

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 29, 1973

10:00 A.M.

COUNCIL CHAMBERS, CITY HALL

The meeting was called to order with Mayor Butler presiding.

Roll Call:

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

Absent: Councilman Handcox

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

MINUTES APPROVED

Councilman Nichols moved the Council approve the Minutes of the Regular Meeting of February 8, 1973. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Absent: Councilman Handcox

WEEK OF THE YOUNG CHILD

Mayor Butler proclaimed the week of April 1st through 7th as the "WEEK OF THE YOUNG CHILD". He read the proclamation and urged all residents to take note of this program and the interests being offered throughout the City. Mrs. Ovida Wright, to whom the proclamation was presented, thanked the Council, stating it was hoped this week would cause public awareness of children, their needs and their rights, and encourage people to work more toward the well being of all children.

RECOGNITION

Mayor Pro Tem Love read a resolution signed by the entire City Council recognizing Mrs. Euleta Newman, who had served the citizens of Austin for more than 18 years as a member of the Police Department, and pointing out her dedicated work and her attention to professional expertise has been one of the major factors

for the high regard in which the Austin Police Department is held by the City; expressed that Mrs. Euleta Newman had served the City with honor and distinction and commended her for her services and loyalty for the past 18 years. Assistant Chief Phifer, on behalf of the Austin Police Department, commended Mrs. Newman as having done an exceptional job.

"DRAMA DAY"

Mayor Butler designated May 31st as "DRAMA DAY" as the practice of the Thespian Arts had long been a cultural facet and encouraged all the residents to support these students and attend their activities. Mrs. de Camp received the proclamation, and others were introduced.

STREET AND ALLEY VACATION

Mayor Butler opened the public hearing scheduled for this time on the vacation of certain streets and alleys.

Mr. Frank Varnado, representing the Woolsey Estate who owns the building on 8th and Lavaca, stated there is a lot of congestion in that block west of the building. He objected to the vacating on the basis of congestion and asked that this objection be made a part of the record.

Mayor Butler stated this vacation was requested by Lamar Savings who owns both sides of the alley. The City Attorney explained this was a dedicated alley, but could be abandoned, if it is no longer needed for public use. The City receives a payment from the owners equivalent to roughly the amount of taxes. The Mayor said all Departments had approved the abandonment of this alley. Various Departments of the City as well as the Telephone Company had asked that this alley be retained as a public easement, and this will be done.

Councilman Lebermann stated these transactions should be listed as "abandonment and subsequent sale", which would be a contribution from the adjacent property owners to reimburse the public. In this case, the amount of reimbursement to the City would be \$20,888.60, which has been deposited, plus the \$100 filing fee.

Mayor Butler suggested in the future that the material presented to the Council include this information about vacation of alleys, the adjoining owner purchasing the property, and the price. Also the Council should have a copy of the last tax evaluation so they would have some guide figures.

The City Manager stated the price was determined by one-half of the assessed value of each side of the alley per square foot; the square feet of the alley figured, and that applied to the square foot charge. Mayor Butler wanted that formula a part of the record, if City property were being sold.

Councilman Friedman moved the Council close the hearing. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Mayor Butler introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING CERTAIN CUL-DE-SACS ON SHOAL CREEK BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE 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 Nichols, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF EAST 18TH STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AS EASEMENT IN THE CITY FOR DRAINAGE AND 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 waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF WEST 7TH STREET ALLEY, 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 waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

ANNEXATION HEARING

Mayor Butler opened the public hearing scheduled for this time on the following annexation. No one appeared to participate. Councilman Nichols moved the Council close the hearing and direct the administration to institute annexation proceedings to annex the following:

Total of 10.05 acres out of the Henry P. Hill League:

8.64 acres - GLENCLIFF. (requested by owner's representative)

1.41 acres - portion of HOMEDALE DRIVE and unplatted land.
(initiated by City of Austin)

Total of 68.92 acres out of the Santiago Del Valle Grant:

10.01 acres - unplatted land. (requested by owner)

58.91 acres - portion of INTERSTATE HIGHWAY 35 and
unplatted land. (initiated by City of Austin)

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

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

EASEMENTS RELEASED

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

Four (4) public utilities easements and four (4) drainage
easements out of Lots 12-19, Block T, ALLENDALE ESTATES
SECTION THREE.

