

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 11, 1975  
10:00 A.M.

Council Chambers  
301 West Second Street

The meeting was called to order with Mayor Friedman presiding.

Roll Call:

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

Absent: Councilmember Lebermann, Mayor Pro Tem Snell

APPROVAL OF MINUTES

Councilmember Himmelblau moved that the Council approve the Minutes for December 4, 1975. The motion, seconded by Councilmember Linn, carried by the following vote:

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

Noes: None

Absent: Councilmember Lebermann, Mayor Pro Tem Snell

RECOGNITION

Mayor Friedman read and then presented a resolution signed by the Council to Lee Montgomery, Band Director for Westlake High School; Norman Fleeman, Principal; David Bend, Assistant Band Director; Charles Allen, Band Captain; Monty Montgomery, Drum Major; and Jose Guerra, President of the Westlake Band Parents, Incorporated. Mayor Friedman noted that the Westlake High School Symphonic Band had been selected as one of only four high school bands from around the world to participate in the 29th annual Midwest National Band and Orchestra Clinic. He commended the band students for their achievement and called on all citizens of Central Texas to recognize this outstanding group of young musicians and their talented and professional director, Mr. Lee Montgomery.

One of the members of the group expressed their appreciation for the resolution and stated they would do their best to represent Austin well.

#### INTRODUCTION

Councilmember Hofmann took this opportunity to introduce some of the students from Crockett High School that were visiting the Council. She thanked the students for attending the meeting and hoped that this would be the beginning of many high school students attending the Council meetings.

#### APPEARANCE CONCERNING MOBILE RETAIL GROCERY LAW

Mr. Roland DeNoie requested to appear before the Council concerning the date for consideration of the proposed Mobile Retail Grocery Law. Mr. DeNoie stated that at the last meeting concerning the Mobile Retail Grocery Law, the City Manager's office was supposed to contact the Mobile Retail Grocers in an attempt to receive input from the parties concerned involving changes that needed to be made in the Mobile Grocery Law. One meeting was held, and the City presented their proposed compromises concerning the bill. At the meeting, Mr. DeNoie suggested that the Mobile Retail Grocery concept be discussed more thoroughly and examine some alternatives to create something that would interest Mobile Retail Grocers. He pointed out that on November 18, 1975, a letter was received stating that a final public hearing concerning the proposed changes to the ordinance had been set. Mr. DeNoie felt that the City Manager's office was not interested in having an ordinance and desired to have the Grocers eliminated from the street. He indicated that his purpose in appearing before the Council was to request that the public hearing concerning the bill be conducted at the evening Council meeting in February, so the Mobile Retail Grocers could attend.

Mayor Friedman felt that there were not any problems with the request since the Council would be the one to set the hearing. Mr. Jan Kubicek, Assistant City Attorney, pointed out that ordinances were not structured according to the availability of people. City Manager Davidson noted that the time for the hearing would not create a problem for him and reiterated that the Council would set the hearing.

Mayor Friedman stated that the ordinance had not been discussed by the Council and assured Mr. DeNoie that when the hearing was set, it would be done at a night meeting whereby concerned persons could attend.

Councilmember Lebermann entered the Council Chamber at this time.

#### REQUEST TO RE-HANG BANNER

Councilmember Linn moved that the Council approve a request by Helen Crawford, Secretary of McCallum Booster Club, for permission to re-hang a banner across Koenig Lane at Sunshine Drive for basketball season. 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

#### APPEARANCE CONCERNING RELEASE OF EASEMENT

Pat Barge appeared before the Council regarding the release of an easement at 4703 Hilwin Circle. Ms. Barge stated that Mr. Reuben Rountree, Director of Public Works, would make the presentation. He commented that this was a request by the present owner for the vacation of a portion of a sanitary sewer and drainage easement on the east side of the property. The portion to be vacated on the west side was pointed out by Mr. Rountree. Another portion requested was some steps and a concrete slab located to the east. He commented that the house had a limited amount of yard outside of the easements. After reviewing this, the staff recommended that the portion of the carport on the house that is over the drainage and sanitary sewer easement, be vacated; and not vacate the portion of the slab and steps that are under the drainage easement to the east of the house. In response to Mayor Friedman's question concerning the flood plain, Mr. Rountree stated that one portion was in the plain. A sanitary sewer line was located to the north of the house, but it was not under the carport.

Mayor Friedman noted that according to a survey plat, the portion pointed out as being in the flood plain was not in the plain.

City Manager Davidson disagreed with the plat and after discussion concerning the easement, it was agreed that a certain portion of the easement should not be released which Ms. Barge was in agreement with. Mr. Rountree indicated that the survey was in error and the City Engineers recommended that the portion of the concrete slab and the steps not be vacated and release only the portion under the carport.

Mayor Friedman stated that a letter could be formulated that would explain the action that was taken on the matter.

Ms. Nell Pryor, prospective buyer of the property, commented that the insurance company had informed them that the property was not in the flood plain and was concerned about having to purchase flood plain insurance. City Manager Davidson informed her that this decision was her prerogative; that it was not required. Mr. Davidson pointed out that the staff was available to meet with the property owners or the insurance company to resolve any questions.

Councilmember Linn moved that the Council approve the release of the portion of the first easement which was occupied by a corner of the carport and disapprove any portion of the drainage easement occupied by the steps and concrete slab. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

This is not a resolution.

HEARING TO CONSIDER AMENDING SECTION 45-14(d) OF CITY  
ZONING ORDINANCE

Mayor Friedman opened the public hearing scheduled for 10:30 a.m. to consider amending Section 45-14(d) of the City of Austin Zoning Ordinance to provide that Planned Unit Developments be annexed as Interim Zoning Classification "AA" Residence District with a valid Interim Special Permit. MR. DICK LILLIE, Director of Planning pointed out that the provision would provide the Council to see a Planned Unit Development in the County that is recommended by the Planning Commission and subsequent annexation would not require zoning hearings for the development to proceed. It would be annexed as an Interim Planned Unit Development with the Special Permit attached, and the Planning Commission and the Council would have reviewed the case and acted upon it. Mr. Lillie stated that recently the Council had acted on a similar amendment for a Planned Development area or Industrial land in the County and commented that this was a companion to the amendment.

Councilmember Lebermann moved that the Council close the public hearing an amend Section 45-14(d) of the City of Austin Zoning Ordinance to provide that Planned Unit Developments be annexed as Interim Zoning Classification "AA" Residence District with a valid Interim Special Permit. The motion, seconded by Councilmember Linn, carried by the following vote:

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

Noes: None

Absent: Mayor Pro Tem Snell

## RELEASE OF EASEMENT

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

The south two and one-half (2.50) feet of the north ten (10.00) feet of the west 114.89 feet of Lot 18, Wooten Park, Section 4.  
(Requested by William D. Taylor, Senior Vice President of First Federal Savings and Loan Association of Austin, owners of Lot 18)

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

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

Noes: None

Absent: Mayor Pro Tem Snell

## LICENSE AGREEMENTS

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

1. Permitting encroachment of elevated wooden swimming pool deck over a portion of Public Utilities Easement ten (10.00) feet in width and 40.00 feet in length on Lot 6, Block I, Northwest Hills Section 6, also known locally as 6606 Mesa Drive. (Requested by Milo M. and Barbara C. Backus, owners of Lot 6, Block I)

Councilmember Linn was concerned with the location of the wooden deck being built over the sewer line. Mr. Reuben Rountree, Director of Public Works, stated that the owners agreed to remove, if necessary, the wooden deck in the event any repairs were necessary for the sewer line; and that this would be at the owners' expense. He noted that the swimming pool contractor has agreed to this also. In the event that the contractor goes out of business, then the property owner would be liable. Councilmember Linn requested that this requirement be included in the approval.

