

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 24, 1974  
7:00 P.M.Electric Auditorium  
301 West Avenue

-----

The meeting was called to order with Mayor Butler presiding.

## Roll Call:

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

Absent: Councilman Binder

The Invocation was delivered by FATHER RICHARD McCABE, Catholic Charities.

## CITY HALL LAND ACQUISITION

Mayor Butler announced that the Council had been in an Executive Session since 5:00 P.M. and wanted to announce some various nominations and to take action on the various items that were discussed.

Mayor Pro-tem Love indicated that a request had been made through the Manager's office to investigate the possibilities of relocating the administrative offices of the Municipal government.

Mr. Homer Reed, Deputy City Manager, reported that a number of in-depth inquiries and studies had been made for possible locations and that they included all of the sites of City-owned property around Town Lake as well as some other sites in the downtown area. The Planning Department with the assistance of the Property Management Department and the Construction Engineering Department prepared this study. Of the sites recommended, one met the need for some immediate office space. With this in mind, the City staff made a final recommendation to the Council. Mr. Joe Morahan, Property Management Department, pointed out the preferred site on a map.

In view of the realization of desperately needed space and to eliminate as much leased activity by the City as possible and a savings of \$187,000 per year, Mayor Pro-tem Love moved that the Council:

1. Approve the contract with Reuben H. Johnson Company as presented by the City staff for acquisition of certain property bounded by West 1st, Lavaca, Guadalupe, and West 2nd, and the southeast one-quarter of the block northerly across West 2nd (all of Lots 1 through 12, Block 3, Original City of Austin, plus the vacated alley therein and all vacated parts of streets adjacent thereto; and all of Lots 4, 5, and 6, Block 21, Original City of Austin) such property to be used for housing municipal facilities.
2. Authorize and direct the staff to commence acquisition of other adjacent properties identified as Tracts 1 through 7 on the plat exhibited to the Council and made a part hereof, such property to be used for future expansion of municipal facilities.
3. Approve that such acquisition be financed from current CIP appropriations, currently appropriated Revenue Sharing funds, and certificates of obligation to be issued as necessary.

Mayor Butler stated that by purchasing this property it would protect the City's most valuable asset, the Town Lake frontage in that area. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

#### MONTOPOLIS COMMUNITY CENTER

Mayor Pro-tem Love moved that the Council approve that the City of Austin acquire by contract Montopolis Community Center at the purchase price stipulated at \$150,000. (2.55 and 5.06 acres of land, same being out of and a part of that certain 74.78 acre tract of land out of the Santiago Del Valle Grant which was conveyed to Most Reverend L. J. Reicher, Bishop of Austin, by warranty deed dated October 29, 1962, of record in volume 2526 at Page 525 of the Deed Records of Travis County, Texas). It was pointed out that the City would be saving some \$20,000 in grant for playground development from the Bureau of Outdoor Recreation.

Councilman Lebermann seconded the motion, making the following statement for the record:

"I think it is important to note that in the purchase of this excellent facility, even though additional things will have to be done to it to bring it to standard, as we would have it be, that it will be available to the people on a continuing basis; and I think that was really the genesis of our judgment in this instance."

The motion carried by the following vote:

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

#### APPOINTMENTS

Mayor Butler announced that several appointments were discussed in the Executive Session and were now before the Council for action.

##### Zoning Board of Adjustment

Councilman Handcox moved that the Council appoint the following members to the Zoning Board of Adjustment:

Mr. Frank Hoagland	Mr. Raymond Brown - alternate
Mr. Odie D. Kendricks	Mr. Desmond Kidd - alternate
Mr. Robert E. Kelly	

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

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

Noes: None  
Absent: Councilman Binder

##### Citizens Board of Natural Resources and Environmental Quality

Councilman Friedman moved that the Council appoint the following members to the Citizens Board of Natural Resources and Environmental Quality:

Mr. Eugene Wukasch	Mr. George Slaughter
Mr. Elbert Hooper	Mr. S. A. Garza
Mr. Larry Springer	Mrs. Margaret Hofmann
Mr. Ramiro Diaz	Mr. Don Walden

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

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

Brackenridge Hospital Advisory Board

Councilman Lebermann moved that the Council appoint the following member to the Brackenridge Hospital Advisory Board:

