

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

June 7, 1973  
10:00 A.M.

COUNCIL CHAMBERS, CITY HALL

Mayor Butler called the meeting to order and noted that all of the Council members were present.

## Roll Call:

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

Absent: None

The Invocation was delivered by RABBI LOUIS FIRESTEIN, Temple Beth Israel.

## APPROVAL OF MINUTES

Councilman Lebermann moved the Council approve the Minutes of the Regular Meeting of May 17, 1973. The motion, seconded by Councilman Friedman, carried by the following vote:

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

Noes: None

## CHECK FROM TOWN LAKE BEAUTIFICATION COMMITTEE

Mr. Les Gage, speaking for the Town Lake Beautification Committee, presented the City of Austin with a check for \$55,574.98 to be used for the beautification of Town Lake. Accompanying Mr. Gage were Mrs. John Burns, Treasurer and Co-chairman, Mrs. Morin Scott and Mrs. Tom Curtis. Mayor Butler accepted the check on behalf of the City.

## PROCLAMATIONS

Mayor Pro Tem Love read and presented to Dr. Irby Carruth and Mr. Beverly Sheffield a proclamation designating Friday, June 8, 1973, as "Playground Day in Austin."

Councilman Friedman read and presented to Mrs. June Bell and others a proclamation designating June 14, 1973, as "Flag Day in Austin." Mrs. Bell stated that the period between June 14 and July 4 would be celebrated as 21 days of honor.

Councilman Binder read and presented to Mrs. Annabelle Valle and Mr. Andrew Rodriguez a proclamation designating the week of June 3-10 as "SER Week" and renamed East First Street as SER Street for the day of June 8, 1973.

Mrs. Valle spoke to the Council and pointed out that Ser in Spanish meant to be. She also issued an invitation to the SER picnic to be held at the Zilker Rock Garden on June 10.

#### NATURAL SCIENCE CENTER HEARING POSTPONED

Mr. Richard C. Baker requested by letter that the public hearing in connection with the Natural Science Center Association's Project be postponed until July 12, 1973, or such subsequent date as might be more acceptable to the City Council. It was pointed out that July 12 was the night for a dinner at Bergstrom AFB to which the Council had been invited. Councilman Friedman then moved the Council schedule the hearing for 7:00 P.M. at the Electric Auditorium on July 26, 1973. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

#### ZONING HEARINGS

Mayor Butler announced that it was 10:00 A.M., and the Council would hear the zoning cases scheduled for Public Hearing at this time. Pursuant to published notice thereof, the following zoning applications were publicly heard:

THE CALCASIEU LUMBER 3408 Kirby Lane  
COMPANY  
by Kenneth P. Johnson  
C14-73-083

From "A" Residence to "O"  
Office  
RECOMMENDED by the Planning  
Commission as amended

Mayor Pro Tem Love moved the Council grant the change from "A" Residence to "O" Office as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

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

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

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FREEDA RUTH RUSH      5201-5207 Evans Ave.  
by Dr. Walter Meyer    600-602 E. 52nd St.  
C14-73-049

From "A" Residence to "O"  
Office  
RECOMMENDED by the Planning  
Commission subject to 5' of  
right-of-way on Evans Ave.  
and 5' of right-of-way on  
E. 52nd St.

Mayor Pro Tem Love moved the Council grant the change from "A" Residence to "O" Office as recommended by the Planning Commission subject to 5' of right-of-way on Evans Avenue and 5' of right-of-way on East 52nd Street. The motion, seconded by Councilman Handcox, failed to carry by the following vote:

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

The Mayor announced that the proposed change had failed to carry. Dr. Meyer, representing the owner, was advised that if he accepted the Council's vote, that he could resubmit his application immediately if he wished. If he withdrew his application, then there would be a six-month waiting period before he could resubmit.

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ODUS S. CRUMLEY, ET UX    504-506  
E. E. BERTLING, ET UX    Elliott Street  
by Leon Annis

From "A" Residence to "BB"  
Residence  
RECOMMENDED by the Planning  
Commission subject to a  
subdivision to identify this  
property and to dedicate 5'  
of right-of-way to increase  
Elliott Street to 60'.

Mayor Pro Tem Love moved the Council grant the change from "A" Residence to "O" Office as recommended by the Planning Commission subject to a subdivision to identify this property and to dedicate 5' of right-of-way to increase Elliott Street to 60'. The motion, seconded by Councilman Dryden, failed to carry by the following vote:

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

The Mayor announced that the proposed change had failed to carry.

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WALTER L. SNOWDEN &    4610-4612  
KIRBY T. MEYER          Connelly Street  
C14-73-081

From "A" Residence to "O"  
Office  
RECOMMENDED by the Planning  
Commission subject to 5' of  
right-of-way on Connelly St.

Councilman Friedman moved the Council grant the change from "A" Residence to "O" Office as recommended by the Planning Commission subject to 5' of right-of-way on Connelly Street. The motion, seconded by Councilman Dryden, carried by the following vote:

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

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

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GENE NAUMAN  
Independent Executor  
for the Estate of  
Mrs. W. H. Taff, deceased  
By George Hatfield  
C14-73-084

1717-1719 East  
First Street

From "C" Commercial 2nd  
Height and Area to "C-2"  
Commercial 2nd Height and  
Area  
RECOMMENDED by the Planning  
Commission subject to  
Departmental requirements

Councilman Handcox moved the Council grant the change from "C" Commercial 2nd Height and Area to "C-2" Commercial 2nd Height and Area as recommended by the Planning Commission subject to Departmental requirements. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Mayor Pro Tem Love,  
Councilman Lebermann  
Noes: Councilmen Binder, Friedman  
Out of Room at  
Roll Call: Councilman Dryden

The Mayor announced that the change had been granted as recommended by the Planning Commission subject to Departmental requirements and instructed the City Attorney to draw the necessary ordinance to cover.

