

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 17, 1975  
1:00 P.M.Council Chambers  
801 West Second Street

---

The meeting was called to order with Mayor Friedman presiding.

## Roll Call:

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

Absent: Mayor Pro Tem Snell

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

## WEEK OF THE BREAST-FED BABY

Councilmember Hofmann read and then presented a proclamation to Susan Thompson and Jo Lupton, the La Leche League of Austin, proclaiming the week of July 20-26, 1975, as "Week of the Breast-Fed Baby" and invited all citizens interested to attend a Texas state meeting of the Association to be held at Woodcreek in Wimberly on July 24-25.

One of the women thanked the Council for the proclamation, and the other one pointed out that it happened too often that a woman found herself without encouragement and the knowledge she needed. She stated that if anyone wanted information about their local discussion groups or about the meeting, they might call the League.

## RECOGNITION

Councilmember Trevino read and then presented a resolution signed by the Council to Eddie Guerra and Victor Ledesma, noting that the Old Timers Athletic Club, a non-profit organization of 30 members, had contributed much to the welfare of the citizens of the City and encouraged all citizens to join the

Council in recognizing their contributions and in welcoming the participants in the Third Annual Old Timers Athletic Club Softball Tournament, to be held on July 19 and 20. They thanked the Council for the resolution.

#### APPRECIATION CERTIFICATE

Mayor Friedman announced that on July 14, 1975, he and the City Manager had represented the City at a ground breaking for the Centex Chapter of the American National Red Cross. Because of the City's efforts over the last few years, he noted that the American National Red Cross had granted to the City of Austin an Appreciation Certificate for assistance in the acquisition of land and the Capital Improvements Program. He pointed out that this would be displayed for all to see, and he presented it to the City Manager for the citizens and all City employees.

#### 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.

#### Historic Landmark Commission

Councilmember Linn moved that the Council appoint the following to the Historic Landmark Commission:

Wayne Bell (Heritage Society of Austin, Inc.)	To 4/77
Roxanne Williamson (School of Architecture of U.T.)	4/77
Anna Drayer	4/77
Bill Parrish	4/76
Ada Simond	4/76
Connie Gutierrez	4/76

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

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

Noes: None

Absent: Mayor Pro Tem Snell

Later in the meeting, it was determined that there needed to be some clarification concerning the appointments to the Historic Landmark Commission. Councilmember Linn moved that the Council appoint ADA SIMOND and CONNIE GUTIERREZ as Alternates, thereby retaining NORMAN GUERRA and JANIE HARRISON in the Commission at their original terms. The motion, seconded by Councilmember Lebermann, carried by the following vote:

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

Noes: None

Absent: Mayor Pro Tem Snell

Not in Council Chamber when roll was called: Councilmember Trevino

Citizens Board of Natural Resources  
and Environmental Quality

Councilmember Hofmann moved that the Council reappoint DICK CORY as Chairperson of the Citizens Board of Natural Resources and Environmental Quality. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

Mayor Friedman announced that the Council had discussed the creation of a Joint Legislative-Council Commission, and the Council would consider appointing 10 representatives to this Commission on July 24, 1975.

APPROVAL OF MINUTES

Councilmember Hofmann moved that the Council approve the Minutes for July 10, 1975. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

HEARING TO CONSIDER USE OF PARK FOR SANITARY LANDFILL

Mayor Friedman opened the public hearing scheduled for 1:00 p.m. to consider the temporary use of a portion of Walter E. Long Metropolitan Park for a sanitary landfill. MR. HOMER REED, Deputy City Manager, appeared to explain what was proposed and the basis for the staff's recommendation before the Council. He submitted that the City must have a way to dispose of 500 tons of solid waste material, and this proposal was practical for the present, with the hope that an even better solution might be found for the future. He pointed out that they were concerned about cost, and he noted that the City's costs increased \$61,908 per year for each mile of increased distance to a landfill; or if the landfill were located 10 miles out into the County, the added cost to the citizens of Austin would be \$619,080 per year. He submitted that this was what caused the staff to study the possibility of locating a landfill in the City-owned property adjacent to Lake Walter E. Long.

He noted that they had explored other sites in the northeast area, including the site adjacent to the present County fill; but none of them compared to the proposal in economic, environmental, and recreational advantages. He stated that in seeking approval of the proposal, the staff gained the support of the following:

Texas Water Development Board  
Department of Housing and Urban Development  
Austin-Travis County Health Department  
Texas State Historical Survey Committee  
Austin Regional Group of the Sierra Club  
Environmental Resource Management Department  
Parks and Recreation Advisory Board

MR. JACK ROBINSON, Director of Parks and Recreation, stated that the Parks and Recreation Department and Public Works Department had been working for over 2 years to find a site in northeast Austin to be purchased with Public Works funds which could be used for 5 to 7 years as a sanitary landfill and then converted to a park site. He noted that at the request of the Planning Commission, they looked at this Park to determine if any of the 2400 acres of parkland surrounding the Lake would be suitable for a landfill site; and if so, whether or not the use for such a purpose would be compatible with the Master Plan proposed for the Park area. In this evaluation, he stated that it was determined that the topography of the area in the southwest section of the Park proposed for an athletic complex was such that the area would benefit from a filling operation.

He indicated that there were other points that had to be satisfied before they could support the use of this site for a sanitary landfill:

1. The possibility of leaching action from the landfill site into the Lake.
2. The measures to be taken to control litter, insects, and rodents.
3. The measures to be taken to limit and control access into the site and the remainder of the Park area.
4. The appearance of the area during its operation.
5. The appearance of the area upon the completion of the operation and its suitability and readiness for the development of the proposed athletic complex.

Mr. Robinson stated that the following convinced the staff that contamination of the Lake by leachate would be virtually impossible:

1. The observations of the Parks staff of the imperviousness of the soil in the Lake and the stock tanks located throughout the Park.
2. The evaluation of core samples of soil taken before the construction of the Lake, which showed a very dense impervious clay for a considerable depth.
3. The proposed utilization of the cell system banked on the lower elevation side by a special compacted clay core embankment.

