

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 23, 1975
1:00 P.M.

Council Chambers
301 West Second Street

The meeting was called to order with Councilman Dryden presiding.

Roll Call:

Present: Councilmen Binder, Dryden, Friedman, Lebermann

Absent: Mayor Butler

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

APPROVAL OF MINUTES

Councilman Friedman moved that the Council approve the Minutes for January 16, 1975. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann

Noes: None

Absent: Mayor Butler

SPECIAL ANNOUNCEMENT

Councilman Dryden took this opportunity to state that he had a personal and professional relationship with the former Mayor Pro Tem Love. Speaking as his physician, Councilman Dryden felt that Mr. Love had at one time been an ill man; and he admired him for his courage and honesty concerning the fact that he had come forward with the realization of facts that occurred during his illness. Councilman Dryden felt that with the help of God, Mr. Love had been controlling his problem in the past 6 months. Councilman Dryden also felt that the citizens and his colleagues on the Council owed Mr. Love a debt of gratitude and thanks.

PRESENTATION

Councilman Dryden read and then presented a resolution signed by the Mayor and Council to Mrs. Betty Thompson, Director of Inter-collegiate Women's Athletics, in conjunction with a benefit basketball game sponsored by the American Association of Architectural Engineers chapter to provide funds for its scholarship fund and the University of Texas Women's Athletic program. It was noted that Councilman Friedman and Linda Fletcher would serve as referees for the game to be played on Monday, January 27, at 7:30 p.m. in Gregory Gymnasium, with Howard Chalmers as master of ceremonies and Wally Pryor as the announcer. Councilman Dryden urged all citizens to have a part in this program by attending the game and commended the architectural engineering students for their interest and support of women's athletics.

Councilman Friedman noted that this was a great program and encouraged everyone to come. He felt that the University was developing one of the most outstanding women's athletics program in the nation.

Mrs. Thompson thanked the Council for the resolution and the support and introduced some of the students who had done the work with regard to this event.

HEARING ON AMENDMENT TO SIGN ORDINANCE

Councilman Dryden opened the public hearing scheduled for 1:00 p.m. on an amendment to the Sign Ordinance by limiting billboards and other signs along MoPac Boulevard. It was noted that this was continued from December 12, 1974. It was also noted that consideration of a committee to study billboard and sign ordinances was before the Council, and there was a request by Councilman Binder to discuss this at the same time as the hearing. Councilman Lebermann supported Councilman Binder's notion of a citizens committee and asked Councilman Binder what his opinion was on holding in abeyance any activity on MoPac and let it be part of the study. In response to this, Councilman Binder stated that the Council should protect any further activity along Loop 360 also, and he noted that there was a difference between a moratorium and passing an ordinance. Councilman Lebermann thought the Council could arrive at a more uniform, sensible policy all over Austin while still protecting MoPac. Councilman Friedman submitted that the Council was not trying to prevent anyone from doing anything but there needed to be something to stop development and tie it in with a comprehensive study of the whole City. He felt that the ordinance should be discussed so that the people present could give their input.

MS. JOYCE KLEIN, President of We Care Austin, appeared in support of the proposed amendment to the sign ordinance and noted that the following groups had worked with We Care in reviewing the present sign ordinance:

West Austin Neighborhood Group	University United Methodist Church
Allendale Neighborhood Association	Environmental Task Force
Northwest Austin Civic Association	Austin Women's Federation
American Institute of Architects	Sierra Club
Comanche Trail Association	Austin League of Women Voters
Balcones Civic Association	Johnson Creek Neighborhood Association
Travis Audubon Society	Austin Neighborhood Council
Now or Never	
North Austin Civic Association	
American Association of University Women	

She noted that these groups were represented by individuals present at the meeting and asked that those in support of some sort of protection along MoPac and Loop 360 stand to express this support. They appreciated the work that had been done by the Legal Department and the initiative shown by the Council in planning this ordinance. She noted that they were in basic agreement with the amendment but had the following recommendations:

1. Include Loop 360 as well as MoPac in the ordinance.
2. Set a maximum size of 48 square feet instead of 64 square feet for the signs.
3. Set height standards of 20 feet above ground, including structure.
4. Prohibit moving of flashing signs which distract the motorist.
5. Provide that existing signs cannot be rebuilt or structurally altered.

She pointed out that in their original proposal they had requested that there be a spacing distance of 100 feet apart; however, they discovered there was already a provision for 500 feet apart.

They felt that their recommendations were workable, and she gave a slide presentation to acquaint the Council with the reasoning behind their request that had been made on November 21, 1974, for such an ordinance. They felt that the adoption of the proposed ordinance with the additions as recommended would preserve the scenic beauty and the well-being of the residential area and promote safety of motorists.

She noted that this was a temporary ordinance until a study was done to determine additional standards, and this was their goal to provide interim protection until such time as specific problems could be determined. They recommended any action today by the Council that would achieve that goal.

