

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 19, 1975
1:00 P.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor Friedman presiding.

Roll Call:

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

Absent: None

The Invocation was delivered by REVEREND HAROLD FOYE, St. Austin's Catholic Church.

APPROVAL OF MINUTES

Mayor Pro Tem Snell moved that the Council approve the Minutes of June 12, 1975. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

INTRODUCTION

Mayor Pro Tem Snell took this opportunity to introduce Ms. Pamela Ann Patterson, the new Miss Black Texas.

RECOGNITION

Mayor Pro Tem Snell read and then presented a resolution signed by the Council to Mr. Lawrence Smith and noted that Thursday, June 19, 1975, was officially recognized as a special day of celebration; commended the black citizens of the City for their many contributions in behalf of this community; and urged all citizens to join the Council in this special recognition.

CARL A. HOBBS DAY

Councilmember Trevino read and then presented a proclamation to Mr. Carl A. Hobbs, proclaiming Friday, June 20, 1975, as "Carl A. Hobbs Day" and called on all residents to recognize this dedicated citizen and his many contributions to the community, as he was retiring from his many years of postal service. Mr. Hobbs thanked the Council for this very fine honor and stated that they would continue to be one of the finest organizations in the United States Postal Service.

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:

Criminal Justice Council Advisory Committee

Mayor Friedman appointed COUNCILMEMBER LINN to the Criminal Justice Council Advisory Committee, under the authority granted him by the Charter.

Brackenridge Hospital Advisory Board

Mayor Pro Tem Snell moved that the Council appoint the following to the Brackenridge Hospital Advisory Board:

Bobbie Taylor	Connie Moreno
Dr. Jack Otis	Patty Hakes
Jess Allman	

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

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

Citizens' Board of Natural Resources and Environmental Quality

Councilmember Hofmann moved that the Council appoint the following to the Citizens' Board of Natural Resources and Environmental Quality:

<u>Three-year terms:</u>	<u>One-year terms:</u>
Joyce Klein	Dr. Barbara Chance
Dr. Exalton Delco	Tom Cowden
Dr. Gus Fruh	
Dr. Kathryn Stefos	
Evelyn Booth	

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

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

Planning Commission

Councilmember Himmelblau moved that the Council appoint the following to the Planning Commission (to become effective July 1, 1975):

Jean Mather	Sid Jagger
Linda McGowen	Miguel Guerrero
Dean Rindy	

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

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

Ad Hoc Revolving Fund Committee

Councilmember Lebermann moved that the Council appoint the following to the Ad Hoc Revolving Fund Committee:

Mary Arnold	Kay Hart
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The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

Schedule of Appointments

Mayor Friedman announced that the Council would meet in Executive Session on June 26, 1975, at 11:00 a.m. to consider appointments to the following:

Building Code Board of Appeals	Plumbing Board of Appeals
Electric Board	Solicitation Board
Energy Conservation Commission	Board of Equalization
Navigation Board	

ANNEXATION HEARING

Mayor Friedman opened the public hearing scheduled for 1:00 p.m. to consider annexation of 650.86 acres of land in southwest Austin, west of Brodie Lane and south of Highway 290 West. Mr. Dick Lillie, Planning Department Director, reviewed this by stating that it included nearly 500 acres of land in two ownerships; and the area in which the City initiated included some 85 acres at the north end of the Bannockburn Subdivision, with 60 acres being

included in the Motorola site which the Council considered about a month ago. He pointed out that it was required under State law to tie areas requested to the main body of the City by a corridor not less than 500 feet wide, and this corridor included 8 to 10 pieces of property. He noted that the Council had been submitted a report from Management and Budget with respect to what this would cost the City to serve the area and what the City would receive in the way of tax revenues.

He indicated that this was recommended by the staff to proceed with the annexation in that it falls in an area where development is occurring. He added that all departments felt utilities would be available with the City's current acquisition of Water District No. 9. He noted that the City was working with Sunset Valley to resolve the half mile extraterritorial jurisdiction Austin has with that community.