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

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

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

Thirteen (13) public utilities easements out of Lot 2, CAMERON ACRES, and Lots 1A, 1B, 1C, 1D, 7A, and 7B, The Resub. of Lots 1 and 7, CAMERON ACRES.

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

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

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

Twenty-Four (24) public utilities easements out of Lots 8 and 9, Block N, Lots 1-17, Block P, and Lot 1, Block Q, NORTHWEST HILLS, NORTHWEST OAKS III.

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

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

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

A down-guy easement out of Lot 11, Block M, NORTHWEST HILLS SECTION EIGHT.

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

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

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

A portion of a drainage easement out of Lot 4, BYRAM ADDITION.

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

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

ANNEXATION HEARING SET

Councilman Nichols moved the Council adopt a resolution setting a public hearing at 10:00 A.M., April 19, 1973, to consider annexing the following:

Total of 244 acres of land, more or less, out of the Santiago Del Valle Grant:

10.68 acres - THE VILLAGE SQUARE. (requested by owner's representative)

28.17 acres - VILLAGE SOUTH PHASE TWO. (requested by owner's representative)

205.0 acres of land, more or less - unplatted land and portions of TERI ROAD and NUCKLES CROSSING ROAD.

21.90 acres of land out of James Mitchell and James Coleman Surveys and the T. J. Chambers Grant - VISTA WEST V and VISTA WEST VI. (requested by owner's representatives)

CASH SETTLEMENTS

Mayor Pro Tem Love moved the Council adopt a resolution authorizing cash settlement as follows:

J. Curtis Sanford, Jr., for water and sewer main installation at the Rather Sanford Addition - estimated cost of water main installation is \$3,010, City's cost @ 60% - \$1,806; Owner's cost @ 40% - \$1,204; estimated cost of sewer main installation is \$5,125, City's cost @ 60% - \$3,075, Owner's cost @ 40% - \$2,050.

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

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilman
Lebermann, Mayor Butler, Councilman Dryden
Noes: Councilman Friedman
Absent: Councilman Handcox

Mayor Pro Tem Love moved the Council adopt a resolution authorizing cash settlement as follows:

Charles M. Miles for a sewer main extension for the Charles M. Miles Subdivision - estimated cost of sewer main extension is \$1,092.50, City's cost @ 60% - \$655.50; Owner's cost @ 40% is \$437.00.

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

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilman
Lebermann, Mayor Butler, Councilman Dryden
Noes: Councilman Friedman
Absent: Councilman Handcox

CONTRACTS AWARDED

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

GRAYBAR ELECTRIC CO.	Street Light Poles and Extensions
Austin, Texas	\$89,542.00

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

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman,
Mayor Butler, Councilman Nichols
Noes: None
Out of Room at
Roll Call: Councilman Dryden
Absent: Councilman Handcox

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

FIRE CONTROL ENGINEERING COMPANY	Fire Truck, Ladder - \$63,342.00
Fort Worth, Texas	

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

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman,
Mayor Butler, Councilman Nichols
Noes: None
Out of Room at
Roll Call: Councilman Dryden
Absent: Councilman Handcox

Councilman Nichols moved the Council adopt a resolution awarding the following contracts:

Trucks - Vehicle and Equipment Services Department:

INTERNATIONAL HARVESTER CO.	Bid Items 1.0 and 5.1 - \$11,821.00
Austin, Texas	

LEIF JOHNSON FORD Bid Items 3.1 and 6.0 - \$15,421.00
Austin, Texas

UTILITY EQUIPMENT COMPANY Bid Item 5.2 - \$23,299.00
Oklahoma City, Okla.

