

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 13, 1975  
10:00 A.M.

Council Chambers  
301 West Second Street

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The meeting was called to order with Mayor Friedman presiding.

Roll Call:

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

Absent: Councilmember Lebermann

The Invocation was delivered by MRS. TOM GEE, President of Church Women United.

ORDINANCE FOR BOND ELECTION

Mayor Friedman announced that due to the urgency and the necessity of the Printing Department to prepare the ballots for the upcoming Bond Election, the Council would consider this item at this time. He stated that each Councilmember had been distributed a copy of the proposal that was approved last week. Mr. Norman Barker, Finance Administrator, noted that Mr. Claud Boothman was present to answer any questions concerning the ordinance.

City Manager Davidson commented that Mr. Boothman had included in the ordinance the suggestions that were submitted by the Council and would also include the selection of poll workers. It has been reviewed by the Finance Administrator and Finance Director as well as various other City officials; therefore, Mr. Davidson recommended the ordinance for adoption.

MINUTES PERTAINING TO PASSAGE AND ADOPTION OF ORDINANCE CALLING ELECTION FOR SUBMISSION OF PROPOSITIONS REGARDING ISSUANCE OF BONDS OF CITY OF AUSTIN, TEXAS

THE STATE OF TEXAS X
COUNTY OF TRAVIS X
CITY OF AUSTIN X

ON THIS, the 13th day of November, 1975, the City Council of the City of Austin, Texas convened in regular session at the Council Chambers, Municipal Annex, the meeting being open to the public and notice of said meeting having been given as prescribed by Article 6252-17, Section 3A, V.A.T.C.S., with the following members present and in attendance, to wit:

- JEFFREY M. FRIEDMAN MAYOR
MARGRET HOFMANN COUNCIL MEMBER
DR. EMMA LOU LINN COUNCILPERSON
JOHN TREVINO COUNCIL MEMBER
JIMMY SNELL MAYOR PRO TEM
BETTY HIMMELBLAU COUNCIL MEMBER

and with the following absent: Lowell H. Lebermann, constituting a quorum; at which time the following among other business was transacted:

The Mayor submitted and introduced an ordinance calling an election for the authorization of general obligation bonds and revenue bonds of the City of Austin for the City Council's consideration, the caption of said ordinance being as follows:

ORDINANCE NO. 751113-A

"AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, CALLING A BOND ELECTION TO BE HELD WITHIN SAID CITY FOR THE AUTHORIZATION OF GENERAL OBLIGATION BONDS AND REVENUE BONDS, MAKING PROVISION FOR THE CONDUCT OF THE ELECTION AND OTHER PROVISIONS INCIDENT AND RELATED TO THE PURPOSE OF THIS ORDINANCE; AND DECLARING AN EMERGENCY."

The ordinance was read and Councilmember Linn moved that the rule be suspended which requires that no ordinance shall become effective until the expiration of ten days following the date of its final passage, and that such ordinance be finally passed and adopted at this meeting, and that for the reasons recited therein, said ordinance be passed as an emergency measure for the immediate preservation of the public peace, health and safety of the citizens of Austin as permitted by the City Charter. The motion was seconded by Councilmember Trevino and carried by the following vote:

AYES: Mayor Friedman and Council Members Hofmann, Trevino, Snell, Lebermann and Himmelblau and Councilmember Dr. Linn.

NOES: None.

The ordinance was read the second time and Councilmember Linn moved that the rules be further suspended and that the ordinance be passed as an emergency measure to its third reading. The motion was seconded by Council member Trevino and carried by the following vote:

AYES: Mayor Friedman and Council Members Hofmann, Trevino, Snell, Lebermann and Himmelblau and Councilmember Dr. Linn.

NOES: None.

The ordinance was read the third time and Councilmember Linn moved that the ordinance be finally passed as an emergency measure. The motion was seconded by Councilmember Trevino and carried by the following vote:

AYES: Mayor Friedman and Council Members Hofmann, Trevino, Snell, Lebermann and Himmelblau and Councilmember Dr. Linn.

NOES: None.

The Mayor then announced that the ordinance had been finally passed and adopted.

Mr. Curtis Adrian, Fiscal Consultant, felt that it was a well planned program and much thought had been involved. He anticipated a successful program.

#### APPROVAL OF MINUTES

Mayor Pro Tem Snell moved that the Council approve the Minutes for November 6, 1975. The motion, seconded by Councilmember Linn, carried by the following vote:

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

Noes: None

Absent: Councilmember Lebermann

## RESOLUTION

Mr. Dulie Bell, President of the Chamber of Commerce, read and presented a resolution to the Council commending the Council and the entire City administration for their efforts in preparing the Bond Election, and offered the Chamber's assistance in gaining acceptance of this bond issue. At this time, Mr. Bell announced that Mr. Charles Hrnrcir was the newly elected president of the Chamber of Commerce for 1976 and would succeed Mr. Bell on January 22, 1976. Mr. Bell introduced Mr. Hrnrcir, Manager of Sears, Roebuck and Company.

