

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 12, 1975  
1:00 P.M.

Council Chambers  
301 West Second Street

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The meeting was called to order with Mayor Friedman presiding.

Roll Call:

Present: Councilmembers Himmelblau, Hofmann, Linn, Trevino,  
Mayor Friedman, Mayor Pro Tem Snell

Absent: Councilmember Lebermann

The Invocation was delivered by REVEREND MURRAY JOHNSON, Ward Memorial Methodist Church.

MEDIC ALERT MONTH

Mayor Friedman read and then presented a proclamation to Sheldon S. Smith, C.O.U., Board Member and Public Service Chairman, and D. Ronald Mullen, C.O.U., President of Association of Life Underwriters, proclaiming the month of June, 1975, as "Medic Alert Month" and asked that all business and industry join the Council in giving due recognition to the Medic Alert Foundation and its life-saving program.

PAMELA ANN PATTERNSON DAY

Mayor Pro Tem Snell read and then presented a proclamation to Mr. Hicks, proclaiming June 13, 1975, as "Pamela Ann Patterson Day" and urged all Austin residents to join the Council in recognizing her accomplishments.

RESOLUTION

Councilmember Himmelblau read and then presented a resolution to Dr. and Mrs. F. E. Ingerson in recognition of the fact that they have presented an important historical artifact to the people of Austin as their Bicentennial "Gift to the Nation," to be placed in the Zilker Municipal Gardens as a constant

reminder of Austin's pioneer ancestors, in memory and in honor of Texas educators. It was noted that the Ingersons had purchased the Esperanza School, the second oldest school in Travis County, and had presented it to the City of Austin for preservation and display as a valuable souvenir of the Texas pioneer heritage.

Mrs. Ingerson thanked the Council and noted that representatives of more than 15 civic organizations were sponsoring the moving of the cabin, and various historical organizations were actively interested in supporting the preservation of this educational artifact. She expressed their appreciation to everyone involved.

#### SHERIFF JIM FLOURNOY DAY

Mayor Friedman read and then presented a proclamation to Sheriff Jim Flournoy and Mr. and Mrs. Warren Hart, declaring June 22, 1975, to be "Sheriff Jim Flournoy Day" and urged all Austin residents acquainted with Sheriff Flournoy and his magnificent record of service to the people of Fayette County to attend a barbecue to be held in LaGrange, Texas, on June 22, 1975, at 4:00 p.m. in Sheriff Flournoy's honor. Sheriff Flournoy thanked the Council for this great honor.

#### RECOGNITION

Mayor Friedman read a resolution signed by the Council recognizing the fact that Police Officer Leland Dale Anderson, a 2-year member of the Austin Police Department, had given his life in the line of duty on June 6, 1975; and the Council extended its condolences to the family of the late Leland Dale Anderson and called on all residents to recognize his act of bravery in performance of his duty. Mayor Friedman pointed out that this resolution would be sent to his family with the gratitude of 300,000 Austinites.

#### EXECUTIVE SESSION ACTION

Mayor Friedman announced that the Council had been in an Executive Session earlier in the day and had discussed appointments to various boards and commissions that were now before the Council for action.

#### Austin-Travis County Mental Health Mental Retardation Board

Mayor Pro Tem Snell moved that the Council appoint MRS. CHARLENE SEARIGHT to the Austin-Travis County Mental Health-Mental Retardation Board and concurred in the following appointments to the Board:

Ms. Mary Helen Valdez - appointed by Commissioners' Court  
Matt Snapp, Ph.D. - appointed by Austin Independent School District  
Martha Williams, Ph.D. - appointed by University of Texas

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers  
Himmelblau, Hofmann, Linn, Trevino  
Noes: None  
Absent: Councilmember Lebermann

Executive Committee of the Capital  
Area Manpower Consortium

Councilmember Trevino moved that the Council appoint the following to the Executive Committee of the Capital Area Manpower Consortium:

Mr. Ed Washom	-	TEC
Mr. Claude C. Mathis	-	TEA
Mayor Pro Tem Jimmy Snell		
Ms. Andrea Beatty	-	Personnel
Mr. W. W. McFarland	-	TRC
Mr. Tom Mayes	-	Citizen
Councilmember John Trevino		
Mr. Marcel Rocha	-	Mexican-American Chamber
Ms. Rosa Moreno		

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

Ayes: Mayor Pro Tem Snell, Councilmembers: ~~Himmelblau~~, Hofmann,  
Linn, Trevino, Mayor Friedman  
Noes: None  
Absent: Councilmember Lebermann

Human Relations Commission

Mayor Pro Tem Snell moved that the Council appoint FATHER JOE ZNOTAS and EUELA E. LANE to the Human Relations Commission and named Father Znotas as Chairman. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Himmelblau, Hofmann, Linn, Trevino,  
Mayor Friedman, Mayor Pro Tem Snell  
Noes: None  
Absent: Councilmember Lebermann

On-Going Committee of Goals Assembly

Councilmember Hofmann moved that the Council appoint the following to the On-Going Committee of the Goals Assembly:

Chairman

Jim Wells

Zone 1

Jack McCowan  
Carolyn Osborne  
Jean Bringol, Alternate

Zone 2

Francie Breyfogle  
Juan Lujan  
Ed Hess, Alternate

Zone 3

Thomas Shefelman  
Sandra Weinstock  
Myra Ravel, Alternate

Zone 4

Cathy Bonner  
Helen Hill  
Margo Bieseke, Alternate

Zone 7

Stroud Kelley  
Michael McHone  
Rachel Bohmfalk, Alternate

Zone 10

Billie Bengston  
Robert Mather  
Paul Tovar, Alternate

Zone 5

Nadea Gizelbach  
Don Sullivan  
Tom Philpott, Alternate

Zone 8

D. P. Johnson  
Carrie Yancy  
Father Joe Znotas, Alt.

Ex Officio Members

Joan Bartz  
Allen McCree

Zone 6

Sarah Robertson  
Robert C. Villanueva  
Richard Roland, Alternate

Zone 9

Eugene McKee  
Beth Sebesta  
Gloria Cannon, Alternate

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

Ayes: Councilmembers Hofmann, Linn, Trevino, Mayor Friedman,  
Mayor Pro Tem Snell, Councilmember Himmelblau

Noes: None

Absent: Councilmember Lebermann

Commission on Status of Women

Councilmember Himmelblau moved that the Council appoint the following to the Commission on the Status of Women:

Jannie Polk  
Celia Segura  
Isabell Huerta  
Vivian Alexander  
Mary Angelin Flores  
Jan Pickle  
Barbara Vacker  
Martha Smiley

Cathy Bonner  
Megan Seaholm  
Dr. Janice May  
Jim Daniels  
John Henson  
Rachael Ruiz  
Janice Robinson

Pete Bisson, Ex Officio Member

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

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro  
Tem Snell, Councilmembers Himmelblau, Hofmann

Noes: None

Absent: Councilmember Lebermann

## APPROVAL OF MINUTES

Councilmember Hofmann moved that the Council approve the Minutes of June 5, 1975, as amended. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann  
Noes: None  
Absent: Councilmember Lebermann

## ZONING HEARINGS

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

JOSEPH F. BURKE	1209 Baylor Street	From "O" Office
By Martin Boozer, Jr.		To "LR" Local Retail
C14-75-037		RECOMMENDED by the Planning Commission

Mr. Dick Lillie, Planning Department Director, reviewed this by stating that "O" Office District had existed on this since 1965; however, "LR" Local Retail District was required on the rear portion of this lot because of an existing sign and fence. He noted that this was recommended by the staff and Planning Commission. Councilmember Linn moved that the Council grant "LR" Local Retail District as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Linn  
Noes: None  
Absent: Councilmember Lebermann

The Mayor announced that the change had been granted to "LR" Local Retail District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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INCORPORATED INVESTORS, INC.	4015 Manchaca Road	From "A" Residence
C14-75-049		To "O" Office
		RECOMMENDED by the Planning Commission