MS. JOAN BARTZ, Coordinator of Austin Neighborhoods Council, stated that in regular executive session on January 22, 1975, the Executive Board of the Neighborhoods Council voted to endorse the amendment to the sign ordinance restricting outdoor advertising along MoPac and Loop 360 presented by We Care Austin. She noted that the ANC consisted of 12 member groups with household memberships of approximately 1,300.

She further noted that it was of additional concern to ANC that the same consideration of sign restrictions be given to all future major arterial locations planned through and adjacent to the residential areas and requested that the Council and staff address this at the appropriate times. She pointed out that they had in their organizations citizens who were experts in various matters and who were able to work on an unbiased approach to any question, and they would be happy to help with this study that was proposed and furnish whatever members they could.

MS. FRANCIE BREYFOGLE, President of the North Austin Civic Association, apologized for their not being more active than they had in this issue, and they felt there should be protection along MoPac; however, they felt that this protection needed to go further, such as North Lamar. She indicated that one point that had not been brought up was the elevation of the building itself. She felt that a sign allowed at the top of a building that was very highly elevated in a residential area could be very unsightly. She felt that these things should be taken into consideration.

MR. EVAN PIERCE JONES, University of Texas City Lobby Committee, endorsed the recommendations of We Care and felt that it was important to have a moratorium on signs in the MoPac area or the City would risk destroying an area of natural beauty. He urged the Council to establish a committee to review the ordinance for the following reasons:

1. Better regulation of the sign industry.
2. Value of citizen input to be given the Council.
3. Committee could go deeper into the issue than the Council because of the demands of the office of Councilman.

He noted that he had read in one of the newspapers that the proposed committee would only evaluate the present ordinance and not make recommendations. He felt that it was very important that they make recommendations.

In response to this, Councilman Dryden assured Mr. Jones that it was not the idea of Council to ask a committee to meet and discuss this ordinance and not make any recommendations.

In conclusion, Mr. Jones endorsed the recommendations made and urged the Council to establish this committee to study the problem.

MR. LARRY WILSON, Rollins Outdoor Advertising, endorsed the moratorium presently in effect and wanted to see it continued until a committee could report back; and based on that, he endorsed the moratorium.

MR. BOB MILLER, JR., Duplex Advertising, was very interested in setting standards on MoPac but noted that there was difference between setting standards and prohibiting; and he was not clear on this. He commented that Austin was a city and not a wilderness. He was aware of the fact that the existing ordinance did need revision, but he felt that it should not be thrown out. He supported a committee to study MoPac and the entire sign industry so that recommendations could be made that would create the least dissatisfaction on the part of all parties.

Councilman Dryden took this opportunity to note that at the last meeting when the motion had been made for a study committee, he had voted against it and had made the statement that he felt the decision would ultimately be made by the Council. He pointed out that he was not aware at that time that the City Manager had intimated that a study committee would be beneficial, and the City Attorney had concurred. He noted that he did not want to see any of the business prohibited, and that was not the Council's job.

MR. CHARTIER NEWTON, Vice President of the Eanes Civic Association, was vitally concerned about what would happen in the southwest part of Austin as well as the rest of the City. He felt that the proposed amendment should also include Loop 360. He hoped that the Council would set in motion an effort toward control much stronger than what existed. He saw no reason why a small number of people should obstruct the views of the beautiful hills and the neighborhood for the rest of the people. In conclusion, he asked if anyone had ever seen a Chamber of Commerce or real estate advertisement for a particular city which showed a thoroughfare laden with billboards.

MR. BRUCE KILMER, Modern Signs, was opposed to the amendment before the Council and addressed himself to electric signs only and stated that they manufactured electric signs. He indicated that most of the signs they produced were utilized as on-premise identification; therefore, he was opposed to the limitations of this proposal where it effected the size of signs without due regard to separating them into two areas: (1) on-premise and (2) off-premise. He believed that the Highway Beautification Act dealt with off-premise signs only. As to the issue of controlling signage in a given area, it was his opinion that such control was already being done by the existing sign ordinance and zoning ordinance. He, therefore, felt that granting of this proposed ordinance would be totally arbitrary and indiscriminate. He fully backed the Federal Highway Beautification Act and the Texas Highway Beautification Act, and he would do everything in his business to uphold these particular acts. He urged the Council to vote against this further control.

MR. HOLLIS BAKER, Hollis Baker Signs, cited examples of advertisements for cities which showed thoroughfares laden with billboards; and he suggested that one man's beauty might be another's poison. He submitted that each sign was selling a product, and his customers had a product to sell. He asked that the Council not necessarily understand the sign industry's problems but the sign customer's problems.

MS. JACKIE BARKER, West Austin Neighborhood Group, supported We Care Austin's amendment to the proposed ordinance and felt that if there were no restrictions, everyone would keep putting up bigger signs.

AUMLA spoke in support of the proposed ordinance. He felt that people in Austin were being indoctrinated with signs and wanted to know why they could not have a little more indoctrination with God's beauty.

