

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 19, 1976  
7:00 P.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, Mayor  
Friedman, Mayor Pro Tem Snell

Absent: Councilmembers Lebermann, Trevino

The Invocation was delivered by REVEREND J. CHRIS HINES, Chaplain,  
Episcopal Student Center.

SENIOR CITIZEN CENTER SITE

Mayor Friedman announced that due to the absence of a full Council,  
consideration of the Senior Activity Center Site would be discussed at the  
February 26, 1976, Council meeting at 10:30 a.m.

EXECUTIVE SESSION ACTION

Mayor Friedman noted that the Council had been in Executive Session  
earlier and had discussed several personnel items and board appointments that  
were now before the Council for action.

Commission on the Status of Women

Councilmember Linn moved that the Council appoint the following to the  
Commission on the Status of Women:

Ora Houston  
Cora Briggs

Michael Bruce  
Deanna Camacho

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

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

#### Retirement Board

Councilmember Himmelblau moved that the Council appoint MR. FREEMAN IRBY to the Retirement Board. The motion, seconded by Councilmember Hofmann, carried by the following vote:

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

#### Urban Transportation Commission

Councilmember Hofmann moved that the Council appoint the following to the Urban Transportation Commission:

Bill Moore - Chairman	Phyllis Rothgeb
Charles E. Bergstrom	James Stewart
Sally Witliff	Ellis Salazar
Brenda Cornell	Kim Talbert
Dr. Ernest Gloyna	

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

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

#### Municipal Court Judges

Mayor Friedman thanked the applicants and the Bar Association that helped participate in the program through a survey in trying to remove any political programming out of the Council appointments. There were over 650 responses from approximately 1700 surveys mailed to lawyers registered in Austin and Travis County. He indicated that the Council felt very comfortable about the appointments that were made.

Councilmember Himmelblau moved that the Council appoint the following to the Municipal Court and authorize the Presiding Judge to have the authority to work with his colleagues, the Bar Association and the Council in determining set rules of procedure and behavior for the Court in order to have a uniform program at the Municipal Courts:

Mr. Jerry Harris - Presiding Judge	Alberto Garcia - Associate Judge
Sara Denton - Associate Judge	

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

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

#### APPROVAL OF MINUTES

Councilmember Himmelblau moved that the Council approve the Minutes for February 12, 1976. The motion, seconded by Councilmember Linn, carried by the following vote:

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

#### ENGINEER'S WEEK

Mayor Friedman read and presented a proclamation to Dr. Carl Morgan, Past President, Travis County Chapter of Texas Society of Professional Engineers, declaring the week of February 22-28, 1976, as "Engineer's Week" and called on all residents to recognize the contributions of the men and women in this important profession. Dr. Morgan thanked the Council and invited them to the George Washington's Engineer's Ball on February 28, 1976. Councilmember Himmelblau noted that Dr. Morgan is the newest member of the Environmental Board.

#### VIENNA CHOIR BOYS DAY

Councilmember Hofmann read and then presented a proclamation to Rod Kennedy proclaiming February 23, 1976, as "Vienna Choir Boys Day" and called on all residents to join the Council in recognizing this outstanding musical group. Mr. Kennedy introduced the Director of the Austin Boys Choir and Sean Somosky, a member of the Austin Boys Choir and in the 7th grade at Porter Junior High School. Sean thanked the Council for proclaiming Vienna Choir Boys Day.

#### COMMUNITY EDUCATION SURVEY MONTH

Mayor Friedman read and presented a proclamation to Pat Otis, Austin Independent School District; Mimi Arrevali, Brooke Elementary School; Kay Hart, Matthews; Mary Tomesik, Cook; Margaret Ashworth, Rosedale-Brykerwood; Ed Calihan, Maplewood; Betty Edgemond, Far South; and Norma Guerra, Becker, proclaiming the month of February as "Community Education Survey Month" and called on all citizens of Austin to participate in Community Education.

Ms. Otis thanked the Council for the proclamation and noted that approximately 1,000 people would be surveyed in the next week to determine just how to make better use of public facilities. The progress of the program will be conveyed to the Council as the program proceeds.

## RECOGNITION

Mayor Friedman took this opportunity to recognize Sgt. Fredrickson from Bergstrom Air Force Base and the Boy Scouts from Troop 504. Also recognized at this time were Mr. David Kendall and the Boy Scouts from Troop 8 at the Texas School for the Blind.

## POSTPONEMENT OF AN ITEM

Mr. Larry P. Dittman, Realtor-Builder-Developer, had requested to appear before the City Council to discuss a problem that has been encountered with the Austin-Travis County Health Department, concerning a two-lot subdivision, "RA HOUSE 'ONE' SUBDIVISION: however, Mr. Dittman requested that it be postponed.

## APPEARANCE TO WITHDRAW ZONING CASE NO. C14-75-131

Ms. Cheryle Huck, representing Balcors Realty Investors, requested that Zoning Case No. C14-75-131 scheduled to be heard by the City Council on March 4, 1976, be withdrawn. Councilmember Linn moved that the Council grant the request to withdraw Zoning Case No. C14-75-131. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

Absent: Councilmembers Trevino, Lebermann

Not in Council Chamber when roll was called: Mayor Pro Tem Snell

## RELEASE OF EASEMENT

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

The west 134.90 feet of the Public Utilities easement ten (10.00) feet in width centered on the common lot line between Lots 29 and 30, Block D. Shoalmont Addition, Section 4, a subdivision. (Requested by Barbara Wallace, representing Amelia Bullock Realtors, Inc.)

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

Ayes: Mayor Friedman, Councilmembers Himmelblau, Hofmann, Linn

Noes: None

Absent: Councilmembers Trevino, Lebermann

Not in Council Chamber when roll was called: Mayor Pro Tem Snell

HEARING TO CONSIDER CAMPAIGN EXPENDITURES LIMITATIONS ORDINANCE  
AND LOBBY REGISTRATION

Mayor Friedman opened the public hearing scheduled for 7:30 p.m. to consider the Campaign Expenditures Limitations Ordinance and Lobby Registration.

Councilmember Hofmann stated that due to the recent Supreme Court decision regarding Campaign Expenditures Limitations, it would not be necessary to pass an ordinance of this type. She noted that she had prepared an ordinance allowing for a very low limit on campaign spending and included a second provision that placed a limit on the amount of money a candidate could accept from any one individual. This second provision is still legal and could be passed as an ordinance that would limit the amount of money any individual could contribute to any candidate; however, for two reasons she would not pursue this:

1. This type of ordinance could be used to suit ones own needs, and
2. She hoped to achieve more exciting results through public education and the cooperation of the citizens rather than by legislation.