Mr. Lillie stated that in the past five years or so there had been a number of requests for "O" Office District and that this tract was located between two others previously zoned by the Council for "O" Office. He noted that it was recommended by the staff and Planning Commission. Councilmember Linn moved that the Council grant "O" Office District as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers  
Himmelblau, Hofmann, Linn, Trevino  
Noes: None  
Absent: Councilmember Lebermann

The Mayor announced that the change had been granted to "O" Office District as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

C. B. CARPENTER,  
ET AL  
C14-75-055

1911-A East River-  
side Drive

From "LR" Local Retail  
To "GR" General Retail  
RECOMMENDED by the Planning  
Commission

Mr. Lillie stated that this tract made up 1,491 square feet of an existing shopping center, and "GR" General Retail was appropriate zoning for this area. Mayor Pro Tem Snell moved that the Council grant "GR" General Retail District as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann,  
Linn, Trevino, Mayor Friedman  
Noes: None  
Absent: Councilmember Lebermann

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

JACK W. LEDBETTER  
By Robert A. Mann  
C14-75-057

300-306 West 15th  
Street  
1500-1508 Lavaca  
Street

From "C" Commercial  
To "C-2" Commercial  
RECOMMENDED by the Planning  
Commission

Mr. Lillie noted that "C-2" Commercial District was consistent with surrounding zoning. Councilmember Himmelblau moved that the Council grant "C-2" Commercial District as recommended by the Planning Commission. The motion, seconded by Councilmember Linn, carried by the following vote:

Ayes: Councilmembers Himmelblau, Hofmann, Linn, Trevino,  
Mayor Friedman, Mayor Pro Tem Snell  
Noes: None  
Absent: Councilmember Lebermann

The Mayor announced that the change had been granted to "C-2" Commercial District, and the City Attorney was instructed to draw the necessary ordinance to cover.

J.E. YOUNGQUIST  
By H. C. Carter, Jr.  
and Ted R. Hendricks  
C14-75-059

2505 Buell Road

From Interim "A" Residence  
1st Height and Area  
To "C" Commercial  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Mr. Lillie pointed out that this was predominantly a commercial street. Councilmember Linn moved that the Council grant "C" Commercial, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmembers Hofmann, Linn, Trevino, Mayor Friedman,  
Mayor Pro Tem Snell, Councilmember Himmelblau  
Noes: None  
Absent: Councilmember Lebermann

The Mayor announced that the change had been granted to "C" Commercial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

LIME KILN  
C14h-74-021

Reed Park (City of  
Austin, owner)

From "A" Residence  
To "A-H" Residence-Historic  
RECOMMENDED by the Planning  
Commission

Mr. Lillie noted that this had been recommended by the Parks and Recreation Department, Landmark Commission, Planning Commission, and Planning Department. Councilmember Linn moved that the Council grant "A-H" Residence-Historic District, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor  
Pro Tem Snell, Councilmembers Himmelblau, Hofmann  
Noes: None  
Absent: Councilmember Lebermann

The Mayor announced that the change had been granted to "A-H" Residence-Historic District, and the City Attorney was instructed to draw the necessary ordinance to cover.

STUART M. PURCELL,  
ET AL  
By Wayne Gronquist  
and Bill Ley  
C14-75-005

Various properties within  
Fairview Park on Academy  
Drive, Hillside Avenue,  
Newning Avenue, Park Lane,  
Bickler Road, Melissa  
Lane, Le Grande Avenue,  
Bonnieview Road, Drake  
Avenue, Ravine Drive,  
and The Circle

From "B" Residence  
1st Height and Area and  
2nd Height and Area and  
"BB" Residence  
1st Height and Area  
To "A" Residence  
1st Height and Area  
NOT Recommended by the Planning  
Commission  
RECOMMENDED by the Planning  
Commission "A" and "A-H", 1st  
Height and Area, excluding  
(1) Mrs. James Johnston, 220  
Bonnieview Road, Lots 2  
and 3, Block 2, Northwood  
Heights;  
(2) Ms. Edith Roberts, 1203  
Newning Avenue, Lot 49,  
less the south 20 feet,  
Fairview Park; and  
(3) Mr. and Mrs. Roy Henderson,  
209 Academy Drive, Lot  
3-A Peters Addition.

Mr. Lillie reviewed this by noting that the request for roll back was by 53 separate owners of 62 residential properties within the Travis Heights area. He commented that this was a neighborhood in which there was a great deal of pride and interest on the part of the property owners to retain the residential character of the subdivision, and the neighborhood association (South River City Citizens) had been very active in the past several years in developing a neighborhood program. He reported that the application had been recommended by the staff; but the Planning Commission recommended approval with the afore-mentioned three exceptions, which, if rolled back, would create non-conforming situations. He noted that the property owners for these properties were in agreement with the roll back and would "live with" the non-conforming status.

MR. WAYNE GRONQUIST, representing the applicant, pointed out that this application was the result of 2-1/2 years of effort on the part of the residents. He suggested that the Planning Commission and Council had a policy to protect the integrity of neighborhoods, particularly in the inner City area. With regard to the three exceptions, he pointed out that two pieces of property were used for offices and the other a four-plex that was a single-family dwelling. He felt that these would ultimately go back to uses that were compatible with the residential character of their neighborhood. He hoped the Council would approve not only those properties recommended by the Planning Commission but the other three as well.

MRS. HELEN R. HALL, 1102 Claire Avenue, submitted that there were a number of people who were in opposition to this request; and she was representing the Keller family. She suggested that there had not been one single-family residence built in this area since 1960 and felt that apartments were not necessarily detrimental to the neighborhood. She also felt the rights of persons objecting should be considered in that an individual was going to be prevented from using his land to its best advantages.



Mayor Friedman pointed out that the Planning Commission and staff had granted this because of the fact that owners specifically had requested this, and there would be no change in any zoning classification of anyone else's property.

MR. B. C. TODD, owner of property on The Circle, appeared in opposition to the roll back but was informed by Mr. Gronquist that his property would not be effected by the roll back.

MR. FREDERICK HERRIN, 119 Academy Drive, was in opposition in that he did not want his "hands tied" where he could not build and develop his property into apartments; however, he was also informed that his property was not included in the roll back and that his zoning classification would not change.

MR. E. A. JONES appeared in opposition to change in zoning. Mayor Friedman pointed out that he had been notified as an adjacent property owner as required; however, his property would not be changed.

In response to Mrs. Hall's question concerning what would happen if she applied for a building permit for apartments at 1503 Newning, which had a zoning of "B" Residential, Mayor Friedman informed her that this would have no effect; however, she would have to meet all the requirements and it would be up to the Building Inspection Department to determine whether or not the permit was issued.

There was mention of a petition on file, and Mr. Lillie noted that there were 16 signatures in opposition to the roll back; however, he added that it was not a valid petition in that they made up less than 20% of the effected property owners. He also noted that it was not in proper form in that there was nothing at the top of the petition indicating what it was for.

Councilmember Linn moved that the Council grant "A" Residence District and "A-H" Residence-Historic District, 1st Height and Area, as recommended by the Planning Commission, but with the inclusion of the three afore-mentioned properties to be operated under non-conforming uses. The motion, seconded by Councilmember Hofmann, carried by the following vote:

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro Tem  
Snell, Councilmembers Himmelblau, Hofmann  
Noes: None  
Absent: Councilmember Lebermann

The Mayor announced that the change had been granted to "A" Residence District and "A-H" Residence-Historic District, 1st Height and Area, with the inclusion of the three afore-mentioned properties to be operated under non-conforming uses, and the City Attorney was instructed to draw the necessary ordinance to cover.