In response to Councilman Binder's question, City Attorney Don Butler noted that this would require 4 votes to pass the ordinance through its first reading; and it would require 5 votes to pass it on an emergency basis. He noted that there were really 3 different ordinances for consideration:

1. To prohibit off-premise, billboard type advertising within 660 feet of MoPac Boulevard.
2. To prohibit billboards and signs larger than 64 square feet within 660 feet of MoPac Boulevard.
3. Similar to the second ordinance but incorporating We Care Austin's recommendations as afore-mentioned.

In response to Councilman Dryden's question, Mr. Butler was not sure how much of Loop 360 was within the City's limits; but he noted that the ordinance would only pertain to that portion within the limits or later might be within the limits. It was determined by Mr. Homer Reed, Deputy City Manager, that the area that would be effected was about 3/4 of a mile. Councilman Binder felt it was important to include Loop 360 so that it would incorporate any portion as it was annexed into the City.

Councilman Dryden 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 BILLBOARDS AND CERTAIN SIGNS WITHIN SIX HUNDRED SIXTY FEET OF MO-PAC BOULEVARD RIGHT-OF-WAY AND LOOP 360 RIGHT-OF-WAY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann
Noes: None
Absent: Mayor Butler

Mr. Butler had some question about the height standards of 20 feet above the ground including structure and stated that he would talk to Ms. Klein about this. He also had some concern about a sign's being rebuilt in that if a sign was substantially damaged, it might be better to allow to have it rebuilt. He noted that this could be worked between now and the third reading.

There was discussion with regard to appointing a committee to study Austin's sign and billboard ordinances and making recommendations to the Council. Councilman Binder noted that the Council was not attempting to set up a committee whose sole purpose was to go out and "run anybody out of business." Councilman Binder felt that the most expedient way would be to have a committee of five with each member of the Council appointing one. He suspected that the committee's work might extend into the next Council's term, but he wanted to see some preliminary action during his term.

Councilman Dryden felt that five could accomplish a lot and felt that there were advantages to having a small committee. He hoped that this committee would be able to accomplish improvement in the present ordinance, and he wanted the citizens and sign industry people to understand that it was not anyone's idea to put the sign industry out of business.

There was discussion as to the length of time the committee would have in which to report back with their first recommendations. Councilman Binder did not believe there needed to be an executive session to submit the nominations and suggested that they be submitted to the City Clerk or Mayor's office by Monday, January 27, 1975.

Motion

Councilman Binder moved that the Council appoint a 5-member committee to study Austin's sign and billboard ordinance (names to be submitted by January 27, 1975) and report back in 45 days with recommendations. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann
 Noes: None
 Absent: Mayor Butler

Motion

Councilman Binder moved that the Council declare a moratorium on the erection, enlarging, or structural altering of any billboard or sign within 660 feet of MoPac or Loop 360 whose physical characteristics include the afore-mentioned, until such time as the ordinance is passed through all three readings. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Lebermann, Binder
 Noes: None
 Absent: Mayor Butler

CASH SETTLEMENT

Councilman Lebermann moved that the Council adopt a resolution authorizing cash settlement as follows:

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS
 CHRIST OF LATTER DAY SAINTS - 75/25% cash settlement for
 water and wastewater approach main to the Wallace E.
 Johnson Subdivision:

Estimated cost of water approach main	- \$3,000.00
Developer's share @ 25%	- \$750.00
City's share @ 75%	- \$2,250.00

Estimated cost of wastewater approach main	- \$3,650.00
Developer's share @ 25%	- \$912.50
City's share @ 75%	- \$2,737.50

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

Ayes: Councilmen Friedman, Lebermann, Binder, Dryden
 Noes: None
 Absent: Mayor Butler

CASH SETTLEMENT WITHDRAWN

The following cash settlement was withdrawn:

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS - 60/40% cash settlement for water and wastewater utility installations at the Wallace E. Johnson Subdivision:

Estimated cost of water main extension	- \$5,760.00
Developer's share @ 40%	- \$2,304.00
City's share @ 60%	- \$3,456.00

Estimated cost of wastewater main extension	- \$350.00
Developer's share @ 40%	- \$140.00
City's share @ 60%	- \$210.00

COST DIFFERENCE PAYMENT

Councilman Friedman moved that the Council adopt a resolution authorizing payment to PROVIDENT DEVELOPMENT COMPANY. Bill Gunn, Vice President, the cost difference of 10"/8" wastewater main installed in Meadowcreek, Section 1 - \$1,601.25. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Lebermann, Binder, Dryden, Friedman
 Noes: None
 Absent: Mayor Butler

CONTRACTS AWARDED

Councilman Friedman moved that the Council adopt a resolution awarding the following contract:

TRANS-TEX SUPPLY COMPANY	- Drilling Machines and Accessories,
4618 East 7th Street	Water Distribution Division,
Austin, Texas	Item Nos. 1-4 - \$15,809.42

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

Ayes: Councilman Lebermann, Binder, Dryden, Friedman
 Noes: None
 Absent: Mayor Butler