Councilmember Hofmann commented that she is a strong believer in accomplishing things by persuading people rather than putting legislation in front of them.

She stated that possibly she was optimistic to the point of being naive, but she had faith that the voters will become thoroughly turned off by candidates who aspire to an office because of the power and prestige it holds, and not because of the contribution they genuinely feel they can make to the betterment of society; that the voters will be turned off by candidates who, figuratively at least, attempt to buy their way into office. The vast majority of people she talks to are disgusted at the amount of money spent; they wish "something could be done about it." They feel as she does that candidates should become very deeply and personally involved in their campaigns, develop their own platforms, answer their own questionnaires, study the issues carefully and discuss them with the voters every day at every opportunity.

Councilmember Hofmann continued by saying that brainwashing the voters instead of educating them is a process she experienced in her childhood in Germany. There, it was ordered by the government; here in the United States, this practice is condemned but nevertheless practiced on every level, and accepted as a fact of political life. True, people can vote for whomever they want, but too often their ability to make an intelligent choice is being dulled by the constant drone of advertisement and the almost subliminal persuasion by the media.

She submitted that she would be ashamed of herself if she had been elected because of the amount of money she spent, rather than because of her qualifications. Councilmember Hofmann stated she would be ashamed because she would have taken advantage of the democratic system, the very one which thirty years ago, attracted her to this country.

Mayor Friedman indicated that the Campaign Expenditures Limitations Ordinance would be considered withdrawn and no action would be necessary.

The other part of the hearing is to consider the proposal for an ordinance requiring registration of lobbyists, and noted that the ordinance had been before the Council to give the members an opportunity to read it. He pointed out that the ordinance is based upon what is done in almost every state agency that one would go to discuss any matter. One would identify himself, the item to be discussed and whether one would be paid for his efforts on behalf of this particular viewpoint. If the ordinance was passed, it would require an individual to file a slip with the City Clerk's office that would identify the subject matter, their name, that they were being paid for the job and by whom

to perform such lobbying. Once that one item is on file with the City Clerk's office, it would not be required to file one if you were going to talk to six or seven different people. This will be a one-time thing to identify what issue you would be lobbying on, and Mayor Friedman felt it would not be an uncomfortable burden for anybody. He thought it would open the doors so people in the general community with questions concerning any "arm twisting" that might be occurring could clearly see that there is nothing unfortunate happening, and that everybody is identifying themselves properly.

The ordinance would propose to eliminate any of the fallout one may think is existing when a person attempts to persuade someone to do lobbying for ulterior motives.

JIM WEBB, Director of the Austin Citizen's League, asked that any discussion relative to lobby registration be postponed at this time. He felt that the citizens needed more time to study the proposal. Mr. Webb also requested that the public hearing on the City Charter be moved to a future date to allow more time for the citizens to study it.

DAVID BLOCK appeared to support the ordinance on behalf of a lobby organization and enthusiastically endorsed the principle of the ordinance. He did suggest that the lobbyist be allowed to register at the office of the department in which they were carrying out their activities. Also that a record be maintained of the expenditures a lobbyist has toward a particular issue and that there be some type of an ethics commission to enforce the provisions of the ordinance.

Mayor Friedman noted that the reason for filing with the City Clerk was due to having one central location for filing and in order to keep it in item order rather than alphabetical order.

TOM CURTIS stated that he could not see what benefit this ordinance would have for the City or the citizens, and cited examples where he disagreed with the ordinance. Mr. Curtis felt that possibly there has been a state pre-emption with respect to attorneys on any of the activities that they might carry out that are defined as lobbying.

Mayor Friedman felt that there had not been and it seemed that Mr. Curtis was concerned with the time and expense involved. Mayor Friedman felt it was not an undue burden on lobbyists to give the necessary information required by the ordinance so that someone would know the lobbyist and what he was representing.

Mr. Curtis also pointed out that if there was opposition to a particular matter, that those opposed should be required to register also.

Mayor Friedman felt this point was important and noted that the cover letter that accompanied the ordinance provided that possibly the ordinance should read "whether or not for compensation someone must register."

At this time Mayor Pro Tem Snell entered the Council Chamber.

Mayor Friedman commented that in all fairness the ordinance could not be taken through any final reading at this point.

Councilmember Himmelblau stated she had a statement from Councilmember Lebermann that he requested be read into the record. She noted that this statement expresses his opinion, not hers. The statement was as follows:

"Lobby registration at the City level of government is both unnecessary and unduly burdensome. Burdensome because it creates yet another administrative and bureaucratic responsibility for City employees. This additional responsibility could lead to an increase in the size of our administrative staff and generate added paperwork and expense which could detract from more essential programs and expenditures.

"This registration is largely unnecessary in Austin because individuals already identify themselves when talking with Council members or appearing before the Council, either on their own behalf or other individuals or organizations. Particularly burdensome is the potential effect on professional people, such as lawyers, who have diverse and ever-changing clientele and who, as a consequence of this proposed ordinance, would be forced to make excessive trips to City Hall to identify what they ultimately will tell the Council when they appear in person.

"If, however, it is the desire of a majority of my Council colleagues to enact such an ordinance, then all individuals must be treated equally if indeed they are performing the same function. For this reason, I strongly believe that it should be applied across-the-board to anyone, whether paid or unpaid, who appears before the Council in such a capacity."

#### Motion

Mayor Pro Tem Snell moved that the public hearing on Lobby Registration and passage of an ordinance be continued at 11:30 a.m., February 26, 1976. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

Absent: Councilmembers Lebermann, Trevino

Mayor Friedman pointed out that there is no burden so great for a lawyer than to come and talk about his clients. Changing clients does not seem to be the question but changing of issues does. Lawyers have done lobbying on a national level that should be identified, and he felt that it was not a burden since it is already being done in the state almost uniformly every day.

