

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 3, 1973
10:00 A.M.

COUNCIL CHAMBER, CITY HALL

The meeting was called to order with Mayor Pro Tem Love presiding.

Roll Call:

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

The Invocation was delivered by CHAPLAIN ARTHUR R. ANDERSON, Chaplain of
County Jail.

PROCLAMATION - CONSUMER CREDIT WEEK

Councilman Friedman read and then presented a proclamation to Mr. Dave
Statham and Mr. Don Harvick, proclaiming May 6-12, 1973, as Consumer Credit Week.
Mr. Statham accepted the proclamation, noting that this was in conjunction with
the designation of the week nationally by the International Consumer Credit
Association. He also noted that pamphlets would be distributed through the Austin
Independent School District in the high schools.

PROCLAMATION - ARTHRITIS MONTH

Councilman Dryden read and then presented a proclamation to Ms. Mary Jones
and Mr. John Oliver, proclaiming the month of May, 1973, as Arthritis Month in
Austin. Ms. Jones accepted the proclamation and thanked the Council for its
support.

PROCLAMATION - BUILDING AUSTIN WITH PRIDE WEEK

Councilman Nichols read and Councilman Lebermann presented a proclamation to
Ms. Ann Wendler and Ms. Elizabeth Counselor, proclaiming May 6-13, 1973, as
Building Austin with Pride Week and calling upon citizens to join with the Austin
chapter of the National Association of Women in Construction promoting pride and
workmanship. Ms. Wendler accepted the proclamation and thanked the Council.

APPROVAL OF MINUTES

Councilman Nichols moved the Council approve the minutes of the Regular

Meetings of February 22, March 1, and March 28, 1973. The motion, seconded by Councilman Handcox, carried by the following vote:

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

AMENDMENT FOR PUBLIC HEARING WITHDRAWN

Councilman Nichols moved the Council grant the request for withdrawal of the following amendment to the Austin Development Plan set for public hearing at 10:00 A.M.:

An area of approximately 50 acres requested by Austex Development Co. by Bryant Curington, Inc., plus an additional area of approximately 90 acres located in north Austin north of Kramer Lane approximately 1300 feet east of F.M. 1325 - from Manufacturing and Related Uses to Low Density Residential - C2-73-1(a).

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

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

PUBLIC HEARING ON AMENDMENT TO AUSTIN DEVELOPMENT PLAN

At 10:00 A.M. Mayor Pro Tem Love opened the public hearing scheduled for that time to consider the following amendment to the Austin Development Plan:

An area of 130 acres requested by Conway Taylor for Mr. Nelson Puett, owner of several tracts of land located in southeast Austin along both sides of Dalton Lane north of State Highway #71 - from Low Density Residential and Suburban Residential to Commercial Service and Semi-industrial - C2-73-1(b).

Mr. Conway Taylor, representing the owner of the land under request for change of Master Plan designation from Suburban Residential to Commercial Service and Semi-industrial, spoke for the amendment. He noted that a year earlier the Council had approved a similar change in Master Plan designation for a light industrial subdivision, Turbine West, on approximately 70 acres on Howard Lane and that all conditions and requirements had been complied with. He felt that a similar tract was now needed on the east side of the City. The tract selected on Dalton Lane had no practical value for residential qualities. The area had been condemned by the Housing and Urban Development Department of the Federal Government because of the noise level created by the approach to the main runway of Bergstrom AFB. A subdivision, named Turbine East, was planned similar to Turbine West. He agreed to provide public sewage facilities as required by the Planning Department. He also agreed to the Planning Commission recommendation for a

barrier or open space for 200' on the south boundary adjoining a residential area. In response to Mayor Pro Tem Love's question, he expressed opposition to the Planning Department staff recommendation of a 400' area.

Mr. Robert B. Thrasher, representing the owner, Mrs. R. Thrasher, of a 100 acre tract in the area, opposed the change. He stated that the owner had a home which had existed since 1902 and that the proposed change would hurt the value of that property. He also represented Mr. Ed Roper, a homeowner in the area. Councilman Friedman pointed out that Mr. Thrasher's property adjoined the property in question and that no change would be made in the classification of Mr. Thrasher's property.

