

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 26, 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 GEORGE M. RICKER, University United Methodist Church.

RECOGNITION

Mayor Friedman read and Councilmember Lebermann presented a resolution to Mrs. Hallie Groos Slaughter and her husband, George, Ms. Hallie Casey, her daughter, and Mr. Richard Slaughter, her son, in recognition of the fact that Mrs. Slaughter had given dedicated service to the education and welfare of the blind; that her many contributions would continue to benefit citizens for generations to come; and that the Council called on all citizens to join the members of the Council in recognizing her distinguished contributions. It was noted that she retired this month as Chairman of the Board of the Austin Unit of Recordings for the Blind, having served in this capacity since 1972.

Mrs. Slaughter thanked the Council for this honor and noted that Councilmember Lebermann was a member of the founding board and the first Vice Chairman. She appreciated the Council's involvement.

RESOLUTION FOR RETIREMENT

Councilmember Himmelblau read and then presented a resolution signed by the Council to Mr. William Thomas "Bill" Ward and Merle Ward, his wife. It was noted that Mr. Ward had served the City of Austin in a professional and dedicated manner for more than 18 years and would be retiring on June 27, 1975,

and they called on all citizens to join the Council in recognizing his many contributions to municipal service. Mr. Ward noted that his departure was not without emotional feelings, and commented that the friendships and acquaintances throughout each department had meant a great deal to him and would be treasured.

NATIONAL SAFE BOATING WEEK IN AUSTIN

Mayor Friedman read and then presented a proclamation to Commander Andy Anderson and Mr. Goodman, proclaiming the week beginning June 30, 1975, as "National Safe Boating Week in Austin" and urged all who use the waterways to acquire those skills essential to the safety of themselves and others, and to apply them carefully. They thanked the Council, and Commander Anderson presented the Council with figures, indicating the improvement in 1974 over 1973.

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:

Building Code Board of Appeals

Mayor Pro Tem Snell moved that the Council appoint ALBERT ROSENTRITT to a five-year term on the Building Code Board of Appeals. 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

Electric Board

Councilmember Himmelblau moved that the Council appoint the following to the Electric Board:

William Carter (Master Electrician)	- 2 years
Max Ladusch (Journeyman)	- 2 years
Joe Morales (Property Owner)	- 2 years
Vernon Fowler (Property Owner)	- 1 year
William Zuch (Electrical Engineer)	- 1 year

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

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

Navigation Board

Councilmember Linn moved that the Council appoint JUDITH HARRIS BROWN to the Navigation Board. 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

Solicitation Board

Councilmember Hofmann moved that the Council appoint the following to the Solicitation Board:

Mr. Frances Amsler	- 2 years
Mrs. Mary Ethel Schechter	- 2 years
Mrs. Melvin Hammonds	- 2 years

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

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

Tax Board of Equalization

Councilmember Trevino moved that the Council appoint the following to the Tax Board of Equalization:

Rubin Ruiz	- 1 year
Patricia Cain	- 1 year
Robert Wormely	- 1 year

The motion, seconded by Councilmember Hofmann, 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 an Executive Session on July 3, 1975, at 11:00 a.m. to consider appointments to the following:

Plumbing Board	- 1 appointment (architect)
Energy Conservation Commission	- 3 appointments
Airport Zoning Board	- 2 appointments
Community Development Commission	- 7 appointments
Brackenridge Hospital Advisory Board	- 1 appointment

He noted that this would complete the Council's appointments for this time period; however, other vacancies would be filled later in the year.

Coordinator for Charter Revision Committee

Councilmember Hofmann moved that the Council appoint MR. STEVE GUTOW as the Coordinator for the Charter Revision Committee. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

It was noted that the Council had interviewed the top three applicants, and Mayor Friedman requested that the City Clerk notify all three candidates of the decision.

ANNOUNCEMENT

Mr. Richard Tulk, Assistant City Attorney, announced that there was a court reporter present who would be transcribing everything being said.

APPROVAL OF MINUTES

Councilmember Linn moved that the Council approve the Special Meeting Minutes of June 16, 1975, and the Minutes of June 19, 1975. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

HEARING ON APPEAL OF SPECIAL PERMIT

Mayor Friedman opened the public hearing scheduled for 1:00 p.m. on an appeal by Ms. Harriet E. Buxkemper of the decision of the Planning Commission's granting a special permit to Teague-Buda, Inc., to reroute Harper's Branch, install new wastewater mains and watering system for trees adjacent to the fill area, and to place the Ramble in a 5' x 6' box culvert. It had been noted that material had been provided to the Council relating to the approval of the permit by the Citizens' Board of Natural Resources and Environmental Quality; and Mr. Charles Graves, Director of Engineering, reviewed the action of that Board. He commented that the Creek Ordinance permitted the Engineering Department to submit the initial application to that Board for comment and advice, and this was done during the period in which they determined whether or not the permit should be issued. He noted that the material represented correspondence between himself and Mr. Dick Cory, Chairperson of the Board, and the Board.

Mr. Graves referred to a letter dated April 3, 1975, from Mr. Cory which followed the Department's meeting with the Board. At that time an understanding had been reached that the Department would explore several suggestions made by the Board and their subcommittee, which would require an amended application from Teague-Buda and referral back to the Board if there were further problems. He stated that the amended application was filed and fully met the suggestions of the Board, in his opinion. He also stated that it was reviewed by the Environmental Resource Management Department, and it was decided between Engineering and E.R.M. that it was not necessary to return the application to the full Board for further consideration.

Mr. Graves remarked that there was only one unresolved area in connection with the suggestions from the Board, and that was the first comment that stated that "no recommendation on the creek permit application can be made at this time since there are no specific plans available for the development of the property." He commented that the only problem they had with this was that the application was for specific actions (modifying the creek, altering its location, enclosing a portion of the tributary). They did not feel they could review something that might go beyond the application. He pointed out that any further development of this area would require an additional creek development permit. He indicated that it was their determination that the ordinance did not require plans for work not included in the application.

It was Mr. Graves' opinion that all requirements of the ordinance had been made, and the appeal was based on the ordinance phrase that required the preservation of the natural and traditional character of the land and waterway to the greatest extent feasible. He believed that the issue to be determined was the validity of the permit on the basis of feasibility.

MS. BUXKEMPER, the appellant and a member of the South River City Citizens felt that the special permit should be denied in that it did not comply with the City's Ordinance No. 74, Section 29-3.6F which stated that "the proposed development preserve the natural and traditional character of the land and waterway to the greatest extent feasible." She specifically felt that the partial rerouting of Harper's Branch did not preserve the natural character of the creek. She also submitted that one of the concerns of the adjoining neighborhood was the height of the proposed building on the site, and she suggested that rerouting the Creek and boxing the Ramble would raise the ground level and raise the height of any future structures. She believed this would set a precedent for Engineering to continue to grant permits for rerouting and boxing Austin's creeks. She urged the Council to deny this permit until Teague-Buda has a building plan for this site.