#### LICENSE AGREEMENTS

The following license agreement was postponed:

CITY OF AUSTIN and THE CENTRAL TEXAS MEDICAL FOUNDATION - permitting encroachment of a pedestrian bridge over a portion of a drainage easement, in Lot 6, Avah Subdivision, said Lot 6 also being known locally as 1902 South I.H. 35. (Requested by Tad Davis, M.D. Director of OB/GYN Education Central Texas Medical Foundation)

Councilmember Linn moved that the Council adopt a resolution authorizing the following license agreement:

CITY OF AUSTIN and THE STEWART TITLE BUILDING - to allow encroachment on the west right-of-way of San Antonio Street and the south right-of-way of West 9th Street. The encroachment would consist of landscaping and landscape irrigation in the sidewalk area. (Requested by Alan M. Hill representing Laguna Hills Landscape)

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

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

Noes: None

Absent: Councilmembers Lebermann, Trevino

#### COST DIFFERENCE PAYMENTS

Councilmember Himmelblau moved that the Council adopt a resolution authorizing the following cost difference payment:

BARTON WEST ASSOCIATES, LTD., Howard E. Brunson and Bob R. Howerton, Owners, the cost difference of 12"/8" water mains and appurtenances installed in Barton Market Square - \$6,495.09.

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

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

Noes: None

Absent: Councilmembers Lebermann, Trevino

Councilmember Himmelblau moved that the Council adopt a resolution authorizing the following cost difference payment:

RUTLAND-LEMMON LTD., H. Glyen Lemmon, General Partner, the cost difference of 12"/8" water mains and appurtenances installed in Rutland-Lemmon Ltd. Addition - \$1,532.48.

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

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

Noes: None

Absent: Councilmembers Lebermann, Trevino

#### CONTRACTS AWARDED

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



AUSTIN WHITE LIME COMPANY  
McNeil Road  
McNeil, Texas

- Quicklime, for use as water softener,  
Water and Wastewater Treatment Division,  
Twelve Months Supply Agreement  
Item 1.a. and Alternate Item 1.b.,  
estimated 10,200 tons at initial price  
\$38.40/ton - Total \$391,680.00

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

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

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

M. E. RUBY, JR., INC.  
Lime Creek Road  
Austin, Texas

- Flexible Road Base Material, Street  
and Bridge Division.  
Twelve Months Supply Agreement  
Item Nos. 1 through 5 - \$101,750.00

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

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

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

Bid Award:

- Air Switches, Electric Utility  
Department

ALLIS-CHALMERS  
310 South St. Mary's Street  
San Antonio, Texas

- Item 1 - \$14,760.00

ITE-IMPERIAL CORP.  
303 Jackson Hill  
Houston, Texas

- Item 2 - \$7,968.00

SOUTHWAY ELECTRICAL SUPPLY  
3201 Longhorn  
Austin, Texas

- Items 3 and 4 - \$12,117.00

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

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

February 19, 1976

CITY OF AUSTIN, TEXAS

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

- |   |   |
|---|---|
| Bid Award:  | - Work Uniforms, Central Stores<br>Division of Department of Purchases<br>and Stores. Twelve Months Supply<br>Agreement |
| FACTORY SALES OF HOUSTON<br>5014 Harrisburg Boulevard<br>Houston, Texas | - Items 1, 3, and 4 - \$11,376.10   |
| THE WHALE<br>1906 Guadalupe<br>Austin, Texas                            | - Item 2 - \$7,435.75   |

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

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

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

- |  |   |
|--|---|
| JAY SMITH CHRYSLER-PLYMOUTH<br>841 West Sixth<br>Austin, Texas | - Nine Police Sedans and Three<br>Administrative Sedans, Vehicle and<br>Equipment Services Department.<br>Item 2 - 3 ea. @ \$3,753.00<br>Item 3 - 9 ea. @ \$4,412.00<br>Total - \$50,967.00 |
|--|---|

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

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

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

- |   |   |
|---|---|
| AMERICAN LA FRANCE<br>100 East La France Street<br>Elmira, New York | - Ladder Fire Truck, Vehicle and<br>Equipment Services Department.<br>Item No. 2 - \$119,695.00 |
|---|---|

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

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

Councilmember Linn moved that the Council adopt a resolution authorizing the following contracts:

<p>Bid Award:</p>  <p>PLAINS MACHINERY COMPANY Austin Highway San Antonio, Texas</p> <p>RIVER CITY MACHINERY COMPANY 10411 North Lamar Austin, Texas</p>	<p>- Miscellaneous Construction Equipment, Vehicle and Equipment Services Department.</p> <p>- Item 1 - 1 ea. @ \$64,833.00 Item 4 - 1 ea. @ \$ 6,000.00 Total - \$70,833.00</p> <p>- Item 2 - 1 ea. @ \$31,333.33 Item 3 - 1 ea. @ \$13,333.33 Total - \$44,666.66</p>
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The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

Noes: None

Absent: Councilmembers Lebermann, Trevino

Mayor Friedman questioned if this equipment should be leased on yearly basis from a supplier rather than purchasing it. By leasing it, the supplier would be responsible for the upkeep and taxes. He requested the City Manager to prepare some type of an answer on this and to report back to the Council.

City Manager Davidson noted that this had been looked at on a periodic basis; however, it had not been examined lately and would gladly check this matter. He noted that with the aid of Mr. Lester Rogers, Director of Vehicle and Equipment Services, such a report would be prepared.

#### CONTRACT AWARD FOR AERIAL TERRAIN STUDY FOR MASTER DRAINAGE STUDY

Proposals to be received  
February 17, 1976

- For Aerial Terrain Study for Master  
Drainage Study

MR. CHARLES GRAVES, Director of Engineering, presented a slide that viewed the City and the particular area of discussion. He pointed out that in a long range program he hoped that the entire area would be the subject of data collection by this method, photogrammetric process. The purpose of these maps is to provide the detail data that is needed in order to proceed with the Master Drainage Study. The maps used previously have not given the detail that is necessary, but the detail from this program with aid in enforcing the ordinances in a more meaningful way.

He noted that proposals were received from four different companies as follows:

1. Abrams Aerial Survey
2. Bovay Engineers, Incorporated
3. Hildebrand Aerial Surveys
4. International Aerial Mapping Company of San Antonio

February 19, 1976

Mr. Graves commented that each company was evaluated according to experience, equipment, methods and procedures, rate of delivery, minority employment, and cost effectiveness. Based on this analysis, he felt that International Aerial Mapping Company of San Antonio was the best qualified. In response to Councilmember Himmelblau's question as to the selected firm exceeding the estimate, Mr. Graves felt that this would not happen.

Councilmember Himmelblau stated she felt this was very vital since there has been overdevelopment in certain watersheds and this type of procedure will keep this sort of thing from occurring. She felt it is extremely beneficial.

