situations for which Austin would be a national exception when it came to funding SER.

Mr. Gutierrez pointed out that on July 25, 1974, a resolution was passed by the Council which stated that the City develop a program taking \$1.2 million that the City had to expend in Manpower services and have that broken up to show that the SER funds would come from the lump sum and that the rural counties would remain intact. He submitted that their position was that the City was an individual member of the Consortium, had adopted the funding of SER by resolution was the administrative arm of the Consortium, and had the powers as set out in the Consortium agreement. He noted that those powers of the administrative arm included the following:

1. The power to enter into contracts and subcontracts and other necessary agreements to receive and expend funds.
2. To employ personnel to organize and train staff.
3. To develop procedure for program planning operation, assessment, and physical management of the program.
4. To evaluate the program performance and to determine the resulting need.
5. To modify the grant agreement with the Department of Labor.

He suggested that any individual Consortium member that wanted to modify its own program, that would not effect monetarily or programmatically any other Consortium member, should have the right to go to the administrative arm and request a modification of their individual program; and the administrative arm would make that request to the Department of Labor.

He suggested that the Council had the legal right to change Austin's own program and requested that the City "put its administrative arm hat on" and approve that the request be submitted to the Department of Labor for their approval. He did not believe that the law provided that the City submit a modification of its CETA program back to the individual Consortium members in that this would be a violation of the voters' rights of this County. He requested that SER be funded from December 1, 1974, through the end of the fiscal year, which would be the last day of June.

Mr. Gutierrez mentioned that Congressman Pickle had made it known through his representative, Mr. Reg Todd, that he was still very much in favor of this program.

Mr. Reed noted that he had distributed copies of a report giving the current status of the SER request for funding.

In response to Councilman Friedman's question, Mr. Jan Kubicek, Assistant City Attorney, thought the only viable option the Council had today was to refer the proposal by motion to the Executive Committee for its recommendation back to the Consortium. Mr. Kubicek did not know what the Department of Labor's thinking was on this; but he suggested that when the City entered into a Consortium agreement, under the regulations that make the funds available to the City, and then the Council opted to go the Consortium approach, this might raise some questions.

There was discussion as to the legality of the method requested, and Councilman Friedman felt that it was the intent of the CETA that local agencies have an opportunity to use the money for their best interests even though it is allocated originally by the Consortium.

In response to Councilman Binder's question, Mr. Kubicek stated that the Department of Labor authorized the costs that were eligible in a program after the Consortium gets together and submits the program for funding; then costs are incurred, and reimbursement is obtained. Mr. Kubicek commented that the Council would be ill-advised to approve a program proposal for funding when the CETA regulations provided that the prime sponsor make it.

Mr. Gutierrez felt that it was unconstitutional that the City had a 51 percent voting power in the Executive Committee with the percentage of population that the City contributed to the Consortium itself. He felt that individual Consortium members at a meeting had a right to object to the allocation of money.

It was noted that copies of letters from Llano County and Fayette County had been distributed by SER. Mr. Kubicek noted that the letter from Llano County, signed by County Judge Moore Johanson, indicated that a letter be written to the Capital Area Consortium denying SER's request and suggested that the City of Austin do as it pleased, after Manpower monies were divided among counties of the Consortium. He felt that two things were involved:

1. A time problem in terms of remoteness to the original motion that had been made. He submitted that some time had certainly passed and that it effected funding.
2. He was not satisfied with the approach that appeared to be manifested in both the letters. He could not read these motions to clearly and unequivocally give him confidence to tell the Council that the decision was over with at the Consortia level.

Councilman Friedman wanted to know who was going to object if the City said they were going to spend the money to fund SER. He did not believe the Department of Labor would object.

There was discussion as to what the motion should be, and MR. MARCEL ROCHA, member of the Executive Committee, noted that they had approved this at least on one occasion. In response to Councilman Binder's question, MR. JIM MILLER, Chairman of the Consortium Executive Committee, stated that they could get the Committee together next week; and they could request that the nine Commissioners' Courts convene in a special meeting.

#### Motion and Amendment

After extensive discussion:

1. Councilman Handcox moved that the Executive Committee of the Consortium be called together; the allocation in total amount for funding SER be from the City of Austin's urban share; there need not be any further referral to the City Council to the extent that the Council accedes to the fund coming from their portion of it; the Executive Committee be urged to immediately and forthwith recommend to the Consortium to consider and approve this and take action as soon as possible.

2. Councilman Handcox accepted an amendment to his motion by Councilman Friedman that the Council also instruct the staff to submit to the Department of Labor a modification of the City's Consortium agreement for the program period beginning December 1, 1974, through the end of the funding year to fund SER in the amount of \$127,000.

The motion, with the accepted amendment, was seconded by Councilman Lebermann and carried by the following vote:

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

Councilman Friedman left the Council Chamber at this point.

#### WITHDRAWAL OF APPEARANCE CONCERNING WATER AND WASTEWATER RATES

It was noted that Mrs. Janet Klotz withdrew her request to appear before the Council concerning water and wastewater rates of Austin.

#### APPEARANCE CONCERNING NARCOTICS LAWS

Mr. Louis Davis appeared before the Council and spoke against the decriminalization of the narcotics law. He was informed that only the Texas Legislature had the authority to control this.

