

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 30, 1974
1:00 PMElectric Auditorium
301 West Avenue

The meeting was called to order with Mayor Butler presiding.

Roll Call:

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

Absent: Councilmen Dryden, Friedman

The Invocation was delivered by DR. WILLIAM E. DENHAM, JR., First Baptist Church.

RENT-A-KID WEEK

Mayor Butler read and then presented a proclamation to Mr. Larry Amaro, Director of Rent-A-Kid, and Ms. Connie Gonzales proclaiming the week of June 2-8, 1974, as "Rent-A-Kid Week," and urged all citizens to make every effort to provide jobs for the 600 young people with unskilled or skilled labor requirements in their homes. It was noted that this was in connection with the Rent-A-Kid Program, sponsored by Saint Julia's Catholic Church. Mr. Amaro thanked the Council and noted that this service could be obtained by calling the Church at 926-0556.

APPROVAL OF MINUTES

Councilman Handcox moved that the Council approve the Special Meeting Minutes of May 23, 1974 (12:00 noon) and the Regular Meeting Minutes of May 23, 1974 (1:00 p.m.). The motion, seconded by Councilman Lebermann, carried by the following vote:

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

EXECUTIVE SESSION ACTION

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

Natural Science Center Law Suit

Mayor Pro Tem Love indicated that pursuant to a recommendation dated May 30, 1974, from Mr. Don Butler, City Attorney, in negotiations with plaintiffs in a certain case, it had been recommended that Austin along with the recommendation of the Parks and Recreation Board and the Department of the City agree to a settlement of the Natural Science Center law suit.

Mr. Butler noted that because this was a matter still pending until judgement was entered, it would not be appropriate to go into the details of the settlement. He felt that it would be appropriate to note that the parties involved on all sides had been most cooperative and that the arrangements had been worked out (if finally approved by all) so that the Natural Science Center could go forward as planned and at the same time protect the integrity of the natural setting of the Park.

Therefore, Mayor Pro Tem Love moved that the Council approve the City Attorney's pursuing this matter. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Cancellation of Meeting

Mayor Pro Tem Love moved that the Council cancel the regular meeting scheduled for July 4, 1974. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

HEARING ON BRACKENRIDGE URBAN RENEWAL PLAN AMENDMENT

Mayor Butler opened the public hearing scheduled for 1:00 p.m. on an amendment to the Brackenridge Urban Renewal Plan. Mr. Leon M. Lurie, Executive Director of the Urban Renewal Agency, indicated that they were requesting the vacation of East 16th Street between San Jacinto Boulevard and Trinity Street. He noted that the Board of Commissioners of the Urban Renewal Agency had reviewed and approved this matter and had submitted it to the Council for approval. Mayor Pro Tem Love moved that the Council close the public hearing and approve the afore-mentioned amendment to the Brackenridge Urban Renewal Plan. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

HEARING ON ANNEXATION

Mayor Butler opened the public hearing scheduled for 1:00 p.m. to consider annexation. No one appeared in regard to this matter. Councilman Handcox moved that the Council close the public hearing and direct the administration to institute annexation proceedings to annex the following:

28.60 acres of land out of the SANTIAGO DEL VALLE GRANT, Indian Hills, Section 5. (Requested by owner, Carl Morris.)

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

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

RELEASE OF EASEMENTS

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

A portion of the Public Utilities Easement fifteen (15.00) feet in width in Lot A, WILLOW CREEK SECTION FOUR RESUB-DIVISION OF LOTS 2 and 3. (Requested by Don Hancock, Attorney at law, as representative of Woodsie, Inc., owner.)

It had been noted that the reason for this request was that the property owner had constructed an apartment over a part of said easement and that the property owner was not aware of the existence of the easement until after construction was completed. In reference to this, Councilman Binder asked how this could happen. Mr. Dan Davidson, City Manager, indicated that in some cases the original easement lines were not shown on the map on file with the Building Official's office or not correctly identified on the plat which would identify

the property owner's lot. He added that even though Building Inspection had been asked to make a number of double checks and set up a systematic review to assure that this would not happen in the future, unfortunately from time to time, through no fault of the City, it sometimes occurred. He stated that if the easement was not needed by the City when this mistake was called to their attention, they would recommend vacation of the easement. If the easement were needed, he added that they would recommend something such as a license agreement providing responsibility as a burden of the property owner should the structure need to be relocated. In this particular case, he recommended the release of the easement. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Councilman Lebermann 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 in Lot B of the RESUBDIVISION OF PARKER HEIGHTS, SECTION ONE-A. (Requested by C. L. Reeves, owner.)

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

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

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

A portion of a Public Utilities and Drainage Easement seven and one-half (7.50) feet in width in Lot 1 and a portion of a Public Utilities and Drainage Easement seven and one-half (7.50) feet in width in Lot 2, SNYDER'S SUBDIVISION in Williamson County. (Requested by Steve Price, a realtor, as agent for Harry Montandon and Kenneth Snyder, owners.)

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

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

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

A portion of the Sanitary Sewer Easement ten (10.00) feet in width in Lot 2, RESEARCH PLAZA. (Requested by BRYANT-CURINGTON, INC., Consulting Engineers, as representative of the City National Bank, Trustee, owner.)

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

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

CONTRACTS AWARDED

Mayor Pro Tem Love requested that City Manager Davidson point out the bids that might be more than the low bid.

