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MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 22, 1973
10:00 A.M.

Council Chambers, City Hall

The meeting was called to order with Mayor Roy Butler presiding.

Roll call:

Present: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen
Lebermann, Friedman, Handcox, Mayor Butler
Absent: None

The Invocation was delivered by REVEREND THEODORE McELROY, Hyde Park
Christian Church.

MINUTES APPROVED

Councilman Nichols moved the Council approve the Minutes of the Regular
Meeting of January 18, 1973. The motion, seconded by Councilman Dryden, carried
by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann,
Friedman, Handcox
Noes: None
Not in Council Chambers when Roll was called: Mayor Butler

STREET AND ALLEY VACATION

At 10:00 A.M. the hearing to consider vacating the following streets and
alleys was opened:

East 29th Street, from Robinson Avenue westerly to I.H. 35;
and I.H. 35 Alley, from East 29th to East 30th Street.

A portion of West 37th Street Alley, from Guadalupe to Ronson
Street Alley.

A portion of West 6th Street Alley, from 87.50 feet west of
Harthan Street, westerly 87.50 feet to termination of alley.

Councilman Nichols moved the Council closed the hearings. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann,
Friedman, Handcox

Noes: None

Not in Council Chambers when Roll was called: Mayor Butler,
Councilman Dryden

Mayor Pro Tem Love introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING CERTAIN PORTIONS OF EAST 29TH STREET AND INTERSTATE HIGHWAY NUMBER 35 ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING EASEMENTS IN THE CITY FOR ELECTRICAL UTILITY AND DRAINAGE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann,
Friedman, Handcox

Noes: None

Not in Council Chambers when Roll was called: Mayor Butler,
Councilman Dryden

The Mayor Pro Tem announced that the ordinance had been finally passed.

Mayor Pro Tem Love introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF WEST 37TH STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann,
Friedman, Handcox

Noes: None

Not in Council Chambers when Roll was called: Mayor Butler,
Councilman Dryden

The Mayor Pro Tem announced the Ordinance had been finally passed.

Mayor Pro Tem Love introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF WEST 6TH STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR ELECTRIC UTILITY AND TELEPHONE UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox

Noes: None

Not in Council Chambers when Roll was called: Mayor Butler,
Councilman Dryden

The Mayor Pro Tem announced that the ordinance had been finally passed.

PROCLAMATION

Mayor Butler recognized two guests in the audience, Mr. Jay Johnson and Mr. Joe Pustejovsky, who were to receive the Proclamation designating Saturday, February 24th as WALKATHON DAY sponsored by the Capital Area Chapter March of Dimes Campaign to assist residents with birth defect problems. Sponsors will make donations for each mile walked by some 2,000 persons, with a total goal of \$18,000. All citizens were urged to cooperate in this project.

EASEMENTS RELEASED

Councilman Nichols moved the Council adopt a Resolution authorizing the release of the following easement:

An existing Public Utilities Easement out of Lots 445 and 446, Block C, IMPERIAL VALLEY SECTION II.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann

Noes: None

REQUEST FOR FAA APPROVAL

Mayor Pro Tem Love moved the Council adopt a Resolution authorizing the City Manager to request FAA approval to release 129,313 square feet of land bordering I.H. 35 for sale to the State Highway Department for the sum of

\$457,800.00 and obligating the City to reinsert the total amount of the net proceeds of the release back into the Airport on items in Priorities A through F as established by the Federal Aviation Administration. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols,
Mayor Pro Tem Love, Councilmen Lebermann, Friedman
Noes: None

City Manager Davidson recommended approval, as this is in connection with I.H. 35 right of way required by the State Road Department. Councilman Nichols stated the City is committed to put this money back in the Airport.

