

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 14, 1974  
1:00 P.M.

Electric Auditorium  
301 West Avenue

The meeting was called to order with Mayor Butler presiding.

Roll Call:

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

Absent: None

The Invocation was delivered by REVEREND JACK D. HEACOCK, First United Methodist Church.

MRS. EXALTON A. DELCO, JR., DAY

Mayor Butler read and then presented a proclamation to Mrs. Exalton A. Delco, Jr., proclaiming Saturday, February 16, 1974, as "Mrs. Exalton A. Delco, Jr., Day." Mrs. Delco, her husband, and her mother thanked the Council. Mrs. Delco indicated that she hoped she could return to the Council some of the benefits she and her family had received from them.

NATIONAL BROTHERHOOD WEEK

Mayor Butler read and then presented a proclamation to Mr. Mickey Dootch and Mr. John Woolf, both representing the National Conference of Christians and Jews, declaring the week of February 17-24, 1974, as "National Brotherhood Week." They thanked the Council hoping 1974 would be a grand observance to bring all people a little bit closer together, regardless of race, color, or creed.

## AUSTIN SALESMEN AND SALESWOMEN WEEK

Mayor Pro Tem Love read and then presented a proclamation to Mr. Ken Johnson, Mr. Nelson Roberts, and Mr. Bryan Adams, representing Sales and Marketing Executives of Austin, declaring the week of February 17-23, 1974, as "Austin Salesmen and Saleswomen Week." On behalf of the Executives, Mr. Johnson thanked the Council for joining the nation in proclaiming February as "Salesmen Month" in the United States. He invited the Council and public to attend their yearly banquet on August 22, 1974, at which time this year's outstanding Civic Salesman, Mr. Richard "Cactus" Pryor, will be honored.

## CERTIFICATES OF APPOINTMENT

Mayor Butler read and Councilman Dryden presented Certificates of Appointment by the City Council to the following recently appointed members of various Municipal Boards:

Mrs. Olga Bredt	- Brackenridge Hospital Advisory Board
Dr. Richard Alexander	- Mental Health-Mental Retardation Board
Mrs. John Bunce	- Mental Health-Mental Retardation Board
Mr. Robert Kelly	- Zoning Board of Adjustment
Dr. O. D. Kendricks	- Zoning Board of Adjustment (presented by Mayor Pro Tem Love)
Mr. Frank Hoagland	- Zoning Board of Adjustment
Mr. Raymond Brown	- Zoning Board of Adjustment (alternate)

## CAPITAL EYE BALL

Councilman Lebermann introduced Mrs. Havey of the Capital Eye Board of Directors, who invited everyone to attend the 1974 Capital Eye Ball, a Country-Western benefit, on February 20, 1974, to be held in the Municipal Auditorium. She indicated that the event would benefit "Capital Eye," Texas' longest-running press panel show. In closing, she added her belief that this would benefit everyone.

## APPROVAL OF DRILLING

Mayor Butler took this opportunity to announce that Congressman J. J. "Jake" Pickle had called to say that Austin had gotten permission to start core drilling at Camp Swift in the Bastrop area. He indicated that the Secretary of the Army had signed the papers and they were being sent to Ft. Worth. Should lignite be there in proper quantity and quality, L.C.R.A. and the City of Austin could avail themselves of it. This drilling is the result of an interim agreement between the City and the Lower Colorado River Authority for the electric generating facility, which was approved by the Council on February 7, 1974.

## APPROVAL OF MINUTES

Mayor Pro Tem Love moved that the Council approve the Special Meeting Minutes of February 7, 1974, 5:00 P.M., and the Regular Meeting Minutes of February 7, 1974. The motion, seconded by Councilman Friedman, carried by the following vote:

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

## RELEASE OF EASEMENT

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

The south ten (10.00) feet of the public utilities easement 21.18 feet in width that traverses the "Community Club Area" of the Resubdivision of Lots 7, 8, and 13, Block H, POINT VISTA SECTIONS TWO & THREE, said south ten (10.00) feet to be released extending from the northerly prolongation of the east line of Lot 9, Block H, POINT VISTA SECTIONS TWO & THREE easterly 70.00 feet. (Requested by Billy F. Priest as agent for the owner, Point Vista Link, Inc.)

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

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

## TEXAS CRIMINAL JUSTICE COUNCIL GRANT

Councilman Handcox moved that the Council adopt a resolution authorizing the City Manager to submit a grant application to the Texas Criminal Justice Council for the continuation of the "Developmental Assistance Rehabilitation for Employment/Education Program." Criminal Justice Council grant will be \$74,568. In-kind contribution will be \$24,365. Contract - April 1, 1974 to March 31, 1975. The motion, seconded by Councilman Friedman, carried by the following vote:

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

## BRACKENRIDGE SCHOOL OF NURSING'S CAPITATION GRANT

Councilman Lebermann moved that the Council adopt a resolution authorizing the City Manager to submit a grant application to the Department of Health, Education and Welfare for the continuation of the Brackenridge School of Nursing's Capitation Grant in the amount of \$35,882. Contract - July 1, 1974 to June 30, 1975. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Mayor Butler