Councilmember Himmelblau moved that the Council adopt a resolution to award the contract for Aerial Terrain Study for Master Drainage Study to INTERNATIONAL AERIAL MAPPING COMPANY of San Antonio and that the Council would be informed immediately and specifically before any signing if the cost estimate changes from the current \$123,917. The motion, seconded by Councilmember Hofmann, carried by the following vote:

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

Noes: None

Absent: Councilmembers Trevino, Lebermann

#### CONTRACT ON INSURANCE

Mayor Pro Tem Snell moved that the Council adopt a resolution awarding the following contract:

CONNECTICUT GENERAL LIFE  
INSURANCE COMPANY  
Suite 126, Jefferson Chemical  
Building  
Houston, Texas

- Health, Accident, and Life  
Insurance Coverage for City of  
Austin Employees, March 1, 1976 -  
March 1, 1979

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

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

Noes: None

Absent: Councilmembers Trevino, Lebermann

Mayor Pro Tem Snell indicated that he was concerned with some items of the contract, but after reviewing it with the staff, he was satisfied with the contract. City Manager Davidson expressed his appreciation for Mayor Pro Tem Snell's interest and felt that his suggestions and questions were definitely valuable.

MS. ANDREA BEATTY, Director of Personnel, reviewed some of the changes in the employee group insurance program and noted that there were significant increases in the following:

	<u>Current Benefits</u>	<u>New Benefits</u>
Daily room benefit	\$ 30.00 per day	\$ 50.00 per day
Maternity	\$250.00	\$500.00
Surgical schedule (per unit)	\$ 5.00	\$ 6.00

She noted that Mayor Pro Tem Snell suggested that the City have a separate benefit to cover ambulance costs; that the period for consecutive confinements be reduced from six months to three months; and that unmarried employees or dependents will be covered under the maternity benefits.

#### TEMPORARY CLOSURE OF A STREET

Councilmember Linn moved that the Council adopt a resolution authorizing the temporary closing of RED RIVER STREET relocation area and provide for temporary parking subject to permits issued by the City of Austin authorizing parking in that area. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

#### ORDINANCE ESTABLISHING PARKING LOT ZONES

Mayor Friedman introduced the following ordinance:

AN ORDINANCE AMENDING SECTIONS 21-54, 21-57, AND 21-58 OF THE AUSTIN CITY CODE OF 1967; PROVIDING FOR THE REGULATION OF PARKING WITHIN CITY-OWNED OR OPERATED PARKING LOTS BY THE USE OF PARKING METERS; ESTABLISHING PARKING LOT ZONES; PROVIDING FOR TIME LIMITS FOR THOSE ZONES; AND PROVIDING FOR EXCEPTIONS TO THOSE TIME LIMITS; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

The Mayor announced that the ordinance had been finally passed.

ORDINANCE TO PROHIBIT PARKING IN A CERTAIN AREA

Mayor Friedman introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 21, SECTION 21-31 OF THE AUSTIN CITY CODE OF 1967, BY ADDING A NEW SECTION (1); PROVIDING FOR THE CONTROL OF VEHICULAR PARKING IN AN OFF-STREET PARKING AREA MAINTAINED BY THE CITY OF AUSTIN LOCATED ON THE RED RIVER STREET RELOCATION AREA; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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 Friedman, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Linn

Noes: None

Absent: Councilmembers Lebermann, Trevino

The Mayor announced that the ordinance had been finally passed.

PARKING METER ZONES

Councilmember Linn moved that the Council adopt a resolution authorizing the installation of the following parking meter zones:

<u>STREET</u>	<u>ZONE 120</u> <u>BLOCK</u>	<u>SIDE</u>
15th Street	600-700	North
	<u>ZONE 60</u>	
15th Street	7000	South
	<u>ZONE 120</u>	
15th Street	700	South
	<u>ZONE 60</u>	
West Service Road (I. H. 35)	1400	West

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

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

Noes: None

Absent: Councilmembers Lebermann, Trevino

February 19, 1976

## CITY OF AUSTIN, TEXAS

## EXECUTION OF A CONTRACT

Councilmember Himmelblau moved that the Council adopt a resolution authorizing the execution of a contract with the Urban Mass Transportation Administration for an Operating Assistance Grant under Section 5 of the Urban Mass Transportation Act of 1964 for \$211,000. The motion, seconded by Councilmember Hofmann, carried by the following vote:

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

Noes: None

Absent: Councilmembers Lebermann, Linn

## SUBCONTRACT WITH TRAVIS COUNTY

Councilmember Linn moved that the Council adopt a resolution authorizing the entrance into a subcontract with Travis County, providing funds through the County from the Texas Department of Community Affairs for continued work by the City Planning Department on development of a GBF/DIME file. (\$6,611.00 will be paid to the City for mapping and coding of DIME file elements) (Geographic Base File/Dual Independent Mapping and Encoding) The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

Noes: None

Absent: Councilmembers Lebermann, Trevino

## GRANT APPLICATION

Councilmember Himmelblau moved that the Council adopt a resolution authorizing submission of a grant application to the Texas Criminal Justice Division for "Municipal Courtroom Sound System," in the amount of \$1,125.00. (Program period May 1, 1976, through July 30, 1976) The motion, seconded by Councilmember Linn, carried by the following vote:

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

Noes: None

Absent: Councilmembers Lebermann, Trevino

## LOWERING OF TOWN LAKE

The Council had before it for consideration authorizing the lowering of Town Lake approximately two feet to facilitate the extension of the concrete apron below Barton Springs Pool, from February 22, 1976, to March 5, 1976. City Manager Davidson noted that this related to another item on the agenda under City Manager Reports. He commented that hopefully, this would be the last episode before finishing the Barton Springs Pool job.

In response to Councilmember Himmelblau's question as to why this was not taken care of when the lake was lowered a few months ago, City Manager Davidson commented that there was a misunderstanding involving the contractor on just how much of the work he was supposed to do. After the contractor completed the work that he thought were the obligations under the contract, it was then discovered that one small section of the apron was not done, necessitating the lowering of the lake. Councilmember Himmelblau was concerned that there were not full specs when a contract is let, and City Manager Davidson stated that full specs are available.

MR. JACK ROBINSON, Director of Parks and Recreation Department, noted the importance of proceeding with this quickly in case there is a flood down Barton Creek. Councilmember Himmelblau felt there was a "slip-up" somewhere, and Mr. Robinson agreed. In response to Mayor Friedman's question concerning the time involved to do this work, Mr. Robinson indicated that it would take approximately five days.

Councilmember Linn moved that the Council adopt a resolution authorizing the lowering of Town Lake approximately two feet to facilitate the extension of the concrete apron below Barton Springs Pool, from February 22, 1976, to March 5, 1976. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

Noes: None

Absent: Councilmembers Trevino, Lebermann

#### POSTPONEMENT OF AN ITEM

The Council had before it for consideration an ordinance declaring the necessity for and ordering improvements to Matthews Lane, Contract Number 75-Pa-124, consisting of one unit covering approximately two blocks; however, it was requested that this item be postponed.