MR. BERT HOOPER, attorney representing Teague-Buda, asked for the Council's approval of a permit that had been granted so that the proposed plan of development and alterations would be permitted. He submitted that with an idea of what the Council would allow, it would be possible to go forward and proceed with detailed construction plans for the property; and he remarked that it was not going to be possible for them to make use of a reasonable amount of the land unless these alterations could be made.

He reviewed the proceedings that had taken place with regard to the granting of the permit, and he noted that every recommendation and requirement proposed by the City boards or staff members had been included through their proceedings. He suggested that the Council was bound to "obey" the terms of the ordinance just as they were; and if the Council disagreed with the provisions of the ordinance, he felt the solution was to amend the ordinance. He made the following points:

1. This was not a hearing on zoning of the property as related to uses which could be made of the property. This was an issue concerning only the proposed alterations to be made.
2. Before actual construction on the site commences, they will need to make another application under the creek ordinance.

3. He felt that under the terms of the creek ordinance the Council was required to provide a detailed statement of the reasons for whatever action is taken. Unless the Council were to provide this, he submitted that it was not possible for them to know what needed to be done to comply with their decision.
4. He requested that the Council "spell out" their reasons as a part of any decision they make.

MR. ROY PORTER, Professional Engineer for Forrest and Cotton, Inc., reviewed the nature of the changes to be made by use of slides and also pointed out the portion of the area that was undesirable.

Mr. Hooper pointed out that the relocation would move the creek almost entirely within the right of way of I.H. 35 and make more accessible for maintenance.

MR. JIM FREDERICK, real estate appraiser and consultant, noted that he had been asked to study the plans of these proposed improvements and furnish his opinion of the difference in the value with and without the proposed channel improvements. It was his opinion that the value of this piece of land was substantially less without the improvements for the following reasons:

1. Proposed improvements substantially increase the usable land area.
2. Improvements would substantially decrease development costs.
3. Improvements would allow more economically feasible development by improving the accessibility to and from various parts of the property.

Mr. Hooper submitted that the work proposed was not in any way within the scope of any City ordinance at the time the property was purchased; and since the adoption of the Creek Ordinance, it has imposed this restriction on the use of the land which did not exist before. Mayor Friedman mentioned that there was no guarantee that ordinances would not be passed once someone bought land.

Mr. Hooper addressed himself to the definition of development as contained in the ordinance and suggested that nowhere in the definition did it speak to buildings, structures, driveways, etc.; and he felt the Council was bound by that definition. He noted that under the ordinance they were not required to show specific plans for building; and he pointed out that before they could proceed with construction of building of any kind, they would have to come back and get another waterway development permit.

It was his opinion that the ordinance had two thrusts, on which he commented:

1. Prevention of flooding. He did not believe that anyone contested the fact as to whether or not these particular plans or construction would cause any adverse identifiable flooding.

2. Preserving the traditional character of the land. He felt this was rather vague and remarked that the Director of Engineering had determined this would preserve to the greatest extent feasible. He submitted that Mr. Graves had been charged with the responsibility of evaluating and investigating the matters and had made a judgement.

In response to Mayor Friedman's question with regard to having approval from the Highway Department to move the creek into the right-of-way of I.H. 35 for easier access, a representative of Teague-Buda noted that there had been some indication that it would be an acceptable move and suggested that Mr. Graves had a copy of it. In response to this, Mr. Graves stated that he did not believe they had anything directly from the Highway Department; but they had requested from Teague-Buda that they have approval and a verbal statement had been made to the effect that they had met with the Highway Department.

In response to Councilmember Linn's question, Mr. Hooper stated that the filled-in area would look like an open field and that there were no plans for planting of trees.

In response to Councilmember Himmelblau's question as to whether or not this was purely to enhance the value of the land, Mr. Hooper submitted that their position was that they must have some explanation as to what could be done with the waterways and creeks.

In response to Councilmember Hofmann's inquiry as to whether or not the relocation and the placing of the Ramble in a box could be treated as separate issues, Mr. Richard Tulk, Assistant City Attorney, stated that this had been brought to the Council as one item and could result in some kind of problem "down the road." He suggested that they either be upheld as a unity or denied as a unity, unless something was presented to the Council showing they were on a separate basis.

The following appeared in opposition to the special permit:

MR. JOE RIDDELL, member of the Citizens' Board of Natural Resources and Environmental Quality, pointed out that the first recommendation of the Board which related to specific plans for the development had not been met by the developer. He suggested that not only did the Creek Ordinance address itself to the relocation of this waterway, but Article 10, Section 5 of the Charter addressed itself to the Master Plan and specifically mentioned subdivisions. He submitted that the Charter gave the Council the authority to deny the relocation of Harper's Branch and changing the Ramble. It was his opinion that when Mr. Graves decided to issue or deny a permit, he should make a detailed study; and to his knowledge, this had been very limited. He felt that this would set a precedent. With regard to this: increasing the value of the property, Mr. Riddell did not believe the only thing to be considered was how much a piece of property could sell for. In conclusion, he suggested that these developers could do a better job of coming up with a specific plan for alterations of the creek.

MS. JESSAMINE ARNOLD, Travis Audubon Society, noted that this decision was going to influence all future decisions and hoped the Council would try to preserve the natural and traditional character of this and other waterways in the future.

MR. GERALD RIDDELL, 2413 Mission Hills, felt that the Engineering Department had done a good job in working with the situation; but he was concerned about the intent of the Creek Ordinance and felt that this proposal was contrary to the intent of the Ordinance and wondered whether sufficient justification existed to do what was proposed. He noted that it had been pointed out to Mr. Teague that there were other ways to develop this land to preserve more naturally to the existing character of the land. He did not believe such justification existed and suggested that this was a critical example of what the Ordinance was meant to protect, and he objected to it.

MR. PETER W. DAVIS wondered what kind of guarantee there was that the actual project would look like the artist's rendition as shown in the slides. He urged that the Council vote to grant the appeal.

MS. JANET KRIEGER, North Austin Civic Association, stated that their Executive Committee voted to oppose Teague-Buda's permit and felt that if this was allowed, Austin would end up with no creeks.

MS. SUSAN REID, President of the League of Women Voters, agreed that this represented a test of the viability of the Ordinance and the question was whether granting the special permit was in keeping with the spirit of the Ordinance. She noted that the Council's action would be a precedent-setting decision that would determine the future of Austin's waterways and urged the Council to overrule the decision of the Planning Commission.

