

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Special Meeting

June 12, 1980

2:00 P.M.

Council Chambers

301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmembers Cooke, Mayor Pro Tem  
Goodman, Councilmembers Himmelblau, Mullen, Snell,  
Trevino

Absent: None

Mayor McClellan announced that Council will convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated; and after such closed or executive session, any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

ATTEST:

APPROVED

*Conde Lee McClellan*  
Mayor

*Grace Monice*

City Clerk

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF AUSTIN:

Notice is hereby given that a Special Meeting of the City Council of the City of Austin will be held on the 12th day of June, 1980, at 2:00 P.M., Thursday, in the Council Chamber Complex at 301 West Second Street, Austin, Texas, for the following purpose:

Publicly announce that during the meeting the Council will convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated.

ATTEST:

Grace Monroe  
City Clerk

Carole Keeton Waller  
Mayor  
City of Austin, Texas

CONSENT TO MEETING

We, the undersigned members of the City Council, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said City Council shall meet at the time and the place therein named, and for the purpose therein stated.

Betty Hemmelt  
Richard Gooden  
Lee Coke  
Jimmy Smith  
John Trevino, Jr.  
Don Miller

ATTEST:

Grace Monroe  
City Clerk

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 12, 1980  
3:00 P.M.

Council Chambers  
301 West Second Street

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The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem  
Goodman, Councilmembers Himmelblau, Mullen, Snell,  
Trevino

Absent: None

INVOCATION

The Invocation was given by Reverend John W. Shouse, University Baptist Church.

MINUTES APPROVED

Councilmember Cooke moved that the Council approve the Minutes of the Meetings for May 29, 1980 and June 5, 1980. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem  
Goodman, Councilmembers Himmelblau, Mullen, Snell, Trevino  
Noes: None

## RESOLUTION TO JIM MILLER

A Resolution, signed by all Councilmembers, was read by the Mayor and presented to Mr. Jim Miller, Assistant City Manager, who has resigned his position to become City Manager of Victoria, Texas. Mr. Miller thanked the Mayor and Council for the Resolution and expressed his satisfaction with his years in Austin and thanked Mr. Dan Davidson, City Manager, for his expert guidance.

## BARTON CREEK GREENBELT

Councilmember Himmelblau moved that the Council adopt a resolution to authorize acquisition of certain land for the Barton Creek Greenbelt. CAPITAL IMPROVEMENTS PROGRAM No. 75/86-13:

2.666 acres of land out of the Henry P. Hill League. (Bill Milburn)

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

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers  
Himmelblau, Mullen, Snell, Trevino, Mayor McClellan  
Noes: None

## RELEASE OF EASEMENTS

Councilmember Himmelblau moved that the Council adopt a resolution to authorize release of the following easements:

Thirteen (13) ten foot Electric Easements, in the Woods of Westlake. (Requested by the Electric Department)

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

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers  
Himmelblau, Mullen, Snell, Trevino, Mayor McClellan  
Noes: None

## CHANGE ORDER FOR AIRPORT TIE-DOWN

Councilmember Himmelblau moved that the Council adopt a resolution to approve a Change Order in the amount of \$8,227.53 to Olmos Construction Company for Robert Mueller Municipal Airport tie-down apron and stub-out from Taxiway "J" to Taxiway "G". The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers  
Himmelblau, Mullen, Snell, Trevino, Mayor McClellan  
Noes: None

## CONTRACTS APPROVED

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

WAGGONER CONSTRUCTION COMPANY  
1827 Oak Hill Lane  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Construction of Shady Lane  
Bridge at Boggy Creek -  
\$524,622.68 C.I.P. No. 78/62-04

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

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers  
Himmelblau, Mullen, Snell, Trevino, Mayor McClellan

Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

ROCKFORD BUSINESS INTERIORS  
5524 West Bee Cave Road  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Office Furniture, Urban  
Transportation Department for  
Austin Transit System  
Items 1-6 - \$6,601.50  
C.I.P. No. 90/75-09

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

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers  
Himmelblau, Mullen, Snell, Trevino, Mayor McClellan

Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

WESTINGHOUSE ELECTRIC CORPORATION  
201 North St. Mary's Street  
San Antonio, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
13.2 KV Metal Clad Switchgear  
for Lytton Springs Substation,  
Electric Utility Department  
Item 1, 1 ea. - \$92,850.00

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

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers  
Himmelblau, Mullen, Snell, Trevino, Mayor McClellan

Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

J & E DIRT WORK, INC.  
4915 South Congress  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Construction of underground  
Electric distribution facilities  
at Lakewood, Section Two, Phase  
One, Electric Utility Department -  
\$16,510.00 C.I.P. Nos 80/15-01  
and 80/17-01

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

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers  
Himmelblau, Mullen, Snell, Trevino, Mayor McClellan  
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to  
approve the following contract:

U. S. STEEL-CYCLONE FENCE DIVISION  
600 Grant Street  
Pittsburgh, Pennsylvania

- CAPITAL IMPROVEMENTS PROGRAM -  
Construction of chain link fence  
for Steck Avenue Substation -  
\$7,249.00 C.I.P. No. 80/16-02

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

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers  
Himmelblau, Mullen, Snell, Trevino, Mayor McClellan  
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to  
approve the following contract:

PHOTO PROCESSORS, INC.  
909 Congress Avenue  
Austin, Texas

- Film Processing and Printing,  
Public Information Department  
Twelve (12) Month Supply Agreement  
All Items - \$8,358.00

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

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers  
Himmelblau, Mullen, Snell, Trevino, Mayor McClellan  
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to  
approve the following contract:

HOUSTON WIPER AND MILL SUPPLY CO.  
9800 Market Street  
Houston, Texas

- Disposable Cleaning Rags, Central  
Stores Department  
Twelve (12) Month Supply Agreement  
Item 1 - \$33,744.00

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

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan  
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution approving the following contracts:

Bid Award:	- CAPITAL IMPROVEMENTS PROGRAM - Open Plan Office Furniture for Police Headquarters Building & Police Training Center, Police Department, Total award \$601,816.69
HERMAN MILLER, INC. 140 West McKinley Zeeland, Michigan	- Items 1-190, 193, 194 and 196-203 - \$593,023.75
ABEL CONTRACT FURNITURE & EQUIPMENT COMPANY, INC. Austin, Texas	- Item 191 and 195 - \$8,792.94

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

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan  
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

UNDERGROUND UTILITIES COMPANY P. O. Box 1917 Del Valle, Texas	- CAPITAL IMPROVEMENTS PROGRAM - Construction of West Austin Water Transmission Main, Phase 3-C - \$769,876.00 C.I.P. No. 73/22-04
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The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Goodman, Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan  
Noes: None

#### OVERSIZE WATER MAIN

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following Oversize Water Main:

BLANKENSHIP DEVELOPMENTS, INC.	- Construction of approximately 700 feet of an offsite water line extension for Cat Mountain North Subdivision. (No cost to City)
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The motion, seconded by Mayor Pro Tem Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Trevino, Mayor McClellan  
Noes: None

#### PAYMENTS AUTHORIZED

Councilmember Himmelblau moved that the Council adopt a resolution to authorize payment to the following:

H - H JOINT VENTURE	- CAPITAL IMPROVEMENTS PROGRAM - The cost difference for installation of 12"/8" Water Main in H-R Subdivision - \$7,404.10 C.I.P. No. 75/22-07
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Trevino, Mayor McClellan  
Noes: None

Councilmember Himmelblau moved that the Council adopt a resolution to authorize payment to the following:

CREEKSIDE PROPERTIES, INCORPORATED	- CAPITAL IMPROVEMENTS PROGRAM - The cost difference for installation of a 12"/8" water main in Yarrabee Bend Section 4 - \$12,841.37 C.I.P. No. 75/22-07
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Trevino, Mayor McClellan  
Noes: None

#### GRANT FOR COMMUNITY ENERGY CONSERVATION

Councilmember Himmelblau moved that the Council adopt a resolution to authorize submission of a pre-application to U. S. Department of Housing and Urban Development for an Innovative Grant for Community Energy Conservation. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Trevino, Mayor McClellan  
Noes: None



## APPLICATION TO TEXAS HISTORICAL COMMISSION

Councilmember Himmelblau moved that the Council adopt a resolution to authorize submission of an application to the Texas Historical Commission for funding in the amount of \$398,760.00 to acquire the Barton Creek Corrals Historic Site in the Barton Creek Watershed. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Trevino, Mayor McClellan  
Noes: None

## TRANSIT SYSTEM MODIFICATIONS PUBLIC HEARING SET

Councilmember Himmelblau moved that the Council adopt a resolution setting a public hearing for July 17, 1980 at 7:30 p.m. to consider the Section 504 Transition Plan requiring that all transportation systems be made accessible to mobility impaired persons. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Trevino, Mayor McClellan  
Noes: None

## PUBLIC HEARING SET

Councilmember Himmelblau moved that the Council adopt a resolution setting a public hearing on July 17, 1980 at 8:30 p.m. on an appeal by Mrs. Paul Burns of the Building Standards Commission's decision to relocate two residential structures, one to 6210 Breeze Way and one to 6213 Adalee Avenue. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Trevino, Mayor McClellan  
Noes: None

CONSORTIUM OF ALCOHOLISM AGENCIES  
TO BE EXAMINED

Councilmember Himmelblau moved that the Council adopt a resolution to request that HSRT examine the viability of the consortium of alcoholism agencies as an organizational force and consider any modifications necessary to improve its ability to function in that capacity. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Trevino, Mayor McClellan  
Noes: None

PERMITS FOR BRACKENRIDGE HOSPITAL'S  
96TH BIRTHDAY PARTY

Councilmember Himmelblau moved that the Council adopt a resolution to approve permits for Brackenridge Hospital's 96th Birthday Party in Waterloo Park on July 3, 1980. (Permits are for the sale of wine and beer.) The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Trevino, Mayor McClellan  
Noes: None

CAPITAL IMPROVEMENTS PROGRAM

Mayor McClellan introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF ASTOR PLACE AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DEFINED, PERFORMED BY AUSTIN ROAD COMPANY; AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES TO THE CITY IN CONNECTION THEREWITH; DECLARING AN EMERGENCY; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

Councilmember Cooke 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 Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,  
Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the ordinance had been finally passed.

AUDITORIUM AND COLISEUM RENTAL RATES

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

AN ORDINANCE ESTABLISHING A LATE HOURS RENTAL RATE FOR AUDITORIUM - COLISEUM FACILITIES; ESTABLISHING A SEPARATE RENTAL RATE FOR THE NEW ELECTRONIC MARQUEE; AMENDING ORDINANCE NO. 790517-B BY ELIMINATING THE RENTAL FEE FOR USE OF KITCHEN FACILITIES AT THE AUDITORIUM; AND DECLARING AN EFFECTIVE DATE.

The ordinance was read the second time, and Councilmember Cooke moved that it be passed to its third reading. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Mayor McClellan,  
Councilmember Cooke  
Noes: Councilmembers Goodman, Snell, Trevino

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

## ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

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

LOTS 27 AND 28, BLOCK 3, OUTLOT 68, DIVISION 'D', LOCALLY KNOWN AS 2806 NUECES, FROM "B" RESIDENCE, THIRD HEIGHT AND AREA DISTRICT TO "O" OFFICE, 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 PROVIDING AN EFFECTIVE DATE. (Fred C. Young, C14-80-005)

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

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Abstain: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan 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:

THE EAST 4.4 FEET OF THE NORTH 196.2 FEET OF LOT 2 AND THE WEST 55.6 FEET OF LOT 3, BLOCK 11, NORTH LOOP TERRACE, LOT A TAYLOR FLAT, LOCALLY KNOWN AS 1507 NORTH LOOP, FROM "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, 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 PROVIDING AN EFFECTIVE DATE. (Conway Taylor, C14-80-051)

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

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Abstain: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan 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 1.358 ACRE TRACT OF LAND, LOCALLY KNOWN AS REAR OF 6000 (NORTH SIDE) OF RIVERSIDE DRIVE, FROM "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, 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 PROVIDING AN EFFECTIVE DATE. (The Connolly Co., Inc., C14-80-053)

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

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Abstain: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan 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 2.35 ACRE TRACT OF LAND, LOCALLY KNOWN AS 6108-6200 SMITH OAK TRAIL, 6109-6201 SMITH OAK TRAIL, AND 5302-5303 IRIS LANE, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "AA" RESIDENCE, 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 PROVIDING AN EFFECTIVE DATE. (City of Austin Planning Department, C14-80-072)

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

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Abstain: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan 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 316.14 ACRE TRACT OF LAND, LOCALLY KNOWN AS 5506-6600 AND 5507-6601 RAIN CREEK PARKWAY, 6500 AND 6501 PATHFINDER DRIVE, 6500 AND 6501 DELMONICO DRIVE, AND ALL OF THE FOLLOWING STREETS: RISING HILLS DRIVE, RISING HILLS CIRCLE, COSTAS COVE, IVY HILLS DRIVE, GRANT TETON COURT, SOUSALITO DRIVE, PAINTED VALLEY DRIVE, PAINTED VALLEY COVE, BRANNON COVE, FLORAL PARK DRIVE, AMBERLY PLACE, MERCEDES BEND, AND SANS SOUCI PLACE, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "AA" RESIDENCE, 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 PROVIDING AN EFFECTIVE DATE. (City of Austin Planning Department, C14-80-074)

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

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Councilmember Cooke  
Noes: None  
Abstain: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan 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 2.0 ACRE TRACT OF LAND, LOCALLY KNOWN AS 9532-9608 NORTH I.H. 35, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, 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 PROVIDING AN EFFECTIVE DATE. (Tom R. McElhenney, C14-80-058)

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

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,  
Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

LOT 21, LESS THE EAST 13.3 FEET, BLOCK 2, FREDERICKSBURG ROAD ACCESS, SAVE AND EXCEPT THE NORTH 175 FEET WHICH IS TO REMAIN ZONED "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, LOCALLY KNOWN AS 2212 THORNTON ROAD, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, 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 PROVIDING AN EFFECTIVE DATE. (F. C. Jelen, C14-80-054)

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

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,  
Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan 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 5.036 ACRE TRACT OF LAND, LOCALLY KNOWN AS 3414 LYONS ROAD, (THE OLD PLACE OF JAMES SMITH) FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "A-H" RESIDENCE-HISTORIC, 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 PROVIDING AN EFFECTIVE DATE. (The Old Place of James Smith, C14h-80-009)

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

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,  
Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan brought up the following ordinance for its third reading:

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

LOT 7, BLOCK 2, OAKMONT HEIGHTS, LOCALLY KNOWN AS 1912 WEST 35TH STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE. (Iva Belle Fleming, C14-79-231)

The ordinance was read the third time, and Councilmember Cooke moved that the ordinance be finally passed. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Trevino, Mayor McClellan,  
Councilmember Cooke

Noes: Councilmembers Himmelblau, Snell

The Mayor announced that the ordinance had been finally passed.