#### ZONING ORDINANCES

The Council had before it for consideration the following zoning ordinance:

MRS. MAUDE RAMSEY	4510 Avenue A and the	From "A" Residence
By Malcolm Robinson	rear of 4503 Guadalupe	To "B" Residence (Tract 1) and
C14-75-087	Street (Tract 1) and	"BB" Residence (Tract 2)
	4509-4529 Avenue A and	
	also bounded by West	
	46th Street (Tract 2)	

Councilmember Linn questioned why the 30-foot setback and 5-foot sidewalk was not included in the ordinance, and the City Attorney commented that when the requirements have been met then the ordinance is passed.



February 19, 1976

Mr. Tom Knickerbocker, Assistant Director of Planning, commented that all of the departmental requirements have been met. Mrs. Maude Ramsey reiterated that the requirements were met.

Mayor Friedman introduced the following ordinance:

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

TRACT 1: THE EAST 136 FEET OF LOT 8, PIPER'S PLACE, LOCALLY KNOWN AS 4510 AVENUE "A," AND THE REAR OF 4503 GUADALUPE STREET, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; AND,

TRACT 2: LOTS 1 THROUGH 11, BLOCK "D," RAMSEY PLACE, AND A 50 FOOT BY 130.58 FOOT TRACT OF LAND OUT OF THE THOMAS GRAY SURVEY (LOT AT THE SOUTHEAST CORNER OF THE INTERSECTION OF WEST 46TH STREET AND AVENUE "A"), LOCALLY KNOWN AS 4509-4529 AVENUE "A," AND ALSO BOUNDED BY WEST 46TH STREET, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT;

ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Mrs. Maude Ramsey, C14-75-087)

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

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

Noes: None

Absent: Councilmembers Trevino, 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 CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

(1) LOTS 17, 18 AND 19, BLOCK 18, HYDE PARK, SECTION 2, LOCALLY KNOWN AS 4100 AVENUE "D," AND ALSO BOUNDED BY WEST 41ST STREET, FROM "B" RESIDENCE DISTRICT TO "A" RESIDENCE DISTRICT; AND,

(2) A 640 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 5330 MANCHACA ROAD, FROM "GR" GENERAL RETAIL DISTRICT TO "C-1" COMMERCIAL DISTRICT;

ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (W. Hugh Looney, C14-75-124; N. Puett, Jr., C14-75-130)

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

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

Noes: None

Absent: Councilmembers Trevino, 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:

A 1.972 ACRE TRACT OF LAND, LOCALLY KNOWN AS 9300 F. M. ROAD 1325, FROM INTERIM "AA" 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. (Searle Analytic, Inc., C14-75-127)

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

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

Noes: None

Absent: Councilmembers Trevino, Lebermann

The Mayor announced that the ordinance had been finally passed.

The Council had before it for consideration the following zoning ordinance:

BARROW CORPORATION	8101-8307 Brodie Lane	From Interim "A" Residence
By Leroy Lange	also bounded by Thomas	To "LR" Local Retail and
C14-75-002	Kincheon Street,	"A" Residence
	Dunliegh Drive and	
	Plantation Road	

#### Motion

Councilmember Himmelblau moved that the Zoning be passed. The motion died for lack of a second.

Councilmember Hofmann expressed concern that a similar case had been before the Council several months ago and was denied so she felt if it was denied, then this one should also. Councilmember Hofmann commented that in both cases the neighborhood organizations were opposed and she did not think the owner made any attempt to cooperate with the neighborhood association.

Councilmember Himmelblau noted that the zoning case that was heard several months ago involved some concern by the staff of part of the zoning and the Planning Commission overruled the staff. The zoning case before the Council today for passage of an ordinance has been approved by the Planning Commission and the staff and the previous Council has voted on it so the requirements have been met as specified by the previous Council.

MR. LEROY LANGE, representing the applicant, commented that all of the necessary conditions have been met.

BARBARA CHANCE, a member of the Brodie Lane Homeowner's Association, noted that a letter had been distributed to the Council concerning this zoning. She pointed out the association opposes strip zoning of any kind. This particular strip of property is located directly across from the proposed location of an elementary school and the association is concerned that this Local Retail would be immediately next to the school. She asked that the Council deny this request in order to keep strip zoning off of Brodie Lane. In response to Councilmember Himmelblau's question as to why the neighborhood was not heard from when this case came before the Planning Commission, Dr. Chance indicated that the neighborhood group was not formed at that time.

In response to Councilmember Hofmann's question concerning contact with the property owner by the neighborhood association, Dr. Chance stated that property owners on both sides of the street have been contacted and so far the association has not been very successful in getting any thoughts on plans for the area. She noted that no contact has been received from Mr. Puett who owns the subdivision and he has been invited twice to the neighborhood meetings.

Councilmember Himmelblau moved that the Zoning Ordinance be passed. The motion died for lack of a second.

Councilmember Linn moved that the zoning ordinance be denied. The motion was seconded by Mayor Pro Tem Snell.

City Attorney Don Butler indicated that a vote was not necessary since no vote amounted to a denial.

Councilmember Linn withdrew her motion and Mayor Pro Tem Snell withdrew his second.

The Mayor announced that the zoning had been denied.

ORDINANCE AMENDING FRANCHISE FOR ROY'S TAXI COMPANY  
SECOND READING ONLY

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

AN ORDINANCE AMENDING SECTION 1 OF AN ORDINANCE ENTITLED "AN ORDINANCE GRANTING TO ROY VELASQUEZ, DOING BUSINESS AS ROY'S TAXI, A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED," FINALLY PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON THE 20TH DAY OF SEPTEMBER, 1951, RECORDED IN ORDINANCE BOOK "Q," AT PAGES 666-671 OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 1 THEREOF PRESCRIBING THE NUMBER OF TAXICABS AUTHORIZED TO BE OPERATED, PROVIDING FOR PUBLICATION AND THREE (3) SEPARATE READINGS.

The ordinance was read the second time, and Councilmember Linn moved that the ordinance be passed to its third reading. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

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

Noes: None

Absent: Councilmembers Lebermann, Trevino

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

ORDINANCE REVISING RATES OF SOUTHWESTERN BELL TELEPHONE  
COMPANY

City Attorney Don Butler noted that discussion had been held with the telephone company and there would be more discussion, so he anticipated that the ordinance would be on the agenda for the February 26, 1976, Council meeting for action.