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A. V. HOLDEN, ET UX  
C14-73-086

2206 Anderson  
Lane

From "A" Residence to "GR"  
General Retail  
RECOMMENDED by the Planning  
Commission subject to 5' of  
right-of-way on Anderson  
Lane, 25' building setback  
from the north boundary line;  
a 6' privacy fence on the  
north boundary

Mayor Pro Tem Love moved the Council grant the change from "A" Residence to "GR" General Retail as recommended by the Planning Commission subject to 5' of right-of-way on Anderson Lane, 25' building setback from the north boundary line; a 6' privacy fence on the north boundary. The motion, seconded by Councilman Handcox, carried by the following vote:

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

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

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M. H. CROCKETT, JR.  
C14-73-087

6202-6208  
Cameron Road

From "C" Commercial to "C-2"  
Commercial  
RECOMMENDED by the Planning  
Commission subject to a  
restrictive covenant stipu-  
lating that with destruction  
of the existing building, the  
zoning of the tract shall  
revert to "C" Commercial  
zoning

Councilman Handcox moved the Council grant the change from "C" Commercial to "C-2" Commercial as recommended by the Planning Commission subject to a restrictive covenant stipulating that with the destruction of the existing building, the zoning of the tract shall revert to "C" Commercial zoning. The motion, seconded by Councilman Dryden, carried by the following vote:

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

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

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WILLIE H. GLASS, JR.  
C14-73-090

2906-2908 South  
First Street  
600-604 Terrell Hill  
Drive

From "A" Residence to "LR"  
Local Retail  
RECOMMENDED by the  
Planning Commission subject  
to subdivision, approximately  
6' of right-of-way on Terrell  
Hill Drive, and a 6' privacy  
fence on the west boundary  
line

Councilman Handcox moved the Council grant the change from "A" Residence to "LR" Local Retail as recommended by the Planning Commission subject to subdivision approximately 6' of right-of-way on Terrell Hill Drive, and a 6' privacy fence on the west boundary line. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

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

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WATT SCHIEFFER  
By Tom Curtis  
C14-73-099

5620-5720 Inter-  
state Highway 35  
932-936 East  
56 1/2 Street

From "C" Commercial 6th  
Height and Area to "C"  
Commercial 2nd Height and  
Area  
RECOMMENDED by the Planning  
Commission subject to no  
vehicular access to East  
56 1/2 Street

Mayor Pro Tem Love moved the Council grant the change from "C" Commercial 6th Height and Area to "C" Commercial 2nd Height and Area as recommended by the Planning Commission subject to no vehicular access to East 56 1/2 Street. The motion, seconded by Councilman Friedman, carried by the following vote:

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

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

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MRS. EMELIE YERGER  
by Hawthorne Phillips  
C14-73-100

5301-5315 South  
Congress Avenue  
5300-5308  
Wasson Road

From Interim "A" Residence  
1st Height and Area to "C"  
Commercial 1st Height and  
Area and "C-2" 1st Height and  
Area  
RECOMMENDED by the Planning  
Commission "C" Commercial for  
Tr. 1 and portion of Tr. 2,  
and "C-2" Commercial for  
9,000' of Tr. 2 as amended  
subject to field notes identi-  
fying the 9,000 square feet

Councilman Handcox moved the Council grant the change from Interim "A" Residence 1st Height and Area to "C" Commercial 1st Height and Area for Tract 1 and portion of Tract 2, and "C-2" Commercial 1st Height and Area for 9,000' of Tract 2 as amended subject to field notes identifying the 9,000 square feet. The motion, seconded by Councilman Dryden, carried by the following vote:

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

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

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TRUMAN MONTANDON	608-700 Middle Lane	From "A" Residence to "GR"
by Martin H.	9200-9210 Interstate	General Retail
Boozer, Jr.	Highway 35	RECOMMENDED by the Planning
C14-73-101		Commission subject to 5' of
		right-of-way on Middle Lane
		and a 6' privacy fence on
		the west boundary

Councilman Friedman moved the Council grant the change from "A" Residence to "GR" General Retail as recommended by the Planning Commission subject to 5' of right-of-way on Middle Lane and a 6' privacy fence on the west boundary. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

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

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KOGER PROPERTIES	3561-3625 Spicewood	From "BB" Residence to "O"
by Robert C. Sneed	Springs Road	Office
C14-73-104		RECOMMENDED by the Planning
		Commission subject to no
		vehicular access to Spice-
		wood Springs Road

Councilman Handcox moved the Council grant the change from "BB" Residence to "O" Office as recommended by the Planning Commission subject to no vehicular access to Spicewood Springs Road. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Binder, Lebermann,  
Friedman, Handcox  
Noes: None  
Out of Room at  
Roll Call: Mayor Pro Tem Love

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

W. W. PATTERSON  
 LEM SCARBROUGH &  
 MARY BELLE McCLURE  
 by Larry Niemann  
 C14-73-085

Tract 1  
 835-895 U.S. Hwy.  
 183 E.

Tract 2  
 1001-1035 U.S.  
 Hwy. 183 E.

Tract 3  
 1063-1139 U.S.  
 Hwy. 183 E.