## CONTRACTS AWARDED

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

WHITE'S MINES, INC.  
116 East Travis Street  
San Antonio, Texas

- Grades 5 and 3 Aggregate,  
Street and Bridge Division  
Bid Item Nos. 1; 10,000 tons  
@ \$6.20/ton and 2; 3,000 tons  
@ \$6.20/ton Total - \$80,600.00

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

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

Noes: None

Not in Council Chamber when roll was called: Mayor Butler

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

TEXAS CRUSHED STONE COMPANY  
South I. H. 35  
Georgetown, Texas

- Crushed Road Stone,  
Street and Bridge Division  
Bid Item Nos. 1: 2,000 tons  
@ \$.80/ton, F.O.B. Bidder's  
Plant loaded on City Trucks and  
2; 30,000 tons @ \$1.70/ton, F.O.B.  
delivered. Total - \$52,600.00

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

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

Noes: None

Not in Council Chamber when roll was called: Mayor Butler

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

CAPITOL AGGREGATES, INC.	- Hot Mix-Asphaltic Concrete and
Bolm Road and Ed Bluestein	Hot Mix-Cold Laid Asphaltic Concrete
Boulevard	Bid Item Nos. 1; 25,000 tons @ \$6.30/ton
Austin, Texas	and 2; 600 tons @ \$6.30/ton
	Total - \$161,280.00

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

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

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

SOUTHERN BLEACHER	- Portable Bleachers,
CONSTRUCTION COMPANY	Parks & Recreation Department
P. O. Box 1 - Supply Street	Bid Items 1 and 2 - \$7,076.00
Graham, Texas	

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

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

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

LIBRARY BUREAU DIVISION OF	- Library Fixtures and Shelving,
REMINGTON RAND	Library Department
3309 Richmond Avenue	Bid Items 1 through 11 -
Houston, Texas	Total - \$13,166.20

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

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

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

CLEGG-AUSTIN, INC.  
111 West Anderson Lane  
Austin, Texas

- Library Furniture,  
Library Department  
Bid Items 1 through 28  
Total - \$24,697.30

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

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

Noes: None

Not in Council Chamber when roll was called: Mayor Butler

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

MATTHEWS CONSTRUCTION  
COMPANY  
6511 Burnet Lane  
Austin, Texas

- Prefabricated Steel Building at  
Salem Walk Substation - \$5,575.00

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

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

Noes: None

Not in Council Chamber when roll was called: Mayor Butler

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

EVANS METAL PRODUCTS  
8400 Highway 290 East  
Austin, Texas

- Fence at Salem Walk Substation  
Total - \$6,000.00

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

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

Noes: None

Not in Council Chamber when roll was called: Mayor Butler

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

SCHMIDT CONSTRUCTION  
COMPANY, INC.  
Star Route A, Box 635  
Austin, Texas

- For construction of 24" concrete  
steel cylinder water main.  
Bluff Springs Road and Eberhart  
Lane. Capital Improvements Program  
Project No. 4081 0 - \$358,964.00

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

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

#### CASH SETTLEMENT

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

DAVID H. HILSBURG, OWNER - For 60%/40% cash settlement for water  
mains in Northwest Mills Ranch, Section 1, Resubdivision of Lot  
H-2, with the understanding that all cost in excess of \$5,000.00  
would be absorbed by the developer. Cost of water mains -  
\$11,828.88. City's cost - \$5,000.00. Owner's cost - \$6,828.88.

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

Ayes: Councilman Lebermann, Mayor Pro Tem Love, Councilmen Dryden,  
Handcox  
Noes: Councilmen Binder, Friedman  
Not in Council Chamber when roll was called: Mayor Butler

#### ACQUISITION OF LAND FOR PARK

Councilman Friedman moved that the Council adopt a resolution authorizing the acquisition of certain land for park in St. John's neighborhood:

7506 Providence - J. Phillip Crawford et ux

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

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

Councilman Friedman moved that the Council adopt a resolution authorizing the acquisition of certain land for park in St. John's neighborhood:

7400-7402 Meador - Paul T. Holt et ux

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

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

Noes: None

Not in Council Chamber when roll was called: Mayor Butler

Councilman Friedman moved that the Council adopt a resolution authorizing the acquisition of certain land for park in St. John's neighborhood:

7500-7502 Providence - Ella Mae Campbell

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

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

Noes: None

Not in Council Chamber when roll was called: Mayor Butler

#### ACQUISITION OF LAND - TOWN LAKE DEVELOPMENT

Councilman Lebermann moved that the Council adopt a resolution authorizing the acquisition of certain land for Town Lake Development (expansion of Fiesta Gardens):

15A Chicon - G. M. Winters Estate

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

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

Noes: None

#### ACQUISITION OF LAND - SPRINGDALE ROAD

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing the acquisition of certain land for Springdale Road widening project, from East 5th to Airport Boulevard:

Robert C. Noren - West 5' of Lot 1, Block 2, Springdale Terrace

Tomas Ramos - 121 square feet, Lot 5, J. Goodwin Jones Subdivision

Robert M. Galvan - 406 square feet, Lot 4, J. Goodwin Jones Subdivision

William V. Manis 1,216 square feet, Outlot 41, Division "A"

Otto G. Rohde - 564 square feet, East 10' of Lot 10, Block 1,

E. C. Goodwin Subdivision

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

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

Noes: None



## LANDING MARKERS FOR AIRPORTS

Councilman Dryden moved that the Council adopt a resolution authorizing the City Manager to execute a lease between the City of Austin and the United States of America providing for middle instrument landing system markers for Runway 12-R at Robert Mueller Municipal Airport. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Councilman Dryden moved that the Council adopt a resolution authorizing the City Manager to execute a lease between the City of Austin and the United States of America providing for outer instrument landing system markers for Runway 12-R at Robert Mueller Municipal Airport. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

## SUBSTANDARD STRUCTURES FOR LEGAL DISPOSITION

Mayor Pro Tem Love moved that the Council approve the recommendations from the Building Standards Commission and authorized the Legal Department to take proper legal disposition of the following substandard structures which have not been repaired or demolished within the required time:

1182 (A&B) Coleta Street	Laura E. Swisher Estate
8845 East Drive	Al Morris
2805 Goodwin Street	Charles Woodworth
6908 Providence Street	Leora Clark
1113 Comal Street	Antonio Diaz
1310 Deloney Street	Joe P. Hoffman
5703 (Front & Rear) Clay Avenue	William Champion

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

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

## PUBLIC HEARING - GLEN OAKS URBAN RENEWAL PLAN

Councilman Friedman moved that the Council set a public hearing to amend the Glen Oaks Urban Renewal Plan for 1:00 P.M., March 21, 1974. (This hearing was originally scheduled at 7:00 P.M., February 14, 1974, but was postponed due to the rescheduling of City Council meetings.) The motion, seconded by Councilman Handcox, carried by the following vote:

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

PUBLIC HEARING - SAINT JOHN'S URBAN RENEWAL PLAN

Councilman Friedman moved that the Council set a public hearing to amend the Saint John's Urban Renewal Plan for 1:00 P.M., March 21, 1974. (This hearing was originally scheduled for 7:00 P.M., February 14, 1974, but was postponed due to the rescheduling of City Council meetings.) The motion, seconded by Councilman Handcox, carried by the following vote:

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

APPEAL - TEAGUE-BUDA, INC.

Mayor Butler stated that the appeal of the decision of the Planning Commission to grant Teague-Buda, Inc., a special permit to enclose a portion of Harper's Branch was now before the Council for consideration. A letter had been filed with the Council which was an agreement between the opponents and the proponents. The appeal had been postponed from February 7, 1974, so that the document could be reviewed by the City Attorney, Mr. Don Butler, and the City Manager, Mr. Dan Davidson.

Mr. Dick Lillie, Director of the Planning Department, indicated that the Planning Commission did act on this request to enclose a portion of Harper Creek, and they reviewed the site plan which was submitted to the Council. Their action was to approve the request as submitted and on the recommendations of the Environmental Department, the Drainage Engineering Department, and the Planning Department. The Planning Commission could not require a special permit in relationship to this request as the ordinance did not pertain to special permits, but the applicant did agree to submit a special permit and volunteered to do so and that special permit would be submitted to the Planning Commission prior to any activity taking place on the tract. With that voluntary action, the Commission did recommend that the application be granted and accepted the voluntary action by the applicant to submit a special permit.

Mrs. Harriet E. Buxkemper, representing some of the residents in the Harper Creek area, indicated that the agreement reached between the two parties was still in effect as far as they were concerned.

Ms. Jean Bringol, President of We Care Austin, read a letter expressing their appreciation for the concern the Council had demonstrated in the past about the creek system in Austin. The organization was concerned about Austin's natural assets. She indicated that many of the most unique features of the City were adjacent to the creek areas. They wanted to register their basic objection to the alteration of the creek in this manner. In closing, she stated that her organization was in disagreement with the agreement reached between the two parties.

Mr. Charles Rossman, Vice President of the South River City Citizens Group, read a letter from Mr. Donald Cox, President of the Group. Mr. Cox felt that recent negotiations between five S.R.C.C. members were done in haste with too little time for all persons concerned to review the proposals and consider all the ramifications. Mr. Cox indicated that even though the persons who negotiated with Teague-Buda were well-intentioned and did identify several vital problems, their membership believed that several critical issues were not resolved. Mr. Rossman wanted to clarify the distinction between these five members and the membership as a whole of S.R.C.C. The membership as a whole amounts to 147 persons who live in the general area of Harper Creek. The five persons who negotiated, with the exception of one, lived in immediately adjacent property and had a different feeling for the issues and had a different sense of priority than a person living further away. He wanted to make it clear that the five members were not in any way official delegates or representatives of South River City. After the parties reached their proposed agreement, the agreement was taken back to the membership as a whole and then they conducted a telephone poll of the membership that did not come to the meeting when the agreement was announced. The general feeling in terms of numbers was as follows:

13 stood without any hesitation in support of the negotiating group.