FRANCHISE ORDINANCE FOR SOUTHWESTERN BELL TELEPHONE

City Attorney Don Butler commented that the Council could proceed to pass the ordinance through the first reading and if necessary, it could be amended through the second and third reading process. He recommended that it be passed through first reading.

Mayor Friedman introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 21-42 OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN ADDITIONS AND DELETIONS TO SUBSECTIONS (a), (b), (c) AND (e) THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 6701d); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmember Hofmann, Mayor Friedman, Mayor Pro Tem Snell,  
Councilmember Himmelblau

Noes: None

Abstain: Councilmember Linn

Absent: Councilmembers Lebermann, Trevino

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

MR. GRAY BRYANT, Regional Manager of Southwestern Bell, commented that he was in agreement with the City Attorney on how to approach this matter. He noted no objections to the first reading.

## ORDINANCE TO LIMIT PARKING OF CERTAIN VEHICLES

Councilmember Himmelblau stated that this would be an amendment to Section 21-31 of the Austin City Code to prohibit parking of certain vehicles on City Streets and Alleys for a period of longer than 48 hours.

City Attorney Don Butler suggested that this should be in ordinance form before adopting it.

Councilmember Himmelblau moved that this item be before the Council in ordinance form at the February 26, 1976, Council meeting. The motion, seconded by Councilmember Hofmann, carried by the following vote:

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

## TRANSPORTATION IMPROVEMENT PROGRAM AND APPROPRIATE ACTION

Councilmember Hofmann stated that she had worked with the Urban Transportation Department Director, Mr. Joe Ternus, and asked that he make a presentation at this time.

Mr. Ternus reviewed the I.H. 35 and Highway 290 project and noted it was initiated approximately six to eight years ago. A proposed interchange was developed and designed that provided for a five-level structure and public hearing was held. It is his understanding that all of the required programming has been completed at this time, and the State is preparing to let a contract some time in late spring. Mr. Ternus noted there had been some concern as to the availability of funds for the project and this would be a matter between the State and the Highway administration. At this time with the money available there would be a five-level interchange.

Councilmember Himmelblau expressed that in talking with Councilmember Lebermann, he felt that there was a "lock-in" as of January 1 or 31 on projects that were already passed by the Transportation Commission.

Mr. Ternus submitted it was January 1, 1976, and any project that has been programmed and constructed prior to October 1, 1976, and completed all the program requirements will not have the review process. Any project that is programmed after January 1 or constructed after October 1 would have to go through the review process of the Austin Transportation Study office.

Mr. Ternus pointed out that interstate highway funds could not be placed on another system. He noted that he was concerned with Interstate 35 and Highway 183 intersection due to heavy traffic problems.

In reviewing the levels, Mr. Ternus felt that the express lanes for IH 35 would have to be separated from anything else and one level should be maintained for frontage road traffic. This would leave three levels for review.

Councilmember Hofmann was concerned that funds could be difficult to obtain for this particular interchange and would not like to see it finished only part way.

Mr. Ternus felt that a three-level would be cheaper than a five-level and he was not aware of any money problems that were occurring in this area.

Councilmember Hofmann noted that if there was money remaining after the smaller interchange was constructed, then the Highway Department would possibly spend some money for improving Highway 183 and IH 35. Mr. Ternus commented that the funds could be used on other IH 35 projects; however, he did not want to imply that this exchanging of funds would be a certain thing. It could only be requested.

#### Motion

Councilmember Hofmann read the following motion:

"We have learned from recent experience that the best time for fruitful cooperation between governmental entities is before construction of a project is begun.

"We are in agreement with the Highway Department that there is a need for improvement in the traffic flow in the area of the intersection of IH 35 and Highway 290. However, we are afraid that we may be attempting to improve a bad situation by creating a worse one.

"I move that we request that representatives of the City Administration and the Highway Department evaluate the projected five-level interchange and present us alternative designs which are less grandiose and more in keeping with the results of the Austin Tomorrow program which we adopted and which speaks to the need for planned, rather than haphazard or artificially stimulated growth. Serious consideration should be given to designs which address themselves to the shift in values which we have experienced in the eight years since public hearings were held, which address themselves to current and realistically projected future needs, and which recognize the present investments and commitments and will harmonize with the environment of our City instead of transforming it into the metropolis which we do not wish Austin to become. I believe that such a design can be developed within the general framework of the existing project that will enable phase construction when facilities are actually needed.

"It is hoped that preliminary designs can be developed within three weeks and presented at our next work session on Highway projects.

"It is requested that the City Council's action be forwarded to the Austin Transportation Study for their information and assistance in any practical manner."

The motion was seconded by Councilmember Linn.

#### Substitute Motion

Councilmember Himmelblau moved that projects that have been programmed before January 1 be left as is, and that projects after this date, that the Urban Transportation Department and the Highway Department work together on their plans. The motion died for lack of a second.

Councilmember Himmelblau stated that she preferred to proceed with the project and let the Highway Department and the Federal Government fund it as planned.

Roll Call on Motion

Roll call on Councilmember Hofmann's motion, Councilmember Linn's second showed the following vote:

Ayes: Councilmember Linn, Mayor Friedman, Mayor Pro Tem Snell,  
Councilmember Hofmann

Noes: Councilmember Himmelblau

Absent: Councilmembers Trevino, Lebermann

Mayor Friedman pointed out that there is nothing to fund and it would have to be redesigned before money can be obtained from the federal government or the state. So we would just be asking for the opportunity to return with the redesign to make sure we would be getting what is paid for.

AMENDMENT TO WRECKER ORDINANCE

City Attorney Don Butler noted that all parties were in agreement with the amendment to the Wrecker Ordinance.

Mayor Friedman introduced the following ordinance:

AN ORDINANCE AMENDING ARTICLE VI OF CHAPTER 34 OF THE AUSTIN CITY CODE OF 1967 BY REQUIRING EACH PERMIT HOLDER TO HAVE EXCLUSIVELY REGISTERED TO IT ONE WRECKER; AMENDING THE REQUIREMENT FOR LETTERING TO APPEAR ON THE SIDE OF EACH WRECKER; ELABORATING ON THE TERM "24-HOUR WRECKER SERVICE" AND REQUIRING PROOF OF SUCH SERVICE; REQUIRING COMPANIES ON ROTATION LIST TO MAINTAIN SEPARATE TELEPHONE NUMBERS; PROVIDING FOR AN EXCEPTION TO THE PROVISION PERTAINING TO WRECKERS WHICH MAY APPEAR IN RESPONSE TO A COLLISION ROTATION LIST CALL WHICH ARE NOT OWNED BY THE PERMIT HOLDER CALLED; DECLARING AN EMERGENCY; AND SUSPENDING THE RULE REQUIRING THREE SEPARATE READINGS OF ORDINANCES.