UTILITY AND UTILITY JOINT USE AGREEMENT

Councilman Nichols moved the Council adopt a Resolution authorizing the City Manager to enter into a standard utility agreement and a utility joint use agreement with the Texas Highway Department to cover adjustments and relocations of water and waste water utilities in Interstate Highway 35 from 39th Street south to 12th Street (26th Street intersection). The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love,
Councilmen Lebermann, Friedman, Handcox
Noes: None

CONTRACTS AWARDED

Councilman Nichols moved the Council adopt a Resolution awarding the following contract:

BLAND CONSTRUCTION COMPANY (Austin, Texas)	- For installation of 32 blocks of water improvements in the Model Cities Area to prepare for street paving - \$74,416.70. (Capital Improvements Program Project No. 4078 1)
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The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen
Lebermann, Friedman, Handcox, Mayor Butler
Noes: None

Councilman Nichols moved the Council adopt a Resolution awarding the following contract:

TERRY EDWARDS (Austin, Texas)	- For construction of approximately 32 blocks of street improvements in the Model Cities Area - Second Action Year, Contract Number 72-Pb-135 - \$205,102.42. (Capital Improvements Program Project No. 6069 1)
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The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen
Lebermann, Friedman, Handcox, Mayor Butler
Noes: None

Councilman Nichols moved the Council adopt a Resolution awarding the following contract:

E. E. STUESSY COMPANY INC. - Electric Utility Transmission and
(Austin, Texas) Distribution Construction, Alterations
and Line Clearing Work.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen
Lebermann, Friedman, Handcox, Mayor Butler
Noes: None

Councilman Nichols moved the Council adopt a Resolution awarding the following contracts:

Custodial Cleaning Services and Window Washing:

AUSTIN MAINTENANCE SERVICE INC. - Bid Item Nos. 1, 2, 11 and 21 -
(Austin, Texas) \$32,122.00.

T's MAINTENANCE CO. - Bid Item Nos. 12 through 20 and 22 -
(Austin, Texas) \$13,872.00.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen
Lebermann, Friedman, Handcox, Mayor Butler
Noes: None

Councilman Nichols moved the Council adopt a Resolution awarding the following contract:

FOX & HEARN, INC. - For the air conditioning of Pan American
(Austin, Texas) Recreation Center - \$61,650.00. (Capital
Improvements Program Project No. 8630 1)

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love,
Councilmen Lebermann, Friedman, Handcox, Mayor Butler
Noes: None

Councilman Nichols moved the Council adopt a Resolution awarding the following contracts:

Trucks - Vehicle and Equipment Service Department:

INTERNATIONAL HARVESTER CO. - Bid Items 1.1, 2.1 and 4.0 - \$20,255.00.
(Austin, Texas)

LEIF JOHNSON FORD - Bid Item 5.0 - \$24,020.00
(Austin, Texas)

GMC SEARCY CO. - Bid Item 3.1 - \$12,709.46.
(Austin, Texas)

LIGHTBOURN EQUIPMENT COMPANY - Bid Item 1.2 - \$4,427.00.
(San Antonio, Texas)

TRUCK SPECIALTY CO. - Bid Item 2.2 - \$5,652.50.
(Austin, Texas)

COMMERCIAL BODY CORPORATION - Bid Item 3.2 - \$40,679.00.
(Austin, Texas)

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love,
Councilmen Lebermann, Friedman, Handcox, Mayor Butler
Noes: None

Councilman Nichols moved the Council adopt a Resolution awarding the following contracts:

NELSON CONSTRUCTION - For the construction of the Southwest
(Austin, Texas) Fire Station - \$172,688.00. (Capital
Improvements Program Project No. 8302 0)

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love,
Councilmen Lebermann, Friedman, Handcox, Mayor Butler
Noes: None

Councilman Nichols moved the Council adopt a Resolution awarding the following contracts:

NELSON CONSTRUCTION - For construction of Park facilities
(Austin, Texas) Improvements at Rosewood, Civitan and
Comal Parks - \$101,000.00. (Capital
Improvements Program Project Nos.
8628 2, 8629 1 and 8647 0)

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love,
Councilmen Lebermann, Friedman, Handcox, Mayor Butler
Noes: None

ITEM WITHDRAWN

Councilman Nichols moved the Council withdraw the following item at this time:

Bids to be received
February 20, 1973

- For the design and construction of renovation and automation of a portion of the existing irrigation system at Rosewood Park and for a complete new automatic irrigation system at Comal Park.

Mayor Pro Tem Love inquired about this item. City Manager Davidson reported that bids were received and additional studies must be conducted, and evaluation of the Model Cities Budget must be made. He asked that this item be withdrawn.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love,
Councilmen Lebermann, Friedman, Handcox, Mayor Butler
Noes: None

ENGINEERING CONSULTANT

Councilman Nichols moved the Council select KENNETH CUNNINGHAM as Engineering Consultant for the following 1973 Capital Improvements Program Projects for the Public Works Department:

Carver Avenue Culvert Improvement - Carver Avenue @ Buttermilk Creek - Project No. 6534 2.