Councilmember Linn moved that the Council adopt a resolution authorizing the above license agreement, including the condition that the owner was responsible for any expense of removing the wooden swimming pool deck in the event any repairs were necessary for the sewer line. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

2. Permitting encroachment of sidewalk bulletin board in the north side of the right-of-way of West 12th Street, the area of encroachment to be a strip of land two (2.00) feet in width and 9.00 feet in length, and adjacent to Lot 1, Block 148 in Original City of Austin, Travis County, Texas, on file in the General Land Office of the State of Texas. (Requested by Mr. Jack Heacock, Minister of The First United Methodist Church)

Councilmember Linn moved that the Council adopt a resolution authorizing the above license agreement. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

3. Permitting a 3-inch encroachment of a false wood front on an existing masonry structure. The encroachment will be 3 inches by 50 feet along the west side of Guadalupe Street from 21st Street northerly and 3 inches by 14.3 feet along the northside of 21st Street from Guadalupe Street westerly, and adjacent to Lot 31, in Louis Horst's subdivision, also known locally as 2100 Guadalupe Street. (Requested by William F. Turman, Attorney for L & M House of Jeans, Inc.)

In response to Councilmember Hofmann's question concerning the price of the licenses, Mr. Rountree commented that the minimum fee was \$50.00 and it was based upon the value of the abutting property. City Manager Dan Davidson also pointed out that the application fee was paid once, plus \$50.00 each year.

Councilmember Linn moved that the Council adopt a resolution authorizing the above license agreement. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

#### CONTRACTS AWARDED

Councilmember Linn moved that the Council adopt a resolution awarding the following contracts; rejecting Items 1, 4, 10 and 11:

Bid Award:	- Police and Fire Department Uniforms, Central Stores Division
THE FECHHEIMER BROS. CO. 4545 Malsbary Road Cincinnati, Ohio	- Items 2, 5, 8, and 9 - \$56,662.30
SOL FRANK UNIFORMS, INC. 702 South Santa Rosa San Antonio, Texas	- Items 6 and 7 - \$10,277.75
THE WHALE 2270 Guadalupe Street Austin, Texas	- Item 12 - \$1,787.50
FACTORY SALES COMPANY 5104 Harrisburg Houston, Texas	- Item 3 - \$212.40

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

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

WESTINGHOUSE ELECTRIC CORPORATION 1455 West Loop South Houston, Texas	- Repair of Turbine Blade Shrouds for Unit No. 1, Holly Street Power Plant, Electric Utility Division. Estimated cost: \$15,000.00
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The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Councilmember Linn moved that the Council adopt a resolution awarding the following contracts, rejecting Item 54:

Bid Award:	- Office Furniture, Department of Purchases and Stores. Six month supply agreement
ROCKFORD FURNITURE AND CARPETS 5524 West Bee Caves Road Austin, Texas	- Item 1-2, 9-10, 26-31, 34, 43-44, 48-50, 52, 56-57 and 71 \$33,833.54
ABEL STATIONERS 416 Congress Austin, Texas	- Items 3-8, 11-18, 21, 40-42, 45-47, 55, 64, 66, 69-70 and 72 - \$22,433.69
BARKER OFFICE FURNITURE 419 Congress Austin, Texas	- Items 19-20, 23-25, 32, 35-39, 58-61, 67-68 and 73 - \$3,469.50
GENERAL OFFICE EQUIPMENT 4108 North Lamar Austin, Texas	- Item 22, 33, 51, 53, 62-63 and 65 - \$2,794.99

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

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

Councilmember Hofmann pointed out that one of the visiting students had located an error and Mr. Solon Bennett, Director of Purchases and Stores, stated that there was a typographical error which was corrected.

In response to Councilmember Hofmann's question concerning the six month supply agreement, Mr. Bennett commented that the contract would be in effect for six months.

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

TERRY EDWARDS CONSTRUCTION CO.  
11607 North Lamar  
Austin, Texas

- Street and Drainage Improvements,  
Assessment Paving Consisting of  
16 units - \$230,884.04.

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

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

Noes: None

Absent: Mayor Pro Tem Snell

Councilmember Hofmann noted that this paving would include the 2 blocks of South 2nd Street.

Councilmember Linn felt that there was a problem regarding the minority work sheets in that they were not being included initially as required. Mr. Charles Graves, Director of Engineering, noted that this particular contractor regularly works for the City and maintains this type of report for the City. Mr. Graves stated that he would examine the matter.

The Council had before it for consideration the following contract:

H & H CONCRETE CONSTRUCTION  
P. O. Box 6460  
Austin, Texas

- The installation of approximately  
2995 feet of 60-inch, 258 feet of  
21-inch wastewater mains and  
associated appurtenances for  
Bull Creek Wastewater Interceptor  
Section III - \$551,389.00

Councilmember Hofmann stated that due to the defeat of the water and wastewater bonds, projects needed to be studied more carefully for the available funds to see which ones are necessary. Since the staff was working on a report concerning this, she moved this be postponed for four weeks for the report from the staff. The motion died for lack of a second.

Mr. Homer Reed, Deputy City Manager, pointed out that there was a problem with time elapsing. MR. CURTIS JOHNSON, Director of Water and Wastewater, commented that the company had extended the time and did not know if they would extend it again. In response to Councilmember Lebermann's question concerning proceeding with the project, Mr. Johnson noted that he and the staff felt that this particular project should be completed. By proceeding with this project, he indicated that it would improve the service to the area concerned and allow for the discontinuance of the operation of two lift stations in the area.

City Manager Davidson commented that this total project, including the two previous contracts, was studied for a considerable amount of time by several City departments as well as the Council. Mr. Davidson felt that if it had not been feasible to install the portion being considered today, then the initial construction would have not been undertaken. The two lift stations that would be replaced by this line are pumping sewage into the Shoal Creek watershed resulting in an overflow into the watershed at this time. The only way of resolving this part of the problem would be to award the contract. Mr. Davidson stated that the money already spent for the project was minimal in value if the project could not be completed, and respectfully requested the Council to award the contract.



Councilmember Hofmann noted that she had reviewed last years' Capital Improvements Program to examine the destination of the line and felt strongly that the project should be postponed until a study could be completed on the available funds. She felt that the item could be bid on again when it was felt the money could be spent. City Manager Davidson pointed out that the bid received on the project was an excellent one and he could not assure the Council of saving any money if the bid was rejected.

Councilmember Lebermann stated that this project was part of a continuing project that was much needed in order to relieve the pressure on the Shoal Creek watershed. Speaking from an environmental standpoint, he felt the project should proceed.

Mr. Joe Riddell appeared before the Council as an interested citizen. He felt that due to the water and wastewater bond defeat, priorities definitely should be identified as well as alternative ways to finance the needed projects. Mr. Riddell did not think that this particular project was a high priority one and that the reason for the Shoal Creek line overflowing was due to excessive rain from the infiltration into area property. He also felt that the amount of money available for projects was in doubt and did not think the need for this project had been clearly defined. Mayor Friedman noted that the Environmental Office and Environmental Board disagreed with Mr. Riddell's opinion.

City Manager Davidson pointed out that this particular project was not subject to the Bond Election, but one that has been high priority for several years. Commitments have been made to provide this facility and he objected to terminating the project at this point since 1.5 million dollars had already been spent. Mayor Friedman stated that the point in question was not starting a new project but finishing as many as possible that are important.

