

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 11, 1974
1:00 P.M.Electric Auditorium
301 West Avenue

The meeting was called to order with Mayor Butler presiding.

Roll Call:

Present: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann,
Mayor Butler, Mayor Pro Tem Love

Absent: None

The Invocation was delivered by REVEREND LOUIS WOZNIAK, St. Louis Catholic Church.

APPOINTMENTS

Mayor Butler announced that the Council had been in an Executive Session earlier that day and that appointments were discussed and were now before the Council for action.

Citizens' Board of Natural Resources and
Environmental Quality

Councilman Friedman moved that the Council reappoint the following to the Citizens' Board of Natural Resources and Environmental Quality:

Mr. Bert Hooper

Ms. Jean Bringol

and appoint the following to the Board:

Mr. Dick Cory, Chairman
Mr. Tom Sedberry

Mr. Lalo Campos
Mr. Joe Riddell

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

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

Human Relations Commission

Councilman Dryden moved that the Council appoint the following to the Human Relations Commission:

Mrs. Maxine Friedman

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

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

Trolley System Committee

Councilman Binder moved that the Council appoint the following to the Trolley System Committee:

| | |
|------------------------|-------------------|
| Mr. Steve Best | Mr. Billy Koen |
| Mr. Charles Zlatkovich | Ms. Diana Tilley |
| Ms. Sue McBee | Dr. Emma Lou Linn |
| Mr. Jay Johnson | Mr. David Graeber |
| Mr. Charles Morton | Ms. Anna Drayer |

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

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

Parks and Recreation Board

Mayor Pro Tem Love moved that the Council appoint the following to the Parks and Recreation Board:

| | |
|---------------------------|-------------------------------------|
| Mr. Bill Coates, Chairman | Mr. Barrett Garrison |
| Mr. Mark Rose | Mr. Art Navarro |
| Dr. Wiley Jordan | Mrs. Bobby Dickson, Member Emeritus |

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

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

Historic Landmark Commission

Councilman Lebermann noted that there were persons who were functioning as members of the Historic Landmark Commission and had received letters indicating their membership; however, he added that through an oversight, they were never brought before the Council in the form of a final motion. Therefore, Councilman Lebermann moved that the Council appoint the following to the Historic Landmark Commission:

Mr. Philip Creer
Mr. Wayne Bell

Ms. Janie Harrison
Mr. Blake Alexander

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

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

RECOGNITION

The Council adopted a resolution signed by the Mayor and Councilmen commending Mr. Leon Cole for his commendable work in behalf of the City as a member and chairman of the Citizens' Board of Natural Resources and Environmental Quality.

APPROVAL OF MINUTES

Councilman Lebermann moved that the Council approve the Regular Meeting Minutes of June 27, 1974. The motion, seconded by Councilman Handcox, carried by the following vote:

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

PROCEDURE FOR HANDLING ALLEGED POLICE MISCONDUCT

Consideration of a procedure for handling alleged police misconduct was before the Council for action. Mayor Butler noted that on March 7, 1974, he had submitted to the Council a plan for a more formal method whereby the Civil Service Commission would exercise its jurisdiction to fully investigate such cases of alleged police misconduct. He also referred to a letter from St. Julia's Church which had been submitted at the meeting on June 27, 1974, in which the Parish Board, representing about 750 families, requested that the Council put into effect the plan to activate the Commission.

FATHER JOE ZNOTAS, Pastor of St. Julia's Church, indicated that the Parish Board had held various meetings in connection with possible solutions to solving the problem, one of which had been to activate the Commission. He stated that they felt this would be a positive step forward but had some reservations in that they felt a responsible minority would be helpful to give the Commission sufficient balance because the community would have some identification with the minority. He suggested that this be handled as soon as possible.

MS. SUSANA RENTERIA, representing the Brown Berets, appeared and listed organizations who endorsed the Brown Berets' efforts in trying to establish an independent, investigatory body to handle cases of alleged police misconduct. She stated that the groups also rejected totally the idea of the City's using the Civil Service Commission as the investigative body. She further stated that they intended to lobby for State legislation to create a Citizen's Review Board.

In response to Mayor Butler's question, she noted that this decision had been passed the night before in a meeting of the organizations at 7:00 p.m. and that the League of United Latin American Citizens had a representative present at that meeting.

MR. ERNESTO FRAGA, Chairman of the East Austin Committee for Justice, wanted to know to whom the officer would appeal if the Commission found him guilty of misconduct and recommended that the Chief of Police fire him. In response to this, Mayor Butler stated that he would appeal to the Civil Service Commission. Mr. Don Butler, City Attorney, noted that the Commission would act as a fact-finding body because it was the only body in effect that could do this. He added that the Commission would not fire an officer but would determine the facts and turn them over to the appropriate body, and the officer would have ample opportunity to be heard and cross-examined. In response to this, Mr. Fraga felt that this would not provide any new proposal to the citizens in that the Chief of Police would have the final decision. In response to Mr. Butler's question, Mr. Fraga did not have an alternative, but he felt that there needed to be some type of Community Review Board.

MR. PAUL HERNANDEZ, Brown Berets, appeared and requested the following:

1. Establishment of Police-Community Review Board.
2. Immediate removal of Chief Bob Miles and Assistant Chief G. A. Phifer.
3. Assurance that police would not abuse their authority and would develop a plan that would put an end to overpolicing.
4. Office space be given to the East Austin Committee for Justice for its work at the storefront office in East Austin.
5. Police patrol be assigned a particular area to cover by foot and not by cars.
6. Intensive training courses in sensitivity be offered to the policemen by community members.
7. Intoxicated persons be taken home or receive some type of attention or medication instead of being arrested.
8. Medical physical be available at all times to the City jail.
9. Municipal judges be required to be proficient in the Spanish language.
10. Mexican-American be allowed to be counseled by a Spanish-speaking person before signing any papers while under arrest.
11. Federal and state moneys be allocated for more intensive training and sensitivity courses, etc.
12. Immediate removal of Commissioner Taylor Glass because of his alleged racial slurs and attitudes.

13. Police patrol the areas of their own residence where they would be better known by the community.
14. In cases of alleged brutality, the officer(s) involved must submit to a mandatory lie detector test upon the citizen's request and failure to do so would result in the immediate dismissal of the officer(s).

In response to Mr. Hernandez's request for a mandatory polygraph test, Mr. Butler noted that an officer could not be discharged because of failure to take the test.

Motion

After further discussion, Mayor Pro Tem Love moved that the Council approve the procedure as recommended in handling alleged police misconduct as follows:

The Commission will be requested to exercise their lawful powers to investigate cases of alleged police brutality or misconduct under the following procedure:

1. The Chief of Police will institute an immediate investigation of all complaints involving alleged brutality or misconduct of a police officer. A report of each incident will be forwarded to the City Manager. An indication of action taken if the complaint is held to be valid will also be provided.
2. Should a determination of misconduct be found, disciplinary action will be administered by the Police Chief in accordance with Civil Service Law.
3. Should any citizen desire that the Civil Service Commission conduct an investigation of alleged violations of applicable rules and regulations, a request shall be made to the Commission. The Commission shall then take appropriate action, including if necessary, a hearing with testimony under oath, cross-examination and presentation of rebuttal evidence.
4. Evidence received at such hearing shall be made available to appropriate authorities and if such evidence warrants disciplinary action, the Chief of Police shall, in accordance with Civil Service Law, institute proper disciplinary procedures.
5. Should the investigation indicate possible criminal violations, the case will be forwarded to the Travis County Grand Jury.
6. In cases where the complaint involves a human relations problem, the Human Relations Commission will be invited to appoint a sub-committee to observe the Civil Service Commission proceedings.