Mayor Pro Tem Love moved that the Council adopt a resolution awarding the following contracts:

Bid Award:	- Three-Phase Pad Mounted Transformers, Electric Department
WESTINGHOUSE ELECTRIC SUPPLY COMPANY 9230 Research Boulevard Austin, Texas	- Item 1; 4 ea. @ \$1,756.00 Item 2; 4 ea. @ \$2,406.00 Item 3; 4 ea. @ \$3,136.00 Item 5; 8 ea. @ \$2,986.00 Total - \$53,080.00 (subject to escalation)
GRAYBAR ELECTRIC COMPANY 7434 North Lamar Boulevard Austin, Texas	- Item 4; 1 ea. @ \$5,261.00 Item 6; 5 ea. @ \$4,936.00 *Item 7; 1 ea. @ \$5,776.00 Item 8; 1 ea. @ \$7,368.00 Total - \$43,085.00 (subject to escalation)

*City Manager Davidson noted that Item 7 was the second low bid because of the unique delivery requirements. He further noted that the low bidder could not meet the requirements.

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

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

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

GRAYBAR ELECTRIC COMPANY
7434 North Lamar Boulevard
Austin, Texas

- Network Transformers for
Electric Department
- *Item 1; 8 ea. @ \$9,320.00
- *Item 2; 2 ea. @ \$6,963.00
- Total - \$88,486.00
- (subject to escalation)

*City Manager Davidson noted that Items 1 and 2 were more than the low bid because of the unique delivery requirements.

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

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

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

ADA RESOURCES, INC.
(Formerly Ada Oil Company)
6910 Fannin Street
Houston, Texas

- #2 Fuel Oil for production of
electrical energy, Electric
Utility Department
- 4,000,000 gallons @ \$0.2505/gal.
- Estimated total - \$1,002,000.00

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

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

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

TECHLINE, INC.
8750 Shoal Creek Boulevard
Austin, Texas

- Traffic Signal Poles for
Urban Transportation Department
- *Item 1 - \$7,460.00

*City Manager Davidson noted that there were two bidders lower on Item 1 but subject to escalation. He recommended the low firm bid because the escalation would lift the two lower bids up beyond the firm bid price by the time of delivery.

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

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

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

ABEL STATIONERS	- Furnishings for Municipal Annex
416 Congress Avenue	Items 1-4 - \$6,258.00
Austin, Texas	

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

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

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

DELTA MACHINE COMPANY, INC.	- 10,000 GPM Vertical Pump, Water
6304 Alder	and Wastewater Treatment Division
Houston, Texas	Item 1; 1 ea. - \$12,050.00

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

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

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

GLOBE TICKET COMPANY	- Data Cards for Data Processing
8800 Ambassador Row	Department and other departments
Dallas, Texas	using data cards
	Items 1-36 - \$25,903.50

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

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

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

WESTINGHOUSE ELECTRIC
SUPPLY COMPANY
9230 Research Boulevard
Austin, Texas

- 833 KVA Single-Phase Transformers,
Electric Department
Item 3; 9 ea. @ \$4,099.00
Total - \$36,891.00
(subject to escalation)

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

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

Noes: None

Absent: Councilmen Dryden, Friedman

CASH SETTLEMENTS

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

S. R. SHEPPARD, JR. - For 75%/25% cash settlement for waste-water approach main installed to S. R. Sheppard, Jr. Sub-division, Section 1. Total cost will be \$3,032.40. City's cost at 75% will be \$2,274.30; owner's cost at 25% will be \$758.10.

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

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

Noes: Councilman Binder

Absent: Councilmen Dryden, Friedman

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

S. R. SHEPPARD, JR. - For 60%/40% cash settlement in lieu of refund contract for water and wastewater mains in S. R. Sheppard, Jr., Subdivision, Section 1. Total cost will be \$8,323.88. City's cost at 60% will be \$4,994.33; owner's cost at 40% will be \$3,329.55.

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

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

Noes: Councilman Binder

Absent: Councilmen Dryden, Friedman

TRANSMISSION LINE EASEMENT

Councilman Lebermann moved that the Council adopt a resolution authorizing acquisition of one (1) 138 KV transmission line easement in Jose Antonio Navarro Grant Survey. The motion, seconded by Councilman Handcox, carried by the following vote:

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

APPLICATION FOR MANPOWER TRAINING PROGRAM FUNDS

It was noted that a grant application for \$2,228,000 for comprehensive Manpower Training Program funds was before the Council for consideration. Mr. Eli Barron, Chairman of the Board of Directors of SER, appeared before Council and noted that the Board was a group of 16 members of the Spanish-speaking community of the City ranging in age from 26 to the late 50's and had been together for two years. He asked that all the people in support of SER stand. Among those that stood he introduced:

Mr. Narciso Cano	- Assistant National Director of SER in Los Angeles
Mr. Antonio Macias	- Attorney for SER, National Legal Department
Mr. Hector Pena	- Regional Director of SER in Dallas
Miss Annabelle Valle	- Project Director

He noted that Miss Valle had been specifically and carefully chosen by the Austin Board of Directors after much consideration of approximately 15 to 20 applicants two years ago.

He stated that the reason for their being present was because a plan had been submitted to the Capital Area Manpower Consortium under the "Comprehensive Employment and Training Act." He indicated that the Board had had its differences with the Consortium and specifically with the Executive Committee. However, on behalf of the SER Board, he stated that they were in agreement that this plan should be ratified with a certain condition in that the Chairman of the Executive Committee of the Consortium had agreed to have further discussions that would lead to an addendum that would include SER and their willingness to serve in a cooperative manner for the needs of Austin.

In response to Councilman Handcox's question as to whether or not this was simply a grant application for the money, City Manager Davidson stated that there would be an opportunity after the grant was submitted or even received to discuss some of the problems SER had brought to the Consortium's attention and to work out or approach a suggested solution. In reference to this, Mr. Barron indicated that they had had differences as to the delivery of the services required under the plan and that they would have an opportunity to discuss further these differences that would lead to an addendum to include the services of SER and not to exclude them. In conclusion, they wanted to go on record as favoring this proposal subject to the addendum.