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ALEXANDER MAYNARD  
C14-75-048

700 West St. Johns  
Avenue

From "A" Residence  
To "GR" General Retail  
NOT Recommended  
RECOMMENDED by the Planning  
Commission "LR" Local Retail  
subject to 15' of right of  
way (45' from the centerline)  
necessary to increase St.  
Johns Avenue to 90 feet

Mr. Lillie noted that both the staff and Planning Commission had felt the requested "GR" General Retail District was too intense for this area and had recommended "LR" Local Retail District, and the applicant was in agreement with the recommendation and with the condition. In response to questions from Councilmember Linn, Mr. Lillie stated that there were residential lots in this area and also a piece of property zoned "D" Industrial District.

MR. ALEXANDER MAYNARD, the applicant, noted that he installed patio covers for a living; and 95% of his business was done at the customers' homes. He pointed out that the only thing there would be at this location would be a small amount of equipment.

Councilmember Linn questioned whether or not this would be setting a precedent; and Mr. Lillie pointed out that "LR" Local Retail District would be a more restrictive zoning, and the applicant would be requested to take out a special permit.

Mayor Pro Tem Snell moved that the Council grant the change to "LR" Local Retail District as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell,  
Councilmembers Himmelblau, Hofmann.  
Noes: Councilmember Linn  
Absent: Councilmember Lebermann

The Mayor announced that the change had been granted to "LR" Local Retail District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

F. N. BOLDING, JR.,  
ET AL  
By Bill Davis  
C14-75-054

5213-5227 Wasson  
Road

From "A" Residence and  
"C" Commercial  
1st Height and Area  
To "C" Commercial  
1st Height and Area  
(as amended)  
NOT Recommended  
RECOMMENDED by the Planning  
Commission "C" Commercial 1st  
Height and Area and "A"  
Residence 1st Height and Area  
for 75 feet from the center-  
line of Williamson Creek along  
eastern edge of tract.

Mr. Lillie indicated that the area along Wasson Road and South Congress was "C" Commercial and "DL" Light Industrial; and the recommendation of the staff and Planning Commission was to grant "C" Commercial, and they were interested in retaining "A" Residence District on 75 feet along Williamson Creek to retain the character of the creek. He pointed out that the applicant was in agreement with the conditions.

Councilmember Himmelblau moved that the Council grant "C" Commercial, 1st Height and Area District, and "A" Residence, 1st Height and Area District for 75 feet from the center-line of Williamson Creek along the eastern edge of the tract, as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers  
Himmelblau, Hofmann, Linn, Trevino  
Noes: None  
Absent: Councilmember Lebermann

The Mayor announced that the change had been granted to "C" Commercial, 1st Height and Area District, and "A" Residence, 1st Height and Area District for 75 feet from the center-line of Williamson Creek along the eastern edge of the tract, and the City Attorney was instructed to draw the necessary ordinance to cover.

LEONA RYAN GRAHAM  
C14-75-017

1908 Eva Street

From "A" Residence  
To "B" Residence  
NOT Recommended by the Planning  
Commission

Mr. Lillie stated that this lot adjoined a lot that was presently zoned "B", and there were apartments to the south. He noted that the applicant's intent was to expand the use which was on the adjoining property to the south, which was a boarding house for deaf girls attending the state school. He indicated that in their review, the staff felt this was an intrusion into a single-family neighborhood that was not appropriate and recommended denial. He added that the Planning Commission also felt this would be an extension into the residential neighborhood.

Mayor Friedman questioned the possibility of granting "B" Residence District under a restrictive covenant so that if the property were not utilized as proposed, it would revert back to "A" Residence District. Mr. Lillie felt that this was something in which the City should not become involved; however, he suggested that restricting the property to this particular use by covenant would reduce the objections of the staff because it would reduce the number of uses as proposed under "B" Residence District.

MR. JOHN KAHN, representing the applicant, reviewed the purpose of the boarding house and noted that the Texas Rehabilitation Commission had asked them to enlarge their facilities to take care of men and women.

In response to Mayor Friedman's question, Mr. Kahn stated that they would be willing to restrict this to the use of a boarding house for multi-handicapped deaf persons and submitted a letter from Mrs. Leona Ryan Graham, the applicant and owner of the property, indicating her compliance with the restriction.

MR. DALE HILL, representing the applicant, noted that the primary use in mind for this was a mixed drink establishment, which would require "C-2" zoning. He felt that this was a good location for this type operation. He noted that "GR" General Retail District would allow drinks to be served in connection with food; however, this request was for a primarily mixed-drink oriented establishment. He indicated that the applicant would be willing to put in a restaurant-bar operation, but there was not enough parking at this particular time on the adjoining lot.

MR. EARL PODOLNICK, owner of Aquarius Theatre, suggested that there were nine taverns and bar places along Riverside Drive and could see no reason for this request. He requested that the Council deny this application because it would create traffic hazards.

Councilmember Linn moved that the Council DENY the zoning change to "C-2" Commercial District. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro Tem Snell, Councilmembers ~~Hofmann~~blau, Hofmann,

Noes: None

Absent: Councilmember Lebermann

Not in Council Chamber when roll was called: Councilmember Himmelblau

The Mayor announced that the change had been DENIED.

ALVIN J. and ADA  
S. MYNAR  
C14-75-053

9001-9003 North  
Lamar Boulevard  
9000 Shepard Drive

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

Mayor Friedman announced that the applicants had requested withdrawal of this application.

MR. STAN BELL, 8908 Shepar~~d~~ Drive, appeared in opposition to the request for withdrawal and asked that the Council deny the application. He based his opposition to the change on the following:

1. Denial of privacy.
2. Immediate and future adverse effect on his property value.
3. Increase traffic problem.

#### Motion

Mayor Friedman moved that the Council accept the request for withdrawal. Mayor Pro Tem Snell seconded the motion, which showed the following vote:

Ayes: Mayor Friedman, Mayor Pro Tem Snell, Councilmember Himmelblau

Noes: Councilmembers Trevino, Hofmann, Linn

Absent: Councilmember Lebermann

The Mayor announced that the motion had failed to carry.

Mr. Lillie reviewed this by noting that the staff and Planning Commission had felt that this would be an encroachment into the residential area and recommended denial. He pointed out that a petition had been filed by the property owners within 200 feet who were in opposition; however, it was not valid in that it only represented 19.1%, which was just under the 20% required for a valid petition. He added that this request would require 6 votes to overrule the recommendation of the Planning Commission.

Councilmember Linn moved that the Council DENY the zoning change to "LR" Local Retail District. The motion, seconded by Mayor Friedman, carried by the following vote:

Ayes: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers  
Himmelblau, Hofmann, Linn, Trevino

Noes: None

Absent: Councilmember Lebermann

The Mayor announced that the change had been DENIED.

BALCOR REALTY  
INVESTORS  
By Dan Cates  
C14-75-058

5742 Manchaca Road  
also bounded by  
Stassney Lane

From "GR" General Retail  
To "C" Commercial  
NOT Recommended by the  
Planning Commission

Mr. Lillie noted that this was 2,738 square feet of a small shopping center and was located at the north edge of the center. He indicated that the staff and Planning Commission recommended denial in that it was incompatible with the adjacent zoning and land use.

Councilmember Linn moved that the Council DENY the request for a zoning change to "C" Commercial District. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann,  
Linn, Trevino, Mayor Friedman

Noes: None

Absent: Councilmember Lebermann

The Mayor announced that the change had been DENIED.

MR. WOODROW SLEDGE, Austin Independent School District, appeared in reference to this change.

The following zoning change was WITHDRAWN:

CITY NATIONAL BANK,  
TRUSTEE  
By Dick Hodgkins  
C14-75-046

8312-8324 Jamestown  
Drive

From "A" Residence  
To "C" Commercial  
NOT Recommended

MR. DICK HODGKINS, representing the applicant, requested that the zoning application be withdrawn in view of the opposition. It was pointed out that the applicant could come back to the Council in 6 months if the request for withdrawal was granted.

#### Motion

Councilmember Himmelblau moved to accept the request for withdrawal. Mayor Pro Tem Snell seconded the motion.