MS. JANE MORGAN, 1026 Bonham Terrace, indicated that the Ramble was a place where children played and that it served as a haven for wildlife, and she considered it a natural greenbelt. She hoped that the Council would deny this permit.

MS. JOANNE SPRENGER, Sierra Club, encouraged the Council to follow "very progressive and good law" until there was justification for making this change. She felt that then the Council could reconsider.

MS. JOAN BARTZ addressed herself to the following:

1. The Council had recently appointed the On-Going Committee of the Goals Assembly whose purpose was to help monitor these things. She felt that this could be given to the Committee for their evaluation.
2. With regard to Joe Riddell's comment concerning the Master Plan, she thought that perhaps the Council might want to get some sort of legal opinion on that particular aspect.

The following appeared in support of the special permit:

MR. ADON SITRA submitted that this had been zoned "LR" Local Retail since 1969, and he suggested that Teague-Buda had given some proof to their willingness to work with the City. He felt that this area was not good for a park

and that it was not pretty at this time. He noted that the staff had recommended approval of this, and he was concerned about the City's budget being spent on professional people where their opinions were not heeded. He also pointed out that they would have to come back again for an additional permit. He felt it was unreasonable that this permit be denied under such conditions.

With regard to the discussion concerning the Charter, Mr. Tulk noted that this was an appeal from granting of a permit under the Creek Development Ordinance. He pointed out that the Council was sitting as an appellant body, which was not its usual capacity; and it would be determining whether or not to overturn the prior decision. Because of this, he indicated that there would be a difference in the voting in that if the motion was to overturn the granting of the permit but there was a tie, the permit would remain in effect. If the motion was to uphold the granting of the permit and the Council "deadlocks," nothing would happen and the permit would remain in effect. He indicated that it would require 4 votes to overturn the permit.

Councilmember Linn moved that the Council close the public hearing and grant the appeal, thereby denying the special permit. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

*Mayor Friedman prefaced his vote by stating that under the terms of the ordinance, this was an interpretation the Council must make; and the point was whether this falls within permit granting applications of the ordinance when it discusses what the applicant must provide. He remarked that under the ordinance the Council was entitled to sit as an appellant board over the opinion of the City's engineer.

*Mayor Pro Tem Snell did not believe the justification for granting the permit was sufficient.

REPORT ON RECREATION CENTER

The Council had before it a report on the Givens Park Recreation Center. Mr. Jack Robinson, Parks and Recreation Director, noted that the Department had prepared a draft of a proposed Recreation Center Facility Plan for Austin to 1990; and he would review the report with emphasis on the analysis of the east sector. To provide a logical system for the location of centers throughout the City, he stated that the Department had established a set of standards that could be followed; and these standards were based partially on the concept as recommended by the National Recreation and Park Association of one large recreation center for every community of 25,000 persons. Based upon a population of 300,000, they determined that Austin should have the equivalent of 12 recreation centers, of the South Austin Recreation Center type, throughout the City; and he noted that Austin has 9 centers that were not evenly distributed to serve communities of 25,000, were of varying sizes, and provided different types of recreational facilities.

He noted that the standard as recommended by the Association had been expanded by the Department to better reflect Austin's needs, and the size of the Center was considered as well as the particular community or neighborhood, so that the one large recreation center would be provided for each community of 30,000 to 40,000.

In support of the large center, he noted that there would be smaller centers with open-air covered gyms and/or still other areas with open covered gyms and attached meeting rooms; and the total of such a system would add up to the equivalent of a center for every 25,000 as recommended by the Association. In addition, he noted it would be likely that areas such as East Austin would be provided with a greater number of recreation center facilities than might otherwise be provided, taking into consideration all socio-economic factors. He pointed out that current population trends indicated that East Austin would grow at a faster pace during the 1980's than in the 1970's, and generally this growth would be limited to the area adjacent to Ed Bluestein and the area to the east of this. He suggested that the Givens Park site along with the potential use of the Ridgeview Campus gym would serve adequately this section of the City; and in addition, a second large recreation center is projected further to the north along Ed Bluestein. He also noted that East Austin included the existing Dottie Jordan Recreation Center where a covered gym is also proposed to be constructed.

Mr. Robinson indicated that the Department was projecting that a small recreation center with an accompanying covered open gym should be built in Givens Park, and projections for a large recreation center indicated that it should be built further to the east of Givens Park to best serve the existing and anticipated population growth for the area. The addition of the small center at Givens Park was balanced in support of the Rosewood Recreation Center to the west and the proposed large center to the east.

In accordance with the Current Capital Improvements Program, he commented that the Parks Department had hired a consultant to examine and determine the most adequate site within Givens Park to build a small recreation center and a covered open gym, taking into consideration the funds available, utilities location, topography, parking and compatibility to existing recreation facilities that would be used in conjunction with the center. He submitted that the evaluation determined that a site near East 12th Street adjacent to the creek and existing parking area would be the most logical location.

He announced that it was the staff's recommendation and that of the Parks and Recreation Advisory Board that a small recreation center with an open gym should be built in Givens Park as originally planned and located at the site as selected by the consultants, and he noted that this was in keeping with the recommendations of the staff and Board that originally approved the concept of a small center in the C.I.P. for Fiscal Year 73-74. The Planning Commission was asked to re-evaluate the idea of a small center at that time while reviewing the proposed 74-79 C.I.P. program, and they concurred with the staff; and it was reviewed and approved by the Council to provide funding for construction in Fiscal Year 74-75.

Councilmember Himmelblau asked if additional building could take place at this site if later on it was determined that the center was not adequate. Mr. Robinson stated that it would be possible to enclose the open gym and install heating and air conditioning and put in a wooden floor, and it would entail about another \$100,000.

In response to Councilmember Linn's question, Mr. Robinson felt this center would be adequate for the needs of the area; and Councilmember Linn suggested that Givens Park was recognized as being frequented by many people, and it was difficult for her to understand moving a large facility further east when these people have difficulty in getting transportation. She suggested a large facility at Givens Park and a smaller one further out.

In response to Councilmember Linn's question as to whether or not the neighborhood had been contacted with regard to the design of the proposed center, Mr. Robinson noted that there had been three meetings, at which time they had arrived at five possible sites. With regard to Councilmember Linn's inquiry concerning neighborhood input into the architectural style, Mr. Robinson remarked that the Board's recommendation was to get back to the community on the design, and these were only preliminary plans.

Mr. Robinson commented that this had been an effort on the staff's part to address the needs of all of Austin, and it was impossible to build a large center in every section of town.

Mayor Pro Tem Snell submitted that Rosewood had not met the needs of the area, and Mr. Robinson indicated that they were trying to come up with some type of program Austin could afford. It was the staff's opinion that the City could not afford a large center today or in the future.