Mr. Hrnrcir commended the Council for the proclamation of this week being "Free Enterprise Week" for the City of Austin and expressed their respect to the Council for taking time to serve the City. He noted the desire to further develop the relationship between the Council and the Chamber of Commerce and offered any assistance to aid the City in maintaining the quality of life.

Mayor Friedman congratulated Mr. Hrnrcir on the pending office appointment in January and assured him that the work of Mr. Bell in trying to work with the Council would hopefully be continued with Mr. Hrnrcir. The Council would stand ready to work with the Chamber of Commerce as it works with all parts of the community to make Austin a better place to live.

## APPEARANCE CONCERNING PROPOSED ORDINANCE

Ms. Susan Reid, President of the League of Women Voters, appeared before the Council to present Council a proposed Ordinance establishing an Urban Transportation Commission and to request a public hearing be set on the proposed Ordinance. She pointed out that the proposal was the result of much interest in transportation and of a recent survey of citizen boards and commissions. Based on observation and research that was done concerning boards and commissions, she felt there was a genuine need for the proposed commission and hoped the Council would give it serious consideration. Ms. Reid recognized the Municipal Citizens Traffic Commission and the Municipal Traffic Safety Advisory Board and their diligent work; however, she felt that safety was not the whole story. As their survey progressed, it became obvious that transportation planning was fragmented; and unlike other City departments, the Urban Transportation Department did not have one citizen advisory board that could receive citizen input and coordinate transportation planning. The proposed commission would cooperate with other citizen advisory boards and would provide the public forum to fulfill the legal requirements for public hearings when Federal funding was involved. She noted that extensive research had been involved in the proposal and expressed the League's appreciation for the advice and counsel that was received from Mr. Joe Ternus, Director of Urban Transportation. By the creation of this commission, Ms. Reid felt it would be a positive step in efficiency in government and facilitate citizen participation. She then addressed herself to the Ordinance that was being proposed as follows:

1. The Urban Transportation Commission would be composed of 9 citizens of the City of Austin and appointed by the Council.
2. They would serve 3-year staggered terms.

3. The Chairman of the Commission would be appointed annually by the Council to serve a 1-year term.

Ms. Reid stated that also included in the Ordinance would be a provision whereby the Chairman of the Commission would notify the Council if any member of the Commission failed to attend one-third of the meetings in a 12-month period. Also included would be all rules and regulations that govern the Commission would be on file in the City Clerk's office; and that the names, addresses, occupations and attendance records of all members of the Commission should also be on file with the City Clerk. In reviewing the general authority and duties, Ms. Reid pointed out that the Urban Transportation Commission would serve as an advisory body to the Council, the City Manager, and the Department of Urban Transportation concerning all transportation related matters. The Commission would review, study and make recommendations on proposed transportation related plans for inclusion in the Capital Improvements Program. The Commission would conduct an annual review of Austin's transportation system and submit an annual report to the Council. In conclusion, the Commission shall at all times seek to promote close cooperation between the Council, City departments, and all private citizens, institutions and agencies, concerned with transportation related activities to the end that all such activities within the City may be coordinated to secure the greatest public welfare. The Ordinance would become effective January 1, 1976.

Margaret Ashworth and Jackie Block, who conceived and researched the Commission, were also present at the meeting.

Mayor Friedman commented that the Ordinance was an outstanding idea and that it would be implemented very soon; however, the Legal Department would have to review the Ordinance. City Attorney Don Butler was concerned with the Traffic Safety Committee being a part of the proposed Commission and Mayor Friedman noted that this would have to be studied.

Councilmember Lebermann felt there should be discussion as a matter of courtesy and for ideas.

Mayor Friedman noted that the Council would also have the opportunity to study the Ordinance to a greater depth and there should be no problem in having it on the agenda prior to January 1, 1976. He stressed that there would not be a formal public hearing as such, but there would be the opportunity for citizen comment concerning the creation of the Commission.

#### POSTPONEMENT OF AN ITEM

Mr. Donald F. Bell had requested to appear before the Council concerning Austin Police Officers; however, he asked that the item be postponed until a later date.

#### APPEARANCE CONCERNING A ZONING CASE

Mr. Malcolm Robinson appeared before the Council to discuss a zoning case (Mrs. Maude Ramsey, C14-75-087) and was representing Mrs. Maude Ramsey.