It was noted that this would be a step forward, and the Council would keep their minds open as changes needed to be made with the understanding that this would not rule out additional or alternate procedures. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

APPEAL OF SPECIAL PERMIT

Mayor Butler opened the public hearing scheduled for 1:00 p.m. on an appeal by Ms. Michele Shaunessy of the decision of the Planning Commission to grant a special permit to Robert G. Hall, applicant for The Castillian, 2317-2323 San Antonio Street, 411-419 West 24th Street, for the purpose of a restaurant with a provision for mixed drinks. (Case No. CP14-74-022.) Because Ms. Shaunessy was not present, Mayor Pro Tem Love moved that the Council uphold the decision of the Planning Commission to grant The Castillian a special permit. The motion, seconded by Councilman Binder, carried by the following vote:

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

ZONING HEARINGS

Mayor Butler announced that the Council would hear the zoning cases scheduled for 1:00 p.m. for public hearing at this time. Pursuant to published notice thereof, the following zoning applications were publicly heard:

150, LTD. and
DOUGLAS DUWE
By Will Garwood
C14-74-061

5901-6011 South Congress From Interim "A" Residence
Avenue 1st Height and Area
101-1111, 500-900 and To "GR" General Retail
1000-1104 Little Texas 3rd Height and Area
Lane Tract 1-A,
5514-5600, 5610-5712 "GR" General Retail
and 5900-6120 South 1st Height and Area
I. H. 35 Tract 1-B,
"A" Residence
1st Height and Area
Tract 1-C,
"LR" Local Retail
3rd Height and Area
Tract 2-A and 2-C
"LR" Local Retail
1st Height and Area
Tract 2-B,
"O" Office
2nd Height and Area
Tract 3-A and 3-B,
"LR" Local Retail
2nd Height and Area
Tract 2-D and 2-E and
"B" Residence
1st Height and Area
Tract 4-A and 4-B

RECOMMENDED by the Planning
Commission

Mayor Pro Tem Love moved that the Council grant "GR" General Retail, 3rd Height and Area (Tract 1-A); "GR" General Retail, 1st Height and Area (Tract 1-B); "A" Residence, 1st Height and Area (Tract 1-C); "LR" Local Retail, 3rd Height and Area (Tract 2-A and 2-C); "LR" Local Retail, 1st Height and Area (Tract 2-B); "O" Office, 2nd Height and Area (Tract 3-A and 3-B); "LR" Local Retail, 2nd Height and Area (Tract 2-D and 2-E); "B" Residence, 1st Height and Area (Tract 4-A and 4-B) as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

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

The Mayor announced that the change had been granted as recommended, and the City Attorney was instructed to draw the necessary ordinance to cover.

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| CONTINENTAL ASSURANCE COMPANY By Lowell Clayton C14-74-065 | 2021 Guadalupe Street 309-311 West 21st Street (within Dobie Center) | From "C" Commercial To "C-1" Commercial RECOMMENDED by the Planning Commission |
|---|---|---|

Councilman Binder, moved that the Council grant "C-1" Commercial District as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

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

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|---|----------------------|--|
| RICHARD R. JENKINS By Owen Reischman C14-74-066 | 4014 Medical Parkway | From "O" Office To "GR" General Retail RECOMMENDED by the Planning Commission |
|---|----------------------|--|

In response to Councilman Friedman's questions, Mr. Dick Lillie, Planning Department Director, did not feel "GR" General Retail would be in conflict with this area and felt that Medical Parkway could handle this zoning in that it was included in the Capital Improvements Program for widening of the street and the installation of sidewalks. Councilman Handcox moved that the Council grant "GR" General Retail District as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

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

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| BARRY S. GILLINGWATER AND ERNESTO LIEBRECHT C14-74-072 | 1002-1004 West Avenue 806-808 West 10th Street | From "B" Residence 1st Height and Area and "B" Residence 2nd Height and Area To "O" Office 2nd Height and Area RECOMMENDED by the Planning Commission |
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In response to Councilman Binder's question, Mr. Lillie stated that they were requesting 2nd Height and Area because their proposal was for a 5 or 6-story building, which would not be allowed in 1st Height and Area District. He also stated that this was scheduled for the Capital Improvements Program. Mayor Pro Tem Love moved that the Council grant "O" Office, 2nd Height and Area

District as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

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

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

P. L. BAKER
By Mike Leet
C14-74-073

Rear of 213-215
Chalmers Avenue

From "B" Residence
To "C" Commercial
RECOMMENDED by the Planning
Commission

Mr. Lillie noted that there had been a petition filed on this; however, it was not valid in that there were only signatures of 15% of the property owners. In response to Councilman Friedman's question, Mr. Lillie indicated that there was no provision for a buffer but that if it was used for parking, the ordinance required that there be a 4-foot fence. He noted that the staff and Planning Commission both recommended this change. Mr. Leet, the applicant, indicated that the building of the fence was already in process. Mayor Pro Tem Love moved that the Council grant "C" Commercial District as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

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

H & J INVESTMENT
COMPANY
C14-74-074

8200 North I. H. 35
also bounded by East
Powell Lane

From Interim "A" Residence
1st Height and Area
To "C" Commercial
2nd Height and Area
RECOMMENDED by the Planning
Commission

Councilman Handcox moved that the Council grant "C" Commercial 2nd Height and Area District as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Binder, Friedman,
Handcox
Noes: None
Not in Council Chamber when roll was called: Councilman Dryden

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

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|-------------------------|-----------------------|-----------------------------|
| JAGGER PROPERTIES, INC. | 5313-5411 Pleasant | From Interim "A" Residence |
| By Jerry Brooks Hale | Valley Road - Tract 1 | 1st Height and Area |
| C14-74-078 | 5212-5218 Nuckols | To "LR" Local Retail |
| | Crossing Road - | 1st Height and Area |
| | Tract 2 | Tracts 1 and 2 and |
| | 4905-5009 Stassney | "BB" Residence |
| | Lane - Tract 3 | 1st Height and Area |
| | | Tract 3 |
| | | RECOMMENDED by the Planning |
| | | Commission |

Councilman Handcox moved that the Council grant "LR" Local Retail, 1st Height and Area District (Tracts 1 and 2) and "BB" Residence, 1st Height and Area District (Tract 3), as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilman Dryden

The Mayor announced that the change had been granted to "LR" Local Retail, 1st Height and Area District (Tracts 1 and 2) and "BB" Residence, 1st Height and Area District (Tract 3), and the City Attorney was instructed to draw the necessary ordinance to cover.

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| HARDIN ASSOCIATES, INC. | Rear of 5555 North | From "C" Commercial |
| By R. Douglas Muir | Lamar Boulevard | To "C-2" Commercial |
| C14-74-080 | | RECOMMENDED by the Planning |
| | | Commission |

Councilman Friedman moved that the Council grant "C-2" Commercial District, as recommended by the Planning Commission. The motion, seconded by Councilman Binder, carried by the following vote:

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

Noes: None

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

REVELL AND COMPANY
By Tom Curtis
C14-74-071

3403 Glenview Avenue

From "A" Residence
To "O" Office
RECOMMENDED by the Planning
Commission subject to one-
half the right-of-way (5')
to increase Glenview Avenue
from 50' to 60'

Mr. Lillie affirmed Councilman Friedman's statement that the staff did recommend this but had indicated that they did not feel zoning to the south of 34th Street was advisable. Councilman Friedman further added that he did not want to set a precedent for the area in that it was a very stable neighborhood. Councilman Lebermann moved that the Council grant "O" Office District as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Friedman, carried by the following vote:

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

The Mayor announced that the change had been granted to "O" Office District as recommended by the Planning Commission, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

J. D. CONNOLLY,
TRUSTEE
C14-74-070

4600-5016 Beacon Drive
also bounded by Spring-
dale Road (Manor Road)

From Interim "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
Tract 1 and
"BB" Residence
1st Height and Area
Tract 2 as amended
RECOMMENDED by the Planning
Commission as amended

Mayor Pro Tem Love moved that the Council grant "O" Office, 1st Height and Area District (Tract 1) and "BB" Residence, 1st Height and Area District, (Tract 2), as amended, as recommended by the Planning Commission. The motion, seconded by Councilman Friedman, carried by the following vote:

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

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District (Tract 1) and "BB" Residence, 1st Height and Area District (Tract 2) as amended, as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

RALPH DANYSH
By Thad E. Son, Jr.
C14-74-077

2906-2910 San Gabriel
Street also bounded by
North Lamar Boulevard

From "A" Residence
1st Height and Area and
"GR" General Retail
5th Height and Area
To "C-2" Commercial
5th Height and Area and
"GR" General Retail
1st Height and Area
(as amended)
RECOMMENDED as amended by the
Planning Commission

Mr. Lillie reviewed this application, stating that the application was to approve "C-2" Commercial District for just the area of the floor space of the building and leaving the remainder of the tract "GR" General Retail District and that the north triangle of the tract was now zoned "A" Residence District and would be zoned "GR" General Retail if approved. He further added that the zoning in this area was "GR" General Retail and "C" Commercial along Lamar with the exception of one "O" Office on the south of 29th Street and that there was no zoning other than "A" Residence on the west side of Lamar. He concluded that the Planning Commission did recommend this subject to just the floor area of the building itself.