24 felt that they supported the group strongly but they had serious reservations about one or more specific items in the agreement.

83 stood in flat opposition to piping of the Creek under any circumstances.

He indicated that the remainder of the members could not be reached in such a short period of time.

Mr. Rossman indicated that the Group's concern was that somehow a commercial development could be accomplished in a satisfying way that would not seriously compromise the aesthetic values of the City. He wanted to note that if somehow the accord that would be reached would be implemented, they strongly felt that at the very least the Council should recommend to the Highway Department that the right of way along the Interregional going south be preserved and not be allowed to be destroyed. He also wanted to note that if Teague-Buda were to pipe the Creek and go ahead with the proposed plan, in effect they would have achieved practically everything that they started to do.

Discussion was held by the Council, Mr. Lillie, and Mr. Stuart Henry, Director of the Office of Environmental Resource Management, as to whether or not this permit should be included in the Creek Ordinance. Mr. Henry indicated that the Environmental Board had not taken a stand on the piping of the Creek but had been working on the amending of the Creek Ordinance. The City Manager indicated that the applicant had probably provided more in the way of safeguards and conditions than could ever be required by any existing City ordinance or law.

Mr. Robert Davis, representing Teague-Buda, Inc., stated that the Legal staff had advised the Planning Commission that the only thing that was appropriate to be considered under the existing ordinance was whether or not the engineering and drainage aspects were sound. He indicated that there had never been any question as to the validity of these aspects. He stated that they had gone a lot further than required and had taken various voluntary measures and that they were still willing to abide by the proposed agreement.

Mayor Pro Tem Love moved that the Council approve the permit as recommended by the Planning Commission based on the agreement reached among the citizens and Teague-Buda, Inc. The motion, seconded by Councilman Dryden, failed to carry by the following vote:

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

The Mayor announced that the special permit was denied.

#### LANIER HIGH SCHOOL SWIMMING POOL

Mayor Pro Tem Love moved that the Council adopt a resolution accepting a deed for a swimming pool at Lanier High School and approving a joint-use agreement. The motion, seconded by Councilman Friedman, carried by the following vote:

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

#### AUSTIN WILDERNESS INSTITUTE PROGRAM

Mr. Tom Christensen, Natural Science Center, appeared before the Council regarding the Austin Wilderness Institute, City of Austin Parks and Recreation Project. He indicated that the Parks and Recreation Department in the past has had a problem developing programs for a high school age group. He felt that this program was a quality program for the following reasons:

1. Unique to Austin.
2. Attractive to high school students.
3. Unaccessible to the students individually.
4. Able to achieve specific goal.

With the use of slides, Mr. Christensen presented a review of past programs in which the youth can use the tools of wilderness skills, backpacking, caving, river canoeing and technical rock climbing in an environment created conducive to personal change and an enhanced self-image. The next scheduled program will be in the Spring of 1974. Plans are to expand the program for a wider age range and to operate from the Natural Science Center. The long-range goals of the Wilderness programs are to effectively introduce the City's youth to the unique beauties of Austin and to use this valuable concept as fully as possible as a recreational and social tool.

## PAVING OF EAST AVENUE

Mr. John F. Carter, Jr., representing 40 tenants, appeared before the Council to discuss paving of East Avenue between River and Cummings Streets. He indicated that they have filed a petition to pay for their portion of the cost of paving. The City Manager advised Mr. Carter that the street was on a schedule for the next set of contracts to be paved and that this contract would be done during the coming summer.

## SCHOOL TRUSTEE ELECTION

Mayor Pro Tem Love moved that the Council approve the request of Mr. Charles C. Sansom, Jr., Director of Administrative Services, for use of City-owned facilities to hold the School Trustee Election on April 6, 1974, (and a run-off, if required on April 20, 1974) in the following locations:

City Communication Building - 2610 Robinson  
Ullrich Water Treatment Plant - 1000 Forest View  
Austin Recreation Center - 1213 Shoal Creek Boulevard  
City Fire Station - 506 West 19th Street

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

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

## EAST AUSTIN COMMITTEE FOR JUSTICE - COMPLAINT

Mr. Paul Hernandez, Mr. Paul Estrada, and Mr. Gilbert Rivera appeared before the Council representing the East Austin Committee for Justice.