In referring to the tracts, he stated that there had been a misunderstanding concerning one of the tracts. There had been a request to zone the area "C" Commercial; but the Planning Commission and Zoning Commission recommended "B" Residence with the departments having 5 feet of Avenue A. Mr. Robinson felt this was not necessary and refused the request since the other property owners had not given 5 feet. He commented that he had agreed to an easement of 5 feet as opposed to giving up the 5 feet. Due to a misunderstanding, Mr. Lillie informed Mr. Robinson that it would be necessary to appear before the Council and ask for a reconsideration.

Mr. Dick Lillie, Director of the Planning Department, noted that the zoning case was approved by the Council with the 5 foot requirement. By various conversations with Mr. Robinson he indicated that he would not be present at the public hearing and requested that Mr. Muir contact Mrs. Ramsey and inform her of the situation. Mrs. Ramsey was not contacted and Mr. Lillie did not have any information to give the Council. When the case came before the Council, Mrs. Ramsey was asked if she had any objection to the requirements, and she stated that there were none. The Council granted the case subject to the right-of-way. In reviewing the case, Mr. Lillie commented that there was a consistent right-of-way requirement that was adopted by the Council in 1969. Both Tract 1 and 2 were recommended by the staff to provide right-of-way. Mr. Lillie noted that there were options concerning the case. (1) Not to require right-of-way on the west side. (2) Transition the right-of-way from the 5 feet that has been dedicated on the south corner to 0 thereby making the right-of-ways match. (3) Requirement of the sidewalk and utility easement of 5 feet on the tract. (4) Requirement of the full 5 feet.

In response to Councilmember Hofmann's question, Mr. Lillie stated that there was not a sidewalk easement on the other property, but that it could possibly be obtained.

Councilmember Himmelblau asked Mr. Lillie if the easement requirement was the only item, would it change the setback. Mr. Lillie commented it would because the property line would not change and suggested that the requirement be a 30-foot setback rather than 25 feet. Councilmember Himmelblau was concerned with the setback. Mr. Robinson expressed that he did not have any objections to the setback and just wanted to be treated fairly.

Mayor Friedman pointed out that the condition would have to be waived and impose a new condition of a 5-foot sidewalk easement and a 30-foot building setback.

City Attorney Don Butler stated that once these conditions have been met, the Council could pass the zoning ordinance.

Councilmember Lebermann moved that the Council waive the condition and impose a new condition of a 5-foot sidewalk easement and a 30-foot setback. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

## ITEM CONCERNING FEES AT MUNICIPAL AUDITORIUM

Mr. James Stewart appeared before the Council to discuss fees for free-lance photographers at the Municipal Auditorium. He pointed out that it was common practice that a fee of \$10.00 would be charged at the auditorium for each photographer to take pictures, and he was questioning the basis for this fee. City Manager Dan Davidson pointed out that there was a policy concerning this fee, and it was applied consistently to anyone doing business in the auditorium.

In referring to the policy, Mayor Friedman commented that a fee was charged for renting the auditorium and the City would charge people that want to sell their wares at the auditorium.

In response to Councilmember Hofmann's question concerning a sliding scale, City Manager Davidson noted that Mr. Stewart was selling pictures to individuals at the program and was not negotiating with the lessee.

Mr. Stewart requested that he be provided with a license to operate in the auditorium. City Manager Davidson commented that the type of documentation Mr. Stewart was requesting could be provided. In response to Mayor Pro Tem Snell's question concerning the number of photographers operating at the auditorium, Mr. Stewart indicated that there were approximately 7. City Manager Davidson suggested that there were several ways to limit each event to only 1 or 2 photographers thereby increasing the amount of money for the photographers. Mayor Pro Tem Snell felt that there should be some type of license issued to the photographers since \$10.00 per night was considerably high. Councilmember Hofmann did not favor limiting the number of photographers at various functions, because she felt it was a free enterprise. Mayor Friedman suggested that the situation be studied and an attempt be made to have an annual license fee.

Mr. Stewart felt that the vendors had licenses and he would like to operate in the same manner. Councilmember Lebermann noted that the vendor contracts provided for income based on the gross sales and in this instance it would not be feasible.

Mayor Friedman requested that Mr. Carl Gandy, Director of the Auditorium, Mr. Stewart and City Manager Davidson have a meeting to discuss how the license could be created. Until there has been a new policy, Mayor Friedman stated that the current administration policy would have to be maintained.

Concerning the policy of charging the fee of \$10.00, Mr. Gandy commented that the contract provided that the City would reserve all concession rights. City Manager Davidson pointed out that the \$10.00 fee charged stemmed from the concession contract and the ordinance adopted by the Council that sets out fees and charges. In response to Councilmember Hofmann's question concerning the fee, the City Manager noted that a form would have to be devised and signed by the lessee agreeing that a photographer could be admitted for that function. Mr. Gandy stated that the fee of \$10.00 had been in existence for approximately 2 years.