Mrs. Bertha Alford, 2901 San Gabriel, asked that no more hazards be placed on this street in that there was already a sanitation problem. She wanted to know where the people would be parking and felt that the only alternative would be the driveways of the property owners. She stated that the neighborhood was most concerned about this but noted that she was speaking for herself.

In response to Councilman Friedman's question, Mr. Lillie stated that the zoning ordinance would require off-street parking be provided within 200 feet if this were approved or the applicant would have to go to the Board of Adjustment. He added that he felt it would be very difficult to provide parking for this and that they would have to remove the building to the south. Mayor Butler noted that the applicant could not get a Certificate of Occupancy until the parking situation was approved.

Ms. Audrey Spry, who indicated that she was leasing the property at 2908 San Gabriel, stated that she wanted to establish a cocktail lounge and that the boat storage was for rent, which she could use for parking. Because she felt that the area was in poor condition, she did not believe she would be hurting the neighborhood.

At this point, Mr. Lillie pointed out that several months ago the zoning ordinance was amended to require a special zoning permit which would have to be filed and approved by the Planning Commission. He further noted that this would include the requirement of one parking space for every two seats in the lounge. Councilman Binder moved that the Council grant "C-2" Commercial, 5th Height and Area District and "GR" General Retail, 1st Height and Area District as amended, as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilman Dryden

The Mayor announced that the change had been granted to "C-2" Commercial 5th Height and Area District and "GR" General Retail 1st Height and Area District, as amended, and the City Attorney was instructed to draw the necessary ordinance to cover.

JOHN BODE, TRUSTEE
By Tom W. Bradfield
C14-74-024

5720 Balcones Drive

From "A" Residence
To "O" Office (as amended)
RECOMMENDED by the Planning
Commission as amended subject
to a restrictive covenant
submitted by the applicant
with an amendment to Section
5 requiring a 20' greenbelt
along the western boundary
and prohibiting the cutting
of any trees within the
greenbelt area; recommended
for deferred zoning and sign
notification (handled with
C14-74-025)

TOM W. BRADFIELD
C14-74-025

5752 Balcones Drive

From "A" Residence
To "O" Office (as amended)
RECOMMENDED by the Planning
Commission as amended subject
to a restrictive covenant
submitted by the applicant
including an amendment to
Section 5 requiring a 20'
greenbelt along the western
boundary and prohibiting the
cutting of any trees within
the greenbelt area; recommend
deferred zoning and sign
notification

Mr. Lillie suggested that these two applications be handled together and noted that there were two valid petitions for both these applications, 21.5% of the property owners signing in opposition to the application at 5720 Balcones and about 40% signing in opposition to 5752 Balcones. He indicated that all the area to the west of these locations was single-family, making the area very stable and stated that the topography was very important in that the hill from Balcones sloped upward to the west. In reviewing these cases, he stated that the Planning Commission voted to recommend "O" Office 1st Height and Area District subject to the covenant submitted by the applicant, which he felt went far beyond what most applicants agreed to with respect to restrictions on the property. In response to Mayor Pro Tem Love's question, Mr. Lillie did not believe this would increase traffic measurably.

Mr. Tom Bradfield, the applicant, reviewed the basic history of these applications, noting that the property had been acquired in November, 1952, with a vast zoning change in the area in August, 1957. He stated that at that time almost all the land owners in the area opposed the zoning change; and he,

therefore, chose to leave the land dormant. He indicated that at this point he needed to do something with the property and that the restrictions had been self-imposed with the notion that he should protect and honor his neighbors' feelings. He also reviewed the increase in the amount of traffic on Balcones. In conclusion, he requested that the Council grant these applications.

Ms. Paula Smith, attorney representing Mr. Gary Underhill, one of the property owners effected by the application at 5720 Balcones, noted that she had been contacted this morning by Mr. Underhill who was calling from California. She stated that Mr. Underhill requested that she speak in his benefit by requesting that the Council postpone any action on Case No. C14-74-024 until the first of September, at which time he would return to Austin. She noted that Mr. Underhill was not aware that this would be considered on this date. There was discussion by the Council with regard to the fact that Mr. Underhill had been surprised. Mr. Lillie indicated that every property owner within 300 feet of the application was notified and that anyone signing a petition was a property owner within 200 feet. At this point, Mr. Bradfield noted that even though Mr. Underhill had signed the petition, he was not located within the 200-foot limit.

There was further discussion by the Council with regard to the fact that no opposition was present at the meeting. Councilman Binder requested a one-week postponement because he could not understand why no opposition had appeared. Ms. Smith stated that any postponement would work toward her benefit.

Mr. Charles Roth, 5711 Trailridge Drive, indicated that he had not seen a copy of the agreement reached in regard to the restrictions and felt that the other neighbors were in the same situation. He thought additional time was needed to review this. In response to Councilman Handcox's question, Mr. Roth stated that he had been notified that this would be considered today.

In response to Mayor Pro Tem Love's question as to when the restrictive covenants had been drafted and made available, Mr. Bradfield stated that these were prepared several months ago and that he had had negotiations with his neighbors and thought that they had copies.

Motion

Councilman Binder moved that action on these applications be postponed for one week. Councilman Friedman seconded the motion.

Substitute Motion

Mayor Pro Tem Love moved that the Council hear Ms. Smith and then take action. Councilman Leberman seconded the motion, which carried by the following vote:

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

Ms. Smith indicated that Mr. Underhill's major concern was that whatever office building(s) constructed be consistent with the residential character of the neighborhood. She reviewed the restrictions under Sections 7 and 8 by stating that the proposal was that any plans be submitted to the Architectural Control Committee under existence already in the Highland Hills, Sections One

and Two, Subdivision. It was her understanding that these existing Committees only "came into play" and had the right to reject or approve if the plans were not drawn up by an architect. She hoped that some restriction could be drafted that would stipulate that development be consistent with the character of the neighborhood.

Mr. Rogan Giles, representing Mr. Bradfield, announced that Mrs. Margaret Banister, 5703 Highland Hills Drive, was present. He indicated that she had signed the petition in opposition to the application at 5720 Balcones but was not opposed to the recommendation made by the Planning Commission for a 20-foot greenbelt and prohibiting the cutting of any trees within the greenbelt area. Councilman Binder felt that possibly that was the case with some of the others who had signed the petition but that there was no way to determine how many changed their minds. Mr. Giles felt that the percentage on the petition for 5720 Balcones would be less than 20% after checking with the property owners.

Motions

Mayor Pro Tem Love moved that the Council on Zoning Application Case No. C14-74-024 grant "O" Office District (as amended) as recommended by the Planning Commission subject to conditions. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilman Dryden
Noes: Councilman Binder

The Mayor announced that the change had been granted to "O" Office District (as amended) as recommended by the Planning Commission subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

Mayor Pro Tem Love moved that the Council on Zoning Application Case No. C14-74-025 grant "O" Office District (as amended) as recommended by the Planning Commission subject to conditions. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Handcox, Lebermann, Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden, Friedman
Noes: Councilman Binder

The Mayor announced that the change had been granted to "O" Office District (as amended) as recommended by the Planning Commission subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

BRONISLAW
PUSCHMAN, ET UX
C14-74-068

412-418 Stassney Lane

From "A" Residence
To "GR" General Retail
NOT Recommended
RECOMMENDED, "O" Office on all
but the northern 25' which
is to remain "A" Residence,
by the Planning Commission

Mr. Lillie noted that it had also been recommended by the Planning Commission that if this was not used for office use, the owner would restrict it to "BB" Residence District density. He distributed copies of a letter from the owner agreeing to this second condition. Councilman Friedman moved that the Council grant "O" Office District except for the northern 25' which is to remain "A" Residence District as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Binder, Dryden,
Friedman, Handcox

Noes: None

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

The Mayor announced that the change had been granted to "O" Office District except for the northern 25' which is to remain "A" Residence District, and the City Attorney was instructed to draw the necessary ordinance to cover.

HARLEY R. CLARK,
JR.