In response to Councilman Friedman's question, Mr. Taylor stated that the Planning Commission had recommended that the 30 acres west of Dalton Lane of the 130 acre area in question be withdrawn pending a meeting with the owners of adjoining property, Mr. and Mrs. Yates and Mrs. Fitzpatrick. Mr. Taylor reported that as a result of meeting with the latter owners that they were satisfied with the uses to be made of the land subject to a restriction on land excavation to which the applicant was agreeable.

In response to Councilman Lebermann's question, Mr. Dick Lillie, Planning Director, explained the uses permitted by the Commercial Service and Semi-Industrial classification. Councilman Lebermann questioned whether this classification was appropriate for property adjoining property classified as suburban residential. Mr. Lillie referred to the federal guidelines which recommended only commercial or industrial use for areas which fell into a noise zone as this one did because of the approach of flights into Bergstrom AFB. He stated that most of the land in question was presently undeveloped and in agricultural use. There was discussion between Councilman Handcox and Mr. Taylor as to who was currently undertaking the land excavation to which Mr. Taylor had referred.

Mr. Jack Bowen, a resident in Richland Estates, the residential area adjoining the property in question on the south, opposed the change. He noted the monetary value of the 55 homes in this residential subdivision. He stated that the four owners of property immediately adjoining the area in question had not been notified of this hearing as they should have been. He presented a petition signed by 44 of the families in Richland Estates opposing the change. In response to Councilman Nichols' question, Mr. Taylor discussed the planned layout of the streets providing access to the property in question. He stated that they had no intent of routing traffic into the Richland Estates residential area. He would be agreeable to a cul-de-sac on Brandt Drive so that there would be no access from the property in question to the residential area.

Mr. Bowen expressed his concern that Dalton Lane, which would be used as sole access to the area in question, was already heavily traveled and in deteriorating condition. He hoped that the land in question would be used for residential purposes. He stated that 50% of the residents in the subdivision were retired military who wished to live near a military installation.

Ms. Maxine Harris, an area resident, spoke for the change because she believed the development would add financially to the Del Valle School District and would improve the area which had been neglected for years.

Ms. Sedwick, owner of a farm in the area, expressed her concern that

restrictions be imposed to avoid traffic and dumping problems which already existed. Councilman Dryden suggested that Ms. Sedwick speak with her County Commissioner about a sanitary land fill. Mr. Taylor stated that no excavation and sanitary land fill was planned and would agree to a restrictive covenant.

Master Sargent Jack Strouse, resident at 1210 Harrison Lane, stated that the area was highly congested in traffic and questioned the uses to be made of the property in question. In response to Mr. Strouse's question, Mr. Lillie stated that there was no notification requirement for proposed amendments to the Austin Development Plan, but notices had been sent to 20 property owners in the area. In response to Mayor Pro Tem Love's question, Mr. Strouse believed there would be greater traffic if the area were semi-industrial than if it were residential.

Mr. Nelson Puett, owner of the property in question, discussed the nature of the development which was planned, which would be for the small subcontractors in the construction industry. He did not believe this would hurt the value of adjoining residential property. Mr. Strouse re-voiced his disagreement with this. Mr. Puett stated that he would agree to a deed restriction that no roads would be put through to the residential subdivision.

There was discussion as to the recommendation of the Planning Commission for the 30 acres west of Dalton Lane. Mr. Lillie stated that the recommendation was that the area be deleted to allow for discussion with the owners objecting, rather than a recommendation to include this area if the owners were agreeable after such discussion. Councilman Friedman felt it was inappropriate for Council to decide on these 30 acres at this time.

Mrs. Curtis Fitzpatrick, one of the two owners in question, stated that she did not object to the change if there were no unsightly excavation and dumps.

An unidentified woman spoke against the change for the 30 acres west of Dalton Lane. Mr. Puett pointed out that if no change were made, the unsightly excavations and land fills which existed could be continued without restraint.