City Manager Davidson asked Mr. Stewart to obtain the names of all concerned photographers so all could be consulted and the Council would be informed of everyone's desire concerning the auditorium fee. Mayor Friedman suggested that the meeting be held and the names be submitted at that time. Mr. Stewart requested that a letter be sent to his home informing him of the meeting date.

## CONTINUATION OF ZONING HEARINGS

Mayor Friedman announced that the Council would hear at this time, 11:00 a.m., the zoning hearings continued from November 6, 1975. The following zoning applications were publicly heard:

C. DARRELL HOPKINS and  
ASSOCIATES, INC.  
By James M. Steed  
C14-75-095

9130 Jollyville  
Road (Old U.S.  
Highway 183)

From "A" Residence  
1st Height and Area  
To "GR" General Retail  
1st Height and Area  
NOT RECOMMENDED  
RECOMMENDED by the Planning  
Commission "GR" General Retail  
1st Height and Area, and "B"  
Residence 1st Height and Area  
on the back 25' as a buffer  
protection to be left in its  
natural state, subject to a  
6' privacy fence where  
adjacent to "A" Residence  
zoning and a limitation to a  
one-story structure.

Mr. Dick Lillie, Director of the Planning Department, noted that he had met with Mr. Steed and the neighborhood association earlier in the week and there was an agreement that several options would be discussed and agreed upon, then presented to the Council today.

Mr. James Steed stated that they had met with Mr. Lillie and reached an agreement which would be a modification of what the Planning Commission had recommended. He suggested that the 25-foot "B" Residence strip be retained with the natural state requirement and an additional 75-foot building setback be added to that. The balance of the property toward the front would be zoned 1st Height as opposed to the one-story limitation that was recommended by the Planning Commission. He stated that he was agreeing to an additional 75-foot of setback protection from the residential area behind and felt that the 1st Height would not encroach that much more on to the privacy of the adjoining land owners. He commented that the Civic Association was concerned about lighting and signs, and he agreed to some of their concerns subject to some reasonable definitions of what they were requesting.

Mr. Don Beyer, President of the Balcones Civic Association, was concerned about the situation due to having commercial business adjacent to single family homes and wanted to receive the proper restrictions. In meeting with concerned parties, Mr. Beyer noted that they had agreed to change in the restrictions that had been granted by the Planning Commission. This would be to allow a two-story structure to be built providing it would be set back 100 feet. Also, he requested that there would be a definition to provide an addition to the natural landscape to protect the homes. Mr. Beyer asked that any lighting present would be oriented away from the residential areas as well as lighting for signs associated with the two-story building.

Mr. Steed noted that there would not be any problem with directing the lights away from the residential area; however, there would be a problem with the landscaping in deciding what type to use. Mr. Beyer suggested some type of shrubbery that would block the light from the cars and possibly some trees.



Councilmember Himmelblau indicated the possibility of having a solid six-foot fence and the strip being zoned "A" Residence which would reinforce that the area could not be utilized for parking; and the landscaping would be maintained by the individual. Mayor Friedman stated that under the current "B" Residence zoning, it could not be used for parking.

Mr. Beyer commented that the solid fence and the 25-foot strip of "A" would be acceptable. Mr. Steed felt that changing the zoning would possibly create problems for the prospective buyer.

Councilmember Himmelblau felt that the landscaping should be left to the individual, and she requested that the fence should be designated as being a solid structure.

Mr. Lillie stated that there would not be any problems with the conditions being requested and the 1st Height and Area would be on the total tract.

Councilmember Lebermann moved that the Council grant the change to "GR" General Retail, 1st Height and Area District; and "B" Residence, 1st Height and Area District on the back 25 feet as a buffer protection to be left in its natural state, subject to conditions, as recommended by the Planning Commission, including the following conditions:

1. 100-foot setback at the rear of the property line.
2. A 25-foot strip of "B" from the rear of the property line.
3. The lighting would be directed away from the residential area.
4. A 6-foot solid privacy fence.

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

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

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, and "B" Residence, 1st Height and Area District on the back 25 feet, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

S & W DESIGN, INC.  
 C14-75-006

3706-3804 Southridge Drive also bounded by Banister Lane, Morgan Lane, Southport Drive and Grayford Drive

From "A" Residence and "B" Residence, 1st Height and Area, to a Planned Unit Development of 329 attached and detached single-family dwelling units with recreation and retail facilities and common open space called "Oak Run".