Councilmember Lebermann moved that the Council close the public hearing and direct the administration to institute annexation proceedings to annex the following:

650.86 acres of land (Case No. C7a-75-006)

1. 85.40 acres of unplatted land out of the Thomas Anderson League. (Initiated by the City)

Mr. Lillie addressed himself to this prior to the closing of the hearing and noted that agreements and contracts had been made with Motorola concerning this coming in as Interim "D" Industrial District as opposed to Interim "A" Residence District, with all conditions that the Council placed on the development. He recommended that the City proceed to process that zoning text amendment through the Planning Commission and come back to the Council by the end of July. He also recommended that this be passed through first reading only when it was on the agenda for passage of the ordinance.

2. 70.95 acres of land out of the Thomas Anderson League, Western Oaks, Section Two, unplatted land and portion of Beckett Lane, Convict Hill Road, and McCarty Lane. (Initiated by the City)

MR. WOODROW ESKEW, owner of property on McCarty Lane, stated that he had not received notice of this annexation. Mr. Lillie pointed out that property owners whose property was not included in this annexation proposal did not receive a notice.

MS. HELEN SWENSON, 4105 McCarty Lane, indicated that her property was in the 500-foot corridor; and she was very much opposed to the annexation. She asked to be left out of the annexation in that it would create higher taxes.

3. 219.93 acres of unplatted land out of the Thomas Anderson League. (Requested by J. W. Smith, owner)

MR. WOODROW SLEDGE, Austin Independent School District, stated that the AISD had acquired the title to 57 acres in this area; and they were formally joining in this request for annexation for the high school site near Highway 290. He felt that annexation was the most feasible way of getting utilities to the school site through the approach main policy.

MRS. RAY BROWN, 7330 Latta Drive, pointed out that she lived south of this area and west of the area contained in Western Oaks, Section Two (Item No. 2). She noted that the annexation would take in three acres of their 27 acres and asked if they had a choice in being annexed.

Mr. Lillie pointed out that this three acres was in the 500-foot corridor, and Mayor Friedman explained that the City was required to have a strip of land not less than 500 feet wide. Mr. Lillie also pointed out that there would be a proposal before the Council in the summer for general annexation in the whole area.

4. 274.58 acres of unplatted land out of the Thomas Anderson League. (Requested by Provident Development Company, owner).

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

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

Noes: None

HEARING ON APPEAL

Mayor Friedman opened the public hearing scheduled for 1:00 p.m. on an appeal by Ms. Jean S. Buster of the decision of the Planning Commission's not granting a special permit. (File No. C14P-75-18) Mr. Lillie stated that the request was for a day care center for 25 children at 8202 Parkdale Cove, a small cul-de-sac. He pointed out that according to the Zoning Ordinance requirements, the maximum number of children allowable on this lot would be 46. He noted that in its study and recommendation, the staff felt that this was on the edge of a residential area, abutted by commercial zoning and uses; and traffic would not be forced through a neighborhood on minor residential streets. They recommended that this application be approved with a maximum of 20 children, but the Planning Commission did not agree; and based on neighborhood testimony, voted to deny the permit. He pointed out that Ms. Buster was appealing that decision of the Planning Commission. It was noted that a petition had been filed in opposition to the day care center, and Mr. Lillie commented that this did not require 6 votes on the part of the Council in that it would only require a majority vote to overrule the recommendation of the Planning Commission; and no petition would change that requirement.

Ms. Buster suggested that this would not increase traffic and pointed out that she worked with the parents to be sure no driveways were blocked. In response to Council's questions, she stated that the parents would not be arriving at the same time and that during the day there would be no more than one car parked outside in addition to her car.

In response to a comment by Councilmember Linn that she had received remarks from the neighborhood residents who had said this would depreciate the property value, Ms. Buster submitted that she had been told by real estate people that this would increase property value in that it would be a convenience.

In response to Mayor Pro Tem Snell's question, Ms. Buster pointed out that she met all health requirements; and in response to Councilmember Hofmann's question, she indicated that she would be satisfied with 20 children.