COOPER EQUIPMENT CO. Bid Item 3.2 - \$7,700.00
San Antonio, Texas

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

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman,
Mayor Butler, Councilman Nichols
Noes: None
Out of Room at
Roll Call: Councilman Dryden
Absent: Councilman Handcox

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

FMC CORPORATION Replacement Parts for Traveling Water
Chicago, Illinois Screen - \$13,026.80

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

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman,
Mayor Butler, Councilman Nichols
Noes: None
Out of Room at
Roll Call: Councilman Dryden
Absent: Councilman Handcox

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

COOPER EQUIPMENT COMPANY Trailer, Bituminous Transport -
San Antonio, Texas \$14,814.23

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

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman,
Mayor Butler, Councilman Nichols
Noes: None
Out of Room at
Roll Call: Councilman Dryden
Absent: Councilman Handcox

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

WYATT DIVISION, U.S. INDUSTRIES, INC. Houston, Texas	Miscellaneous Tanks, Unit No. 4, Holly Street Power Station - \$199,350.00
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The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes:	Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Mayor Butler, Councilman Nichols
Noes:	None
Out of Room at Roll Call:	Councilman Dryden
Absent:	Councilman Handcox

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

GENERAL ELECTRIC X-RAY Dallas, Texas	Portable X-Ray Unit - \$14,600.00
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The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes:	Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Mayor Butler, Councilman Nichols
Noes:	None
Out of Room at Roll Call:	Councilman Dryden
Absent:	Councilman Handcox

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

ELGIN-BUTLER BRICK CO. Austin, Texas	Three (3) Hole Bricks Supply Agreement \$7,938.00
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The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes:	Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Mayor Butler, Councilman Nichols
Noes:	None
Out of Room at Roll Call:	Councilman Dryden
Absent:	Councilman Handcox

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

SINGER TRAFFIC CONTROL CORP. Dallas, Texas	Loop Vehicle Detector Amplifiers - \$5,473.50
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The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes:	Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Mayor Butler, Councilman Nichols
Noes:	None
Out of Room at	
Roll Call:	Councilman Dryden
Absent:	Councilman Handcox

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

O. M. SCOTT & SONS Alief, Texas	Fertilizer - \$9,479.20
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The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes:	Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Mayor Butler, Councilman Nichols
Noes:	None
Out of Room at	
Roll Call:	Councilman Dryden
Absent:	Councilman Handcox

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

JOE BADGETT CONSTRUCTION CO. Austin, Texas	Capital Improvements Program Project Nos. 3532 0 and 3523 0 Prefabricated Steel Buildings at Barton Substation and Sprinkle Substation - \$10,904.00
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The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes:	Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Mayor Butler, Councilman Nichols
Noes:	None
Out of Room at	
Roll Call:	Councilman Dryden
Absent:	Councilman Handcox

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

LARSON-PUGH, INC.
Austin, Texas

Capital Improvements Program Project
No. 6539 4 (City Participation: 50%)
For construction of reinforced concrete
culverts - 2 double barrel box culverts
at Koger Executive Center - Contract
No. 73-Cc-113 - \$38,083.00

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

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman,
Mayor Butler, Councilman Nichols
Noes: None
Out of Room at
Roll Call: Councilman Dryden
Absent: Councilman Handcox

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

TERRY EDWARDS
Austin, Texas

Capital Improvements Project Nos.
6050 0 and 7017 0
For Manchaca Road Street and Drainage
Improvements from Williamson Creek to
Ben White Blvd., Contract No. 73-Pa-101
\$190,694.20

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

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman,
Mayor Butler, Councilman Nichols
Noes: None
Out of Room at
Roll Call: Councilman Dryden
Absent: Councilman Handcox

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

HAUFLER EXCAVATING CO.
Austin, Texas

Capital Improvements Program Project
No. 5902 1
For Site Preparation for Walnut Creek
Wastewater Treatment Plant - \$368,000.00

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

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman,
Mayor Butler, Councilman Nichols
Noes: None
Out of Room at
Roll Call: Councilman Dryden
Absent: Councilman Handcox

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

PETER KIEWIT SONS' CO. Omaha, Nebraska	Capital Improvements Program Project No. 5902 2 For the construction of the Interim Treatment Facilities for Walnut Creek Wastewater Treatment Plant - \$460,000.00
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The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman,
Mayor Butler, Councilman Nichols
Noes: None
Out of Room at
Roll Call: Councilman Dryden
Absent: Councilman Handcox

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

MOTOROLA C & E, INC. Dallas, Texas	Radio Transmitter-Receiver - Bid Items 1 - 11 \$76,448.00
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Mayor Butler inquired about this particular bid. Mr. Les Rogers, Fleet Administrator, stated Motorola, instead of giving an individual low-price-per-radio-off, lumped their radios together and offered a deduction of \$8,050 from the price if the total bid were awarded. Mr. Rogers then asked Motorola to furnish a letter breaking down the prices per radio, and the Company did so, indicating what the discount would be applied to each radio and each additional add-on radio for the next six months. This gives price protection for the next six months, and this would average about \$72.00 per radio.