He submitted that the development of the athletic complex on top of the fill area would insure surface runoff and prevent ponding while the cell barriers and clay core embankment would prevent any leaching from sub-surface water. He suggested that controlled access would be achieved through the use of the landfill by only City vehicles and, if necessary, the placing of control personnel at the entrance. He pointed out that grass would shield this area at all times from the Lake side, and the other sides would be shielded by natural vegetation.

With the projected growth of the City, he felt that the development of Lake Long as a regional Metropolitan Park was essential. He stated that funds were being requested in the proposed Fiscal Year 75-80 C.I.P. for construction of restrooms in the presently developed Park area and the development of the peninsula with entry station, roadway and parking, picnic facilities, boat launches, playground and restrooms. Within the following 5-year C.I.P., he pointed out that it was projected that the need would exist for the development of the athletic complex, an 18-hole golf course, as well as additional picnicing and overnight camping and boating facilities.

Mr. Robinson concluded his remarks by noting that the Parks and Recreation Advisory Board joined the staff in recommending positive consideration of this project.

Mr. Reed submitted that in terms of the sanitation needs of the City in the immediate future, there were no economic or environmental alternatives to the landfill stage of the Long Metropolitan Park. After extensive site evaluation, he stated that the City faced moving further out into Travis County or surrounding counties, purchasing land, and trucking solid waste. He pointed out that the further away from Austin the City was forced to go, the more Austin citizens would have to pay for sanitation service. He stated that at the present time the City disposed of 3/4 of the refuse collected at the City landfill south of Bergstrom and 1/4 at the County landfill northeast of Austin. He announced that the City expected to be able to use the County landfill for no more than 2 years, and shifting all disposal to the City facility would increase costs by \$148,708 annually. He suggested that this would fill the facility ahead of schedule and put the City in the position of having to find another landfill site within 4 years; and at the end of those 4 years, costs would increase again in the amount of \$61,908 per mile of increased distance to the landfill.

Environmentally, Mr. Reed suggested that the proposed site presented the best alternatives in that few trees would be effected; the land was City-owned property to be used for a park; the area would not be visible from the public facilities; none of the landfill operations would be visible to those living in the subdivisions adjacent to the area; and there would be no sign or other indication that a landfill was nearby.

He commented that the subsurface soils were heavy clays that were ideally suited to avoid leaching, and the method of fill management would insure this. In addition, he noted that the excess water that would fall on the surface would be diverted to drainageways outside the fill area, so that all leaching should be avoided by this combination of the site and the operation. He also noted that the operation of the fill would prevent the accumulation of methane in hazardous quantities.

Mr. Reed pointed out that the State Health Department knew of no instance of damage or injury resulting from a landfill being reused as a recreational area. With regard to traffic, he stated that there would be about 15 to 20 City trucks, creating approximately 30 to 40 round trips. Half of these would be on Decker Lake Road, and the other half would use U.S. Highway 290 and Decker Lane. During a 24-hour period, Mr. Reed noted that Decker Lake Road was used by 1,963 vehicles; and Decker Lane had 1,572 vehicles. Based on a 3-1/2 hour count, he submitted that Decker Lane was used by 395 trucks; and Decker Lake Road was used by 301 trucks during a 10-hour working day. He submitted that traffic generated from this project would be insignificant in comparison to traffic now on these roads.

In conclusion, Mr. Reed stated that the staff recommended that the landfill stage of the Park be approved in that the economic and environmental advantages, as well as the assistance the landfill would provide in developing the Park, far outweighed any minor significance the 30 to 40 trips might have on traffic flow. Ultimately, those who now were in objection would benefit because of the proximity of recreational facilities, so that the value of their property and all property in the area would be improved.

The following appeared in opposition to the proposed landfill:

MS. IRENE SNYDER, 22-year resident of the area, stated that she had a petition with approximately 1,000 signatures in opposition to this. She noted that in a newly passed act, money was available to help local communities develop open space into parks and retain it in its natural state. She submitted that there were many whose homes, farms, and businesses had to be moved or sold to the City in order to build the Decker Lake Power Plant. She addressed herself to the need for improvements to be made to the Park, such as restrooms, the installation of sewer pipes, and the installation of a boat ramp. Because of \$800,000 given to the City by the government, she suggested that every citizen should be allowed to use this Park; however, if this landfill was built, there would no way to prevent the Lake from being polluted eventually. She suggested that it would be 10 years before they would get any of the proposed recreational facilities because the City would not put these next to a landfill. In conclusion, she stated that they now had "all of Austin's sewage" and asked that they not be given the garbage.

MS. CATHY REIL, LBJ Neighborhood Association, stated that she had been attracted to the area because it was located in a beautiful setting near schools but with little traffic and because it was located near potentially great recreational facilities. She asked why only one site was suggested, and she addressed herself to the following:

1. Entirely too close to residential and recreational area of the City.
2. Several pieces of heavy equipment would be needed to accomplish the fill.
3. Concerned about methane, dust, and litter.
4. With regard to staff's remark that refuse would be covered daily, she submitted this was virtually impossible in wet weather.

5. Noise associated with the use of trucks.
6. Add to the rat population.

She asked that this "people-oriented" Council go on record that it did not make this Park into a garbage dump.

MR. TOM PHILPOTT, 6-year resident of the area and Chairperson of the Northeast Austin Democrats, stated that his organization joined the neighbors in opposing the use of parkland for solid waste disposal; and they believed this would violate the original plan for the Park and the AUSTIN TOMORROW Goals. They were concerned about the environmental consequences of dumping within the Lake's watershed, and they objected to the use of Parks for refuse disposal unless other sites had been thoroughly considered. He stated that they did not want the area to become resegregated, and he submitted that they could not overcome the odds against integration if this area was known as the area that got everything no one else wanted.

MR. BERT HOOPER spoke in behalf of the following:

Henry S. Miller Company	Cavalier Park Community
Austin Savings and Loan Association	Wesley United Methodist Church
Lumbermen's Investment Corp.	Greenville Mobile Home Park
LBJ Neighborhood Association	Thunderbird Village
Craigwood Community	N.A.A.C.P.