Mr. Bill Scudder commented that a meeting was held with the majority of concerned citizens attending. He stated that Mr. Godina, a resident in the area, requested that there would not be any building within 100 feet of his property; however, Mr. Scudder pointed out that this was impossible. He did suggest to Mr. Godina several alternatives that could be accomplished, and Mr. Godina felt that by making the two-story buildings one story that this would create more privacy for the backyards. Mr. Scudder noted that by doing this, it would increase the land coverage, but if the Council so desired it would be done. Mr. Godina also requested that some of the units be rearranged and Mr. Scudder agreed subject to working with the trees in the area. Another resident, Mrs. Moore asked that one of the buildings be relocated, and Mr. Scudder commented that this would be done to create more privacy for her. Mrs. Moore and Mr. Olfers, another resident, were given the option of purchasing some of the land if they wanted. There were other citizens that attended the meeting who were concerned with the traffic problem that would be created by the proposed development, and Mr. Scudder felt his plan was not relating to Clawson Road, but he did suggest that a neighborhood association should be formed to discuss the problem.

Councilmember Hofmann expressed that she was very pleased that the meeting was held and was very impressed with the willingness of Mr. Scudder to submit to the requests of the residents.

In response to Councilmember Trevino's question concerning the green space being reduced, Mr. Scudder noted that the green space would be reduced approximately 3,000 square feet.

Mr. Jim Boyle, a resident on Clawson Road, addressed himself to the Planned Unit Developments in general and hoped that the Council would re-evaluate the manner and method that was taken concerning PUD's. He felt that the impact of the PUD could possibly do more to destroy trees in the area. The retail establishment also concerned some of the residents in the area since more traffic would be generated due to this facility. He requested that since there was already a store in the area, that the retail establishment be removed. In conclusion, Mr. Boyle felt that there was not enough study done on the general impact of the PUD in the area.

Mr. Gilbert Godina, 1504 Morgan Lane, commented that he was opposed to the two-story apartments that would be built behind his house, and he had discussed this with Mr. Scudder. They had reached an agreement concerning this, and Mr. Godina also requested that the units would be divided into 3 and 3. Regarding the privacy fence, Mr. Scudder noted that it would be a 6-foot privacy fence. Mr. Godina was opposed to the retail store and expressed concern because of the increase in traffic the apartments would generate.

Mr. Scudder commented that the retail establishment was established in the Planned Unit Development because he felt it was a good concept in planning, and Mr. Scudder pointed out that this would be the only retail located in the PUD. In response to Councilmember Linn's question concerning the location of the store Mr. Scudder stated that it would be located under a tree and away from the street. The apartments would be renting for \$170.00 for a 1-bedroom to \$250.00 for a 2-bedroom with the majority of the apartments renting for under \$200.00. Mr. Scudder felt that the apartments would appeal to someone approximately 25 to 30 years old; non-child oriented; numerous singles and couples that would be seeking apartment life.

Councilmember Hofmann indicated her approval of the mode of design of the development and felt it was a welcome change to the area.

Councilmember Trevino moved that the Council grant the change to a Planned Unit Development, subject to the following conditions:

1. Units would be 3 and 3 and one-story in the northwest section.
2. Limited to 1 convenience store.
3. 6-foot privacy fence.

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

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

The Mayor announced that the change had been granted to a Planned Unit Development subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

#### HEARING SET CONCERNING ANNEXATION

The Council had for consideration the setting of a public hearing at 2:30 p.m., December 11, 1975 to consider annexing 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 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 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.

Mr. John Tyler, associated with John Roberts, stated they had received a letter informing them of the proposed annexation. Since the management has changed at John Roberts, Mr. Tyler requested that the hearing be postponed until later. Mayor Friedman commented that the hearing would not be delayed.

Mr. Charles Richards, representing the Northwest Area Residents Association, appeared before the Council and requested that the Council postpone any annexation in the northwest area until they could review the studies that had been made. He asked that the resolutions to annex areas not be set at this time, and that the Council have a public hearing concerning the annexation policies of the City. Mayor Friedman pointed out that the Austin Tomorrow Program has been relating to these type of policies. He indicated that there would be public hearings on December 11, 1975, on proposed annexations for several parts of the community.

Mr. Richards felt that some of the goals programs which are specifically stated are in direct opposition to a setting of annexation that was proposed. Mayor Friedman noted that when this was first discussed last January, the residents in the area felt that Texas Instruments was being deleted and after discussion the general opinion was that Texas Instruments should be included in annexation.

City Manager Davidson stated that nothing being considered by the Council was in conflict with what had already been discussed in an earlier meeting; and the Council would have by December 5, 1975, the total annexation study. Also, people concerned with the annexations that were being called for public hearing would have copies of the report too. He commented that the Council would be in a position to see the relationship of the annexations proposed for December 11, 1975, to the total study.