#### ORDINANCE CONCERNING IMPROVEMENTS

The ordinance declaring the necessity for and ordering improvements to Henderson Street and West 9th and 10th Streets, Contract Number 74-Pa-139, consisting of three units covering approximately six blocks was not considered.

#### ZONING ORDINANCE

Councilman Dryden brought up the following ordinance for its first reading:

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:

A 3.72 ACRE TRACT OF LAND, LOCALLY KNOWN AS 210 EAST ST, ELMO ROAD, 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. (Odas Jung, C14-70-001)

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

Ayes: Councilmen Handcox, Lebermann, Binder, Dryden

Noes: None

Absent: Mayor Butler, Mayor Pro Tem Love, Councilman Friedman

Councilman Dryden announced that the ordinance had passed through the first reading only.

#### ORDINANCE TRANSFERRING FUNDS

Councilman Dryden brought up the following ordinance for its first reading:

AN ORDINANCE AMENDING ORDINANCE NO. 740919-B, ANNUAL BUDGET ORDINANCE FOR FISCAL YEAR 1974-1975, BY TRANSFERRING APPROPRIATED BRACKENRIDGE HOSPITAL ACCOUNT FUNDS TO LIBRARY ACCOUNTS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Handcox, Lebermann, Binder, Dryden

Noes: None

Absent: Mayor Butler, Mayor Pro Tem Love, Councilmen Friedman

Councilman Dryden announced that the ordinance had passed through the first reading only.

#### REFUND CONTRACTS

Third reading of Ordinance authorizing the following Refund Contracts was not considered:

FARM & HOME SAVINGS  
ASSOCIATION

- For water and wastewater mains installed in Peppertree Park, Section 3 - \$223,835.10.

WALTER CARRINGTON,  
BUILDER, INC.  
Walter Carrington,  
President

- To purchase water and wastewater mains installed in The Park at Quail Creek, Section 2 - \$47,147.51

#### AMENDMENT TO OPERATING BUDGET

Third reading of Ordinance amending the 1974-75 Operating Budget to provide staff assistance for City Council was postponed until December 12, 1974.

#### ORDINANCE CONCERNING SANITARY SEWER SYSTEM

It was noted that the Council had before it an amendment to an ordinance establishing special procedures for connecting to the sanitary sewer system for residences within the City limits, within 100 feet of a sewer line, but on a



septic tank. Mr. Reed noted that there were a number of people being billed who were not connected to the sewer, and the staff had reviewed this and had submitted their proposal in ordinance form. He pointed out that those who had a line available would be required to connect and would be billed; but because of the hardship posed by the requirement to hook on to a sewer just after the rates have gone up, the ordinance suggested that the City offer to the homeowner the following:

1. If he would be willing to connect to the system before January 1, 1975, the City would provide a tap with no cost.
2. The City would offer the homeowner his choice of (a) cancellation of the separate wastewater service charge through December 31, 1975, or (b) continuation of the charge in the same period coupled with a cash refund of those charges at the time the connection was made.

Councilman Dryden brought up the following ordinance for its first reading:

AN ORDINANCE ESTABLISHING SPECIAL PROCEDURES FOR CONNECTING TO THE WASTEWATER SYSTEM FOR RESIDENCES WITHIN THE CITY LIMITS, WITHIN 100 FEET OF A SEWER LINE, BUT ON A SEPTIC TANK BY AMENDING SECTION 1-I OF ORDINANCE NO. 741003-D AS AMENDED BY ORDINANCE NO. 741114-G; REPEALING ALL ORDINANCES, RESOLUTIONS, AND ORDERS IN CONFLICT HERewith; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Handcox, Lebermann, Binder, Dryden

Noes: None

Absent: Mayor Butler, Mayor Pro Tem Love, Councilman Friedman

Councilman Dryden announced that the ordinance had been passed through its first reading only.

#### EMERGENCY MEDICAL SERVICE INTERIM REPORT

Mr. Reed noted that on November 21, 1974, the staff had been requested to report on the Emergency Medical Service System and had been asked to consider amending the contract with Austin Ambulance Company to permit the acquisition of certain equipment and possibly the initiation of the Emergency Medical Service system at an earlier date. He indicated that this week they were only reporting on one point. They recommended that the Council authorize today the amendment of the contract with Austin Ambulance to authorize them to acquire four units of equipment that would comply with all City and Urban Transportation Department's specifications for EMS vehicles, with a depreciation schedule mutually agreed upon and with the depreciation to be charged into the expense of operation for the year ending December 31, 1975, and with the undepreciated amount to be an obligation of the City at the time of termination of the contract on December 31, 1975.

Councilman Lebermann moved that the Council accept the interim report and authorize the amendment of the contract with Austin Ambulance Company as afore-mentioned. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Lebermann, Binder, Dryden, Handcox

Noes: None

Absent: Mayor Butler, Mayor Pro Tem Love, Councilman Friedman

WITHDRAWAL OF CONSIDERATION OF NAMING FACILITIES

The following items were withdrawn:

1. Consider name for Branch Library in Northwest Hills.
2. Consider name for Learning Resources Center.


ADJOURNMENT

The Council adjourned at 5:10 p.m.

APPROVED

  
Mayor

ATTEST:



City Clerk