MR. SIM OEFINGER, 8416 Maine Drive, appeared in opposition to the withdrawal and submitted that many in opposition had been inconvenienced by being present and would appreciate the Council's considering the application at this time. He noted that a petition had been presented in opposition to this case.

In response to Councilmember Himmelblau's question, Mr. Lillie stated that withdrawal was a policy of the Council; and the period of time in which an applicant could come back was still 6 months. Mayor Friedman recommended that the policy be changed and that it be considered at another meeting, but he noted that the Council could not change it at this time.

In reference to the afore-mentioned petition, Mr. Lillie noted that it was not valid in that it only represented 13.3% of the area.

MS. FRANCIE BREYFOGLE, North Austin Civic Association, suggested that there was no time like the present for a policy change. She noted that this group had worked very hard in opposition to the change and urged that the Council consider the change in policy very soon because it placed a big burden on the neighborhood.

Mr. Hodgkins noted that the withdrawal had not taken place at the last minute and had been recorded on May 7, 1975, and presented to the Planning Commission; but it had been denied. He stated that he had received notification from the City Clerk that the case had been placed on the agenda and that the same people who had been notified of the zoning request were also notified that a withdrawal request had been made.

Mayor Pro Tem Snell expressed his desire to have a change in the policy.

#### Roll Call on Motion

Roll call on Councilmember Himmelblau's motion, Mayor Pro Tem Snell's second, that the application be withdrawn, showed the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Snell, Councilmember Hofmann, Mayor Friedman  
Noes: Councilmembers Linn, Trevino  
Absent: Councilmember Lebermann

The Mayor announced that the request for zoning change had been WITHDRAWN.

#### FUTURE ITEM FOR CONSIDERATION

At this time Mayor Friedman requested that the Planning Department staff come back on June 26, 1975, with a proposed policy change that would extend the period of time that an applicant could come back after withdrawal from 6 months to not less than 12 months.

## HEARING ON ANNEXATION

Mayor Friedman opened the public hearing scheduled for 1:00 p.m. to consider the annexation of the following:

Total of 117.67 acres of land: (Case No. C7a-75-004)

1. 37.59 acres of land out of the J. C. Brooks Survey (Gracywoods, Section One) - Requested by Bryant-Curington, Inc., Consulting Engineers representing Austex Development Company, Ltd., owner.)
2. 80.08 acres of land out of the J. C. Brooks Survey and the John Applegait Survey (Parson's Subdivision, Sections One, Two and Three and unplatted land and Pecusa Drive, Plains Trail, Austin Park Lane, Parsons Drive, Renel Drive, and Selma Drive - Initiated by the City.)

Mr. Lillie noted that this had been circulated to various departments and recommended that the Council proceed with annexation.

In response to Councilmember Linn's question as to whether or not this was in the best interest, Mr. Lillie noted that the staff was preparing a report on a number of annexation areas that the Council should be looking at and considering. He indicated that this particular request was within the area the staff would be bringing back to the Council at the end of the summer.

MR. IRBY FORD, 11500 Circle Bend, presented a petition with 203 signatures in opposition to the annexation for the following reasons:

1. Will enclose North Park Estates on the west, north, and northeast sides.
2. The inclusion of Austin Park Lane in the annexation will ultimately incur additional expense on the residents of North Park Estates with no benefits.
3. Connection of the streets of North Park Estates with any of the proposed area will result in increased traffic flow on streets paid for by the residents and that were never designed as main arteries.
4. Use of the tract proposed for annexation for townhouses and multiple family units will cause a loss of value to the residents in North Park Estates.

In response to Councilmember Linn's questions, Mr. Curtis Johnson, Water and Wastewater Director, noted that at the present time there were no sewer lines in the area; but this area was in the City's electrical service area and was served water by Water District No. 9.



In connection with Councilmember Linn's question concerning the reason for instituting annexation proceedings at this time, Mr. Lillie stated that the middle portion of this proposal had been requested to be annexed by the property owner; and under State Law, the City would be required to extend a 500-foot corridor from Kramer Lane to the requested property before annexation could take place. He commented that it made no difference whether this was annexed now or late summer after the report was completed.

MRS. GEORGE HITT, 1101 Gemini, did not want her street to be turned into a main artery to serve the proposed subdivision of 600 homes.

Mayor Friedman pointed out that the homes would be built regardless of the annexation.

City Manager Davidson noted that the Planning Commission controlled street alignments and new subdivisions, and they tried to have some continuity from one section to another. He pointed out that Mrs. Hitt's section was not proposed for annexation at this time, and he added that annexation did not have anything to do with access.

MR. ROBERT HEIDEMANN, 906 North Bend Drive, was concerned with the annexation of Austin Park Lane. He felt that perhaps the streets could be dead ended or other accesses to the development planned.

City Manager Davidson reiterated that the streets would be connected even if this area was never annexed. He added that it could be anticipated that the staff would be coming back to the Council in the next few months with a recommendation for additional areas to be annexed to the City in order to resolve some of the health problems related to the City-County Health Department. He felt that Mr. Heidemann's area was very likely to be recommended for this kind of annexation.

MRS. A. SCHEDLER, 11405 Titian Drive, was opposed to the opening of the streets and also pointed out that there was a tremendous water problem after heavy rains. She felt that when the streets were opened into existing streets, there would be a more serious water problem.

Mr. Lillie pointed out that the subdivision had already been approved by the Planning Commission, and the streets had been dedicated. Mayor Friedman added that the City had no control over the streets unless they were annexed.

Councilmember Linn suggested that if the whole area was under consideration for annexation, possibly the City should plan accordingly and not spot annex.

MR. DARRELL DUMKE, 11502 Orbit Road, suggested that this area was already serviced with water and electricity and asked how this would effect the zoning for school districts.

MR. JOEL MICK, 1101 North Bend, felt that there should be more time to study this and that there should be more planning.

MR. M. K. PARSONS, developer of the area in question, had no real objections to the annexation and submitted that there were some advantages as well as disadvantages. He felt that this was just one of the growth problems.

MR. BILL BRASWELL, 1103 North Bend, asked if the City still used the practice of reimbursing the developer. In reply to this, Mayor Friedman noted that this was being phased out.

MR. GEORGE RAMIREZ, 1107 Rebecca Drive, asked that this group be given time to organize themselves in that he had only known about this for three days; and they were not sure how this was going to effect them.

MS. MARIE AMSLER, 1000 Space Lane, wanted to know when the sewer would be in place and how much it would cost. She also expressed concern about the traffic. Mayor Friedman pointed out that the law required that a sewer system be available within three years after annexation.

City Manager Davidson stated that before the staff brought any proposal to annex in Ms. Amsler's area before the Council, they would put together a manual that addressed itself to the kinds of questions she asked. In addition, the staff would meet with the neighborhood group in order to answer questions before any proposal to annex property was brought to the Council.

Mayor Friedman took this opportunity to note that if this were annexed before December 31, 1975, it would not go on the tax rolls until January 1, 1976, with no taxes being paid until January 1, 1977.

Councilmember Linn moved that the Council postpone consideration of the afore-mentioned annexation until a study and recommendations of the entire area could be made with consultations from area residents, Planning Department, and Planning Commission. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmembers Himmelblau, Hofmann, Linn, Trevino,  
Mayor Friedman, Mayor Pro Tem Snell

Noes: None

Absent: Councilmember Lebermann

Mayor Friedman asked that the staff get in touch with neighborhood representatives to work with them and inform them of the progress.

The Council also had before it the consideration of annexation of the following:

163.03 acres out of John M. Swisher Survey, the Thomas C. Collins Survey, William B. Harrison Survey, J. C. Harrelson Survey, and the J.A.G. Brooks Survey. Portions of Walnut Forest, Interstate Highway 35, also Yager Lane, and Coxville Interchange. (Initiated by City of Austin - Case No. C7a-75-005.)