Mr. Richards still felt that a public hearing should be held on the study before any particular area of the study was set for public hearing for annexation. Councilmember Lebermann noted that this could be accomplished concurrently since a public hearing would not imply Council action.

Councilmember Lebermann moved that the Council adopt a resolution setting a public hearing for December 11, 1975, at 2:30 p.m. to consider annexing the aforementioned property. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

## CONTRACTS AWARDED

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

C-E POWER SYSTEMS  
COMBUSTION ENGINEERING, INC.  
3334 Richmond Avenue  
Houston, Texas

- Repair and replacement of boiler  
equipment for Units Nos. 1 and 2,  
Holly Street Power Plant -  
\$143,300.00.

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

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

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

DELAVAL TURBINE, INC.  
One Greenway Plaza East,  
Suite No. 515  
Houston, Texas

- Overhaul of inner barrel of main  
boiler feed pump for Unit No. 3,  
Holly Street Power Plant, Electric  
Utility Department - Estimated  
cost \$20,000.00.

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

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

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

FLOYD MARTINE  
South IH 35 and Brandt Road  
Austin, Texas

- Property Clearance Program, Health  
Department  
Twelve Months Service Agreement  
Estimated total \$10,116.25.

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

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

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

<p>PHELPS DODGE CABLE &amp; WIRE COMPANY 8111 Kempwood Houston, Texas</p>	<p>- 15,000 Volt, Single Conductor, Paper &amp; Lead Cable, Central Stores Division, to be used by Electric Department, Item 1; 18,000 ft. @ \$1.498                   9,000 ft. @ \$1.517 Total - \$40,437.00</p>
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The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

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

<p>DALMARK, INC. Route 1, Box 86 Austin, Texas</p>	<p>- Construction of Electric Ductlines and Concrete Foundations at Hamilton Substation - \$27,616.00.</p>
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The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

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

<p>Bid Award:</p>	<p>- Coarse Paper Products, Central Stores Division</p>
<p>BANCROFT PAPER COMPANY 2201 East Sixth Street Austin, Texas</p>	<p>- Items 1, 2, 5, 6, 7, 8, and 23 Six Months Supply Agreement - \$10,422.91.</p>
<p>AUSTIN PAPER COMPANY 1501 West 5th Street Austin, Texas</p>	<p>- Items 14, 15, 17, 22, 24, 25, 27 thru 38 Six Months Supply Agreement - \$4,910.97</p>
<p>NATIONWIDE PAPERS 519 North Medina San Antonio, Texas</p>	<p>- Items 3, 4, 9, 10, 12, 16, 26 and 39 Four Months Supply Agreement - \$7,986.60.</p>

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

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

City Manager Davidson pointed out that the items with C-E Power Systems Combustion Engineering, Inc., and DeLaval Turbine, Inc. of the above were not the result of bids, but the result of emergency repair consideration by the contractors that could do the job. The item with Floyd Martine represents a 19% decrease below what has been paid in the past and the item with Phelps Dodge Cable & Wire Company represents an 18% decrease under the previous contract.

Mayor Pro Tem Snell asked if the item with Floyd Martine was advertised with the minority contractors, and Mr. Solon Bennett, Director of Purchases and Stores, commented that it was not. Invitations were distributed to specific businesses; however the bidders' lists are not coded according to minority business. If any minority businesses had requested to be placed on the bidders' list, then Mr. Bennett stated this would have been done.

Mayor Pro Tem Snell felt that this item could have been advertised among minority contractors, and hoped that in the future minority contractors would be making bids on this type of program.

City Manager Davidson stated that the minority businesses would be provided with the encouragement in accordance with the Council's program. Also, he commented that the work to secure people to bid on this particular contract was started several months ago before the Council adopted the new program.

#### RENEWAL OF THE AUSTIN PUBLIC LIBRARY CONTRACT

Councilmember Linn moved that the Council adopt a resolution approving a contract between the Texas State Library and the City of Austin in the amount of \$40,646 to renew the present Austin Public Library contract for interlibrary cooperation for a nine-month period, December 1, 1975 to August 31, 1976. The motion, seconded by Councilmember Lebermann, carried by the following vote:

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

#### FEDERAL FUNDS GRANT

Councilmember Linn moved that the Council adopt a resolution authorizing the acceptance of a grant of Federal funds (\$20,000) and authorizing a contract with the Texas Municipal League for Social Service Planning. The motion, seconded by Councilmember Hofmann, carried by the following vote:

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

Councilmember Linn noted that this was the result of Mayor Friedman's diligent work.

## DESIGNATING LAND FOR DRAINAGEWAY

The Council had before it for consideration designating certain City-owned land for use as a drainageway as follows:

A 50' strip of land containing 2.51 acres out of the Santiago Del Valle Grant.