Providence Avenue Culvert Improvement - Providence Avenue @ Buttermilk Creek - Project No. 6534 1.

Buttermilk Creek Channel Improvement - I.H. 35 North to \pm 300' east of Blessing Avenue - Project No. 7030 0.

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

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann,
Friedman, Handcox, Mayor Butler, Councilman Dryden
Noes: None

ITEM POSTPONED - CONTRACT

The Council had before it the authorization of the City Manager to enter into contracts for the operation of a sewage treatment plant owned by Travis Country Utility District, Inc., and operation of an irrigation system, same owner.

The City Manager pointed out this contract is similar to former agreements for the operation of these plants, except a 25.8% factor had been added for City Administration costs and charges, which had not been used before. Mayor Butler had several questions to be answered. The Council delayed this item until the next week.

SUBSTANDARD STRUCTURES

Councilman Nichols moved the Council accept the recommendations of the Building Standards Commission and instruct the Law Department to take proper legal disposition of the following substandard structures which have not been repaired or demolished within the required time:

5303 Ledesma Street	-	Manuel Rosales
6407 Saxon Drive	-	Frank Alfred Saxon
1137 (E) Mason Street	-	Ollin Moore
5516 Jeff Davis	-	Mervin D. Craig
2802 Crest Street	-	E. E. Naumann
7605 Providence Street	-	Ocie Simms

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

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox,
Mayor Butler, Councilmen Dryden, Nichols
Noes: None

COOPERATION AGREEMENT

Councilman Nichols moved the Council adopt a resolution authorizing a Cooperation Agreement between the City of Austin and the Urban Renewal Agency of the City of Austin for the Neighborhood Development Program for Action Year beginning June 1, 1973, including all Current Projects and adding St. John's Area. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler
Noes: None

CONDEMNATION OF LOTS

Mayor Pro Tem Love moved the Council adopt a Resolution authorizing condemnation of Lots 9 and 10, Block 2, Maguire Subdivision of Outlots 31 and 32, Division "O" (1108-1105 East 1st Street) for Library/Learning Resources Center. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Lebermann
Noes: None

AUDITING FIRM

Councilman Nichols moved the Council select MAIN LEFRENZ & CO. as the auditing firm for the City's 1972-73 fiscal year. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Lebermann
Noes: None

MODEL CITIES PROPOSALS

Councilman Nichols moved the Council adopt a resolution authorizing a contract between the Austin Model Cities Department and the firm of Peat, Marwick, Mitchell, and Company for the annual audit of Model Cities second year projects. Total cost of this contract is \$21,500. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman
Noes: None

Councilman Nichols moved the Council adopt a resolution authorizing a contract between the Austin Model Cities Department and the Department of Public Welfare for Child Development Project #20400 (Second Year) and #30030 (Third Year). Total cost of the project is \$745,106. Model Cities share is \$223,532 and Department of Public Welfare share is \$521,574. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman
Noes: None

MODEL CITIES PROPOSAL DELAYED

Mayor Butler announced that the City Manager had asked that the following item be delayed for one week:

Authorizing contract between the Austin Model Cities Department and the Community Action Agency of the City of Austin for Child Development Project #20400 (Second Year) and #30030 (Third Year), Total cost of the project is

\$775,106. Model Cities share is \$253,532 and Department of Public Welfare share is \$521,574. Roll call was as follows:

Ayes: Councilmen Handcox, Mayor Butler, Councilmen Dryden, Nichols,
Mayor Pro Tem Love, Councilmen Lebermann, Friedman
Noes: None

ZONING ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANY CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
THE EAST 87 FEET OF LOT 9, BLOCK 2, OUTLOT 63-D, ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 609-611 WEST 28TH STREET, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE 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. (ESTATE OF MARY SCHUTZ C14-72-308)

Councilman Nichols moved 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 Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann,
Handcox, Mayor Butler, Councilman Dryden
Noes: None
Not in Council Chamber when Roll was called: Councilman Friedman

The Mayor announced the ordinance had been finally passed.

REFUND CONTRACTS

The Mayor introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH NORWAL, INCORPORATED, AND JESS WEBB AND BILLY C. DAVIS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Norwal Inc. - For water and sewer mains in Quail Creek West, Phase II, Section 9 - \$102,410.11. Jess Webb & Billy C. Davis - For water and sewer mains in Carrell Oaks, Section I - \$32,937.78.)