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 Friedman, Mayor Pro Tem Snell, Councilmembers  
Himmelblau, Hofmann, Linn

Noes: None

Absent: Councilmembers Lebermann, Trevino

The Mayor announced that the ordinance had been finally passed.

AMENDING PROPOSED PARKS AND RECREATION FEE INCREASES

Council had before it for consideration amending proposed parks and recreation fee increases to delete the individual player fee for softball, soccer and rugby.

February 19, 1976

Councilmember Linn felt that the individual participation charge is not a charge that will help the recreational program. She stated that because the spring season is beginning or underway for many sports, she believed we need to clear up the uncertainty surrounding the proposed athletic fee increases which have been in limbo for several weeks. On January 22, the Council indefinitely postponed the increases proposed by the Parks and Recreation Department. Since that time, many softball, soccer and football players have contacted us about whether they would have to pay an individual fee in addition to the team fee in order to play this spring. Councilmember Linn felt that a charge per individual for team sports was not the best way to recoup part of the cost of running these programs. Whatever is charged should be on a per-team basis. Although all of the proposed fees will apparently be on the agenda next week, she felt that the Council should go on record now to avoid any more confusion that we oppose a per-player charge.

Motion

Councilmember Linn moved that the Council drop the \$2.50 per player participant registration fee from future revisions of Parks and Recreation Department fees. The motion was seconded by Councilmember Himmelblau.

City Manager Davidson indicated that the entire report of fees would be presented to the Council on February 26. Mayor Friedman stated that there would be no charge for leagues starting within the next 30 days, everyone that signs now, and it would become active after this season. Mr. Jack Robinson recommended that the motion include all athletic fees. Mayor Friedman commented that he would like to delay action and discuss it all next week and not to charge any fees on an individual basis for anything starting within the next 30 days. Mr. Robinson suggested that once the fees are decided upon, the fee be charged for future registrations and that it would not be retroactive. Mayor Friedman noted that this would pertain to any team sport.

JOE RAZES expressed concern for his hardball team because of the possibility of raising the fees and the players would not wish to play.

PLADOUGH CREIGHTON stated he was concerned with the golf cart fee. Mr. Robinson noted that this would not be part of the report next week but that he was working on a report concerning golf. Mayor Friedman commented that he had also had requests for some type of a relief in the form of a reduced rate for senior citizens. Mr. Robinson noted this was being examined. Mayor Pro Tem Snell suggested that something be developed for the golf cart problem.

MR. BILL SNOW, member of the Austin Softball Association, pointed out that if the Council passes the increased player fees that it will cause many people to quit playing ball because they will not be in a position to afford it. He supported Councilmember Linn's motion to delete the player participant fees. Councilmember Linn felt that with individual player fees, the number of participants would be greatly reduced and possibly cause teams to "hide" players. She felt it is a mistake to consider individual player fees and wished to go on record as opposing this. Mayor Friedman agreed that the majority of people could not afford the individual player fees.



Roll Call on Motion

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

Noes: None

Absent: Councilmembers Lebermann, Trevino

## APPROACH MAIN CONTRACTS

City Manager Davidson indicated that the Joint Committee was not ready to make recommendations to their new policy proposal, but the purpose of this report today would be to follow up on some questions that were asked by the Council concerning the amounts of money involved with the contracts that would qualify under the committee's recommendation.

Mr. Don Walden, Vice Chairperson of the Joint Committee, stated that the committee felt the first thing to do was proceed in the direction of developing an Interim Approach Main Policy that would work from a given time until the new Master Plan or Utility Extension Policies are ready. Before this could be accomplished, there needed to be a list of approach mains already underway at this time. Due to several reasons, Mr. Walden indicated that those approach mains that have either been completed or which were under construction, with signed contracts to construct, needed some kind of an answer. After reviewing 15 different approach main projects, it was found that nine already had the engineering plans accepted and approved by the City. Therefore, the committee unanimously felt that those nine should be treated under the terms of the existing policy.

In response to Councilmember Linn's question as to the total amount of money for the nine, Mr. Walden indicated the total would be \$255,139.90 and it was pointed out to the committee that the money is allocated in the operating budget for water and wastewater, and the money is available.

The Joint Committee on Approach Main Policies made the following recommendation to the Council:

"That Approach Main Contracts for projects which had construction contracts signed and approved by the City's Water and Wastewater Department prior to January 20, 1976, be approved under the existing Approach Main Policy; provided, that no Approach Main Contracts be approved without certification from City departments that the existing utility system has the capacity to serve those subdivisions."

Approach Main Contracts recommended for approval under the above statement include, but are not limited to:

Shiloh Phase I  
Bluff Springs  
Zilker Heights  
Franklin Park  
Woodstone  
Village South

Old Town Phase II  
Kramer Ind.  
Barton Terrace  
Bee Caves Section I  
Gracy Wood  
Western Oaks  
Cat Mountain Villas

Estimated total cost:

\$769,385.20

Mr. Curtis Johnson, Director of Water and Wastewater Department, reviewed the memorandum that was sent to the Council from City Manager Davidson and pointed out that if the Council approves the contracts, the first payment would be due in March, 1977. The payments would be spread out over five years. Funds to repay approach main contracts approved through September 18 of 1975 are included in the Operating Budget and were projected in the water and wastewater rate calculations provided to the Council on January 28, 1976. Funds to repay approach main policies were not included in cost projections. Therefore, repayment funds will have to come from:

1. The uncommitted balance of the existing water and wastewater bond funds;
2. New revenues collected from an addition to water and wastewater fees designed to recover a portion of the City's capital cost; or
3. A future bond issue.

Mayor Friedman submitted that at the very minimum, money could be set aside in next year's operation budget for payments.

Councilmember Hofmann felt that due to this outstanding effort of the committee to arrive at this recommendation for the Council and their work in proceeding to develop a final policy, she felt the recommendations should be approved.

#### Motion

Councilmember Hofmann moved that the Council accept the recommendation of the Joint Committee to approve 13 of the approach main contracts under the existing policy. The motion was seconded by Councilmember Himmelblau.