In response to Councilmember Linn's question as to whether or not this was at the City's request, Mr. John Baylor, Assistant Director of Property Management, noted that this was part of a tract of land that the City purchased in 1958. This particular strip would be in connection with a drainageway being developed by the land developer to the south and east. The developer requested that the City utilize a 50-foot portion or strip in connection with his project. The drainageway would be constructed entirely by the developer solely at his cost.

City Manager Davidson indicated that this started approximately 2 years ago because the owner of the property had proposed a number of requests that the City departments could not accept thereby not recommending it to the Planning Commission and the Planning Department. After several months of negotiating and conferences, this would be a drainage solution which the Parks and Recreation Department, Planning Department and Environmental Resource Department felt would be the best solution.

Councilmember Lebermann moved that the Council adopt a resolution authorizing certain City-owned land for use as a drainageway as outlined above. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

## CONTRACT FOR COMMUNITY SCHOOLS PROGRAM

The Council had before it for consideration approving a contract between the Austin Independent School District and the City of Austin for operation of the Community Schools Program. Mr. Andy Ramirez, Director of Human Resources, commented that a meeting had taken place with the concerned parties, and an agreement had been reached. Mayor Friedman suggested that the Council take a few minutes and read the proposed agreement.

Mrs. Pat Otis, representing the Community Schools, expressed that there had been extensive negotiations to try and facilitate a cooperative working agreement whereby the school district and the City staff could accomplish common goals. She hoped to accomplish the intent that neighborhood programs and the neighborhood would be benefited.

Mr. Ramirez noted that the language disagreement had been dissolved and there was an existing advisory group with an additional advisory group coming to the area. The two groups would have a good working relationship between them without any supremacy.



In response to Councilmember Linn's question concerning a resolution, Mrs. Otis felt that a resolution requesting cooperation was worked out in the agreement.

Councilmember Lebermann moved that the Council adopt a resolution approving the contract between the Austin Independent School District and the City of Austin for operation of the Community Schools program. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

Noes: None

#### LEASE AGREEMENT WITH AUSTIN CIVIC BALLET

Mayor Friedman referred to the contract and stated that the electrical and gas utilities from December 12, 1975, to December 12, 1976, would be \$182.00, and he questioned how this could be done.

Mr. John Baylor, Assistant Director of Property Management, stated that the contract was negotiated in December, 1971. They have attempted to try and assign a specific amount that would be paid each month because the utilities were based upon one meter for each of the items that served the facility. Since the approximate cost was known before and with additional utility cost being there, this was the major way in determining this amount. The cost of utilities has been raised to bring the amount to \$182.00, and it was felt that this would be a reasonable amount based upon the overall cost of the utilities to the City. In response to Mayor Friedman's question of an escalation factor being included, Mr. Baylor noted this could be accomplished. Mr. Hugo Kuehne, Jr., architect, noted that there would be no objection to an escalation clause being inserted.

Mayor Friedman felt it could be structured to read that all utilities from December 12, 1975, to December 12, 1976, would be on a pro rata share based upon the estimated usage.

Councilmember Linn pointed out that her staff had been viewing the building for other uses and would appreciate the lease period being reduced to a 90-day lease or a 6-month lease. Mayor Friedman noted that there was a 90-day termination factor in the lease.

Councilmember Lebermann announced that he had to leave the meeting at this time due to prior commitment and wanted his vote concerning the contract to be recorded as "yes."

Councilmember Himmelblau moved that the Council adopt a resolution authorizing the execution of a lease agreement with the Austin Civic Ballet for a 12-month period with the built-in utility rate clause and subject to the contract as delivered. The motion, seconded by Councilmember Lebermann, carried by the following vote:

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

Noes: None

Mayor Friedman stated that before the contract would be finally signed, the Legal Department would phrase the rate clause in Section 5 of the contract.

#### PARKING SPACES FOR MEXICAN CONSULATE

The Council had before it for consideration the approval of two parking spaces to be designated for use by the Mexican Consulate.

Mr. Joe Ternus, Director of Urban Transportation, noted that approximately 6 years ago the Council authorized an additional space for the Mexican Consulate zone. Mr. Ternus felt that there should be reduction in the number of spaces, but he did not have the authority to do this since the previous Council placed a specific third space in this zone. Therefore, he was requesting that the Council remove that requirement so the zone could be regulated as all other passenger and loading zones. Mr. Ternus expressed that someone would be visiting with the Mexican Consulate concerning this space before any changes would be made. Councilmember Trevino felt that the Mexican Consulate should be contacted first, then present it to the Council.

City Manager Davidson commented that the authority was already established concerning every street in Austin, and that this was the only case where they did not have the authority due to the previous Council setting an arbitrary figure of 3 spaces. What Mr. Ternus was requesting of the Council was the authority to work with the Consulate.