He wondered whether this would encourage similar uses of other parks in the City in that park land attracted this kind of construction for the following reasons:

1. It is available.
2. It appears to be less expensive.
3. It appears to involve less delay in the acquisition, use, and operation of the project.

He suggested that once the protective barrier was broken around a park, the "doors opened" to further proposals as assaults on the park to make other inconsistent uses. He wondered how extensive the use must be before it was a violation of the general concept of reservation of park lands. He stated that these were policy decisions for the Council, and he believed the best thing the Council could do for all people involved would be to take a stand on this issue today; and as a policy matter, determine whether or not this was really a wise decision and a suitable location for a sanitary landfill.

He used slides to help demonstrate some of the other considerations they felt were pertinent to the matter. He submitted that there was an extensive amount of open land around this area that he felt would be very worthwhile and of beneficial uses for people who wanted to live in this particular area.

Mr. Hooper reviewed the Walnut Creek landfill site and noted that the slides were taken in 1972. He suggested that no matter how well designed, operated, and managed a site might be, there was always potential for leaching and methane. He also reviewed the Butler Sanitary Landfill at Zilker Park.

He submitted that there was more than adequate area in which the City could investigate to find a more suitable site. He stated that this area was designed by the Planning Department for residential development and recommended in the C.I.P. for extension of sewer service. He had reservations about the method by which the site was selected; and according to the staff's report, there were four places identified and examined. One site was rejected because of cost and the nearness of two residences that would be adversely effected; and the other three sites were in abandoned limestone pits, of which he felt the City had enough knowledge to know it was not suitable for landfill operations.

He suggested that the proper procedure would be to:

1. Decide not to establish this site at the Park.
2. Embark upon a detailed study of other available areas and include such things as not just purchase of the site but the lease of the land for the site. He suggested that this would eliminate the initial capital cost of purchase of the site and could be located by advertising.

He referred to comments by the National Commission on Resource Recovery concerning the most effective method of gas control. They indicated that one of the problems associated with covering the fill was how to get rid of methane; and they suggested that if covered, special venting devices must be provided. He submitted that the staff's report made no reference as to how this problem would be dealt with and the cost thereof.

Mr. Hooper pointed out that if the proposed site was approved, there must be the preparation of an environmental impact statement to be submitted for review and approval, and it would take at least 5 or 6 months to prepare the report. Following that, it would be up to HUD to make the decision as to whether or not the purpose for the park should be breached to allow for use as a sanitary landfill.

In response to Councilmember Himmelblau's question, Mr. Hooper stated that he had not shown the slides to suggest that the City would operate the site poorly or that those things would happen; but they were shown to demonstrate what has happened in the past, and without close monitoring those things could happen.

MR. JOHN HENSON, Henson Associates, addressed himself to the economics of the proposed site and the general operation of landfills. He stated that the fact that Public Works did not deal in any detail with economics made it extremely difficult to be specific about the problems. He felt that the apparent savings involved in using already available land as a fill was likely to result in false economies.

He pointed out that this would be limited to a City dump only and asked what would be done with other collected garbage. With regard to the possibility of leasing a site, he noted that Public Works was committed to save the City money; but this site did not save the City money.



Mr. Henson could not address himself to Councilmember Himmelblau's question as to whether or not there would be objections if this was moved north where the clay was still the same. Mayor Friedman asked how Mr. Henson could recommend that the Council not put the landfill here but recommend that it be put somewhere else and asked if he had an alternative site. Mr. Henson had no specific alternative but felt there were other spots more secluded.

Mr. Hooper pointed out that on one occasion the Council declined to lease the Park for cattle raising, and he felt it ironic to use this for trash and garbage. He felt that this would set a precedent.

Mayor Friedman suggested that this was more than just the park issue in that it was a neighborhood issue.

MR. CHARLES DRAKE, resident on Decker Lane, addressed himself to the environmental and ecological impact this would have on the area. He suggested there were many animals and trees in the area, and he commented that Decker Lake Road was poorly constructed and would have to be reconstructed to handle the traffic going to the fill area.

MR. JOE LUNDELL, representing Wesley United Methodist Church, was concerned about their area being used for this project. He could not understand the feasibility of approving this and not allowing a man to put in a septic tank in the area because he was told it would pollute the Lake. He suggested that this much garbage in the area would cause an odor. He stated that in a recent meeting, the Church passed a resolution to be presented to the Council to inform them that they were very opposed to the proposal in that it was within a few hundred yards of the Church. He hoped the Council would give this strong consideration.

MR. DAVID STRONG, Vice President of the N.A.A.C.P., was opposed to this because he lives in the area; and it appeared that Austin seemed to want to put all the "spoils" into the East Austin community. He submitted that it was up to the Council to insure that minorities were not discriminated against any more, and he suggested that an alternative location could be found and a more detailed study should be done by the City for this location.

MS. DELLA CARLSON, former resident of the area, felt that if the fill had to be on City-owned property, the part on the extreme southeast section could be used in that the drainage would not be into the Lake. She pointed out that some of the area should be improved. She did not believe the City would do justice to the name "Walter E. Long Garbage Dump."

REV. FREDDIE DIXON, speaking for Wesley United Methodist Church and the Austin Black Assembly, read a letter addressed to the Council from Dr. John King, President of Huston-Tillotson College, in which he expressed opposition to the proposal for the following reasons:

1. The history of Austin and the relation to the community.  
He suggested this was a community where many minority people lived.
2. The effect this would have on property value.

Rev. Dixon asked when the residents of East Austin would stop being the "stepchild" of the City and become a "full-fledged child." He addressed himself to the AUSTIN TOMORROW Goals and submitted that this project lacked adequate controls of all types of pollution. He felt that East Austin was a "catchall" for undesirable facilities for the City, and he asked if there could be an alternative proposal by the City for the landfill because the residents of the East Austin area were tired of all the undesirable facilities.