#### SUMMER YOUTH RECREATION PROGRAM

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1979-1980 BY ACCEPTING AND APPROPRIATING \$16,891.00 FROM THE COMMUNITY SERVICES ADMINISTRATION TO CONDUCT A SUMMER YOUTH RECREATION PROGRAM; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Cooke 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 Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,  
Mayor McClellan, Councilmember Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

#### SPECIAL CALLED MEETING SET

Councilmember Cooke moved that the Council set a Special Called Meeting for July 17, 1980 at 10:30 a.m., C.D.T., to receive bids on and authorize the issuance of bonds as follows:

#### \$45,000,000 CITY OF AUSTIN, TEXAS UTILITY SYSTEM REVENUE BONDS, SERIES 7:

\$21,625,000	Electric System - Fayette	Auth. 1-20-79
3,375,000	Electric System Improvements	Auth. 1-20-79
<u>\$20,000,000</u>	Electric System - Nuclear	Auth. 4-07-79
<u>\$45,000,000</u>		

Ord. No. 800612-M I.5.

Consumer Credit Counseling.



\$13,200,000 CITY OF AUSTIN, TEXAS GENERAL OBLIGATION BONDS, VARIOUS PURPOSE, SERIES 260:

\$ 1,800,000	Parks and Recreation	Auth. 12-06-75
2,415,000	Streets, Bridges and Culverts	Auth. 12-06-75
1,400,000	Parks and Recreation	Auth. 1-20-79
1,200,000	Hospital	Auth. 1-20-79
100,000	Fire Stations	Auth. 1-20-79
2,100,000	Airport	Auth. 1-20-79
3,085,000	Street Improvements	Auth. 1-20-79
200,000	Drainage	Auth. 1-20-79
100,000	Police Building	Auth. 1-20-79
400,000	Traffic Signals	Auth. 1-20-79
200,000	Neighborhood Centers	Auth. 2-23-80
200,000	Railroad Crossing Safety	Auth. 2-23-80
<u>\$13,200,000</u>		

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

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,  
Mayor McClellan, Councilmember Cooke

Noes: None

#### CONSUMER CREDIT COUNSELING

Mayor McClellan introduced the following ordinance:

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

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Councilmembers Cooke, Goodman

Noes: None

The Mayor announced that the ordinance had been finally passed.

Prior to the vote, Councilmember Mullen stated, "My concern is that in 1978 Council adopted a Social Policy and this is a social service and has not gone through that process and I think we may be setting a precedent. I have no problems with the request. But I do have some concern about superceding the Social Policy Advisory Committee and HSRT and I think the County also has some

concern about us doing that. ... What I would like for us to do is instruct them not to come back this way again, that they come back through the proper procedure. If they come back next year, they should go through HSRT and SPAK like everybody else."

Councilmember Himmelblau said, "Those are my concerns, too, because it throws it out of sync with the rest of our grants." J. B. BRANDON, Executive Director of Child and Family Service told Council they came to them on this basis because their solicitation to the Electric Utility Department as one of the creditors in town along with Southwestern Bell, and Southern Union Gas who are also utility creditors. "We really did not come through the social service network because we are soliciting through creditors, and we are coming to the Utility Department as one of the utility creditors in town." Councilmember Mullen still requested that if they want funds next year, they should go through proper channels.

#### LOBBYIST TO REPRESENT THE CITY OF AUSTIN

Mr. Davidson told Council that Mr. Harris, City Attorney, would, if they wished, review in detail his report on Hiring of a Lobbyist to Represent the City of Austin. The Mayor told him they all had the report and a review was not necessary.

#### Motion

Councilmember Himmelblau moved that the Council adopt Option 3 as follows:

- a. At a Council Meeting vote to have the City Manager and the City Attorney interview all or some of the applicants and report back with recommendations.
- b. At a subsequent Council meeting select the lobbyist. Each applicant is to provide a list of their present clients and notify Council if they have any new clients. (This, she said, would prevent conflict of interest.)

The motion was seconded by Councilmember Cooke.

Councilmember Goodman said he favors Options 1, 4 and 2 because he thought they place a greater responsibility on the Council to acquaint themselves with who the lobbyist will be and then actually select the lobbyist without going through a filtering process. Mayor McClellan pointed out "obviously, we want to hire a lobbyist who can not only work with our delegation but work effectively in the Capitol...both of those things will be scrutinized very carefully before we hire someone." Councilmember Mullen said, "That's the reason I don't even think we need one. I think the job the Senate or the House of Representatives took on when they were elected...and Austin is small enough so we do not need a lobbyist...."

Substitute Motion

Councilmember Goodman made a substitute motion to adopt Option 4:

- a. At a Council meeting select a Council committee to interview all or some of the applicants and report back with recommendations.
- b. At a subsequent Council meeting select a lobbyist.

The substitute motion was seconded by Councilmember Trevino.

Councilmember Himmelblau said, "I think this becomes too political then and I'd rather see..." Councilmember Trevino reminded her that everything the Council does is political.

Roll Call on Substitute Motion - Failed

Ayes: Councilmembers Snell, Trevino, Goodman  
Noes: Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen

Roll Call on Original Motion - Failed

Ayes: Mayor McClellan, Councilmembers Cooke, Himmelblau  
Noes: Councilmembers Mullen, Snell, Trevino, Goodman

Motion Made and Withdrawn

Councilmember Trevino moved that the Council adopt Option 2. The motion was seconded by Councilmember Goodman. After some discussion, the motion was withdrawn.

Motion

Councilmember Trevino moved that the Council adopt Option 1:

Schedule selection of the lobbyist on the City Council agenda and select the lobbyist at that meeting. Each applicant is to provide a list of their present clients and notify Council if they have any new clients.

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

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Snell, Trevino  
Noes: Councilmember Mullen

## PARKLAND ACQUISITION SERVICES

Mr. Daron Butler, Assistant City Manager, reported on the Parkland Acquisition Services as follows, referring to the outline which is on file in the City Clerk's office.

"The City Council and City voters have authorized an extensive land acquisition program for park purposes. Successful completion of this agenda requires an innovative approach to land acquisition.

"The recommended approach involves the selection of private sector professional services to identify suitable parcels of land and prepare all the documentation leading to a recommendation to purchase. The attached outline specifies the details of the consultant services.

"The Parks and Recreation and Public Works Departments recommend this approach to shorten the time required for parkland acquisition.

"I suggest that we submit this to the City Council for review and action because it represents a change in existing land acquisition practices."

After a few questions by Council the following motion was made:

Councilmember Goodman moved that the Council approve the instrumentation of the process for parkland acquisition services, with information to be brought before Council as it is acquired. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Trevino, Mayor McClellan

Noes: None

## PUBLIC WORKS PARTICIPATION POLICIES

Mr. John German, Director of Public Works, presented the following report on Public Works Participation Policies.

"You requested additional information regarding the impact of the proposed participation policy for boundary streets and arterials passing through new subdivisions.

"First, let me address the question of why this policy is more advantageous than simply using the assessment paving procedure. There are many limitations with the assessment process. Numerous state laws prevail, several ordinances and hearings must be held, and persons may appeal an assessment for many different reasons. There are limits in how much can be assessed, and the City must prove enhancement. This process also requires the City to finance a project initially with assessments being paid as much as ten years later. Considerable amount of staff time, as well as City Council time is required.

"In using the assessment process, a major discrepancy occurs when a subdivision is developed and lots are designed to side onto the street or even to have the rear of the lot abutting the street. For example, the current assessment rate for undeveloped residential property is \$17.40 per front foot, but the rate for an owner-occupied residential lot is only \$9.55. The City, therefore, loses \$7.85 per front foot if the paving occurs after subdivision development occurs. In addition, side or rear lots are assessed at 50% of \$9.55 or \$4.78 per front foot. In cases where access is denied, there is no assessment. This occurs frequently in the case of rear lots. When the paving occurs prior to development, the assessment is levied against developers or builders, and therefore, passed on to all the home buyers in a subdivision, instead of just those that happen to buy property abutting the streets. For most home buyers, the extra cost is included in their home cost and financed with the house, rather than being an out-of-pocket cost after they move in.

"You asked for examples of where this policy would have benefited the City. The best example is Duval Road in far north Austin. Within the past three years, the residential development in the area has been substantial. In reviewing plats, the Planning Commission initially required that the developer build Duval Road to City standards. However, this was later varied after the developer made a case for the inequity of the requirement for him to pay the entire cost for the street. Since the City had no participation policy and no funds in the CIP (Capital Improvements Program) for the project, the City had no choice but to void the paving requirements. Therefore, the developer did not pay any of the development costs for Duval Road.

"Now the area is almost fully developed. The estimated cost to upgrade the street from a two-lane country road to an urban collector is \$2,107,000. Less than 10% of this cost can be recovered through the after-the-fact assessment process, whereas as much as 50% would have been recovered if the proposed participation policy had been utilized. Now the burden of the assessments will fall on a small group of residents abutting Duval Road and all of the existing taxpayers in Austin.

"Because of the fact that Duval Road is the only convenient street into the area, and connects the area with FM 1325 (Burnet Road) and U.S. 183, it must be improved. It has been given a high priority in the upcoming CIP. There are many other areas where similar problems are occurring. The City is presently almost helpless to resolve this type of problem. Approval of the participation policy and the subsequent funding in the CIP will allow the City and developers to jointly solve the problems mentioned above in a timely, cost effective manner."

Councilmember Goodman moved that the Council adopt a resolution approving the Public Works Participation Policies. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor McClellan,  
Councilmember Cooke

Noes: None

Not in Council Chamber when roll was called: Councilmember Himmelblau

## AUSTIN SKI CLUB LICENSE AGREEMENT

Councilmember Goodman moved that the Council approve the renewal of a License Agreement for the Austin Ski Club to permit the placement of four water slalom courses on Lake Austin. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Councilmembers Cooke, Goodman  
Noes: None

## "INFINITY OF LIFE" SCULPTURE

Council considered the Parks and Recreation Board report on Placement of the "Infinity of Life" sculpture in Republic Square. Councilmember Himmelblau asked about the size of it. She said, "It's 36 feet by 36 feet. That's twice the size of one of our Council offices. It's enormous. Why Republic Square when it is one of the smallest parks we have?"

Mr. Leonard Ehrler, Director of Parks and Recreation, showed slides of the proposed sculpture and reported as follows:

"The Parks and Recreation Board at its regularly scheduled meeting held Tuesday, April 22, 1980, again reviewed the request from the Austin Contemporary Visual Arts Association to place the "Infinity of Life" sculpture in Republic Square in lieu of a fountain. The Board, at its meeting held January 22, 1980, reviewed the request and directed Parks and Recreation Department staff to work with representatives from A.C.V.A.A. to determine whether or not the sculpture could be fitted into the overall development plans for Republic Square and bring a proposal back to the Board for final review.

"In the discussion, Mr. Coffee recommended that the work to be done underneath the sculpture consisting of a brick ring, a sloping concrete slab that can be washed off, and fill material, at a cost of approximately \$21,000 be included in the 1981-1982 Parks and Recreation Department Capital Improvements Program. Austin Contemporary Visual Arts Association will raise funds in the amount of approximately \$20,000 to pay for the construction of the sculpture.

"It was pointed out that the 1981-1982 Capital Improvements Program is not funded and would have to be a part of the next bond package for approval by the Planning Commission, City Council and the voters of Austin. There was discussion concerning the possibility of not using public funds for the project. After further discussion, it was moved by Mr. Bray and seconded by Mr. Coffee, that the Parks and Recreation Board recommend approval of the construction and placement of the "Infinity of Life" sculpture in Republic Square and that funds for the construction of the sculpture be paid for by the Austin Contemporary Visual Arts Association, and should A.C.V.A.A. be able to raise the entire amount of approximately \$42,000 before the normal process of approval of the proposed Parks and Recreation C.I.P. for 1981-1982, which will include funds for the development of Republic Square, that they be allowed to proceed with completion of the project. The motion carried with Mr. Reed voting no."

RON SCHARFE CO.,  
INC.  
C14-80-111

6600-6716 Meadow  
Lake Boulevard  
6601-6611 Meadow Lake  
4715-4913 North Bluff  
Drive  
4901-5107 North Bluff  
Drive

From "GR" General Retail  
1st Height and Area  
To "A" Residence  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Himmelblau moved that the Council grant "A" Residence, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Councilmembers Cooke, Goodman  
Noes: None

The Mayor announced that the change had been granted to "A" Residence, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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WILLIAM J. JOSEPH  
By Arthur Pihlgren  
C14-80-079

708 Blackson Avenue

From "A" Residence  
1st Height and Area  
To "GR" General Retail  
1st Height and Area  
RECOMMENDED by the Planning  
Commission, noting there will  
be an appropriate right-of-way  
dedication.

Councilmember Goodman moved that the Council grant "GR" General Retail, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

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

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JESSE GARZA, JR.  
By Alberto Garcia  
C14-80-081

2600 South 1st Street  
bounded by Herndon Lane

From "A" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area  
RECOMMENDED by the Planning  
Commission, subject to site plan  
restricted to office use and no access  
from Herndon; access from South First  
only.