Mr. Walden noted that contracts number 14 and 15 are pending in many areas and the committee did not think they should be considered at this time. Mayor Friedman stated that 14 and 15 would then have to be considered under the new and final policy recommended by the Joint Committee, unless an exception was made.

Mr. Johnson suggested that there possibly could be one or two contracts that have not been uncovered and which would be eligible under the same criteria. He asked that this not be a "sacred" list of 13 but any that has met the criteria be accepted. This would be ones that have been signed as of January 20, 1976. City Manager Davidson felt that if the Council wishes to approve this recommendation that it be done with the understanding that if any are uncovered they would be presented to the Council.

#### Roll Call on Motion

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

Noes: Councilmember Linn

Absent: Councilmembers Lebermann, Trevino

Mayor Friedman stated that the old policy is now eliminated and the new policy is an interim policy that comes back with another recommendation for a third policy that the Council will act upon in the near future. He encouraged the committee to develop a final policy as soon as possible.

#### 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 April 1, 1976:

C.E. and ELEANOR WEST C14-76-004	7007 Guadalupe Street	From "A" Residence 1st Height and Area To "BB" Residence 2nd Height and Area
ARTHUR E. JAY CROOKS C14-76-005	1001-1003 Morrow Street 1000-1004 Aggie Lane	From "A" Residence 1st Height and Area To "D" Industrial 1st Height and Area
STEVE W. PFUNTNER By Elvis G. Schulze C14-76-006	6301 Cameron Road, also bounded by Glenwood Drive	From "A" Residence 1st Height and Area To "LR" Local Retail 1st Height and Area
ELLA PHEFFAR, ET AL By Lowell Clayton C14-76-007	2108-2202 Redwood Avenue	From "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area
IBM CORPORATION By Thomas Backus C14-76-008	11400 F.M. Road 1325	From "D" Industrial 1st Height and Area To "D" Industrial 3rd Height and Area
A. H. NEIGHBORS, JR. Executor By Terry J. Sasser C14-76-009	6919-7013 East Riverside Drive 2109-2201 and 2207- 2217 Maxwell Lane	From "A" Residence 1st Height and Area To "MH" Mobile Home 1st Height and Area
THETA XI ASSOCIATION OF TEXAS, INC. By Mack R. Hernandez C14-76-010	1900 Pearl Street 900 West Martin Luther King, Jr., Boulevard	From "B" Residence 2nd Height and Area To "O" Office 2nd Height and Area
MRS. MYRTLE SEIDERS CUTHBERTSON C14-76-011	3801 Bailey Lane, also bounded by West 38th Street	From "A" Residence 1st Height and Area To "LR" Local Retail 1st Height and Area

L. L. McCANDLESS, ET AL C14-76-012	108 Academy Drive, also bounded by Melissa Lane	From "C" Commercial (Tract 1) and "B" Residence (Tract 2) 2nd Height and Area To "C-2" Commercial (Tract 1) and "O" Office (Tract 2) 2nd Height and Area
NEWELL SALVAGE COMPANY OF AUSTIN By R. H. Mercer C14-76-013	710 Industrial Boule- vard, also bounded by St. Elmo Road and Terry-O Lane	From "A" Residence 1st Height and Area To "E" Heavy Industrial 1st Height and Area
ROOSEVELT TAYLOR, JR. By Donald L. Dumas C14-76-014	1908-1910 Martin Luther King Boulevard 1900 Poquito Street	From "A" Residence 1st Height and Area To "LR" Local Retail 1st Height and Area
ODUS S. CRUMLEY, ET AL C14-76-015	8815-8829 North Lamar Boulevard 602 Deen Avenue	From Interim "A" Residence 1st Height and Area To "C" Commercial (Tract 1), "O" Office (Tract 2) and "B" Residence (Tract 3) 1st Height and Area
MRS. WILLIAM A. SCHUMANN By Mmes. Etta S. Dyess & Lena E. Dyess C14-76-016	4712 Harmon Avenue	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
GLASTRON BOAT COMPANY By Thomas C. Bailey C14-76-017	9000-9300 Reid Drive 9000-9300 United Drive 9137-9161 Research Boulevard (US 183) 2800-3000 Industrial Terrace 9400 Business Drive	From "D" Industrial 1st Height and Area To "D" Industrial 3rd Height and Area
THE UNIVERSITY OF TEXAS SYSTEM By Robert Sneed C14-75-076	701-731 Exposition Boulevard 2611-2703 West 8th Street 700-736 Newman Street 2624-2710 Lake Austin Boulevard	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area (as amended)

The following historic zoning applications will be heard by the Planning Commission March 9, 1976, and are scheduled for City Council hearing April 1, 1976.

DRISKILL HOTEL Highland Resources, owner C14h-74-018	117 East 7th Street	From "C-2" Commercial 4th Height and Area To "C-2-H" Commercial-Historic 4th Height and Area
EUGENE BREMOND HOUSE Flora Robinson King, owner C14h-74-032	404 West 7th Street	From "O" Office 2nd Height and Area To "O-H" Office-Historic 2nd Height and Area
SHEEKS-ROBERTSON HOUSE John B. Robertson, owner C14h-76-001	610 West Lynn Street	From "B" Residence 1st Height and Area To "B-H" Residence-Historic 1st Height and Area
SMITH-MARCUSE-LOWRY HOUSE A. N. Hosny, owner C14h-76-002	3913 Avenue C	From "B" Residence 2nd Height and Area To "B-H" Residence-Historic 2nd Height and Area
SAUTER-MOFFATT HOME Hyde Park Baptist Church, owner C14h-76-003	3904 Avenue F	From "A" Residence 1st Height and Area To "A-H" Residence-Historic 1st Height and Area
MILLETT OPERA HOUSE Austin Independent School District, owner C14h-76-004	112 East 9th Street	From "C" Commercial 2nd Height and Area To "C-H" Commercial-Historic 2nd Height and Area
CROW AND ASSOCIATES, INC. By Roy Bechtol C814-76-001	Loop 360 and Great Hills Drive	To a Planned Unit/Development of 259 detached single-family units, 120 townhouse units with additional proposed commercial and multi-family acreage and common open space called, "GREAT HILLS" #2

## ADJOURNMENT

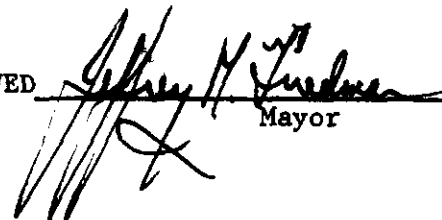
The Council adjourned at 9:25 p.m.

ATTEST:



City Clerk

APPROVED

  
Mayor