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

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Dryden, Nichols
Noes: None
Abstain: Mayor Butler
Not in Council Chambers when roll was called: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

POOL HALL ORDINANCE - REPEALED

Mayor Butler introduced the following ordinance:

AN ORDINANCE REPEALING ARTICLE II, SECTIONS 4-3, 4-4, 4-5, 4-6, 4-7, 4-8, AND 4-9 OF CHAPTER 4 OF THE AUSTIN CITY CODE OF 1967, PERTAINING TO LICENSING AND REGULATING POOL HALLS; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved 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 Love, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler

Noes: None

Not in Council Chambers when Roll was called: Councilman Friedman

The Mayor announced that the ordinance had been finally passed.

SOUTHWEST FIRE STATION

The Mayor introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 720810-F TO APPROPRIATE UNAPPROPRIATED FUNDS FOR CERTAIN PURPOSES; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, effective immediately, appropriating \$40,000.00 from unappropriated balance of Fire Station Bond Funds for purpose of increasing appropriation for Southwest Fire Station. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love

Noes: None

The Mayor announced that the ordinance had been finally passed.

PUBLIC HEARING - URBAN RENEWAL PLAN

At the prescribed time, Mayor Pro Tem Love opened the public hearing concerning modifications of the Urban Renewal Plan for the area known as "The Brackenridge Project".

Mr. Leon Lurie, Director of Urban Renewal, presented the case on behalf of Urban Renewal, stating these modifications to the plan regarding alleys which were to be left open, and which originally in the Urban Renewal Plan as previously approved to be closed had been discussed previously.

Mr. Lurie listed those streets and alleys under discussion:

1. Sabine Street which is to remain open between East 11th and East 12th Street.
2. The alley between East 10th and East 11th Street from San Jacinto to Trinity which will remain open.
3. The alley between East 11th and East 12th Street from San Jacinto to Trinity which will remain open.
4. From East 17th Street between San Jacinto to Trinity to remain open.
5. A new L-shaped alley to be dedicated, connecting Trinity and East 11th Street in accordance with those requests of the City.
6. A new L-shaped alley to be dedicated connecting Red River Street and East 11th Street, at the request of the City.
7. Sabine Street north of 12th Street as brought up by Councilman Dryden.

Mr. Lurie stated all of these had been recommended, not included in that original resolution from his Board to the Council was that portion of Sabine Street which Dr. Dryden had brought up. This matter had been through the Planning Commission.

Councilman Dryden stated the Planning Commission recommended that Sabine Street from 12th Street north to remain open. Mr. Lurie stated there were recommendations from the Urban Renewal Agency Board of Commissioners -- that the street be left open at this time as recommended by Councilman Dryden--not abandoning the plan, but to show that it be left open until a final decision is made regarding the hospital the hospital complex.

City Attorney Don Butler discussed a contract pointing out the contract was between the Urban Renewal Agency and Mrs. Davis understood the Council will vote at this time to leave Sabine open until such time as the Brackenridge contract is completed so that there would be access during the building phase, and then close it as per her contract. Mrs. Davis, in discussing the case with the Council previously, had stated all she wanted then was that they not make a decision to leave it open. City Manager Dan Davidson said that it is what is before the Council now--not to close the alley at this time, and leave the plan and options open for the future. He further stated that the City Attorney had pointed out that the vote of the Council does not commit the City to definitely close that street.

After further discussion, Councilman Nichols moved to close the hearing and order the modification of the plan as requested. The motion was seconded by Mayor Pro Tem Love. (Resolution)

It was pointed out by Mr. Lurie, and the City Attorney Don Butler that this Council or any future Council could always change the plan and anything relative to that street must come back before the Council. This was explained to Mrs. Davis and it was stated that at some future point when it is determined what the best interests of the hospital complex are, it will be decided whether to leave the street open permanently or whether it be closed, because of other changes that may occur.

Roll call was unanimous.

PUBLIC HEARING TO CONSIDER AMENDMENTS

Mayor Butler opened the 10:00 A.M. public hearing concerning amendments to the Zoning Ordinance, establishing new fee schedules for zoning cases and subdivision cases, and considering adopting a Resolution establishing a fee for processing applications for Master Plan amendments.