Councilmember Goodman moved that the Council grant "O" Office, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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JEANETT JOSEPH  
BURKETT, THE JACK  
BURKETT TRUST &  
SPICEWOODS ENTER-  
PRISES, INC.  
By John Joseph  
C14-80-082

3809 Spicewood Springs  
Road

From Interim "A" Residence  
1st Height and Area  
To "A-2" Condominium  
1st Height and Area  
RECOMMENDED by the Planning  
Commission (as amended) by the applicant,  
subject to the restrictions as agreed to  
by the applicant.

Councilmember Goodman moved that the Council grant "A-2" Condominium, 1st Height and Area District, as recommended by the Planning Commission, (as amended) subject to restrictions as agreed to by applicant, as follows:

1. Site plan approval by the Planning Commission
2. Limit height of structures to two-story
3. 25-foot greenbelt on south property line
4. 15-foot greenbelt on west property line
5. A 15-foot building setback line from the greenbelt line.

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

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

The Mayor announced that the change had been granted to "A-2" Condominium, 1st Height and Area District (as amended) subject to restrictions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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June 26, 1980

MIKE SHEIMAN  
C14-80-087

1621 West 6th Street  
bounded by Campbell

From "B" Residence  
2nd Height and Area  
To "O" Office  
2nd Height and Area

RECOMMENDED by the Planning Commission,  
subject to site plan approval by the  
Planning Commission as agreed to by the  
applicant.

Councilmember Goodman moved that the Council grant "O" Office, 2nd Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

The Mayor announced that the change had been granted to "O" Office, 2nd Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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MRS. P. J.  
McDONALD  
By Charles Croslin  
C14-80-090

1613 West 6th Street

From "B" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area

RECOMMENDED by the Planning  
Commission, subject to site plan sub-  
mitted by the applicant and working with  
Urban Transportation for the curb cuts.

Councilmember Goodman moved that the Council grant "O" Office, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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ALLIED DEVELOPMENT  
COMPANY  
By Thomas Cummins  
C14-80-092

6600 South IH 35

From "GR" General Retail  
1st Height and Area  
To "GR" General Retail  
2nd Height and Area

RECOMMENDED by the Planning Commission  
for sign only with 50 foot setback from  
IH 35 right-of-way because of grade  
separation.

Councilmember Goodman moved that the Council grant "GR" General Retail, 2nd Height and Area District, for the sign only, as recommended by the Planning Commission subject to conditions. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail, 2nd Height and Area District, for the sign only, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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JIM RAY, TRUSTEE  
By Darrell Smith  
C14-80-096

526 William Cannon Drive From "GR" General Retail  
1st Height and Area  
To "C-1" Commercial  
1st Height and Area

RECOMMENDED by the Planning Commission,  
the final ordinance not to be passed until  
such time as the shopping center is built.

Councilmember Goodman moved that the Council grant "C-1" Commercial, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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CHASE NATIONAL  
BANK, AUSTIN,  
TEXAS  
By Michael  
Burchardt  
C14-80-099

Corner of Wonsley  
Drive and IH 35

From "C" Commercial  
6th Height and Area  
To "C" Commercial  
2nd Height and Area

RECOMMENDED by the Planning Commission,  
noting that applicant is going to restrict  
the 45 feet in height for the area of the  
sign only.

Councilmember Goodman moved that the Council grant "C" Commercial, 2nd Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

The Mayor announced that the change had been granted to "C" Commercial, 2nd Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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BERMUDA INNS, INC.  
A California Corp.  
& Frederick C.  
Whitman, Trustee  
By William D. Brown  
C14-80-102

1702 Quinlan Road

From Interim "A" Residence  
1st Height and Area  
To "C" Commercial  
1st Height and Area

RECOMMENDED by the Planning Commission,  
on the designated "C" Commercial and  
including the height of the light poles  
and a roll back should use cease to exist.

Councilmember Goodman moved that the Council grant "C" Commercial, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

The Mayor announced that the change had been granted to "C" Commercial, 1st Height and Area District, subject to conditions, and the City Attorney had the following ordinance drawn to cover.

Mayor McClellan 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:

TRACT 1: A 0.89 ACRE TRACT OF LAND; AND,

TRACT 2: A 0.015 ACRE TRACT OF LAND; AND

TRACT 3: A 0.002 ACRE TRACT OF LAND;

ALL OF ABOVE BEING LOCALLY KNOWN AS 1702 QUINLAN ROAD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, 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. (Bermuda Inns, Inc. & Frederick C. Whitman, Trustee, C14-80-102)

Councilmember Goodman 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 Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

The Mayor announced that the ordinance had been finally passed.

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WILLIAM E. NICHOLS  
AND LESLIE J. JONES  
By Sam Perry  
C14-80-012

8321 Lazy Lane

From "O" Office  
1st Height and Area  
To "GR" General Retail  
1st Height and Area

RECOMMENDED by the Planning Commission,  
subject to Planning Commission approval  
of the site plan prior to Council taking  
action on the zoning.

Councilmember Goodman moved that the Council grant "GR" General Retail, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

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

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CHARLES COLLIER  
ELECTRIC, INC.  
By Charles Collier  
C14-79-147

411 East Rundberg Lane

From "A" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area

RECOMMENDED by the Planning Commission subject to Rundberg Lane Study recommendations and to accept the site plan from the applicant and to request it be reviewed by the staff to see that it meets all conditions of the study prior to going before the Council for adoption of the zoning.

Mr. Lillie commented the staff has already reviewed the site plan and found it does meet all conditions.

Councilmember Goodman moved that the Council grant "O" Office, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

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June 26, 1980

VIVIAN MASSEY,  
LILLIE V. SOBECK  
& ALMA GILBERG  
ESTATE  
By John Cosgrove  
C14-79-250

1207-1205 Montopolis  
Drive

From "A" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area  
RECOMMENDED (as amended) by  
the Planning Commission,  
subject to the site plan  
presented.

Councilmember Goodman moved that the Council grant "O" Office, 1st Height and Area District, (as amended) as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District (as amended) subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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GEORGE HUME  
COFER, JR. &  
MINOR ESTY WILSON  
C14-80-085

709 Henderson

From "B" Residence  
2nd Height and Area  
To "O" Office  
2nd Height and Area  
NOT Recommended  
RECOMMENDED by the Planning Commission  
"O" Office, 1st Height and Area as  
amended by the applicant.

Councilmember Goodman moved that the Council grant "O" Office, 1st Height and Area District as amended by the applicant, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers  
Cooke, Goodman, Himmelblau, Mullen  
Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, as amended by the applicant, and the City Attorney had the following ordinance drawn up.

Mayor McClellan 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:

THE NORTH 44 FEET OF THE WEST 88 FEET OF LOT 3, BLOCK F, OUTLOT 2, DIVISION Z, RAYMOND SUBDIVISION, LOCALLY KNOWN AS 709 HENDERSON, FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "O" OFFICE, 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. (George Hume Cofer, Jr. & Minor Esty Wilson, C14-80-085)

Councilmember Goodman 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 Mullen, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mullen  
Noes: None

The Mayor announced that the ordinance had been finally passed as an emergency measure.

LEON A. SCHMIDT  
CHILDREN TRUST  
#1  
By Robert Schmidt,  
Trustee  
C14-80-086

10000 Block of Old and  
New Highway 183

From Interim "AA" Residence  
1st Height and Area  
To "GR" General Retail  
1st Height and Area  
NOT Recommended

RECOMMENDED by the Planning Commission  
"GR" General Retail save and except 120  
feet of "O" Office along Jollyville Road  
and subject to U.S. 183 recommendations  
as recommended by staff.

Councilmember Himmelblau moved that the Council grant "GR" General Retail, 1st Height and Area District, save and except 120 feet of "O" Office, 1st Height and Area District along Jollyville Road, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell  
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, save and except 120 feet of "O" Office, 1st Height and Area District, along Jollyville Road, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

TED WENDLANDT,  
EDWARD WENDLANDT  
By Tom Curtis  
C14-80-091

4606-4806 Teri Road

From Interim "A" Residence  
1st Height and Area  
To "A" Residence and  
"LR" Local Retail  
1st Height and Area  
NOT Recommended

RECOMMENDED by the Planning Commission  
"O" Office, 1st Height and Area on Tract  
1 with the restriction against massage  
parlors. Prior to any development a site  
plan will be submitted for review.  
Tract 2 to be zoned "A" Residence, 1st  
Height and Area.

Councilmember Himmelblau moved that the Council grant "O" Office, 1st Height and Area District on Tract 1, subject to conditions, with Tract 2 to be zoned "A" Residence, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers Cooke,  
Goodman, Himmelblau, Mullen, Snell

Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District on Tract 1, subject to conditions, with Tract 2 to be zoned "A" Residence, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

GEORGE PENDEXTER  
HOUSE  
By Save University  
Neighborhoods  
C14h-80-010

2806 Nueces

From "O" Office  
1st Height and Area  
To "O-H" Office-Historic  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Cooke moved that the Council accept findings of fact a, c, h, i, k, l, and m, and grant "O-H" Office-Historic, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Trevino, Mayor McClellan

Noes: None

The Mayor announced that the change had been granted to "O-H" Office-Historic, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

BRUEGGEMANN HOUSE  
By Timothy Weager  
C14h-80-012

200 East 30th Street

From "B" Residence  
2nd Height and Area  
To "B-H" Residence-Historic  
2nd Height and Area  
RECOMMENDED by the Planning  
Commission

Councilmember Cooke moved that the Council accept the finding of fact a, c, d, e, h, k, l, and m, and grant "B-H" Residence-Historic, 2nd Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Trevino, Mayor McClellan  
Noes: None

The Mayor announced that the change had been granted to "B-H" Residence-Historic, 2nd Height and Area District, as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

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The following two cases which dealt with property on which the Armadillo World Headquarters is presently located, were heard concurrently. The request for a zoning change was granted, but the request for historic zoning was denied.

ESTATE OF M. K.  
HAGE, BY M. K.  
HAGE, JR. & CHRISTINE  
HAGE FIDEL  
By Robert Sneed  
C14-80-063

515-535 South 1st Street  
531 Barton Springs Road

From "C-2" Commercial  
2nd Height and Area  
To "C-2" Commercial  
3rd Height and Area  
RECOMMENDED by the Planning  
Commission to include site plan and  
landscape plan as well as pictures of the  
model.

Councilmember Cooke moved that the Council grant "C-2" Commercial, 3rd Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen,  
Snell  
Noes: Councilmembers Trevino, Goodman

The Mayor announced that the change had been granted to "C-2" Commercial, 3rd Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

ARMADILLO  
By Bill Rallis  
C14h-80-016

525 Barton Springs  
Road

From "C-2" Commercial  
2nd Height and Area  
To "C-2-H" Commercial-Historic  
2nd Height and Area  
NOT Recommended by the  
Planning Commission



Councilmember Himmelblau moved that the Council uphold the recommendation of the Planning Commission and DENY the zoning change. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen, Snell, Trevino

Noes: None

Abstain: Councilmember Goodman

The Mayor announced that the zoning case had been DENIED.

(Hearing follows)

Mr. Lillie, Director of Planning, reviewed both applications by use of slides. He pointed out the Armadillo building was constructed in 1950 and was first used as the Armadillo World Headquarters in 1970.

MR. BILL RALLIS, representing the Armadillo World Headquarters, told Council that it was the birthplace of country rock and has an international reputation. He requested historic zoning.

ROBERT SNEED, representing the Hage family, told Council the family wants the zoning change so the prospective buyer can build a hotel, parking garage and shops on the site. (Hotel is to be part of the Radisson chain.)

BILL BINGHAM explained the model of the proposed hotel which was on display.

SAM PERRY, representing the Hage family, spoke in opposition to "H" Historic zoning because the building has no historic nor architectural significance.

DAVID RICHARDS spoke in opposition to the zoning request for a change in height. He said they do not want tall buildings in South Austin.

A man who did not identify himself said the Neighborhood Council is opposed to a hotel because it will cause more traffic in the area.

CASS HOOK spoke in favor of historic zoning so the music industry will not be infringed upon.

CHARLIE FORD told Council he is a real estate agent who is for quality growth and said a hotel on the site would depreciate the neighborhood. He said the hotel would be of no value to Austinites because they will not stay at the hotel.

DAVID BLOCK, Zilker Posse, opposed the zoning change. He said it would be a threat to Zilker Park.

PHYLLIS BRINKLEY appeared before Council to read a statement from Margaret Gomez, aide to Richard Moya. It said she preferred to keep the neighborhood residential and spoke against the hotel.

MARILYN SIMPSON, Austin Neighborhood Council, opposed the zoning change.

FLETCHER CLARK, resident of South Austin, opposed the zoning change.

BRUCE TRUETT, Austin Federation of Musicians, spoke in favor of historic zoning on the grounds the Armadillo is the shrine of the fertile age of music in America.

A man who did not identify himself spoke in favor of historic zoning.

TROOPER KEETON spoke in favor of historic zoning.

CONNIE MOORE asked Council to deny the zoning change until the Hyatt is built so they can see what the effect of traffic, etc., will be.

JOHN REED and LINDSEY HASLY sang a song favoring Armadillo.

WAYNE GRONQUIST, South River City Citizens, spoke against the change in height request and asked for a commitment to his neighborhood to keep Riverside Drive a minor arterial road.

ARI WRIGHT, Austinites for Urban Transportation, spoke against hotels in the core area.

PHIL CONARD wants all development downtown postponed until the citizens present an overall plan for downtown.

A man who did not identify himself spoke in favor of historic zoning.

JIM KILPATRICK spoke in favor of historic zoning; also KEITH BARGES.

JOE RIDDELL, DOROTHY RICHTER, MIKE SHIELMAN, and PALMER DUDLEY, spoke against the zoning change.

Mayor McClellan asked Chief Loflin of the Austin Fire Department to address fire protection for a high rise building.

Chief Loflin said the fire protection can be addressed in two ways: 1) proper equipment and 2) fire codes adhered to in the building of the structure.