Mrs. Olga Bredt

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

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

Noes: None

Absent: Councilman Binder

Board of Trustees of the  
Mental Health-Mental Retardation Board

Councilman Dryden moved that the Council appoint the following members to the Board of Trustees of the Mental Health-Mental Retardation Board:

Mrs. Kay Bunce

Dr. Richard Alexander

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

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

Noes: None

Absent: Councilman Binder

RECOGNITION

The Mayor read resolutions commending retiring City Employees of the Austin Fire Department for their faithful and loyal services and presented the resolutions signed by all Council members and the Mayor to the following:

Deputy Chief Curtis Wilbur Rowland  
Captain Roy Helmer Storm  
Lieutenant William Oscar Lane  
Lieutenant Billie Emial Schmidt  
Section Chief Henry James Polvado  
Section Chief Arthur Frank Schriber  
Section Chief Silas J. Foster  
Fire Specialist Jack Randolph Williams  
Hoseman Ralph Calvin Fullerton  
Hoseman Silar Steen Smith, Jr.

Fire Chief Ed. S. Kirkham recognized the retiring employees and their wives.

## CERTIFICATE OF COMMENDATION

Mayor Butler announced that his executive assistant, Mr. Hector DeLeon, would be taking on a new position as a practicing attorney for the State Board of Insurance. The Mayor wished Mr. DeLeon well and presented him with a Certificate of Commendation for his service to the City. Mr. DeLeon expressed his gratitude for having been able to serve the Mayor and the City of Austin.

## SCHOOL CROSSING GUARDS

Mrs. Wilhelmina Delco, Austin School Board, expressed her appreciation for having the opportunity to appear before the Council and apologized for having to leave to attend a Teachers' Consultation Meeting. Mrs. Delco indicated there were increasing numbers of problems with school crossing guards going to school earlier in the dark. She submitted to the Council a written report containing a list of possible suggestions - among them, installation of traffic lights, additional flashers, speed limits, and stop signs. She urged the Council to give this matter highest priority and use whatever funds are available. The Council requested the City Manager submit a report on January 31, 1974.

## RESCHEDULE MEETINGS

It was suggested that the Council meetings be rescheduled from 7:00 P.M. to 1:00 P.M. effective February 14, 1974. Mayor Pro-tem Love moved that the request be brought back before the Council on January 31, 1974, in ordinance form. 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  
Absent: Councilman Binder

## APPROVAL OF MINUTES

Councilman Friedman moved that the Council approve the Special Meeting Minutes of January 15, 1974, the Regular Meeting Minutes of January 17, 1974, and the Special Meeting Minutes of January 24, 1974, 10:30 A.M. The motion, seconded by Councilman Dryden, carried by the following vote:

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

## SALE OF BONDS

Mayor Butler announced that in a special Council Meeting this morning at 10:30 A.M., the City had sold \$21,000,000 in bonds, had received an extremely attractive rate on these bonds, and had saved \$900,000 for the citizens of Austin.

## VACATING STREET - PUBLIC HEARING

Mayor Butler opened the public hearing on vacating the following street:

MUELLER AVENUE, from Bull Creek Road to Mo-Pac  
Boulevard (requested by the Legal Department of  
the City of Austin)

No one appeared to be heard. Mayor Butler introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT  
CERTAIN PORTION OF MUELLER AVENUE, IN THE CITY OF  
AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT  
IN THE CITY FOR PUBLIC UTILITY PURPOSES; SUSPENDING  
THE RULE REQUIRING THE READING OF AN ORDINANCE ON  
THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Friedman moved the Council close the public hearing, 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: Mayor Pro-tem Love, Councilmen Dryden, Friedman, Handcox,  
Lebermann, Mayor Butler

Noes: None

Absent: Councilman Binder

The Mayor announced that the ordinance had been finally passed.

## ENERGY CONSERVATION COMMISSION

Mayor Pro-tem Love moved the Council approve the nominations for the 21-member Board to serve on the Energy Conservation Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Noes: None

Absent: Councilman Binder

## ISAAC PEREZ APPEAL POSTPONED

Upon the request of the applicant, the appeal from the decision of the Electrical Board regarding Master Electrician License for Isaac Perez was postponed. The applicant to reschedule a new date for this appeal.