Mr. Lillie reviewed this annexation proposal by noting that it was an effort to resolve Round Rock's and Austin's extraterritorial jurisdiction boundary line. He pointed out that the City had a 5-mile extraterritorial jurisdiction from its City limit line, which was just south of Walnut Creek; and Round Rock's line to the intersection of F.M. 1325 and I.H. 35, with a 1/2 mile extraterritorial jurisdiction from that point. He added that there were a number of acres between Round Rock and Austin under neither city's jurisdiction.

With the consent of the Round Rock Council, he indicated that the City originated a request to extend Austin's City limit line along I. H. 35 to the Coxville Interchange. He pointed out that according to a recent amendment to the State Statute, the corridor must not be less than 500 feet wide; and basically it was 300 feet wide at the present time. As a part of the request, he noted that the staff initiated 100 feet of annexation of private property on either side of I.H. 35 to the north of River Oaks Drive. He indicated that the 500-foot corridor included a tier of lots on the west side of I.H. 35 for about 1,000 to 1,500 feet. Mr. Lillie noted that the staff had a choice of including 100 feet on either side of the right of way; but rather than split residential lots, they decided to go on one side and include whole lots.

He stated that upon annexation, the City would meet with the Round Rock Council and City Manager and draft an agreement on the allocation of the extraterritorial jurisdiction. The proposal would stipulate that the Austin extraterritorial jurisdiction would cross I.H. 35 approximately 2600 feet north of the F.M. 1325 overpass, and the Round Rock extraterritorial jurisdiction would cross I.H. 35 approximately 2600 feet south of the overpass. Mr. Lillie concluded that notices were sent to property owners whose property would be effected by this annexation.

MRS. BRYAN SNYDER, 13301 North Lamar, stated that their property was just north of the bridge and felt that she and her husband would be unduly taxed because they would receive no benefits from the City. She also felt that if this were annexed, they would not be likely to develop their property into a subdivision. She asked that the Council deny this and suggested that Round Rock could extend their extraterritorial jurisdiction and take this in.

Mayor Friedman remarked that Round Rock had a very limited ETJ, and the City was trying to protect the citizens from some substandard development over which no one would have control.

Mr. Lillie suggested that possibly the annexation proposal could be amended so that the annexed area would be just within the Interchange right of way without violating the 500-foot wide corridor but eliminating Mrs. Snyder's problem.

MR. DOREN ESKEW appeared on behalf of several who were interested in this annexation and suggested that this posed a problem for people with property fronting on I.H. 35 in that they would be in a "state of limbo" with the inclusion of the 100 feet. He noted that there would be a zoning of "AA" on the 100 feet of land, which no one could make use of. He indicated that the law prohibited annexation of a strip of less than 500 feet wide; however, he suggested that it did not prohibit the discontinuance of a strip less than 500 feet wide. He felt that a hardship should not be imposed on the property owners to accomplish the City's objective.

MR. KENNY DRYDEN stated that he had been in contact with 3 or 4 of the surrounding property owners effected by this annexation, and the main concern was the effect the 100-foot strip would have on their property. He asked that the Council keep this in mind; and if there was a way to accomplish the extra-territorial jurisdiction situation, he asked that they be allowed to keep a marketable piece of property. He felt that it would be unmarketable if they had a 100-foot strip zoned Interim "AA" Residence District.

MR. ALBERT HADELER, 11724 North Interregional, stated that the City limits were in front of his house in which he operated a business. He asked what effect the annexation would have on his business.

Mr. Lillie pointed out that all uses not conforming with "AA" would be able to operate at the present level and could continue with no change in zoning. He noted that this would be operating under a non-conforming use; however, if anyone wanted to get his property properly zoned, it would be a matter of filing with the Planning Department and appearing before the Planning Commission and Council for hearing. He reiterated that it would not cause anyone any problem to continue his business as it was.

Councilmember Linn moved that the Council close the public hearing and direct the administration to institute annexation proceedings to annex the afore-mentioned property with the amendment by Mr. Lillie whereby the annexed area would fall just within the Interchange right of way. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Hofmann, Linn, Trevino, Mayor Friedman,  
Mayor Pro Tem Snell, Councilmember Himmelblau  
Noes: None  
Absent: Councilmember Lebermann

#### RELEASE OF EASEMENT

Councilmember Linn moved that the Council adopt a resolution authorizing release of the following easement:

A certain Electric Easement of the City of Austin as covers any part of the two (2) tracts of land out of the RACHEL SAUL HEADRIGHT LEAGUE in WILLIAMSON COUNTY, TEXAS, that were conveyed to Larry Niemann by deeds recorded in Volume 562 at Page 305 and Volume 609 at Page 339 of the Deed Records of Williamson County, Texas. (Requested by Fleur A. Christensen, Attorney for Larry Niemann, owner.)

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

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro  
Tem Snell, Councilmembers Himmelblau, Hofmann  
Noes: None  
Absent: Councilmember Lebermann

#### LICENSE AGREEMENT

Mayor Pro Tem Snell moved that the Council adopt a resolution authorizing the City Manager to enter into a License Agreement with the Missouri Pacific Railroad Company for the purpose of installing a 42-inch water main beneath said Railroad's right of way at a point 1,497 feet north of Mile Post 187, Austin, Texas. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro  
Tem Snell, Councilmembers Himmelblau, Hofmann  
Noes: None  
Absent: Councilmember Lebermann

## CONTRACTS AWARDED

Councilmember Linn moved that the Council adopt a resolution awarding the following contract:

AUSTIN ENGINEERING COMPANY  
6304 Bee Caves Road  
Austin, Texas

- St. Johns Area Redevelopment,  
Phase I, Storm Sewer & Utility  
Construction, C.I.P. No. 7038 0,  
4010 0, and 5010 1 - \$128,911.80

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

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem  
Snell, Councilmembers Himmelblau, Hofmann, Linn  
Noes: None  
Absent: Councilmember Lebermann

Councilmember Linn moved that the Council adopt a resolution awarding the following contracts:

Bid Award:

- Construction Equipment with  
Operators Furnished, for use with  
Town Lake and Park projects, Parks  
and Recreation Department, 12-month  
rental agreement

JOHNIE F. PLUMLEY  
EXCAVATING COMPANY  
P. O. Box 1316  
Austin, Texas

- Item Nos. 1, 1.A, 1.C, 1.D, 1.S,  
and 1.T - Estimated total \$4,800.00

BUILDER'S EQUIPMENT RENTAL  
3400 East First Street  
Austin, Texas

- Item Nos. 2 thru 5, 1.B, 1.E thru  
1.N - Estimated total \$9,900.00

CAPITAL EQUIPMENT COMPANY  
5508 U. S. 290  
Austin, Texas

- Item Nos. 1.0 thru 1.R  
No estimate

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

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem  
Snell, Councilmembers Himmelblau, Hofmann, Linn  
Noes: None  
Absent: Councilmember Lebermann

Councilmember Linn moved that the Council adopt a resolution awarding the following contract:

TENNANT COMPANY  
701 North Lilac Drive  
Minneapolis, Minnesota

- Power Unit for Tennant Sweeper,  
Vehicle and Equipment Services  
Department. Item 1 - \$5,625.00

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

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem  
Snell, Councilmembers Himmelblau, Hofmann, Linn  
Noes: None  
Absent: Councilmember Lebermann

Councilmember Linn moved that the Council adopt a resolution awarding the following contracts:

Bid Award:

- Tapping Sleeves and Valves,  
Tapping Assemblies and Butterfly  
Valves, Water and Wastewater  
Department.