Mr. Davidson indicated that projects would not be referred to the Council for approval unless the projects had been studied completely. This project was the most carefully studied sewer line that has ever been undertaken in Austin.

In reviewing a slide to the Council, Mr. Johnson commented that it only indicated the area covered by Phase III; however, with this section of line completed, it would provide service to a much larger area as well as delete two lift stations. In response to Councilmember Linn's question as to what was located in the area, Mr. Johnson noted a considerable amount of area to service located in the Bull Creek watershed which is in the City limits.

City Manager Davidson commented that when the project was originally authorized, precise information concerning the estimated population to be served was presented; and it was on this basis that the project was authorized. At that time, a map was presented to the Council as well as the study that was completed. Councilmember Lebermann also recalled to the Council that at that time the Council was presented with alternative approaches and installation methods. Councilmember Hofmann reiterated that she was not objecting to building the project but was concerned with spending the money in appropriate areas.

Councilmember Himmelblau expressed that she was not agreeable to let a good bid pass since the first two phases have been completed, and in order to maximize the entire usage, that this needs to be completed.

In response to Councilmember Linn's question concerning Phase I and Phase II, Mr. Johnson estimated that they were approximately 70-75% completed. Mr. Davidson stated that the Lakewood subdivision adjacent to City Park would be able to connect with the sewer line. Another reason for expediting the project, is due to connections made underneath the new Loop so the land would not have to be ruined.

Councilmember Hofmann requested that the decision be postponed for four weeks to allow time for an interim report to be made. Councilmember Lebermann pointed out that the bid would be lost if this was done. Councilmember Himmelblau stated that she was not willing to compromise on an issue she felt was vital to the area. Concerning Phase I and Phase II, Mr. Johnson commented that after they were completed, they could be utilized; however, the areas to be served would be fairly restrictive.

MR. TOM WHITLEY, Manager of the Great Hills Project, noted that when their master plan was filed with the City last year, their planners estimated the population to be approximately 12,000 people on their land. At the present time, there were about 200 homes located in this development. If the City does not continue with Phase III of the project, Mr. Whitley stated that the development would have to be limited to the extent that the sewer would be available. Mr. Joe Riddell felt that the voters did not wish to continue to pay the cost of providing sewer service to new developments and if Great Hills wanted to use this sewer extension, then they should finance and pay for it. Mayor Friedman felt that if the item was postponed, there would not be any guarantee that the contractor would extend their bid time.

Councilmember Hofmann was concerned with spending the money until she could see clearly where the funds were needed. Mayor Friedman suggested that the firm be contacted and ask them if they would extend their bid.

Later in the afternoon, City Manager Davidson presented a map for the Council that showed the existing land that was being served by four lift stations instead of two, that would be served by this proposed extension of the Bull Creek line. Mr. Johnson estimated that there were approximately 3,000 citizens being served by the existing sewer that would be connected with the Bull Creek line. Once this line is completed, the amount of sewage being pumped into the Shoal Creek line would stop and the lift stations dismantled. All of the project was authorized in the last Bond Election prior to the one on December 6, 1975. It was fully studied by the residents in the area and various boards and commissions. The contractor that is the low bidder on this project is also the contractor of the second segment of the project. Mr. Davidson stated that the contractor was contacted, and he was not willing to extend the time of his bid.

In response to Councilmember Himmelblau's question concerning the cost to operate a lift station, Mr. Johnson commented he did not have an exact figure, but it was a continuous operation that utilized a considerable amount of electrical energy. The budget for operating the lift stations is derived from the normal maintenance and operation budget with the cost of operations on all four stations being approximately \$25,000.

Councilmember Linn asked if Phase III was not completed, was there a way to deny future or additional development in the area. Councilmember Himmelblau indicated that several of the subdivisions had already been platted and the obligation was there.

Mr. Johnson clarified that there was not sufficient capacity in the existing lift stations to accommodate a fully developed area. Mayor Friedman pointed out that the area included in this would be mainly inside the City limits. In response to Councilmember Linn's question concerning the environmental impact, Mr. Johnson commented that in case of an overflow it would go into the nearest ravine and the problem corrected as soon as they are contacted. He pointed out that once every three or four weeks there is some lift station that overflows.

Councilmember Hofmann requested that she wanted to be assured that money was available for utility relocation necessary to complete street improvements in the Community Development area before the money is spent on this project. Mr. Homer Reed noted that a study had been made concerning the funds available for projects and stated that there was in excess of 2 million dollars remaining after this project is approved. At the present time, a report was being prepared outlining priorities, and Mr. Reed definitely felt that this project was one of them.

Mr. Davidson pointed out in reviewing the proposed area that at the present time there were not any further extensions of the Bull Creek line planned because any major extensions would have to be by the request of those that wanted it. After Phase III has been completed, he felt that the City would have fulfilled their obligations.

Mr. Tom Whitely showed a slide and reviewed the Great Hills master plan. He commented that he was verbally assured that the extension of the sewer would be completed enabling him to serve more homes in this area. City Manager Davidson stated that the City of Austin did not have a continuing obligation as far as future service to land development.

Councilmember Linn was concerned with the problem of sewage going into Bull Creek. Mr. Davidson indicated that when the Bull Creek Park was acquired, tests were made on the fecal count and found it to be too high to allow swimming due to the septic tanks and other seepage into the Creek.

Mr. Joe Riddell reviewed the bids that were made on the project and felt that there would not be the dollar risk that the City staff has felt would be present.

Mayor Friedman stated that the bonded authority for this project was approved by the voters several years ago and that was the basis for allocation of this money.

Councilmember Lebermann moved that the Council adopt a resolution authorizing the afore-mentioned contract. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Friedman\*, Councilmembers Himmelblau, Lebermann,  
Trevino

Noes: Councilmember Hofmann\*

Absent: Mayor Pro Tem Snell

Abstain: Councilmember Linn\*

\*Councilmember Hofmann commented that her vote of "no" was not that she was opposed to the project but only her concern of the money available and would like it to be postponed.

\*Councilmember Linn stated that she abstained because she did not think she had sufficient information concerning the pollution.

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

HENRY PRATT COMPANY  
401 South Highland  
Aurora, Illinois

- Large Butterfly Valves  
for Decker Unit No. 2 -  
\$135,034.00

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

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

Noes: None

Absent: Mayor Pro Tem Snell

Councilmember Hofmann distributed pictures of the butterfly valve to the Council.

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

CHESTERFIELD MUSIC SHOPS, INC.  
12 Warren Street  
New York, New York

- To provide musical and spoken records  
and cassettes, Austin Public Library.  
Twelve month supply agreement. 40%  
discount on musical and spoken records,  
estimated expenditure \$13,500.00  
30% discount on cassettes, estimated  
expenditure \$3,000.00.

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

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

Noes: None

Absent: Mayor Pro Tem Snell

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

TERRY EDWARDS CONSTRUCTION COMPANY  
11607 North Lamar  
Austin, Texas

- Bridge and Roadway Improvements,  
Webberville Road at Boggy Creek -  
\$235,219.94.

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

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

#### BIDS FOR CONTRACT REJECTED

Councilmember Linn moved that the Council reject all bids for the following contract:

JALCO, INC.  
P. O. Box 27368  
3233 Wesleyan Street  
Houston, Texas

- The installation of 4,613 feet  
of 54-inch wastewater main and  
appurtenances for the Onion  
Creek Wastewater Interceptor, Phase  
2, Section 1 - \$885,849.90

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

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

City Manager Davidson requested that the Council reject all bids that were received on this item in view of the fact that there would not be adequate funding to pay for the contract.