## HEARING ON AMENDMENT TO AUSTIN DEVELOPMENT PLAN

Mayor Butler opened the public hearing on the amendments to the Austin Development Plan. Councilman Handcox moved that the Council close the public hearing and adopt a resolution on the amendment to the Austin Development Plan as follows:

An area of approximately 39 acres requested by the Austin Housing Authority, plus an additional area of 15 acres, for a change in the land use designation from Medium Density Residential and Commercial Service and Semi-Industrial to Manufacturing and Related Uses. The request is located in east Austin south of Bolm Road, east of Gardner Road and west of Ed Bluestein Boulevard. C2-73-1(k).

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

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

Councilman Friedman moved the Council close the public hearing and adopt a resolution on the amendment to the Austin Development Plan as follows subject to the approval of waste discharge by appropriate City and State agencies:

An area of approximately 4 acres requested by Mr. Robert Shapard for a change in the land use designation from Suburban Residential to Manufacturing and Related Uses. The request is located in the bend of the Colorado River north of Fallwell Lane in Southeast Austin #71 and one and one-half miles east of F.M. 973. C2-73-1(L).

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  
Absent: Councilman Binder

## ANNEXATION HEARING

Mayor Butler opened the public hearing scheduled for 7:00 P.M. on the following annexation. During the hearing Mr. Dick Lillie, Director of the Planning Department, reviewed the proposed annexation indicating that the area in Tract 1 would be serviced by 1976; and upon annexation, police and fire protection would be available. He urged the Council to take all tracts into consideration. Mr. Curtis Johnson, Director of Water and Wastewater, spoke in reference to Tract 4 and indicated wastewater facilities would be available by late 1976 through the Boggy Creek Main.

Total of 1,145.99 acres of land out of the WILLIAM CANNON LEAGUE and SANTIAGO DEL VALLE GRANT:

1. Tract 1: 569.00 acres of land out of the William Cannon League and the Santiago Del Valle Grant - Circle S Ridge; Resubdivision of Lot 21 and north part of Lot 22, Block B, Circle S Ridge, Section One, Davis and Puryear Addition; R. O. Davis Addition; LaFuente Subdivision; L. I. Powell, Subdivision, San Antonio Road Addition; Resubdivision of Lots 5, 6, 7, 8, 9, 10 and 11, Block E, and Lots 1 and 7, Block F, San Antonio Road Addition; San Antonio Road Addition, Section 3; Annie E. Shackelford Subdivision and unplatted land; and portions Circle S Road, East Dittmar Road, Corral Lane, Chaparral Road, Bluff Springs Road, Old Crow Lane, Little Texas Lane and Goodnight Lane. (initiated by City of Austin)

Mr. John Tyler, representing John Roberts, Inc., requested that the City limit its annexation in Tract 1. He stated that his organization would be amiable to take another look at the situation in a few years, at which time the growth of the City and the requirements of the businesses and residents of the area might indicate that annexation would be desirable at that time.

Mrs. Joyce Blumeyer, resident in Tract 1, filed a petition signed by property owners in the tract opposing annexation. She felt that services would not be available for a number of years.

Mr. Robert Pryor, Tract 1, stated that part of the line would not take care of the houses because of the shallow depth.

Mr. Tommie Haffelder, North Bluff Drive, stated that he had run a private line and wondered how long it would be before he could get a water tie-in.

2. Tract 2: 99.62 acres of land out of the William Cannon League - unplatted land. (initiated by City of Austin)

No one spoke for or against this tract.

3. Tract 3: 50.83 acres of land out of the William Cannon League:
  - a. 26.25 acres of land - Beaconridge I. (requested by Bryant-Curington, Inc., as agent for the owner, Fawnridge Development Company)
  - b. 24.58 acres of land - portions of South First Addition Section One, Austin Independent School District tract of land and unplatted land; and portions of South First Street, Dittmar Road, Mairo Street and Blue Valley Drive. (initiated by City of Austin)



Mr. Woodrow Sledge, representing School District, spoke on behalf of Tract 3 indicating that plans for a proposed scholastic site had been drawn and strongly urged the annexation.

4. Tract 4: 426.54 acres of land out of the William Cannon League - Damon A., Almeta S. Richter Kuyus Subdivision; Mattie M. Marx Subdivision; a Resubdivision of Lot 1 of a Resubdivision of a portion of R. A. Nowlin's Subdivision; Swanson's Gardens and Wattinger Acres; and portions of South First Street; Slaughter Lane, Peaceful Hill Road, South Congress Avenue, Dittmar Road, Mairo Street and Blue Valley Drive and unplatted land. (initiated by City of Austin)

Mr. Tuttle, representing 64 property owners in Tract 4, filed a petition with 55 signatures opposing annexation indicating that no benefit would be derived from the annexation. He requested that the City take only that portion necessary to accomplish a specific purpose. He questioned the owners' ability to keep their animals.