MS. VELMA ROBERTS asked the Council not to take action on this proposal until all Councilmembers were present. She stated that public hearings should be held at night when the City was dealing with problems that would effect the future of so many.

MS. JOAN BARTZ, President of the University Hills Homeowners, was opposed to a "dump" anywhere in Northeast Austin any time. She asked what effect this would have on zoning in that there was a zoning request to be heard by the Planning Commission to house the equipment that will be necessary to maintain such a landfill. She suggested that there would have to be signs erected to indicate where the landfill was. She felt there should be another location for this and pointed out that the Council was being asked to not only make a decision on the landfill location but to maintain a very sensitive area of Austin.

Councilmember Himmelblau asked for a report of the core drillings that were taken in the area.

MR. FRANK BRYANT, Frank Bryant and Associates, stated that they had completed 5 borings on the site and presented to Public Works a very preliminary report. He submitted that these tests take some time, and they had not been able to complete them prior to the Council meeting; but they had run 2 tests in the fill and had determined that the permeability of the formation in this area was within the guidelines of the Texas State Health Department with regard to landfills of this type. He pointed out that there was a matter of clay gravels that ranged between 2 to 11 feet that did not pass the rather rigid specifications of the Department. He reiterated that they had done only a limited amount of work, and their only indication was that there was a good possibility that the formation in this area would be acceptable to the criteria of standards of the Health Department for landfills.

Mr. Reed pointed out that the City had established boring results throughout many areas adjacent to this site that were made in preparation for the initial construction of the Lake. In addition, all the information available by the Soil Conservation Service and others indicated that the soil conditions were exceptionally good for a landfill; and the modest amount of gravelly material found near the surface was good news in that we would need some rather porous materials for the cover material in order to make it function perfectly as a landfill site.

He addressed himself to some specific questions that had been raised:

1. With regard to septic tanks and the refusal in the area, he pointed out that they were not permitted by the Water Quality Board or the Health Department because the water would not sink into the ground and would find its way to the nearest stream and cause water pollution.

2. With regard to the examples of leaching shown on the slides, he submitted that these could not be called fills because they were dumps and pointed out that current standards would not find the same type problems due to present technology of operating a fill and present requirements of the State.
3. With regard to park land and other uses of the land, he noted that much of the park land the City had was acquired for other purposes and used for other purposes before it was available as park land. He mentioned that most of the City-owned land on Town Lake was landfill, including part of Zilker Park; Jimmy Clay Golf Course was acquired for a sewer plant; and he noted that Lake Long Park was acquired with no park money in that it was the Electric Department that put up all the funds.
4. With regard to land acquisition or leasing, he suggested that it was easy to talk about it until it was tried; and he noted that the City leased their present fill and has leased most of the fill areas. He pointed out that the City had tried extensively beginning 3 years ago to try to find a site in north, northwest, and northeast Austin; and Northwest Austin proved to be unsuitable because of limestone through which leaching would occur, and the City could not get approval from the Health Department to operate a fill in that area. He stated that the eastern portion was suitable, and the City tried to purchase a site that could be filled and converted in the future to a park. He also noted that sites outside the City required approval of the County Commission as well.

Mr. Reed noted that the City was close to the deadline of finding another site and urged the Council's consideration with all deliberate speed; however, the staff had no objection to waiting until Mayor Pko Tem Snell returned to the City.

In response to a comment by Councilmember Lebermann concerning the fact that 2 Commissioners had indicated they would be sharing the present landfill with the City, Mr. Reed pointed out that there was every indication that the City could continue using its present fill through approximately 2 years, even with the 2 additional precincts.

#### Motion

Councilmember Linn moved that the public hearing be closed and that the City not temporarily use a portion of Walter E. Long Metropolitan Park for a sanitary landfill. Councilmember Trevino seconded the motion.

#### Substitute Motion

Councilmember Lebermann moved that the Council postpone consideration of this so that the City might enter into discussion with the County to see if a joint fill could be located on this site. Councilmember Himmelblau seconded the substitute motion.

There was discussion by the Council and the City Attorney concerning the effect of the motion and the substitute motion. With regard to Councilmember Lebermann's suggestion that the postponement would allow the return of Mayor Pro Tem Snell, Mayor Friedman read a letter that had been written by Mayor Pro Tem Snell before he left the City, in which he expressed the following opinion about the landfill: "...I am against this for many reasons, and I ask your support in voting this idea down."

Roll Call on Substitute Motion

Roll call on Councilmember Lebermann's substitute motion, Councilmember Himmelblau's second, showed the following vote:

Ayes: Councilmembers Lebermann, Himmelblau

Noes: Councilmembers Linn, Trevino, Mayor Friedman, Councilmember Hofmann

Absent: Mayor Pro Tem Snell

The substitute motion failed to carry by a 2 to 4 vote.

Roll Call on Motion

Roll call on Councilmember Linn's motion, Councilmember Trevino's second, to close the public hearing and not temporarily use a portion of the Park for a sanitary landfill, showed the following vote:

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

Noes: Councilmember Lebermann

Absent: Mayor Pro Tem Snell

The Mayor announced that the motion had carried.

At this point, Councilmember Trevino left the Council Chamber and did not return.

RELEASE OF EASEMENTS

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

The west 94.85 feet of the north three and one-half (3.50) feet of the Public Utility Easement that covers the south seven and one-half (7.50) feet of Lot 6, Block "B," VILLAGE ONE AT ANDERSON MILL, a subdivision in Williamson County, Texas. (Requested by National Housing Industries, Inc., owner)

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

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

Noes: None

Absent: Councilmember Trevino, Mayor Pro Tem Snell

## POSTPONEMENT OF LICENSE AGREEMENTS

The Council had before it the consideration of the following license agreements:

1. Permitting encroachment by an underground pedestrian tunnel across WEST 34TH STREET in the 800 block between West Avenue and Grandview Street. (Requested by Zapalac and Griffin, Architects representing Austin Diagnostic Clinic, owner of property on both sides of West 34th Street in said 800 block)

Councilmember Himmelblau recommended that this be postponed until the new fee schedule for license agreements was in effect.