Councilman Friedman moved that the Council adopt a resolution awarding the following contracts:

Bid Award:	- Furniture for Health Department
ABEL STATIONERS	- Items 3-5, 7, 10-12, 14 and 15 -
416 Congress	\$7,603.84.
Austin, Texas	

MAVERICK-CLARKE
OFFICE PRODUCTS
110 East 9th Street
Austin, Texas

- Items 1-2, 6, 8-9, 13, 16, and 17 -
\$4,870.51

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

Ayes: Councilmen Lebermann, Binder, Dryden, Friedman
Noes: None
Absent: Mayor Butler

Councilman Friedman moved that the Council adopt a resolution awarding the following contract:

INTERNATIONAL BUSINESS MACHINES CORP. - Fixed Term Plan Lease, Computer
1609 Shoal Creek Boulevard Equipment, Brackenridge Hospital.
Austin, Texas Items 1-4; Two-year Fixed Term
Lease Plan - \$52,944.00

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

Ayes: Councilmen Lebermann, Binder, Dryden, Friedman
Noes: None
Absent: Mayor Butler

Councilman Friedman moved that the Council adopt a resolution awarding the following contract:

INTERNATIONAL BUSINESS MACHINES CORR. - Extended Term Plan Lease, Computer
1609 Shoal Creek Boulevard Equipment, Brackenridge Hospital.
Austin, Texas Items 1 and 2; Two-year Extended
Term Lease Plan - \$63,864.00

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

Ayes: Councilmen Lebermann, Binder, Dryden, Friedman
Noes: None
Absent: Mayor Butler

Councilman Friedman moved that the Council adopt a resolution awarding the following contract:

CAPITOL CITY UTILITIES - Installation of water and wastewater
3113 Clawson Road mains in Buttermilk Creek Area.
Austin, Texas C.I.P. Nos. 4034 0 and 5017 7 -
\$68,955.00

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

Ayes: Councilmen Lebermann, Binder, Dryden, Friedman
Noes: None
Absent: Mayor Butler

Councilman Lebermann noted that this contract was in connection with the "Handcox Plan."

Councilman Friedman moved that the Council adopt a resolution awarding the following contract:

DATA AIDS ASSOCIATES	- Graphic Calculator, Planning and
c/o Numonics Corporation	Engineering Departments.
5625 Star Lane	Item 1 - \$6,270.00
Houston, Texas	

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

Ayes: Councilmen Lebermann, Binder, Dryden, Friedman
Noes: None
Absent: Mayor Butler

Councilman Friedman moved that the Council adopt a resolution awarding the following contracts:

Bid Award:	- Police and Fire Department uniforms, Police and Fire Department personnel.
THE WHALE	- Item 1-5 - \$30,820.75
2270 Guadalupe Street	
Austin, Texas	
THE FECHHEIMER BROTHERS COMPANY	- Item 6-12 - \$41,125.00
4545 Malsbary Road	
Cincinnati, Ohio	

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

Ayes: Councilmen Lebermann, Binder, Dryden, Friedman
Noes: None
Absent: Mayor Butler

In response to Councilman Friedman's question, Mr. Homer Reed, Deputy City Manager, noted that under the previous system Austin was receiving only one bid; and the staff felt that taking competition out of it was the best way. However, he added that they had decided to do the City's own alterations and have made arrangements to do so. He pointed out that by taking bids to buy the merchandise, these bids were 4% less than the price paid for the last purchase; and during that same period of time the price index on textiles has gone up 30% so that this represented an effective 34% price reduction.

In connection with alterations, Mr. Solon Bennett, Director of Purchases and Stores, stated that they were planning on an issue clerk in the Central Stores Division to handle the issuance and minor alterations required. He estimated the cost in manning and operating to be somewhere between 15 and 20%, as opposed to the savings of 34%. Therefore, from an economic standpoint, he felt that this made sense; and just as important was the service they felt they could provide the Police and Fire Departments.

In response to Councilman Dryden's question concerning the difference between the low Austin bidder and Fechheimer on Items 6-12, it was determined that this was about \$3,302.00.

Police Chief Bob Miles stated that he was pleased with this system and felt that it offered solutions to their problems in the past. He noted that the Fechheimer Brothers Company was reputable, and the City had dealt with them for years.

Fire Chief Ed Kirkham noted that the present contract had expired so that they could buy the minimum number of uniforms.

EXTENSION OF CONTRACT

Councilman Friedman moved that the Council adopt a resolution authorizing an extension of a contract for abandoned vehicles with South Side Auto Parts for one year ending January 18, 1976. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann
Noes: None
Absent: Mayor Butler

AGRICULTURAL LEASE

Councilman Lebermann moved that the Council adopt a resolution authorizing the City Manager to enter into a 5-year lease agreement with MR. MICHAEL GRELLÉ to farm approximately 150 acres of Airport land. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann
Noes: None
Absent: Mayor Butler

Mr. Reed noted that estimated revenues for the 5-year period would be \$144,495.