Mr. Estrada stated that he was not appearing as a militant or an extremist but as an American. He felt that the Police Department should be absolutely perfect in every action because they deal with people; and just as sure as people make a country, they can destroy it. He said that tension in East Austin was very high and that the citizens in East Austin were afraid to walk out at night not because of gangs but because of policemen. He proposed a Citizen's Review Board to investigate complaints as the investigations by the Police Department were beneficial to themselves only. He reviewed the complaint made by Mr. Fabian Villanueva on January 24, 1974, before the Council and quoted from the Daily Texan regarding a report made of this complaint... "no prior record of citizen complaints about their actions..." Mr. Estrada stated that there had been other complaints against the same officer, and he reviewed the complaint by Mr. Frank Valenzuela dated on or about July 16, 1973, of treatment of 4 youths approximately 15 and 16 years old. After being stopped by the policeman, they were pulled from the car, beaten and handcuffed and taken to the Police Department. He said that he had a statement by Mr. Acosta, who witnessed the incident. Mr. Davidson, City Manager, asked for a copy of the statement. He brought up the fact that the City was funded by two million dollars by the Federal Government in law enforcement. He said he was not there to criticize the system but to correct it; that a great weight was laid on the Police Department; and that was why a Citizen's Review Board was needed to

insure proper justice, uplift public morale, and upgrade the Police Department. Finally, he said that he hoped to lay out the seed by which they could address themselves - not as Mexican-American, not as Black Americans, or white; but as one American to another American.

Mr. Rivera was concerned about what was going on in the community - the police constantly harrassing and intimidating them, one form of intimidation being "Police Store Fronts." He agreed with Mr. Estrada that their people were oppressed, scared and afraid of the racist police that were put in their community. He asked about the qualifications of a policeman before being placed in the East Austin community and also why Store Fronts were placed only in East Austin. He stated that there was constant harrassment and patrolling in the area; that scared people had a tendency to take action into their own hands; and if nothing were done, they would do just that. He stated they had been coming before the Council for years asking that something be done, and now they were demanding it. He added that the main thing they were there for was the creation of the Citizen's Review Board, and he asked that Chief Bob Miles be fired. In conclusion, he stated that he felt it was most important for a policeman to have sensitivity, understanding and concern for people; and if he did not have that, he did not belong in that job. He reiterated that they were demanding something be done; and if nothing were done, they would do it themselves.

Councilman Friedman asked for a report from the City Manager on the Villanueva and Valenzuela cases.

#### DISCUSSION OF REFUND CONTRACTS

Mr. Dale Napier, representative of the University City Lobby, withdrew his request to appear before the Council to discuss the issue of refund contracts.

#### TRANSIT FARES

Mr. Michael Smith, representing Save Austin's Valuable Environment, appeared before the Council after obtaining financial expertise from the Urban Transportation Department, Planning. Mr. Smith had appeared before the Council on January 24, 1974, with a proposed realignment of the transit fares. In view of the Energy Crisis, he presented as an alternative the City's bus system. He proposed that the bus fare be lowered to five cents for the period of one month. Then, every two weeks, raise the fare by five-cent increments until the new number of riders times the new fare would generate the amount of revenue necessary to cover the cost of maintaining the system as presently maintained. Mr. Smith presented figures in explaining his proposal.

Dr. Michael E. Conroy, Assistant Professor of the University of Texas, stated that Mr. Smith deserved a lot of the credit for this proposed program, and he indicated his strong support. He felt that it was so simple that it was almost too good to believe. He presented the following information:

1. These were very conservative estimates.
2. None of the other conditions were included in these estimates.  
(Increase in cost of gasoline)

He urged the Council to take necessary measures to expedite this and felt that if it meant any additional dollars, it would be worth it in the interest of helping the City get through the crisis.

Mr. Cecil Barnes, Secretary-Treasurer of Local 1091 (Austin Bus Transit System), appeared indicating his endorsement of the program. He stated that he was appreciative of SAVE's work and that he felt it would be beneficial to the City and transit industry as a whole and that there would be vast knowledge to be gained from this. He urged the Council to take action soon.

After discussion, the Council instructed the City Manager to review the program along with Mr. Joe Ternus, Director, Traffic and Transportation, and submit a report to the Council on February 28, 1974.

#### ACCESS TO SEWER LINE

Mr. Robert Carr, representing Mayor Nolan Sims of Sunset Valley, appeared before the Council requesting that the City of Sunset Valley be allowed access to the Williamson Creek sewer line. He stated that Sunset Valley had agreed to pay for whatever costs would be included and had agreed to construct individual lines as to specifications. The City Manager advised Mr. Carr and Mr. Sims that this would be discussed in the Executive Session immediately following the regular meeting. Mayor Butler advised that some of the other problems between the two cities would also be worked out at that time and that they would be advised as to the Council's decision.

#### TEMPORARY CLASS ROOM BUILDINGS

The Council had before it a request from Mr. Jack Davidson, Superintendent of Schools, Austin Independent School District, for the purpose of erecting temporary class room buildings on a small area of City-owned land adjacent to Allison Elementary School for a period of nine months. The City Manager and City Attorney stated that the School Board would be required to conduct a public hearing in order to utilize this park land. The City Attorney further added that the State statute does require that any governmental body wishing to use park land for any other purpose must conduct this public hearing.