Motion

Councilman Dryden moved the Council close the hearing and approve the amendment to the Austin Development Plan as stated on the agenda subject to City subdivision requirements, a 200' barrier or open space on the south boundary, a restrictive covenant to prohibit sanitary land fill or excavation for dirt removal other than for ordinary construction, and a restrictive covenant allowing no road access in to the residential subdivision on the south. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Mayor Pro Tem Love opened the hearing scheduled for 10:00 A.M. to consider the annexation of and directing the administration to institute annexation proceedings to annex the following:

11.29 acres of land out of the Santiago Del Valle Grant -
portion of BERGSTROM DOWNS NO. 1. (requested by owner)

20.49 acres of land out of the John Applegait Survey -
proposed WINDSOR HILLS, SECTION SEVEN. (requested by
owner's representative)

Total of 131.87 acres of land out of the William Cannon League:

- (1) 35.87 acres - MEADOWCREEK, SECTION ONE. (requested by
owner)
- (2) 96.0 acres of land, more or less - portion of DITTMAR
ROAD and unplatted land. (initiated by City of Austin)

457.9 acres of land, more or less, out of the GEORGE W. DAVIS,
JAMES P. WALLACE NO. 18, JAMES ROGERS and JOHN APPLGAIIT SURVEYS,
ALLEN SUBDIVISION, ACME BRICK ADDITION, Resub. of Part of Tract 2,
ALLEN SUBDIVISION, CHEM-PRODUCTS ADDITION, Partition of Part of
MRS. O. W. ROBERTS ESTATE, Resub. of Lot 1, Mrs. O. M. ROBERTS
ESTATE, Resub. of the No. 80' of Lot 2 of the Partition of MRS.
O. M. ROBERTS ESTATE, RUTLAND ACRES, Resub. of Lot 1, RUTLAND
ACRES, RUTLAND ADDITION, RUTLAND DRIVE ADDITION, unplatted land
and portions of RUTLAND DRIVE, OLD WATER'S PARK, McNEIL ROAD
and the TEXAS and NEW ORLEANS RAILROAD. (initiated by City of
Austin) (postponed 60 days from March 1, 1973)

In response to Councilman Nichols' question concerning the 96.0 acres, Mr. Lillie stated that the portion of land between it and the City of Austin was currently under discussion with property owners and would be before the Council for annexation in 45 to 60 days.

Mr. Elwyn Williams, a landowner in these 96.0 acres, requested a 30-day postponement of the hearing owing to insufficient time for preparation upon short notice. In response to Councilman Dryden's question, Mr. Williams stated that he owned approximately 32 acres of this land. He stated that he had not yet been able to contact four other landowners involved with this area.

Mr. Williams suggested that the City annex the portion of Dittmar Road extending from Meadowcreek to South Congress to enable Meadowcreek to obtain water.

Councilman Lebermann moved the Council direct the administration to institute annexation proceedings to annex 35.87 acres - MEADOWCREEK, SECTION ONE, and that portion of Dittmar Road connecting Meadowcreek to South Congress Avenue, and postpone for 30 days the hearing on annexation of the remainder of the 96.0 acres of land, more or less - portion of DITTMAR ROAD and unplatted land. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Councilman Friedman moved the Council grant the request of Mr. Rogers to delay the hearing on 457.9 acres of land, more or less, until May 31, 1973, at 11:00 A.M. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Councilman Lebermann moved the Council close the hearing and direct the administration to institute annexation proceedings to annex 11.29 acres - portion of BERGSTROM DOWNS NO. 1, and 20.49 acres - proposed WINDSOR HILLS, SECTION SEVEN. The motion, seconded by Councilman Friedman, carried by the following vote:

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

ZONING CASE WITHDRAWN

Councilman Nichols moved the Council grant the request of Mr. Martin Boozer, Attorney for Jamail Properties, et al, to withdraw Zoning Case C14-72-207. (Heard by the City Council on October 5, 1972, and postponed) The motion, seconded by Councilman Handcox, carried by the following vote:

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

REQUEST TO MOVE FENCE

Mrs. Francie Breyfogle, representing the North Austin Civic Association, requested the moving of a fence at the park site next to Wooldridge School. She stated that the fence had been placed inside the creek by the School District and that it should be outside the creek to include all of the park area. She believed that if the fence were placed down to the street edge on Parkfield, this would facilitate access to the park. She stated that moving the fence would also enable picnic tables to be put in. In response to Councilman Friedman's question as to whether this was the School District's fence, Mayor Pro Tem Love noted that the City had a 25% obligation.

Councilman Nichols moved the Council request the School District to move the fence in accord with the request of the North Austin Civic Association. The motion, seconded by Councilman Friedman, carried by the following vote:

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

Mrs. Breyfogle again requested that a couple of picnic tables be placed on the Little Elm piece of land. Mayor Pro Tem Love asked Deputy City Manager Homer Reed to look into that possibility. Mr. Reed believed the School Board would look favorably on the City's request to move the fence.