STREET NAME CHANGE

Councilman Friedman moved that the Council adopt a resolution authorizing the following street name change:

"WOODCREST DRIVE," 64.00 feet in width, to "D-K" RANCH ROAD"
(Requested by Bryant-Curington, Inc., Consulting Engineers,
representing Salem Walk, Inc., and Lamar Savings Association,
a joint venture, owners of all the properties adjoining said
street)

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

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann
Noes: None
Absent: Mayor Butler

DISPOSITION OF PARCEL

Councilman Friedman moved that the Council adopt a resolution approving disposition of Parcel R-77-A together with improvements thereon; to-wit, a rehabilitated single-family residence, Glen Oaks Project Tex A-11-4. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Lebermann, Binder
Noes: None
Absent: Mayor Butler

CRIMINAL JUSTICE PLANNING GRANT

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to accept a grant award from the Texas Criminal Justice Division for a project entitled "1975 Metropolitan Austin Criminal Justice Planning Grant." Total cost will be \$33,300, Texas Criminal Justice support, with no local cash match. Contract period will be from July 1, 1974, through June 30, 1975. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Lebermann, Binder, Dryden
Noes: None
Absent: Mayor Butler

GRANT FOR INSERVICE TRAINING FOR POLICE DEPARTMENT

Inservice
Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to accept a grant award from the Texas Criminal Justice Division for a project entitled "~~Inservice Training for the Austin Police Department.~~" Total cost will be \$6,324, Texas Criminal Justice support, with no local cash match. Contract period will be from September 1, 1974, through August 31, 1975. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Lebermann, Binder, Dryden
Noes: None
Absent: Mayor Butler

APPLICATION FOR GRANT FOR LIBRARY MATERIALS

Councilman Friedman moved that the Council adopt a resolution authorizing application for a \$15,000 grant from the Texas State Library for library materials for adult basic education. (In-kind match by the Library Department of \$13,266.00). The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Lebermann, Binder, Dryden, Friedman
Noes: None
Absent: Mayor Butler

APPLICATION FOR GRANT TO DEVELOP COMPUTER BASED PROGRAM

Councilman Friedman moved that the Council adopt a resolution authorizing application to the Texas State Library for a grant to develop an on-line computer based bibliographic program. Application will be for four alternate amounts: \$9,510, \$12,500, \$16,525, or \$19,025, with an in-kind contribution of \$15,586 to be made by the Library Department. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Lebermann, Binder, Dryden, Friedman
 Noes: None
 Absent: Mayor Butler

CONTRACTS IN ACCORDANCE WITH BUDGETARY ACTION

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to enter into contracts with the following agencies in accordance with appropriations approved on September 19, 1974:

<u>Agency</u>	<u>Contract Term</u>	<u>Allocation</u>
Big Brothers of Austin	Jan. 1, 1975 - June 30, 1975	\$ 3,000.00
Austin Rehabilitation Center	Jan. 1, 1975 - Dec. 31, 1975	\$30,824.00

The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Lebermann, Binder, Dryden, Friedman
 Noes: None
 Absent: Mayor Butler

WITHDRAWAL OF CONTRACT

The following contract was withdrawn in that the Council had previously acted on it:

<u>Agency</u>	<u>Contract Term</u>	<u>Allocation</u>
United Action for the Elderly	Jan. 1, 1975 - Dec. 31, 1975	\$15,244.00

ACCEPTANCE OF GRANT FROM OFFICE OF ECONOMIC OPPORTUNITY

Councilman Lebermann moved that the Council adopt a resolution authorizing the City Manager to accept a grant of \$109,137 from the Office of Economic Opportunity. \$27,264 will be allotted for Community Action Administration and \$81,873 for General Community Programming. Funding will provide for the continuation of the Community Action Program from January 1, 1975, to April 30, 1975. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann
Noes: None
Absent: Mayor Butler

APPLICATION FOR GRANT FOR EXPANSION OF LIBRARY SERVICES

Councilman Lebermann moved that the Council adopt a resolution authorizing application for a grant from the Texas State Library for the expansion of library services to the Austin State Hospital, the Austin State School, and the Travis State School through use of a small bookmobile. Application is for three alternate amounts: \$67,565, \$80,150, or \$87,400, with an in-kind match of \$7,650 to be provided by the Library Department. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann
Noes: None
Absent: Mayor Butler

SUBMISSION OF TWO GRANT PROPOSALS TO THE AMERICAN REVOLUTION BICENTENNIAL COMMISSION

Councilman Lebermann moved that the Council adopt a resolution authorizing the submission of two alternate grant proposals to the American Revolution Bicentennial Commission for completion of the Black Heritage and the establishment of an Ethnic History Association or the printing of an Historical Guide to Austin. Grant application will be for \$10,000; \$11,150 match from Bicentennial projects and in-kind Library Services for Black Heritage and Ethnic History Association alternative; \$27,066 from Austin Heritage Society for Historical Guide to Austin alternative. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann
Noes: None
Absent: Mayor Butler