MILSTEAD COMPANY  
321 East 2nd Street  
Austin, Texas

- Item 1; 2 ea. @ \$786.00  
Total - \$1,573.20

GIFFORD-HILL AMERICAN  
2949 Stemmons Freeway  
Dallas, Texas

- Item 2; 1 ea. @ \$305.00  
(Tapping Assembly)

ROHAN COMPANY  
5304 Bandera Road  
San Antonio, Texas

- Item 2; 1 ea. @ \$ 520.12  
(Tapping Valve)  
Item 3; 4 ea. @ \$ 274.51  
Item 4; 7 ea. @ \$ 909.50  
Item 5; 4 ea. @ \$2,220.25  
Total - \$16,865.66

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

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem  
Snell, Councilmembers Himmelblau, Hofmann, Linn  
Noes: None  
Absent: Councilmember Lebermann

Councilmember Linn moved that the Council adopt a resolution awarding the following contract:

Bid Award:

- 30,000 GVWR Trucks, Vehicle and  
Equipment Services Department

INTERNATIONAL HARVESTER  
COMPANY  
4711 East 7th Street  
Austin, Texas

- Item 4; 5 ea. @ \$52,663.00

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

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem  
Snell, Councilmembers Himmelblau, Hofmann, Linn  
Noes: None  
Absent: Councilmember Lebermann

Councilmember Linn moved that the Council adopt a resolution awarding the following contracts:

Bid Award: - Traffic Control Equipment, Urban  
Transportation Department.

SIGNAL ENGINEERING COMPANY - Items 2, 3 and 4 - \$22,219.14  
2032 Dunlavy  
Houston, Texas

AUTOMATIC SIGNAL COMPANY - Item 5 - \$1,845.20  
LFE Traffic Control Division  
2715 Avenue E East, Suite 604  
Arlington, Texas

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

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem  
Snell, Councilmembers Himmelblau, Hofmann, Linn  
Noes: None  
Absent: Councilmember Lebermann

Councilmember Linn moved that the Council adopt a resolution awarding the following contract:

TESORO PETROLEUM CORPORATION - No.5 Fuel Oil, Exercise Renewal  
8700 Tesoro Drive of Contract through September 30,  
San Antonio, Texas 1976; Original award approved by  
City Council on May 3, 1973,  
Electric Utility Department.  
Minimum 14,000,000 gallons at  
\$0.3004 per gallon. Estimated  
annual cost \$4,205,600.00

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

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem  
Snell, Councilmembers Himmelblau, Hofmann, Linn  
Noes: None  
Absent: Councilmembers Lebermann

Councilmember Linn moved that the Council adopt a resolution awarding the following contract:

DALMARK, INC.  
P. O. Box 3486  
Austin, Texas

- Construction of an "Electric  
Ductline Extension at Warren  
Substation" - \$8,479.71

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

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem  
Snell, Councilmembers Himmelblau, Hofmann, Linn  
Noes: None  
Absent: Councilmember Lebermann

#### CONTRACT RESCINDED

Councilmember Linn moved that the Council rescind the portion of the award of March 27, 1975, for five Ford F750 trucks to LIEF JOHNSON FORD - \$51,076.00. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem  
Snell, Councilmembers Himmelblau, Hofmann, Linn  
Noes: None  
Absent: Councilmember Lebermann

#### LETTER OF AGREEMENT

Councilmember Linn moved that the Council adopt a resolution authorizing a letter of agreement between the City of Austin and City Public Service Board for the temporary purchase of gas from Delhi in Pecos and Reeves County through September, 1975. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers  
Himmelblau, Hofmann, Linn, Trevino  
Noes: None  
Absent: Councilmember Lebermann

#### LOWERING OF TOWN LAKE

Mayor Pro Tem Snell moved that the Council adopt a resolution authorizing the lowering of Town Lake approximately 3-1/2 feet to facilitate the final excavation, forming and pouring of the base of the skimming pit at the Holly Power Plant from June 16 through 20, 1975. The motion, seconded by Councilmember Linn, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann,  
Linn, Trevino, Mayor Friedman  
Noes: None  
Absent: Councilmember Lebermann



## DEMOLITION OF STRUCTURES

Councilmember Linn moved that the Council adopt a resolution authorizing demolition of structures as follows:

Accept negative bids - to be demolished only

1. 24 Bierce Street Clarence Cullen Company \$219.00
2. Northeast corner of West 10th and Lamar Clarence Cullen Company \$591.00

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

Ayes: Councilmembers Himmelblau, Hofmann, Linn, Trevino,  
Mayor Friedman, Mayor Pro Tem Snell

Noes: None

Absent: Councilmember Lebermann

## EXECUTION OF DEED

Mayor Pro Tem Snell moved that the Council adopt a resolution authorizing the City Manager to execute a deed conveying property in Fayette County for the relocation of the New Springhill Missionary Baptist Church Cemetery. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Hofmann, Linn, Trevino, Mayor Friedman,  
Mayor Pro Tem Snell, Councilmember Himmelblau

Noes: None

Absent: Councilmember Lebermann

## MODIFICATION TO GRANT FOR MANPOWER CONSORTIUM

Councilmember Linn moved that the Council adopt a resolution authorizing the City Manager to approve modification to the CETA Title I grant for the Capital Area Manpower Consortium. (This will increase the amount of the Title I grant by \$301,698 to a total of \$3,064,463 for fiscal year 1975.) The motion seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro  
Tem Snell, Councilmembers Himmelblau, Hofmann

Noes: None

Absent: Councilmember Lebermann

## CONTRACT FOR PROFESSIONAL SERVICES TO KIDNEY TRANSPLANT PROGRAM

Mayor Pro Tem Snell moved that the Council adopt a resolution approving a contract by and between the City of Austin for Brackenridge Hospital and Austin Diagnostic Clinic for the providing of professional services to the Kidney Transplant Program and Acute Renal Dialysis Services, as defined under Section 2991, Public Law 92-603, Chronic Renal Disease Program. The motion, seconded by Councilmember Linn, carried by the following vote:

Ayes: Councilmember Linn, Trevino, Mayor Friedman, Mayor Pro  
Tem Snell, Councilmember Hofmann  
Noes: None  
Absent: Councilmember Lebermann  
Abstain: Councilmember Himmelblau

#### HEARING SET TO CONSIDER USE OF PARK FOR LANDFILL

Councilmember Linn moved that the Council set a hearing for 1:00 p.m. on July 17, 1975, to consider the temporary use of a portion of Walter E. Long Metropolitan Park for a sanitary landfill. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem  
Snell, Councilmembers Himmelblau, Hofmann, Linn  
Noes: None  
Absent: Councilmember Lebermann

#### REQUEST IN CONJUNCTION WITH AQUA FESTIVAL

Mr. John Brazier, Commodore, Austin Aqua Festival, appeared before the Council requesting the use of City facilities and assistance in conducting several events in conjunction with the 1975 Austin Aqua Festival. He noted that the Festival was a civic, non-profit organization serving the following purposes:

1. Provide summer entertainment in which all citizens can participate.
2. Focus major attention on the water and recreation on the lakes.
3. Attracts visitors to Austin.
4. Creates an atmosphere of generated economic activity during the summer months.

He reviewed some of the scheduled events and asked that the Council approve the proposal.

In response to questions from Councilmember Linn, Mr. Brazier noted that there were no women, Chicanos or Blacks on the Board of Directors, which consisted of 35. Mr. Brazier pointed out that this was strictly voluntary. Councilmember Linn stated that she would vote in favor of this, anticipating that next year there would be adequate representation of the minorities on the Board.

Councilmember Trevino noted that names had been suggested to the Board, and they had indicated a willingness to accept representation from minority groups. He stated that he expected to see a little more participation on the part of minorities and a willingness on the part of the Board to accept them.

Councilmember Himmelblau moved that the Council approve the request by Mr. John Braziel for the use of City facilities and assistance in conducting several events in conjunction with the 1975 Austin Aqua Festival. The motion, seconded by Councilmember Linn, carried by the following vote:

Ayes: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers  
Himmelblau, Hofmann, Linn, Trevino

Noes: None

Absent: Councilmember Lebermann

At this time the Councilmembers and Mayor were presented Certificates naming them honorary Commodores of the Aqua Festival, gold lapel pins worn by the Board of Directors, and the 1975 Aqua Festival Skipper Pins.