By Tom Curtis
C14-74-048

1100-1110 Baylor
Street
1101-1103 West 12th
Street
1100-1108 West 11th
Street

From "B" Residence
To "LR" Local Retail
(as amended)
NOT Recommended as amended
RECOMMENDED "O" Office 2nd
Height and Area on lots
fronting Baylor Street, with
the lot fronting 11th Street
remaining "B" Residence
2nd Height and Area, subject
to a maximum building height
of 35' based on the existing
elevation along Baylor Street's
25' building setback line; no
access to West 11th Street
nor to the westernmost tract;
subject to dedication of 5'
of right-of-way on West 12th
Street

It was noted that there was a valid petition in opposition to this application. Mr. Tom Curtis, representing the applicant, indicated that they had met with the neighbors and were in agreement with the conditions. Ms. Kay Hart, 1403 West 9th Street, appeared on behalf of the effected neighbors and stated that an agreement had been reached between the applicant and neighbors, giving the applicant more liberal use and satisfying the neighbors by stipulating a height limitation. Councilman Lebermann moved that the Council grant "O" Office District 2nd Height and Area on lots fronting Baylor Street, with the lot fronting 11th Street remaining "B" Residence 2nd Height and Area District, as recommended by the Planning Commission subject to conditions. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Lebermann, Mayor Butler,
Mayor Pro Tem Love, Councilman Binder

Noes: None

Not in Council Chamber when roll was called: Councilman Handcox

The Mayor announced that the change had been granted to "O" Office 2nd Height and Area District on lots fronting Baylor Street, with "B" Residence 2nd Height and Area District on the lot fronting on 11th Street, and the City Attorney was instructed to draw the necessary ordinance to cover.

ZONINGS DENIED

WEST 34TH STREET
CORPORATION
By Ralph Daugherty
C14-74-079

3205-3207 Grandview
Street

From "BB" Residence
To "O" Office
RECOMMENDED by the Planning
Commission subject to no
access on Grandview Street

Mr. Lillie stated that a valid petition representing 34% of the area within 200 feet radius of the subject property had been filed opposing the zoning change and that 6 votes would be required by the Council. He further stated that the applicants wanted to extend the diagnostic clinic to the existing facilities and that the Planning Commission recommended the change subject to no access on Grandview, but staff did not recommend this change. He reviewed the character of the neighborhood, stating the "O" Office District was oriented to West 34th Street and that the "BB" zoning was established in 1962 but was not indicative of the existing quality of homes in the area. He added that this was an old neighborhood of single-family homes with a few apartments and that the streets were narrow, residential streets and would not be appropriate for the traffic that would be generated.

Mr. Ralph Daugherty, Attorney representing West 34th Street Corporation, owners of the Austin Diagnostic Clinic, stated that they felt they had made a contribution to Austin and to the hospitals as this was the largest diagnostic clinic in the United States. He reviewed the objections of additional traffic and encroachment into a residential neighborhood. He stated there was one curb cut for a private drive on Grandview now, and they would like to use this as a one-way exit for doctors only; but there would be no ingress or egress on Grandview, and the traffic would be to 34th Street. He stated they had plenty of parking; they had saved 15 trees and replaced four; the alley would be a natural barrier; they would like to improve the neighborhood and were proud to be a part of it; they were not intruders as they had been there for 12 years and wanted to continue to operate at this location. He noted that a restrictive covenant had been filed with the Council.

Discussion was held by Mayor Pro Tem Love and Councilman Binder as to how many apartments would be allowed in the present zoning and the number of parking spaces required for both the present and the requested zoning. Mr. Daugherty stated they were not interested in apartments in that this was a badly needed clinic. He stated that a traffic count on Grandview was conducted for the applicants with the following results:

| | <u>Morning</u> | <u>Afternoon</u> |
|------------------|----------------|------------------|
| Cars going South | 14 | 9 |
| Cars going North | 10 | 6 |
| Entered area | 0 | 0 |
| Left area | 0 | 2 |

Mr. William Gibson, 3108 West Avenue, representing the Heritage Neighborhood Association, stated that they felt a line should be drawn and not permit "O" Office District to intrude into their neighborhood. He felt that this was an old neighborhood with new families moving in and improving the single-family residential neighborhood. He also thought "BB" Residence District was not indicative of the neighborhood. He stated the Legal Department had been concerned with the covenants, and he asked the Council to reject the change.

Mrs. Julia Penn, 3208 Grandview, Mr. A. W. Penn, and Mrs. Marguerite Harrell spoke in opposition.

Motion

Mayor Pro Tem Love moved that the Council grant the change to "O" Office District subject to no access on Grandview Street and subject to restrictive covenant and the closing of the emergency exit. The motion, seconded by Councilman Dryden, failed to carry by the following vote:

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

The Mayor announced that the change had been DENIED, as 6 affirmative votes were required with the filing of a valid petition.

CORRINE HAROLD
C14-74-069

7407-7411 Martin Avenue
701-703 Delmar Avenue

From "A" Residence
To "C" Commercial
NOT Recommended
RECOMMENDED by the Planning
Commission "GR" General
Retail subject to one-half
the right-of-way (5') to
increase Delmar Avenue and
Martin Avenue to 60'

Mr. Lillie noted that the staff did not recommend this change.

Motion

Councilman Binder moved that the Council deny this request. Councilman Friedman seconded the motion.

In response to Councilman Dryden's question, Mr. Lillie advocated single-family and duplex units being built in this area and felt that this neighborhood should be preserved for those low density uses. He noted that there was an automobile storage but that it was in violation of the zoning ordinance; and the building official has required that they file for a zoning application, which will be before the Commission next month.

Ms. Evangeline Beall appeared on behalf of her mother, Corrine Harold. She indicated that the lots adjoining this property were already zoned "GR" General Retail and that her mother had made this request so that she might sell the property. She noted that everyone in the area was going to sell because of Henna Chevrolet. In response to Councilman Binder's question, she stated that all the employees were parking on both sides of Delmar, discouraging any traffic.

Mr. Bill Joseph indicated that he was buying the property in question and felt that the area was nothing but old houses and that it was a matter of time before it would be developed. He stated that he would buy the property subject to rezoning and would utilize it for investment property.

In response to Councilman Binder's question, Mr. Lillie stated that Henna Chevrolet would be required to provide parking spaces for its employees. There was discussion by Councilmen Binder and Friedman with regard to the rezoning setting a precedent for the area in that there was a zoning case on Delmar that was scheduled for the future. There was discussion by Councilman Friedman with regard to postponing any action on this case.

Substitute Motion

Mayor Pro Tem Love moved that the Council uphold the Planning Commission's recommendation to grant this request. Councilman Dryden seconded the substitute motion. Roll call on the substitute motion showed the following vote:

Ayes: Mayor Pro Tem Love, Councilman Dryden, Mayor Butler
Noes: Councilmen Binder, Friedman, Handcox, Lebermann

The Mayor announced that the substitute motion failed to carry.

Councilman Binder prefaced his negative vote by noting that he would not vote to destroy the neighborhood.

Councilman Dryden prefaced his affirmative vote by stating that he was voting for the improvement of the area.

Roll Call on Original Motion

Roll call on Councilman Binder's motion, Councilman Friedman's second, that the Council DENY this request, showed the following vote:

Ayes: Councilmen Binder, Friedman, Handcox, Lebermann
Noes: Mayor Pro Tem Love, Councilman Dryden, Mayor Butler

The Mayor announced that the zoning case had been DENIED.

SARAH ALICE BOWLING
By Claud Wright, Jr.
C14-74-058

1510 Eva Street
200-204 West Monroe
Street

From "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission

Councilman Friedman moved that the Council deny the change in zoning from "A" Residence District to "C" Commercial District. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilman Handcox

The Mayor announced that the change had been DENIED.

JERRY D. BOX, ET UX
C14-74-076

605 West 28th
Street

From "O" Office
To "LR" Local Retail
NOT Recommended by the
Planning Commission

Mayor Pro Tem Love moved that the Council deny the change from "O" Office to "LR" Local Retail District. The motion, seconded by Councilman Friedman, carried by the following vote:

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

Noes: None

The Mayor announced that the change had been DENIED.