From Interim "A" Residence  
 1st Height and Area and  
 "D" Industrial 1st Height  
 and Area to "C" Commercial  
 1st Height and Area  
 NOT RECOMMENDED by the  
 Planning Commission  
 RECOMMENDED by the Planning  
 Commission "LR" Local  
 Retail 1st Height and Area  
 except for the western por-  
 tion of Tract 1, which is  
 presently zoned "D" Indus-  
 trial, subject to subdivi-  
 sion, proper termination of  
 the streets in conformance  
 with the St. John's Neigh-  
 borhood Plan, limitation of  
 curb cuts to one on Tract 1,  
 two on Tract 2 and two on  
 Tract 3, and a 6' privacy  
 fence on the south boundary.

Councilman Handcox moved the Council grant the change from Interim "A" Residence 1st Height and Area and "D" Industrial 1st Height and Area to "LR" Local Retail 1st Height and Area except for the western portion of Tract 1, which is presently zoned "D" Industrial, subject to subdivision, proper termination of the streets in conformance with the St. John's Neighborhood Plan, limitation of curb cuts to one on Tract 1, two on Tract 2 and two on Tract 3, and a 6' privacy fence on the south boundary. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

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

W. W. PATTERSON,  
 HUNTER SCHIEFFER &  
 WILLARD CONNOLLY  
 by Paul D. Jones  
 C14-73-098

Northwest corner  
 of Loyola Lane and  
 Ed Bluestein Boulevard

From Interim "A" Residence  
 1st Height and Area, "BB"  
 Residence 1st Height and  
 Area, "B" Residence 1st  
 Height and Area, "GR"  
 General Retail 1st Height  
 and Area to Tract 1: "B"  
 Residence 1st Height and  
 Area Tract 2: "GR" General  
 Retail 1st Height and Area  
 NOT RECOMMENDED by the  
 Planning Commission  
 RECOMMENDED by the Planning



Commission "A" Residence on the western 25' of Tract 1, "B" Residence on the remaining 75' of Tract 1; "GR" General Retail on Tract 2, subject to field notes to identify these two tracts and limitation of two curb cuts on Loyola Lane

Captain Sanford R. Planck of 5113 Loyola Lane spoke in opposition to the zoning change. He was primarily concerned with the endangering of school children from increased traffic flow. He offered a different proposed zoning for the property which amounted to a rollback.

Mrs. Joan Bartsch, Co-chairman, University Hills Home Owners, spoke against the recommended zoning change. She stated that she would prefer apartments to a shopping center for the area.

Mr. Terry Bishop, representing the Austin Independent School District, requested that the zoning hearing be delayed until a desegregation court case involving the LBJ High School in the area be settled.

Mr. Paul D. Jones, speaking for the property owner requesting the zoning change, argued that a shopping center would be better for the area than would apartments. He requested that the change be granted.

Councilman Handcox moved the Council grant the change from Interim "A" Residence 1st Height and Area, "BB" Residence 1st Height and Area, "B" Residence 1st Height and Area and "GR" General Retail 1st Height and Area to "A" Residence on the western 25' of Tract 1, "B" Residence on the remaining 75' of Tract 1 and "GR" General Retail 1st Height and Area on Tract 2 as recommended by the Planning Commission subject to field notes to identify these two tracts and limitation of two curb cuts on Loyola Lane. The motion, seconded by Councilman Dryden, carried by the following vote:

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

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

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RECESSED MEETING

2:00 P.M.

## ZONING HEARINGS

ARTHUR SMITH  
ET UX  
by Phil Mockford  
C14-73-103

1711-1811  
Kramer Lane

From Interim "A" Residence  
1st Height and Area to  
"B" Residence 1st Height  
and Area  
NOT RECOMMENDED by the  
Planning Commission  
RECOMMENDED by the Planning  
Commission "BB" Residence  
1st Height and Area subject  
to subdivision, 10' of  
right-of-way on Kramer Lane,  
extension of Macmora Road,  
landscaped screening or 6'  
privacy fence on east bound-  
ary line

Councilman Friedman moved the Council grant the change from Interim "A" Residence 1st Height and Area to "BB" Residence 1st Height and Area as recommended by the Planning Commission subject to subdivision, 10' of right-of-way on Kramer Lane, extension of Macmora Road, landscaped screening or 6' privacy fence on east boundary line. The motion, seconded by Councilman Dryden, carried by the following vote:

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

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

## ZONINGS DENIED

RAYMOND LEIFESTE  
by Ford Smith  
C14-73-028

7841-7847 Burnet  
Road  
2305-2317  
Anderson Lane

From "C" Commercial 6th  
Height and Area to "C"  
Commercial 2nd Height and  
Area  
NOT RECOMMENDED by the  
Planning Commission

Councilman Dryden moved the Council uphold the recommendation of the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

## MAYOR PRO TEM LOVE ENTERS

ALVIN E. TERRELL,  
ET UX  
by Wade Huckins  
C14-73-088

4508-4510  
Speedway Avenue

From "A" Residence 1st  
Height and Area to "B"  
Residence 2nd Height and  
Area  
NOT RECOMMENDED by the  
Planning Commission

Mr. Huckins addressed the Council and asked that the policy of rezoning north of 45th Street be reconsidered. He pointed out that the owners, Mr. and Mrs. Terrell, were elderly and wanted to sell the property so that they could move out of the neighborhood. Sale of the property was contingent upon the rezoning.