Bill Rallis returned to the podium to sum up his plea for historic zoning. He said this is history now, in the making, and to wait 50 years for recognition of an historic event will be too late.

ROBERT SNEED, representing the Hage family, returned to sum his plea for the zoning change.

Councilmember Cooke pointed out that traffic at the Armadillo is already a problem; there is no problem with the visual corridor if the Radisson is built on the site. He said the bed tax does give revenue to the people of Austin. He said if Council denies the additional height request, then two motel towers can be built. He said the School for the Deaf is working with the developers and there will be more green belt with one structure than with two. Councilmember Cooke cited the fact the laws concerning fire protection are in the book, and there should be no problem.

The motions were then made concerning the zoning requests as recorded at the beginning of this discussion.

#### RECESS

Council recessed its meeting at 12:45 p.m. and resumed its recessed meeting at 2:15 p.m.

#### ZONINGS CONTINUED

The two zoning cases which follow were heard simultaneously as they both concerned the Palm School. One was for a zoning change and the other for historic zoning.

A.I.S.D. and CITY OF AUSTIN C14-80-067	700-720 East 1st Street 101-121 Sabine Street and 100-120 Interstate Highway 35 North	From Undesignated Use To "GR" General Retail 2nd Height and Area RECOMMENDED by the Planning Commission
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Councilmember Mullen moved that the Council grant "GR" General Retail, 2nd Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Trevino,  
Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the change had been granted to "GR" General Retail, 2nd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

PALM SCHOOL By Austin Inde- pendent School District C14h-80-015	700-720 East 1st Street	From Undesignated Use To "GR-H" General Retail- Historic 2nd Height and Area RECOMMENDED by the Planning Commission
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Councilmember Mullen moved that the Council accept the finding of fact a, f, h, i, k, l, and m, and grant "GR-H" General Retail-Historic, 2nd Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Trevino,  
Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the change had been granted to "GR-H" General Retail-Historic, 2nd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance.

(Hearing follows)

Mr. Lillie reviewed the application by stating, "You recall last month the Council had on their Agenda the zoning for the Palm School tract...A.I.S.D. tract on which Palm School is located. And, last month, at the request of Mr. Hernandez and agreed to by Mr. Armbrust the case was postponed until this week to allow the zoning and historic zoning to be considered at the same time. The zoning request was from an unzoned use to General Retail, 2nd Height and Area. At the Planning Commission there were two other agreements by the applicant. One was that any signs that were placed on the property would be limited to 1st Height and Area, and if the structure is not zoned Historic, that a new building would be built 1st Height and Area." He then reviewed the history of the school. He said the zoning was initiated by the prospective purchaser with no opposition on his part or the School District. Historic zoning has been recommended by both the Landmark Commission and the Planning Commission.

BARRY GILLINGWATER, applicant, told Council, "In going through the zoning processes and our entire study of the project, and in working together with the community, we struck an agreement with the East Austin community in putting together an entire program and format and we had a letter agreement which was delivered to all of you this morning. That letter agreement has nothing to do with the zoning. That letter agreement is merely a working relationship between the East Austin community and us as developers." Mayor McClellan asked if he were referencing the June 25, 1980, letter from him to Paul Hernandez. He said he was. Mr. Gillingwater continued, "That has nothing to do with the zoning. What we are here for today is just the zoning and this letter has no regard with the zoning case whatsoever."

Mayor McClellan stated, "We ought to clarify that for the record. If you read the letter, you can certainly draw the conclusion that because it closes with 'we in return will support your effort to re-zone and renovate the Palm School property and we understand the use is compatible to the community's desires.' I just think we ought to very clearly let you know that I certainly wouldn't want this to have anything to do with zoning..."

Councilmember Mullen stated, "As I said this morning when I spoke up against this (when case was read by City Clerk at morning session, Councilmember Mullen requested it be pulled for later discussion) just because Paul Hernandez stands up in front of this Council and wants a two-week delay, and just because he has some supposedly political clout in East Austin, I was very distressed that you or anybody else is going to bow down to him and start making promises for money or anything else. I think if you want to work with the neighborhood group or East Austin, that is commendable and you should do it. There never should be a relationship between getting the zoning and funding an organization under the threat that you are afraid your zoning would be stopped. I don't want this to start in Austin, and I just feel like that is what happened here and I want it very clear for the record that if I vote for this, that you are under absolutely no obligation to do anything for anybody over there except follow the zoning and ordinances that you are supposed to follow for the City."

June 26, 1980

Mr. Gillingwater said, "We accept your challenge 100%. We want the zoning, and want to get it voted on."

Councilmember Mullen stated, "I also want it clear that I talked very straight to Paul Hernandez on this as you stood there and hear me and he now understands also that this in no way is to be condoned by the Council, I don't think. They have to stand on their own. Whatever you do is fine, but do not deliver letters like this to us any more. And I don't want anyone else delivering letters like this that seem to appear Council says 'okay, you get the zoning since you made promises to the neighborhood group to give them some money.'"

The motions were then made concerning the zoning requests as recorded at the beginning of this discussion.

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SUNNY COLLETT,  
WILLIAM C. MOORE  
AND KENNETH R.  
PARMER  
By Martin Gonzalez  
C14-80-078

1701-1707 Koenig Lane  
also bounded by Jeff  
Davis

From "A" Residence and  
"O" Office

1st Height and Area  
To "LR" Local Retail  
1st Height and Area

RECOMMENDED by the Planning  
Commission restricted to the office or  
specialized uses of the proposed tenant  
and site plan and 10 feet of right-of-way.

Mr. Lillie reviewed the application by use of slides. He told Council there is a valid petition against the "LR" Local Retail zoning.

MR. MARTIN GONZALEZ told Council there are four small houses which they want to rehabilitate for offices. All proposals are for non-professional office use.

Councilmember Himmelblau said a use pattern has already been developed, and she felt the street is too narrow for business.

BOB SPENCER, who lives right behind the property in question, said he likes the zoning the way it is and does not want "LR" Local Retail zoning.

#### Motion

Councilmember Himmelblau moved that the Council deny "LR" Local Retail, but grant "O" Office, 1st Height and Area District, including 15 feet to 17 feet of right-of-way. The motion was seconded by Councilmember Cooke.

#### Substitute Motion - Failed

Councilmember Moved that the Council uphold the Planning Commission. The motion, seconded by Councilmember Snell, failed to carry by the following vote, because there is a valid petition on file, and it would take 6 votes to carry:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan  
Noes: Councilmembers Cooke, Goodman, Himmelblau

Roll Call on Motion

Ayes: Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen,  
Snell, Trevino  
Noes: Councilmember Goodman

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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JEANETT JOSEPH  
BURKETT, THE JACK  
BURKETT TRUST &  
SPICEWOODS ENTER-  
PRISES, INC.  
By John M. Joseph

3811-3903 Spicewood  
Springs Road

From Interim "A" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area

RECOMMENDED by the Planning Commission  
(as amended by the applicant), subject  
to the request of the neighborhood for  
site plan review and approval in accord-  
ance with statement submitted to the  
Commission.

(Statement is as follows:

Development limited to:

1. Single story structures;
2. Provide a site plan showing where buildings will be located; and
3. Entire landscape plan showing exactly what will be put there and by name of plant;
4. To restrict the parking to what the needs are in order to reduce the amount of asphalt;
5. Limit development to professional office use only maintaining normal office hours (8 a.m. to 6 p.m.);
6. No retail sales or retail oriented business;
7. To meet with the neighborhood associations in regard to landscaping and site plan review; and
8. Planning Commission review and approval of site plan.)

Mr. Lillie reviewed the application.

MS. JACQUELINE COCKRELL, who lives in the neighborhood, told Council they had been led to believe the median would be left as a greenbelt. It's removal will create more traffic.

MR. JOHN JOSEPH, applicant, appeared before Council, and said he understands the neighborhood wanting a green belt, but they do not want to buy the land just to maintain a green belt. He referred to the statement to the Planning Commission (see above) which he feels satisfies the majority of residents.

Councilmember Mullen expressed concern as to where people can enter the property. He said as it is, people will have to stop in the middle of the street to turn into a business on a heavily traveled road. He said he wants a turn-off included in the site plan, which will be a traffic holding lane.

Councilmember Mullen moved that the Council grant "O" Office, 1st Height and Area District, as amended, as recommended by the Planning Commission, subject to conditions (statement above included). The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,  
Mayor McClellan, Councilmember Cooke

Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, as amended, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

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EXXON, USA  
By James H.  
Ferguson  
C14-80-095

3701 North Hills Drive  
also bounded by Hart  
Lane

From "LR" Local Retail  
1st Height and Area  
To "GR" General Retail  
1st Height and Area

RECOMMENDED by the Planning Commission, noting that the applicant and agent have agreed to meet with the City Attorney to arrive at language to restrict the use to prevent the sale of "GR" General Retail items.

Councilmember Cooke moved that the Council grant "GR" General Retail, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Councilmembers Cooke, Goodman

Noes: None

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

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#### Zoning Cases Withdrawn

RAY THOMAS REALTY  
COMPANY  
By John Meinrath  
C14-80-088

4700-4708 Switch Willo  
11901-12005 Misty Brook  
Drive  
12004-12109 Hispania  
Court  
12101-12103 Black Angus  
Drive

From Interim "AA" Residence  
1st Height and Area  
To "A" Residence  
1st Height and Area  
NOT Recommended  
RECOMMENDED permanent "AA"  
1st Height and Area.

MR. JOHN MEINRATH, representing his client, asked for withdrawal because the Planning Commission could not reach any consensus to develop the property consistent with the zoning applied for. He requested they have an opportunity to go back and re-plan the 40 lots involved and study the feasibility of coming back to the Planning Commission and Council with another zoning plan.

Motion

Councilmember Goodman moved that the Council approve withdrawal. The motion was seconded by Councilmember Snell.

Councilmember Himmelblau asked if this had come before them before. Mr. Lillie said this was a different tract.

Motion and Second Withdrawn

Councilmember Goodman withdrew his motion and Councilmember Snell withdrew his second so they could hear those interested in speaking to the case.

LARRY DEUSER, President, Angus Valley Area Neighborhood Association, said there was no indecision on the part of the Planning Commission as to what the appropriate zoning should be. He urged Council to establish permanent "AA" Residence.

Councilmember Cooke asked if the plan would be under "AA" or "A". Mr. Meinrath said it would be a combination. Mayor McClellan pointed out she could not remember when Council has not allowed an applicant to withdraw if he requests same. Councilmember Cooke said he thinks "AA" Residence is the logical zoning for the subdivision and appears to be similar to zoning Council has done previously.

Motion - Failed

Councilmember Cooke moved that the Council uphold the Planning Commission and grant "AA" Residence, 1st Height and Area District. The motion, seconded by Councilmember Himmelblau, failed to carry by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Goodman  
Noes: Councilmember Trevino, Mayor McClellan, Councilmembers  
Mullen, Snell

Motion

Councilmember Goodman moved that the Council allow withdrawal of the zoning case. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Trevino, Mayor McClellan, Councilmembers  
Mullen, Snell  
Noes: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the zoning case had been WITHDRAWN.

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KATHRYN GURLEY  
By Jeryl Hart  
C14-80-107

4509-4611 Bull Creek  
Road

From Interim "AA" Residence  
1st Height and Area  
To "LR" Local Retail  
1st Height and Area  
NOT Recommended  
RECOMMENDED by the Planning  
Commission "A" Residence, 1st  
Height and Area

Councilmember Goodman moved that the Council allow WITHDRAWAL of the zoning case. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers  
Cooke, Goodman, Himmelblau, Mullen  
Noes: None

The Mayor announced that the zoning case had been WITHDRAWN.

#### Zonings Denied

LYNDON B. CRIDER  
& WYATT E. EWALD  
C14-80-080

6807 Chelsea Moor  
6805 Chelsea Moor  
6903 Chelsea Moor  
6901 Chelsea Moor  
11602 Chelsea Moor Cove  
11600 Chelsea Moor Cove  
11601 Chelsea Moor Cove  
11603 Chelsea Moor Cove

From Interim "AA" Residence  
1st Height and Area  
To "A" Residence  
1st Height and Area  
RECOMMENDED by the Planning  
Commission

Mr. Lillie reviewed the application by use of slides. The applicant was not present in the Council Chamber.

DAN WOODSLINGER appeared before Council and filed a petition. (CLERK DID NOT RECEIVE) He showed slides of the area and asked Council to deny the zoning request.

RUTH SHEFFIELD appeared before Council and stated this is a one-family area and requested denial of the zoning request.

Councilmember Cooke moved that the zoning be DENIED. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers  
Cooke, Goodman, Himmelblau, Mullen  
Noes: None

The Mayor announced that the zoning case had been DENIED.

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MOSES AND BERNICE  
FLENOY  
By George V.  
Guerry, Jr.  
C14-80-098

1100 Atkinson Street  
6903 Bethune Street

From "A" Residence  
1st Height and Area  
To "BB" Residence  
1st Height and Area  
NOT Recommended by the  
Planning Commission

Councilmember Mullen moved that the zoning case be DENIED. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau,  
Mullen, Snell, Trevino

Noes: None

The Mayor announced that the zoning case had been DENIED.

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PALM-KERBEY  
BUILDING  
By City of Austin  
C14h-80-007

820-824 Congress Avenue

From "C-2" Commercial  
4th Height and Area  
To "C-2-H" Commercial-Historic  
4th Height and Area  
NOT Recommended by the  
Planning Commission

Councilmember Cooke moved that the Council uphold the recommendation of the Planning Commission and DENY the zoning change. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Councilmember Cooke

Noes: None

Abstain: Mayor Pro Tem Goodman

The Mayor announced that the zoning change had been DENIED.

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Council heard the following two cases simultaneously:

DUPRE BUILDING  
By Phil Conard  
C14h-80-013

816 Congress Avenue

From "C-2" Commercial  
4th Height and Area  
To "C-2-H" Commercial-Historic  
4th Height and Area  
NOT Recommended by the  
Planning Commission

KRESS BUILDING  
By City of Austin  
C14h-80-014

810 Congress Avenue

From "C-2" Commercial  
4th Height and Area  
To "C-2-H" Commercial-Historic  
4th Height and Area  
NOT Recommended by the  
Planning Commission

Mr. Lillie reviewed the application by use of slides.