Councilman Lebermann moved that the Council grant the request subject to the School Board's compliance with this requirement. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilman Friedman

#### GOLF FEE ORDINANCE

The Council had before it three minor amendments to the golf fee ordinance that had been passed by Council February 7, 1974. These amendments will be required to bring the ordinance in compliance with the University of Texas agreement:

1. The fee for University of Texas intramural golf team members will be \$1.00 per regular round at all City courses. (This rate was incorrectly listed as applying only to Municipal.)
2. University of Texas intercollegiate golf team members will play without charge at all City courses. (Play without charge for the golf team was incorrectly listed as applying only to Municipal.)
3. There will be no fee for University of Texas sponsored intercollegiate golf tournaments. (This item was omitted.)

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 24-2.1(a) OF THE AUSTIN CITY CODE OF 1967, TO ESTABLISH NEW PUBLIC GOLF COURSE FEES; TO ESTABLISH A GOLF CAPITAL IMPROVEMENTS SURCHARGE; CREATING THE GOLF CAPITAL IMPROVEMENTS RESERVE FUND; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Motion

Mayor Pro Tem Love moved that the Council waive the requirement for three readings, declare an emergency and finally pass the golf fee ordinance reflecting the three amendments including all golf fees effective immediately. The motion was seconded by Councilman Lebermann.

Substitute Motion

Because of the request by some interested persons who wanted to be heard on this matter, Councilman Handcox made a substitute motion that the Council delay this for one week. The motion died for lack of a second.

Original Motion

Roll call on Mayor Pro Tem Love's original motion to waive the requirement for three readings and pass the golf fee ordinance reflecting the three amendments including all golf fees passed on February 7, 1974, with Councilman Lebermann's second, showed the following vote:

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

The Mayor announced the ordinance had been finally passed.

REFUND CONTRACTS

Mayor Butler introduced the following ordinance:



AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH MYERS PARSONS, BYRON N. SMITH, ET AL., AND AUSTEX DEVELOPMENT COMPANY, LTD.; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Love moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately, authorizing the following refund contracts:

MYERS PARSONS Owner	- For water mains in Parsons Subdivision, Section 2 - \$12,780.60
BYRON N. SMITH, ET AL Owners	- For water and wastewater mains in the David Addition - \$19,214.54
AUSTEX DEVELOPMENT COMPANY, LTD. Nash Phillips, Attorney in fact	- For water and wastewater mains in Quail Creek, Phase IV, Section 2 - \$41,811.10

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

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

The Mayor announced that the ordinance had been finally passed.

#### COST DIFFERENCE PAYMENT

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing payment to Austex Development Company, Ltd., Nash Phillips, Attorney in fact, cost difference of 12"/8" A. C. water main and 10"/8" concrete sewer main in Quail Creek, Phase IV, Section 2 - \$4,873.58. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

#### APPROACH MAIN CONTRACTS

The Mayor introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH AUSTEX DEVELOPMENT COMPANY, LTD., AND BYRON N. SMITH, ET AL.; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Quail Creek, Phase IV, Section 2 - \$9,214.28; David Addition - \$16,549.89)

Councilman Handcox moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately, authorizing the five-year approach main contracts. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: Councilmen Binder, Friedman

The Mayor announced that the ordinance had been finally passed.

#### ZONING ORDINANCES

The Mayor 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 4.32 ACRE TRACT OF LAND, LOCALLY KNOWN AS 126-152 EAST RIVERSIDE DRIVE, FROM "C-2" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT AND "D" INDUSTRIAL, SECOND 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. (C14-73-041)

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 Handcox, carried by the following vote:

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

Noes: None

The Mayor announced the ordinance had been finally passed.

The Mayor introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: TRACT 1: A 2,446 SQUARE FOOT TRACT OF LAND, FROM "B" RESIDENCE DISTRICT TO "A" RESIDENCE DISTRICT; AND, TRACT 2: A 7,337 SQUARE FOOT TRACT OF LAND, FROM "B" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; LOCALLY KNOWN AS 1305-1329 RUTLAND DRIVE; 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. (C14-73-120)

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 Handcox, carried by the following vote:

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

Noes: None

The Mayor announced the ordinance had been finally passed.

The Mayor 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: (1) LOT 1, RYLANDER SUBDIVISION, SAVE AND EXCEPT A 0.19 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND, (2) A 0.19 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; LOCATED ON THE EAST SIDE OF U. S. HIGHWAY 183, FROM THE INTERSECTION WITH ANGUS VALLEY ROAD TO APPROXIMATELY 300 FEET NORTH OF BALCONES WOODS DRIVE; 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. (J. E. Hill, C14-73-123)

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 Handcox, carried by the following vote:

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

Noes: None

The Mayor announced the ordinance had been finally passed.

The Mayor 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: LOTS 6 AND 7, BLOCK 2, OUTLOT 17, W. P. CONNELLY SUBDIVISION, LOCALLY KNOWN AS 4610-4612 CONNELLY STREET, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Walter L. Snowden, Kirby T. Meyer, C14-73-081)

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 Handcox, carried by the following vote:

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

Noes: None

The Mayor announced the ordinance had been finally passed.