In response to City Manager Davidson's question, Mr. Robinson stated that had the proposal followed the original schedule, it would have been opened by the end of the year; however, it is estimated that it will be the Spring of 1976.

MS. BERTHA MEANS commended the reopening of the gyms at the old Anderson High School and the reopening of the gym at Kealing. She reviewed her appeals to the Board requesting that a facility be constructed in this area to accommodate the students; and she suggested that since 1967, when she first appeared, very little had transpired in this particular area. She submitted that there was a "dire" need for the large center.

MR. CARL TURNER, member of the Parks and Recreation Advisory Board, urged the Council to strongly consider the large recreational center at Givens Park for the following reasons:

1. The immobility of the people in the area.
2. The fact that it was highly improbable the people would be moving from this area.

He felt that the small facility would be inadequate and additional adjustments would need to be made which would eventually cost more money.

In response to Councilmember Himmelblau's concern with regard to approving the larger center and adjusting the C.I.P., Mr. Robinson commented that there were no funds available at this time; and the money would have to come out of the bond program next year.

In response to Councilmember Trevino's inquiry, Mr. Robinson stated that an open gym and restroom would entail about \$75,000; and the larger facility would cost about \$1 million, according to Construction Management, and it would not include the cost of the land.

Councilmember Hofmann was concerned with the aspect of appropriating funds before the C.I.P. had been presented to the Council, and Mr. Davidson pointed out that funds could not be appropriated today.

Mayor Pro Tem Snell moved that the Council instruct work to stop on the proposed small recreation center with an open gym to be built at Givens Park and plan for a full-scale project. The motion, seconded by Councilmember Linn, carried by the following vote:

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

MR. LONNIE DALE pointed out that the East side had been without any large recreation center for years, but he felt it was best to wait until the City had the money.

*Councilmember Himmelblau prefaced her vote by stating that she supported the motion because of the situation in the neighborhood and the lack of mobility therein, and that was the reason she was disagreeing with the Board.

HEARING TO CHANGE BLACKSHEAR URBAN RENEWAL PLAN

Mayor Friedman opened the public hearing scheduled for 1:00 p.m. to change the Blackshear Urban Renewal Plan as follows:

1. Concho Street between Gregory Street and East 11th Street remain open and be widened to a right of way of 50 feet for standard street construction.
2. Chalmers Street between East 10th Street and East 8th Street remain open and be widened to a right of way of 50 feet for standard street construction.

Mr. Leon Lurie, Urban Renewal Agency, stated that it was his information that the residents were in line with this recommendation and all people in the area had been notified. He noted that one parcel was occupied by Mrs. Henderson and it was tied up in an estate, and it had been requested to hold off as long as possible in the acquisition. He indicated that this was the only piece of property along the right of way that was effected. He pointed out that current plans would allow for the expansion of Huston-Tillotson College between Chalmers and Comal, and the original recommendation came from the Community Development Department.

MR. J. E. MOSLEY, Chairman of the Blackshear Residents Organization, stated that on June 4, 1975, they overwhelmingly voted for this change and wanted to go on record asking the Council to approve these changes in the land-use plan. He requested that the Council get interested in their area and see that the streets get paved as quickly as possible and sidewalks installed.

MS. ORA LEE NOBLES, member of the Organization, asked if land would be acquired on both sides of Chalmers or just one side for the College. Mr. Lurie stated that all the land between 7th and 11th that would be needed to widen to 50 feet would be provided by the College, and they would only take the east side of the street; and he noted that there were only about 4 or 5 pieces of property left on the west side of the street that were not owned by Urban Renewal or the College.

Ms. Nobles commented that the only Mrs. Henderson she knew was the one next door to her and wondered if her property was to be acquired. Mr. Lurie assured her that this was not the same woman.

In response to Councilmember Hofmann's question with regard to what would happen to the area once the property was acquired, Mr. Lurie stated that all the streets would be standard when the project was completed, which he hoped would be in the next two years.

MS. GILLIS, 1136 Leona, stated that she had requested that something be done about her street until it was paved; but thus far nothing had been done. She noted that other streets in the area had been "squirt-coated" and wondered why Leona had been omitted from any improvements. In reply to her inquiry, City Manager Davidson indicated that he would find out the answer.

Mr. Lurie pointed out that Leona would be permanently improved, but he could not say when because it had not been determined at this point. Ms. Gillis stated that she would appreciate something being done in the interim.

In response to Councilmember Linn's question as to the definition of "permanently improved," Mr. Lurie noted that this would mean a normal 50-foot right of way street paved, curbed, and guttered to City standards.

MRS. O. B. CONNALLY addressed herself to the following:

1. She did not want just two small streets developed.
2. She wondered if the vacant lots were to be sold.
3. She asked how much of the money would go to these two streets.

Mayor Friedman suggested that she schedule an appearance before the Council to present her request for a full-scale project or that she meet with Mr. Lurie. He noted that this program was not going to change just these two streets.

Mayor Pro Tem Snell moved that the Council close the public hearing and authorize the change in the Blackshear Urban Renewal Plan as afore-mentioned. The motion, seconded by Councilmember Hofmann, carried by the following vote:

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

STREET NAME CHANGE

Councilmember Himmelblau moved that the Council adopt a resolution authorizing the following Street Name Change:

"From JASMINE STREET to BARTON HILLS DRIVE"

(Requested by R. W. Ellmer, owner of property contiguous to Jasmine Street)

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

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

Noes: None

RELEASE OF EASEMENTS

Councilmember Lebermann moved that the Council adopt a resolution authorizing release of the following Easement:

Portions of the Public Utility Easement ten (10.00) feet in width that traverses Block "F", MOCKINGBIRD HILL SECTION ONE. (Requested by B. F. Priest, Registered Public Surveyor representing C. L. Daniels, Jr., owner)

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

Councilmember Lebermann moved that the Council adopt a resolution authorizing release of the following Easement:

An Electric and Telephone Easement five (5.00) feet in width in 11.694 acre tract of land at southwest corner of intersection of Research Boulevard with Putnam Drive, owned by Argus M. Fox Estate. (Requested by Ras Redwine, Attorney for the Estate of Argus M. Fox, deceased)

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

LICENSE AGREEMENT

Mayor Pro Tem Snell moved that the Council adopt a resolution granting the following license agreement:

Permitting encroachment upon the south ten (10.00) feet of the WEST 4TH STREET right-of-way from the east property line of Colorado Street in an easterly direction 160.00 feet to the west property line of the Colorado Street Alley. (Requested by Nieman, Hanks and Puryear, owner of property contiguous to said area of encroachment)

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

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

COST DIFFERENCE PAYMENT

Councilmember Lebermann moved that the Council adopt a resolution authorizing payment to the following:

AUSTEX DEVELOPMENT COMPANY, LTD., the cost difference of 12"/8" water mains serving Cherry Creek, Phase V, Section 1 - \$1,944.91.