Mayor Friedman pointed out that a letter had been received from Jalco stating that they would be agreeable to keep the bid open for an additional 60 days after the time it would elapse, to allow the City the opportunity to locate alternative ways to finance the project. He expressed appreciation of the offer for an extension, but stated that the City could not award the contract at this time.

#### CHANGE ORDER FOR REMOTE BURNER CONTROLS

Councilmember Linn moved that the Council adopt a resolution approving a Change Order to FORNEY ENGINEERING COMPANY in the amount of \$19,246.15 for Remote Burner Controls required for Decker Unit No. 2. The motion, seconded by Councilmember Lebermann, carried by the following vote:

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

#### LEASE CONCERNING THE BLACK HERITAGE MUSEUM

Councilmember Linn moved that the Council adopt a resolution authorizing a twelve-month lease with Huston-Tillotson College, in the amount of \$600.00 to serve as the Black Heritage Museum relating to the Bicentennial Black Heritage Project. The motion, seconded by Councilmember Lebermann, carried by the following vote:

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

PARKS AND RECREATION AGREEMENT WITH TRAVIS COUNTY MENTAL  
HEALTH AND RETARDATION CENTER

Councilmember Himmelblau moved that the Council adopt a resolution authorizing the Parks and Recreation Department to enter into an agreement with the Austin Travis County Mental Health Mental Retardation Center. The motion, seconded by Councilmember Linn, carried by the following vote:

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

Mr. George Standford, associated with MHMR, expressed their gratitude in working with the Parks and Recreation Department.

REQUEST TO ERECT A TWO STORY BOAT HOUSE

Councilmember Linn moved that the Council adopt a resolution approving a request by Mr. Tony Adsley to erect a two-story boat house providing an enclosed recreational room at 3649 West Lake Drive. The motion, seconded by Councilmember Lebermann, carried by the following vote:

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

GRANT TO CONTINUE THE SENIOR LUNCHEON PROGRAM

Councilmember Himmelblau moved that the Council adopt a resolution accepting a grant award in the amount of \$175,988 from the Governor's Committee on Aging to continue the Senior Luncheon Program. The motion, seconded by Councilmember Lebermann, carried by the following vote:

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

FUNDING SUPPORT FOR POLICE RESEARCH AND PLANNING UNIT

Councilmember Himmelblau moved that the Council adopt a resolution authorizing the continuation funding support for the Project entitled, "Police Research and Planning Unit." The motion, seconded by Councilmember Trevino, carried by the following vote: (Project cost \$56,591.65 - January 1, 1976 through December 31, 1976)

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

#### AUTHORIZATION OF THE EDUCATIONAL TUITION REIMBURSEMENT POLICY

Councilmember Linn moved that the Council adopt a resolution authorizing the Educational Tuition Reimbursement Policy for which funds were approved by Council on September 25, 1975. The motion, seconded by Councilmember Hofmann, carried by the following vote:

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

Mayor Friedman noted that this was a major step forward in personnel policy for the City in attempting to upgrade all employees through their education with the City aiding in the program.

#### ZONING ORDINANCE

Mayor Friedman introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN HEIGHT AND AREA AND CHANGING THE HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: A 202,428 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 5529-5609 NORTH LAMAR BOULEVARD, FROM FIRST HEIGHT AND AREA DISTRICT TO SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Hardin and Chesley, Inc., C14-74-001)

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

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

The Mayor announced that the ordinance had been finally passed.

#### AMENDMENT OF CITY CODE TO PROVIDE SIGN CONTROLS

Mayor Friedman introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 3, SECTION 3-5 OF THE AUSTIN CITY CODE OF 1967 BY ADDING SUBSECTION (h) PROHIBITING THE ERECTION OF OFF-PREMISE SIGNS AND PROVIDING STANDARDS FOR ERECTION OF CERTAIN SIGNS WITHIN TWO HUNDRED FEET OF MO-PAC BOULEVARD CURB LINE AND LOOP 360 CURB LINE; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Noes: None

Absent: Mayor Pro Tem Snell

The Mayor announced that the ordinance had been finally passed. Mayor Friedman stated that this item would be placed on the Agenda next week to set a public hearing.

#### SETTING PUBLIC HEARING IN CONNECTION WITH PAVING ASSESSMENTS

Mayor Friedman introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 7:30 O'CLOCK P.M. ON THE 15TH DAY OF JANUARY, 1976, IN THE CITY OF AUSTIN MUNICIPAL ANNEX, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE.

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

Noes: None

Absent: Mayor Pro Tem Snell

The Mayor announced that the ordinance had been finally passed.



G.5- 751218-F

1st reading - ordinance on  
setting sale of bonds.

ORDINANCE TO RECEIVE BIDS AND AUTHORIZE SALE OF  
VARIOUS BONDS

The Council had before it for consideration setting Thursday, January 15, 1976, 10:30 a.m., CST, to receive bids and authorize the sale of Electric Light and Power, Waterworks and Sewer System Revenue Bonds, as follows:

Electric System Improvements	\$ 9,000,000	Auth. 11-17-73
Electric System - Nuclear	11,740,000	Auth. 11-17-73
Waterworks System Improvements	14,830,000	Auth. 9-9-72
Sewer System Improvements	<u>4,430,000</u>	Auth. 9-9-72
Total Revenue Bonds	\$40,000,000	

In response to Councilmember Linn's question concerning the construction of the Electric Nuclear Plant, MR. NORMAN BARKER, Finance Administrator, responded by stating that construction of the plant had not begun. The cost at this point has been for the land and engineering; however, the City has been assured that the project would have a construction permit the last of this month or early in January. The bonds must be sold in order to pay progress payments to the vendors that are working. Mr. Barker pointed out that the City was bound legally to the project.

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

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

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

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

Councilmember Hofmann noted that her abstention particularly relates to the Electric System - Nuclear due to her opposing the use of nuclear power.

POLICY CONCERNING PLACEMENT OF ITEMS ON COUNCIL  
AGENDA

The Council had before it for discussion the placement of items on the City Council Agenda relating to commercial promotions and election issues. Councilmember Hofmann commented that copies of her memo concerning this had been distributed to the Council. In reviewing this memo, Councilmember Hofmann submitted the following policy for placement of items on the Agenda under Citizen Communications:

1. No item may be placed on the Agenda that is solely for the purpose of recognizing or promoting a private business. Charity events that are being promoted by a business may be on the Agenda for the promotion of that event.
2. No item may be placed on the Agenda for the purpose of either supporting or opposing an issue or candidate in an upcoming election. She felt that discretion should be utilized by the City Clerk concerning "border" cases.

Councilmember Linn expressed that the Council meetings should be open to all that wished to participate and by limiting this participation, that it would jeopardize their freedom to express themselves. Councilmember Hofmann felt that the Council had been used as a "soap-box" as well as a place to promote personal business.

Mayor Friedman felt the City Clerk had enough business without trying to interpret the Council's discretion; however, the thought was an excellent idea and hoped that this discussion would discourage anyone from trying to use the Council for the afore-mentioned purposes. Councilmember Hofmann agreed with Mayor Friedman and stated that possibly this discussion would achieve her purpose. Councilmember Lebermann concurred with Mayor Friedman in that he felt one could not legislate taste and felt that it was not appropriate at this time.

RECOGNITION

Mayor Friedman took this opportunity to recognize the students from the Webb 6th Grade Learning Center and was very impressed with their knowledge of City government.