EMINENT DOMAIN PROCEEDINGS

Councilman Friedman moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire property for Festival Beach Project:

Lot 4, Block 7, Bergman Valley View Addition and the South
25 feet of Lot 21, Block 1, Washington Park Addition.
(Carey Legett, Jr., et ux, Georgia Legett)

The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann
Noes: None
Absent: Mayor Butler

ACQUISITION OF LAND FOR WATER RESERVOIR SITE

Councilman Friedman moved that the Council adopt a resolution authorizing the acquisition of a 13.159-acre tract out of the Lucas Munos Survey No. 55 (Joe T. Robertson) for the U. S. 290 East Water Reservoir Site. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann
Noes: None
Absent: Mayor Butler

ACQUISITION OF LAND FOR TOWN LAKE PROJECT

Councilman Friedman moved that the Council adopt a resolution authorizing the acquisition of 24 Bierce Street (Augustin B. Trevino et ux) for the Town Lake Project, Waller Beach Area. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann
Noes: None
Absent: Mayor Butler

ACQUISITION OF LAND FOR MOPAC EXPRESSWAY

Councilman Friedman moved that the Council adopt a resolution authorizing the acquisition of 3.95 acres of land out of that certain 13.808-acre tract out of the James P. Wallace Survey (Richard Dorrell, Trustee) for MoPac Expressway. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann
Noes: None
Absent: Mayor Butler

CONTRACT FOR USE OF TENNIS COURT FACILITIES

Councilman Lebermann moved that the Council adopt a resolution authorizing the City Manager to enter into a contract between the Austin Independent School District and the City of Austin for the joint use of tennis court facilities at the new Austin High School. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann
Noes: None
Absent: Mayor Butler

ORDINANCE CORRECTING ZONING CASE

Councilman Dryden introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 710128-D, ENACTED BY THE CITY COUNCIL ON JANUARY 28, 1971, BY CORRECTING THE TOTAL ACREAGE OF TRACT NUMBER (1) AS SHOWN IN THE CAPTION OF SAID ORDINANCE; BY DELETING THE WORD "A" AS FOUND IN NUMBER (1) OF SAID CAPTION AND SUBSTITUTING IN LIEU THEREOF THE WORDS "FROM INTERIM 'A' RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO"; BY DELETING ALL OF PART 1 AND PART 2 OF SAID ORDINANCE AND SUBSTITUTING IN LIEU THEREOF A NEW PART 1 AND PART 2; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (C14-70-210)

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

Ayes: Councilmen Dryden, Friedman, Lebermann, Binder
Noes: None
Absent: Mayor Butler

Councilman Dryden announced that the ordinance had been passed through its first reading only.

WITHDRAWAL OF REFUND CONTRACT - FIRST READING

The following refund contract was withdrawn:

PROVIDENT DEVELOPMENT COMPANY - To purchase the water and waste-
Bill Gunn, Vice President water mains installed in
Meadowcreek, Section 1 - \$117,199.07

AMENDMENT TO TRANSIT FARE ORDINANCE

The Council had before it for consideration an amendment to the Transit Fare Ordinance. Mr. Reed noted that the Council had a recommendation from Mr. Joe Ternus, Urban Transportation Director, and the City Manager outlining the present fare structure and advising that the staff felt this was a good one but also stating that if the Council wanted to make an adjustment for a special need for transportation in connection with the Park and Ride and S.U.B. System, the Council could consider lowering the unlimited usage pass from \$15 per month to \$12 per month. Mr. Reed further noted that since this recommendation, there had been a meeting; and the staff believed they had developed a program more acceptable and one which the administration could recommend to the Council. The recommendation was that in lieu of establishing any new transit pass that would be special for anyone, the Council could amend the terminology for the commuter pass, which now authorizes purchaser to ride during peak business hours for \$10 per month, so that the purchaser could ride the S.U.B. System on that same pass. The pass would be amended to include any route during commuting hours and the S.U.B. during all other hours.

Councilman Lebermann stated that this had been discussed with those who had expressed their concern, and they understood the problems associated with any kind of arbitrary number which would be discriminatory against other riders and other sectors of the City; and they were in agreement with this.

Councilman Dryden brought up the following ordinance for its first reading:

AN ORDINANCE AMENDING ORDINANCE NO. 740314-A AND NO. 740116-E, CHANGING THE EFFECTIVE HOURS FOR THE ADULT MONTHLY COMMUTER PASS AND THE CHILDREN'S MONTHLY COMMUTER PASS TO INCLUDE THE RIGHT TO USE THAT PASS ON THE S.U.B. SYSTEM; DECLARING AN EMERGENCY; AND WAIVING THREE SEPARATE READINGS.

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

Ayes: Councilmen Friedman, Lebermann, Binder, Dryden

Noes: None

Absent: Mayor Butler

Councilman Dryden announced that the ordinance had been passed through its first reading only.