Mr. Fred Orr, resident in Tract 4, opposed the annexation. He wondered how a sewer would be run to the various small lots within the tract.

Councilman Lebermann moved the Council close the hearing and schedule action on this annexation for February 7, 1974. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Absent: Councilman Binder

#### RELEASE OF EASEMENTS

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

The east 246.40 feet of the west 253.94 feet of the seven and one-half (7.50) foot public utilities easement along the south line of Lot 11-C FIRST RESUBDIVISION OF COLORADO HILLS ESTATES, SECTION FIVE, save and except a five (5.00) foot by thirty (30.00) foot area at the east end of said strip and the east 246.40 feet of the west 253.94 feet of the seven and one-half (7.50) foot public utilities easement along the north line of Lot 11-D, SECOND RESUBDIVISION of COLORADO HILLS ESTATES, SECTION FIVE. (requested by owner, Joe R. Dobson)

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

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

Noes: None

Absent: Councilman Binder

#### CONTRACTS AWARDED

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

WILSON FOREMAN  
2114 Buell  
Austin, Texas

- For drainage improvements in Northgate Terrace, Section II, consisting of a reinforced concrete pipe culvert (3-36") in Rundberg Lane - \$4,667.01 (Capital Improvements Program Project No. 6541 4)

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

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

Noes: None

Absent: Councilman Binder

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

MANNING ENVIRONMENTAL CORP.  
112-Dokota Avenue  
Santa Cruz, California

- Portable Liquid Level Recording Meters. Bid Item No. 1; 4 ea. @ \$1,366.00 Total - \$5,464.00

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

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

Noes: None

Absent: Councilman Binder

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

HARRIS CONTROLS, DIVISION OF  
HARRIS-INTERTYPE CORPORATION  
2140 Troutman Boulevard  
Palm Bay, Florida

- PC Cards and Interposing Relay  
Assembly

<u>Bid Item</u>	<u>Quantity</u>	<u>Unit Price</u>
1	19	\$ 60.00
2	19	80.00
3	5	75.00
4	14	81.00
5	14	146.00
6	9	73.00
Total -		\$6,870.00

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

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

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

AUSTIN MOTORCYCLE CO., INC.	- 12 Each Police Motorcycles
1611 Guadalupe	Bid Item 1; 12 ea. @ \$2,907.00
Austin, Texas	Total - \$34,884.00

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

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

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

THE MONROE COMPANY	- Tables - Auditorium
316 North Walnut	Bid Item 1; \$29.95 ea. - \$5,990.00
Colfax, Iowa	

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

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

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

CLARIN CORPORATION  
4640 West Harrison Street  
Chicago, Illinois

- Metal Folding Chairs - Auditorium  
Bid Item 1; 500 ea. @ \$ 7.50  
Bid Item 2; 14 ea. @ \$130.00  
Total - \$6,186.00

The bids on the tables and chairs were not the low bids, and discussion of the specifications was held.

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

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

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

Miscellaneous Legacy of Parks Projects:

JOE BADGETT CONSTRUCTION  
COMPANY  
P. O. Box 9401  
Austin, Texas

- For Base Bid "A", Buildings and  
Electrical Work - \$239,358.00

AUSTIN ROAD COMPANY  
P. O. Box 9158  
Austin, Texas

- For Base Bid "B", Roads, Parking  
Areas, Backstops & Fencing -  
\$201,725.41

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

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

#### CAPITAL IMPROVEMENTS PROGRAM PROJECT

Councilman Lebermann moved that the Council select William Sherman Company, 305 Mission Street, San Raphael, California, for an estimated fee of \$6,000 in connection with the following 1974 Capital Improvements Program Project for the Parks & Recreation Department:

Golf Facilities Study and Development Plan City of Austin and  
Environs - Capital Improvements Program Project No. 8625 1.