AFTERNOON SESSION  
2:00 P.M.

Mayor Friedman called the afternoon session to order.

Councilmember Hofmann recognized the presence of students from Lanier High School and their teacher Mr. Porter and asked them to stand.

## ANNEXATION HEARING

Mayor Friedman opened the public hearing scheduled for 2:30 p.m. to consider the annexation of the following:

1. 84.94 acres of land out of and a part of the Thomas Anderson Survey in Travis County, Texas, unplatted land - Motorola Tract. (Initiated by City of Austin - Annexation No. C7a-75-013)
2. 545.63 acres of land out of and a part of the Theophilis Wahrenberger Survey, partly out of and a part of the M. Hunt Survey, partly out of and a part of the F. G. Secrest Survey and partly out of and a part of the James D. Goode Survey in Travis County and Williamson County, Texas, unplatted land and portions of U. S. Highway 183, Duval Road, West Duval Road, Bell Avenue, Conrad Road, Tweed Court, McCoy Road, and Howlett Court - Texas Instruments. (Initiated by City of Austin - Annexation No. C7a-75-009)
3. 127.18 acres of land, out of and a part of the William Cannon League in Travis County, Texas, (Circle "S" Ridge, Resubdivision of Lot 18, Block B, Circle "S" Ridge, Section One, Resubdivision of Lot 21 and North Part Lot 22, Block B, Circle "S" Ridge Section One, East Dittmar Road Corral Lane and Chaparral Road - John Roberts. (Initiated by the City of Austin - Annexation No. C7a-75-012)
4. 481.16 acres of land out of the J. C. Tannehill League, unplatted land and portions of Tannehill Lane and portions of M. K. & T. Railroad - Tracor. (Initiated by City of Austin - Annexation No. C7a-75-011)
5. 826.46 total acres of land. (Initiated by City of Austin - Annexation No. C7a-75-010)

427.65 acres of land out of and a part of the James Rogers Headright Survey, in Travis County, Texas, unplatted land and portions of F. M. 1325 - I. B. M.

398.81 acres of land, partly out of and a part of the James Rogers Headright Survey and partly out of and a part of the James P. Wallace Survey, No. 18 in Travis County, Texas, and portions of Longhorn Boulevard, Industrial Terrace, Reid Drive, United Drive, Business Drive, Neils Thompson Drive and Farm-to-Market Road 1325 - Glastron, Balcones Research Inst. and the Warehouse Commercial areas in between.

At this time, City Manager Davidson introduced Mr. Dick Lillie, Director of Planning, for the presentation and noted that this study was requested by the Council.

Mr. Lillie thanked the Council for the opportunity to assemble thoughts on improving the coordination between the growth related issues of land use; the City's ability to provide services and extension of City codes and ordinances; and fiscal balance. He also thanked the main departments involved with the study. A major purpose of the study was to provide the Council with basic

information about the geographic areas surrounding the City thereby making decisions concerning the annexation more feasible. Mr. Lillie noted that approximately 250 copies of this report were published. In reviewing the area, he commented that it included about 50 square miles of land with varying boundaries. Since the area was so different, it was subdivided into 12 separate sections where four characteristics were studied by the staff as follows:

1. Land use
2. Existing public facilities in the area
3. The Capital Improvements Program proposals
4. Fiscal impact on the City

By use of slides, Mr. Lillie pointed out that in general only 15% of the total land use was developed and 30% of the growth has occurred in the northwest section of the City. The developed residential density is about the same in most areas, and the population ethnicity was similar to suburban patterns nationwide. Also in reviewing City policies and ordinances, Mr. Lillie felt that certain policies were not restrictive to residents and nearly all of the areas that are included in the study are served by City Electric and Water Departments. Based upon the existing per capita cost, the fiscal impact of the immediate annexation of all areas would be negative. At this time, Mr. Lillie reviewed each one of the areas with respect to the four characteristics as outlined above. A transcript of this Annexation Study is on file in the City Clerk's office for review.

In conclusion, Mr. Lillie stated that an increasing percentage of the City's growth is occurring outside the City limits; only sixty-five percent occurring within the City today. Residents living in the increasing number of subdivisions outside of the City work in the Austin economic community because the City is the regional employment center. Yet these suburban citizens do not contribute to the tax base which provides the urban amenities enjoyed by all citizens of the greater Austin area. The same fact is true of the seven major industries which have located here. It is recommended that the City Council continue to exercise its responsibility of guiding metropolitan growth and begin utilizing more fully the annexation powers granted to it. Annexations should be undertaken to discourage the creation of new incorporations and to encourage quality construction and compatible land use with the extension of building codes and zoning regulations.

Councilmember Lebermann extended his thanks to Mr. Lillie and the various City departments that participated in this project, since this study was encouraged by Councilmember Lebermann.

In response to Councilmember Hofmann's question concerning the school districts, Mr. Lillie commented that these boundaries did not change unless both school districts agreed upon the change.

City Manager Davidson pointed out that the items for public hearing today are here as a result of this study. The staff has anticipated that the Council will schedule a series of public hearings to consider these areas with

the items on this Agenda being the first. Also from time to time, the Council will possibly request that additional sections be included to be studied and Mr. Davidson noted that his staff was prepared for this request.

Mayor Friedman commented that Mr. Lillie's presentation was an excellent one that clearly points out the direction of the City in order to control urban spread and economic drain on the City.

The first public hearing was opened to consider the annexation of the following:

84.94 acres of land out of and a part of the Thomas Anderson Survey in Travis County, Texas, unplatted land - Motorola Tract.  
(Initiated by City of Austin - Annexation No. C7a-75-013)

Mr. Lillie presented slides to view the area and its location. The owner was informed of this initiation of annexation and the owner was in agreement with that annexation.

Councilmember Lebermann moved that the Council close the public hearing and direct the administration to institute annexation proceedings to annex the afore-mentioned property. The motion, seconded by Councilmember Linn, carried by the following vote:

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

Mayor Friedman opened the public hearing to consider the annexation of the following:

545.63 acres of land out of and a part of the Theophilis Wahrenberger Survey, partly out of and a part of the M. Hunt Survey, partly out of and a part of the F. G. Secrest Survey and partly out of and a part of the James D. Goode Survey in Travis County and Williamson County, Texas, unplatted land and portions of U. S. Highway 183, Duval Road, West Duval Road, Bell Avenue, Conrad Road, Tweed Court, McCoy Road, and Howlett Court - Texas Instruments. (Initiated by City of Austin - Annexation No. C7a-75-009)

Mr. Lillie reviewed the area and pointed out that the area was separate from the City limits and required that a 500-foot corridor be extended from existing City limit line to the Texas Instruments tract. This corridor would include some residential uses located along U. S. 183.

MR. CHARLES RICHARDS, representing the Northwest Area Residents Association, expressed that the annexation of the 500-foot corridor taking in the residents was not to the best interest of an overall annexation priority. He requested that it be recorded that the Association opposes the annexation of this tract since residents along this 500-foot strip would be included.

Councilmember Lebermann commented that in the future, he felt the use of strip annexation along major transportation corridors would be utilized.

Councilmember Lebermann moved that the Council close the public hearing and direct the administration to institute annexation proceedings to annex the afore-mentioned property. The motion, seconded by Councilmember Linn, carried by the following vote:

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

Noes: None

Abstain: Councilmember Himmelblau

Absent: Mayor Pro Tem Snell

Councilmember Himmelblau stated that she did not believe in corridor annexation. Mayor Friedman pointed out that the whole area would eventually be annexed whether it be commercial or residential.