In response to Councilmember Linn's question with regard to the difference between the staff report and the Planning Commission report, Mr. Lillie stated that the Planning Commission reviewed comments from all departments; and based on public hearing and testimony, made a decision which they felt was in the best interests. He indicated that the staff then abided by that decision; and if their recommendation to the Council was that the application be denied, the staff would support that decision.

In response to Councilmember Himmelblau's question as to whether or not a permit was really denied as far as the staff was concerned, Mr. Lillie stated that as long as the applicant met conditions of the ordinance and conditions of the State Welfare Department, technically, the staff did not believe the permit should be denied.

Mr. Lillie announced that the staff report had indicated that Ms. Buster had not yet met minimum standards with the State Welfare Department; and suggested that if the Council wanted to approve this permit, it should be subject to approval of the State Welfare Department.

Motion

Councilmember Linn moved that the decision of the Planning Commission be upheld, thereby not granting a special permit. Councilmember Himmelblau seconded the motion. Roll call showed the following vote:

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

The Mayor announced that the motion had failed to carry.

Motion

Councilmember Trevino moved that the public hearing be closed and the special permit granted for a maximum of 20 children, subject to conditions being met with the State Welfare Department. Mayor Pro Tem Snell seconded the motion. Roll call showed the following vote:

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

The Mayor announced that the motion had carried.

ANNEXATION HEARING SET

Councilmember Lebermann moved that the Council adopt a resolution setting a public hearing for July 10, 1975, at 1:00 p.m. to consider annexing the following:

10.25 acres of land out of the James Rodgers Survey - Mesa Park, Phase Two, Section Three. (Requested by S. A. Garza Engineers, Inc., representing Pringle Real Estate, Inc., owner.) (Case No. C7a-75-007)

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

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

FUTURE ITEM FOR CONSIDERATION

Mayor Friedman asked that a proposal be placed on the agenda for June 26, 1975, to discuss the resetting of Council meeting times.

APPROVAL OF CHANGE ORDER

Councilmember Lebermann moved that the Council adopt a resolution approving a Change Order in the amount of \$5,525.00 to Contract No. 75-Cb-101 (Capital Improvements Program Nos. 4032 4 and 5016 9 - Box Culvert in Foster Lane at Shoal Creek and Box Culvert in Shoal Creek Boulevard at a Tributary of Shoal Creek). The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

CONTRACTS AWARDED

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

Bid Award:	- Printed forms for Brackenridge Hospital.
MOORE BUSINESS FORMS 827 West 12th Street Austin, Texas	- Patient Bill - \$2,880.00
TRINITY FORMS 1112 Crown Oaks Austin, Texas	- Time and Attendance Daily Listing for Exception Report - \$897.00

URACO, INC.
1210 Nueces, Suite 102
Austin, Texas

- Statements, Hospital and Ambulance -
\$16,555.00

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

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

Councilmember Lebermann moved that the Council adopt a resolution approving the following contracts:

Bid Award:

- Motorized Equipment, Vehicle and
Equipment Services Department.

TRANSPORTATION
ENTERPRISES, INC.
1135 Gunter
Austin, Texas

- Item 1; 1 ea. - \$9,345.00

COMMERCIAL BODY CORPORATION
Fifth at Pedernales
Austin, Texas

- Item 1; 1 ea. - \$29,450.00

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

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

Councilmember Lebermann moved that the Council adopt a resolution approving the following contracts:

Bid Award:

- Street and Storm Sewer Cleaning
Equipment, Vehicle and Equipment
Services Department.

DALLAS BRUSH
MANUFACTURING COMPANY
13835 Welch Road
Dallas, Texas

- Item 1; 1 ea. - \$43,590.00

CONTROLLED POWER CORPORATION
1212 North Hackberry
San Antonio, Texas

- Item 3; 1 ea. - \$26,220.00

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

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

Councilmember Lebermann moved that the Council adopt a resolution approving the following contract:

SUN ELECTRIC CORPORATION 6206 Evergreen Street Houston, Texas	- Automotive Diagnostic Console, Vehicle and Equipment Services Department. Items 1 and 2 - \$6,065.00
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The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Councilmember Lebermann moved that the Council adopt a resolution approving the following contract:

WILLIE RODRIGUEZ, d/b/a AUSTIN CONCESSION 5000 Broken Bow Austin, Texas	- Concession, Food, Drinks and Miscellaneous Items for Zilker Park, Parks and Recreation Department. Two and one-half year contract. \$12,500.00 annual guarantee plus 5% of gross receipts. Estimated annual revenue to City - \$16,500.00
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The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

POSTPONEMENT OF CONTRACT

Consideration of the following contract was postponed until June 26, 1975:

BOWN & ROOT, INC. P. O. Box 3 Houston, Texas	- Completion of the Power Plant and installation of related equipment and accessories, Decker Unit #2 - \$13,603,385.00
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ITEM CONCERNING SUBSTANDARD STRUCTURES

The Council had before it consideration of the recommendations from the Building Standards Commission that the Law Department take proper legal disposition of the following substandard structures which have not been repaired or demolished within the required time:

1. 4915 Ledesma Road Mr. Maximino Casarez, owner
2. 2110 1/2 Leona Street Mr. Willie Parr, owner

Mayor Friedman pointed out that the attorney representing Mr. Casarez had submitted a written request for a 30-day continuance because of various difficulties.

Councilmember Linn moved that the Council postpone consideration of the following:

4915 Ledesma Road Mr. Maximino Casarez, owner

and accept the recommendation of the Building Standards Commission that the Law Department take proper legal disposition of the following substandard structure which has not been repaired or demolished within the required time:

2110 1/2 Leona Street Mr. Willie Parr, 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, Lebermann
Noes: None

AUTHORIZATION FOR FILING LEGAL ACTION

Councilmember Lebermann moved that the Council adopt a resolution authorizing the filing of legal action (s) against parties responsible for discharges into Lake Austin in violation of Texas Water Quality Act. The motion, seconded by Councilmember Linn, carried by the following vote:

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

Councilman Lebermann remarked that this company had been more difficult than anyone the City had ever had to deal with.

PROFESSIONAL SERVICES AT TENNIS CENTER

The Council had before it the consideration of a contract for Professional Services at Patterson Tennis Center. Mr. Jack Robinson, Parks and Recreation Director, noted that about 9 months ago, the Council selected Mr. John Fulton as pro manager at the Caswell Tennis Center, after an extensive interviewing

process conducted by members of the Parks and Recreation Advisory Board and Tennis Associations. He noted that at that time the second contender was Mr. Edgar Chew; and it was the recommendation of the Board and staff at this time that Mr. Chew be selected as the pro manager for the new tennis center being built at Patterson.

Councilmember Lebermann moved that the Council select MR. EDGAR CHEW for Professional Services at Patterson Tennis Center. The motion, seconded by Mayor Friedman, carried by the following vote:

Ayes: Mayor Friedman, Councilmembers Himmelblau, Hofmann,
Lebermann, Linn, Trevino

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem Snell

Mr. Robinson then took this opportunity to introduce Mr. Chew to the Council.

AMENDMENT TO STREET AND ALLEY VACATIONS POLICIES

The Council had before it an amendment to the City's policies regarding street and alley vacations. Mr. Don Butler, City Attorney, reviewed this by stating that it had been recommended by the Council to use market value rather than taxable value. He also suggested that the Council might want to indicate rather strongly that the Council does not have to vacate any street or alley if it does not want to.

In response to a question from Mr. Tom Tiemann, representing Lamar Savings Association, the City Attorney pointed out that this had come about some time ago through the direction of the Council; and in the past, this had been based on 75% of the taxable value.

Mr. Tiemann indicated that on May 29, Lamar Savings had a request before the Council for vacation of a portion of the 6th Street alley, at which time it was postponed. He asked that this vacation be considered under the present policy, as opposed to the proposed new evaluation. He submitted that using fair market value on vacation was more difficult than realized, and alleys only served commercial enterprises on both sides. He stated that in this instance, the alley was of no value whatsoever to any other commercial enterprise except Lamar Savings. He suggested that based on fair market appraisal, the Council would be asking them to pay five times the amount requested by the officials of the City a month ago. He felt that this was somewhat discriminatory.