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, Lebermann, Linn
Noes: None

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. 1910 Bergman	Philip Hogan	\$489.00
2. 30 Canadian	Clarence Cullen Co.	\$171.00

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

MINOR CHANGES IN ROUTES OF SHUTTLE BUS SYSTEM

Councilmember Linn moved that the Council adopt a resolution approving minor changes in the routes of the University of Texas Shuttle Bus System. 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

ENGINEERING TESTING SERVICES

Councilmember Lebermann moved that the Council select TRINITY ENGINEERING TESTING CORPORATION for Engineering Testing Services in connection with the following Capital Improvements Program Project:

Street and Drainage Improvements
Springdale Road, C.I.P. Project No. 6212 1

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

POLICY CHANGE CONCERNING ZONING CASES

The Council had before it a proposed policy change by extending the period of time after withdrawal of a zoning case from 6 months to not less than 12 months. Mayor Friedman noted that this stemmed from his request several weeks ago concerning denial by the Council.

Mr. Dick Lillie, Planning Department Director, pointed out that when there is a denial by the Council, there is an 18-month waiting period. He added that the proposal before the Council was in connection with a policy passed a couple of years ago, at which time zoning was considered at 9:30 and 10:00 a.m.. He pointed out that this time would also need to be changed.

Councilmember Himmelblau suggested that the policy be changed so that after withdrawal before the Planning Commission there be a 12-month waiting period; and after withdrawal before the Council, there be an 18-month waiting period.

Mr. Woodrow Sledge, Austin Independent School District, felt that 12 months was reasonable and that there should be consistent time period for withdrawals and denials.

Councilmember Himmelblau moved that the Council authorize a policy change by extending the period of time after withdrawal of a zoning case before the Planning Commission from 6 months to 12 months and after withdrawal before the Council from 6 months to 18 months and set all zoning cases for 1:00 p.m. on Thursday. (Later in meeting changed to 10:00 a.m.). The motion, seconded by Mayor Friedman, carried by the following vote:

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

CONTRACTS AWARDED

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

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

- Kramer Lane Service Center Building
Construction and Sitework, Electric
Vehicle and Equipment Services and
Public Works Departments - \$1,331,459.

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

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

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

Bid Award:

- Tires and Tubes, Vehicle and Equipment
Services Department

WALKER TIRE COMPANY
7107 North Lamar Boulevard
Austin, Texas

- Items 1-18, 135-138, 32-66, 83-85,
139-160, 73, 74, 79, 80, Portion of
190-195 - Estimated total - \$67,559.44

YOUNGBLOOD GENERAL TIRES
506 North Lamar Boulevard
Austin, Texas

- Items 19-22, 67-72, 75-78, 81, 82,
Portion of 190-195 - Estimated total
\$16,744.20

GOODYEAR SERVICE STORES
101 Congress Avenue
Austin, Texas

- Items 23-25, 30, 31, 86-132, 161-189,
Portion of 190-195 - Estimated total
\$33,854.66.

B. F. GOODRICH STORES
116 Congress Avenue
Austin, Texas

- Items 26-29, 133, 134, Portion of 190-
195 - Estimated Total \$18,373.90.

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

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

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

TOM FAIREY COMPANY
5005 East 7th Street
Austin, Texas

- Crawler Loader with Backhoe, Vehicle and Equipment Services Department.
Item 1; 1 ea. @ \$31,170.36.

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

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

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

BROWN & ROOT, INC.
P. O. Box 3
Houston, Texas

- General Construction for Decker
Unit #2 - \$13,603,885.00

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

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

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

PHILLIPSBURG DIVISION OF
BELL AND HOWELL
5750 Bintliff
Houston, Texas

- Folding and inserting mailing machine
for Offices Services Division of the
Purchases and Stores Department.
Item 1-4 - \$13,610.70

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

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

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

Bid Award:

- 6 Months Supply Agreement for Milk and
Ice Cream products.

HILLCREST FARMS
1135 Gunter
Austin, Texas

- Items 1-9 - \$16,265.73

BORDEN MILK COMPANY
409 East Ben White
Austin, Texas

- Items 1-5 - \$2,280.00

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

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

BID REJECTED

Councilmember Lebermann moved that the Council take the following action:

Rejection of Bid - For construction of "Zaragosa Park
Shelter Renovation." C.I.P.
Project No. 8648 9.

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

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

EXECUTION OF COST-SHARING CONTRACT

Councilmember Lebermann moved that the Council adopt a resolution authorizing the City Manager to execute a cost-sharing contract with the State Department of Public Welfare (DPW) to provide for cost allocation to DPW of its share of maintenance/utilities costs incurred at the Rosewood/Zaragosa Multipurpose Center. 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

APPROVAL OF CETA GRANT

Mayor Pro Tem Snell moved that the Council adopt a resolution authorizing the City Manager to approve the CETA Title III grant for the Capital Area Manpower Consortium totaling \$736,312 which will provide 644 jobs for disadvantaged youth between 14 and 12 years of age in the Capital Area. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

EXECUTION OF RIGHT-OF-WAY EASEMENT

Councilmember Trevino moved that the Council adopt a resolution authorizing the City Manager to execute a right-of-way easement across certain property in Fayette County to John H. Peters and wife, Cecelia Peters. The motion, seconded by Councilmember Hofmann, carried by the following vote:

Ayes: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers
Himmelblau, Hofmann, Linn, Trevino
Noes: None
Not in Council Chamber when roll was called: Councilmember Lebermann

ACCEPTANCE OF WARRANTY DEED

Councilmember Linn moved that the Council adopt a resolution authorizing the City Manager to accept a warranty deed from Wesco Materials Corporation conveying a 23.28-acre tract of land to the City of Austin for the Town Lake Development Project. 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
Not in Council Chamber when roll was called: Councilmember Lebermann

DEDICATION OF CITY-OWNED LAND FOR
MEADOR AND CARVER AVENUES

Councilmember Linn moved that the Council adopt a resolution authorizing dedication of certain City-owned land for street right-of-way for Meador and Carver Avenues:

1. 425 sq. feet of land out of Lot 6, Block 23, St. Johns College Addition.
2. 1,730 sq. feet of land out of Lots 7 and 8, Block 18, A. K. Black Subdivision No. 2.