Mr. Richards felt that the northwest area residents had not requested to be annexed, but this was a request from the developer.

Mayor Friedman opened the following public hearing to consider annexation of the following:

127.18 acres of land, out of and a part of the William Cannon League in Travis County, Texas, (Circle "S" Ridge, Resubdivision of Lot 18, Block B, Circle "S" Ridge, Section One, Resubdivision of Lot 21 and North Part Lot 22, Block B, Circle "S" Ridge Section One, East Dittmar Road Corral Lane and Chaparral Road - John Roberts. (Initiated by the City of Austin - Annexation No. C7a-75-012)

Mr. Lillie noted the location of this annexation and indicated that notices were sent to property owners in the area. Action has been postponed in the past, and it is recommended at this time that it be annexed.

MR. WILLIAM MENDEZ, employed by John Roberts, requested that this be postponed and stated his reasons for the postponement. He felt it should only be annexed as soon as services were available to the company. Mayor Friedman noted that the services would be available as soon as possible.

MS. CLARA MARTIN, a resident in the area, inquired as to the time that sewer would be installed. Mayor Friedman commented that a definite time could not be given, but he assured her that the City would be proceeding to provide these services. Ms. Martin was concerned with installation of a septic tank then having to connect with the sewer. City Manager Davidson requested that Ms. Martin contact his office, and they would discuss it further.

MS. N. J. PARKER, a resident on Chaparral Road, questioned the land use of the properties that had not been zoned, and Mr. Lillie noted that there was not any zoning outside the City limits.

Councilmember Lebermann moved that the Council close the public hearing and direct the administration to institute annexation proceedings to annex the afore-mentioned property. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Mayor Friedman opened the public hearing to consider the annexation of the following:

481.16 acres of land out of the J. C. Tannehill League, unplatted land and portions of Tannehill Lane and portions of M. K. & T. Railroad - Tracor. (Initiated by City of Austin - Annexation No. C7a-75-011)

Mr. Lillie presented a slide to show the location of this tract which would include Tracor and Motorola.

MS. DOROTHY REGIENE, lived in part of the area that would be annexed and was concerned about the zoning since it was predominately industrial. Mayor Friedman commented that the land would be residential unless there was an expansion or a new developing use of the land, then it would have to be presented to the Council and Planning Commission. He stressed that the owner of the property would be the person to request any zoning change. Mr. Lillie pointed out that the staff had anticipated the annexation of all of the industrial sites and were developing industrial zoning applications on each one.

MRS. JOHN MITCHELL, a resident in the area, stated that this zoning had been discussed several years ago, and thought it was recorded that the area would remain residential unless requested otherwise. Mayor Friedman reiterated previous remarks regarding the request for zoning. Mr. Lillie remarked that the hearing that was held several years ago was a master plan change to designate the area industrial.

MR. JOHN EKUS, Assistant Director with Motorola, indicated that two of Motorola's major electronic businesses were involved in this annexation and was representing one of these groups. Mr. Ekus commented that they were informed, when their plant was first built, that annexation would not take place for about 5 to 10 years after a firm had moved into the area. Since this tax burden has not been included in their budget, as well as the economic situation, he requested that this annexation be postponed for a period of time of not less than 18 months.



Mr. Homer Reed, Deputy City Manager, noted that there was a meeting held in 1973 at which time Motorola was advised that they were surrounded by City limits and that annexation would have to be discussed in approximately one to two years. Mayor Friedman indicated that Motorola was not being singled out for annexation, but were being annexed due to being located in an area that was rapidly developing.

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

481.16 acres of land out of the J. C. Tannehill League, unplatted land and portions of Tannehill Lane and portions of M. K. & T. Railroad - Tracor. (Initiated by City of Austin - Annexation No. C7a-75-011)

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

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

Noes: None

Absent: Mayor Pro Tem Snell

Mayor Friedman opened the next public hearing to consider annexation of the following:

826.46 total acres of land. (Initiated by City of Austin - Annexation No. C7a-75-010)

- (1) 427.65 acres of land out of and a part of the James Rogers Headright Survey, in Travis County, Texas, unplatted land and portions of F. M. 1325 - I.B.M.

Mr. Lillie reviewed the proposed area and stated that the area is served by City water through Water District 11 and has electricity and sewer.

MR. LLOYD LOCHRIDGE, representing I. B. M., commented that when they decided to locate a plant in Austin, I. B. M. neither requested or had any agreement with the City regarding annexation of this property. Mr. Lochridge felt that I. B. M. had paid their share for any utilities or services that have been extended to the plant site. He noted that when annexation plans were discussed in January of 1975, I. B. M. was not included in that annexation. It was then reported that a study would be undertaken concerning the annexation that would take about three to six months; and after inquiry in June 1975 concerning the study, it was reported that the study would be completed in October of 1975. Since the completed study was not available until last week, Mr. Lochridge felt that I. B. M. had not been given the adequate opportunity to express their views regarding the annexation and how it would relate to them. At this time, he introduced Mr. Tom Bacckus, General Manager of the I.B.M. plant. MR. TOM BACCKUS felt disappointed that he could not support any proposal to annex I. B. M. that would be effective January 1, 1976, since funds were not included in their budget. DR. MORGAN appeared to support the statements of Mr. Lochridge and Mr. Bacckus.

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

427.65 acres of land out of and a part of the James Rogers Headright Survey, in Travis County, Texas, unplatted land and portions of F. M. 1325 - I.B.M.

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

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

Noes: None

Absent: Mayor Pro Tem Snell

Mayor Friedman opened the next public hearing to consider annexation of the following:

- (2) 398.81 acres of land, partly out of and a part of the James Rogers Headright Survey and partly out of and a part of the James P. Wallace Survey, No. 18 in Travis County, Texas, and portions of Longhorn Boulevard, Industrial Terrace, Reid Drive, United Drive, Business Drive, Neils Thompson Drive and Farm-to-Market Road 1325 - Glastron, Balcones Research Institute and the warehouse commercial areas in between.

Mr. Lillie presented a slide viewing the Glastron plant and the warehouse areas.

MR. PETER PIRSCH, President of Glastron Boat, indicated that he did not basically oppose the annexation issue as long as it was the will of the people and followed a fundamental plan. Mr. Pirsch also felt that some type of discussions should have taken place before the annexation progressed. He reviewed the impact that the annexation would have on Glastron and requested that it be delayed for one year.

MR. TOM PRUDONE, associated with Texas Nuclear Corporation, wished to reiterate remarks that were made by Mr. Pirsch and Mr. Bacckus and read a letter that had been written to Mayor Friedman containing their views. He felt that in the future more opportunity should be given for input before any decisions were made.

During the discussion of the annexation, Councilmember Himmelblau left the Council Chamber and did not return.

Councilmember Hofmann moved that the Council close the public hearing and direct the administration to institute annexation proceedings to annex the afore-mentioned property. The motion, seconded by Councilmember Linn, carried by the following vote:

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

Noes: None

Absent: Mayor Pro Tem Snell, Councilmember Himmelblau\*

\*Councilmember Himmelblau stated that if she had been present, her vote would have been "yes."

Mayor Friedman concluded by stating that there was no concerted effort to conceal the annexation proceedings and noted that there would be a continued opportunity open to work with the City. He felt that this type of annexation was the only way to plan the future of Austin and thereby saving money in future taxes. He expressed appreciation for what the industries had done for Austin and did not think the City was requesting more of them than any other resident.