City Manager Davidson reported this item originally had been presented to the Council; and at the same time it was directed to the Planning Commission. Several meetings including one hearing were conducted by the Commission, who recommended amendments to the original proposal. Even with the amendments, the Ordinance now before the Council still accomplishes the original intent and he recommended the passage.

There being no opposition, Mayor Pro Tem Love moved the Council adopt a Resolution establishing fees and costs to be collected in connection with applications for amendments to the Master Plan. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler,
Councilmen Dryden, Nichols, Mayor Pro Tem Love
Noes: None

The Mayor introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTERS 41 AND 45 OF THE CODE OF THE CITY OF AUSTIN, 1967, BY ESTABLISHING FEES TO BE CHARGED FOR THE PROCESSING OF ZONING APPLICATIONS, SPECIAL PERMIT APPLICATIONS AND SUBDIVISION PLATS: SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Love moved that the Council close the hearing and waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler,
Councilmen Dryden, Nichols, Mayor Pro Tem Love
Noes: None

The Mayor announced that the ordinance had been finally passed.

MONTOPOLIS COMMUNITY CENTER

Councilman Nichols stated the Council had received this information-- that the Montopolis Community Center wanted to deed five acres to the City of Austin for a park; and the City has to be in a position to accept the land. Item 2 pertains to the feasible way to handle, as to the City's uses of their buildings, only on a rental basis. City Manager Davidson stated the memorandum he had sent to the Council pointed out that his office and staff recommended the acquisition of this park from the Montopolis Community Center, if there were a possibility of acquiring the building. If this is to be a neighborhood park with a community center, the City should control that also.

Councilman Nichols moved the Council vote that the City Manager proceed with negotiations for acquiring the building, noting there was no guarantee that the City is going to buy it. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Lebermann
Noes: None

Mayor Butler stated this was an evidence of the Council's interest in pursuing the matter.

CENTRAL FREIGHT LINES, INC.

Mr. Phillip Roberts, a partner of Mr. Dan Felts and representing Mr. Felts, asked the Council to reschedule the Central Freight Lines, Inc. zoning case as Mr. Felts and he were to be in the Federal Court when this item comes before the Council. They asked that this be postponed until March 15th. Mayor Pro Tem Love moved the Council grant the request of postponement. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox
Noes: None

CITY CHARTER PROPOSAL

Mr. Steven Fuchs, 19 year old Socialist Workers Party candidate for City Council, Place 5, stated the City Charter provided that he was not qualified to hold a City Council office; and for that reason, the City may rule that his name not appear on the ballot. He asked that the City Council vote to place on the ballot April 7th - a proposal that the City Charter make no restrictions on who may hold office in Austin. It was pointed out that the State Statute provides the age limit is 21 years, and the Charter's provision is 25 years of age.

Councilman Dryden moved the Council not submit a Charter change to voted on by the people at this time to lower the candidates age limit to 18 years. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love,
Noes: None
Abstain: Councilman Friedman, as this was strictly a political question between his opponent and himself.
Not in Council Chambers when Roll was called: Councilman Lebermann

Mr. Fuchs announced that the Socialist Workers Party is to begin a campaign to support his right to be on the ballot.

REQUEST FOR AMENDMENT

Mayor Butler noted the Council received a letter from Mrs. J. L. Telford regarding an amendment to the Zoning Ordinance. As Mrs. Telford was not present, Councilman Dryden moved the Council hold this item in abeyance. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols,
Mayor Pro Tem Love
Noes: None
Abstain: Councilman Friedman
Not in Council Chambers when Roll was called: Councilman Lebermann

SAVE UNIVERSITY NEIGHBORHOOD

Mr. Howard Watt spoke on behalf of Mr. Cary Jones and other representatives on the "Save the University Neighborhood" request. Mr. Watt stated this group was requesting that the Council grant the residents and citizens of the University neighborhood a hearing on matters concerning the proposed capital improvements programs in progress. They specifically are concerned with street construction, traffic flow, changes affecting 24th and 25th Streets, Rio Grande and Nueces; as well as the effects by other street plans under consideration by the Planning and Transportation Departments. Those proposed changes will have a drastic effect on neighborhood living environment. He suggested that a public discussion on the proposed changes in the layout of the streets and traffic flows would fit into the Citizens Goal Program, and would provide input which the City had envisioned under this program. This neighborhood is beautiful, and the residents would like to preserve the nature of this area.