Mrs. Butler from the Planning Department stated that the subject property had no frontage on 45th Street and that the requested rezoning would allow an intrusion into a single-family neighborhood.

Mr. Terrell addressed the Council and requested that the change be granted.

Councilman Lebermann moved that the recommendation of the Planning Commission be upheld. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Mayor Butler, Councilmen Binder, Lebermann, Handcox  
Noes: Mayor Pro Tem Love, Councilman Friedman  
Out of Room at  
Roll Call: Councilman Dryden

The Mayor announced that the change had been DENIED.

RIVER VILLAGE, INC.  
by Ronald Dildine  
C14-73-091

Rear of 1409-1501  
Inglewood Street

From "A" Residence to "GR"  
General Retail  
NOT RECOMMENDED by the  
Planning Commission

Mr. Zoch, representing River Village, Inc., asked that the change be granted.

Councilman Friedman moved that the recommendation of the Planning Commission be upheld. The motion, seconded by Councilman Dryden, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

WILLIAM BOAZ GUNN &  
THOMAS C. HAZLEWOOD  
C14-73-092

309-311  
West 37th Street

From "A" Residence to "B"  
Residence  
NOT RECOMMENDED by the  
Planning Commission

Councilman Dryden moved that the recommendation of the Planning Commission be upheld. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler,  
Councilmen Dryden, Binder  
Noes: None  
Out of Room at  
Roll Call: Mayor Pro Tem Love

The Mayor announced that the change had been DENIED.

GEORGE C. ROBINSON  
by Martin H.  
Boozer, Jr.  
C14-73-095

308 West  
19th Street

From "C" Commercial 2nd  
Height and Area to "C"  
Commercial 3rd Height and  
Area  
NOT RECOMMENDED by the  
Planning Commission

Mr. Boozer, representing the owner, requested that the change be granted.

After some discussion, Mayor Pro Tem Love moved that the recommendation of the Planning Commission be upheld. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

M. H. CROCKETT, JR.  
by Martin H. Boozer, Jr.  
C14-73-096

317 South Congress  
Avenue

From "C-2" Commercial 2nd  
Height and Area to "C-2"  
Commercial 3rd Height and  
Area  
NOT RECOMMENDED by the  
Planning Commission

Mr. Martin Boozer, representing the owner, requested that the change be granted. Mr. Crockett also addressed the Council and argued that the change should be granted.

After some discussion Mayor Pro Tem Love moved that the recommendation of the Planning Commission be upheld. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

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#### ZONING CHANGE WITHDRAWN

EDITH THOMPSON  
by Celesta Cullen  
C14-73-093

1502-1504  
Kinney Avenue

From "A" Residence to "B"  
Residence  
NOT RECOMMENDED by the  
Planning Commission

The owner requested by letter that this change be withdrawn.

#### ZONING ORDINANCE

The Mayor opened the zoning ordinance hearing scheduled for that time. No one appeared to participate in the hearing. Mayor Butler then introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 BY AMENDING THE DEFINITION OF THE TERM "PARKING SPACE"; ESTABLISHING DESIGN STANDARDS FOR OFF-STREET PARKING AREAS; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Friedman, Handcox, Mayor Butler  
Councilmen Dryden, Binder, Lebermann  
Noes: None  
Out of Room at  
Roll Call: Mayor Pro Tem Love

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 OF THE CODE OF THE CITY OF AUSTIN, 1967, BY ADDING THERETO TWO NEW SECTIONS, SECTIONS 45-14.1 AND 45-14.2; PROVIDING FOR DEFERRING THE PASSAGE OF ZONING ORDINANCES WHICH REFLECT CERTAIN ZONING CHANGES APPROVED BY THE CITY COUNCIL; PROVIDING FOR THE PLACEMENT OF SIGNS REFLECTING CERTAIN ZONING APPLICATIONS APPROVED BY THE CITY COUNCIL; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmen Friedman, Handcox, Mayor Butler,  
Councilmen Dryden, Binder, Lebermann  
Noes: None  
Out of Room at  
Roll Call: Mayor Pro Tem Love

The Mayor announced that the ordinance had been finally passed.

#### ANNEXATION HEARINGS

Mayor Butler opened the annexation hearing scheduled for 11:00 A.M.

Mr. Delwyn Williams requested cancellation of annexation proceedings on the following:

93.7 acres out of the William Cannon League - unplatted land  
(initiated by the City of Austin)

Mrs. Evelyn Butler, representing the City Planning Department, stated that the area was almost surrounded by the City limits with the annexation of Meadowcreek, and that the area to the north was coming in soon. The property was abutting and could be served by the City.

After some further discussion, Councilman Binder moved that the Council defer annexation until the large tract of land to the north of the subject area was annexed. The motion, seconded by Councilman Friedman, carried by the following vote:

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

Mr. Williams was assured by the Council that he and the other property owners would be notified when new annexation proceedings would be held.