Mayor Pro Tem Love commented that in a memo to City Manager Davidson from Mr. Tom Beck, Manpower Planner, he had stipulated the Executive Committee plan be submitted for funding because of the June 1 deadline. In response to Mayor Pro Tem Love's question, Mr. Barron indicated that he had not seen this memo. Mayor Pro Tem Love assured Mr. Barron that the Council understood the request and added that the Council's immediate need was to move along with the approval for seeking of the funds.

Mayor Butler noted that a number of the Board members had called him and that a meeting had been scheduled with Mr. Charles Villasenor, the person renting the building to SER. He indicated that Mr. Villasenor could not attend the meeting but that they had agreed to reschedule another with him and Mr. Beck and Mr. Mike Donovan of Mayor Butler's staff.

In response to Mr. Barron's request, Mayor Pro Tem Love submitted the afore-mentioned memo to him. Councilman Handcox moved that the Council adopt a resolution authorizing the City Manager to sign a grant application for \$2,228,000 for comprehensive Manpower Training Program funds. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

APPLICATION FOR TRANSPORTATION PROGRAM FOR ELDERLY

Councilman Handcox moved that the Council adopt a resolution authorizing the City Manager to submit an application from the Parks and Recreation Department for a "Transportation Program for the Elderly" to the Area Agency on Aging-Capital Area Planning Council for \$32,696.00 with an in-kind match of \$3,639.00. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

AMENDMENT TO INTERIM AGREEMENT ON PLANT PROJECT

It was noted that an amendment to the interim agreement between the L.C.R.A. and the City of Austin relating to the joint power plant project was before Council for consideration. Councilman Binder mentioned the fact that he had been in communication with Mr. Bill Merrill, attorney in Houston, in regard to this matter. In response to this, Mr. R. L. Hancock, Director of the Electric Utility Department, stated that he had been in communication with Mr. Charles Herring, General Manager of L.C.R.A. (project manager), who had received communications from Mr. Merrill. Mr. Hancock noted that he had just recently received a copy of a letter that Mr. Herring had written to Mr. Merrill and was not certain as to whether or not this had satisfied all of Mr. Merrill's desires. Councilman Binder referred to a memo that had been written to City Manager Davidson from Mr. Hancock requesting the authority to proceed with land acquisition for the plant site. He noted that this was

what Mr. Merrill had wanted to speak to the Council about. Mr. Hancock stated that Mr. Merrill had had the opportunity to speak with the project manager but that there would be further opportunity even though land acquisition was authorized. He noted that this authorization was to move forward in acquiring the necessary land for the project but did not preclude any communications between any land owners or interested parties with respect to the land in the project.

Councilman Binder felt that it was somewhat inappropriate to move forward without giving Mr. Merrill a chance to speak. Mayor Butler noted that Mr. Merrill represented 22 land owners in the Fayette County area, many of whom lived in Houston and that L.C.R.A. had the responsibility for providing service to 41 counties; and Austin had the responsibility to serve 400 square miles. He felt that the City must proceed on the basis of joint action that the Council and the L.C.R.A. Board had taken on the basis of the expertise and recommendation of the Bechtel Power Corporation. Mayor Butler further commented that he had been in communication with Mr. Merrill and had recommended to him that the Council meet with him anytime assuming L.C.R.A. would meet with him also. He believed that Mr. Herring had declined the opportunity but had offered him all the records, plats, charts, and maps in connection with this project.

There was further discussion from Councilman Binder with regard to allowing Mr. Merrill an opportunity to present his views. Mr. Hancock felt that if the City awaited the authority to proceed any further on the project until the desires of all land owners involved (about 100) were satisfied, as a matter of practicality the plant would never be completed. Mayor Butler noted that Mr. Merrill had been in touch with Mr. Don Butler, City Attorney; and in response to Councilman Binder's question, Mr. Butler stated that Mr. Merrill wanted to persuade the Council to move the plant to some other location based on the desires of the people he was representing. After further discussion, Mayor Butler indicated that this only gave the authority to move ahead but did not complete the project, and Mr. Merrill would have ample opportunity to represent his clients. Councilman Binder noted that this was basically the kind of assurance he wanted.

Mayor Butler mentioned the fact that Mr. Merrill's comment was that the project be located at Camp Swift and that in the engineering report that had been submitted to Council it was stated that this site was completely unacceptable from an engineering standpoint for this type of plan and added that Mr. Merrill had been furnished this information.

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing an amendment to the interim agreement between the L.C.R.A. and the City of Austin relating to the joint power plant project providing the following:

1. Authority to proceed on land acquisition for the plant site.
2. Authority for employment of the architect engineer for the complete design and preparation of plans and specifications for the project.
3. Authority for the development of the fuel supply for the project
4. Certain provisions for the withdrawal of the parties from the project.

5. The preparation and completion of the Participation Agreement with respect to the project on or before July 1, 1974.

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

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

APPLICATION FOR FUNDS FOR COMMUNITY ACTION PROGRAMS

Councilman Handcox moved that the Council adopt a resolution authorizing the City Manager to submit an application for \$436,800.00 additional federal funds from the Office of Economic Opportunity for the continuation of Community Action Programs from May 1, 1974 through April 30, 1975. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

APPLICATION FOR COUNSELOR TRAINING PROJECT

Councilman Handcox moved that the Council adopt a resolution authorizing the City Manager to submit an application to the Texas Department of Community Affairs for an "Equal Employment Opportunity Counselor Training Project" in the amount of \$25,961.00 with an in-kind match of \$25,080.00. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

APPROVAL OF IMPROVEMENTS FOR BLACKSHEAR AREA

Councilman Handcox moved that the Council adopt a resolution authorizing approval of the proposed improvements for the Blackshear Area. Total cost will be \$377,000.00 to be funded 100% by Model Cities funds. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

HEARING SET ON APPEAL

Mayor Pro Tem Love moved that the Council set a public hearing for June 20, 1974, at 1:00 p.m. on an appeal to the decision of the City Planning Commission to grant a Special Permit to Mrs. Carola Howard for the purpose of building a night club. (Case No. C14p-74-016.) The motion, seconded by Councilman Handcox, carried by the following vote:

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

ACQUISITION OF LAND FOR ST. JOHN'S DRAINAGE PROJECT

Councilman Handcox moved that the Council adopt a resolution authorizing the acquisition of 7515 Bennett Avenue (Emzell Sedwick et ux) for the St. John's drainage project. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

ACQUISITION OF LAND FOR WILLIAM CANNON DRIVE

Councilman Handcox moved that the Council adopt a resolution authorizing the acquisition of the 6900 Block of Manchaca Road (Rudi A. Schuch) for William Cannon Drive. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

ACQUISITION OF LAND FOR EAST RUNDBERG LANE

Councilman Handcox moved that the Council adopt a resolution authorizing the acquisition of East Rundberg Lane at Cameron Road (Dunning Bright et ux) for East Rundberg Lane - I. H. 35 to Cameron Road. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

INCORPORATION OF LAKEWAY

It was noted that the incorporation of the proposed Village of Lakeway was before Council for consideration, which was continued from May 23, 1974, pending completion of the necessary documents. In response to Mayor Butler's question, it was Mr. Don Butler's understanding that everyone was in agreement at Lakeway. As Councilman Handcox looked at the incorporating cities around Austin, he noted that his concern was for that surrounding enclosure and after looking at other cities, he found that this was not a desirable thing for Austin. He realized the problems at Lakeway and felt that they should be resolved and that so much had already gone into its becoming a self-maintaining government. Mayor Pro Tem Love noted that even though he had been absent from the May 23 meeting, he wanted everyone to know that he had been in conversation with Lakeway representatives on a number of occasions and with the City staff.

After discussion, Mayor Pro Tem Love moved that the Council adopt a resolution authorizing the incorporation of the proposed Village of Lakeway. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

Absent: Councilmen Dryden, Friedman

Councilman Handcox prefaced his affirmative vote by noting that he wanted everyone to know that he did have great problems with this. He felt that Austin was going to be circled fairly soon if it continued to incorporate around the fringes of the City; but because of all the things that had gone into the Lakeway project, he voted "yes."

At the time that Mayor Butler voted affirmatively, he noted that Councilman Handcox had a good point and that this had been a problem to the Council for the reason stated. However, he felt that they were protecting their client, the City of Austin, in this particular agreement as far as the extraterritorial jurisdiction conflict might be and yet were enabling Lakeway to get the necessary services they were not able to get short of incorporation. He hoped that this served the best needs of both communities.

SOILS INVESTIGATION AND ENGINEERING TESTING SERVICES

It was noted that the Council had before it the selection of soils investigation and engineering testing services in connection with a Capital Improvements Program project for the Central Library. In response to Councilman Binder's question with regard to the cost, Mr. J. D. Murchison, City architect, noted that this would include soil investigation which would be required before the architect and engineer could complete the foundation to support the structure and would include material testing during the construction. In response to Mayor Butler's question, he indicated that this was more or less a set professional fee; and in response to Councilman Binder's question, he stated that the fee was set by the volume of the building. He added that most firms had price ranges that were comparable; however, Councilman Binder felt that this fee was rather high. Mr. Murchison noted that because this would be a four or five-story building, they definitely wanted proper testing of the materials that would go into the building and added that this amount was an

estimate. Mayor Pro Tem Love moved that the Council select Snowden & Meyer for soils investigation and engineering testing services in connection with the following Capital Improvements Program project:

Central Library (Capital Improvements Program Project No. 8512 1)

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

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

Noes: None

Absent: Councilmen Dryden, Friedman

Not in Council Chamber when roll was called: Councilman Lebermann

ARCHITECTURAL SERVICES

Selection of architectural services in connection with the Library was before the Council; however, the staff requested a postponement. Therefore, the Council postponed the selection of architectural services in connection with the following 1974 Capital Improvements Program project for the Library Department:

Central Library (Capital Improvements Program Project No. 8512 1)

PERMISSION TO OPERATE POWER BOATS

It was noted that the Council had a written request from Glastron Boat Company requesting permission to operate power boats on Town Lake in connection with the Company's Annual Distributor Meeting. It was further noted that this had been done for the past three years, and there had been no complaints. In response to Mayor Pro Tem Love's question as to how far up the river the boats would be going, City Manager Davidson indicated that they would go between Congress Avenue and I. H. 35. In response to Mayor Pro Tem Love's question, City Manager Davidson stated there was no charge for this unless they were to make use of the grounds or buildings but that there was no fee structure for the use of the lagoon. He added that the staff could arrive at a fee structure if Council wanted. In regard to this, Mayor Pro Tem Love requested an investigative report. Mr. Jack Robinson, Director of Parks and Recreation Department, noted that they could develop an arrangement with Glastron.

Councilman Handcox moved that the Council grant Glastron Boat Company permission to operate power boats on Town Lake from July 29 through August 2, 1974, in connection with the Company's Annual Distributor Meeting. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love, Councilman Binder

Noes: None

Absent: Councilmen Dryden, Friedman

Not in Council Chamber when roll was called: Councilman Lebermann

REQUEST TO HANG BANNERS

Councilman Handcox moved that the Council grant a request by Mr. B. H. Bland, Vice President of Ben Hur Temple, to have five banners hung on Congress Avenue for the Texas Shrine Association meeting on June 6, 7, and 8, 1974. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love,
Councilman Binder

Noes: None

Absent: Councilmen Dryden, Friedman

Not in Council Chamber when roll was called: Councilman Lebermann

REQUEST FOR PARADE PERMIT

Councilman Binder moved that the Council grant a request by Mr. Don Brainard, Northwest Hills Parade Committee, for a parade permit on July 4, 1974, from 10:00 a.m. to 10:30 a.m. for a neighborhood July 4 celebration on Mesa Drive from the intersection of Far West to 4100 block of Cat Mountain. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Noes: None

Absent: Councilmen Dryden, Friedman

Not in Council Chamber when roll was called: Councilman Lebermann

SUPPLEMENTAL APPROPRIATIONS FOR TRAFFIC CONTROL SIGNS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING BUDGET ORDINANCE NO. 730913-G TO TRANSFER APPROPRIATED FUNDS FOR CERTAIN PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (For traffic control signs in Blackshear area)

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

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

Noes: None

Absent: Councilmen Dryden, Friedman

The Mayor announced that the ordinance had been finally passed.