#### APPROVAL OF PARADE PERMIT

Councilmember Linn moved that the Council approve a request from Dan Brainard, Northwest Hills' July 4th Parade Committee, for a parade permit on July 5, 1975, from 9:30 p.m. to 12:01 p.m., beginning at the intersection of Far West and West Rim, eastwardly on Far West, one half mile to Doss School. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann,  
Linn, Trevino, Mayor Friedman

Noes: None

Absent: Councilmember Lebermann

#### APPEARANCE CONCERNING AMBULANCE SERVICE

Mr. A. C. Frohnafel, President of the Austin Association of Fire Fighters Local 975, appeared before the Council requesting that the ambulance service be placed in the Fire Department and operated by Fire Fighters. He noted that the membership of the Association made up about 90% of the Fire Department. He asked that the Council make a commitment to them to place the Emergency Medical Service (EMS) in the Fire Department on January 1, 1976, and repeal Ordinance No. 750116-D, which created a separate department through which the EMS system was to be operated. He submitted that there were approximately 50 Emergency Medical Technicians (EMT's) at this time that were trained. In these times of rising prices and tight budgets, he felt that the cost should be considered of setting up a new department; and he felt that the City should not duplicate what it already had. If a new department was created now with six EMS units in it, he noted that six new locations would have to be selected for these units; and he suggested that their stations had been built and planned for future expansion and were ready to go into operation with a communication system already set up at no additional cost to the taxpayer.

He remarked that they had taken a survey throughout Austin and had asked whether the EMS system should be placed in the Fire Department or a new department; and out of 200 surveyed, only two had been in favor of a new department.

MR. ROBERT J. McDONALD stated that he had helped in planning the San Antonio system that was now in effect, and he had felt that the Fire Department was the place to put in such a service without any doubt; and he submitted that the high level of public service and dedication would be a plus for this system. However, he suggested that the following should be considered before making a decision:

1. Over the country there was a pattern of very difficult personnel problems arising through the use of fire fighters for this duty. He noted that the Civil Service system, promotion system, and other things interfered with the development of an effective EMS system. For example, he noted that in order to become a paramedic in the Fire Department unit, a person must serve a minimum of two years before being considered for other duty.

He suggested that if the system was placed in the Fire Department, the City must find administratively a way to have a separate career pattern and separate promotion pattern from the normal fire service.

2. In any type of medical skill experience and practice are the keys to better service, and it did not make any sense to put people in and out of this on a "yo-yo."

It was his understanding that Civil Service laws were not allowing men to work in the Fire Department who were not firemen. He pointed out that he had a State Attorney General's opinion that had been rendered in a case in Taylor, Texas, which stated that as long as Fire Department personnel were not utilized in fire combat duty they need not be trained as firemen.

REGINA ROGOFF did not object to having the service located in the Fire Department; however, the likelihood of there being any women EMT's would be very slim. She submitted that there were two women fire fighters in Texas, and there was no reason why a woman should be a fire fighter to perform as a technician. She felt that there should be career adjustments for EMT's in that the qualifications for the two functions were totally separate and distinct.

MR. PAT FARLEY, Travis County Association of EMT's, urged the Council to continue plans to implement the separate EMS department and felt that this was the best possible method, as recommended by the City Manager and the Emergency Medical Service Committee.

Councilmember Linn questioned the possibility of placing the system in the Fire Department and having a separate career pattern and asked if the Department could be flexible enough to provide this administratively. In response to this, Mr. Frohnepfel stated that he had not checked into the questions that were being asked and felt that there might be some legal problems involved.

Mayor Friedman asked if it was possible to run the service within the Fire Department but utilizing EMT's who did not necessarily qualify as fire fighters or transferring non-Civil Service personnel into the Department.

Councilmember Linn respected the Fire Department and wanted to see the service under the supervision and direction of the Department and wanted to see something worked out that would be a solution to the problems that would come up as far as the EMS personnel having to take the fire fighters examination to be hired or for promotion or having to go through the fire fighter training.

In connection with additional questions from the Council, Mr. Frohnappfel wanted to set up a workshop with the Council to meet with a man on the President's advisory committee on Emergency Medical Service. Mayor Friedman commented that this had been sufficiently studied.

Councilmember Trevino pointed out that the City Manager had already advertised for the position of director of the new department and questioned whether the Manager was being authorized to continue or hold the matter in abeyance until the Council could determine what type of structure the City was going to have.

City Manager Davidson pointed out that the Council made a decision last year to create the separate department, and he had filed with the Council a summary of many of the considerations that went into that decision. He noted that the Travis County Association of EMT's had furnished a report, and he did not subscribe to every statement; but the report illustrated many of the problems connected with the system's being operated by the Fire Department. He commented that he had more doubts now about operating under the Fire Department than he did when he recommended to the Council that there be a separate department.

He felt that the easiest way to set up the system would be to assign it to the Fire Department, and they could do a good job; however, he felt it should be considered that the latest technology had been requested by the physicians and citizens who wanted the service, and they were talking about a service more affiliated with hospital emergency rooms, intensive care units, and the need for outstanding medical technology as opposed to emergency service such as fire rescue. He pointed out that the kind of director being interviewed would be someone who had never had experience with the Fire Department and would be someone who understood the operation of an emergency room and the operation of an outstanding EMS system. This person would also be someone who understood the telemetry required to send back to the emergency room and intensive care unit to provide immediate and constant information on the patient's care.

Mr. Davidson suggested that eventually fire departments across the country would no longer operate EMS systems under the kind of technology that was being demanded today. He pointed out that even if this was placed under the Fire Department, there would need to be a separate communications system. He submitted that it would not be cheaper to place the system in the Fire Department; and in some respects, it would be more costly.

He asked that the Council remember that the City expected to have a director of this new service employed by the City by July 1, and it was essential that he be "on board" by July 1 so that he could start interviewing many of the EMT applicants the City now had through the area, both male and female. Before the Council seriously considered changing the decision made by

the previous Council, he asked that the Council not even discuss such a change until they had the opportunity to study the report he had submitted along with the report from the Association. He submitted that this was something that should not be based on a survey of opinions by people who have not had experience with it and should be based on the advice by people in this area who have had this kind of experience and knew what they were talking about. He commented that if the Council wanted more specialists to appear, he would be happy to arrange it.

Councilmember Trevino felt it was important to have discussions between representatives of the Fire Fighters and Mr. McDonald and others who had the expertise in this field or an interest in it.

Mayor Pro Tem Snell suggested that this be postponed until the Council had further information and stressed the fact that it was not bad to put non-Civil Service personnel under the control of the Fire Department. He also remarked that the Council would be calling on various people for their input. He stated that he had asked the City Manager for a copy of the Ambulance Study report that was the basis for Council's action in January.

Councilmember Linn requested that Mr. Frohnappfel provide the Council with supportive information to support his stand on the issue.

Councilmember Trevino wanted to know what would happen if the Council reached an agreement acceptable to the Fire Department, and the City already had a director. Councilmember Linn stated that the City would have to have a person of this type expertise no matter what the Council decided.

Mayor Friedman noted that the Council would try to have some resolution by June 26 that would be in the best interests of the total community and hopefully utilize Fire Fighter input.

Councilmember Himmelblau asked that Mr. Curtis Weeks, Chairman of the former committee that studied the EMS system, be included in any study session that took place.

#### APPEARANCE CONCERNING BOARDS, COMMISSIONS AND COMMITTEES

Ms. Susan Reid, President of the League of Women Voters of Austin, appeared before the Council to present suggestions concerning appointed boards, commissions, and committees as follows:

1. A standardized vita sheet be used by any citizen interested in serving on a board of commission and that this biographical data on all appointees be included with the information on file in the City Clerk's office.
2. Revision and expansion of the material currently available at the City Clerk's office to include other information such as time and place of meetings, name and telephone number of staff person or City department contact, and copies of the operating procedures or rules and regulations of the various boards.