MR. PHIL CONARD read a statement favoring historic zoning.

BETTY PHILIPS appeared and spoke in favor of historic zoning.

CARRIE MCGRAW passed out sketches of her version of what the buildings are like under their facade. She spoke in favor of historic zoning for the buildings.

MARILYN SIMPSON, Austin Neighborhood Council, expressed her concern with piecemeal zoning in downtown Austin and said Council should consider a historical district before voting on individual buildings.

JOHN WATSON, representing BWC Associates, showed slides. He pointed out the buildings are not that significant historically and that the City will receive more tax money from a new building than they do from the old ones.

R. G. MILLER, half owner of the Dupre Building (and the Palm-Kerby Building), told Council that these are not the type of buildings that can be restored or needs to be restored because of their lack of historical significance.

FRANCES DANFORTH stated the Dupre Building is neither beautiful or historic and asked the Council to deny historic zoning.

PHIL CONARD summed up his presentation by saying zoning should be postponed until guidelines are developed for downtown Austin.

#### Motion

Councilmember Mullen moved that the Council uphold the recommendation of the Planning Commission and deny the change to "H" Historic zoning for the Dupre Building. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: Mayor Pro Tem Goodman

The Mayor announced that the zoning change had been DENIED.

#### Motion

Councilmember Mullen moved that the Council uphold the recommendation of the Planning Commission and deny the change to "H" Historic zoning for the Kress Building. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: Mayor Pro Tem Goodman

The Mayor announced that the zoning change had been DENIED.

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Zoning Case Postponed

T. F. WALKER,  
ET UX AND  
RICHARD WALKER  
By Jay Prasifks  
C14-80-076

1725 West 6th Street  
1722 West 5th Street  
1723 West 6th Street  
1724 West 5th Street

From "A" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area  
RECOMMENDED by the Planning

Commission subject to the site plan submitted and to recommend to the Council based on the study done in this area it supports zoning more intensive than residential on the south side of 6th Street.

Mr. Lillie reviewed the application by use of slides.

CHARLES MARSH, representing the purchaser, discussed the two site plans which have been submitted and said the applicant would like to demolish the back building on the property. More information was asked for by Council and Mr. Lillie said this case could be brought back July 3, 1980.

RICK PATRICK, Patterson Area Neighborhood Association, said the applicant should have been more aware of site plan and said they will come back on July 3rd.

JOSEPHINE McCUTCHEON appeared before Council to state her request for "O" Office across the street from this site was turned down.

DR. LEGGETT spoke in favor of the zoning change.

Councilmember Himmelblau moved that the Council POSTPONE the zoning change until 9:30 a.m. on July 3, 1980. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers  
Himmelblau, Mullen, Snell

Noes: Councilmember Goodman

Not in Council Chamber when roll was called: Councilmember Cooke

The Mayor announced that the zoning case had been POSTPONED.

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Zoning Case Sent Back to Planning Commission

CLARENCE & VERA  
WILLIAMS  
By Mildred Sneed  
C14-80-100

3211 Jack Cooke, also  
bounded by Northeast  
Drive to the north and  
Manor Road to the east

From "A" Residence  
1st Height and Area  
To "O" Office  
1st Height and Area  
NOT Recommended by the Planning  
Commission

Councilmember Snell informed Council that the applicant has requested the zoning case be sent back to the Planning Commission for review.

Councilmember Snell moved that the Council send the zoning case back to the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor McClellan, Councilmember Himmelblau

Noes: None

Not in Council Chamber when roll was called: Councilmembers Trevino, Cooke, Goodman

The Mayor announced that the zoning case had been sent back to the Planning Commission.

#### PENDING ZONING APPLICATIONS

Council acted upon the following Pending Zoning Applications as follows:

AP 803, LTD. By Gary Brown C14-79-126	13900-13902 Research Boulevard, also bounded by FM 620	From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area RECOMMENDED Extension by the Planning Commission
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Councilmember Trevino moved that the Council grant EXTENSION of the zoning case. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman

Noes: None

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B. L. McGEE, INCORPORATED By Gary Brown C14-79-127	13584-13600 Research Boulevard	From "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area RECOMMENDED Extension by the Planning Commission
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Councilmember Trevino moved that the Council grant EXTENSION of the zoning case as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman

Noes: None

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MARTIN & SHORT  
PARTNERSHIP AND  
DANIEL J. MARTINKA  
C14-79-149

1500-1618 Dungan Lane  
9501-9517 Dessau Road

From Interim "AA" Residence  
1st Height and Area  
To "O" Office and  
"DL" Light Industrial  
1st Height and Area  
RECOMMENDED Extension by the  
Planning Commission

Councilmember Trevino moved that the Council grant EXTENSION, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Councilmembers Cooke, Goodman  
Noes: None

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AUSTIN INDEPEN-  
DENT SCHOOL  
DISTRICT  
By City of Austin  
C14-79-155

1715-1901 East St. Elmo  
Road

From Interim "A" Residence  
1st Height and Area  
To "D" Industrial  
1st Height and Area  
RECOMMENDED Extension by the  
Planning Commission

Councilmember Trevino moved that the Council grant EXTENSION, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Councilmembers Cooke, Goodman  
Noes: None

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W. D. BROOKS  
By Roy Herber  
C14-79-161

13555 Research Boulevard

From Interim "AA" Residence  
1st Height and Area  
To "C" Commercial  
1st Height and Area  
RECOMMENDED Dismissal by the  
Planning Commission

Councilmember Trevino moved that the Council DISMISS the zoning case, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Councilmembers Cooke, Goodman  
Noes: None

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EARL V. ALLEN AND  
LUCILLE ALLEN  
By Larry Niemann  
C14-79-166

Anderson Mill Road

From Interim "AA" Residence  
1st Height and Area  
To "GR" General Retail  
1st Height and Area  
RECOMMENDED Dismissal by the  
Planning Commission

Councilmember Trevino moved that the Council grant EXTENSION of the zoning case. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Councilmembers Cooke, Goodman  
Noes: None

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BEECAVE WOODS  
DEVELOPMENT  
COMPANY, INC.  
By Terra Firma  
Planning  
C14-79-177

1333-1343 Walsh-  
Tarlton Lane

From "AA" Residence  
1st Height and Area  
To "A" Residence  
1st Height and Area  
RECOMMENDED Dismissal by the  
Planning Commission

Councilmember Trevino moved that the Council grant EXTENSION of the zoning case. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor  
McClellan, Councilmembers Cooke, Goodman  
Noes: None

#### ANNOUNCEMENT

Mayor McClellan announced there are seven people scheduled to speak under Citizens Communications on the Congress Avenue improvements. She suggested they meet with members of the City staff next week and then make their presentations at a Special Called Meeting on Congress Avenue improvements which she asked Council to hold on July 7, 1980 at 5:00 p.m. Mr. C. L. Hrncir, Ms. Sally Wittliff, Mr. Warren Beaman, Mr. Tom W. Shefelman, Mr. Bob Coffee, Mr. Alan McCree and Mr. Chartier Newton agreed with Mayor McClellan's suggestion.

Councilmember Mullen moved that the Council hold a Special Called Meeting on Congress Avenue Improvements on July 7, 1980 at 5:00 p.m. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

## HEARING SET FOR AUSTIN TOMORROW COMPREHENSIVE PLAN

Councilmember Goodman moved that the Council set a public hearing for the presentation of Austin Tomorrow Comprehensive Plan for July 14, 1980 at 7:00 p.m. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Goodman, Himmelblau, Mullen

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

## ITEMS FROM COUNCIL POSTPONED

Due to the length of the Agenda the following Items from Council were postponed:

1. Consider asking the City Manager for an analysis of the possibility of annexing along certain creek corridors in order to obtain management and environment controls. (Councilmember Himmelblau)
2. Discuss the possibility of annexations along U.S. 290 West to Oak Hill and U. S. 183 Northwest. (Councilmembers Himmelblau and Goodman) Postponed to July 3, 1980.
3. Priority consideration of the extension of Loop 360 from U. S. 183 to 1325 North. (Councilmember Cooke) Postponed to July 3, 1980.

At this point MAYOR MCCLELLAN left the Council Chamber for the afternoon.

## PUBLIC HEARING ON CHANGES IN BLACKSHEAR URBAN RENEWAL PLAN

Mayor McClellan opened the public hearing scheduled for 2:30 p.m. on changes in the Blackshear Urban Renewal Plan to extend Gregory Street from Leona Street eastward to Salina Street and allow a forty foot right-of-way rather than a fifty foot right-of-way for Leona Street between Gregory and Rosewood Avenue.

MR. BRUCE BELVIN, Austin Redevelopment Authority's Housing Services Director, addressed Council as follows: "We are asking your consideration of amendments to the Blackshear Urban Renewal Plan which was adopted in 1977. The first is the extension of Gregory Street from Leona to Salina. This request has been made through the Austin Independent School District and as a result of Blackshear now being considered a major school in their student transportation planning, it is felt that continuous access around the elementary school is necessary. Therefore, we are requesting the modification of the plan to extend Gregory Street one block from Leona to Salina. There is one residence effected by the plan. The Redevelopment Authority has acquired this property and is presently rehabilitating it. The owner has agreed to relocate to this property



when it is completed. So that will be the only displacement that will occur with the opening or extension of the street.

"The second issue is a modification to the plan which calls for maintaining a 40 foot right-of-way on Leona Street. Leona as it presently stands is a 40 foot right-of-way. The Urban Renewal plan which was adopted in 1977 calls for a 50 foot right-of-way and what we are asking here is that the plan be amended to reflect that Leona is a 40 foot right-of-way and that reflection be shown in the plan." Councilmember Snell asked some questions.

Councilmember Cooke moved that the Council close the public hearing and approve the changes in the Blackshear Urban Renewal Plan to extend Gregory Street from Leona Street eastward to Salina Street and allow a forty-foot right-of-way rather than a fifty-foot right-of-way for Leona Street between Gregory and Rosewood Avenue. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Trevino

Noes: None

Absent: Mayor McClellan

#### FOURTH OF JULY FIREWORKS

Councilmember Cooke moved that the Council approve the request of MR. JIM MEREDITH, Chairman of the 4th of July Fireworks, Austin Jaycees, as follows:

1. Permission to hold July 4th Show on Town Lake.
2. Permission to allow vendor(s) to sell food and refreshments on show site.
3. City donation of necessary liability insurance.

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Snell, Trevino

Noes: None

Absent: Mayor McClellan

Not in Council Chamber when roll was called: Councilmember Mullen

## SPECIAL PERMIT REQUESTED

MS. ELIZABETH GARDNER, Director, Hearts Program for Adults, appeared before Council to discuss the need for a provision and special permit to operate a day care center for elderly or handicapped in residential area.

Councilmember Cooke moved that the Council send the request of Ms. Elizabeth Gardner to the Planning Commission and Legal Department for review. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,  
Cooke

Noes: None

Absent: Mayor McClellan

## MUNICIPAL GOLF COURSE PRACTICE RANGE

MR. ED RAMSEY appeared to discuss the opening of the Municipal Golf Course Practice Range to the use of woods. He said safety would not be a problem. He said the Parks Department has failed to prove its point that it would be a danger to houses and citizens. He reviewed what had occurred previously.

MR. KEMP, Chairman, Golf Association, said they had listened to Mr. Ramsey and some citizens who live in the area. He said all of the members of the Golf Advisory Board agreed the use of woods on the practice range is extremely dangerous and recommend irons only be used.

Mr. Ramsey said that was their opinion. He said there is no documented evidence.

Councilmember Snell moved that the Council instruct the staff to open the 2nd level of the practice range to woods. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Cooke, Goodman

Noes: Councilmember Mullen

Absent: Mayor McClellan

Not in Council Chamber when roll was called: Councilmember Himmelblau

## CITIZEN SPEAKS

MR. BUD FLYNN appeared before Council to discuss a Twin Cities Commission and report on his California trip.

## ANNUAL DOLL SHOW AND SALE

Councilmember Mullen moved that the Council approve the request of MS. ANN LIND, Publicity Chairman, Austin Doll Collectors' Society, to hang a street banner at 38th and Lamar, September 22, 1980 through October 6, 1980 advertising the Annual Doll Show and Sale. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Cooke, Goodman

Noes: None

Absent: Mayor McClellan

Not in Council Chamber when roll was called: Councilmembers Snell, Himmelblau

## KMXX RADIO CELEBRATION

Councilmember Trevino moved that the Council approve the request of MR. MARTIN ROSALES, Manager, KMXX Radio, for permission to sell beer on Auditorium Shores, August 16 and 17, 1980, during the 4th anniversary celebration of the radio station. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Trevino, Cooke, Goodman, Himmelblau, Mullen

Noes: None

Absent: Mayor McClellan

Not in Council Chamber when roll was called: Councilmember Snell

## ITEM FOR NEXT WEEK'S AGENDA

MR. DAVID T. HENRICKS' request for special permission for filing and acceptance of a short form plat, located within the Lake Austin Peninsula, now under moratorium, will be considered July 3, 1980.

## CITIZEN DID NOT APPEAR

Mrs. Ari Wright, representing Austinites for Public Transportation, had requested to discuss zoning change on property located at the intersection of South First Street and Barton Springs Road, on the southeast corner. She did not appear.

## MORATORIUM DISCUSSED

MR. SETH SEARCY, III, discussed the need for a moratorium on subdivisions in those watersheds which cross the Edwards Aquifer recharge zone other than Barton Creek. The City Manager will present a report on this on July 24, 1980.