#### ANNEXATION ORDINANCE

The Mayor 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 19.05 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; 166.85 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; AND 457.56 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE 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; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (including Jimmy Clay Golf Course)

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

#### MODIFIED PLAN FOR NEW COUNCIL CHAMBERS

Mr. Homer Reed, Deputy City Manager, appeared before the Council to present a modified plan for the new Council Chambers. The Council had accepted a plan for converting a portion of the Electric Auditorium into a Council Chamber seating 126 people. Since then, several things have occurred to create some doubt about the viability of that plan:

1. Meetings have returned to daytime. This causes a parking problem for both citizens and employees.
2. Number of persons attending would make 126 seats inadequate.
3. Council has acquired Municipal property for Municipal purposes.

Since the Municipal Annex was acquired, the City's architect has studied the property in detail. The interior of the Annex was not designed to accommodate a large meeting room. However, the roofed area between the main building and the adjacent one-story building is of ideal shape and size.

Mr. Reed submitted an architect's sketch of the Chamber. The current plan would contain features which would make it more desirable than the previous plan:

1. Seating capacity for 248 plus Council members.
2. Reserve section for news media representatives.
3. Parking facilities greatly improved.
4. Public transit service available to and from building.
5. New building space would be permanent.

He added that the Chambers could be built for a cost of between \$90,000 and \$100,000, including seating and all necessary equipment. Architectural plans could be completed, and the project constructed and ready for occupancy within five to six months.

After discussion, Councilman Lebermann moved that the Council approve the City Manager's plan for the new Council Chambers. The motion, seconded by Councilman Dryden, carried by the following vote:

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

#### JOINT ENERGY CONSERVATION GRANT

Dean John Gallery, School of Architecture and Planning, appeared before the Council indicating that the Texas University College Coordinating Board was an agent for distributing federal funds to University faculty members to support research in support of public agencies and projects of public interest. Last fall the School of Architecture and Planning began to prepare some grant applications to the Coordinating Board in the area of energy investigation. He stated that when the City's Energy Conservation Committee was established, it seemed appropriate for them to relate their research to the practical and immediate needs of the City. He commented that the grant proposal requests the funds from the Coordinating Board, which would enable them to provide research staff to the Energy Conservation Commission and would be directed toward the areas of transportation, building and electrical codes, and public information. He further added that the grant application would require no funds from the City but would give the City credit for the availability of staff time from several departments which would participate with the Energy Conservation Commission and with the research teams.

Councilman Lebermann moved that the City of Austin be the sponsoring agent for this program. The Council commended Dean Gallery and the School of Architecture and Planning for their continuing interests in community-wide problems. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

#### AUSTIN EDGES PROGRAM

The Council had before it a request by the Austin Edges Program. Councilman Lebermann explained the program and its function. The Edges Program is a national program sponsored by the Council for the Arts in Washington, D. C. Dr. Sinclair Black, School of Architecture and Planning, faculty, and students made a grant application on the order of \$40,000 to study the edges of the City and the creeks and waterways with a view toward making specific recommendations and actually participating in the development with the City of parks and recreational activities. The Bicentennial Commission feels that the program needs additional outside expertise. Councilman Lebermann advised the Council that after conference with Professor Black, students, and faculty members participating in the program, they have agreed to utilize Professor Black's services along with the Austin Edges Program as Austin's Bicentennial Consultant.

After supplying the information, Councilman Lebermann moved that the Council approve Councilman Lebermann's proposed Program as the outside expertise in connection with the Bicentennial Commission. The motion, seconded by Councilman Friedman, carried by the following vote:

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

#### HOMESTEAD EXEMPTION FOR ELDERLY

Councilman Friedman moved that the Council approve the notification of homestead exemption for the elderly via utility bill or tax statement and advised the City Manager to proceed administratively to take necessary action to execute Council's decision. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

## RECREATIONAL LIGHTING

Upon the request of Mayor Pro Tem Love that a study be conducted as to the validity of utilizing recreational lighting as a means of energy conservation, it was decided that the City Manager would submit a report to Council on February 21, 1974. This report would deal primarily with what could be done for the Youth Task Committee. It was suggested that future studies be submitted to the Energy Conservation Commission.

## ANTI-LITTER PROGRAM

Mayor Pro Tem Love discussed a meeting he and the City Manager had with a group of some 12 citizens to discuss rejuvenating more involvement from citizens into the Anti-Litter Program, which was actually instigated in September, 1972 - the "Pitch-In Campaign." Mr. Davidson spoke of Mayor Pro Tem Love's request to devise some kind of plan to utilize various business interests and other interested groups for an anti-litter campaign continuing throughout the year. Mr. Davidson indicated that a report on this matter would be submitted in one week to ten days.