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

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman,
Mayor Butler, Councilman Nichols
Noes: None
Out of Room at
Roll Call: Councilman Dryden
Absent: Councilman Handcox

REJECTION OF BIDS

The Council had before it consideration of the rejection of the following bids:

For construction of Legacy of Parks Improvements at nine parks and playgrounds, Contract number 73-PARD-104.

For construction of a reinforced concrete box culvert at Calle Verde Drive, Balcones Woods, Contract Number 72-Cc-127.

The City Manager, Mr. Dan Davidson, stated this was the second time the construction of Legacy of Parks Improvements had been advertised for bids. It was recognized that they were asking the contractors to bid on types of work that many contractors normally do not do. These are small amounts of construction at many locations throughout the City, and moving crews from one location to another is too expensive. He did not believe the bids were reasonable, and he recommended rejection of the bids. His recommendation then is that the "Green Thumb" crews be assigned to the Parks and Recreation Department along with certain other Parks and Recreation Department personnel to complete this project.

As to construction of a reinforced concrete box culvert in Calle Verde Drive, Balcones Woods, Mr. Graves, Engineer, stated the policy is based on the participation of both the developer and the City. Mr. Graves stated the culvert is still required. The reason they have not accepted the bid is because the developers are required to deposit 50% before the contract is awarded. They chose not to deposit the 50%; they are not in favor of building the culvert, and the subdivision has not been accepted. Councilman Nichols noted the City was losing money each day on escalating prices. Councilman Nichols suggested that the culvert be installed, and whatever expenses accrue over the above the contractor's price in July, 1972, should be charged back to the contract. The City Manager stated they would pursue this matter on that basis. Since there was a letter of credit, it was suggested that the contract be awarded.

After discussion, Mayor Pro Tem Love moved the Council reject the bid on the Legacy of Parks construction; and postpone action on the reinforced concrete culvert in Calle Verde Drive for one week. The motion, seconded by Councilman Dryden, carried by the following vote:

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

WICKERSHAM LANE BRIDGE

City Engineer, Charles Graves, explained the participation of the bridge span on Wickersham Lane across a natural waterway, whereby there would be 50-50 participation. In this case the requirement would be a box culvert estimated as \$10,200. The developer prefers to build a single span bridge which would be more suitable to the area, and it would be high enough that it could be used for a pedestrian underpass from one side of the development to a recreation area. In effect, it would be a hike and bike trail for the development. Land Equities, Inc., a wholly owned subsidiary of Russo Properties, Inc., had written a letter that

they would build a 30 foot span over the creek on Wickersham Lane whether or not the City participated on a 50-50 basis.

Mayor Butler read further in to the letter, noting the owners were looking for a minimum contribution from the City of \$5,100, which is 50% of its estimate for the cost of a box culvert to span this creek.

Mr. Graves recommended consideration of the owners' request that they build a better structure, and that the City participate to some extent, since they are putting in the Hike and Bike Trail beneath.

Councilman Lebermann stated it would be altogether sensible and equitable for the City to participate to the extent of 50% of the cost of the box culvert, and thanked the owners for building the bridge. City Manager Davidson stated if the option is that the Council does not care to approve their request, then there is no action required until the City is in a position to pay for 50% of the box culvert. No action was taken by the Council.

WASTE WATER SERVICE

The Council had before it an authorization of an additional expenditure of \$6,140.00 for the contract in C.I.P. Project No. 5055 6 (Interstate 35, Manor Road to East 13th Street) to provide waste water service within the City limits to a customer not presently served.