REQUEST FOR FUNDS GRANTED

Reverend Bob Breihan, Chairman of the Board of Information and Crisis Center, which was the operating group for "Hotline," requested financial help from the Council. He discussed the nature of "Hotline," noting that it was a 24-hour telephone service for information and emergency kinds of interventions. He stated that they had been receiving something like 1600 calls a month. He noted that "Hotline" was a project of the Mental Health Association, Mental Health and Mental Retardation, and the Community Council, and introduced representatives of each of these agencies who were present.

He stated that the program had been funded originally by Department of Public Welfare grant, which had been cancelled the past fall by the bill that created Revenue Sharing. He now requested inclusion in the Revenue Sharing budget for \$10,000 to be contributed to MH-MR Center which would be turned over to this program. In response to Councilman Nichols' question, Reverend Breihan hoped to raise the rest of the funds in their \$30,000 budget from the County Commissioners and from private funds or United Fund.

In response to Mayor Pro Tem Love's question, Deputy City Manager Homer Reed stated that there were a number of other requests pending for funds, totaling about \$203,000. In response to Councilman Lebermann's question, Reverend Breihan stated that their need for funds was immediate, as they had been required to leave the Community Council quarters and now had temporary quarters only in the Methodist Student Center. Mr. Reed discussed how much Revenue Sharing money was available. In response to Councilman Nichols' question, Reverend Breihan stated that if they obtained only \$10,000, and their requests to other agencies for the remaining funding were turned down, they would operate as long as they could on that and then shut down.

In response to Mayor Pro Tem Love's question, Mr. Reed believed that as a project serving welfare recipients, this was primarily a responsibility of the County government. He felt, however, it would be appropriate for the City to participate contingent upon an equal participation by the County. He also noted in response to Reverend Breihan that the cancellation by the Public Welfare Department had been primarily due to the inability of the program to prove who their clients were because identity was not always asked for. Councilman Dryden expressed a desire for the City to participate regardless of what the County did as he guessed that 90% of the calls received were from citizens within the City limits. Mayor Pro Tem Love agreed but felt that the Council was being inconsistent with regard to other applications for Revenue Sharing moneys.

Motion

Councilman Dryden moved the Council grant the Hotline program \$10,000 out of Revenue Sharing money. The motion, seconded by Councilman Friedman, carried by the following vote:

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

CONTRACT APPROVED

Councilman Nichols moved the Council adopt a resolution approving a contract between the City of Austin for Brackenridge Hospital and the Central Texas Medical Foundation to provide Emergency Room Services and a program of Medical Education. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Councilman Friedman expressed his appreciation to Dr. Thomas Kirksey for his work and noted that this contract was the best way to improve the services of Brackenridge Hospital. Councilmen Lebermann and Nichols both expressed their thanks to Dr. Kirksey and the other doctors who had worked diligently on this matter. Councilman Dryden assured the Council and the citizens that the Central Texas Medical Foundation would do everything to improve care provided. Mayor Pro Tem Love noted that this program was a unique one.

APPLICATION APPROVED

Councilman Nichols moved the Council adopt a resolution approving application of the American-Statesman for permission to install a loading platform in the sidewalk area of West 3rd Street between Guadalupe and San Antonio, this loading dock to be at sidewalk grade other than when in use. The motion, seconded by Councilman Dryden, carried by the following vote:

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

APPLICATION APPROVED

Councilman Nichols moved the Council adopt a resolution approving application of Travis County for permission to construct an aerial passageway between the courthouse and the new annex being constructed across San Antonio Street from the courthouse. Mr. George Henry, Transportation Coordinator, noted that the application had been approved by the Environmental Board with the understanding that this did not imply a blanket authorization of the concept of aerial passageways in general. The motion, seconded by Councilman Dryden, carried by the following vote:

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

FAMILY PLANNING PROGRAM

Dr. Charles Grose, professor at Huston-Tillotson College, representing the Community Action Board, recommended delegation of the Family Planning Program to the Austin-Travis County Health Department. He stated that his purpose was to elicit a decision by the Council on funding of Family Planning in Travis County. He believed the priority item should be poverty clients in Austin and Travis County requiring family planning service. He stated that the Community Action Board had met with members of the Planned Parenthood Association and the City Health Department.