In response to Councilmember Lebermann's question as to whether or not this was usually the way of evaluating property, City Attorney Butler informed the Council that the State statute indicated it should be based on fair market value. He also responded to Councilmember Lebermann's inquiry by noting that there was no charge made to governmental entities, original dedicators, or properties that were tax exempt.

Councilmember Hofmann wanted to know why Mr. Tiemann felt vacating alleys as fair market value would be detrimental to the good development of the City. Mr. Tiemann replied that he only questioned the method used to determine fair market value. He did not see how an alley could be used by anyone other than the adjacent property owner, and in this case the only one was Lamar Savings.

Councilmember Lebermann suggested that in the past the Council had approved items under the old policy if they had been in the "mill" for a long time. City Attorney Butler suggested that the Council had basically drawn the line.

In response to further comments from Mr. Tiemann, Mayor Friedman informed him that the City would work with him to determine what the fair price was.

Councilmember Lebermann moved that the Council adopt a resolution amending the City's policies regarding street and alley vacations, as proposed by the staff. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

ITEM CONCERNING HEARING SCHEDULED TO AMEND ZONING ORDINANCE

The Council had before it the consideration of the public hearing scheduled for June 26, 1975, at 1:00 p.m. to amend the Zoning Ordinance (Chapter 45, Section 30) to expand the area exempted from off-street parking requirements in the cove area of the City (as requested by Councilmember Hofmann). Councilmember Hofmann felt that this hearing should be postponed pending input from the Environmental Board and Landmark Commission.

Councilmember Hofmann moved that the Council cancel the public hearing scheduled for June 26, 1975, at 1:00 p.m. and referred this to the Citizens' Board of Natural Resources and Environmental Quality and Historic Landmark Commission for statements to be brought to the Council, at which time another hearing will be set. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

Mayor Friedman pointed out that when these reports were ready and presented to the Council, the Council would set a date for the hearing at that time.

ACCEPTANCE OF GRANT APPLICATION FOR HOUSING ASSISTANCE PROGRAM

The Council had before it the possible authorization of the Austin Public Housing Authority to submit and accept a grant application for \$847,000 for a Housing Assistance Program under Section 8 of the Housing Community Development Act and designating the Austin Housing Authority as the Public Housing Agency for the City of Austin.

Mr. Bob Brooking, Executive Director of the Austin Housing Authority, reviewed this by stating that this was intended to provide assistance to approximately 322 low-income families living in existing housing; and the rental assistance program would subsidize the difference in the total rental payment and

25% of the family income. He pointed out that any property owner desiring to participate in this must meet standard housing requirements under HUD criteria. He also noted that the application required that a public housing agency be designated to administer the program, and the Public Housing Authority was a public housing agency.

Mayor Friedman asked that Mr. Brooking help the City make this publicized; and Mr. Brooking commented that it was planned that funding would be available on August 1, and the only thing holding the money was implementing instructions from HUD, which would be forthcoming with the instructions from the Council.

Mayor Pro Tem Snell asked for a report on how many additional staff would be needed to implement this program and a breakdown of the present staff.

Mr. Brooking estimated that the program could be handled by somewhere between 3 to 5 people and submitted that they had a policy of employing a staff of ethnic and male-female mixture.

Councilmember Lebermann moved that the Council adopt a resolution authorizing the Austin Public Housing Authority to submit and accept a grant application for \$847,000 for a Housing Assistance Program under Section 8 of the Housing Community Development Act and designate the Austin Housing Authority as the Public Housing Agency for the City of Austin. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

ITEM CONCERNING POLICE DEPARTMENT

Mr. Louis Davis had requested to appear before the Council to discuss citizens cooperating with the Police Department to rid Austin of crime; however, Mr. Davis was not present.

APPEARANCE CONCERNING DOGS AND CATS

Mrs. Pat Chambers appeared before the Council to discuss the possibility of a new City ordinance restricting the number of dogs and cats that may be kept by each family within the City limits. She noted that the present ordinance addressed itself to noise by dogs and only gave one the right to file a complaint. She stated that her next-door neighbor had 17 dogs; and she had filed complaints against her on five different occasions, with no results. She asked that the Council consider some type of ordinance with some "teeth" in it.