The Director of Water and Waste Water, Mr. Curtis Johnson, explained this expenditure is to serve a customer. At this time the total project is relocating utilities in connection with construction along I.H. 35. This little line was inadvertently left off the original plans when the utility relocations were designed. The customer is being presently served, but when the lines are relocated, he would not be served without this change. As to the cost of \$6,140, the State will be responsible for 90%.

Mayor Pro Tem Love moved the Council authorize the expenditure as recommended. The motion, seconded by Councilman Dryden, carried by the following vote:

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

GRANT CONTRACT

Councilman Nichols moved the Council adopt a resolution authorizing approval of a grant contract agreement with Governor's Committee on Aging for federal matching funds for the City Parks and Recreation Department to operate a Senior Citizen's Community Workshop. Total cost is \$24,260: HEW - \$9,510 and the City of Austin - \$13,700. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

COMMISSION ON ALCOHOLISM CONTRACT

Councilman Nichols moved the Council adopt a resolution authorizing a contract between the Texas Commission on Alcoholism and the City of Austin, which would permit the City-County Health Department to provide services to arrested offenders with alcoholism problems at the City Jail. Total Cost is \$3,600: Texas Commission on Alcoholism will provide 100% funding. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

POLICE LEGAL ADVISOR PROJECT

Councilman Friedman moved the Council adopt a resolution authorizing the Austin Police Department to submit an application to the Criminal Justice Council for the continuation of the Police Legal Advisor Project. The duration of this proposed project will be for fifteen months, from July 1, 1973 to September 30, 1974. The total cost of this project will be \$33,189.50, with \$27,887.50 coming from the Criminal Justice Council, and \$5,302.00 coming from the City's General Fund. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

JOINT USE AGREEMENTS

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to enter into a joint use agreement with Exxon Pipeline Company for those portions of the streets in Meadowcreek, Section One, which cross Exxon's pipeline right-of-way. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to enter into a joint use agreement with Phillips Pipeline Company for those portions of the streets in Meadowcreek, Section One, which cross Phillips pipeline right-of-way. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Councilman Nichols moved the Council adopt a resolution authorizing the University Center Development Company to construct and maintain a bicycle parking rack in the 2000 block of Whitis Avenue. The motion, seconded by Councilman Dryden, carried by the following vote:

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

CONSULTING SERVICES

Councilman Nichols moved the Council adopt a resolution selecting EDWARD TRIGGS for technical and professional consulting services to assist in the updating of the Austin Development Plan - fee "not to exceed" \$5,000 - and authorizing the City Manager to sign the contract. The motion, seconded by Councilman Dryden, carried by the following vote:

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

SUBSTANDARD STRUCTURES

Councilman Nichols moved the Council accept the recommendations of the Building Standards Commission and direct the Law Department to take proper legal disposition of the following substandard structures which have not been repaired or demolished within the required time:

6409 Porter Street	C. E. Guthrie
6115 Atwood Street	Andrew J. Anderson
1103 Chicon Street	Marcelina Johnson
2322 Santa Maria Street	Floyd L. Edwards
94 Rainey Street	Jesus P. Lopez
2317 East 7th Street	Josephine I. Edwards
2103 East 22nd Street (rear)	S. J. Perry

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

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

ZONING ORDINANCES

Mayor Butler introduced the following ordinance:

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

A 1.00 ACRE TRACT OF LAND, LOCALLY KNOWN AS 2106-2110 TILLERY STREET, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE 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.

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

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOT 1, THE DILL ADDITION, LOCALLY KNOWN AS 3710 MANCHACA ROAD; THE REAR OF 3712-3800 MANCHACA ROAD; AND 3711-3803 KEATS DRIVE, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE 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.

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

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: A 5.53 ACRE TRACT OF LAND, LOCALLY KNOWN AS 4401 EAST RIVERSIDE DRIVE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, SECOND 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.