The recommendation of the Community Action Board was that the Council delegate the Family Planning Program in Austin and Travis County to the City Health Department. One reason for this recommendation was the belief that the City Health Department could and would provide a more comprehensive program to poverty clients. A second reason was the belief that a great number of clients would be served by the Health Department.

In response to Councilman Nichols' question, Dr. Grose stated that this change would limit somewhat the programs of the Planned Parenthood Association. Councilman Nichols believed that the Planned Parenthood Association had done a good job and opposed such a limitation. Dr. Grose stated that over 2,000 clients had been served the past two years under the OEO grant to Planned Parenthood, but Planned Parenthood would be able to serve only 900 of those if they obtained new funding. By contrast, the City Health Department would be able to serve 1,700 of those 2,000 clients. In response to Councilman Nichols' question, he stated that the cost would be about \$41,000. Councilman Nichols thought that the same amount spent on a smaller number of clients might achieve better results.

Mr. George Ramsey, representing Planned Parenthood, distributed a revised budget which indicated that if the grant were received, more than 900 clients would be served. He requested that Planned Parenthood be allowed to continue receiving the funds they had been receiving. Councilman Dryden felt that the home base of Family Planning should continue to be Planned Parenthood. He believed that the proposed change would result in a duplication of services.

Motion

Councilman Nichols moved the Council adopt a resolution authorizing the continued funding of Planned Parenthood in its own individual way. Councilman Friedman inquired about the possibility of authorizing the OEO grant to be given to City Family Planning and then contracting with Planned Parenthood to perform these same services. This would give Planned Parenthood the same amount of money but might allow the City to work with Planned Parenthood jointly in setting up guidelines for bringing the services to the people. Mr. Ramsey spoke for the desirability and efficiency of Planned Parenthood operating autonomously. Councilman Lebermann noted that the Council had approved the Model Cities Board's recommendation that \$33,000 be returned to Family Planning in the target area, which provided some joint participation.

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

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

HISTORIC ZONING COMMITTEE

Councilman Lebermann reported on the establishment of the Ad Hoc Historic District Zoning Committee, as provided for by the Council resolution of four weeks previously, to draw up a Historic Zoning Ordinance. He requested a time period of 60 days, noting that a great deal of work had already been done. He asked that Mr. Lillie or his designee and Mayor Butler or his designee join with the group to draw up this ordinance. Mayor Pro Tem Love announced the following members of the Committee: David Graeber, Dr. Emma Lynn, Roy Eugene Graham, Eric Stoffer, David Lake, Roy White, Kathryn Hart, Alan Minter, Robert F. Smith, Wayne Bell, Kathryn Lampkin, Harris Brush. Councilman Lebermann noted that Roy White would chair the Committee.

REQUEST FOR WATER

The Council had before it for its consideration authorizing the City Manager to enter into a contract with Manville Water Supply Corporation. City Manager Davidson reported on the results of a Council work session the previous night. He noted that the proposed contract called for a rate of 40¢ per thousand gallons. The Council had raised questions as to the obligations of the City to supply water to outlying Water Districts. He stated that a report was being undertaken to be presented to the Council in the next 20 to 30 days to outline the status of the Water Districts surrounding Austin and the factors affecting the City water supply and financial condition with regard to the utility system. The Council had expressed a desire not to finalize a contract until this report could be received and studied.

In response to Councilman Friedman's question, County Commissioner David Samuelson, representing the Manville Water Supply Corporation stated that they were operating under a timetable with a loan commitment of \$1.2 million and a \$200,000 grant which might be lost if this item were delayed for 20 days. He stated that they were trying to obtain an extension. He discussed the agricultural needs for water and the origins of the Manville Water Supply Corporation. He stated that the 40¢/thousand gallons was prohibitively high and that they had agreed to the 10-acre limitations and had no intent to contribute to developers developing the area which would remain agricultural.

Mayor Pro Tem Love and Councilman Friedman suggested sending a letter to the appropriate agencies indicating that the Council intended to provide the Manville Water Supply Corporation with water but had yet to work out the details as to how and when. City Manager Davidson affirmed that he would meet with County Commissioner Samuelson that afternoon to take these steps.