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Mayor Butler opened the annexation hearing scheduled next. No one appeared to participate. Councilman Handcox moved the Council close the hearing and direct the administration to institute annexation proceedings to annex the following:

- (1) 14.59 acres out of the James Burleson League -
  - (a) 11.98 acres - unplatted (requested by Russell E. Plainton, owner)
  - (b) 2.61 acres - H. & T. C. Railroad Right-of-way.  
(initiated by City of Austin)

- (2) 274.59 acres out of the James Burleson League -  
(a) 270.58 acres - unplatted land, (requested by  
Howard Layne, owner)  
(b) 4.01 acres - portions of Decker Lake Road and  
F.M. 969. (initiated by City of Austin)

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

Ayes: Councilmen Dryden, Binder, Lebermann, Friedman,  
Handcox, Mayor Butler  
Noes: None  
Out of Room at  
Roll Call: Mayor Pro Tem Love

Mr. Martin Boozer, representing Mr. John Felter, a property owner in the area of the next item on the agenda for annexation, asked what the implications were for his client. Of the 678 acres under consideration for annexation, Mr. Felter owned a 22-acre tract which he had planned to develop for industrial use. When annexed, the property would come in as Interim "A" Residence zoning. Mr. Felter argued that since his property lay between two railroads and fronted on the MKT Railroad, the area logically should be zoned for light industry.

Mr. Woodrow Sledge, representing the Austin Independent School District, argued that the general area under consideration (northeast Austin) needed maximum residential development because of the new high school in the area. He encouraged annexation to keep the Interim "A" Residence zoning.

Mayor Butler and Mrs. Evelyn Butler of the Planning Department told Mr. Felter that if he had a legal tract, then he would be affected by the annexation. It was possible, though, that he might not have to have a subdivision, and in that instance, would not be affected by the annexation.

Councilman Lebermann then moved the Council close the hearing and direct the administration to institute annexation proceedings to annex the following:

678.00 acres out of the J. C. Tannehill and James Burleson Leagues -  
unplatted land, portion of F. M. 969, M.K. & T. Railroad Right-of-  
Way, and H.T.C. Railroad Right-of-Way. (initiated by City of Austin)

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

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

Mayor Butler opened the next annexation hearing to consider annexation of the following:

Total of 114 acres of land more or less, out of the John Applegait and Willis Avery Surveys: (postponed from May 24, 1973)

- (1) 3.96 acres of land known as Resubdivision of Lots 1A, 1B, 1C, 1D, 2, 7A, and 7B, CAMERON ACRES.  
(requested by J. B. Hamilton, owner)
- (2) 110+ acres - portions of Cameron Road, Old Cameron Road, Future Drive, Pleasant Cove, Pleasant Lane and unplatted land. (initiated by City of Austin)

Mr. Dan Davidson stated that he had talked to one man who was concerned about the use of land located east of Cameron Road for a future district park. Mr. Davidson said that annexation should take place in two steps:

- (1) annex land west of Cameron Road first for land use control and to close up holes developed so far,
- (2) annex land east of Cameron Road after some decisions had been made on the district park.

Mayor Pro Tem Love moved the Council close the public hearing, limit annexation proceedings to the property west of Cameron Road and bring in the property as a Phase I annexation. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilman Friedman, Mayor Butler, Councilmen Dryden, Binder, Mayor Pro Tem Love, Councilman Lebermann  
Noes: None  
Out of Room at  
Roll Call: Councilman Handcox

#### CONTRACTS AWARDED

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

BURNS INT'L SECURITY  
SERVICE, INC.  
Austin, Texas

Bid Invitation #3-1062  
Provide unarmed Uniformed Security  
Guard for Municipal Building as  
required - 1872 hours @ \$3.00/hr. -  
Total \$5,616.00

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

Ayes: Mayor Butler, Councilmen Dryden, Binder, Mayor Pro Tem Love, Councilman Lebermann  
Noes: None  
Out of Room at  
Roll Call: Councilmen Friedman, Handcox



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

JONES CHEMICALS, INC.  
Houston, Texas

Bid Invitation #3-1096  
Sodium Nitrate - Three (3) month  
Supply Agreement - 180 tons - for  
Wastewater Treatment Division -  
\$14,310.00

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

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

Noes: None

Out of Room at

Roll Call: Councilmen Friedman, Handcox

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

MINNESOTA MINING &  
MANUFACTURING CO.  
St. Paul, Minnesota

Bid Invitation #3-1098  
Special Signal Heads for Traffic  
and Transportation Department -  
\$9,262.50

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

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

Noes: None

Out of Room at

Roll Call: Councilmen Friedman, Handcox

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

ANKEN CONSTRUCTION COMPANY,  
INC.  
Austin, Texas

Capital Improvements Program Project  
No. 8304 1  
For the construction of the Fire  
Drill Tower at the Pleasant Valley  
Road Site, contingent upon approval  
of special permit to allow construc-  
tion - \$139,300.00

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

Ayes: Mayor Butler, Councilmen Dryden, Binder, Mayor Pro  
Tem Love, Councilman Lebermann  
Noes: None  
Out of Room at  
Roll Call: Councilmen Friedman, Handcox

#### ITEM WITHDRAWN

Councilman Dryden moved the Council approve the withdrawal of the follow-  
ing item:

Authorizing an agreement between the City of Austin for Brackenridge  
Hospital, and the Austin Community College School of Vocational  
Nursing to provide for clinical experience in terms of patient and  
related instruction for students of the college in the Vocational  
Nursing School Program. (This agreement is a duplicate of that  
presently approved between the City of Austin and the Central Texas  
College at Austin.)

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

Ayes: Councilmen Dryden, Binder, Mayor Pro Tem Love,  
Councilman Lebermann, Mayor Butler  
Noes: None  
Out of Room at  
Roll Call: Councilmen Friedman, Handcox

#### ITEM POSTPONED

The Council postponed until June 14, 1973, the selection of consultants  
for various Water and Wastewater Department 1973 Capital Improvements Program  
Projects. (Postponed from May 31, 1973)

#### AUSTIN TRANSIT SYSTEM MODIFICATIONS

Mr. Joe Ternus, Traffic and Transportation Director, addressed the Council  
regarding several modifications to the Austin Transit System. Those changes  
covered modifications of several existing routes, expansion of others, minor  
schedule changes, expansion of hours, reduction of fares for certain hours and for  
the blind and elderly, and establishment of a contract rate for charter service.