## CREEK ORDINANCE

Mr. Les Gage, Chairman of the Citizens' Board of Natural Resources and Environmental Quality, appeared before the Council in response to a request on January 18, 1973, by the Council to make recommendations to prevent unnecessary destruction of trees and natural features immediately adjacent to creeks and waterways such as in the Harper Creek incident. He quoted from the City Manager's memo of January 18, 1973:

1. Suggested that Council direct the Planning Commission to study performance standards within zoning ordinance with a view toward including any reasonable means of protecting natural features which enhance the City's environment.
2. Suggested that Council direct the Planning Commission to consider creation of a special zone for use adjacent to major waterways in the City.
3. Suggested consideration of a requirement within the flood plain ordinance that would require a special permit prior to the grading or clearance of virgin land when that property is located within a certain distance of a creek or drainage-way within the City.

He indicated that a joint public hearing was conducted between the Citizens' Board and the Planning Commission on January 6, 1974, and passed the following motion:

"THE PROPOSED CHANGES TO SECTIONS 29 & 41 OF THE AUSTIN CITY CODE, WHICH ARE INTENDED TO PRESERVE THE ENVIRONMENTAL QUALITY OF AUSTIN'S CREEKS IS HEREBY ADOPTED BY THE BOARD AND FORWARDED TO THE CITY COUNCIL WITH A RECOMMENDATION THAT THE CITY COUNCIL DO PASS SUCH CHANGES."

Dr. Sinclair Black recommended the ordinance to the Council for adoption. He stated that this was a very good first step forward and that it might prevent some of the damage that happened at Harper Creek. He commended Mr. Charles Graves, Engineering Department, and Mr. Jerry Harris, Legal Department, for their assistance. In conclusion, he again recommended the proposed ordinance to Council for adoption.

Councilman Lebermann moved that the Council schedule a public hearing for 1:00 P.M. on February 28, 1974. The motion, seconded by Councilman Friedman, carried by the following vote:

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

#### ZONINGS SET FOR PUBLIC HEARING MARCH 7, 1974

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 March 7, 1974:

HARDIN & CHESLEY, INC. By Doren Eskew C14-74-001	5529-5609 North Lamar Boulevard	From "C" Commercial 1st Height and Area To "C" Commercial 2nd Height and Area
JOHN D. JONES C14-74-002	7905-7907 Brockman Street 2209 North Plains	From "A" Residence To "O" Office
DANIEL H. GRACE AND SANDRA S. STERZING (GRACE) C14-74-003	2313-2315 Thornton Road	From "A" Residence To "C" Commercial
UNIVERSITY CO-OPERATIVE SOCIETY, INC. By Phil Mockford C14-74-004	2211-2217 Nueces Street 507-511 West 23rd Street	From "B" Residence To "GR" General Retail
FRANK G. BRYANT AND H. W. CURINGTON By Ken Trewitt C14-74-005	510 West 35th Street	From "A" Residence 1st Height and Area "C" Commercial 2nd Height and Area To "C" Commercial 2nd Height and Area
JACK L. FREY C14-74-006	5207 Woodrow Avenue	From "A" Residence "B" Residence
BENNIE FOJTIK By C. B. Carpenter C14-74-007	111-203 Stassney Lane 110-212 Sandra Street	From "A" Residence To "GR" General Retail



DANIEL EDWIN LAMBERT C14-74-008	7904 Brockman Street	From "A" Residence To "O" Office
P. M. BRYANT, ET UX By David C. Woodland, Jr. C14-74-009	112-116 Coleman Street	From "A" Residence To "O" Office
EARL L. AND LOIS KANETZKY C14-74-010	4711 Weidemar Lane	From Interim "A" Residence 1st Height and Area To "D" Industrial 1st Height and Area
BILL MILBURN By Robert L. Davis C14-74-011	2611-2615 Western Trails 4600-4608 Sagebrush Trail	From "O" Office To "LR" Local Retail
CLIFFORD R. THOMSON By William D. Lynch C14-74-012	7131-7137 North Lamar Boulevard 721-731 St. John's Avenue	From "D" Industrial To "C-2" Commercial
MRS. ADELE RICHTER By O. W. Richter C14-73-234	947-949 East 50th Street 4916-4918 Harmon Avenue	From "A" Residence To "O" Office
THOMSON & FITZGERALD C14-73-244	204 Stassney Lane	From "A" Residence To "GR" General Retail
GOV. 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 "LR" Local Retail 2nd Height and Area
J. W. SAVAGE, ET UX By Robert L. Davis C14-73-250	8300 Bowling Green Drive 2300-2304 Ohlen Road	From "A" Residence To "B" Residence
EMILE JAMAIL, M. M. BRINKLEY AND BILL R. BRINKLEY By Robert L. Davis C14-73-251	8000 U. S. Highway 290, East Rear of 7700-8000 U.S. To Highway 290, East Rear of 2400-2448 Ed Bluestein Boulevard also bounded by Old Cameron Road	From Interim "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area

## NOTICE OF MEETING

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

## ADJOURNMENT

The Council adjourned at 4:25 P.M. The Mayor announced that the Council would go into executive session at this time to consider the items authorized in Section 2, Paragraphs (e) and (g) of Article 6252-17.

APPROVED

  
Mayor

ATTEST:

  
Acting City Clerk