Mr. John D. Wheat, a resident in the Manville area, stated that he would defer his remarks concerning the need for water for developments planned pending the report to be undertaken.

RECESSED MEETING

2:15 P.M.

The meeting reconvened at 2:15 P.M. with Mayor Pro Tem Love presiding.

CONTRACTS AWARDED

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

LEHIGH STRUCTURAL STEEL CO. - Transmission Line Towers
P. O. Box 626 \$55,733.00
Allentown, Pa.

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

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

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

Tires and Tubes Supply Agreement:

- (1) WALKER TIRE CO. - Bid Items 17-24, 34-112, 126, 128-131,
7107 N. Lamar 133-140, 142-158, 160-169, 171-227,
Austin, Texas 231-236 - Estimated Total \$72,800.00
- (2) YOUNGBLOOD GENERAL - Bid Items 25-32, 113-116 - Estimated
TIRE CO. Total \$16,300.00
506 N. Lamar
Austin, Texas
- (3) B. F. GOODRICH CO. - Bid Items 1-6, 8-10, 12-16, 117-120,
116 Congress Avenue 124, 125 - Estimated Total \$5,300.00
Austin, Texas

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

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

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

Network Transformers Supply Agreement:

TECHLINE, INC. - Bid Item 1 - \$124,240.00
8750 Shoal Creek Blvd.
Austin, Texas

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

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

The Council had before it for its consideration the awarding of the following contracts by casting of lots:

Network Transformers Supply Agreement

Award by Casting of Lots

GRAYBAR ELECTRIC CO.

7434 N. Lamar Blvd.

or

THE WALTER TIPS CO.

200 Colorado

Austin, Texas

- Bid Item 2 - \$37,536.00

Award by Casting of Lots

GRAYBAR ELECTRIC CO.

7434 N. Lamar Blvd.

Austin, Texas

or

WALTER TIPS CO.

200 Colorado

Austin, Texas

- Bid Item 3 - \$75,072.00

As a result of the casting of lots, Councilman Lebermann moved the Council adopt a resolution awarding the contract for Bid Item 2 to THE WALTER TIPS CO. and awarding the contract for Bid Item 3 to GRAYBAR ELECTRIC CO. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Noes: None

Absent: Mayor Butler

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

JACK A. MILLER, INC.

Hwy. 183 North

Austin, Texas

- For Bowman Avenue Easement Drainage Improvements from Johnson Creek to MoPac Boulevard, Contract No. 73-Db-102 - \$30,251.50. (Capital Improvements Program Project No. 7014 0)

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

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

Noes: None

Absent: Mayor Butler

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

LEPESKA LEASING CORP.

301 East Main Street

Barrington, Illinois

- Scintillation Camera - three (3) year lease - \$66,432.96

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

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

BIDS REJECTED

Councilman Nichols moved the Council adopt a resolution rejecting all bids for the following:

Drainage Improvements at Wildridge Circle, Running Rope and Tipton Drive, Contract No. 73-PW-112. (Recommend projects be constructed with City forces)

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

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

Councilman Nichols moved the Council adopt a resolution rejecting all bids for the following:

30 foot single span prestressed double T girder bridge in Wickersham Lane, Chevy Chase South, Section 1, Contract No. 73-Cc-116. (Recommend project be readvertised after the structure has been redesigned)

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

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

EMINENT DOMAIN PROCEEDINGS AUTHORIZED

Councilman Friedman moved the Council adopt a resolution authorizing Eminent Domain Proceedings for right-of-way for South First Street on the following property

1,336 square feet of land out of Lot 13, Block H, Greenwood Forest, Section

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

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

APPLICATION AUTHORIZED

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to apply for Medicare Reimbursement of the costs of Home Health Agency services provided by the Austin-Travis County Public Health Department at the rate of \$9.79 per visit. The motion, seconded by Councilman Dryden, carried by the following vote:

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

CONTRACT AUTHORIZED

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to sign a Contract between the State Department of Health and the City of Austin Health Department for Dental screening and services under Title XIX of the Social Security Act. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

AMENDMENTS TO ZONING ORDINANCE - FINAL PASSAGE

Mayor Pro Tem Love 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 36,000 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 211-221 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.

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 Lebermann, carried by the following vote:

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

The Mayor Pro Tem announced that the ordinance had been finally passed.