City Manager Davidson pointed out this new policy was completed and would be on the agenda for consideration next week. He felt it would probably be best to postpone this item until Council would adopt that policy.

2. Permitting temporary placement of a U. S. Postal Service mobile trailer office over a portion of Drainage Easement ten (10.00) feet in width partly in Lot 5, Block P., JAMES E. BOULDIN ADDITION, and partly in Lot 1-A, Resubdivision of Lots 1 through 4, Block P, JAMES E. BOULDIN ADDITION. (Requested by the U. S. Postal Service, owner)

Mayor Friedman suggested that this be postponed to consider a fee in that other governmental agencies were being charged.

Councilmember Himmelblau moved that the Council postpone consideration of the afore-mentioned license agreements until July 24, 1975. The motion, seconded by Councilmember Linn, carried by the following vote:

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

Noes: None

Absent: Mayor Pro Tem Snell, Councilmember Trevino

It was determined that after the discussion next week on the fee schedule, the license agreements would be considered at that time.

## AMENDMENT TO THE LICENSE AGREEMENT

Councilmember Linn moved that the Council adopt a resolution authorizing an amendment to the License Agreement between the City of Austin and LARRY NIEMANN, Individually and as attorney for W. R. Coleman and Robert L. Smithers, dated February 9, 1973, of record in Volume 4551 at Page 805 of the Deed Records of Travis County, Texas. (Requested by Larry Niemann). The motion, seconded by Mayor Friedman, carried by the following vote:

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

Noes: None

Absent: Mayor Pro Tem Snell, Councilmember Trevino

At the time Councilmember Linn made her motion, she commented that she hoped the City would not get into a "mess" like this again.

#### CONTRACTS AWARDED

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

BEST PRINTING COMPANY  
3218 Manor Road  
Austin, Texas

- Printing of Where to Call Guides,  
Public Information Department for  
Human Relations Department  
Item 1 - \$7,171.00

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

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

Noes: None

Absent: Mayor Pro Tem Snell, Councilmember Trevino

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

N. L. LEASE SERVICE  
Nelson Lewis, President  
P. O. Box 217  
Marble Falls, Texas

- East 18th Street 24" Wastewater Main &  
East 17th Street 8" Wastewater Main  
Project - \$41,393.00

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

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

Noes: None

Absent: Mayor Pro Tem Snell, Councilmember Trevino

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

CAPITOL CAMERA SHOP  
2021 Guadalupe Street  
Austin, Texas

- Photographic Supplies, Office Services  
Division.  
Twelve Month Supply Agreement  
Items 1-16 - \$32,864.23

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

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

Noes: None

Absent: Mayor Pro Tem Snell, Councilmember Trevino

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

Bid Award:	- Air Switch Arc Restrictors, Electric Department
ITE IMPERIAL CORPORATION	- Items 1, 4, 6; 6 ea. @ \$1,130.00
303 Jackson Hill	Items 2, 3, 7; 5 ea. @ \$ 500.00
Houston, Texas	Total \$9,605.00
JOHNSON MANUFACTURING COMPANY	- Item 5; 1 ea. @ \$300.00
Atlanta, Georgia	

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

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

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

Bid Award:	- 17 Static DC Timing Relays and 17 Overcurrent Relays, Electric Department
GENERAL ELECTRIC COMPANY	- Item 1; 17 ea. @ \$325.00
1600 NE Loop 410	Total \$5,525.00
San Antonio, Texas	
WESTINGHOUSE ELECTRIC CORP.	- Item 2; 17 ea. @ \$585.00
201 North St. Mary's Street	Total \$9,945.00
San Antonio, Texas	

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

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

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

THE AIR PREHEATER COMPANY	- Redesigned and Modified Air Preheater Elements, Boiler Unit No. 2, Holly Power Plant, Electric Utility Department
Division of Combustion Engineering	Item No. 1; 1 set @ \$30,680.00
Mercantile Dallas Building	Item No. 2; 1 set @ \$42,505.00
Suite 1714	Total \$73,185.00
Dallas, Texas	

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

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

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

CAPITOL AGGREGATES, INC.  
Bolm Road  
Austin, Texas

- Sand, Fill and Mortar Types, Street and  
Bridge Division and Central Stores.  
Twelve Month Supply Agreement  
Item No. 1; 13,000 tons at \$0.85  
Item No. 2; 1,000 tons at \$3.50  
Total \$14,550.00

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

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

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

EAGLE SIGNAL COMPANY  
6465 Spur 303, Suite 3A3  
Ft. Worth, Texas

- Traffic Controller, Urban Transportation  
Department  
Item 1; 7 ea. @ \$7,844.96  
Total \$54,914.72

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

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

#### POSTPONEMENT OF CONTRACT

Councilmember Lebermann moved that the Council postpone consideration of  
the following contract:

THOMAS BROTHERS CONSTRUCTION  
COMPANY  
3400 East 1st Street  
Austin, Texas

- Electric Ductlines and Concrete  
Foundations at Bergstrom Substation -  
\$10,097.70.

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

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



## MODIFICATION OF RESTRICTIVE COVENANT

The Council had before it the modification of a restrictive covenant limiting densities of dwelling units proposed in the Crossing, a 500-acre development fronting East Riverside Drive and Pleasant Valley Road in South Austin. (Zoning Case No. C14-72-204.) Mr. Tom Knickerbocker, Assistant Director of Planning, reviewed this by stating that it was a request to amend a restrictive covenant approved by the Council in 1972, which would release an unnecessary school site. He indicated that originally the covenant had provided for two sites; and in the event both were not needed, it would provide that the City release that for additional uses.

He stated that the zoning was not yet final in that all requirements had not been met for the entire tract. At this time, the applicants will have met requirements with the approval of this modification of the covenant of the first phase of this development (about 100 acres). He pointed out that the basic change in the covenant would be an increase in the total number of permitted dwelling units from 4,600 to 4,658 on the 500-acre development.