SUPPLEMENTAL APPROPRIATIONS FOR MODEL CITIES IMPROVEMENTS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 730802-E, CAPITAL IMPROVEMENT PROGRAM BUDGET, APPROPRIATING MODEL CITIES SUPPLEMENTAL FUNDS TO BLACKSHEAR AREA CAPITAL IMPROVEMENT PROJECTS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Blackshear)

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

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

Noes: None

Absent: Councilmen Dryden, Friedman

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE

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:

TRACT 1: LOT 3, BLUESTEIN OFFICE CENTER, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2: LOT 2 AND LOT 1 EXCLUDING THE AREA EAST OF LITTLE WALNUT CREEK, BLUESTEIN OFFICE CENTER, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, THIRD HEIGHT AND AREA DISTRICT; AND,

TRACT 3: LOT 4, BLUESTEIN OFFICE CENTER, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; LOCALLY KNOWN AS BEING BOUNDED BY U. S. HIGHWAY 183, OLD CAMERON ROAD AND WALLER CREEK; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Jack McCreary, C14-73-073)

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

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

Noes: None

Absent: Councilmen Dryden, Friedman

The Mayor announced that the ordinance had been finally passed.

REFUND CONTRACT - FIRST READING

The Mayor introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH LOGAN MELTON AND DAVID B. BARROW. (Northview Hills, Section 2)

The ordinance was read the first time, and Mayor Pro Tem Love moved the ordinance be passed to its second reading. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Noes: Councilman Binder

Absent: Councilmen Dryden, Friedman

ORDINANCE AMENDING SOUTHERN UNION GAS FRANCHISE

Mayor Butler brought up the following ordinance for its second 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 second time, and Mayor Pro Tem Love moved the ordinance be passed to its third reading. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

Absent: Councilmen Dryden, Friedman

APPROACH MAIN CONTRACT

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 A CERTAIN REFUND CONTRACT WITH JONES AND LAKE DEVELOPMENT COMPANY. (The Creeks Subdivision)

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

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

The Mayor announced that the ordinance had been finally passed.

REFUND CONTRACTS - SECOND 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 EDWARD R. RATHGEBER, JR., CECIL D. PERKINS, AND DORIS HARRIS WARLICK; AND BAKER-CROW COMPANY. (Onion Creek Plantations; Great Hills, Section IV)

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

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

REFUND CONTRACTS - FINAL READINGS

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

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH THE HORSESHOE BEND JOINT VENTURE; GRAY AND BECKER, INCORPORATED; AND SPRING CREEK ESTATES, INCORPORATED.

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

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

The Mayor announced the ordinance had been finally passed.

AMENDMENT TO CAPITAL IMPROVEMENT PROGRAM AND BUDGET ORDINANCES

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING BUDGET ORDINANCE NO. 730913-G TO APPROPRIATE CERTAIN UNEXPENDED FOURTH ENTITLEMENT PERIOD FEDERAL REVENUE SHARE FUNDS RESERVED FOR UNSPECIFIED CAPITAL IMPROVEMENT AND PRIORITY PROJECTS TO CERTAIN CAPITAL IMPROVEMENT AND PRIORITY PROJECTS; AMENDING CIP ORDINANCE NO. 730802-E TO AUTHORIZE CERTAIN CAPITAL IMPROVEMENT PROJECTS; CORRECTING AN ADMINISTRATIVE ERROR; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: None

Absent: Councilmen Dryden, Friedman

The Mayor announced that the ordinance had been finally passed.

ELECTRIC RATE REPORT

It was noted that copies of the Ebasco Report on Electric Rates had been submitted to Council and the news media. City Manager Davidson noted that for several months Ebasco Services Inc. had been working on a final recommendation for the City's electric utility rates and that Mr. T. L. Sharkey, Director of Client Services, would present the final recommendations to the Council. Mr. Sharkey stated that it had been suggested by City Manager Davidson that they put together a summary which would briefly describe the methodology and approach used in their studies and the basic objectives they had to lead to the recommendations before the Council. He and his associate, Mr. Lewis McDonald, took this opportunity to express their appreciation for the response and cooperation from everyone in the City with whom they had dealt. Mr. Sharkey mentioned that in the course of these studies they were very mindful of the opinions of the Council, specifically those brought out at the December 12, 1973, meeting. He indicated that the report was a result of the combined efforts of the personnel of the electric utility system, accounting and financial sections of the City and Ebasco consultants that were assigned to the project. He noted that at the meeting of December 12, 1973, Ebasco had recommended the application of a 17.8% increase to all electric bills issued after January 1, 1974, so that the City could continue to maintain adequate coverage for future bond issues required to finance plant expansion; and he added that this was to be followed by the development of new rate schedules to produce revenues equivalent to the 17.8% and that such standards would be designed to reflect today's cost of furnishing the service and encourage prudent use of electricity, primarily in the high use blocks. He indicated that Ebasco's recommendations to accomplish these rate design requirements were contained in their report and that the following was a brief summary of the steps taken to provide the basis for this recommendation:

1. Review and analysis of the City's existing electric rate structure. Here they found that the basic form of the schedule conformed with the accepted standards of the regulated electric utility industry. Therefore, they recommended no change in this area.
2. Distribution of the dollar increase in revenues representing the 17.8% increase as approved by Council. They accomplished this by taking an equitable distribution of revenue increases among the five service classifications and relied on the results of the cost study as a guide. He stated that this study derived the ratios of net earnings to allocated investments based on revenues received from each service classification for a period of 12 months ending June, 1973.