In referring to a study that was made regarding the use of the spaces, Mr. Ternus indicated that the majority of the day only one space was utilized; and he felt that there were other needs for the spaces along the curbs.

Councilmember Trevino suggested that before any action was taken regarding the current procedure that the Mexican Consulate would be contacted first and then presented to the Council.

#### TELEPHONE TERMINATION AGREEMENT

The Council had before it for consideration the possible authorization of a telephone termination agreement with Southwestern Bell Telephone Company for telephone service for the Parks and Recreation Department.

In response to Councilmember Hofmann's question instituting this with various other phone numbers, Mr. Glenn Cootes, Director of Public Information, informed the Council that a complete study was being done at the present time on all the departments that were not on the municipal switchboard.

Councilmember Linn moved that the Council adopt a resolution authorizing the execution of a telephone termination agreement with Southwestern Bell Telephone Company for telephone service for the Parks and Recreation Department. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

## WITHDRAWAL OF AN ITEM

Mayor Friedman noted that the item to consider reaffirming the selection of Bryant-Curington as the Consulting Engineers for the Onion Creek Sewage Treatment Plant had been withdrawn until after the Bond Election.

## ZONING ORDINANCES

Mayor Friedman introduced the following ordinance:

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

LOTS 1 THROUGH 10, KRAMER LANE INDUSTRIAL VILLAGE, LOCALLY KNOWN AS 2303-2413 KRAMER LANE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST 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. (William A. Crenshaw and Charles Croslin, C14-75-035)

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

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

Noes: None

Absent: Councilmember Lebermann

The Mayor announced that the ordinance had been finally passed.

Mayor Friedman introduced the following ordinance:

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

LOT 1, POWELL LANE SUBDIVISION, LOCALLY KNOWN AS 704-706 WEST POWELL LANE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT AND "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST 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. (Cold, Inc., C14-75-071)

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

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

Noes: None

Absent: Councilmember Lebermann

The Mayor announced that the ordinance had been finally passed.

Mayor Friedman introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 BY PERMITTING A 123 ACRE TRACT OF LAND, KNOWN AS CAT MOUNTAIN VILLAS, SECTION ONE, LOCATED AT LOOKOUT MOUNTAIN DRIVE AND F. M. ROAD 2222, TO BE USED FOR A PLANNED UNIT DEVELOPMENT; 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. (Cat Mountain Properties, C814-74-005)

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

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

Noes: None

Absent: Councilmember Lebermann

The Mayor announced that the ordinance had been finally passed.

#### REPORT OF SIGN COMMITTEE

Mr. David Minter, Chairman of the Sign Committee, noted that a letter had been forwarded concerning the report.

In response to Councilmember Himmelblau's question concerning the committee's recommendation to permit billboards from 35th Street onward to the north, Mr. Minter indicated that the section of MoPac that was particularly scenic was the area to the south of 35th Street, and it should be protected by scenic zoning.

The reason for the 15-year compliance was discussed by the committee and they felt that this would enable the property owner to obtain his value from the sign; however, if any permissible act was taken on a sign, it would have to be brought into compliance.

Mayor Friedman commented that this was just the submission of the report and the Council would have to review it before it could be adopted. He suggested that since the MoPac and Loop 360 resolutions would be terminating December 31, 1975, that at the December 11, 1975, meeting the Council discuss the extension of the MoPac and Loop 360 banning of signs until the ordinance could be discussed at a public hearing.

Councilmember Himmelblau also requested if there was legal right to prohibit billboards from the northern part of MoPac, since she was not in support of billboards being on the strip from 35th Street to 183. Mr. Minter noted that included in the recommendation was an ordinance extending the prohibition of billboards on MoPac until March 31, 1976, to give the Planning Commission adequate time in which to act.

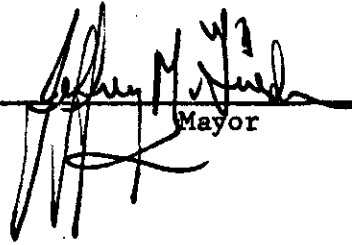
Mayor Friedman requested that it be placed on the agenda to make sure that any constructing of billboards on Loop 360 and MoPac would be postponed until an ordinance could be adopted.

Councilmember Himmelblau complimented the Sign Committee for their effort and felt it was a step forward for the City having this type of work being prepared. Mayor Friedman suggested that the Sign Committee be prepared to help and guide the Council when the public hearing occurs.

ADJOURNMENT

The Council adjourned at 12:25 p.m.

APPROVED



Albert M. Friedman  
Mayor

ATTEST:



Grace Monroe  
City Clerk