In response to Councilmember Himmelblau's question, Mr. Knickerbocker stated that the additional 58 units would not totally be on the lots that would be released.

Mr. Jim Fox, representing the applicant, pointed out that the increase was maximum and did not speak to the actual design they might end up with. He pointed out that the increase occurred because of a change on Tract 4, but at the time of approval there was a slight increase in density for Tracts 1 and 2. He indicated that subsequent to that, they had come through with individual site plans and a special permit application on Tracts 1 and 2 and had met conditions put upon the entire tract.

Councilmember Lebermann moved that the Council adopt a resolution approving the modification of the restrictive covenant limiting densities of dwelling units proposed in the Crossing. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Hofmann, Lebermann, Mayor Friedman,  
Councilmember Himmelblau

Noes: Councilmember Linn\*

Absent: Mayor Pro Tem Snell, Councilmember Trevino

\*Councilmember Linn prefaced her negative vote by stating she was opposed because of the density out toward the Riverside area.

## DEMOLITION OF STRUCTURES

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

Accept negative bids - to be demolished only

2111 Bergman Avenue

Clarence Cullen Company

\$219.00

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

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

#### ITEM CONCERNING SUBSTANDARD STRUCTURES

Councilmember Lebermann moved that the Council accept the recommendations from the Building Standards Commission by authorizing 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. 7002 Bennett Avenue - Alex and Mary Bell, owner
2. 125 Hergotz Lane - Jessie & Josephine Rodriguez, owner
3. 301 Navasota Street - Theresa Loya, owner

and postponed consideration of the following:

209 Ainsworth Street - Charlie D. Short, owner

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

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

#### EXECUTION OF LEASES IN SOUTH TEXAS PROJECT AREA

Councilmember Lebermann moved that the Council adopt a resolution authorizing the City Manager to execute Acknowledgement of Expiration of Oil, Gas and Mineral Leases in South Texas Project Area. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

#### ACCEPTANCE OF CSA GRANT

Councilmember Lebermann moved that the Council adopt a resolution approving acceptance of Community Services Administration (CSA) grant for the period May 1, 1975, through April 30, 1976, with conditions as follows:

1. City is to spend carryover from FY-75 during the period May 1, 1975 through June 30, 1975.
2. City will receive \$350,000 for the ten-month period from July 1, 1975 through April 30, 1976 (tentatively approved by CSA).

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

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

Noes: None

Absent: Councilmember Trevino, Mayor Pro Tem Snell

#### CONTRACT WITH SER

Councilmember Lebermann moved that the Council adopt a resolution authorizing the City Manager to enter into a contract with SER-Jobs for Progress, for the purpose of obtaining job development and placement services. (Contract will extend from July 1, 1975, to June 30, 1976, and shall not exceed \$57,805). The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

Absent: Councilmember Trevino, Mayor Pro Tem Snell

#### HEARING SET TO CONSIDER 1975-80 CAPITAL IMPROVEMENT PROGRAM

Councilmember Hofmann moved that the Council set a public hearing for August 14, 1975, at 2:30 p.m. to consider the recommended 1975-80 Capital Improvement Program. The motion, seconded by Mayor Friedman, carried by the following vote:

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

Noes: None

Absent: Councilmember Trevino, Mayor Pro Tem Snell

The Council also set up their work schedule on the C.I.P. as follows:

July 23, 1975 - 4:00-7:00 p.m.  
July 30, 1975 - 4:00-7:00 p.m.  
August 6, 1975 - 4:00-7:00 p.m.  
August 13, 1975 - 4:00-7:00 p.m. (if necessary)

#### PARADE PERMIT FOR MEXICAN-AMERICAN CULTURE

Councilmember Linn moved that the Council approve a request by Ray B. Lopez for Austin Bicentennial Committee for Mexican-American Culture, for a parade permit on September 13, 1975, from 11:00 a.m. to 1:00 p.m. beginning on East 2nd Street, north on Congress to East 11th Street and dispersing on the State Capitol grounds. The motion, seconded by Councilmember Lebermann, carried by the following vote:

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

Noes: None

Absent: Councilmember Trevino, Mayor Pro Tem Snell

## PARADE PERMIT FOR JAGUAR CLUB OF AUSTIN

Councilmember Linn moved that the Council approve a request by Merrill Finnell for Jaguar Club of Austin, for a parade permit on August 3, 1975, from 10:30 a.m. to 11:00 a.m., beginning on 11th Street, down Congress Avenue across Town Lake, right on Riverside, right on South 1st Street to Auditorium Shores. The motion, seconded by Councilmember Lebermann, carried by the following vote:

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

Noes: None

Absent: Councilmember Trevino, Mayor Pro Tem Snell

## REPORT ON "PRIORITIES FOR HUMAN SERVICES"

Mr. Maurice Graves, Priorities Committee Chairman of the Community Council of Austin and Travis County, appeared before the Council to present a report on "Priorities for Human Services - Austin and Travis County." He stated that 15 appointed people had produced this report with the help of the Community Council staff and suggested that the report would be of benefit to the City's staff in preparing the budget. He noted that the Committee studied 60 services in health, welfare, social services, education, and recreation; and they had placed in the report a series of summaries and recommendations. He submitted that there was a lack of financial data in that they did not know the cost per recipient of the service granted or the cost per unit of the service. He offered the Committee's assistance in answering any questions the report might raise.

Councilmember Lebermann announced that it was a pleasure to have had the opportunity to participate on the Committee, and he submitted that the membership on the Committee was balanced and that they had done a professional and thoughtful job. He felt this would be an extremely useful document.

## APPEARANCE CONCERNING TRAFFIC CONTROL DEVICES

Mr. Tom Wier appeared before the Council to discuss traffic control devices in Zilker Park. He submitted that there was an increase in traffic on Barton Springs Road which was caused by the development in the area. He pointed out with a map that the most important intersection was at Robert E. Lee and Barton Springs Road, and the other intersection was an unnamed Park road intersection. He suggested that a traffic signal be placed at one of the two intersections. He pointed out that the second intersection was busiest only on Saturdays and Sundays, but the first intersection was always bad. He also suggested that the Council instigate a study or survey of this intersection to determine if a traffic signal was necessary.