Mayor Pro Tem Love introduced the following ordinance:

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

TRACT 1: A 6.63 ACRE TRACT OF LAND, LOCALLY KNOWN AS 3440-3532 FAR WEST BOULEVARD AND BOUNDED ON THE EAST BY MO-PAC RIGHT-OF-WAY, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2: A 10.84 ACRE TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 3462-3532 FAR WEST BOULEVARD AND 7115-7219 WOOD HOLLOW DRIVE (PROPOSED), FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, 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 Lebermann, carried by the following vote:

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

The Mayor Pro Tem announced that the ordinance had been finally passed.

Mayor Pro Tem Love introduced the following ordinance:

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

TRACT 3: A 35.94 ACRE TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 3540-3636 FAR WEST BOULEVARD; 7115-7401 HART LANE; 3543-3611 GREYSTONE DRIVE AND 7114-7440 WOOD HOLLOW DRIVE (PROPOSED), FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, 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.

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 Lebermann, carried by the following vote:

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

The Mayor Pro Tem announced that the ordinance had been finally passed.

Mayor Pro Tem Love 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:
LOT 2, BLOCK 2, OUTLOT 77, DIVISION D, HERMAN STEINLE SUBDIVISION, LOCALLY KNOWN AS 404 WEST 35TH STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, 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 Lebermann, carried by the following vote:

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

The Mayor Pro Tem announced that the ordinance had been finally passed.

Mayor Pro Tem Love brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 12.37 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; 28.17 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; 203 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; AND 21.90 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE JAMES MITCHELL SURVEY, PARTLY OUT OF AND A PART OF THE JAMES COLEMAN

SURVEY AND PARTLY OUT OF AND A PART OF THE T. J. CHAMBERS GRANT; ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORINANACE.

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

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

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

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

EMERGENCY FUEL PURCHASE

Electric Utility Director R. L. Hancock brought before the Council the emergency item of a contract to provide a portion of the City's fuel needs for the next 12 months. The contract would provide for monthly delivery of approximately 3-1/4 million gallons of fuel oil for one year with a unilateral option on the part of the City for a one-year extension and provisions for a mutually agreeable extension beyond that. In response to Councilman Nichols' question, Mr. Hancock stated that the 14¢ price was that quoted by Tesoro of San Antonio which was in line with prices previously paid for fuel oil. In response to Councilman Lebermann's question, he stated that Tesoro had been the City's most dependable supplier in the past and that there was great demand for this kind of fuel oil with a shortage of supply. In response to Mayor Pro Tem Love's question, he stated that they had been warned of gas curtailments during the peak summer months of July and August.

Mr. Hancock explained that one requirement in the contract was that the City was obligated to purchase this monthly amount even if needs should be less and all storage tanks be filled. Such excess could be re-sold, and the City would realize whatever profit or loss there might be from re-sale. He stated that the City presently had about a 3-1/2 million gallon storage capability and that the City had under way facilities to raise that capacity to about 16.4 million gallons; the first new tank would probably be available late in September with other tanks following rapidly. Councilman Lebermann raised the question of whether some of

these tanks might be completed sooner with contract negotiations. Mr. Hancock stated that need for additional facilities would be discussed with the City Manager and brought back to the Council probably within a couple of weeks.

In response to Mayor Pro Tem Love's question, Mr. Hancock stated that attempts to find storage space at Bergstrom, at Luling, and at old Gary AFB, had been unsuccessful.

Councilman Lebermann moved the Council authorize the City Manager to negotiate a contract with Tesoro for purchase of fuel oil. The motion, seconded by Councilman Nichols carried by the following vote:

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

City Manager Davidson commended the Council on this action, noting that similar actions taken during the past winter crisis had enabled Austin to keep up with what most utilities were able to do. Councilman Friedman noted that investigation was needed concerning ways of encouraging users to conserve in energy consumption.

SPECIAL MEETING CALLED

Councilman Friedman moved the Council adopt a resolution calling a Special Meeting for 10:00 A.M. Monday, May 7, 1973, to canvass Municipal Run-off Election results. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

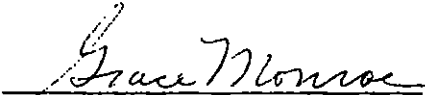
ADJOURNMENT

The Council adjourned at 2:35 P.M.

APPROVED:


Mayor

ATTEST:


City Clerk