Councilman Friedman stated the "Save the University Neighborhood Committee" was not interested in reviewing a final layout of the proposed plan, but an opportunity to express their opinion as to what they would like to see in their neighborhood before the plans are drawn up. They prefer to give their information to the Traffic and Transportation Director to include in his plans.

Councilman Handcox suggested that the group hold public hearings with Mr. Ternus, and come to some meetings of the minds. Mr. Ternus reported on meetings held, and stated alternatives were being worked out at this time and he welcomed the input from this group.

Councilman Lebermann asked that the Planning Department to be a part of these meetings.

Mr. Watt filed petitions from people all over the community representing Co-ops, Fraternities, and Sororities, to impress upon the Council the strong feelings they have.

Mr. Bill Parrish, representative from the intra-fraternity Council to the organization "SUN" was interested in a hearing before the summer vacation began. Mr. Don Buford emphasized the petitions filed were not student organizations altogether, but a community organization--over 30 businesses in the area.

Mayor Butler noting that no others wished to be heard, brought the discussion to a close.

VOTING DEVICES FOR ELECTION

Mayor Butler reported that the City Manager presented to the Council the proposal of using the voting devices in the coming election.

Councilman Lebermann moved the Council vote to proceed with negotiations with their counterparts at the County Level to develop this plan, as this would be serviceable and usable in the future. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love,
Councilmen Lebermann, Friedman, Handcox

Noes: None

Mayor Butler stated this was a no-charge--even trade situation.

RECREATIONAL PLANNING TASK FORCE

Recommendation for Quail Creek Area

Councilman Nichols understood the Council would receive those reports and put them back on the agenda.

Mr. Carl Turner, member of the Recreational Task Force and acting for that body, stated their task at this point would be to make some recommendations based on some of their meetings and studies.

The First recommendation after hearing representatives from the North Austin Civic Association was recognizing that the residents in Quail Creek sections are not served by neighborhood park land and recreation facilities. Children either must play in the street or travel great distances across major interchanges such as IH 35, Lamar Boulevard, and US 183 in order to participate in activities on City park land. To alleviate these problems and to provide the residents of the Quail Creek section with adequate park land and recreation facilities, the Task Force Committee made the following recommendations.

1. The purchase and immediate development by the City of approximately eight acres of land now occupied by the Settlement Club at Colony Creek Drive and Hunters Trace.

2. The Task Force also proposed that the development of Walnut Creek Metro Park be implemented to include an olympic size swimming pool. Mr. Turner reported these items had been before the Parks and Receptions Board and approved unanimously by that Board.

Park Land Dedication

Mr. Turner, on behalf of the Task Force, recommended that in order to provide the residents of Austin with park land, which is both adequate for recreational facilities and accessible for the neighborhoods, that the City of Austin require subdividers to dedicate park land to the City as a condition of plat approval, the amount of land would vary from 3% of the total area of the subdivision to 12%, depending on topography, size, and special characteristics. If

the subdivision is so small as to make a dedication of land meaningless then a payment in lieu of dedication would be allowed, such payment would be equivalent to a percentage of the value of the subdivision. If that site of development was so that the smaller percent that they are recommending that a payment specifically for the development of park lands that would serve that particular neighborhood.

Mr. Turner stated their intent was to call to the Council's attention the immediate need for acquiring park lands and recreational facilities along with the development at some percentage.

In reply to City Attorney Butler, Mr. Turner stated the donation in lieu of dedication of park land should be in a place that would be served by a particular small settlement, so the residents would receive the benefits -- not just anywhere in the City.

Mayor Pro Tem Love expressed appreciation to the gentlemen appearing on the Task Force's recommendation.

Mrs. Ebaugh stated she would rather see the whole City of Austin taxed a small amount to pay for recreational facilities where the need is the greatest. Mayor Butler told Mrs. Ebaugh her comments were well taken and that the developers and land owners would be well represented in any kind of hearing.

Councilman Lebermann stated this presentation was a concept that is brought to the Council for appropriate study.

COMMENDATION OF COUNCIL.

Reverend Releford complimented and congratulated the Council for its endeavors and on its re-election to the Council. He stated that this Council is doing an excellent job.

ADJOURNMENT

There being no further business, the Council adjourned.

APPROVED: _____ Mayor

ATTEST: _____ City Clerk