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

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

#### BRACKENRIDGE URBAN RENEWAL PLAN

Councilman Friedman moved that the Council adopt a resolution modifying Brackenridge Urban Renewal Plan to allow an additional three feet in height for each foot of setback in "B-2" Commercial District to conform with the requirements set forth in the "C" Commercial 4th Height and Area zoning district. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

#### ACQUISITION OF ELECTRIC TRANSMISSION LINE EASEMENT

Councilman Handcox moved that the Council adopt a resolution authorizing acquisition of an electric 138 KV transmission line easement in the Jose Antonio Navarro Grant and Noel M. Brain No. 1 Survey. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

#### SPECIAL COURSE OF INSTRUCTION

Councilman Handcox moved that the Council adopt a resolution authorizing application to the Criminal Justice Council for funding of a special course of instruction, "Conversational Spanish for Police Officer," for the City of Austin Police cadets and officers. Total cost for program for a two-year period is \$21,072 and is 100% provided by the Criminal Justice Council. The motion, seconded by Councilman Dryden, carried by the following vote:

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

#### GOVERNOR'S COMMITTEE ON AGING

Councilman Lebermann moved that the Council adopt a resolution authorizing the acceptance of a grant from the Governor's Committee on Aging for operation of the Austin Telephone Reassurance Service for the Elderly. Total cost \$15,142; Federal Funding \$9,084 and Local In-Kind Service \$6,058. January 1, 1974 - December 31, 1974. The motion, seconded by Councilman Friedman, carried by the following vote:

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

#### CONTRACT FOR PROBATION SERVICES

Councilman Friedman moved that the Council adopt a resolution authorizing a contract between the City of Austin and the Austin Rehabilitation Center for Probation Services. Total funding \$69,528; City of Austin \$28,022 and County Funding \$41,506. January 1, 1974 - December 31, 1974. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

#### PLANNED PARENTHOOD

Councilman Friedman moved that the Council adopt a resolution authorizing Planned Parenthood, a CAA delegate agency, to request permission from the Department of Health, Education and Welfare (HEW) to become a Limited Purpose Agency (LPA). Current aggregate funding level for Planned Parenthood is \$46,049, of which \$41,321 is the Federal HEW grant share; and \$4,728 is In-Kind share. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

#### CHILD, INC.

Councilman Friedman moved that the Council adopt a resolution authorizing Child, Inc., a CAA delegate agency, to request permission from the Department of Health, Education and Welfare - Office of Child Development (HEW-OCD) - to become a Limited Purpose Agency (LPA). Current aggregate funding for Child, Inc., is \$1,244,765; Federal HEW-OCD \$988,192 and \$256,573 In-Kind share. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

## CASH SETTLEMENTS

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

IRA LON MORGAN & EUGENE HADDAD - For 60%/40% cash settlement for wastewater mains installed in H & M Subdivision. Total cost \$5,878.95. City's cost @ 60% - \$3,527.37. Owner's cost @ 40% - \$2,351.58.

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

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

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

CLARENCE FLOURNOY - For 60%/40% cash settlement in lieu of refund contract for water and wastewater mains installed in Flournoy Heights, Section 5, Total cost \$4,121.88 City's cost @ 60% - \$2,473.13. Owner's cost @ 40% - \$1,648.75.

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

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

## PAYMENT OF COST DIFFERENCE

Councilman Lebermann moved that the Council adopt a resolution authorizing payment to ROY SCHMIDT & C. NOELL RATHER, President of Rather Properties, of the cost difference of 12"/8" water mains in Overmire Warehouse Project - \$11,501.44. The motion, seconded by Mayor Pro-tem Love, carried by the following vote:

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

## APPOINTMENT

The Council rescheduled the appointment of Municipal Court Judges for January 31, 1974.

## FINANCIAL ADVISORY SERVICE

Mayor Pro-tem Love moved that the Council select the First Southwest Corporation as Financial Advisory Service for the sale of authorized bonds. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

## BOND COUNSEL

Councilman Friedman moved that the Council select as Bond Counsel with Co-Counsel for the sale of authorized bonds Dumas, Huguenin, Boothman & Morrow of Dallas and Clark, Thomas, Denius, Winters & Shapiro of Austin. The motion, seconded by Councilman Handcox, carried by the following vote:

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

## DRIVING RANGE

After discussion as to the competitive impact on private enterprise, Mayor Pro-tem Love moved that the Council deny the authorization of a contract with Joe Balander for operation of a Driving Range at JIMMY CLAY GOLF COURSE. The motion, seconded by Councilman Dryden, carried by the following vote:

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

## BOY SCOUTS OF AMERICA

Mr. Roger Wines, Committeeman to the Explorers of the Capitol Area Council, Boy Scouts of America, appeared before the Council and requested use of Fiesta Gardens and Festival Beach for a week-end activity on May 10, 11, and 12, 1974, at no cost and requested the Council issue the necessary permits to run power boats with horsepower ratings in excess of the established limits for a controlled number of boats. It was pointed out in discussion that there would be a maximum of 6 boats not in excess of 100 horsepower, the events would be skiing and ski jumping on Saturday, and there would be a nominal fee to cover expenses only. Mr. Jack Robinson, Director Parks and Recreation, indicated his approval of the requests.

Councilman Lebermann moved that the Council grant the requests as stated. The motion, seconded by Councilman Handcox, carried by the following vote:



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

Billy Yem, Chairman of Explorers' President Association, thanked the Council for approval of the requests and invited them to view the festivities that week-end.

#### POLICE MALTREATMENT

Mr. Gabriel Gutierrez, Jr., Attorney for Mr. and Mrs. Fabian Villanueva and son, appeared before the Council to discuss an alleged complaint of police maltreatment they suffered on December 26, 1973, by two police officers. Mrs. Villanueva indicated that her paralyzed husband, her 16-year-old son, and herself were travelling East on Ben White Boulevard, when their car was stopped for burned out tail lights. She complained of the offensive language and physical abuse and stated that she and her son were handcuffed and taken to jail where her son was later taken to a juvenile home. Her husband had been taken home. In closing, she requested the dismissal of the two officers.

Mr. Norman Joseph Swift stated he had experienced a similar situation and submitted a petition requesting the police be taught more human relations.

After discussion, it was decided that Mr. and Mrs. Villanueva and Mr. Gutierrez get with Chief Miles of the Police Department and Mr. Bill Stewart, Human Relations Office, and file a statement of the incident; and they would both investigate the matter and a report would be given. Mr. Swift was also asked to contact Chief Miles and Mr. Stewart.

#### CONSTRUCTION OF NORTHCROSS MALL

Mr. Sam E. Dunnam, IV, Managing Partner in the development of Northcross Mall, appeared before the Council and reported their positive efforts toward energy conservation in design and construction of the Northcross Mall.

#### TRANSIT FARES

Mr. Michael L. Smith, representing Save Austin's Valuable Environment, appeared before the Council to propose a realignment of the transit fares. He submitted the following report:

There is a need for increased rider participation in the Austin Transit Service. S.A.V.E. suggests that the fare be readjusted in order to achieve the greatest number of riders possible. Due to the high cost of riding the Austin Transit System (i.e., thirty cents each way) many citizens of Austin may never have considered the bus as an alternative to private transportation. Now in the face of the Energy Crisis, the Austin Transit System should be presented as an alternative. The City Council can, by taking steps in the right direction, present the City's bus system as this alternative. For this reason S.A.V.E.

is proposing what it sees as the best possible technique for getting people out of their cars and into their City's buses.

We propose that the bus fare be lowered to five cents for the period of one month. This would serve to induce the citizens of Austin to ride the bus, and it would be much cheaper than private transportation. Then every two weeks, raise the fare by five cent increments until the new number of riders times the new fare generates the amount of revenue necessary to cover the cost of maintaining the system as it is presently being maintained.

Since the City is now making provisions for a much needed study of the Austin Transit situation, we propose that this proposal be carried out until the findings of this study have been presented to and acted upon by the Council.

S.A.V.E. does not feel that this will solve Austin's transit problems, but we do feel that this type of program will help in making the public aware of the buses as a viable mode of transportation.

It was decided that Mr. Smith obtain financial expertise from Mr. Joe Ternus, Director of Traffic and Transportation, and Mr. Homer Reed, Deputy City Manager, in preparing more definite figures and submit to the Council January 31, 1974, if possible. Councilman Lebermann offered his assistance in this matter.

#### REFUND CONTRACTS

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

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH AUSTIN CORPORATION, BUCKINGHAM RIDGE DEVELOPMENT COMPANY AND LEON WHITNEY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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 Lebermann, carried by the following vote:

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

## COST DIFFERENCE PAYMENTS

Councilman Handcox moved that the Council adopt a resolution authorizing payment of cost differences as follows:

1. Authorizing payment to Leon Whitney for cost difference of 12"/8" C.I. water main and appurtenances in Northwest Hills Northwest Oaks III - \$4,083.74.
2. Authorizing payment to Austin Corporation, David B. Barrow, President, for cost difference of 12"/8" C.I. main and appurtenances in Northwest Hills Northwest Oaks III - \$630.00.