WITHDRAWAL OF BARRICADE ORDINANCE - SECOND AND THIRD READINGS

Second and third readings were withdrawn on an ordinance amending the Austin City Code as follows:

1. Chapter 31, Article II, "Construction and Repair of Sidewalks, Curbs, Gutter, Driveways, and Setbacks." (Sections 31-16 and 31-22)
2. Add to Chapter 31 of Article IV, "Procedures and Standards for Closing or Partially Blocking Streets, Thoroughfares, Sidewalks, and Alleys." (Section 31-45 through 31-58)
3. Chapter 36 of Article VIII, "Requirement for use of Public Streets." (Section 36-301 through 36-307)

WITHDRAWAL OF REFUND CONTRACTS - SECOND AND THIRD READINGS

Second and third readings were withdrawn on an ordinance authorizing the following refund contracts:

GARY L. THORNTON Owner	- For water mains installed in Jolly Oaks Subdivision - \$36,057.76
ROBERT VINCENT MURRAY, JR. General Partner	- For water and wastewater mains installed in Northgate Terrace, Section 2 - \$16,219.89

WITHDRAWAL OF REVOCATION ORDINANCE - SECOND AND THIRD READINGS

Second and third readings were withdrawn on an ordinance authorizing the revocation of Ordinance No. 740919-I, Section 2.

BICENTENNIAL PROJECT

Councilman Lebermann stated that a group of women in the community, Kappa Alpha Theta, had contacted him with regard to a project concerning the restoration of the Caswell House as a Bicentennial project, which would be intended to raise adequate funds so that the House could be kept open and retained as a landmark more or less in perpetuity. He noted that their plans were in the formative stage; but before they can move forward, they must have Council's approval in two categories:

1. Expression of Council's willingness to dedicate the House to this purpose for the Bicentennial period.
2. Hope that the City could discover funds, as per the earlier intent prior to the budget hearings when funds were eliminated, to restore the Batts and Caswell Mansions.

Councilman Lebermann pointed out that according to Mr. Jim Miller, Assistant City Manager for Community Services, under the new Community Development Act there is a category of funds that can be redefined and "plugged in" for this purpose.

Councilman Friedman questioned whether or not the Caswell House was being held for a potential area of some proposed expressway. Councilman Lebermann suggested that perpetuity might be "longish" and stated that the main concern was that this be designated to this purpose through the Bicentennial period. Councilman Friedman suggested that if the fact concerning the expressway would hinder funds, it could be pointed out that the City was looking for other areas for the freeway.

Councilman Lebermann moved that the Council approve in principle the dedication of the Caswell House as a Bicentennial project under the "shepherding" of the Kappa Alpha Theta and instructed Mr. Jim Miller to continue seeking funds for this purpose. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Lebermann, Binder, Dryden, Friedman
Noes: None
Absent: Mayor Butler

NAMING OF LEARNING RESOURCES CENTER

Councilman Friedman moved that the Council select the name of AUSTIN PUBLIC LIBRARY/HENRY TERRAZAS BRANCH for the new Library/Learning Resources Center being constructed at 1105 East First Street. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Lebermann, Binder, Dryden, Friedman
 Noes: None
 Absent: Mayor Butler

NAMING OF BRANCH LIBRARY

Councilman Binder moved that the Council select the name of AUSTIN PUBLIC LIBRARY/OLD QUARRY BRANCH for the new branch library being constructed in Northwest Hills at 7051 Village Center Drive. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Friedman, Lebermann
 Noes: None
 Absent: Mayor Butler

ITEM CONCERNING SPECIAL ELECTION

Councilman Dryden took this opportunity to bring up a matter in regard to the necessity of the upcoming special election. It was determined that the staff bring back next week the official documents calling for a Special Election on March 8, 1975, and establishing a run-off on April 5, 1975, to coincide with the Regular Election on April 5.

ZONINGS SET FOR PUBLIC HEARING

The City Manager reported that the following zoning applications had been referred to the Planning Commission for recommendation and had been set for public hearing on March 6, 1975:

GILBERT CHAMPION By Teddy L. Henderson C14-74-179	3704 North I.H. 35 also bounded by East 38th Street	From "C" Commercial To "C-2" Commercial
LUTHER E. SMITH By Phillip R. Rivers C14-74-180	8212-8222 Jamestown Drive; 1401-1409 Clearfield Drive	From "A" Residence (Tract 1) and "BB" Residence (Tract 2) To "C" Commercial (Tract 1) and "LR" Local Retail (Tract 2)
WILLIAM J. CLARK By Don Ferguson C14-75-001	5908 Aurora Drive	From "A" Residence To "C" Commercial
BARROW CORPORATION By Leroy Lange C14-75-002	8101-8307 Brodie Lane also bounded by Thomas Kincheon Street, Dunliagh Drive, and Plantation Road	From Interim "A" Residence 1st Height and Area To "LR" Local Retail 1st Height and Area
THOMAS WOODROW WILSON C14-75-003	407 West 35th Street	From "A" Residence To "B" Residence