Councilman Lebermann moved the Council adopt a resolution approving the route adjustments and fee changes and adjustments. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes:	Councilman Binder, Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Dryden
Noes:	None
Absent:	Councilman Friedman
Out of Room at	
Roll Call:	Mayor Butler

Mr. Wassell, who is retired, spoke to the Council about having no bus service for his area. Mayor Pro Tem Love advised Mr. Wassell to get with Mr. Henry in the Traffic and Transportation Department to discuss the problem.

#### ITEM WITHDRAWN

Mr. James E. Appleby withdrew his request to appear before the Council concerning an alternative to the recommendations of the Austin Energy Study Commission. He had wished to attend the Energy Study Commission meeting tonight before speaking to the Council.

#### TRACOR PROPOSAL

Mr. Ibrahim H. Sadek, Acting Director, Natural Sciences Department, TRACOR, addressed the Council regarding a TRACOR proposal designed as a partial solution to the City of Austin's energy crisis. Mr. Sadek pointed out that the proposal was aimed more at solid waste management than at generating electric power, and that the proposal, if implemented, would furnish only about four per cent of the electricity needed by the City. For \$35,000 TRACOR would study the problem and make recommendations to the City. No hardware would be developed by TRACOR. Based on figures compiled from a similar facility in St. Louis, cost to the City to implement a solid waste fuel system would be about \$3 million.

The Council recommended that Mr. Sadek meet with the Energy Study Commission at 7:30 tonight in the Electric Building and present the proposal to them. It was further suggested that Mr. Sadek meet with appropriate City Department heads and get back to the Council.

#### ZONING ORDINANCE AMENDMENTS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 710318-F, AS AMENDED BY ORDINANCE 710610-E, BY CORRECTING THE CAPTION OF SAID ORDINANCE AND CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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 Handcox, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

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Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 700514-G, ENACTED BY THE CITY COUNCIL ON MAY 14, 1970, BY DELETING THE FIGURE "30,139" FROM THE CAPTION OF SAID ORDINANCE AND SUBSTITUTING IN LIEU THEREOF THE FIGURE "40,873" AND ADDING A FIFTH PARCEL OF LAND CONTAINING 19,867 SQUARE FEET TO THE LEGAL DESCRIPTION OF SAID ORDINANCE, SAID 19,867 SQUARE FOOT TRACT WAS INADVERTENTLY OMITTED FROM THE LEGAL DESCRIPTION OF SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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 Handcox, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

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#### REFUND CONTRACT

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

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH BRITT KENNARD; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the second time, and Councilman Handcox 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 Dryden, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

#### ORDINANCE AMENDMENT - SYMPHONY SQUARE

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 29 OF THE CODE OF THE CITY OF AUSTIN OF 1967, BY PROVIDING FOR THE ISSUANCE OF PERMITS FOR THE CONSTRUCTION AND MAINTENANCE OF OBSTRUCTIONS IN CREEKS, BRANCHES, DRAINWAYS AND WATERCOURSES WITHIN THE CITY; PROVIDING THAT THE DIRECTOR OF ENGINEERING SHALL ADMINISTER AND ENFORCE SECTIONS 29-2 THROUGH 29-3.3; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

Councilman Dryden leaves the meeting.

#### ANNEXATION ORDINANCES

The Mayor brought up the following ordinance for the first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 70.00 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE 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.

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

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

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 Handcox, carried by the following vote:

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

Noes: None  
Absent: Councilmen Dryden, Friedman

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 12.37 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; 28.17 ACRES OF LAND SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; 203 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; AND 21.90 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE JAMES MITCHELL SURVEY, PARTLY OUT OF AND A PART OF THE JAMES COLEMAN SURVEY AND PARTLY OUT OF AND A PART OF THE T. J. CHAMBERS GRANT; ALL BEING LOCATED 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.

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 Handcox, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

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#### ZONING ORDINANCE AMENDMENT

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 5, 6, 7 AND 8, BLOCK G, DANCY ADDITION, AND A 19,458 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 2800-2906 ROBINSON AVENUE; 1113-1117 EAST 30TH STREET; 1103-1111 EAST 29TH STREET AND 1112-1116 EAST 29TH STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, SECOND 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.

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

The Mayor announced that the ordinance had been finally passed.

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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 20,000 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 900 AND 902 REINLI ETREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL, THIRD HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, THIRD 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.

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

The Mayor announced that the ordinance had been finally passed.

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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 A, MARCH ADDITION, LOCALLY KNOWN AS 1600 FORT VIEW ROAD, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL 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.

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

The Mayor announced that the ordinance had been finally passed.

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#### FIRE DRILL TOWER APPROPRIATION INCREASE

Councilman Handcox asked for an explanation as to why there was an 80 per cent increase over the original bid. Mayor Butler stated that the amount exceeded the consulting engineers' estimate by \$80,000. Mrs. Davidson said that \$28,400 was attributed to some curb, gutter and water main improvements which would also serve the Pleasant Valley ball field complex and that the figure was not in the original estimate. The project was a joint one. Also, the consulting engineer had left out the difference between \$102,000 and \$139,000 which amounted to the profit, overhead and some other factors that were normally figured into an estimate. Others bid on the same plans and specifications and the City Manager felt that good bids were received when unit prices involved were examined. The cost of the piling may not have been figured heavily enough since the tower was to be placed in a fill area. There was to be no change in the plans, specifications or the contract price. When the Capital Improvements Program was put together, there was about \$80,000 too little money to handle such items as soil testing, consulting work, overhead and water and curbing items. Since the City had not built a fire drill tower in years, it was harder to get unit prices.