City Attorney Butler suggested that Mrs. Chambers meet with him or Mr. Clay Strange, Prosecuting Attorney at Municipal Court, to determine if any of the complaints had not been handled.

Mayor Friedman requested that the administration complete a report on what other cities were doing to see if a proper ordinance could be developed to control the number, noise, and where they would be allowed to wander.

Mayor Friedman asked that Mrs. Chambers meet with representatives of the City Manager's office.

Mr. Donald Bell suggested that there might be a better approach to see what City departments were doing to enforce the present ordinance. City Manager Davidson noted that there was a report he would be happy to give to Mr. Bell and the Council which indicated that about 150 dogs were picked up a week by officials. Mr. Davidson stated that if Mr. Bell had a problem, he would see that it was taken care of.

APPEARANCE CONCERNING VACATION OF PORTION OF ALLEY

Mr. Thomas E. Tiemann, representing Lamar Savings Association, appeared before the Council to discuss disposition of their request for the vacation of a portion of the West 6th Street alley that traverses Block 72 of the Original City of Austin from the West line of Lavaca Street in a westerly direction to the East line of Guadalupe Street. He noted that this had appeared before the Council on May 29, 1975, and had been presented in conjunction with street and alley vacation requests by Brackenridge, Creekside Properties, and Property Management. He indicated that all requests had been approved and recommended by each City department, and each received approval by the Council with the exception of Lamar's request, which was postponed for one month. He submitted that the postponement was not based on any consideration of the merits of vacating the alley but on the basis that Lamar was the owner of the Palm-Goeth House, and it was brought out that in granting the vacation request the House would stand in danger of being demolished. He suggested that the House was in no way related to the alley vacation request and asked that the Council consider the request based on considerations only applicable to closing the alley. He asked that a motion be made that the request for vacation be placed on the June 26, 1975, agenda for the Council's favorable disposition.

Councilmember Linn suggested that because of the change in policy for street and alley vacations, the hearing on the vacation of this alley should be held July 24, 1975, in that the property would have to be evaluated.

Mayor Friedman suggested that Lamar Savings might need to consider whether or not they still wanted to have the alley vacated after the evaluation.

With regard to questions on the issue of the vacation being connected with the House, Mr. Tiemann announced that regardless of whether or not the vacation was granted, Lamar Savings would be forced to demolish the House and would probably do so before the issue of the vacation has been decided.

Councilmember Linn moved that the Council set a public hearing for July 24, 1975, at 1:00 p.m. to consider vacation of the following and passage of the ordinance:

The portion of WEST 6TH STREET ALLEY that traverses Block 72 of the Original City of Austin from the west line of Lavaca Street in a westerly direction to the east line of Guadalupe Street. (Requested by Lamar Savings Association, owner of all properties adjacent to said portion of West 6th Street alley.)

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

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

APPEARANCE CONCERNING HEARING ON APPEAL

Mr. Elbert Hooper, representing Teague-Buda, Inc., had requested to appear before the Council concerning an appeal of Harper's Branch Waterway Development Permit No. 75-03-3132, scheduled for June 26, 1975, and to request that it be rescheduled for July 17, 1975. However, Mr. Malcolm Robinson appeared in his stead. He stated that Mr. Hooper felt the Council should have each type of available resource that might be available to it to make the determination that would be required. He stated that the input from the engineer was not complete and some visual aids were not complete, and he suggested that a definitive interpretation of the Creek Ordinance should be made from all available resources, which was the reason for the request for postponement.

Mrs. Harriet Buxkemper, appellant, asked that the Council uphold the original date of June 26, 1975, for her appeal of the permit and pointed out that it was set on May 29. She stated that Mr. Hooper had called her on June 12 to request the change in date, at which time she explained to him that this might have been agreeable had she known shortly after the hearing had been set. She submitted that surrounding neighbors and others had already been notified and had made summer vacation plans accordingly in connection with the June 26 date. She asked that the Council uphold the original date because of the task involved in notifying supporting groups.