While the pattern of each relationship was not unreasonable and generally followed those of other utilities, they felt that they should be improved to more nearly represent the cost of furnishing the service, and the proposed rates were designed accordingly. As means of explanation, he reviewed the following:

Table 1 showed these ratios for each five service classifications at the rates existing at the time of the test period and compared them to those derived by the application of the rates proposed. In their opinion this resulted in a uniform pattern of these ratios by reducing the differences in ratios between residential and commercial service.

Table 2 reported the result of the proposed rate increases excluding the adjustment for fuel cost. The distribution among the five classes included the following:

<u>Class</u>	
Residential - General	19.2%
Residential - All Electric	26.0
General Service	15.0
Commercial Space Conditioning	22.4
Large General Service	<u>15.0</u>
Total	17.8%

He indicated that in the design and the development of the proposed schedule they were guided by the following objectives:

- a. To produce the overall 17.8% increase and the basic rates applicable to the five classifications.
- b. To distribute the revenue increases among the five service classifications in an equitable manner reflecting costs of providing the service.

- c. To give effect to the rising fixed cost of operating expenses by applying proportionately greater increases in the higher use blocks of the schedule and in the demand charge of the commercial use.
- d. To move toward a merger of Residential - General by reducing the Residential - All Electric during the peak use in summer months.
- e. To recover a larger portion of the customer costs in the form of a service charge rather than including it in the charge per kilowatt hour.
- f. To modernize the fuel adjustment clause by updating the base cost of fuel and the present costs and to reduce the lag of revenue recovery of increases in the fuel cost.

As an example of how these merger objectives had been attained, he cited Tables 3 and 4.

Table 3 reviewed the differences in the current bill and proposed bill for a Residential General typical customer in the summer (1200 KWH) and winter (600 KWH) months and also for a Residential General large customer in the summer (4000 KWH) and winter (2000 KWH) months, with bills calculated at 65¢ fuel.

Table 4 reviewed the differences in the current bill and proposed bill for a Residential All Electric typical customer in the summer (1900 KWH) and winter (2300 KWH) months and also for a Residential All Electric large customer in the summer (3000 KWH) and winter (4500 KWH) months, with bills calculated at 65¢ fuel.

He noted that there had been a higher proportion of increase added to summer consumptions because this was a higher cost usage to the utility in the summer. They felt that it would be logical to charge the summer user more than he would be charged in the winter months and followed this pattern in the design and development of all the schedules.

In conclusion, he believed firmly that the proposed rate schedules were fair, equitable, and consistent with modern rate making practices in that they gave an improved recognition in the cost of providing a service.

Mayor Butler noted that he had viewpoints expressed proposing a flat rate and felt that this structure had considerably flattened it but not absolutely. He questioned the "evils" of a flat rate. Mr. Sharkey stated that there were no "evils" attached to it and that it was used in some cases, and he added that in most electric utilities the rate for street lighting was a flat rate because the characteristics of the use of this service could be determined. In response to Mayor Butler's question, Mr. Sharkey indicated that this was not done by any utility in the United States for this type service because it historically began this way in New York in the 1880's, and it did not work in that they

began selling their service at 1¢ per ampere hour and discovered that they made less and less money as they added new customers because that type of rate did not give any recognition to the cost of furnishing the service. He gave another reason for not using a flat rate in connection with the character of electricity in that it cannot be stored.

In response to Councilman Binder's question, Mr. Sharkey knew of no other circumstances other than street lighting where the flat rate would be used. Councilman Binder commented that he had previously asked for information regarding flat rates for the City but did not find very much pertaining to that in the report. In response to this, City Manager Davidson explained that when commissioning Mr. Sharkey to make this report, he had been requested to address the possibility of flattening the rate if in order. However, he stated that the staff had anticipated an additional number of questions by the Council concerning flat rates as such; and between now and the time that Council would be requested to give consideration to this proposal, they would be providing the Council with that additional information. Councilman Binder's concern was the fact that he had requested this information twice and Councilman Friedman once and that the study did not provide this information. City Manager Davidson felt that the report contained all the information he had asked be contained in the report with regard to flattening of the rate, and he specifically told Mr. Sharkey that Council did not vote to explore a flat rate but a flattened rate. Mayor Butler thought that the staff could obtain this information for Councilman Binder and requested that Mr. Norman Barker, Finance Administrator, submit a written report of what was told the Council among the bond rating people in New York to the effect that a pure, flat rate would "bust" the utility.

In response to Mayor Pro Tem Love's question as to what his recommendation would be, City Manager Davidson wanted to repeat in fairness to the Ebasco representatives that they had provided what he had understood Council had wanted but added that he would be pleased to help them supplement that. It was his opinion that Council had voted as to whether or not the City should pursue an inverted rate and that was voted down and added that he would check the minutes to verify this. He then stated that it had been intended that Mr. Sharkey present this report and give the Council an opportunity to review it in detail and that the staff would provide any additional information to the Council, and sometime late in June they would bring this back so that the Council could consider a final rate structure for the electric utility. Mayor Butler requested that Ebasco prepare a report and give their best educated projections of what the flat rate would do. Councilman Binder also wanted to see this in the way of applying a flat rate. After an indication from Mr. Sharkey, Mayor Pro Tem Love recommended that this report be supplied within a two-week period of time.