## PARADE PERMITS

Councilmember Cooke moved that the Council approve the request for the following Parade Permits:

1. MR. R. STEPHEN GOOLD, for Allandale Neighborhood Association, from 9:30 a.m. to 10:30 a.m., Friday, July 4, 1980, beginning at White Rock and Bullard, south to 2222 or Northland. Return back to starting point.
2. MR. SAMUEL GRISWOOD, for Delwood II Neighborhood Association, from 9:00 a.m. to 10:30 a.m., Friday, July 4, 1980, beginning from Bentwood and Elwood to Fernwood, north to Parkwood, north to Fairwood, east to Rowood, north to Bentwood, west to Elwood.
3. MR. JOE E. CHAMBERLAIN, for University Hills Homeowners' Association, from 9:30 a.m. to 10:30 a.m., Friday, July 4, 1980, beginning from Bill Milburn Real Estate Company at Ed Bluestein Boulevard and Langston, south to Loyola, left one half block to Dottie Jordan Park.
4. MR. SCOTT SANDAHL, for Austin Jaycees, from 8:00 a.m. to 9:00 a.m., Saturday, July 12, 1980, beginning from 1800 block of Congress, through Capital grounds to West First, Hike and Bike Trail to Austin High School, West First to Lake Austin Boulevard, near Red Bud Trail, return on Lake Austin Boulevard and West First to softball field across from Austin High School. (Mayor Carole Keeton McClellan and Councilwoman Betty Himmelblau)

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Trevino

Noes: None

Absent: Mayor McClellan

Not in Council Chamber when roll was called: Councilmember Snell

At this point COUNCILMEMBER SNELL left the Council Chamber for the afternoon.

## SALE OF WATER TO ANDERSON MILL

MR. JAMES VOGT appeared before Council to request authorization for the sale of water to Anderson Mill Estates. After some discussion a motion was made and vote taken. The motion did not receive four votes pro or con so no action was taken.

Motion - Failed

Councilmember Mullen moved that the Council approve the sale of water to Anderson Mill Estates. The motion, seconded by Councilmember Goodman, failed to carry by the following vote:

Ayes: Councilmembers Goodman, Mullen, Cooke  
Noes: Councilmembers Himmelblau, Trevino  
Absent: Councilmember Snell, Mayor McClellan

Mr. Vogt asked, if he comes back to Council again, if there is any other information Council would like to see. Councilmember Himmelblau said she would like to see the Municipal Utility District's (MUD) petition for annexation.

## EQUAL EMPLOYMENT ORDINANCE

JOHN DARROUZET, Chairperson, Austin Human Relations Commission, appeared before Council to discuss the amendment to the Equal Employment Ordinance to provide a new definition of "handicapped person" to encompass both physical and mental impairment. He urged Council's adoption of the amendment. He referred to a letter which had been sent by the City Manager's Office. Councilmember Cooke told him, "I have to call to your attention that at a public hearing on this deliberation it was I who asked this be held for one week, and subsequently held for 30 days, and during that 30 days we instructed the City Manager to send out these letters, so it is Councilmember Lee Cooke you need to be directing that at and not the City Manager. That was my instruction and Council concurred with that request." Mr. Davidson said his office should have sent him a copy of the letter...it was an oversight, but he said he should have received one. The letters Mr. Darrouzet referred to were sent to businesses in the area asking their opinion of the amendment to the Equal Employment Ordinance.

Councilmember Cooke explained, "As a businessman in the community, when I heard the public hearing and deliberations and heard no public input from any business people and I know this will impact the business community because I am in the market of trying to employ people and probably have been directly involved in employing over 5,000 Austinites myself... Hearing no public input from business I had to assume one of two things. One, either they weren't fully aware this was going on or they had complete accord with it. In my asking for a one week delay, I approached several businesses to find out if they were even aware of this and most of them were not even aware that the amendment to this particular ordinance was even up. At that time I felt it prudent to make that kind of overture and had I fully understood they might not understand what your Commission was doing, I would have probably asked that the public hearing be continued. And that was the motive behind that and I just want to clarify that for your curiosity."

Mr. Darrouzet said he looked forward to better coordination with the City Manager's department.

#### PARKS AND RECREATION BOARD REPORT

Mr. Ehrler, Director of Parks and Recreation, reported on the Parks Board recommendation to approve request of the Briston Steel and Iron Works, Inc. (Clearwater Constructors) to place eight (8) temporary support structures in Lake Austin and construct a barge slip in the vicinity of Loop 360 Bridge. He said they are to remain in the water nine months--six months in actual usage and the other three months to install and remove. This is pending approval by the Corps of Engineers. He said the Board recommends approval.

Councilmember Mullen moved that the Council approve the request from Briston Steel and Iron Works, Inc. to place eight (8) temporary support structures in Lake Austin and construct a barge slip in the vicinity of Loop 360 Bridge. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Trevino, Cooke  
Noes: None  
Absent: Councilmember Snell, Mayor McClellan

#### AUSTIN HOUSING AUTHORITY REPORT POSTPONED

The Austin Housing Authority Report on the Payment in Lieu of Taxes will be presented at the July 3, 1980 Council meeting.

#### AMENDMENT TO RAINEY STREET MORATORIUM ORDINANCE

Council had before it for consideration an amendment to the Rainey Street Moratorium to allow the issuance of a building permit for an application which had been filed with the Building Inspection Department prior to the effective date of the moratorium.

MR. GENE MEAN, representing Robert Butler Company, contractors and engineers. He was speaking for PAUL FULLER, President of Capital Bearing, located at 93 Red River. Their request was for a waiver of the ordinance in order to allow Mr. Fuller to build an addition to his property for warehouses. He said the property is zoned Commercial, and they have been working on this since January of this year.

There was some question concerning when the proposal went to the City's Board of Adjustment in relation to when the moratorium was passed.

Motion - Failed to Carry

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass an ordinance, amending the Rainey Street Moratorium Ordinance to allow the issuance of a building permit for an application which had been filed with the Building Inspection Department prior to the effective date of the moratorium. The motion, seconded by Councilmember Goodman, failed to carry by the following vote:

Ayes: Councilmembers Mullen, Goodman  
Noes: Councilmembers Trevino, Cooke, Himmelblau  
Absent: Councilmember Snell, Mayor McClellan

The Mayor announced that no action had been taken, because the motion failed to carry.

Mayor Pro Tem Goodman said this can be placed on next week's agenda for action when there is a full Council.

## ADJOURNMENT

Council adjourned its meeting at 5:40 p.m.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk

Councilmember Himmelblau said, "I understand that we have to put in the paving and the stabilizing and base for it and I want to know what those figures are."

BILLY CANTELLI, A.C.V.A.A., appeared before Council and said the paving and base are in the CIP budget for about \$20,000.00. She said A.C.V.A.A. is to raise \$20,000 to place the sculpture, however, if they raise the entire amount of about \$42,000 before the normal process of approval of the CIP for 1981-1982, which will include funds for the development of Republic Square, they will be allowed to proceed with completion of the project.

Councilmember Himmelblau referred to the fountain which had been originally planned for the park and asked about the funds raised specifically for the fountain. Mr. Ehrler told her the Women in Construction had given money but this year asked to have their money refunded. It amounted to \$1,500 and the money was refunded.

Councilmember Mullen moved that the Council approve the placement of the "Infinity of Life" sculpture in Republic Square. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmembers Cooke, Goodman

Noes: None

Abstain: Councilmember Himmelblau

#### PUBLIC HEARING - TOWNHOUSE PROJECT

Mayor McClellan opened the public hearing scheduled for 4:00 p.m. on an appeal of the Planning Commission's decision from Mr. Bill Clendinning, denying an extension for Special Permit File No. C14p-78-009, a 24-unit townhouse project at 3912-4010 Shoal Creek Boulevard.

BILL DAVIDSON, representing the applicant, told Council the best use for the land is townhouses and described the location of the area on Shoal Creek, reminding Council of their decision two years ago to allow the townhouses. Mr. Clendinning had allowed the time of the Special Permit to lapse while making financial arrangements for the project and is now ready to proceed.

Councilmember Himmelblau questioned the site plan and the alteration of the driveway. She said the plan had a different appearance when approved by a split vote two years ago. Mr. Clendinning told her the plan had 26 units previously and had been changed to accommodate 24 units. This had changed the driveway. Mr. Lillie appeared and explained the plan and its relationship to the 100-year floodplain.

BARBARA ANDERSON, 3905 Jefferson, appeared and said she opposes the extension of the Special Permit and presented a petition to Council which had signatures of all but 8% of the property owners effected. She reviewed what had been done by Council two years ago. Petition not filed with City Clerk.



LARRY DOLL, 4010 Ridgelea, also appeared in opposition to the Special Permit extension. He asked for a clear definition of the floodplain line.

KAREN ANDERSON, speaking for the Rosedale Steering Committee Association, said they are against the building of town homes because it will create a traffic hazard.

HELEN HILL, Secretary-Treasurer of the Rosedale Neighborhood Association, said the neighborhood is stable and well developed and wants Shoal Creek to be a minor artery.

MARTHA BOYD JEFFERSON described the flood conditions which presently exist and said she feels if there is more building on the banks of Shoal Creek it would cause an erosion problem. She asked Council to uphold the Planning Commission.

VICTOR BAEZ, architect, said the townhouses would perch above the neighborhood and destroy the use and character of the district. Councilmember Mullen asked if there is any objection to duplexes. Mr. Baez said there is none.

JOHN HRNCIR, 4004 Idlewild, thought the townhouses would remove trees.

SYLVIA HENDRICKS, 3907 Jefferson, asked Council not to extend the Special Permit. Her house floods and she is afraid townhouses would create more floods.

JIM FERGUSON, 3905 Jefferson, read a letter from a neighbor who is opposed to townhouses. It was from VIRGINIA MICHAEL, Ridgelea Drive.

RICHARD POSS, 4105 Jefferson, appeared to oppose the Special Permit.

JACKIE BLOCH, West Austin, supports Ridgelea area residents in opposing the permit extension.

BARBARA BERRY asked those in the Chamber audience who are opposed to townhouses in this location to stand.

BILL DAVIDSON presented closing statements for his client, saying townhouses are separate homes, that the driveway will be moved back to where it was, and there will be no additional run-off into the creek because of the building of townhouses.

Councilmember Mullen asked Mr. Lillie if his department recommends approval of the Special Permit. Mr. Lillie said they do because Council had approved the site plan two years ago and had given him no guidelines to say it should not be granted again.

#### Motion

Councilmember Goodman moved that the Council uphold the Planning Commission's decision denying an extension for Special Permit File No. C14p-78-009 on the following criteria: 1, 3, 4, 5, 6. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers  
Cooke, Goodman, Himmelblau, Mullen  
Noes: None

Mayor McClellan said, "I would like to read for the record the ones that I am particularly speaking to. They are the traffic, the flooding and the noise and glare. ... Mr. Clendinning is a fine person with good intentions and I know would have a quality project, but for the record I want to reiterate my opposition to this and we discussed a great deal before..I'm sure we could have that same academic discussion today and I won't go into it in length, but the townhouses versus the detached dwelling development that could occur there anyway and the various advantages and disadvantages. I think if we can very definitely before we can deny the Special Permit on the merits..I still believe that..and therefore, vote to deny the extension of this permit. I think you are absolutely right, too, Bill, when you speak of the emotion on this particularly because it is a very environmentally sensitive area in the creek area and that in Austin, Texas, is kind of number 1 priority..so I would think that again all of our zoning power we exercise can be exercised only in the furtherance of public health, safety, morals and welfare, and any action inconsistent with those of public interest is invalid; and therefore, since I think approving this and/or extending this would be inconsistent with those public interests, I will stay consistent with my former position and vote, No."

#### CITIZENS COMMUNICATIONS

MS. JANIS SCHULER, Dive Master, Travis County Emergency Unit Rescue Squad (dive team), who had requested approval to make training dive in Town Lake in cooperation with the Austin Fire Department, did not appear.

MS. LYNN GOODMAN-STRAUSS appeared before Council to discuss the granting of a permit to hold a mass gathering and sell beer in a tiny neighborhood park. She read a statement to Council. Councilmember Himmelblau said she had asked several weeks ago for this to be held somewhere else. Councilmember Snell supported Councilmember Himmelblau's suggestion to move the gathering to Auditorium Shores. Councilmember Himmelblau then asked how Parks and Recreation Department became involved with commercial enterprise. Mr. Ehrler told her this event is similar to ones which are held all over the city. Mayor McClellan suggested they check this out for next year.

MS. PAT CRAMER, Outreach Committee Co-Chair, Austin Women Take Back the Night, appeared to request extension of the curfew on Waterloo Park from 10:00 p.m. to 12:30 a.m., Saturday, August 2, 1980. She said the objective of her organization is to once again make the streets safe for women at night.

Councilmember Himmelblau moved that the Council approve the request of Ms. Pat Cramer to extend the curfew on Waterloo Park from 10:00 p.m. to 12:30 a.m., Saturday, August 2, 1980 for Austin Women Take Back the Night. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers Cooke,  
Goodman, Himmelblau, Mullen, Snell  
Noes: None

MS. BARBARA S. AYBAR, Acting Chairperson of A Step Forward, Inc. and Bryant House, requested the use of grassy knoll in front of Zachary Scott Theatre for a plant sale to benefit children. Mr. Ehrler, Director of Parks and Recreation, told Council this may cause a conflict with the Sunday afternoon performance at Zachary Scott Theatre. Mayor McClellan thought the crowd there may help business.

Councilmember Snell moved that the Council approve the request of Mrs. Barbara S. Aybar, Acting Chairperson, A Step Forward, Inc. and Bryant House, to have a plant sale to benefit children who reside in this facility from 10:00 a.m. to 6:00 p.m., June 28, 1980. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell, Trevino  
Noes: None

MR. M. A. LANG appeared before Council to discuss the City Attorney's letter of June 2, 1980. He commented that the suggestion by the Mayor and the City Attorney that he go to the courts with his problem, "indicates to me that we could have very different views about how the courts do or should look upon such matters. It is my opinion the courts want the political process to work. If citizens run to the court every time the City staff makes a boo-boo and refuses to do something about it, the political process is going to atrophy. You won't be needed." He handed a petition to the Mayor and told Council there are 277 businesses representative of those who have been, are being, or are likely to be arbitrarily charged more for their electricity than they should be under the Electric Rate Ordinance as it now stands. Mr. Lang then read an amendment he would like to see for the Electric Rate Ordinance.