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

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

## PROBATION SERVICES GRANT

Mayor Butler introduced the following ordinance, transferring General Revenue Sharing funds from the appropriated reserve for Capital Improvements Program and priority items into the Special Services account to provide \$28,022 for the grant awarded to Austin Rehabilitation Center Probation Services:

AN ORDINANCE AMENDING ORDINANCE NO. 730913-G TO  
TRANSFER APPROPRIATED FUNDS FOR CERTAIN PURPOSES;  
SUSPENDING THE RULE REQUIRING THE READING OF  
ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING  
AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

## ZONING ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOT 10, RESUBDIVISION OF NORTH ONE-HALF OF BLOCK 9, OUTLOTS 20 AND 21, PLAINVIEW HEIGHTS, LOCALLY KNOWN AS 1005 EAST 40TH STREET, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE 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. (Ted Everett Jordan & Margaret Dorrough Jordan - C14-73-192)

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

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

The Mayor announced that the ordinance had been finally passed.

## ELECTRIC RATE INCREASE

Upon the request of Councilman Friedman, a report was prepared by the City Manager's office as to the implementation of the recent electric rate increase. This report was requested because of the feelings of some residents of two billing districts. They felt that they were billed for the 17.8% rate increase prior to the time they should have been billed. These two districts were normally billed at the end of the month; but because of the holidays, they received their bills January 2, 1974, reflecting the recent rate increase. Mr. Homer Reed, Deputy City Manager, indicated this was in accordance with the ordinance passed by the Council and any relief would require an amendment to the ordinance. After discussion, it was decided that an explanation would be included in the next bills for the area involved.

## STATUS OF HOSPITAL CONSTRUCTION PROGRAM

Councilman Dryden requested a report from the representatives of the architectural firms working on Brackenridge Hospital's construction, Page-Southerland-Page and Barnes, Landes, Goodman & Youngblood, and from the hospital consultant, Gordon A. Friesen, International, Inc.

Mr. Louis Page explained that because of inflation and the energy crisis, costs had risen. Three estimates had been made. Estimate A, the original program, would be \$9,900,000 over the available funds; Estimate B, with cuts on the nursing tower, would be \$5,396,000 over the available funds; and Estimate C, back figured from the available funds, would include changes in the nursing tower and a cut of about 35% from the ancillary facilities and would come within the budget. However, this would leave an unbalanced hospital. It was pointed out by Councilman Dryden that it should be possible to build a balanced hospital for \$19,000,000 and that changes in the number of beds and in the nursing tower might make it possible to have better ancillary facilities. Councilman Lebermann noted that the last bond issue, for the nuclear plant, barely passed by 700 votes, and that it would be unlikely that another bond issue for the hospital could be passed. It was suggested that some of the extra frills could be omitted and still maintain an excellent hospital. With a reduction in new beds to 216, perhaps some of the older wards could be kept. There was some discussion on enlarging the nursing tower vertically, as compared to a twin-tower concept.

Mr. James Pfluger, Hospital Board Chairman, expressed the desire of the Board to work on this until it met with the Council's satisfaction. He indicated that they would be willing to meet as often as necessary and stated that the design and consultant work was on schedule. He felt that if the Board could have a couple of weeks to get with the Building Committee and with the architects, it could bring back a report on the matter. Mr. Bob Landes, of Barnes, Landes, Goodman & Youngblood, stated that to change to the twin-tower concept, while saving money in construction, would probably hurt the time element. He also stressed that March 1, 1974, would be the completion date on the working drawings and specifications, and there would be a two-month element to take bids, evaluate and hopefully start construction around May 1, 1974. After discussion, it was decided that the Board would come back February 7, 1974, with a report.

#### LIBRARY BUILDING SITE STUDY

Deputy City Manager, Mr. Homer Reed, reported that there was no new additional information to submit on the site but would furnish alternatives on site acquisition for an executive session.

#### ADJOURNMENT

The Council adjourned at 10:50 P.M.

APPROVED

  
Mayor

ATTEST:

  
Acting City Clerk