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
Not in Council Chamber when roll was called: Councilmember Lebermann

WITHDRAWAL OF PARADE PERMIT

The following item was withdrawn:

Request for a parade permit from Ray B. Lopez for Austin Bicentennial Committee for Mexican-American Culture, on September 12, 1975, from 1:00 p.m. to 5:00 p.m. beginning on East 2nd Street, north on Congress to East 11th Street and dispersing on the State Capitol grounds.

PARADE PERMIT

Councilmember Linn moved that the Council approve a request by Janna Zumbrun, representing Austin Lesbian Organization, for a parade permit for June 28, 1975, from 1:00 p.m. to 2:00 p.m., beginning on Congress Avenue from 2nd Street to 11th Street. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Lebermann

APPEARANCE CONCERNING NEIGHBORHOOD
PROGRAM PLAN

Mr. Clarence Hendricks and Rev. W. N. Reed, representing St. John's Community Association, had requested to appear before the Council concerning the Neighborhood Program Plan (Buttermilk Creek - Sheet Pavement Timetable, Additional Bridge and Walkway for Elderly). Ms. Betty Russell appeared instead and indicated that the residents had to go about 8 blocks to catch the bus or to get out of the St. John's area. She requested that there be at least 2 more bridges and walkways for the elderly and school children.

City Manager Davidson pointed out that the Council awarded a contract 2 weeks ago for all the utility work that will go underneath the streets; and after the completion of that, the paving would begin. He also noted that the bus routes had not been adjusted to accommodate the change; and after the bridges were finished, the routes would have to be adjusted. He asked that she wait until the paving was near completion, and she would be furnished information with regard to where the buses would run. He submitted that at that time she might then come back to the Council if all items had not been met satisfactorily.

Mayor Friedman suggested that she give the City time to get the work done, and he stated that they would try to get her a schedule so that she might have an idea as to the progress being made.

Councilmember Linn wondered if there was any temporary relief right now, and Councilmember Hofmann asked how long it would be before the situation would improve.

City Manager Davidson stated that he would check on the bus situation to see if adjustments could be made to make it more appropriate.

Councilmember Hofmann felt that since this project would entail some time, the City should do something to at least help them temporarily.

Ms. Russell also noted that there was a lot on Delmar and Blessing that had high grass that needed cutting. City Manager Davidson stated that the staff would check into this also.

Rev. F. A. Bragg, 6900 Blessing Avenue, stated that Atkinson had chuck holes that he hoped the City could do something about as soon as possible.

In response to this, City Manager Davidson noted that Atkinson would be paved under the program, and Mayor Friedman submitted that this area was a top priority item.

APPEARANCE CONCERNING PARK IMPROVEMENTS PROPOSAL

Mr. Richard A. Ratliff, Secretary-Treasurer of the Optimist Club of the University Hills, had requested to appear before the Council to present a park improvements proposal.

Mr. Curtis Dickson, President, appeared and reviewed the proposal for the creation and development of a badly needed neighborhood park near West St. John's and Guadalupe. He indicated that they had decided to take this on as their Bicentennial effort, and to accomplish this project the way they felt it should be would depend on the City's participation; and they had a number of alternate proposals.

He noted that they would agree to be responsible for the development of the park and greenbelt area under the supervision of Parks and Recreation. He also noted that they would purchase the greenery and trees and have them planted and would purchase or construct the playground equipment and would make other improvements desired.

He requested the following action of the City:

1. Dedication of the land as official City park land to pressure the neighborhood park from any future potential displacement by the City. (He noted that the land belonged to the Water and Wastewater Department, and the Club had it on an annual lease basis.)
2. Purchase of concrete drainage pipes to enclose 3 dangerous ditches. (He noted that about 120 feet of pipe had already been donated.)
3. In order to adequately develop the greenbelt, the City attempt to purchase additional property along the edge of the existing City land. He wanted the Council to consider the possibility of this expansion now or in the future, as the property became available. He encouraged the City to purchase the currently vacant lot fronting on Guadalupe to allow access to the area from Guadalupe.

He submitted plans and maps to the Council and asked for a commitment to fill the ditches, purchase one lot on Guadalupe, and designate the area as official City park land and proceed with the plan or give them a long-term lease of 15 years.

Councilmember Lebermann felt that this was a progressive plan but felt it would be appropriate for the Council to take under advisement for a week and get a recommendation of the staff to know how best to facilitate the plans presented.

Mayor Friedman felt there should be a little more delay to study this and get a proper proposal.

The Council congratulated the Club for the work done.

POSTPONEMENT OF APPEARANCE CONCERNING
AMBULANCE SERVICE

Mr. A. C. Frohnapfel, President of Austin Association of Fire Fighters Local 975, had requested to appear before the Council requesting that the ambulance service be placed in the Fire Department and operated by Fire-fighters; however, the request was postponed until July 2, 1975 at 4:00 p.m.

APPEARANCE CONCERNING WILD BASIN WILDERNESS PARK

MS. JANET POAGE, representing "Now or Never," appeared before the Council regarding the Wild Basin Wilderness Park, a proposal for a 400-acre wilderness park in the Wild Basin of Bee Creek to be established over a 3-year period. She noted that for the first year they would request Travis County and the City to each contribute \$175,000, with matching funds of \$350,000 from the Bureau of Outdoor Recreation. She submitted that the Wild Basin was unique for several reasons:

1. Location.
2. Climate.
3. Geology of the area.
4. Water.

For the purchase of the property for the park, she suggested that the cost would be about \$6,000 to \$7,000 per acre.

Councilmember Himmelblau questioned how much of the acreage was within the 100-year flood plain.

Councilmember Linn wanted to know if the Austin Independent School District or the University of Texas had been solicited for funds.

Councilmember Himmelblau remarked that she had received a letter that indicated that the property owners had been notified that they could keep a building site within their acreage.

Councilmember Hofmann pointed out that a percentage of this area was in the West Lake Hills area and wondered if they had offered to pay part of the cost. In response to this, Ms. Poage stated that she had a letter from them indicating their willingness to consider deannexation of the tracts involved if a park was established.

MR. RICHARD TIMMS, Travis Audubon Society, stated that they highly supported and recommended this proposal.

MS. PATRICIA NEWTON, Eanes Civic Association, supported the notion of the park and urged the Council to support it with their vote. She suggested that it would cost very little in relation to the benefits it would provide.

MR. C. W. PEARCY was in favor of the park as long as the City did not take his house.

MR. GUY THOMPSON, resident in the area, was in opposition to the proposal.