#### EXECUTIVE SESSION

Mayor McClellan announced Council will convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated; and after such closed or executive session, any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

#### RECESS

Council recessed its meeting for an Executive Session at 6:10 p.m. and resumed its recessed meeting at 6:50 p.m.

## BOARD AND COMMISSION APPOINTMENTS

Councilmember Goodman moved that the Council make the following appointments to Boards and Commissions:

Private Industry Council:

Mr. Jackie St. Clair  
Thomas D. Love  
Juanita L. Ross  
Helen Smith  
Henry A. Guerrero  
John Reynolds

Building Standards Commission:

William L. Dorman  
R. B. Klug  
Terrence G. Moore, Sr.  
Arthur G. Vasquez  
Lee A. Kirk  
Holly Bell Szilagyi

Terms to expire June 1, 1982

Community Development Commission:

Melvin E. Flowers

Term to expire March 1, 1982

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Councilmember Trevino, Mayor McClellan  
Noes: None

Future Appointments:

Mayor McClellan announced the following appointments are due to be made on June 23, 1980:

Community Development Commission - 4  
On-Going of Goals Assembly Committee  
Historic Landmark Commission - 6  
Manpower Advisory Planning Council - 1  
Medical Assistance Advisory Board - 1  
Parks and Recreation Board - 6  
Planning Commission - 4  
Commission on Status of Women - 9  
Urban Transportation Commission - 1  
Electric Utility Commission - 1  
Vending Commission - 4  
Renewable Energy Resources Commission - 1  
Dental Health Advisory Committee - 4

Mayor McClellan announced there will be a Special Called Meeting on the 23rd to make board and commission appointments and if they are not all made on that date, they will be on June 26th.

## PUBLIC HEARING ON CLARKSVILLE PUBLIC HEALTH CENTER

Mayor McClellan opened the public hearing, scheduled for 6:00 p.m. on an appeal of the Planning Commission's decision from the residents of the Clarksville Core Area, regarding a Special Permit Case No. C14p-80-006, Austin-Travis County Health Department - a clinic called "Clarksville Public Health Center."

Dr. Albert G. Randall, Director of Austin-Travis County Health Department reported as follows:

"For the past 21 months the Health Department has been working with the Clarksville Neighborhood Advisory Committee and other citizens in an effort to obtain a clear indication from their community on the location of the subject facility.

"On March 12, 1979, the Health Department met with the Clarksville Neighborhood Advisory Committee for their recommendations on the location of the Public Health Center. At this meeting the Committee was advised of the two available parcels of land in the Clarksville area that were identified by the Property Management Division. Subsequently, on March 27, 1979, we received a letter from Rev. Willard Sutherland, Chairperson, advising us that the Committee recommended the City-owned parcel of land located at the corner of West 10th and Toyath Street known as Tract No. P-15.

"The departmental comments revealed that there would be difficulty in building on the P-15 parcel. On May 15, 1979, a letter was sent to the current chairperson of the Clarksville Committee, that informed them of these difficulties and a recommendation that an alternative solution to the use of P-15 appeared to be appropriate. After conferring with the Clarksville Committee, the chairperson contacted the Health Department to inform us that they had reviewed the departmental concerns but continued to support the use of P-15 and asked that the Health Department pursue the acquisition of this parcel.

"During May, 1979, the Clarksville Committee made a verbal request asking the Health Department to look into the feasibility of constructing the health center on a vacant lot located at 1705-09 Waterston Street. The Office of Facilities Planning and Construction (OFPC) responded to this request advising that this single parcel (approximately 1/2 acre) would not be large enough for a 3,500 square foot facility with ample parking. The Clarksville Committee was informed of this on June 13th, whereby they verbally responded that since the Waterston option did not appear to be possible, they would continue to support and encourage the use of Parcel P-15.

"In the months of June, July and August, 1979, the Health Department worked with the Planning Department and the Clarksville Committee to resolve an outstanding zoning issue in an effort to comply with the intent of the city code for the construction of Public Health Centers; including the proposed Clarksville facility.

"On January 30, 1980, OFPC and the Health Department were asked by the Clarksville Committee to look into the possibility of relocating the Haskell House (1703 Waterston Street) to the P-15 parcel and combining the Haskell House property with the previously mentioned tract at 1705-09 Waterston Street for the construction of the health center.

"In response to this request, the Parks and Recreation Department was supportive of the committee's proposal to move the Haskell House to P-15 and estimated that this move would cost \$40,000 to accomplish. Property Management then advised the Health Department that the owner of the Waterston Street parcel was asking \$41,000 for his property. Based on these cost estimates for relocating the Haskell House and purchasing the Waterston Street land, the total cost of this CIP project would increase by approximately \$90,000 over the approved \$469,000 in this account.

"Subsequently, on May 6, 1980, the Planning Commission reviewed and approved the Special Permit application to construct the facility on the P-15 parcel. The Historic Landmark Commission reviewed and commented on the site plan on May 19, 1980, and requested that the facility have an exterior appearance that is compatible with the area. The Landmark Commission did not place any restrictions on land use since the health center is proposed to be located in a National Register District.

"The most recent development involves the appeal of the Planning Commission's approval of the Special Permit by a group of area residents. The Health Department has exhausted every effort to resolve the outstanding issues in this case, but to date we have been unsuccessful in our attempts to have the two groups work out a compromise solution."

Councilmember Cooke inquired as to the primary purpose of the facility and Dr. Randall said it is to provide any public health facilities needed for the census tracts effected. There are 37,755 people in an area from Lake Austin to 35th, I.H. 35 and West Austin Boulevard.

ELLIOTT NAISHTAT, Vice-Chairperson, Clarksville Neighborhood Advisory Board, told Council a health clinic is needed and the site already designated is the most appropriate one. It is, however, dedicated park land. He said the City is committed to the clinic through three bond elections.

Councilmember Himmelblau said this clinic cannot be compared to Rosewood-Zaragosa, Model Cities, or South Austin which are full ambulatory care clinics.

Councilmember Cooke asked for a clarification of the property. He asked Mr. Ehrler if it is dedicated park land. Mr. Ehrler said it is not. Councilmember Cooke then asked what the health needs in Clarksville are. Councilmember Himmelblau stated, "I don't think the Health Facilities Commission acted on anything like this. This is not their duty. Their duty, according to Public Law 93641 is to arbitrate a Certificate of Need and it hasn't been asked for."

Councilmember Cooke asked how the clinic will serve the needs of the people of Clarksville. Dr. Randall said they took needs by census tracts and looked at communicable diseases per 1,000 population; the birth rate for 1,000 people; the women of child bearing ages; the preventive types of services the Health Department would be providing for the area in which the center will be located.

PAULINE BROWN appeared before Council. As Chairman of Clarksville Advisory Board, she is for the health center in Clarksville P-15.

KATHY TYLER, 2106 Palma Plaza, has worked in the area for 6 years in social services and is for the health center.

ANN BRASTOFF appeared in favor of a health center in west Austin but opposed the location. She thought a decision should be postponed pending investigation of sites.

MARY OGDEN, who has 6 rent houses in Clarksville, said a 3500 foot building in the area will keep the area a lower class one forever. She thinks the health center would be more appropriate on 1st Street near the Humane Society.

SHERRY BRYAN appeared to oppose the site selected as an irresponsible use of City funds.

AL THOMPSON, 1722 West 11th, told Council the clinic is needed and the land has been vacant for 70 years with nobody saying anything about the use of the land before.

LYNN GOODMAN-STRAUSS appeared and spoke in favor of the clinic.

RUTH ANN BROWN spoke for other teenagers in Clarksville and spoke in favor of the clinic.

DEE DEAN appeared and said there is opposition to the location in Clarksville and asked Council to search for another spot.

DARLA SIMMS told Council she is of child bearing age but she does not want the clinic in the area.

CRAIG BRESSLER asked about the percentage of people in Clarksville that will walk to the site.

An unidentified citizen asked questions about who will use the clinic and said the streets in Clarksville are too narrow.

MIKE SHERROW said the clinic would keep low income people in Clarksville and he is all for that.

PAT RUSSEL, HEW, said the character of the area should be preserved.

GRAIN STEWART said he wished there were an alternative location.

Councilmember Trevino said he has asked staff for a broad search for land.

JOHN BAYLOR, Department of Property Management, appeared before Council, to say he tried to identify other City-owned property near by. P-15 will take additional money but it seems the best place. Councilmember Trevino asked if there is any property north of Enfield. He said none.

Motion

Councilmember Snell moved that the Council authorize the building of the clinic as originally planned in Clarksville, on site P-15. The motion was seconded by Councilmember Goodman.

Councilmember Mullen pointed out that a 25 foot road will lead to the clinic, and in a short time there will be complaints about the crowded road and the fact that the clinic is no longer needed at that site. He thought the decision should be deferred until all possible sites are looked at.

Substitute Motion

Councilmember Mullen made a substitute motion that the Council delay action 45 days to give staff time to find a more acceptable piece of property. The motion was seconded by Councilmember Cooke.

After some discussion on availability of other land, it was decided there was no other land.

Second to Substitute Motion Withdrawn

Councilmember Cooke withdrew his second to the substitute motion.

Mayor McClellan said she feels the people have waited long enough and that residents need a health care clinic they can walk to.

Roll Call on Original Motion

Roll Call on original motion to close the public hearing, build a clinic in P-15 and deny the appeal and grant a Special Permit, showed the motion carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Trevino, Mayor  
McClellan, Councilmember Cooke  
Noes: Councilmember Mullen

ZONING HEARINGS

Council had before it for consideration the following zoning cases. Pursuant to published notice thereof, the following zoning cases were publicly heard:

CARL S. RUNDBERG,  
NOAH PHILLIPS  
C14-79-263

106-300 East Rundberg  
Lane

From Interim "AA" Residence  
1st Height and Area  
To "O" Office and "BB" Residence  
1st Height and Area

NOT RECOMMENDED. RECOMMENDED by the  
Planning Commission "LR" Local Retail, 1st  
Height and Area on the .68 acre tract; "O"  
Office, 1st H&A on the small tract across  
the street with no access to Rundberg  
Lane; "A-2" Condominium zoning on the  
balance.



GEORGE HUMAN, representing the client, said he had met with the neighborhood. They are concerned about the traffic flow. He said there would only be one additional car every 13 minutes. He said there would be a median opening on Rundberg Lane, but there will be no other additional openings on the streets. He asked Council to approve the zoning and have the staff and developer decide what would be the best median opening.

MR. NOAH PHILLIPS who has owned the property for 41 years said he lived there for 32 years. He needs to sell the property because the taxes are high. He feels the townhouses are well planned and will not hurt the neighborhood.

SHAWN DOYLE, representing the North Creek Community Association, appeared to express opposition to the zoning change.

Councilmember Cooke moved that the Council grant "LR" Local Retail, 1st Height and Area District on the .68 acre tract; "O" Office, 1st Height and Area District on the small tract across the street subject to conditions, and "A-2" Condominium zoning on the balance, as recommended by the Planning Commission; and instruct the staff to work with the neighborhood on matters of street and modification of median. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmembers Cooke, Himmelblau  
Noes: Councilmember Goodman

The Mayor announced that the change had been granted to "LR" Local Retail, 1st Height and Area District on the .68 acre tract; "O" Office, 1st Height and Area District on the small tract across the street; and "A-2" Condominium on the balance; subject to conditions; and the City Attorney was instructed to draw the necessary ordinance to cover.

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MR. AND MRS.  
JOHN PRATT  
By Barbara Harris  
C14-80-048

605-607 West Mary Street

From "A" Residence  
1st Height and Area  
To "GR" General Retail, 1st H&A  
NOT Recommended by the  
Planning Commission

MRS. BARBARA HARRIS and her husband, MR. BILL HARRIS, appeared before Council and reiterated what had been said by them on May 29, 1980.

MS. WILLO HARDIN, representing ACORN, spoke in favor of the zoning change.

RON BREITH, Chairman, South Austin Citizens Advisory Board, told Council they are opposed to rezoning of "A" to less restrictive zoning. He requested Council deny until something can be worked out with the neighborhood.

#### Motion

Councilmember Mullen moved that the Council deny "GR" General Retail, and grant "O" Office, 1st Height and Area, as amended. The motion was seconded by Councilmember Himmelblau.

Substitute Motion - Failed

Councilmember Trevino moved that the Council deny "O" Office, 1st Height and Area District. The substitute motion was seconded by Councilmember Snell. The motion failed to carry by the following vote:

Ayes: Councilmembers Trevino, Goodman, Snell

Noes: Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen

Roll Call on Original Motion

Ayes: Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen

Noes: Councilmembers Snell, Trevino, Goodman

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, as amended, and the City Attorney was instructed to draw the necessary ordinance to cover.

## COST DIFFERENCE

In response to Councilmember Himmelblau's question, Mr. Bill Bulloch stated that the related ordinance was set up under the refund contract policy and the resolution for the cost difference was consistent with existing policy.

Councilmember Himmelblau moved that the Council adopt a resolution approving the following item:

MR. VINCE TAYLOR, TRUSTEE

- CAPITAL IMPROVEMENTS PROGRAM - The cost difference for installation of a 12"/8" water main in Kramer Lane Industrial Park  
\$17,862.14 - C.I.P. No. 75/22-07

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell, Trevino

Noes: None

## APPROACH MAIN CONTRACT

In response to Councilmember Himmelblau's question, Mr. Bill Bulloch said that under existing policy by the City would be about one-half of what it would have been under the old refund contract policy which was in effect when the item was finalled and the lines accepted by the City.

Mr. Albert DeLaRosa stated that the City was legally bound to pay the amount called for under the old policy.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN APPROACH MAIN CONTRACT WITH VINCE TAYLOR, TRUSTEE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Kramer Lane Industrial Park, CIP 75/22-07)

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Trevino, Mayor McClellan  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### SUBDIVISION FISCAL ARRANGEMENTS UPHELD

The Council had before it for consideration an appeal from Mr. R. L. Collins of the Planning Commission's decision requiring fiscal arrangements for R. L. Collins Subdivision.