ZONING POSTPONED

BOB MORRIS
By Robert Davis
C814-74-013

Bounded on the west
by Mesa Drive, on the
south by Cima Serena
Drive, and on the east
by Tallwood Drive

From "A" Residence
To Planned Unit Development
106 attached and detached
single-family dwelling units
with recreation facilities
and common open space, called
"Austin Woods Cluster Housing"
RECOMMENDED by the Planning
Commission to approve the
site, subject to a 35'
building setback line for the
one-story units; a 40' build-
ing setback line for the 2-
story units; subject to
departmental requirements,
deleting the Planning Depart-
ment requirement #2 - show
location of locked emergency
access easement on Tallwood
Drive; deleting Urban
(continued)

(continued from previous page)
Transportation requirement
#1 - sidewalks required on
Mesa Drive, Cima Serena, and
Tallwood Drive; and the
Environmental Resource
Management comment to re-
quire that existing trees
should be used as a buffer
rather than privacy fences
between the development and
Westover Subdivision and along
Tallwood Drive and Cima
Serena Drive

It was noted that the Balcones Civic Association had requested a postponement of this application. Therefore, Councilman Binder moved that the Council postpone this application until August 8, 1974. The motion, seconded by Councilman Handcox, carried by the following vote:

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

The Mayor announced that the case had been POSTPONED.

ZONINGS WITHDRAWN

| | | |
|-------------------|-----------------------|---|
| WEST NINTH STREET | 601 West 9th Street | From "O" Office |
| PARTNERSHIP | 806-810 Nueces Street | To "GR" General Retail |
| C14-74-064 | | NOT Recommended by the Planning Commission |

Mayor Pro Tem Love moved that the Council approve the withdrawal of this zoning application. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

| | | |
|---------------------|--------------------|---|
| MARLTON O. METCALFE | 1710 Eva Street | From "A" Residence |
| By Mrs. George W. | 200-204 West Annie | To "O" Office |
| Sanders, Jr. | Street | NOT Recommended by the Planning Commission |
| C14-74-067 | | |

Mayor Pro Tem Love moved that the Council approve the withdrawal of this zoning application. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

K R T, INC.
By James A. Brady
C14-74-081

4025-4109 Banister
Lane
1210 West Ben White
Boulevard

From "GR" General Retail
1st Height and Area
To "GR" General Retail
2nd Height and Area
NOT Recommended by the
Planning Commission

Councilman Binder moved that the Council approve the withdrawal of this zoning application. The motion, seconded by Councilman Friedman, carried by the following vote:

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

APPLICATION WITHDRAWN

J. B. FORD, ET AL
By Robert C. Sneed
C14-74-085

2304-2624 William
Cannon Drive (Tract 1)
2505-2625 William
Cannon Drive (Tract 2)

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

It was noted that Mr. Robert C. Sneed, Counsel for Bert Ford, et al, requested to withdraw zoning application C14-74-085, which had been scheduled to be heard by the Council on August 1, 1974. Therefore, Mayor Pro Tem Love moved that the Council approve the withdrawal of this zoning application. The motion, seconded by Councilman Dryden, carried by the following vote:

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

UNIVERSITY AREA PANHANDLERS

Mr. Fred Young appeared before the Council to discuss panhandlers in the University area. He noted that he had been a businessman on the Drag for the past 27 years and that there was a problem with the panhandlers and the citizen's filing a complaint with the Corporation Court. He read portions of newspaper articles from the Daily Texan and Citizen News, which covered this subject. He suggested that the City pass an ordinance to license panhandlers as solicitors by obtaining a permit, and penalize them for soliciting without a permit. He felt that this might help control the situation. He also felt that there needed to be new policies in the Police Department to handle the situation. City Attorney Don Butler indicated that perhaps the City could draw up an ordinance that would be specific enough to prohibit this and that would also give some basis for filing a complaint. It was his opinion that this would continue to happen. Mayor Butler suggested that Mr. Young make an appointment with Mr. Butler to further discuss this.

Councilman Dryden felt that Mr. Young was contributing quite a bit and that the Council should go on record as approving the concept that Mr. Young presented. He wanted to see an ordinance that would prevent panhandling rather than curtail it.

Mr. Roland DeNoie suggested that the City open the Drag as a market area and let the craftsmen take care of the problem themselves.

Councilman Dryden moved that the Council approve the spirit of Mr. Young's suggestion and instruct the City Attorney to work on this and bring back an ordinance that would control the practice of panhandling in Austin. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

REQUEST FOR LEASE OF CITY-OWNED PROPERTY

Mr. George A. Hill, Manager of the American Red Cross, and Judge Thomas Blackwell, member of the Board of Directors of the American Red Cross, appeared before the Council requesting a lease on City-owned property located at I. H. 35 and Woodland. Judge Blackwell indicated that they were presently located at 1225 Red River, which was City-owned property, and were given notice to find another location. He stated that this was the basis for their request for this lease at a nominal rental fee. He noted that they would be building an office building on this lot, which he felt would be very attractive to the community. He requested that the Council give the authority to Property Management to compile an acceptable lease. City Manager Davidson did not see any problems with this; however, he requested that the organization comply with all zoning requirements. Councilman Friedman moved that the Council grant authority to Property Management to work out an acceptable lease. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmen Binder,
Handcox

PAY INCREASES FOR CITY EMPLOYEES

It was noted that Sgt. Roger D. Napier, President of the Austin Police Association, had requested to appear before the Council to discuss police salaries. Sgt. Napier requested that the City make its presentation in connection with this. City Manager Davidson indicated that the Council had approved a reclassification plan for members of the Police and Fire Departments on June 13, 1974, at which time the Council requested that a further look be taken with regard to certain portions of the plan. He further indicated that it had become apparent that inflation had "taken its toll" with all Austin employees and that a study had been conducted based on the change in the cost of living as compared with 10 or 12 months ago. In connection with this study, he recommended to the Council that all City employees be given a 10% cost-of-living increase effective August 4, 1974. He noted that the cost for the current fiscal year would be \$914,650.

Councilman Friedman indicated that the Council had developed a modification of the reclassification plan that had been approved for the police and firemen on June 13, 1974, which would basically involve a \$10 per month per man increase over the present plan, except the 6-month Patrolman and Senior Patrolman who would receive a \$15 increase and the 6-month Firefighter and Two-Year Firefighter who would receive a \$15 increase. He added that in addition to this increase, which would be retroactive to July 7, 1974, the recommended 10% cost-of-living increase would be included, which would be effective August 4, 1974. He read the proposals, which would include both recommended increases, as follows:

Police Department

| <u>Classification</u> | <u>Current Salary (6-13-74)</u> | <u>Council's Plan</u> |
|---------------------------|---|---------------------------|
| Police Cadet | \$ 644 | \$ 708 |
| Patrolman | | |
| Probationary | 723 | 795 |
| Six Months | 780 | 875 |
| Senior Patrolman | 843 | 944 |
| Police Sergeant | 935 | 1,040 |
| Police Lieutenant | 1,015 | 1,128 |
| Police Captain | 1,100 | 1,221 |
| Police Major | 1,220 | 1,353 |
| Deputy Police Chief | 1,293 | 1,433 |
| Assistant Chief of Police | 1,496 | 1,657 |

Fire Department

| | | |
|-----------------|--------|--------|
| Fire Cadet | \$ 644 | \$ 708 |
| Firefighter | | |
| Probationary | 723 | 795 |
| Six Months | 780 | 875 |
| Two Years | 803 | 898 |
| Fire Specialist | 843 | 944 |
| Fire Lieutenant | 907 | 1,009 |

(continued)

(continued)

| <u>Classification</u> | <u>Current Salary (6-13-74)</u> | <u>Council's Plan</u> |
|-----------------------|---|---------------------------|
| Fire Captain | \$ 970 | \$1,078 |
| Fire Section Chief | 1,100 | 1,221 |
| Deputy Fire Chief | 1,220 | 1,353 |
| Assistant Fire Chief | 1,325 | 1,469 |

Councilman Friedman indicated that the Council was hopeful that as more programs were designed, more benefits would accrue to all the employees. He felt that this was a step forward.

Councilman Friedman moved that the Council adopt and put into effect the new reclassification plan for the police and firemen as stated earlier, which would be retroactive to July 7, 1974, and approve the City Manager's recommendation for a 10% cost-of-living increase, to be effective August 4, 1974. The motion, seconded by Councilman Binder, carried by the following vote:

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

Noes: None

Sgt. Napier indicated that it had been the belief of all involved that a very real and meaningful step needed to be made and noted that the management expressed a real concern about other problems existing in the Police Department, and they committed themselves to further consideration. He expressed their appreciation for the increase and the hard work involved in accomplishing the result.

Mr. Danny Stamper, President of the Austin Firefighters Association, thanked the Council for the increase and felt that it was good and fair.

At this point, Councilman Dryden requested the following of the City Manager:

1. Arrange the schedules of the men so they could work and further their education, if desired.
2. Check into the retirement benefits in order that they could be increased as much as possible.