Mrs. Shuddee Fath asked that included in the supplemental study they give statistics as to how many customers in each of the afore-mentioned five service classifications, how many dollars revenue each class generated, how many kilowatt hours each class consumed, and therefore the average rate per KWH per class. In response to Mr. Sharkey's question, Mrs. Fath requested that the same period be used for this as used for the previous studies. She commented that this was a magnificent report if their client was a private utility corporation, but she thought that it was almost totally irrelevant for a City government that was furnishing a basic need to the citizens of the municipality. Mayor Pro Tem Love noted that Mr. R. L. Hancock, Director of the Electric Department, could assist with this information. She thought that there could be an ordinance stipulating that no electric power utility could be generated within the City except through the City plant, which would be a City franchise.

1974-75 REVENUE SHARING

The City Manager's report for the 1974-75 Revenue Sharing was not considered.

EXTRATERRITORIAL DEVELOPMENT STANDARDS AND ANNEXATION PLAN

Councilman Lebermann submitted a report to Council for their acceptance on Austin's extraterritorial development standards and annexation plan. Mr. Dick Lillie, Director of Planning Department, noted that he would give a brief outline of several major directions in which Councilman Lebermann had proceeded to outline for the City to move toward annexation and zoning in the extraterritorial jurisdiction:

1. Proceed to utilize the City's full annexation authorization especially in areas where rapid land development is occurring outside the City limits and along major highways.
 - a. Supporting text to this recommendation indicates that as early as 20 years ago about 90% of all subdivisions occurred within the City limits and had been decreasing since that point to about 65%.
 - b. Many residents are now leaving Austin.
 - c. City ranks very high in the number of annexations processed but very low in the acreage processed.
 - d. This proposal would anticipate that priority should be given to City-initiated annexation to those areas where past subdivision activity and future projection would indicate the greatest urban population growth.
 - e. Properly planned annexations in these growth areas should encourage better building standards, better land use controls, and better overall development.
 - f. The recommendation would be that the Council direct the staff to prepare annexation proposals in accordance with this policy statement and process them for Council consideration and necessary public hearings at an early date.
2. Resolve extraterritorial jurisdiction overlap with communities within Austin's five-mile jurisdiction.
 - a. There are six incorporated communities within Austin's five-mile extraterritorial jurisdiction: West Lake Hills, Rollingwood, Manor, Pflugerville, Sunset Valley and San Leanna.
 - b. There are two other communities just beyond Austin's five-mile extraterritorial jurisdiction: Round Rock and Cedar Park.

- c. The City should proceed to resolve these overlapped areas as quickly as possible to assure that both they and Austin know which areas are subject to their ordinances.
3. Consider use of limited purpose annexation in the Lake Austin area and in areas where no land use and building standards exist, and such controls are necessary to provide for sound development.
 - a. The City's authority to proceed with full annexation and its ability to provide subsequent services may be limited in some areas.
 - b. The Section in the Charter that speaks to limited purpose annexation has not been utilized by the City although it has been in the Charter since 1953.
 - c. This form of annexation might provide considerably stronger development controls than those provided to the City by state law in the extraterritorial jurisdiction.
4. Amend the "L" Lake District as applied to Town Lake and extend the ordinance to all land along Lake Austin within the City limits of Austin.
 - a. The amendment passed in 1973 allows special provisions to permit some land uses identified in "GR" General Retail and 200 foot building height limitations.
 - b. A special permit is required whereby a site plan with a perspective rendering of the structures must be approved by the Council.
 - c. The proposal would be that a new Lake District be drafted for Lake Austin to include primarily low-density residential development with opportunities for clustering units under planned unit development; some commercial locations for citizens using the Lake; and provisions for building setbacks, land coverage, access, utilities, and piers.
 - d. The proposal would include that the provisions of the Town Lake district be extended to include all shores of Town Lake not presently covered by the "L" designation.
5. Consider the development of a master plan for the Lake Austin area in order to provide the necessary guidelines for the future use and enjoyment of this area to property owners and to all citizens.
 - a. The City should provide the leadership toward the protection of this asset through the development of a plan and then providing for its implementation and that because of the uniqueness of the area and its potential, a team of consultants should be retained to carry out the planning effort.

- b. The proposal would recommend that the Council direct the staff to develop a proposed planning program for the Lake Austin drainage basin and submit to the Council a list of qualified consultants to assist in this major planning effort.
6. Amend the subdivision ordinance to extend urban development standards to all land within five-mile jurisdiction.
 - a. Subdivision ordinance now has provisions for the development of land where streets and drainage facilities need only meet the standards of the County. Streets may be unpaved and drainage problems solved by open ditches.
 - b. Ordinance provides that this type of subdivision may be developed if beyond two miles from the Austin corporate limits and if lot density is less than 2.5 lots per acres.
 - c. This recommendation would extend the urban standards to the full five-mile jurisdiction.

Councilman Lebermann thanked Mr. Lillie and noted that he was extremely grateful to City Manager Davidson; Mr. Homer Reed, Deputy City Manager; Mr. Don Butler, City Attorney; and Mr. Lillie who aided him in developing this fairly comprehensive planning document. He requested that the report be accepted and approval be granted and the Manager be instructed to move ahead in the implementation of the materials required for Council's review in relation to each of the programs. There was discussion in regard to whether or not a public hearing would be appropriate. Councilman Lebermann felt that under the terms of the Charter most of the sections would require a hearing. At this point Councilman Binder complimented Councilman Lebermann on the report.

Councilman Lebermann moved that the Council accept the report and instruct the staff to move ahead in the development of these sections in preparation for Council's action. The motion, seconded by Councilman Binder, carried by the following vote:

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

There was discussion between Mayor Butler and Mr. Lillie with regard to strip annexation of Highway 183 noting that ten years ago there was nothing in the Statute that limited this, but at present there was a provision that strip annexation must be 500 feet wide. There was further discussion in connection with providing services. Councilman Lebermann noted that under the terms of limited purpose annexation the City would not be obligated to extend utilities in the usual three-year period and would not impose ad valorem taxes but would have certain controls and would charge for services as they were provided. Mr. Butler indicated that in most cases the City tried to provide services instantaneously.