#### AMENDMENT OF AN ORDINANCE

Mayor Friedman introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 751002-B BY ADDING TO THE BASIC PAY SCHEDULE THEREOF A FIFTY-SIX HOUR WORK WEEK FOR THE EMERGENCY MEDICAL SERVICES DEPARTMENT; PROVIDING AN EFFECTIVE DATE; 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 Trevino, carried by the following vote:

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

Noes: None

Absent: Mayor Pro Tem Snell, Councilmember Himmelblau

The Mayor announced that the ordinance had been finally passed.

Copies of the pay schedule were distributed to the Council.

#### NAMING OF TENNIS CENTER

The Council had before it for consideration the naming of a tennis center in Patterson Park.

Mrs. Claire Korith, a representative from the Capital Area Tennis Association, noted that the association recommended that the tennis center be named the "Blondie Pharr Tennis Center." The Association felt the recommendation was appropriate due to the tremendous contribution to the development of tennis in Austin that Mr. Pharr had made.

Mayor Friedman pointed out the policy of the City of not naming facilities after someone still living. Councilmember Lebermann stated that this was the case except in very different occasions such as the naming of Walter E. Long Lake.

Mr. Jack Robinson, Director of Parks and Recreation Department, commented that the Parks Board took this into consideration and due to the support and circumstances of this that there should be an exception. Councilmember Hofmann suggested that this policy be reviewed.

Councilmember Hofmann moved that the Council grant the request that the tennis center in Patterson Park be named the "Blondie Pharr Tennis Center." The motion, seconded by Councilmember Lebermann, carried by the following vote:

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

Noes: None

Absent: Mayor Pro Tem Snell, Councilmember Himmelblau

#### NAMING OF AN ACCESS ROAD

The Council had before it for consideration the naming of an access road to the Y.M.C.A. as "B. R. Reynolds Drive." Mayor Friedman noted that discussion had taken place regarding this item before and it was referred to the Parks and Recreation Board for recommendation. Mr. Jack Robinson commented that it was not desirable to name the road between the ball field and the Y.M.C.A. "B. R. Reynolds Drive" but recommended that the access road parallel to Lamar Boulevard be given this name.

Councilmember Hofmann moved that the Council state the intent of the Council to name the access road to the Y.M.C.A. as "B. R. Reynolds Drive." The motion, seconded by Mayor Friedman, carried by the following vote:

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

Noes: None

Absent: Mayor Pro Tem Snell, Councilmember Himmelblau

Mayor Friedman recessed the meeting until the 7:00 P.M. Evening Session.

#### EVENING SESSION 7:00 P.M.

Mayor Friedman called the recessed meeting to order noting that Mayor Pro Tem Snell was absent.

#### EXECUTIVE SESSION ACTION

Mayor Friedman announced that the Council had been in an Executive Session earlier that day to consider appointment of Municipal Court judges in January, 1976. Due to the recent Bond Election and other pending matters, the Council had not had time to get involved in the decision. The Council therefore was requesting that the three present judges and relief judges remain in office

pending approval by the Council early in January. The Mayor had been instructed by the Council to contact the President of the Travis County Bar Association, the President of the Travis County Junior Bar Association and the President or Chairman of the local Travis County Bar Criminal Law Section to see if those individuals would serve as a review panel to offer any objections or non-objections to the present judges.

PUBLIC HEARING ON  
1976-77 HOUSING AND COMMUNITY DEVELOPMENT  
PROGRAM APPLICATION

Mayor Friedman opened the public hearing scheduled for 7:00 P.M. Prior to the hearing, Mayor Friedman read the following letter from Mayor Pro Tem Snell:

"Regretfully I am unable to be with you tonight because of a prior commitment in Washington. However, I can assure you that your comments and recommendations will be given thorough attention and serious consideration by me. My assistant, Ms. Garner, is in attendance and is available to convey any additional points of view which you may wish to share with me. I trust that you will find this meeting helpful in producing a final proposal which will most satisfactorily serve the needs of this entire community. Please do not hesitate to contact my office at City Hall for any assistance which I can offer."

(Sgn) Jimmy Snell, Mayor Pro Tem

Mayor Friedman then called upon Mr. Dick Lillie, Director of the Planning Department, for a brief presentation. Mr. Lillie reviewed the City's second application to the Department of Housing and Urban Development for \$7,976,000 under the Housing and Community Development Act of 1974. By 1980 the amount the City was eligible for would decrease to \$4,820,000. Eleven neighborhood meetings had been held since November 12 to determine area needs. The schedule leading up to the application to HUD is as follows:

- December 22 - Planning Commission Work Session
- January 13 - Public Hearing
- January 15 - Special Meeting of Planning Commission to prepare recommendations to Council
- January 22 - Council to receive draft of application
- January 29 - Anticipated date for Council approval of application
- February 1 - Application submitted for a 60-day, A95 review by CAPCO
- April, 1976 - Submit application to HUD

In response to Councilmember Trevino's question, Mr. Lillie stated that the Planning Commission and the Community Development Commission would work closely together in submitting the application to the Council.

Councilmember Trevino stated that some of the people present did not understand English. If those individuals wished to speak in Spanish, a translator would be provided. Mayor Friedman then called for speakers from the audience.

DR. JOHN KING, 2400 Givens Avenue, requested that planning funds be made available to prepare plans for a new Carver Branch Library to be built adjacent to the present branch. The old library could then be renovated for use as a museum archival center. In response to Councilmember Hofmann's question, Dr. King stated that he was familiar with the CIP item for a new Carver branch library, but it was desirable to locate the new one adjacent to the old one, and to renovate the old one. City Manager Davidson stated that planning funds would be eligible under the subject program under discussion and that such a request would soon be brought to the Council.

MR. LEO HERNANDEZ, 2308 Corta Street, asked that his community be involved in the selection of a new police chief. He also spoke about roll-back zoning for his area to restrict the use to residential. He requested that recreational facilities be provided in the Santa Rita Courts area for children under the age of twelve.

FATHER JOE ZNOTAS, 900 Tillery Street, representing St. Julia Parish Board, spoke for housing and drainage assistance in the Webberville-Govalle area. He then introduced Mr. Jorge Guerra who also spoke for the area.

MR. JORGE GUERRA, 900 Linden Street, spoke about flooding problems in East Austin. He asked that \$1 million be provided for temporary relief by elevating houses in the area. In response to Councilmember Himmelblau's question, Father Znotas stated that about 1600 wooden houses were involved.

MR. MICHAEL SHIELD, 2400 Elm Glen, spoke about flooding problems in Barton Hills.

MR. TOM JOHNSON, 1033 East 43rd Street, raised the following questions:

1. What consideration was given to the Hyde Park area in the way of rehabilitation?
2. Were any day meetings scheduled? He was concerned about senior citizens who did not drive at night.
3. Why was the following statement included in the brochure:  
"Treat East Austin citizens the same way Northwest citizens are treated." He saw no consideration for Northwest Austin citizens.

Councilmember Trevino stated that regarding the third question, some Councilmembers felt that the City must now commit bond money to improvements in East Austin. The intent of the statement was that more respect be shown for East Austin citizens. Andy Ramirez, Director of the Human Resources Department, stated that the meetings were held in the evening because of poor daytime attendance. Transportation was provided for senior citizens upon request. The Hyde Park sector was not considered for rehabilitation because it was not in a high impact area.

MS. MARY RESENDEZ, 2407 South 2nd Street, presented a petition to the Council requesting paving in her area. She also requested that some action be taken to minimize traffic in an alley behind her house because of dust problems created. Mayor Friedman stated that a study would be made of the area even before the HCD application was processed.