He felt that the men's lives were jeopardized and that more should be done for them than approved today. He suggested that extra pay be allowed for hazardous duty.

In response to Councilman Dryden's remarks, Councilman Friedman agreed that there needed to be further improvements.

Councilman Binder was pleased with the results and expressed his appreciation to Mayor Butler and Councilman Friedman for the work they had done in connection with the increases.

Mayor Butler spoke on behalf of the entire Council by noting that each of them had wanted to give more of an increase but felt that this was a great step in the right direction. He complimented the City Manager and the Finance Department for their help.

City Manager Davidson indicated that the credit needed to be shared with the Personnel Director, Ms. Andrea Beatty, and Mr. Joe Liro, Management and Budget Administrator.

PROPOSAL CONCERNING ALTERNATIVE SOURCES OF ENERGY

Mr. James Hughes, representing Austin Friends of the Earth, appeared before the Council to present a proposal for developing alternative sources of energy. He distributed copies of his proposal to the Council. He felt that development of small individual solar collector units and conservation measures offered the most practical program for the City to develop in the next few years. He noted that the City had moved in this direction with Electric Department conservation literature and the Energy Conservation Commission's present campaign for energy conservation. He further noted that this program proposed to establish an ongoing energy office responsible for the following:

1. Coordinating the design and installation of energy conservation measures and solar heating and cooling devices in new City buildings.
2. Organizing school competition - science fairs, science classes - for construction and demonstration of efficient solar devices.
3. Encouraging local industries to initiate development and construction of reasonable-cost solar devices applicable to homes and small buildings.
4. Supporting University or other energy study group applications for federal grants studying the feasibility or constructing a prototype wind/solar power plant.
5. Supervising surveys and providing information and advice regarding energy conservation and solar power utilization for the benefit of interested users.
6. Coordinating a study to modify building codes to provide:
 - a. Better insulation.
 - b. Systems convertible to solar heating and cooling.
 - c. Other conservation measures including efficient architectural designs using sunlight.

7. Keeping informed of research programs and new technology as it becomes available from government, industry, private organizations and persons, and the University of Texas at Austin Center for Energy Studies.

In conclusion, he indicated that the estimated cost for the first year would be in the amount of \$100,000.

After discussion, it was the consensus of the Council that this proposal be forwarded to the Energy Conservation Commission and the Energy Study Committee for their review. It was suggested that Mr. Hughes be in contact with these groups.

RELEASE OF EASEMENTS

Councilman Binder moved that the Council adopt a resolution authorizing the release of the following easement:

A sanitary sewer easement five (5.00) feet in width which lies across the interior of Lot 2, Block A, of TOWN LAKE PLAZA. (Requested by Hale and Associates, Inc., representing Frank G. Newman, owner.)

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

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

Councilman Binder moved that the Council adopt a resolution authorizing the release of the following easement:

A portion of a sanitary sewer easement ten (10.00) feet in width in a 496.76 acre tract of land out of the SANTIAGO DEL VALLE GRANT owned by the Trust Department of the CAPITAL NATIONAL BANK IN AUSTIN. (Requested by R. D. Blackwell, Design Engineer of the Water and Wastewater Department of the City of Austin)

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

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

Councilman Binder moved that the Council adopt a resolution authorizing the release of the following easement:

The main portion of the public utilities easement ten (10.00) feet in width which was granted by instrument of record in Volume 3863 at Page 2130 of the Deed Records of Travis County, Texas, and which lies across the interior of Tract No. 1 of LOYOJA CENTER. (Requested by Hunter Schieffer, representing W. W. Patterson, Trustee, owner of Tract No. 1.)

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

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

Councilman Binder moved that the Council adopt a resolution authorizing the release of the following easement:

A portion of a public utilities easement seven and one-half (7.50) feet in width across Lot 1-A, BALCONES VILLAGE, SECTION FIVE, Phase B, a resubdivision, said Lot 1-A being also known as 9201 Spring Hollow Drive. (Requested by Stuart Benson, Attorney for Mr. and Mrs. C. B. Francis, owners.)

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

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

Councilman Binder moved that the Council adopt a resolution authorizing the release of the following easement:

The public utilities easement seven and one-half (7.50) feet in width across the rear of Lot 13, Block B, NORTHWEST HILLS, NORTHWEST OAKS - II, also known as 4001 Petro Path. (Requested by the A. L. Miller Construction Company, owner)

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

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

Councilman Binder moved that the Council adopt a resolution authorizing the release of the following easement:

The main portions of certain public utilities easements five (5.00) feet in width in Lots 1 and 2, Block R, RESUBDIVISION OF LOTS 1, 2, 3, 4 and 5, BLOCK R, HIGHLAND PARK WEST. (Requested by H. C. Harris, Jr., owner.)

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

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

Councilman Binder moved that the Council adopt a resolution authorizing the release of the following easement:

The south two and one-half (2.50) feet of the public utilities easement seven and one-half (7.50) feet in width along the north line of Lot 1 of TIMBERLINE AMENDED, a subdivision. (Requested by Hale & Associates, Inc., Engineers representing Jagger Associates, Inc., owner.)

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

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

The following was before the Council for consideration:

Portions of the public utilities easement seven and one-half (7.50) feet in width in Lot 6 (8907 Trone Circle) and Lot 8 (8903 Trone Circle), Block N, FIRST SUBDIVISION OF BLOCK N, QUAIL CREEK, PHASE II, SECTION 3. (Requested by Austex Development Company, Ltd., owner.)

In response to Councilman Binder's question, Mr. Lonnie Davis, Building Official, stated that the original subdivision plat called for a 25-foot drainage easement across the back of this lot and that subsequent to that a 7-1/2 foot public utilities easement was taken by separate instrument. He stated that this was what did not show up on his plat. In response to Councilman Friedman's question, City Manager Davidson stated that anytime it appeared there was a facility within an easement not allowing the maintenance of it, the City would never recommend it. He added that in some cases the City required easements as a precaution.

Mr. Tom Watts, representing Austex Development Company, stated that they did not know the easement was there in that the easement had been granted after recording of the plat. In response to Councilman Friedman's question, Mr. Watts indicated that someone in his organization was always notified of a recorded easement but that they were not always correlated in one place.

Councilman Friedman requested that the City Manager provide him with a list of all those who have applied for release of easements within the last two years (both those who have already constructed in the easement and those who have not.)

Mr. Watts indicated that his organization and the City had had an excellent relationship in these matters and hoped to continue it. Councilman Dryden moved that the Council adopt a resolution authorizing the release of the following:

Portions of the public utilities easement seven and one-half (7.50) feet in width in Lot 6 (8907 Trone Circle) and Lot 8 (8903 Trone Circle), Block N, FIRST RESUBDIVISION OF BLOCK N, QUAIL CREEK, PHASE II, SECTION 3. (Requested by Austex Development Company, Ltd., owner.)

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

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love,
Councilmen Dryden, Friedman, Handcox
Noes: Councilman Binder

LICENSE AGREEMENTS

Councilman Lebermann moved that the Council adopt a resolution granting the following license agreement:

AUSTEX DEVELOPMENT COMPANY, LTD. - Permitting encroachment by two (2) patio slabs upon portions of the drainage easement twenty-five (25) feet in width in said Lot 6 and upon portions of said public utilities easement seven and one-half (7.50) feet in width in said Lot 6. (Requested by Austex Development Company, Ltd., owner.)

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

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden
Friedman, Handcox, Lebermann
Noes: Councilman Binder

Councilman Lebermann moved that the Council deny the following license agreements:

SIGMOR NO. 239, INC. - Permitting the emplacement of Shamrock Service Station advertising signs within the right-of-way of Barton Springs Road in front of Lot A, COLEMAN & COLEMAN ADDITION at 1525 Barton Springs Road. (Requested by Les Procter, Attorney for Sigmor No. 239, Inc., owner.)

SIGMOR NO 404, INC., - Permitting the placing of Shamrock Service Station advertising signs within the right-of-way of Lake Austin Boulevard in front of an unplatted tract of land locally known as Number 3001 Lake Austin Boulevard. (Requested by Les Procter, Attorney for Sigmor No. 404, Inc., owner.)