Mayor Butler called for Mr. Mike Wright, the consulting engineer with Forest and Cotton and asked him why the project went so far over the budget. Mr. Wright stated that based upon an examination of the contractor's cost breakdown, the primary area where Forest and Cotton missed the estimate was in general conditions. The contractor felt that the necessary construction technique (cast-in-place architectural concrete, where each floor was cast and cured before going on to the next one) required a very low efficiency. The consulting engineer had failed to recognize the efficiency problem because of inexperience in working on fire drill towers.

Mayor Butler asked if there was a design error and Mr. Wright stated the design was the type required for the purpose.

Councilman Binder asked if profit and overhead were not figured into the estimate. Mr. Wright stated that the estimating techniques used by the consulting engineer and the contractor were different. The consulting engineer referred to past building records to arrive at an estimate and the contractor bid on current costs, plus a percentage for profit. The two processes were different. Mayor Butler stated that the two processes should arrive at the same place and Mr. Wright agreed. He further stated that although profit, overhead and the like were not added directly as the contractor did, they were expressed in the sense that general conditions were similar. In analyzing the contractor's breakdown Mr. Wright stated that the contractor added \$15,000 to general conditions and \$12,000 in profit and miscellaneous. Those two figures had nothing to do with construction efficiency, and other than construction efficiency he (Mr. Wright) could not understand why the two estimates were so far apart.

After some discussion regarding the amount of business Forest and Cotton was doing with the City, Mayor Butler introduced the following ordinance:



AN ORDINANCE AMENDING ORDINANCE NO. 720810-F TO TRANSFER CERTAIN FUNDS TO BE EXPENDED FOR THE CONSTRUCTION OF THE FIRE DEPARTMENT DRILL TOWER, C.I.P. PROJECT NO. 830400; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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 Lebermann, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

#### 1973-78 CIP BUDGET PRESENTATION

City Manager Davidson presented to the Council on June 6 copies of the proposed budget. He requested that a schedule be set up for discussions between the Council and appropriate department heads. He stated that he could submit a draft schedule to the Council at the June 14 Revenue Sharing hearing. Mayor Butler concurred with that suggestion.

Councilman Lebermann requested and it was agreed that an Executive Session be scheduled for 4:00 P.M., June 13, 1973, to consider appointments.

Councilman Binder suggested and it was agreed that the County Commissioners be invited to the June 14, 1973, Revenue Sharing hearing as observers.

#### SEWAGE TREATMENT PLANT IN BLUEBONNET ESTATES

Mr. Davidson asked Mr. Curtis Johnson to introduce Mr. Bob Fleming from the Texas Water Quality Board which would grant the permit for operation of the proposed sewage treatment plant. Mr. Johnson first reviewed the memorandum and made the following points:

1. A 25 per cent fringe benefit item would be included in the total cost of operating the facility.
2. There would be a 25.8 per cent add on as a portion of the indirect costs of the total city operation as reflected by operation by the Water and Wastewater Department.

Mayor Pro Tem Love asked if the City wanted to encourage the growth of mobile home parks on the perimeter of Austin. He and Councilman Lebermann requested that the matter be referred to Planning.

Mayor Butler asked that if the City turned down the request, could another plant operator be obtained. It was generally felt that another operator could be found.

Mr. Fleming stated that the Texas Water Quality Board permit required that the plant be supervised by a licensed operator. An individual with the appropriate education and experience could be licensed by the Texas State Department of Health as a licensed operator.

It was noted that the City Environmental Board had recommended zero discharge by means of irrigation. It was agreed that the City should control the quality of the effluent.

The applicant asked that Mr. Johnson state to the Council that Bluebonnet Estates would not be a mobile home complex, but a modular complex. The development would be mixed. Some modular homes would be wood; some would be metal. All installations would be permanent, including any mobile homes. The applicant would deed the land and the wastewater treatment plant to the City.

Councilman Lebermann moved the Water and Wastewater Department negotiate the contract and bring it back to the Council for consideration. The motion, seconded by Councilman Binder, carried by the following vote:

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

#### PROPOSED ELECTRIC CONSERVATION SURCHARGE

Mr. R. L. Hancock, Director of Electric Utilities, addressed the Council concerning the surcharge. He first outlined the problem with the following points:

1. Current system load for the City required 100 million cubic feet of natural gas per day.
2. At noon today only 65 1/2 million cubic feet had been allocated, leaving a deficit of 34 1/2 million cubic feet, which had to be made up with fuel oil.
3. Two hundred seventy-five thousand gallons of fuel oil per day were contracted for.
4. As the weather gets hotter, the daily system load increases to 139 million cubic feet of natural gas. With the present allocation, there would be a deficit of 73 1/2 million cubic feet of gas.
5. The 73 1/2 million cubic feet deficit would require 525,000 gallons of fuel oil per day to offset the deficit. Under the 275,000 gallon contract, there would be a short fall of 250,000 gallons per day. The combined daily gas and fuel oil shortage would amount to about 25 per cent.
6. Imperative that the City take action to reduce the system load.