BEN WHITE, LTD, By Dale Hill C14-75-004	1314-C West Ben White Boulevard	From "GR" General Retail To "C-2" Commercial
JOE GILBRETH AND COMPANY, INC. By Phil Mockford C14-75-006	1600-1622 Stassney Lane, also bounded by St. George's Green	From "A" Residence To "LR" Local Retail
MORIN M. SCOTT By Pat Burnett C14-75-007	2910 Fruth Street	From "B" Residence To "C" Commercial
GEORGE NALLE, JR. By George S. Nalle, III C14-75-008	609 West 10th Street 909 Rio Grande Street	From "B" Residence To "O" Office
JACK AND ALYCE RAGSDALE SUTTON C14-75-009	1109 Edgewood Avenue	From "A" Residence To "GR" General Retail
CENTRAL TEXAS SERVICE CORPORATION By Bill Williams C14-75-010	Intersection of Brodie Lane and Eskew Drive and Brodie Lane and Woodstone Drive	From Interim "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area (Tracts 1A & 2A), "LR" Local Retail 1st Height and Area (Tract 3A) and "C" Commercial 2nd Height and Area (Tracts 1B, 2B and 3B)
CITY OF AUSTIN By the Planning Department C14-75-011	Lake Austin Frontage	From Interim "A" Residence 1st Height and Area To "SR" Suburban Residential 1st Height and Area
JOHN V. FELTER By Jack Peevey C14-74-120	5900-6108 Johnny Morris Road	From Interim "A" Residence 1st Height and Area To "C" Commercial 2nd Height and Area
ELISABET NEY MUSEUM City of Austin, owner C14h-74-015	304 East 44th Street	From "A" Residence To "A-H" Residence-Historic
O. HENRY MUSEUM City of Austin, owner C14h-74-016	409 East 5th Street	From Undesignated To "H" Historic

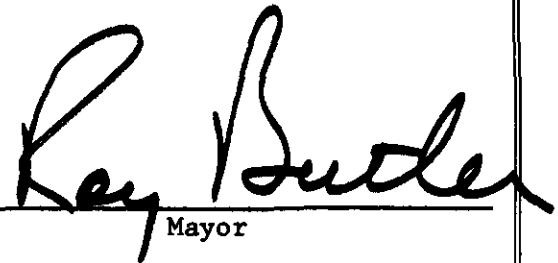
DRISKILL HOTEL Driskill Hotel Company, owner C14h-74-018	117 West 7th Street	From "C" Commercial To "C-H" Commercial-Historic
GOODMAN BUILDING Dr. Henry L. Hilgartner, Jr., owner C14h-74-022	202 West 13th Street	From "C" Commercial To "C-H" Commercial-Historic
ST. EDWARDS UNIVERSITY MAIN BUILDING St. Edwards University, owner C14h-74-025	3001 South Congress Avenue	From "A" Residence To "A-H" Residence-Historic
ST. MARY'S CATHEDRAL Catholic Diocese of Austin, owner C14h-74-027	201 East 10th Street	From "C" Commercial To "C-H" Commercial-Historic
B. J. SMITH HOUSE United Fund of Austin and Travis County, owner C14h-74-029	610 Guadalupe Street	From "C" Commercial To "C-H" Commercial-Historic
CATHERINE ROBINSON HOUSE Mr. and Mrs. Frank W. McBee, Jr., owners C14h-74-030	705 San Antonio Street	From "O" Office To "O-H" Office-Historic
PIERRE BREMOND HOUSE Texas Classroom Teachers Association, owner C14h-74-031	402 West 7th Street	From "O" Office To "O-H" Office-Historic
EUGENE BREMOND HOUSE Mrs. Flora Robinson King, owner C14h-74-032	404 West 7th Street	From "O" Office To "O-H" Office-Historic
NEILL-COCHRAN HOUSE The National Society of the Colonial Dames of America, owner C14h-74-033	2310 San Gabriel Street	From "A" Residence To "A-H" Residence-Historic

WALTER BREMOND HOUSE Texas Classroom Teachers Association, owner C14h-74-034	711 San Antonio Street 705 West 8th Street	From "O" Office To "O-H" Office Historic
JOHN BREMOND HOUSE Texas Classroom Teachers Association, owners C14h-74-035	700 Guadalupe Street	From "C" Commercial To "C-H" Commercial-Historic
NORTH-EVANS CHATEAU Austin Women's Club, owner C14h-74-036	708 San Antonio Street	From "B" Residence To "B-H" Residence-Historic
HALE-HOUSTON HOUSE Mrs. Tennie D.B. Bryan, Mrs. Carrielu B. Christensen, Trustee, and the American National Bank, Trustee, owners C14h-74-037	706 Guadalupe Street	From "C" Commercial To "C-H" Commercial-Historic
NORTH COTTAGE Mrs. Charles A. Duffy, owner C14h-74-040	706 San Antonio Street	From "O" Office To "O-H" Office-Historic

ADJOURNMENT

The Council adjourned at 3:00 p.m.

APPROVED



Mayor

ATTEST:



City Clerk