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

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

Councilman Friedman moved that the Council adopt a resolution granting the following license agreement:

MR. JAMES RAPER - Permitting above-ground encroachment by balconies of a proposed apartment building over portions of a sanitary sewer easement five (5.00) feet in width along the most southerly south line of Tract A, CENTRAL INSURANCE ADDITION. (Requested by James Raper, owner)

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

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

CONTRACTS AWARDED

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

| | |
|---------------------|--------------------------------------|
| AUSTIN ROAD COMPANY | - For Third Year Model Cities Street |
| 8419 North Lamar | Improvement Program - \$580,153.12. |
| Austin, Texas | |

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

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

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

| | |
|---------------------|--------------------------------------|
| ANN-CON, INC. | - For construction of Carlisle Drive |
| 8301 Balcones Drive | easement storm sewer from Shoal |
| Austin, Texas | Creek Boulevard 184' westerly - |
| | \$9,100.00 |

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

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

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

GENERAL ELECTRIC COMPANY
5534 Harvey Wilson
Houston, Texas

- For repair of auto transformer,
Electric Department - \$13,962.00

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

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

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

WEHRING-GOSS EQUIPMENT COMPANY
I. H. 35 North and Weider Road
San Antonio, Texas

- One each Rough Terrain, 18 ton crane,
Vehicle and Equipment Service Depart-
ment - Item 1 - \$64,995.00

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

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

Councilman Friedman moved that the Council rescind the bid award of May 23, 1974, to Goodyear Service Stores, and adopt a resolution awarding the following contract:

Bid award:

- Tires and tubes for the Department
of Vehicle and Equipment Services

YOUNGBLOOD GENERAL TIRE

- Items 25-28 - \$3,484.60

PERRY ROSE FIRESTONE
2201 Airport Boulevard
Austin, Texas

- Items 39-62, 64, 66, 67, 69-90,
95-101, 103-107, 108-111, 113,
115-123, 125-128, 133, 134, 139-
149, 151, 153, 155-156, 159-161,
165-167, 170-172, 185-187, 189-
213, 215-225, 233-243, 245, 247,
and 248 - \$92,485.76.

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

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

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

TRANS-TEX SUPPLY COMPANY, INC.
4618 East 7th Street
Austin, Texas

- Miscellaneous Cast Iron Grip-Tite Fittings for Water Distribution Division
Item Nos. 1.1 through 1.12 - \$5,454.63.

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

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

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

ACME VENDING SERVICE
609 East 7th Street
Austin, Texas

- Concession and Vending Services for Brackenridge Hospital
One (1) year contract, \$18,000.00
Annual Guarantee or 18.03% of Gross Receipts, whichever is greater

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

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

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

NEELLEY VENDING COMPANY
813 West North Loop
Austin, Texas

- For Vending Concession (Food and Drink for District Park Pools), Parks and Recreation Department
2-1/2 year contract, \$6,000.00 Annual Guarantee plus 9/10 of 1% of Gross Receipts

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

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

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

OLIN BRASS DIVISION
OLIN CORPORATION
East Alton, Illinois

- Condenser Tubes, Power Production, Electric Utility Department - \$275,825.00 (price in effect at time of shipment)

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

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

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

| | |
|-----------------------------|-------------------------------------|
| ALJIS-CHALMERS CORPORATION | - Five Motor Operators for Electric |
| 301 South St. Mary's Street | Department |
| San Antonio, Texas | Item 1; 5 each @ \$1,275.00 |
| | Total \$6,375.00 |

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

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

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

| | |
|-----------------------------|-----------------------------------|
| ALLIS-CHALMERS CORPORATION | - Oil Circuit Breakers for Decker |
| 301 South St. Mary's Street | Unit #2 - \$94,068.00 |
| San Antonio, Texas | (subject to escalation) |

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

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

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

| | |
|-----------------------------|-----------------------------------|
| ITT GRINNELL CORPORATION | - High Pressure Valves for Decker |
| 23rd & Burlington Avenue | Unit #2 - \$424,419.00 |
| North Kansas City, Missouri | (subject to escalation) |

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

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

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

INTERNATIONAL BUSINESS
MACHINES CORPORATION
1609 Shoal Creek Boulevard
Austin, Texas

- Amendment to Upgrade and Provide
for Extension of Term Lease Plan
Agreement No. W43341 to June 14, 1977
for IBM Computer and Peripheral
Computer Equipment for Data Processing
Department - \$747,360.00

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

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

Noes: None

Abstain: Councilman Handcox

CHANGE ORDER

Mayor Pro Tem Love moved that the Council adopt a resolution approving a Change Order to Babcock & Wilcox in the amount of \$27,650.00 for changing the quarter point connections to single center connections on the headers for the main heat, steam heat, cold reheat and economizer connections. (Decker Unit #2, Steam Generator) The motion, seconded by Councilman Friedman, carried by the following vote:

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

Noes: None

ARCHITECTURAL SERVICES - CENTRAL LIBRARY

Motion

Mayor Pro Tem Love moved that the Council select Jessen Associates for architectural services in connection with the Central Library project (Capital Improvements Program Project No. 8512 1). Councilman Lebermann seconded the motion.

Substitute Motion

Councilman Binder moved that the Council select Barrow & Stahl w/TSVM, Inc. for architectural services in connection with the Central Library project (Capital Improvements Program Project No. 8512 1). Councilman Friedman seconded the substitute motion.

Roll call on the substitute motion showed the following vote:

Ayes: Councilmen Binder, Friedman, Handcox

Noes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden, Lebermann

The Mayor announced that the substitute motion failed to carry.

Roll Call on Original Motion

Roll Call on Mayor Pro Tem Love's motion, Councilman Lebermann's second, that the Council select Jessen Associates, showed the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love,
Councilman Dryden

Noes: Councilmen Binder, Friedman, Handcox

The Mayor announced that the motion had carried.

ARCHITECTURAL SERVICES - NORTH AUSTIN LIBRARY

Motion

Councilman Friedman moved that the Council select James Patterson, Architect, for architectural services in connection with the North Austin Library project (Capital Improvements Program Project No. 8513 1). The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

ARCHITECTURAL SERVICES - POLICE GARAGE

Motion

Mayor Pro Tem Love moved that the Council select Danze & Davis, Architects, for architectural services in connection with the Police Garage project (Capital Improvements Program Project No. 8705 0). Councilman Handcox seconded the motion.

Substitute Motion

Councilman Binder moved that the Council select Brasher-Govette-Rapier, Architects, for architectural services in connection with the Police Garage project (Capital Improvements Program Project No. 8705 0). The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Lebermann, Mayor Butler, Councilman Binder

Noes: Councilmen Friedman, Handcox, Mayor Pro Tem Love

SOIL INVESTIGATION AND ENGINEERING TESTING SERVICES - NORTH AUSTIN LIBRARY

Councilman Friedman moved that the Council select Stapp-Hamilton & Associates for soil investigation and engineering testing services in connection with the North Austin Library project (Capital Improvements Program Project No. 8513 1). The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

SOIL INVESTIGATION AND ENGINEERING TESTING SERVICES - POLICE GARAGE

Councilman Friedman moved that the Council select Shilstone Engineering Testing Laboratory, Inc., for soil investigation and engineering testing services in connection with the Police Garage project (Capital Improvements Program Project No. 8705 0.) The motion, seconded by Councilman Handcox, carried by the following vote:

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

SOIL INVESTIGATION AND ENGINEERING TESTING SERVICES - AIRPORT PERIMETER ROADWAY

Motion

Councilman Lebermann moved that the Council select Snowden & Meyer, Inc., for soil investigation and engineering testing services in connection with the Airport Perimeter Roadway project (Capital Improvements Program Project No. 8112 1). Councilman Dryden seconded the motion.

Substitute Motion

Councilman Friedman moved that the Council select Austin Testing Engineers for soil investigation and engineering testing services in connection with the Airport Perimeter Roadway project (Capital Improvements Program Project No. 8112 1). Councilman Binder seconded the substitute motion.

Roll call on the substitute motion showed the following vote:

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

The Mayor announced that the substitute motion had failed to carry.

Roll Call on Original Motion

Roll call on Councilman Lebermann's motion, Councilman Dryden's second, that the Council select Snowden & Meyer, Inc., showed the following vote:

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

The Mayor announced that the motion had carried.