Mr. Hancock then made the following additional comments:

1. The City of Austin has 10,000 commercial and industrial customers and 90,000 residential customers.
2. Two thousand three hundred and fifty commercial and industrial users are large users (demand billing).
3. Approximately 2 per cent of the customers in the system use 50 per cent of the system's energy. Those users include State, Federal, City and schools other than the Austin Independent School District, which is on the residential rate.
4. To effect a 30 per cent reduction in system load, efforts would be concentrated on the large users to get them to reduce their usage.
5. The computer would compute 70 per cent of the average annual energy used from June through November, 1972 by the large users. If the large users did not reduce their demand to the 70 per cent level, then there would be a surcharge of \$.005 per kilowatt hour for all usage above 70 per cent. The surcharge was not intended to raise revenue, but to curtail demand.
6. There would be no additional expense to the consumer if he could conform to the curtailment program. Several examples were listed indicating the percentage amount a user would have to pay if he could not reduce his usage at all. Some examples were:
  - a. Large manufacturer - 19%
  - b. State agency - 15%
  - c. Shopping center - 15%
  - d. Bank - 10%
  - e. Variety store - 9%
  - f. Drive-in grocery - 12%
7. The surcharge for the summer months would average between 12% and 17%, depending on the relative size of the customer.

Mayor Butler asked if a different gauge would have to be used for the months other than June through November. Mr. Hancock stated that the allocation would be set and would remain constant. There would be some month-to-month fluctuation, but the system would be unmanageable to look at every month. There would be a reduction between the peak load and allocation, but even in the cooler months, the large users would have paid a surcharge if they had not reduced consumption.

Mayor Butler asked Mr. Hancock if there would be a formula to handle users who could not cut back. Mr. Hancock stated that almost everybody had a most critical service depending on the type of business. Each user would have to determine that service and cut back accordingly.

Mayor Butler felt that the customer having a gas air conditioning system would be penalized by the surcharge. Mr. Davidson commented that he had discussed something with the Council that Mr. Hancock probably was not aware of. If approved,

Mr. Davidson had stated that Mr. Hancock would assign some of his marketing people to look into situations where the user felt he should be an exception. If approved, adjustments would be made in the allocation. If any real problems occurred, it might be necessary to come back to the Council and ask for changes in the policy.

Mr. Hancock stated that many people might feel that they should be an exception and that the City would have to be extremely careful to avoid charges of discriminatory rate application practices. The system would not be simple, but the selected group was the smallest and simplest with which the City could work.

Councilman Binder asked whether the \$.005 surcharge would be sufficient to discourage excessive usage. Mr. Hancock said that the amount might not be enough, but that the point was that something tangible was needed to drive home the need to conserve energy. He knew of no other example in the United States where a surcharge was in effect. If the \$.005 surcharge was ineffective, then the City should have the option of changing it.

Mr. Davidson pointed out that Mr. Hancock's people would be available to advise users as to how best to cut back on usage.

Councilman Lebermann wondered if the city was doing as much advertising as was needed to get the message across to the people of Austin. Mr. Hancock felt that more could be done. Mayor Pro Tem Love stated that there had been a great deal of advertising on radio and in the newspaper.

Councilman Lebermann felt that after talking to a number of citizens that people generally thought the crisis had passed. He recommended that a carefully thought out advertising campaign be planned for radio, television and newspaper. Mayor Butler agreed.

Mayor Butler asked Mr. Hancock that if the program were completely successful and no one charged a penalty, would the deficit be balanced? Mr. Hancock responded that the reduction would be only about 20 to 25 per cent, which would still leave a deficit. Mayor Butler pointed out that the planned 30 per cent reduction of 50 per cent of the users would produce only about a 15 per cent savings. Mr. Hancock agreed. The deficit would still be about 10 per cent. It was hoped that there would be some voluntary reductions in the residential area. It might be necessary to come back with further suggestions concerning controls.

Councilman Binder stated that businesses should shut off display advertising. He felt that by so doing their action would be the best advertisement available.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCES NOS. 590910-F, 650909-F, 700129-D AND 700129-E BY REVISING SAID ORDINANCES TO PROVIDE FOR THE IMPOSITION OF AN ADDITIONAL CHARGE FOR ELECTRICAL USAGE ABOVE A PRESCRIBED LEVEL; 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 Binder, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

#### MUNICIPAL GAS CONSERVATION PROGRAM

City Manager Davidson stated that the memorandum he distributed today really said that Gulf had not definitely told the City that they would continue the allocation program. Since the City had nothing certain from Gulf, a conservation program was being undertaken where possible without sacrificing municipal services. When something definite is received from Gulf Oil Company, he will send out a special report to the City Council.

#### NAMING OF MUNICIPAL FACILITIES FOR OUTSTANDING CITIZENS

Mayor Pro Tem Love stated that over 20 park sites were available to be named. He requested that citizens submit suggested names for those sites. The City Manager and Mr. Beverly Sheffield had compiled a list of sites available.

#### PUBLIC HEARING SET ON LATE ALCOHOLIC BEVERAGES SALE

Mayor Pro Tem Love moved the Council set a public hearing for 7:00 P.M., June 14, 1973, at the Electric Auditorium to consider an ordinance to allow later hours for the sale of alcoholic beverages. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

#### ITEM POSTPONED

The Council postponed for two weeks, June 21, 1973, the item of Proposed Care and Counselling Program for Rape victims.

#### ADJOURNMENT

The Council adjourned at 6:05 P.M.

APPROVED: 

Mayor

ATTEST: 

City Clerk