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

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
(1) LOT A, THE LOUIS HERRERA ADDITION, LOCALLY KNOWN AS 2806 OAK SPRINGS DRIVE; 2810-2812 OAK SPRINGS DRIVE, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; AND,
(2) A 26,145 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 4533-4605 SOUTH CONGRESS AVENUE, FROM "C" COMMERCIAL DISTRICT TO "D" INDUSTRIAL DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
(1) A 1.81 ACRE TRACT OF LAND, LOCALLY KNOWN AS 4510-4514 LUCKSINGER LANE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; AND,
(2) A 1.00 ACRE TRACT OF LAND, LOCALLY KNOWN AS 806-808 TERRY'O LANE, AND THE REAR OF 800-804 TERRY'O LANE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF

ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

The Mayor announced that the ordinance had been finally passed.

CONSULTING FIRM - "GOALS PROGRAM"

Mr. Bill Milstead, Chairman of the Planning Commission, and Mr. Richard Lillie, Director of Planning, made the presentation. Mr. Milstead spoke of the tremendous growth of Austin, which has resulted in changes in land use, traffic, population characteristics, economic strength, and community objectives. Technical studies are under way, and a development plan is scheduled for completion in the early spring of 1974. The first interim report to the Council will be brought to the Council in June, stated Mr. Lillie. The City was successful in getting 701 housing and urban development grant funds, planning purposes, and \$50,000 is available for a citizen participation program. Six proposals for this were received from consultants. With additional information and a meeting with the consultants, structure and time commitments were revised. It was proposed that the "Goals Program" be completed within a 9-month period, with a contract with the consultant.

The object is to get what the citizens feel, and their interests and concerns about Austin's future, and to match these with various alternatives that the City may take in its growth. The staff and consultant will coordinate with the Public Information Department, and the program submitted to City Council for approval. A conference with the news media with packets of information is planned. There will also be a multi-media film, and a series of folders that will detail some of the activity of the "Goals Program", which will be coordinated with existing organizations in the community.

Mayor Pro Tem Love moved the Council select National Leadership Methods as the consultant. The motion, seconded by Councilman Friedman, carried by the following vote:

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

AIRPORT OPERATING CERTIFICATE

Mr. Wayne Long of the Federal Aviation Administration appeared to present an Airport Operating Certificate for Robert Mueller Municipal Airport. This

certification is required by airports served by certified air carriers, and the new standards must be met by May 21, 1973, under the Airport and Airway Development Act of 1970. This is designed to enhance airport safety with minimum safety standards for day-to-day operation. Principle provisions relate to maintenance, marking and lighting of airport operations areas, and the maintenance, and availability of fire-fighting and rescue equipment, establishment of a facility emergency plan, periodic self-inspection, control of ground vehicles and reporting airport conditions to its users. Colonel Vance Murphy, Director of Aviation, received the Operation Certificate for Municipal Airport.

SELECTION OF CONSULTANT

Original Motion

Councilman Nichols moved the Council award the contract for engineering-planning of a Master Drainage Plan and Study of the City of Austin and environs to Forrest & Cotton and Espey Huston Associates as a joint venture. The motion was seconded by Mayor Pro Tem Love.

Substitute Motion

Councilman Friedman offered a substitute motion that the Council award the contract to Turner, Collie & Braden in a joint venture with Taniguchi, Sheffleman, Vacker and Minter. The motion, seconded by Councilman Lebermann, failed to carry by the following vote:

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

Original Motion

Councilman Nichols' original motion, carried by the following vote:

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

TRAVIS COUNTRY UTILITY DISTRICT

The following items were postponed for a week or more: Approval of Contract for operation of a sewage treatment plant; purchase of park land; and approval of a 3-year contract for the installation of night watchman lighting.

AUSTIN SKI CLUB

Mr. Dick Kemp, Austin Ski Club, appeared to request the use of Town Lake beginning at 7:00 A.M., Sunday, May 20. The request to use the Lake had previously been approved subject to starting the tournament after noon on Sunday. It was felt by the Ski Club that the underwater exhausts on their boats would not disturb the residents, and Austin was known for its excellent skiing conditions. Mayor Pro

Tem Love moved that the request be granted. The motion, failed to receive a second, resulting in denial of the request.