Mr. Allen Brecher, Assistant Director for Traffic Engineering, announced that there were plans to install a traffic signal at the first intersection and have in operation prior to school's starting in that the City had recognized the need for a signal. He noted that this would have an exclusive left-turn signal to go on to Robert E. Lee.

In response to Mayor Friedman's question, Mr. Brecher submitted that the staff would be studying the second intersection.

City Manager Davidson noted that the new street and parking lot improvements in Zilker had eased some of the hazards in one area and had concentrated them in a few other areas. He pointed out that Parks and Recreation was watching this very closely and would be joining in with the study of the intersection. He appreciated Mr. Wier's suggestions.

Councilmember Hofmann complimented Urban Transportation for the speed with which the light was being installed.

#### 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:  
LOTS 1 AND 2, BUCKINGHAM EAST, SECTION 1, LOCATED ON SOUTH 1ST STREET, WILLIAM CANNON DRIVE, AND BILL HUGHES ROAD, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL 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. (Edward R. Rathgeber, Jr., et al, C14-73-172)

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

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

Noes: None

Absent: Councilmember Trevino, Mayor Pro Tem Snell

The Mayor announced that the ordinance had been finally passed.

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:  
(1) THE WEST PORTIONS OF LOTS 1 AND 2, BLOCK "A," RIDGETOP ADDITION, AND THE VACATED PORTIONS OF ALLEY, BROADMORE STREET, AND EAST 53RD STREET RIGHTS-OF-WAY ADJACENT TO LOTS 1 AND 2, BLOCK "A," RIDGETOP ADDITION, LOCALLY KNOWN AS 5200 AIRPORT BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; AND,  
(2) LOTS 8, 9, AND 10, BLOCK 190, DIVISION "E," ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 707-713 EAST 1ST STREET AND ALSO BOUNDED BY DRISKILL STREET AND INTERSTATE HIGHWAY 35, FROM "B" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; AND,  
(3) A 1.626 ACRE TRACT OF LAND, LOCALLY KNOWN AS 8627-8637 BALCONES DRIVE, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL 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. (S. A. Thielepape, Jr., et al, C14-75-062; Austin Baptist Association, C14-75-066; The R & O Corporation, C14-75-065)

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

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

Noes: None

Absent: Councilmember Trevino, Mayor Pro Tem Snell

The Mayor announced that the ordinance had been finally passed.

#### ZONING ORDINANCE - FIRST READING ONLY

Mayor Friedman brought up the following ordinance for its first reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
LOT 1, BLOCK 1, JOHNSON'S RIVER ADDITION, LOCALLY KNOWN AS 2201 LAKE AUSTIN BOULEVARD AND ALSO BOUNDED BY FOSTER AVENUE AND MO PAC BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL 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. (Chris, C14-75-052)

The ordinance was read the first time, and Mayor Friedman moved that the ordinance be passed to its second reading. The motion, seconded by Councilmember Hofmann, carried by the following vote:

Ayes: Mayor Friedman, Councilmembers Himmelblau, Hofmann,  
Lebermann

Noes: Councilmember Linn

Absent: Councilmember Trevino, Mayor Pro Tem Snell

The Mayor announced that the ordinance had been passed through its first reading only.

#### POSTPONEMENT OF ZONING ORDINANCE

The Council had before it an ordinance amending Chapter 45 of the Austin City Code of 1967 (Zoning Ordinance) to cover the following change:

FRED C. MORSE	8041-8105 Burnet	From "A" Residence
By John A. Echols	Road	To "GR" General Retail
C14-75-064	2309-2327 Teakwood	with 25' strip of "A" and
	Drive	privacy fence on eastern
		boundary

Mr. Knickerbocker reviewed this by stating that the Planning Department and Planning Commission had looked at this in relation to existing housing on the street to the east; and they worked with the applicant and had prepared a recommendation to the Council so that the applicant would provide a setback

from the rear property line of 50 feet, which would provide parking spaces in the rear with the inclusion of a privacy fence. He noted that the applicant was in agreement with the 50-foot setback that had been recommended; and he had a problem with what the Council approved, which would require a 25-foot strip of "A" Residence District in that it would deny him the ability to provide parking. He suggested that the neighbors would be less effected with the 50-foot setback than with the 25-foot strip of "A" Residence District.

Mayor Friedman addressed his remark to the recommendation of the Planning Commission and staff and wondered about the noise associated with allowing a large building closer to the property line. Mr. Knickerbocker suggested that there would be no difference.

Mr. Robert Davis, representing the applicant, noted that he had not originally represented the applicant; and when this came up for hearing on July 3, 1975, the applicant was not represented in that the applicant's representative arrived late. Mr. Davis noted that the zoning change would be to allow the building of Shakey's Pizza; and they would have to have a certain number of square feet on which to build, with 220 seats which would require 55 parking spaces. He submitted that they could not do this with the strip of "A" Residence District but could with the 50-foot setback. He noted that he had contacted Councilmember Himmelblau because she had made the motion on July 3 for the strip of "A" Residence District. He stated that she did not make any commitment and asked to look at the property; therefore, he had asked for a week's postponement to allow any of the other Councilmembers to look at the site.

He reiterated that Shakey's had a prototype building and equipment, and it would be an additional expense to them to change the size of their building and alter their equipment. He felt that the plan they had proposed with parking headed away from the property and at the rear would be more desirable than the plan they drew up using the 25-foot strip of "A" Residence District. He added that the staff felt the 50-foot setback was better than the strip of "A".

Councilmember Himmelblau noted that at the hearing she had asked Mr. Dick Lillie, Planning Department Director, what his opinion was; and he had felt that the strip of "A" would protect the neighbors at the rear of the property.

In response to Mr. Davis' statement that the applicant would be satisfied with a 25-foot strip of "B", Councilmember Himmelblau pointed out that "B" Residence District would permit parking; and she would not be satisfied.