MS. RUTH MASELES indicated that she owned property to be included in the first-year proposal for acquisition of property. She endorsed the wilderness concept but addressed herself to the implementation of the concept. With regard to Phase I and the acquisition of 105 acres at an estimated cost of \$750,000, she had reasons to feel the land might cost more than \$175,000 for each entity; and she asked if 70 acres would be considered a viable wilderness area because she felt this might be all that could be purchased with the \$750,000. She suggested that for the total 400 acres, there could be a City's expenditure of close to \$1 million. She noted that a property owner had indicated that he would not sell for less than \$10,000 per acre.

Ms. Maseles pointed out that the land owners in Phase I had been assured they could retain one building site on their property and use this for a home site in the wilderness park area. She asked that the Council consider the fact that there were several ways to retain permanent open space other than through acquisition and suggested that it would be better to have this in private ownership and the restriction of the use of the land.

There had been mention of an application being submitted to the Texas Department of Parks and Wildlife for Bureau of Outdoor Recreation prior to July 1, 1975, for matching funds. With regard to this, Ms. Maseles announced that the B.O.R. had assured them there was nothing "magic" about the July 1 date. She asked if it would be possible for the Council to consider further study of this and possibly look at alternatives to accomplish the objectives of the wilderness park.

Ms. Maseles also noted that there were some property owners in opposition who might not sell except under condemnation.

Councilmember Himmelblau asked the following questions:

1. If the Council voted for this today, when would the first amount of money have to be front ended and in what form?
2. If the money would have to be front ended now, what program would this take away from?
3. If B.O.R. funds were made available for this project, would this jeopardize other projects for which the City has applied?

Mr. Jack Robinson, Parks and Recreation Director, noted that he had met with Mr. Bill Kopp, the person who handles B.O.R. grants for the State in Austin; and Mr. Kopp had assured him that funds did become available on July 1 and that they were reviewed twice a year, with funds being available for the second time in January. Mr. Robinson noted that it was Mr. Kopp's opinion that this had low priority as far as B.O.R. was concerned.

Mr. Robinson addressed himself to Councilmember Himmelblau's questions:

1. Mr. Kopp told him that the City could apply for consideration and submit a grant request for qualification, and he would be reviewing the grants some time in September. At such time, if this was approved and submitted to the Commissioners, the City would have to have front end money available (\$175,000), which would be before the next bond election.
2. The City must retain in bond funds money to fund two other grant requests before the B.O.R. If the \$175,000 request was approved by the Council today, it would entail freezing funds for some Lake Long development, funds for improvements to Zilker Hillside Stage, funds for possible surplus for land acquisition.
3. The City is at the end of its bond program and basically out of bond money. He submitted that the City would have to curtail certain programs and mentioned that at this time the City had in for consideration with B.O.R. 2 grant requests. One would be for matching funds for the Town Lake beautification for \$150,000; and one would be for the acquisition of a district park site in Northeast Austin for \$120,000 matching funds. He suggested that this grant for the park would be considered with and in competition with these 2 grant requests.

Ms. Poage submitted that a B.O.R. representative had told her the City would not have to provide advance funding, and she added that he had told her the City was not in competition for this money. She did not believe the funding of this project would eliminate something.

In response to Councilmember Linn's question with regard to waiting until January, Ms. Poage felt there was an emergency in fairness to the property owners whose property was for sale.

MS. MARTHA HUDSON indicated that the Planning Commission would be submitting the C.I.P. to the Council, and they had labeled it "unearmarked money."

There was discussion concerning the possibility of considering this in January.

After discussion, Councilmember Himmelblau moved that the Council postpone consideration of this to consider it along with the C.I.P. review. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

*Mayor Friedman prefaced his vote by stating that he felt very strongly about this as well as Councilmember Lebermann. He indicated he was voting affirmatively because he did not believe the City would lose out. He wanted to make it clear that accepting a concept and finding funds for that concept were two different things. He indicated that there were 300,000 people in the limits needing services.

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 153.83 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE JOHN M. SWISHER SURVEY, PARTLY OUT OF AND A PART OF THE THOMAS C. COLLINS SURVEY, PARTLY OUT OF AND A PART OF THE WILLIAM B. HARRISON SURVEY, PARTLY OUT OF AND A PART OF THE J. C. HARRELSON SURVEY AND PARTLY OUT OF AND A PART OF THE J.A.G. BROOKS SURVEY, 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 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 Mayor Friedman, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

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 12, BLOCK 3, OUTLOTS 2 AND 3, DIVISION "B," GEORGE L. ROBERTSON SUBDIVISION, LOCALLY KNOWN AS 801-805 WALLER STREET AND 1100 EAST 8TH STREET, FROM "B" RESIDENCE DISTRICT TO "O-H" OFFICE-HISTORIC 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.

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 Hofmann, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

Mayor Friedman introduced the following ordinance:

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

- (1) THE EAST ONE-HALF OF THE WEST 102.05 FEET OF LOT 62, OUTLOT 6, DIVISION "Z," ENFIELD A SUBDIVISION, LOCALLY KNOWN AS 1209 BAYLOR STREET, FROM "O" OFFICE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; AND,
- (2) LOT 33-B, RESUBDIVISION OF LOT 33, THEODORE LOW HEIGHTS SUBDIVISION, LOCALLY KNOWN AS 4015 MANCHACA ROAD, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND,
- (3) A 1,491 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1911-A EAST RIVERSIDE DRIVE, FROM "LR" LOCAL RETAIL DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND,
- (4) THE EAST NINETY-TWO FEET OF THE SOUTH 128 FEET OF OUTLOT 38, DIVISION "E," ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 300-306 WEST 15TH STREET AND 1500-1508 LAVACA STREET, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; AND,
- (5) A 0.7136 ACRE TRACT OF LAND, LOCALLY KNOWN AS 2505 BUELL ROAD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; AND,
- (6) A 3,982 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS THE LIME KILN AT REED PARK, FROM "A" RESIDENCE DISTRICT TO "A-H" RESIDENCE-HISTORIC DISTRICT; AND,
- (7) AN 11.824 ACRE TRACT OF LAND (SAVE AND EXCEPT THE EAST SEVENTY-FIVE FEET FROM THE CENTERLINE OF WILLIAMSON CREEK WHICH IS HEREBY ZONED FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT), LOCALLY KNOWN AS 5213-5227 WASSON ROAD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. Joseph F. Burke, C14-75-037; Incorporated Investors, Inc., C14-75-049; C. B. Carpenter, B. T. Webb and Thomas H. Barnett, C14-75-055; Jack W. Ledbetter, C14-75-057; J. E. Youngquist, C14-75-059; Lime Kiln at Reed Park, C14h-74-021; F. N. Bolding, Jr., et al, C14-75-054)

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 Hofmann, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