Councilmember Himmelblau moved that the Council uphold the original date of June 26, 1975, for the hearing on the appeal. The motion, seconded by Councilmember Linn, carried by the following vote:

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

Councilmember Himmelblau commented that she was not sure the City did not already have enough material on file of Harper's Creek.

WITHDRAWAL OF APPEARANCE CONCERNING NEIGHBORHOOD PARK

Mr. Curtis Dickson, representing the University Hills Optimist Club, withdrew his request to appear before the Council to discuss a proposal for creation of a neighborhood park off West St. Johns and Guadalupe, with joint economic sponsorship of the City and the Optimist Club.

APPROVAL OF PARADE PERMIT

Councilmember Lebermann moved that the Council approve a request by Beverly Sheffield for a parade permit for July 4, 1975, from 7:00 to 9:30 p.m. for a Flag Ceremony for the beginning of the Bicentennial Celebration, beginning at the 300 block of West 2nd to Guadalupe, south across Drake Bridge, to Auditorium Shores and returning after ceremony. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

ZONING ORDINANCE

Mayor Friedman introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
LOT 24, BLOCK 14, HYDE PARK SUBDIVISION, LOCALLY KNOWN AS 4308 SPEEDWAY AVENUE, FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL 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.
(Claudia S. Nabors and John McCrary, C14-74-176)

Councilmember Lebermann 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 Linn, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

ORDINANCE TO PROVIDE COUNCIL AIDES

The Council had before it an ordinance amending the 1974-75 operating budget to provide aides for the City Council, as proposed by Mayor Friedman, as follows:

AN ORDINANCE AMENDING ORDINANCE NO. 740919-B TO APPROPRIATE \$ _____ FROM UNAPPROPRIATED GENERAL FUNDS FOR TRANSFER TO THE CITY CLERK'S OFFICE; AUTHORIZING ADDITIONAL ASSISTANT CITY CLERKS; PROVIDING FOR NECESSARY TRANSFERS AND ADJUSTMENTS; DECLARING THIS ORDINANCE TO BE SEVERABLE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Friedman noted that this was a proposal to create Assistant City Clerks working for each Councilmember, to be hired through the Clerk's Office. He added that it would provide one aide or any number to work on a part-time basis for each Councilmember to provide research or any other task, with the salary scale being open for discussion.

Councilmember Lebermann noted that he had a proposal that was favorable to the concept of additional aid and assistance for the Council, but it took on a different form. He presented the Council with copies of his proposal, which involved a Council Research Office to consist of one Senior Research Analyst (Range 25), two Research Analysts (Range 19), and one Clerk-Typist II.

MS. SUE LUFKIN, Travis County Democratic Women, stated that they were in full support for aides for Councilmembers to do independent research and requested that the Council vote themselves aides.

MR. DONALD BELL felt that not only should the Council have aides but should be paid a "decent" salary. He suggested that aides should be required to be in the office during regular business hours so that the public could get in contact with them and suggested that it might be helpful to have them go through some public relations training program.

MRS. E. M. GRIFFITH was interested in this issue from a taxpayer's standpoint because of her very limited budget. She asked what the total cost would be and whether or not it was a possibility that in the future it would effect her tax rate.

Mayor Friedman informed her that the total figure would be around \$20,000 until the next budget year and that this would in no way effect this year's tax rate.

In response to her question with regard to Councilmember Lebermann's proposal, Councilmember Lebermann pointed out that his proposal would involve about \$13,000 and just over \$40,000 for the entire year, with no impact on the taxes.

In response to Mrs. Griffith's questions as to the need for aides, Mayor Friedman and Councilmember Linn announced that they had campaigned on this issue.

Councilmember Himmelblau stated that at this time she would support aides for those Councilmembers that felt aides were imperative to their work in City government and suggested that all of them would use aides differently.

Withdrawal of Second

Councilmember Linn withdrew her second to Councilmember Trevino's substitute motion; therefore, Councilmember Trevino's substitute motion died for lack of a second.