MR. R. L. COLLINS appeared before the Council to request that the letters of credit requirement to cover 100% of the cost for curbs and gutters in his subdivision be waived. He cited portions of the subdivision ordinance which he felt did not apply to his subdivision insofar as requiring curbs and gutters and sidewalks.

Mr. Albert DeLaRosa stated that Mr. Collins was requesting a variance for offsite improvements which the City of Austin had conditioned the approval of his plat on. To grant Mr. Collin's request the Council would have to determine that the following criteria were not met:

1. The need for offsite improvements was generated by the development.
2. The offsite improvements would benefit the proposed subdivision.
3. The offsite improvements were necessary for the proposed development.

If the Council found that the three items were present, then it must uphold the Planning Commission decision.

Mr. German said the ordinance decrees that curb and gutter be placed along the street. Mr. Collins pointed out there are no curbs and gutters for two miles to the north. A discussion followed concerning curbs and gutters. Councilmember Mullen summed up the discussion by stating if a variance is allowed in this instance, how long will it be before the granting of variances gets out of hand.

Councilmember Mullen moved that the Council adopt a resolution to uphold the Planning Commission's decision requiring fiscal arrangements for R. L. Collins Subdivision. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Trevino  
Noes: Mayor McClellan, Councilmember Cooke  
Not in Council Chamber when roll was called: Councilmember Snell

#### INDUSTRIAL DEVELOPMENT CORPORATION

Council had before it a resolution to consider the following items relating to an Austin Industrial Development Corporation:

1. Authorizing the incorporation of an Industrial Development Corporation;
2. Approving the form of the articles of incorporation to be used in organizing the Industrial Development Corporation.

Councilmember Cooke made a motion to this effect. Mayor McClellan said she would prefer the Austin Redevelopment Authority to serve as the Board.

#### Motion

Councilmember Cooke moved that the Council bring back the above resolution as an ordinance, naming the City Council as Board of Directors for the Austin Industrial Development Corporation. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman  
Noes: None

Council requested staff to develop in the by-laws that the Council could at a later time designate others as the Board of Directors and bring back to Council.

#### SEXUALLY ORIENTED COMMERCIAL ESTABLISHMENT ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 OF THE CODE OF THE CITY OF AUSTIN, TEXAS, AMENDING ORDINANCE NO. 800522-N (THE SEXUALLY ORIENTED COMMERCIAL ESTABLISHMENTS ORDINANCE); PROVIDING A ONE THOUSAND (1000) FOOT SPACING LIMITATION FOR SEXUALLY ORIENTED COMMERCIAL ESTABLISHMENTS; ADDING RESIDENTIAL UNITS TO THE LIST OF REGULATED LOCATIONS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmembers Goodman, Himmelblau  
Noes: Councilmember Cooke

Prior to the motion and vote, there was some discussion among the Council concerning the distance.

#### ZONING AND PLANNING COMMISSION STUDY

Councilmember Mullen introduced an item to Council to study the feasibility of:

1. Creating a separate Zoning Commission and Planning Commission and defining parameters of responsibility for each.
2. Requiring a quorum vote for action by any sovereign board or commission.
3. Limiting the number of consecutive terms for members of any board or commission.

Councilmember Mullen asked the City Manager to look at this and at other cities and bring a report back to Council in 45 days. Mr. Davidson said he would do this.

#### NEW APPLICATIONS FOR ZONING CHANGES

The City Manager announced the following applications for zoning changes will be heard by the City Council on July 31, 1980:

DAVID O. JOHNSON C14-80-113	605 East 45th Street	From "A" Residence 1st Height and Area To "B" Residence 1st Height and Area
PROVIDENT DEVELOP- MENT COMPANY By Jean Bringol C14-80-114	One Oak Trail and 4800 block McCarty Lane	From Interim "AA", "AA" and "A" Residence 1st Height and Area To "A-2" Condominium, "O" Office, "LR" Local Retail and "BB" Residence 1st Height and Area
JAMES H. LAUBACH By William Laubach C14-80-116	10102 North Lamar	From Interim "AA" Residence 1st Height and Area To "C" Commercial 2nd Height and Area
T. SCOTT FRANCIS By Robert Francis C14-80-117	1917 Cullen 6913 Hardy	From Interim "A" Residence 1st Height and Area To "B" Residence 1st Height and Area

REVENIR, LTD.  
By John Meinrath  
C14-80-118

300-500 East William  
Cannon Drive

From Interim "A" Residence  
1st Height and Area  
To "GR" General Retail  
1st Height and Area

THOMAS A. AND  
BARBARA S.  
GOODMAN  
By Jan Thurman  
C14-80-119

403 East 33rd

From "A" Residence  
1st Height and Area  
To "BB" Residence  
1st Height and Area

CITY OF AUSTIN  
By Planning  
Department  
C14-80-120

11410-11608 and 11415-  
11609 D. K. Ranch Road  
11500-11610 and 11501-  
11607 Sweetshade Lane  
7204-7418 and 7203-7419  
Fireoak Drive  
11200-11406 and 11201-11409 Deadoak Drive  
7200-7302 and 7201-7305 Carlwood Drive  
7500-7502 and 7501-7503 London Bridge  
11300-11506 and 11301-11505 Pradera Drive  
11400-11508 and 11401-11509 Charred Oak Drive  
11500-11522 and 11501-11523 Antigua Drive

From Interim "AA" Residence  
1st Height and Area  
To "AA" Residence  
1st Height and Area

CITY OF AUSTIN  
By Planning  
Department  
C14-80-121

12001-12115 Dorsett Road  
4402 and 4405 Pamona  
Drive  
12000-12114 and 12001-  
12117 Arrowhead Drive  
also Dorsett Oaks Circle, Limewood Court  
and a portion of West Duval Road

From Interim "AA" Residence  
1st Height and Area  
To "AA" Residence  
1st Height and Area

CITY OF AUSTIN  
By Planning  
Department  
C14-80-122

3906-4148 and 3905-4149  
Stonecroft Drive  
7700-7912 and 7701-7909  
Turquoise Trail  
3900-4010 and 3901-4011  
Gemstone Road  
7700-7902 and 7701-7903 Shale Street  
7900-7906 and 7901-7905 Tiger Eye Cove  
4000-4006 and 4001-4005 Mica Cove  
4000-4006 and 4001-4005 Turquoise Cove

From Interim "AA" Residence  
1st Height and Area  
To "AA" Residential  
1st Height and Area

CITY OF AUSTIN  
By Planning  
Department  
C14-80-123

6604-7412 Pleasant Valley Road  
4602-4810 and 4607-4809 Borage Drive  
4512-5108 and 4513-5107 Quicksilver Boulevard  
7300-7304 and 7301-7305 Meadow Lake Boulevard  
4800-5108 and 4801-5111 Savorey Lane  
4704-4802 and 4707-4803 Saguaro Road  
7400-7404 and 7401-7405 Vinca Circle  
7300-7306 and 7301-7305 Quicksilver Circle  
4900-5228 and 4901-5225 Canella Drive  
7500 and 7501 Teal Trail  
7300-7402 and 7301-7405 Buttonbush Drive

From Interim "AA" Residence  
1st Height and Area  
To "AA" Residence  
1st Height and Area

CITY OF AUSTIN  
By Planning  
Department  
C14-80-124

5010-5102 F.M. 2222  
6400-6600 and 6403-6601 Ladera Norte  
4900-5314 and 4901-5319 Backtrail Drive  
5000-5400 and 5001-5401 Cedro Trail  
6400-6406 and 6401-6409 Cedro Cove  
6400-6408 and 6401-6411 Cerro Cove  
5500-5502 and 5501-5503 Lemonwood Drive  
4904-4906 and 4905-4907 Cat Creek Trail  
5000-5102 and 5001-5103 Lodge View Lane  
6300-6318 and 6301-6317 Gato Path  
and a portion of Far West Boulevard

From Interim "AA" Residence  
1st Height and Area  
To "AA" Residence  
1st Height and Area

CITY OF AUSTIN  
By Planning  
Department  
C14-80-125

11102-11214 and 11103-11215 Barrington Way  
11100-11206 and 11101-11207 Henge Drive  
11100-11216 and 11101-11217 Blackmoor Drive  
11214-11218 and 11211-11221 Windermere Meadows  
7800 and 7801 Bromley Drive  
8544-8568 and 8604-8636 Spicewood Springs Road  
7802-8014 Parliament Place  
8104-8114 and 8103-8119 Greenwich Meridian  
11408-11518 and 11409-11521 Chancellroy Drive  
11500-11524 and 11501-11527 Heathrow Drive

From Interim "AA" Residence  
1st Height and Area  
To "AA" Residence  
1st Height and Area

SCOTT ESTATE, PAT  
CAIN, TRUSTEE  
By Bob Sendgikoski  
C14-80-126

6224 Crow Lane

From Interim "A" Residence  
1st Height and Area  
To "C" Commercial  
1st Height and Area

HAUPT BUILDERS, INC.  
By Richard Jones  
C14-80-127

1705 South Loop 360

From Interim "AA" Residence  
1st Height and Area  
To "GR" General Retail  
1st Height and Area

BOB HOWERTON AND JOE GILBRETH By Doug Lewis C14-80-128	111-145 Sheraton Avenue 4610-4706 Suburban Drive	From Interim "A" Residence 1st Height and Area To "B" Residence 1st Height and Area
GIBRALTAR SAVINGS ASSOCIATION By David Armbrust C14-80-129	5908-6104 Lost Horizon Drive	From "AA" Residence 1st Height and Area To "C-2" Commercial 1st Height and Area
DOROTHY C. HAMBY By Richard Jones C14-80-131	7100 Guadalupe	From "A" Residence 1st Height and Area To "B" Residence 1st Height and Area
TOPLETZ CUSTOM HOMES, INC. By John Meinrath C14-80-132	5921 Balcones Drive	From "O" Office 1st Height and Area To "O" Office 2nd Height and Area
RPC INVESTMENTS, INC. By Wm. Terry Bray C14-80-133	5803-6219 Riverside Drive 2000-2510 Montopolis Road 5100-5500 Oltorf Street	From Interim "A" Residence 1st Height and Area To "D" Industrial 2nd Height and Area and "O" Office 2nd Height and Area
NORTHCROSSING, INC. A. LEON THOMPSON, TRUSTEE C14-80-130	9016-9018 Old U.S. 183 8800-8932 Balcones 8860-8862 Tallwood	From "C" Commercial 1st Height and Area To "C" Commercial 3rd Height and Area
ROSNER BUILDING By Kent Cummins, et al C14h-80-017	504 Congress Avenue	From "C-2" Commercial 4th Height and Area To "C-2-H" Commercial-Historic 4th Height and Area
WHITE-SPRINGFIELD HOUSE By Michael McHone C14h-80-019	2110 Rio Grande	From "B" Residence 2nd Height and Area To "O-H" Office-Historic 2nd Height and Area
CITY OF AUSTIN By Planning Department C14h-80-043	5908-6102 and 6612-6804 Manchaca Road 6200-6212 Buffalo Pass 5604-5902, 5701-5903, 5908-6008 and 6016-6018 Westgate Boulevard 2601-2619 Stassney Lane 3002 Headly Drive 6106 London Drive 5600 and 5601 Cherry Creek Drive	From Interim "A" Residence 1st Height and Area To Appropriate zoning



RICHARD D. SEIDERS, ET AL By Terry Sasser C14-80-050	1600-1646 East 51st	From "BB" Residence and "LR" Local Retail 1st Height and Area To "C" Commercial 1st Height and Area
HUGHES, BOATRIGHT, ADAMS, WILLIAMS, NEELY, LAW, COOPER & CROW & ASSOCIATES By Larry Peel C14-80-055	Neely Drive and Spice- wood Springs Road	From Interim "A" Residence 1st Height and Area To "BB" Residence and "O" Office 1st Height and Area
RICHARD G. HARDIN C14-80-061	2110 Rio Grande 705 West 22nd	From "B" Residence 2nd Height and Area To "O" Office 2nd Height and Area
SUNVIEW DEVELOP- MENT OF TEXAS, INC., TRUSTEE By Everett Owen C14-80-075	6500-6800 South IH 35 1600 North Bluff Drive	From Interim "A" Residence 1st Height and Area To "C" Commercial, "GR" General Retail, "BB" Residence, "O" Office and "A" Residence 1st Height and Area
HEADWAY TEXAS, INC., ROSE HADELER AND WILLIE C. HADELER, TRUST By Robert Davis C14-80-105	7913-8399 Cameron Road 2100-2112 East Anderson Lane	From Interim "AA" and "B" Residence 1st Height and Area To "DL" Light Industrial 1st Height and Area
AUSTIN INDEPENDENT SCHOOL DISTRICT By Jeryl Hart C14-80-106	4202-4306 and 4400-4412 Bull Creek Drive	From Interim "AA" Residence 1st Height and Area To "A" Residence 1st Height and Area
CROW-GOTTESMAN By Sanford Gottesman C14-80-112	12000-14000 Technology Boulevard 12563-12589 U.S. Highway 183	From Interim "AA" Residence 1st Height and Area To "D" Industrial 2nd Height and Area and "GR" General Retail 1st Height and Area
W. D. CHRISNER By Tom Curtis C14-80-066	8400 Delwau Lane	From Interim "AA" Residence 1st Height and Area To "E" Heavy Industrial 1st Height and Area
STONELEDGE By Austin Independ- ent School District C814-80-004	Bull Creek Road (F.M. 2222)	A 126-unit P.U.D. called "STONELEDGE"

June 12, 1980

MRS. FRANK E.  
PEASE  
By Donald Sconci  
C14-80-070

6601-6603 Burnet Lane

From "A" Residence  
1st Height and Area  
To "C" Commercial  
1st Height and Area

## ADJOURNMENT

Council adjourned its meeting at 10:00 P.M.

APPROVED

  
Mayor

ATTEST:

  
City Clerk