3. Public announcement be made at Council Meetings 2 weeks prior to the meeting at which new appointments are to be made, as well as appointments made to fill vacancies.
4. Explore methods to better publicize responsibilities, activities, meeting times, and agenda of boards and commissions, through newspapers, radio, T.V., and various citizen groups.
5. Have name tags that are visible to the audience and provisions for microphones so that the public and recorder can hear what is being said.

Mayor Friedman thanked Ms. Reid for her presentation and noted that the Council would work with her to implement these suggestions.

Councilmember Linn moved that the Council accept the above suggestions and instruct the Assistant City Manager to include these in the Council's directions for departments, boards, and commissions. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro  
Tem Snell, Councilmembers Himmelblau, Hofmann  
Noes: None  
Absent: Councilmember Lebermann

#### APPEARANCE CONCERNING EXTENSION OF HIKE AND BIKE TRAIL

Mr. W. T. Ley, representing South River City Citizens, appeared before the Council concerning Town Lake extension of the Blunn Creek Hike and Bike Trail. He was concerned about the \$100,000 that had been allocated for the Trail, which was part of the Bicentennial Gift to the nation. He stated that they were concerned about what they considered to be an inadequate portion of the money being spent for the acquisition of real property. He noted that the City already owned the east side of Blunn Creek, and Parks and Recreation believed the Trail could be successfully installed on that side of the Creek without injuring the natural and traditional character of the Creek. Since the money was available, they felt the City should use at least part of it to acquire the necessary real estate on the other side. He brought out the following points:

1. The group thanked the Parks and Recreation and Urban Transportation Departments for the cooperation received in connection with their Master Plan in general and Blunn Creek in particular. He requested that the Council direct both these departments to continue in that vein and instruct other departments to follow suit.
2. With respect to the \$100,000 they requested that 75% be set aside for the acquisition of real property on the west side of the Creek. He estimated that about 11 lots were involved, and they were currently undertaking solicitation of these property owners for possible donations of this strip of property. He noted that they had received one donation of a 200-foot piece of property, but it was not in the immediately effected area.

In response to Councilmember Himmelblau's question, Mr. Jack Robinson, Parks and Recreation Director, stated that if the Council directed them to limit trail construction to \$25,000, they would design the trail within the amount of money; however, he was not confident they could get all the way to Town Lake with this amount. He noted that they had not done the design plans to determine the extent of the total cost.

Mayor Friedman suggested that Mr. Robinson could get an idea of what the land acquisition might run and get a report to the Association and the Council as to what his recommendation would be.

Mr. Robinson stated that he could work with Mr. Joe Morahan, Property Management Director; however, he noted that it had been their feeling that if an area was basically protected through the way it was being developed by the neighborhood, it might not be necessary to buy all the Creek area, only the area needed to have access to the Creek. He added that the staff would look at the whole package and work with the group and get a report back to the Council.

#### ANNEXATION ORDINANCE

Mayor Friedman introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 23.74 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE AND 20.66 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE, ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Linn moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro Tem Snell, Councilmember Himmelblau

Noes: None

Absent: Councilmember Lebermann

Not in Council Chamber when roll was called: Councilmember Hofmann

The Mayor announced that the ordinance had been finally passed.

#### ORDINANCE CONCERNING LIBRARY COMMISSION

The Council had before it an ordinance establishing attendance requirements for the Austin Public Library Commission. It had been requested by the Commission to amend the City Code "to provide that any Library Commission who fails to attend 3 consecutive, regularly scheduled Commission meetings,



shall be deemed to have resigned his position as a Commissioner, provided, however, that none of the three absences shall have been due to a temporary illness." However, this was amended by Councilmember Linn.

Mayor Friedman introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 17 OF THE AUSTIN CITY CODE OF 1967, PROVIDING FOR ATTENDANCE REQUIREMENTS FOR LIBRARY COMMISSION MEMBERS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

(to provide that any Library Commissioner who fails to attend one-third of the regularly scheduled Commission meetings shall be deemed to have resigned his position as a Commissioner, provided, however, that none of the absences shall have been due to a temporary illness.)

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

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell, Councilmember Himmelblau, Linn

Noes: None

Absent: Councilmember Lebermann

Not in Council Chamber when roll was called: Councilmember Hofmann

The Mayor announced that the ordinance had been finally passed.

#### CREATION OF COMMISSION ON STATUS OF WOMEN

The Council had before it an ordinance to create a Commission on the Status of Women, as proposed by Mayor Friedman. He pointed out that the number of members in the ordinance should be 15 and added that it had not addressed itself to budgetary items. He noted that the members had requested that the City find some sort of room for their office space. He added that the Chairperson and Vice Chairperson would be selected by the Commission.

Mayor Friedman introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 47 OF THE AUSTIN CITY CODE OF 1967 BY ADDING A NEW ARTICLE III TO SAID CHAPTER 47 PROVIDING FOR THE CREATION OF A COMMISSION ON THE STATUS OF WOMEN; PROVIDING FOR THE COMPOSITION AND APPOINTMENT OF MEMBERS OF SUCH BOARD AND THE FUNCTIONS AND DUTIES OF SUCH BOARD; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers  
Himmelblau, Linn, Trevino

Noes: None

Absent: Councilmember Lebermann

Not in Council Chamber when roll is called: Councilmember Hofmann

The Mayor announced that the ordinance had been finally passed.

#### PARKS AND RECREATION ADVISORY BOARD REPORT

Mr. Jack Robinson appeared before the Council in regard to action taken by the Parks and Recreation Advisory Board in the consideration of the Givens Park recreation center issue as requested by the Council. He reported the following:

1. The construction of a small recreation center with open gym in Givens Park proceed as proposed and that the residents of the area be consulted on the architectural design.
2. The Council and the Austin Independent School District ratify an agreement for the mutual use of Kealing Learning Center and Ridgeview Campus gyms on a year-round basis for the benefit of the community.
3. Plans proceed as quickly as possible within the first 3-year bond program, with construction of a large community center in the east sector in the general area as designated by the Parks and Recreation Department staff to serve that area and there be consultation with the citizens in that area to determine location east of Givens Park and in the vicinity of Ed Bluestein Boulevard.

Mr. Carl Turner, member of the Board, felt that a complete community center was very much needed in this area and asked that the Council give it strong consideration. (It was noted that Mr. Turner had voted against the afore-mentioned Board action.)

There was extensive discussion among the Council and Mr. Robinson and Mr. Turner regarding the issue of whether or not there was a need for a complete center. It was determined that there needed to be additional time to review this and give the Council an opportunity to go to the area in question, and the Manager had requested that he be given the opportunity to present the Council with maps and alternatives for Givens Park.

It was announced that this would be on the agenda for consideration on June 26, 1975, at 2:30 p.m.

#### ESTABLISHMENT OF ON-GOING GOALS ASSEMBLY COMMITTEE

Mayor Friedman moved that the Council establish an On-Going Goals Assembly Committee (appointments made earlier in the meeting). The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Linn,  
Trevino, Mayor Friedman

Noes: None

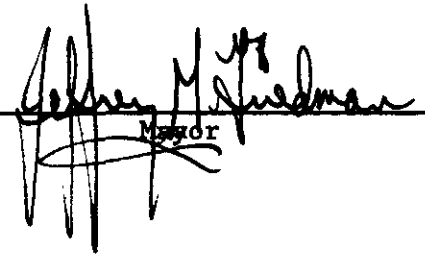
Absent: Councilmember Lebermann

Not in Council Chamber when roll was called: Councilmember Hofmann

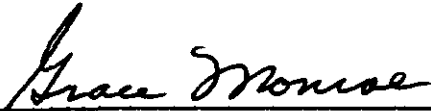
ADJOURNMENT

The Council adjourned at 6:15 p.m.

APPROVED

  
Mayor

ATTEST:



City Clerk