Substitute Motion That Died

Councilmember Linn moved that an ordinance be passed to amend the budget to provide aides and fund as follows: (The substitute motion died for lack of a second.)

1 Mayor's aide	Range 18	\$954 monthly salary
6 Councilmembers' aides	Range 13	\$769 monthly salary

Withdrawal of Motion

Councilmember Hofmann withdrew her motion.

Motion

Councilmember Trevino moved that an ordinance be passed to amend the budget to provide aides for the remainder of the year and fund as follows. Councilmember Hofmann seconded the motion.

1 Mayor's aide	Range 18	\$954 monthly salary
1 Mayor Pro Tem's aide	Range 13	\$769 monthly salary
5 Councilmembers' aides	Range 11	\$706 monthly salary

Total - \$19,305 (with fringe benefits)

Substitute Motion

Councilmember Linn moved that an ordinance be passed to amend the budget to provide aides for the remainder of the year and fund as follows:

1 Mayor's aide	Range 18	\$954 monthly salary
1 Mayor Pro Tem's aide	Range 15	\$839 monthly salary
5 Councilmembers' aides	Range 13	\$769 monthly salary

Total - \$20,720 (with fringe benefits)

Mayor Pro Tem Snell seconded the motion.

Motion

Councilmember Hofmann moved that an ordinance be passed to amend the budget to provide aides for the remainder of the year, either full or part time, and fund as follows. Mayor Friedman seconded the motion.

1 Mayor's aide	Range 18	\$954 monthly salary
1 Mayor Pro Tem's aide	Range 13	\$769 monthly salary
5 Councilmembers' aides	Range 9	\$649 monthly salary

Substitute Motion That Died

Councilmember Linn moved that an ordinance be passed to amend the budget to provide aides, subject to full or part time, as follows: (The substitute motion died for lack of a second.)

1 Mayor's aide	Range 18	\$954 monthly salary
1 Mayor Pro Tem's aide	Range 15	\$839 monthly salary
5 Councilmembers' aides	Range 13	\$769 monthly salary

Substitute Motion

Councilmember Trevino moved that an ordinance be passed to amend the budget to provide aides and fund as follows. Councilmember Linn seconded the substitute motion.

1 Mayor's aides	Range 17	\$914 monthly salary
6 Councilmembers' aides	Range 13	\$769 monthly salary

Second Substitute Motion That Died

Councilmember Lebermann moved the Council Research Office concept with pay scales as follows: (The second substitute motion died for lack of a second.)

1 Senior Research Analyst	Range 25	Total cost - \$13,039
2 Research Analysts	Range 19	
1 Clerk Typist II		

Second Substitute Motion That Died

Mayor Pro Tem Snell moved that an ordinance be passed to amend the budget to provide 7 Council aides at \$839 per month (Range 15); however this died for lack of a second.

Councilmember Trevino suggested that this would be reviewed again when the new budget was reviewed and pointed out that the aides would be getting a cost-of-living increase and would be eligible after 6 months for another increase.

Roll Call on Substitute Motion

Roll call on Councilmember Linn's substitute motion, Mayor Pro Tem Snell's second, showed the following vote:

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

The substitute motion failed to carry by a 2 to 5 vote.

Roll Call on Motion

AN ORDINANCE AMENDING ORDINANCE NO. 740919-B TO APPROPRIATE \$19,305 FROM UNAPPROPRIATED GENERAL FUNDS FOR TRANSFER TO THE CITY CLERK'S OFFICE; AUTHORIZING ADDITIONAL ASSISTANT CITY CLERKS; PROVIDING FOR NECESSARY TRANSFERS AND ADJUSTMENTS; DECLARING THIS ORDINANCE TO BE SEVERABLE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Roll call on Councilmember Trevino's motion, Councilmember Hofmann's second, that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately, showed the following vote:

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

The Mayor announced that the ordinance had been finally passed.

ADJOURNMENT

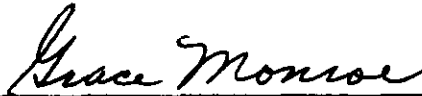
The Council adjourned at 4:05 p.m.

APPROVED



Mayor

ATTEST:



City Clerk