AMENDMENT TO BUILDING CODE

Mayor Friedman introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 36 OF THE AUSTIN CITY CODE OF 1967, BY ADDING THERETO SECTION 36-104(j) AND REWORDING SECTION 36-105 TO PROVIDE FOR PROCEDURES AND CERTAIN EXCEPTIONS IN OBTAINING A BUILDING PERMIT FOR ANY BUILDING OR STRUCTURE DESIGNATED OR PENDING DESIGNATION AS A HISTORIC LANDMARK; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Restoration of Historic structures)

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 Friedman, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

REQUEST FOR WASTEWATER SERVICE

There was a request by Mr. Clarence Flournoy for wastewater service to property located within the City limits of Sunset Valley. Mr. Homer Reed, Deputy City Manager, noted that there was a sewer line located in an easement across the City limit line from his property. He indicated that it had been the City's unwritten policy to deny all such requests for the following reasons:

1. Since the City does not own the water system in most suburban cities, it has no way of determining the amount of sewage that flows into the line.
2. In the past the City has not inspected plumbing installations in these areas and, therefore, cannot be assured that surface water infiltration into the sewer system is minimized.
3. Collection of sewer service charges is difficult, if not impossible, where the City does not operate the water system.
4. Provision of sewer service without the approval of the Sunset Valley Council could complicate relations with that city.

For these reasons, Mr. Reed indicated that it was recommended that the City's present policy be affirmed by indicating that City of Austin sewer service is not available to individual property owners in other cities. He added that it was also recommended that the City reaffirm its prior offer to make sewer service available on a wholesale basis to the City of Sunset Valley subject to metering of the sewer flow and payment by Sunset Valley of a reasonable fee to reimburse the City of Austin for its total costs in providing this service.

Mr. Flournoy submitted that the City had issued 2 permits in this strip and asked if anyone else had applied for a permit and been turned down.

Mr. Curtis Johnson, Water and Wastewater Director, stated that there were only 3 houses in existence and only one was not served by sewer. He did not know whether or not the owner had requested to be served.

Prior to the initiation of the policy to deny sewer taps in other cities, Mr. Reed pointed out that 3 taps had been authorized. Two of the taps were in service now and the other in a vacant lot. He announced that it was discovered that neither of the 2 customers in other cities had been billed for or paid a wastewater charge, and the staff was correcting this oversight and levying a reasonable charge.

After discussion, Councilmember Lebermann moved that the Council instruct that the policy be upheld to not provide service in other City limits. 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

MEETING AND AGENDA FORMAT

The Council had before it the City Council Meeting and Agenda Format for consideration. There was discussion by Mayor Friedman with regard to specific agenda format as follows:

10:00 a.m.	Begin meeting
	Citizens Communications
10:30 a.m.	Resolutions
11:00 a.m.	Public Hearing
12:00 a.m. - 2.:00 p.m.	Executive Session (if necessary)
2:00 p.m.	Citizens Communications (if necessary)
2:30 p.m.	Public Hearing (if necessary)
	Contracts
	Ordinances
	Items from Council
	City Manager Reports
	Committee Reports (specific times)

Mayor Friedman moved that the Council change the Council Meeting time from 1:00 p.m. to 10:00 a.m., effective August 7, 1975, with the third Thursday of each month to be a night meeting to begin at 7:00 p.m. (places to be announced), effective August 21, 1975; change the resolution pertaining to zoning cases so that they will begin at 10:00 a.m.; and change the Agenda format as aforementioned. 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, Lebermann,
Linn
Noes: None

EQUAL EMPLOYMENT OPPORTUNITY ORDINANCE

The Council had before it the consideration of the Equal Employment Opportunity (EEO) Ordinance, as recommended by the Human Relations Commission, Employment Subcommittee. FATHER JOE ZNOTAS, Chairperson of the Commission, reviewed the proposed ordinance which declares the policy of the City to "bring about through fair, orderly and lawful procedures the opportunity for each person to obtain employment without regard to race, color, religion, sex, sexual orientation, national origin, age or physical handicap." He reviewed Ordinance No. 671005-B, which established the Commission, and specifically addressed himself to the section relating to duties and functions of the Commission.

He noted that the ordinance would effect employers of 15 or more employees and would include labor unions, employment agencies, and City government but would exclude Federal, State, County, or a bona fide private membership club.

MS. MAXINE FRIEDMAN, Temporary Chairperson of the Subcommittee, noted that the Federal Government would provide training and assistance; and additional funding would be provided as a "track record" was established. She noted that this would not cost the City additional money at this time. She reviewed the various sections of the proposed ordinance and pointed out that there was a penalty section that would subject a violator to a fine of not more than \$200.

MR. NORMAN EATON, member of the Commission, noted that the staff would be trained by the Equal Employment Opportunity Commission.

MR. WOODROW SLEDGE requested a copy of this ordinance and suggested that the School District employees be included in this.

MR. RODNEY GRIFFIN supported the concept of the ordinance and felt it would help eliminate discrimination of employment.

At this time Mayor Pro Tem Snell announced that he agreed with the ordinance in principle, but he had some reservations about passing it in its present form. He noted that he and Mayor Friedman had requested the City Manager to prepare a proposal for the creation of an EEO Department, and he believed this concept to be a more efficient means of accomplishing the goals of equal employment and affirmative action. He suggested that under a Human Relations Department the responsibility to oversee and administer another phase of the City's EEO effort would be wasteful, unnecessarily expensive and grossly inefficient. For this reason, he suggested that all responsibilities outlined in the Human Relations Commission ordinance for carrying out the EEO and Affirmative Action functions and activities be assigned under the department they requested the City Manager develop the proposal for. It was his opinion that combining money available from Federal sources and from the City's budget would seem to be a much more practical approach to the City's total EEO program than having what could become diluted efforts in two different departments.

After discussion, Mayor Pro Tem Snell moved that the Council set a public hearing for July 10, 1975, at 1:30 p.m. to consider the Equal Employment Opportunity Ordinance. The motion, seconded by Councilmember Hofmann, carried by the following vote:

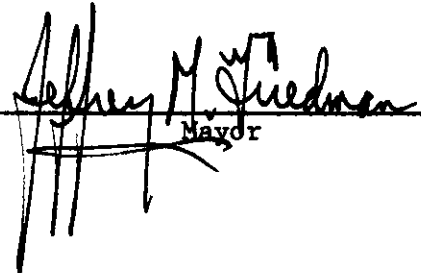
Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann,
Lebermann, Linn, Trevino, Mayor Friedman

Noes: None

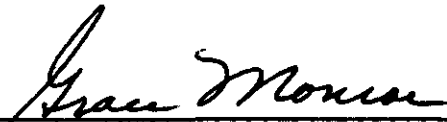
ADJOURNMENT

The Council adjourned at 6:50 p.m.

APPROVED


Mayor

ATTEST:



City Clerk