#### Motion

Councilmember Lebermann moved that the Council approve the original recommendation of the Planning Commission for a 60foot privacy fence and a 50-foot building setback but with an additional restriction that the property line strip be used only for driveway purposes on Teakwood and that the applicant provide for a 25-foot strip of "B" Residence District. Mayor Friedman seconded the motion.

There was discussion with regard to a postponement.

Withdrawal of Motion

Councilmember Lebermann withdrew his motion.

Motion

Councilmember Linn moved that this be postponed until July 24, 1975, to allow the Councilmembers to look at the site. ~~The motion~~, seconded by Councilmember Hofmann, carried by the following vote:

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

Noes: None

Absent: Councilmember Trevino, Mayor Pro Tem Snell

AMENDMENT TO BUDGET

The Council had before it an ordinance amending the current operating budget to (1) appropriate interest income from Revenue Sharing Funds, (2) transfer appropriations from the Debt Retirement Fund to the General Fund, and (3) transfer appropriations from the EMS Fund to the Ambulance Fund. Mayor Friedman read from a letter from Mayor Pro Tem Snell, expressing his feelings about this: "I am very concerned about the transfer of funds the City Manager called out attention to in his newsletter. I have checked this, and it appears that we have no other alternative. I am in full support of this idea."

With regard to the Capital Improvements Program, Councilmember Linn asked that the Council have a report on which street improvements would be postponed as opposed to those that would not.

Mayor Friedman introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 740919-B, ANNUAL BUDGET ORDINANCE FOR THE PERIOD COMMENCING OCTOBER 1, 1974 AND TERMINATING SEPTEMBER 30, 1975, BY APPROPRIATING FROM THE GENERAL REVENUE SHARING TRUST FUND A TOTAL OF \$650,000 FOR THE PURCHASE OF SIX PUMPERS AND ONE LADDER TRUCK FOR THE FIRE DEPARTMENT, FOR THE PURCHASE OF SIX TRACTORS FOR THE PARKS AND RECREATION DEPARTMENT, AND FOR THE PURCHASE OF BOOKS FOR THE AUSTIN PUBLIC LIBRARY; TRANSFERRING APPROPRIATIONS TO FUND OPERATING EXPENSES OF THE AUSTIN PUBLIC LIBRARY; BY TRANSFERRING APPROPRIATIONS FROM THE EMERGENCY MEDICAL SERVICES FUND TO THE AMBULANCE FUND; 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 Himmelblau, carried by the following vote:

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

Noes: None

Absent: Councilmember Trevino, Mayor Pro Tem Snell

The Mayor announced that the ordinance had been finally passed.



Councilmember Linn suggested that in view of the City's facing a possible \$10 million budget deficit this year, this would be the time for the new Council to make some changes:

1. Immediately stop the refund contract policy. She stated that the City could save approximately \$2 million in one fiscal year.
2. Consider stopping cash settlements and changing the policy of approach mains.
3. Investigate the "Aid to Construction" program.
4. Investigate annexing 7 major industries, which would generate \$900,000 in tax revenue:

IBM	Motorola
Columbia Scientific	Glastron
Tracor	John Roberts
Texas Instruments	

5. Flatten electric rates.
6. Consider annexing an area around Burleson Road and East Ben White Boulevard.
7. Instruct Tax Department to look into complying with the mandate of the Charter, Article VIII, Section 3, so that all property, real, personal, or mixed, would be subject to taxation. Presently, the only things being taxed were automobiles and business inventories. She suggested this be expanded to include certain luxury items and other sources of wealth.

Councilmember Linn commented that as a result of these, the City was operating in a deficit; and many people are unable to pay their electric bills because they are too high. Councilmember Hofmann echoed Councilmember Linn's sentiments.

Mayor Friedman pointed out that there should be a proposal for annexation at the end of the year, and he noted that the Manager and staff would be looking into Councilmember Linn's suggestions.

City Manager Davidson stated that the staff would be coming to the Council with options as to additional revenue sources. He was aware that the Council had other ideas to contribute, which the staff would be pleased to help the Council in researching and developing information so that they could be discussed at budget time.

#### STEPS TO AVOID POTENTIAL BUDGET DEFICIT

It was noted that the City Manager had explained the administration's steps to avoid a potential budget deficit at the Work Session on July 16. Basically, this would involve the following:

1. Defer Capital Improvements.
2. Delay vehicle replacements.
3. Reduce insurance reserves.
4. Defer Utility Fund retained earnings for C.I.P.

#### CREATION OF COMMISSION ON ELECTRIC RATES

The Council had before it the possible creation of the Mayor's Commission on Electric Rates, as proposed by Mayor Friedman. He commented that rates were not being dealt with in a fair and equitable manner to the consumer; and perhaps the City could come up with a program to prevent the constant increases.

Mayor Friedman moved that the Council create a Mayor's Commission on Electric Rates to consist of 15 members as follows and to report back to the Council in January with initial reports on what the City might be able to do to ease the burden to customers:

Pam Giblin, Chairperson  
Ken Nowotney  
Paul Kens  
Terry Sasser  
Dave Helfert

Bridget Cook  
Bill Gurasich  
Ann Stoll  
Susan Reid  
Luther Nuncio

Mel Waxler  
Leroy Beck  
Shudde Fath  
Robert Young  
Tom H. White

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

Ayes: Councilmembers ~~Hofmann~~, Lebermann, Linn, Mayor Friedman,  
Councilmember Himmelblau

Noes: None

Absent: Councilmember Trevino, Mayor Pro Tem Snell

#### REPORT

In response to comments from Councilmembers Himmelblau, Hofmann and Linn that they had not received a report from the Task Force on Police-Community Relations, Mayor Friedman noted that he had received a report about 3 weeks ago and would furnish them with a copy.

#### ADJOURNMENT

The Council adjourned at 5:10 p.m.

ATTEST:

Grace Monroe  
City Clerk

APPROVED

Jeffrey M. Friedman  
Mayor