JOINT AGREEMENT FOR PARKING AREA AND BEAUTIFICATION

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to enter into a joint agreement with Superior Stone Products, Inc., Maufrais Brothers, Inc., and Travis Materials Company for a total of \$20,000 contribution toward the construction of standard parking area and beautification. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

HEARING SET TO CONSIDER CAPITAL IMPROVEMENTS PROGRAM

Councilman Lebermann moved that the Council adopt a resolution setting a public hearing to consider the proposed 1974-79 Capital Improvements Program for August 8, 1974, at 1:00 P.M. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

HEARING SET ON AMENDMENT TO AUSTIN DEVELOPMENT PLAN

Councilman Lebermann moved that the Council adopt a resolution setting a public hearing for July 18, 1974, at 1:00 P.M. on the Amendment to the Austin Development Plan as follows:

An area of approximately 25.5 acres requested by Columbia Scientific Industries by R. T. Mayfield for a change in the land use designation from Suburban Residential to Planned Development Area. The request is located on Old U. S. Highway 183 northwest of Austin; it is bounded on the north by Oak Forest Estates subdivision, on the west by an unnamed road, on the south by Q Ranch Road and on the east by old U. S. Highway 183.

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

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

ACQUISITION OF LAND FOR THE MUNICIPAL ANNEX

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing the acquisition of certain land for the Municipal Annex as follows:

409-411 West 2nd Street
Calcasieu Lumber Company

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

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

ACQUISITION OF LAND FOR EAST RIVERSIDE DRIVE

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing the acquisition of certain land for East Riverside Drive as follows:

3.99 acres of land out of the Santiago Del Valle Grant
Kassuba Development Corporation, Walter J. Kassuba, President.

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

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

APPLICATION FOR EMERGENCY FOOD AND MEDICAL SERVICES FUNDS

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing the City Manager to submit an application to the Texas Office of Economic Opportunity for \$12,631.00 for emergency food and medical services funds to be used by Community Action Agencies in the Capital Area Planning Region 12. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

CONTRACT IN CONNECTION WITH PUBLIC SERVICE EMPLOYMENT

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing the City Manager to enter into a contract with the Department of Labor for \$86,300.00, for the purpose of training and bringing into City's structure individuals who are unemployed, under-employed, disadvantaged and interested in public service employment. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

PLAN ESTABLISHING ONE-WAY STREET SYSTEM

Review of the plan establishing the approved one-way street system for 16th, 17th and 18th Streets was postponed until July 25, 1974.

SOUTHERN UNION GAS FRANCHISE

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

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE GRANTING TO TEXAS PUBLIC SERVICE COMPANY A FRANCHISE TO CONSTRUCT, MAINTAIN, AND OPERATE A NATURAL GAS DISTRIBUTING PLANT AND SYSTEM IN THE CITY OF AUSTIN, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON THE 12TH DAY OF AUGUST, 1948, AND WHICH IS RECORDED IN ORDINANCE BOOK "N," PAGES 254-267, INCLUSIVE, AS HERETOFORE AMENDED AND SUPPLEMENTED BY ORDINANCE NO. 620719-A, OF THE CITY OF AUSTIN, BY AMENDING SECTION 3 OF SAID ORDINANCE OF AUGUST 12, 1948, TO PROVIDE THAT GRANTEE OF SAID FRANCHISE RETAIN OWNERSHIP AND CONTROL OVER AND ACCESS TO ALL PIPELINES CONVEYING UNMETERED GAS; PROVIDING FOR GRANTEE TO INSTALL YARD LINE GAS PIPES CARRYING UNMETERED GAS AT ESTIMATED ACTUAL COST; PROVIDING FOR CERTAIN FILINGS OF COST DATA; AND PROVIDING THAT GRANTEE MAINTAIN ALL PIPELINES INSTALLED BY GRANTEE.

The ordinance was read the third time, and Councilman Friedman moved the ordinance be finally passed. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

ANNEXATION ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 124.38 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE T. J. CHAMBERS GRANT IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: None

Abstain: Councilman Dryden

The Mayor announced that the ordinance had been finally passed.

APPROACH MAIN CONTRACTS

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

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH GEORGE CLICK AND NORTHWEST JOINT VENTURE. (Click Acres Subdivision; H.S.R. Subdivision)

The ordinance was read the second time, and Mayor Pro Tem Love moved that the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

REFUND CONTRACTS - SECOND AND THIRD READINGS

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

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH GEORGE CLICK; DAVIS-WEBB, INCORPORATED AND BUILDING ENTERPRISES, INCORPORATED; BILL MILBURN; AND NORTHWEST JOINT VENTURE. (Click Acres; Cooper Oaks Section 1; Vintage Hills, P.U.D.; H.S.R. Subdivision)

The ordinance was read the second time, and Mayor Pro Tem Love moved the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

REFUND CONTRACTS - THIRD READING

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

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH WALTER CARRINGTON BUILDER, INCORPORATED, AND CLEAR CREEK PROPERTIES, INCORPORATED. (The Park at Battle Bend Springs; South Creek South, Section 2)

The ordinance was read the third time, and Mayor Pro Tem Love moved the ordinance be finally passed. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: Councilmen Binder, Friedman

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor Butler 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 20 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1711-1811 KRAMER LANE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "BB" 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 DECLARING AN EMERGENCY. (Arthur Smith, et ux, C14-73-103)

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

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

LOT 12, BLOCK "A," SUNSET TERRACE SUBDIVISION, LOCALLY KNOWN AS 1801 KOENIG LANE, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Trojan L. Tidwell, et ux, C14-72-059)

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler 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 7.46 ACRE TRACT OF LAND, SAVE AND EXCEPT 2.297 ACRES, LOCALLY KNOWN AS 2318 RUTLAND DRIVE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Ches-Mar, Inc., C14-73-253)

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

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

TRACT 1: LOT "A," KANETZKY SUBDIVISION, LOCALLY KNOWN AS 3813-3901 MANCHACA ROAD, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND,

TRACT 2: THE WESTERNMOST 414.39 FEET OF LOT "A," TRICO SUBDIVISION, LOCALLY KNOWN AS 3612-3702 CLAWSON ROAD AND THE REAR OF 3704-3706 CLAWSON ROAD, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE 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. (James A. Hearn et ux & Trico Development Company, C14-73-158)

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
TRACT A, GLYNN ADDITION, LOCALLY KNOWN AS 5209-5215 DUVAL STREET AND 501-503 EAST 53RD STREET, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL 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. (Edwin S. Hudson, C14-73-224)

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
LOTS 1, 2 AND 3, TERRY-O CENTER, LOCALLY KNOWN AS 4100-4130 TERRY-O LANE AND 521-541 EAST BEN WHITE BOULEVARD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Odas Jung, C14-70-001)

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

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

The Mayor announced that the ordinance had been finally passed.

PAY INCREASE CONCERNING COUNCIL AIDES

At this point, Councilman Binder asked City Manager Davidson if the afore-approved 10% cost-of-living pay increases effected Council aides. City Manager Davidson indicated that it had been his recommendation that this include all full-time City of Austin employees; however, he stated that he would check into this.

PRESENTATION OF LETTER

It was noted that no action was to be taken in reference to the presentation of a letter to the Academy of Sciences.

COMPREHENSIVE PLANNING PROGRAM

Councilman Lebermann noted that the City was moving toward the development of a citizens' seminar on a Comprehensive Planning Program of the area encompassing the Colorado Rivershed from Tom Miller to Mansfield Dan and that he would keep the Council informed of the progress. He requested the Council's approval to continue in this aspect. It was the consensus of the Council to proceed.

STUDY TO AMEND BUILDING CODES

Councilman Lebermann requested that a 90-day Ad Hoc Committee be appointed to study building code standards in relation to and favoring historic preservation and restoration. The Council appointed the following to the Committee:

Mr. Jay Barnes
Mr. Jay Johnson

Mr. David Graeber

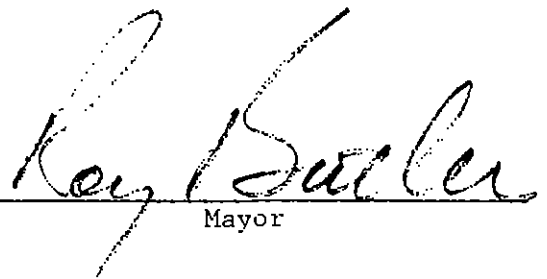
REQUEST FOR APPEARANCE

Councilman Friedman requested that an appearance be scheduled for the agenda on July 18, 1974, for Mr. Emil Roos to request an additional extension for repairs or demolition on the structure at 1603 Gregory Street

ADJOURNMENT

The Council adjourned at 5:45 p.m.

APPROVED


Mayor

ATTEST:


City Clerk