MR. PAUL HERNANDEZ, 1404 Willow, introduced MR. FELIPE ROSALES, 1st Street neighborhood area resident, who addressed the Council in Spanish. Mr. Rosales first asked how the money would be used to rehabilitate houses. Mayor Friedman stated that most of the money would be done through grants. Mr. Rosales stated that if the program was going to help poor people, then it should be done in the East Austin area. His house had burned, and when he tried to get help from Model Cities, he was refused. Councilmember Trevino told Mr. Rosales that if he met the Federal guidelines under HCD, then money might be available to rehabilitate his home. Mr. Hernandez asked that the City fund a staff to go into the neighborhoods to find out what the needs were and to act as a liaison between the City and the people.

MRS. VICENTA ELIZONDO, 2808 Gonzalez, stated that her house had been sinking from the various floodings. Her area was not represented by a neighborhood group. She wanted to know how to get help to repair her home and if she would have to surrender the title to get the repairs. Mayor Friedman stated that she would not have to surrender the title to her house. He further stated that a member of Mr. Ramirez's staff would be getting in touch with Mrs. Elizondo to see what could be done.

MS. ORALEE NOBLES, 2008 East 8th Street, spoke to the Council about housing, pest control, cleaning of vacant lots, street sweeping, and dental clinics.

MS. ONIE B. CONLEY, 1319 Rosewood, spoke to the Council about stray dogs and cats in her neighborhood and about noise from a nearby record shop, located at 1311 Rosewood. Mayor Friedman stated that there was a noise ordinance which prohibited amplification of sound after 6:00 p.m.

MR. ALEX McDOUGALL, 1808 Niles Road, and President, Community Development Corporation, described the functions of the corporation. Basically, the corporation dealt in small home loans to minorities who generally lived in substandard houses. The corporation guaranteed 10 per cent of the loan and essentially was a small, private mortgage insurance company. The bank made the basic loan and took the basic risk.

MRS. SUNNY EVELINE, a resident of Deep Eddy Apartments, asked that some of the HCD money be used to build more sidewalks. In response to Councilmember Hofmann's question, City Manager Davidson stated that at least on one side of every new arterial or major collector street there was a sidewalk, and where traffic warranted, on both sides. The staff was now working on recommendations for the Council as to allocation of sidewalk money in the bond program on new and existing streets for the next three years.

MS. MARY LEE CLABORN, 2707-B Northeast Drive, Travis County Housing Coordinator, suggested that two categories be set up for housing funds:

1. Small repair loans which could be grants. The loans should be easily processed.
2. An indemnification fund to be worked out with local financing institutions with the possibility of using some of the earned interest as an interest subsidy to low income people. The program would enable more people with contracts of sale to buy out their contracts, take pride in home ownership, and improve their property. Title clearance would be assisted.

She further asked that the two categories be open city-wide to limited income elderly and disabled home owners.

MR. LUPE CARRIZALES, 1017 Valdez, representing Montopolis, listed the following priorities for the area:

1. Housing
2. Street Improvements
3. Employment
4. Health/Dental Services
5. Social Services
6. Special or Improved Public Transportation
7. Emergency Loans
8. Maintenance of Cemetery

MR. WALLACE PRATT requested that the Council make the proposed multi-purpose center in South Austin large enough to be used as an ethnic dance center. He was specifically interested in having a location for square dancers.

MR. CHUCK WATTLES, 1306 Cotton Street, stated that the Council should set the tone for ongoing citizen participation, particularly in the area of housing rehabilitation.

MRS. ELOISE CAMPOS, 1401 The High Road, Chairperson, Community Development Commission, stated that the primary thrust of the HCD application should be in housing. She felt that coordination among City departments should be strengthened and that the Commission should work closely with the departments. She also requested that the Commission participate in the December 22 work session with the Planning Commission and that the Commission assist in planning and implementing the program for the poor.

MR. HOWARD CHILDS, Secretary, Community Development Commission, 5407 Coventry, stated that it would not be fair to take the HCD grant and turn it into a loan to individuals for housing rehabilitation.

MR. TED SIFF, 604 West 11th Street, urged the Council and City departments to consider hiring neighborhood researchers who would determine the needs of various neighborhoods, so that those needs could be budgeted first.



MR. HENRY CHAPMAN, 2710 Nueces, Apartment #9, asked the Council if old Seton Hospital could be used for housing under HCD grant. Mayor Friedman stated that the selling price of the hospital was about 3/4 of the amount of the total grant, and that not much money would be left to renovate the building for housing.

REVEREND FRED BRAGG, 6900 Blessing Avenue, representing the St. Johns Neighborhood area, asked that a windmill be returned to the neighborhood and preserved as a historic marker. He also requested paving and traffic control signals for the area. Mayor Friedman stated that next week there was an agenda item to let a utility relocation contract for St. Johns, and that within 60 to 90 days, paving should be underway. MRS. LEROY HENDRICKS, 7519 Bennett Avenue, asked for more bridges in the St. Johns area.

MR. ERNEST JUSTICE, 7510 Bennett Avenue, asked the Council to clean up the creek on Bennett Avenue.

MS. ALICIA SANCHEZ, 204 West 33rd Street, wanted to know what could be done about the cutting down of three trees at a rent house of hers located at 1414 East 37th Street. The incident happened about two years ago, and neighbors had reported that the trees were cut down by City personnel. Mayor Friedman stated that City records would be checked to determine if the City had cut down the trees.

MS. MARGARET LOERA, 609 Fletcher, asked for more medical help in South Austin, particularly a dental clinic. Mayor Friedman pointed out that one of the successful bond propositions in the December 6th Election was the neighborhood health centers. One center was planned for each quadrant of the City, particularly in East and South Austin.

REVEREND J. R. THOMPSON, 7004 Bethune Street, complained about overgrown vacant lots near his home and the danger of grass fires which would endanger area houses. Mayor Friedman stated that the matter would be looked into.

MRS. ELVA PEARSON, 2609 Canterbury, suggested that Councilmember Hofmann create another program similar to the one involving high school civics classes so that people would know where to go and what to do about a neighborhood problem.

MRS. LUCILLE CRAWFORD, 3515 East Martin Luther King, Jr., Boulevard, asked if there would be any other opportunity for input regarding the HCD application, particularly at the December 22 meeting of the Planning Commission. Mayor Friedman suggested that Mrs. Crawford present any plans both to the Community Development Commission and the Planning Commission prior to the December 22 meeting. Mr. Tom Knickerbocker, Planning Department, stated that there would be an opportunity at the December 22 meeting to review some of the proposals in response to the project.

Councilmember Linn thanked the people for coming to the meeting.

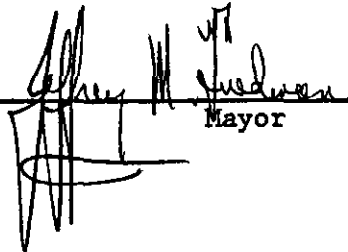
Mayor Friedman stated that much time and effort had been contributed by the citizens of Austin and that the Council would need their continued time and effort. The Council would decide the final allocation of the \$7,900,000. Although the money would not solve all of the problems, the Council would try to use it where it would do the most good for the greatest number of people.

More publicity and notification would be given to meetings leading to the final approval of the HCD application. He thanked the people again for attending the meeting.

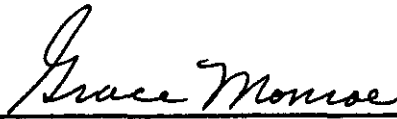
## ADJOURNMENT

The Council then adjourned.

APPROVED

  
Mayor

ATTEST:



City Clerk