INCREASED RETIREMENT BENEFITS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING A RETIREMENT AND PENSIONING SYSTEM FOR CERTAIN EMPLOYEES OF THE CITY OF AUSTIN, PURSUANT TO AUTHORITY GRANTED THE CITY COUNCIL UNDER SECTION 4, OF ARTICLE IX, OF THE CHARTER OF THE CITY OF AUSTIN; CREATING A RETIREMENT BOARD TO ADMINISTER AND OPERATE THE RETIREMENT AND PENSIONING SYSTEM AND DEFINING ITS POWERS, DUTIES AND FUNCTIONS; PROVIDING A METHOD OF FINANCING THE SYSTEM; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HERWITH; PROVIDING A SEVERABILITY AND SAVINGS CLAUSE AND DECLARING AN EMERGENCY," AS PASSED BY THE CITY COUNCIL ON OCTOBER 10, 1940, AND AS AMENDED FROM TIME TO TIME THEREAFTER, BY CHANGING THOSE PARTS OF THE AFORESAID ORDINANCE TO EFFECTUATE THE FOLLOWING; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

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

The Mayor announced that the ordinance had been finally passed.

BI-CENTENNIAL COMMISSION

Councilman Lebermann moved the Council establish a Bi-Centennial Commission to prepare for the 1976 Bi-Centennial Celebration. It would be composed of 15 members, with representatives of various groups, and also in regard to age, race, and sex. The Commission would be 3 sub-committees: The Heritage '76 Committee; The Horizon '76 Committee; and Festival U.S.A. Committee. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Nichols, Lebermann, Friedman, Mayor Butler,
Councilman Dryden
Noes: None
Out of Room at
Roll Call: Mayor Pro Tem Love
Absent: Councilman Handcox

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 720927-A TO TRANSFER FUNDS FROM ACCOUNT NO. 00761010-101 TO VARIOUS ACCOUNTS IN ORDER TO PROVIDE FOR EMPLOYMENT OF PERSONNEL FOR THE BI-CENTENNIAL COMMISSION FOR THE REMAINDER OF THE 1972-73 FISCAL YEAR; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Lebermann, Friedman, Mayor Butler,
Councilmen Dryden, Nichols
Noes: None
Out of Room at
Roll Call: Mayor Pro Tem Love
Absent: Councilman Handcox

The Mayor announced that the ordinance had been finally passed.

INTERIM REPORT RECEIVED

The Council received the interim report on Sound Insulating Board. The ordinance will be brought back next week, so the Council can look at it. A public hearing will be set.

INSURANCE FOR DRIVERS

The report on insurance for drivers of City vehicles was postponed for one week.

"NO-FARE" TRANSIT

Information on the "no-fare" transit proposal was distributed to the Council, and will be brought back next week.

HISTORICAL SURVEY COMMITTEE

Emma Lou Linn, Ph.D., County Chairman of the Travis County Historical Survey Committee, appeared to suggest ordinances regarding developments around

the Capitol. The Committee was particularly concerned about the preservation of the Houghton House, located at 12th and Guadalupe, now to be demolished or moved from that lot. Mr. Jack Tisdale presented a slide show concerning the views of the Capitol from various parts of Austin. He felt it was necessary to prevent obstruction of the skyline of the Capitol and that the Council study ideas for limiting building height and density in the immediate Capitol area.

Councilman Nichols moved the Council approve the resolution suggested, and included a review of the zoning laws with regard to historical preservation. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

JAYCEE CARNIVAL

The Austin Jaycees requested a permit to hold their second annual Jaycee Carnival. It was noted that there would be an additional \$200 charge for the use of the new parking lot which the Jaycees may not have been aware of. Councilman Nichols moved the Council grant the permit, including the \$200 charge for the parking lot. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor
Pro Tem Love, Councilman Lebermann
Noes: None
Present But Not
Voting: Councilman Friedman
Absent: Councilman Handcox

ADDITIONAL PERSONNEL

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 720927-A TO APPROPRIATE FROM UNAPPROPRIATED GENERAL FUNDS AND CREDIT TO BUILDING INSPECTION DEPARTMENT ACCOUNT NO. 00724000 AN AMOUNT TO BE USED FOR ADDITIONAL PERSONNEL; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

ADJOURNMENT

The Council then adjourned.

APPROVED:

Ray Buler
Mayor

ATTEST:

Grace Monroe
City Clerk