Councilman Lebermann pointed out that the Council might desire to go ahead and authorize the Manager to procedurally begin conversations with the six communities and work out the most sensible extraterritorial jurisdiction plan for their communities and the City.

PITCH-IN PROPOSAL

Mayor Pro Tem Love stated that after the success of the Pitch-In Campaign it had become apparent that the City needed to continue this community-wide effort. He requested that Council instruct the City Manager to investigate the possibility of continuing this commitment in the form of a permanent office either within another department or outside in a separate office, which would administer an effective anti-litter program on a full-time basis. He requested that the Manager be instructed to bring that recommendation to the Council at the time he presents the 1974-75 budget.

ZONINGS SET FOR PUBLIC HEARING

The City Manager reported that the following zoning applications had been referred to the Planning Commission for recommendation and had been set for public hearing on July 11, 1974:

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

5901-6011 South
Congress Avenue,
101-1111, 500-900 &
1000-1104 Little
Texas Lane, 5514-5600
5610-5712 & 5900-6120
South I. H. 35

From Interim "A" Residence
1st Height and Area
To "A" Residence
1st Height and Area
"B" Residence
1st Height and Area
"O" Office
2nd Height and Area
"LR" Local Retail
1st Height and Area
"LR" Local Retail
2nd Height and Area
"LR" Local Retail
3rd Height and Area
"GR" General Retail
1st Height and Area and
"GR" General Retail
3rd Height and Area

JOHN M. WEINSTOCK, ET AL Various properties with-
By Paul R. Davis, Jr. in the Old West Austin
C14-74-062 Neighborhood located on

the following streets:
Harthan Street, Blanco Street,
Baylor Street, Oakland Street,
Highland Street, Brownlee Circle,
Pressler Street, Winflo Street,
Shelley Street, West 6th, 6-1/2,
7th, 9th and 10th Streets

From "B" Residence
2nd Height and Area and
"C" Commercial
2nd Height and Area
To "A" Residence
1st Height and Area

WEST NINTH STREET PARTNERSHIP C14-74-064	601 West 9th Street 806-810 Nueces Street	From "O" Office To "GR" General Retail
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
RICHARD R. JENKINS By Owen Reischman C14-74-066	4014 Medical Parkway	From "O" Office To "GR" General Retail
MARLTON O. METCALFE By Mrs. George Sanders, Jr. C14-74-067	1710 Eva Street 200-204 West Annie Street	From "A" Residence To "O" Office
BRONISLAW PUSCHMAN, ET UX C14-74-068	412-418 Stassney Lane	From "A" Residence To "GR" General Retail
CORRINE HAROLD C14-74-069	7407-7411 Martin Avenue 701-703 Delmar Avenue	From "A" Residence To "C" Commercial
J. D. CONNOLLY, TRUSTEE C14-74-070	4600-5016 Beacon Drive also bounded by Spring- dale Road (Manor Road)	From "A" Residence To "GR" General Retail (Tract 1) and "B" Residence (Tract 2)
REVELL AND COMPANY By Tom Curtis C14-74-071	3403 Glenview Avenue	From "A" Residence To "O" Office
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 To "O" Office 2nd Height and Area
P. L. BAKER By Mike Leet C14-74-073	Rear of 213-215 Chalmers Avenue	From "B" Residence To "C" Commercial
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
DAVID B. BARROW, ET AL By Robert Sneed C14-74-075	3519-3531 Greystone Drive 7425-7437 Wood Hollow Drive	From "BB" Residence To "LR" Local Retail

JERRY D. BOX, ET UX C14-74-076	605 West 28th Street	From "O" Office To "LR" Local Retail
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 1st Height and Area and "C-2" Commercial 5th Height and Area
JAGGER PROPERTIES, INC. By Jerry B. Hale C14-74-078	5313-5411 Pleasant Valley Road (Tract 1) 5212-5218 Nuckols Crossing Road (Tract 2); 4905-5009 Stassney Lane (Tract 3)	From Interim "A" Residence 1st Height and Area To "LR" Local Retail 1st Height and Area (Tracts 1 and 2) and "BB" Residence 1st Height and Area (Tract 3)
WEST 34TH STREET CORPORATION By Ralph Daugherty C14-74-079	3205-3207 Grandview Street	From "BB" Residence To "O" Office
HARDIN ASSOCIATES, INC. By R. Douglas Muir C14-74-080	Rear of 5555 North Lamar Boulevard	From "C" Commercial To "C-2" Commercial
K R T, INC. By James Brady C14-74-081	4025-4109 Bannister Lane 1210 West Ben White Boulevard	From "GR" General Retail 1st Height and Area To "GR" General Retail 2nd Height and Area
FARM AND HOME SAVINGS ASSOCIATION By Joe Gilbreth C14-74-082	4925-4949 & 4949- 5049 Frederick Lane 1912-2030 & 1913- 2029 Teri Road	From Interim "A" Residence 1st Height and Area To "LR" Local Retail 1st Height and Area (Tract A) and "B" Residence 1st Height and Area (Tracts B and C)
URBAN RENEWAL AGENCY By Paul D. Jones C14-74-084	2900-2910 Glen Oaks Drive (Conway Street) 900-1006 Neal Street 3001-3005 Hargrave Street; 1001-1011 Pleasant Valley Road	From "A" Residence To "O" Office

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

GOVERNOR ALLAN SHIVERS,
JOHN SHIVERS and C.
McADEN
By Dan Felts
C14-73-246

5300-5306 Joe Sayers
Avenue
1500-1504 North Loop
Boulevard

From "B" Residence
1st Height and Area
To "B" Residence
2nd Height and Area
(as amended)

ADJOURNMENT

The Council adjourned at 3:35 p.m.

APPROVED

Ray Butler
Mayor

ATTEST:

Grace Monroe
City Clerk