

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 18, 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 COUNCILMAN FRIEDMAN.

## APPROVAL OF MINUTES

Councilman Friedman moved that the Council approve the Regular Meeting Minutes of April 11, 1974. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmen Dryden, Lebermann

## HIKE OR BIKE FOR THE RETARDED DAY WEEK

Mayor Butler read and then presented a proclamation to Zoe and Julie Vanek and Marty Mitchell proclaiming April 21, 1974, though April 27, 1974, as "Hike or Bike for the Retarded Day Week." It was noted that there would be a Walk or Ride in Austin on April 27, under the theme "Hike-Bike for the Retarded," when all citizens would be urged to participate and show evidence of their interest in and support for the programs of Austin's mentally retarded citizens.

## INVITATION BY NATURAL SCIENCE CENTER ASSOCIATION

Mrs. Les Gage, representing the Natural Science Center Association, appeared before Council inviting them to attend the "Safari 74" event to be sponsored by the Association on April 20-21, 1974, at the Center from noon until 6:00 p.m. She noted that there would be more than 85 participating groups in the event. Mrs. Tom Ezell distributed Safari hats to the Council members.

## WINNERS OF AUSTIN TOMORROW POSTER CONTEST

Mr. Joe S. Ternus, President of Harris Elementary School P. T. A., appeared before Council to present the six student winners of the School's Austin Tomorrow poster contest. He noted that there had been an Austin Tomorrow Zone 5 Meeting held to discuss the future of Austin; and in support of this program, the School administration initiated the poster contest among the students with over 90 entries. He introduced the six first-place winners who presented their winning posters:

Susumu Araki	- 2nd grade - son of Dr. and Mrs. T. Araki
Tasha Turner	- 2nd grade - daughter of Mr. and Mrs. Lynn Turner
Kathleen Kelly	- 3rd grade - daughter of Mr. and Mrs. R. J. Kelly
Diane Burch	- 4th grade - daughter of Mr. and Mrs. H. R. Burch
Paula Andrew	- 5th grade - daughter of Mr. and Mrs. S. H. Andrew
Jule Moore	- 5th grade - daughter of Mr. and Mrs. W. A. Moore

Mr. Ternus then introduced Ms. Joann Bartz, Zone Leader, and Ms. Kathy Lehman, Harris Elementary School teacher. Mayor Butler thanked the students and parents for attending and noted that they had displayed a great amount of talent.

## HEARING ON AMENDMENTS TO AUSTIN CITY CODE

Mayor Butler opened the public hearing scheduled for 1:00 p.m. on amendments to the following sections of the Austin City Code of 1967:

1. Chapter 36 by adding thereto Section 36-1715 providing for the installation of insulation in building construction under certain conditions; defining applicable terms and standards.
2. Sections 39-48 and 39-77 revising standards for the installation of insulation in heating and air conditioning work under certain conditions; defining terms and standards.

Mr. John Gallery, Vice-Chairman of the Energy Conservation Commission, noted that the amendments had been reviewed by various organizations and City departments, as had been mentioned previously at the meeting on April 11, 1974, when the amendments were originally presented. He added that work had been carried out by the Building Code Committee, whose members consisted of Messrs. Lamar Youngblood, Royce Faulkner, Barry Gillingwater, Mac Holder, Chuch Hrncir, and Mrs. Sharon Tieman.

Mr. Holder noted that the present Building Code required no insulation of buildings; and at the onset of an energy crisis, they determined various ways to correct this deficiency in the Code. Using information gathered from the F. H. A. and other sources, they correlated it to the Austin climate to have a Code suited for the climate. By use of slides, he reviewed the type of insulation that would be required in walls of all frame structures built within the City's electrical district as being R-11 fiberglass (3-1/2" bat). He also discussed the type of fiberglass insulation that would be used in ceilings as being R-19 (6" bat). He noted that the insulation required for metal ducts would be revised from 1/2" to 1" and that this would not be restricted to frame structures; it would apply to all buildings, and there would be an insulation requirement of hot water circulating pipes. In reference to Mayor Butler's question as to whether or not this would act as a more efficient means of soundproofing, Mr. Holder noted that the insulation would only be used on the outside walls and ceilings and that most of the sound comes from the floors and side walls.

Mrs. Tieman appeared in regard to the benefits of the proposed amendments to the homeowner. As an illustration, she indicated that for a 1,370 square foot air conditioned home, an approximate additional cost of \$277 would be required for the installation of insulation; however, if this home were properly insulated, a smaller air conditioning unit could be installed at a savings of approximately \$250. In addition, she noted that the annual operating cost of the unit could be reduced by about 37% or approximately \$115 per year; over a 10-year period, the average monthly cost would be reduced by about \$11.66 per month. They felt that the insulation would pay for itself after about 2 months of operation during the summer season when cooling would be required. In conclusion, she stated that although there would be a slight initial cost increase, the operating cost of the home's cooling system would be decreased on a permanent basis.

Mr. Hrnclir announced that the City Building Inspection office had estimated that during the next year approximately 2,400 homes would be constructed in Austin, of which some 15% (or 360 homes) would be constructed with improper or no insulation. He stated that if the ordinances were passed, those 360 homes would be properly insulated at an estimated total savings of 6.2 million kilowatt hours to the electrical system during the first year. As an illustration as to how much electricity this would be, he noted that 6.2 million kilowatt hours would adequately cool and heat an estimated 249 insulated homes for one full year. In summary, he reiterated that the wall and ceiling insulation ordinance would apply only to new construction of those frame structures which would be mechanically heated or cooled and that the heating and air conditioning duct work ordinance would apply to all new insulations of central heating or air conditioning equipment regardless of the type of building. He noted that these ordinances would be applied outside the City limits to those structures which would receive electrical supply from Austin's electric utility system.

In response to the presentation. Mr. Dan Davidson, City Manager, recommended the proposals and complimented this Council-appointed committee. He noted that it had been a pleasure to work with them and requested that Council favorably consider the amendments.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 36 OF THE AUSTIN CITY CODE OF 1967 BY ADDING THERETO SECTION 36-1715 PROVIDING FOR THE INSTALLATION OF INSULATION IN BUILDING CONSTRUCTION UNDER CERTAIN CONDITIONS; DEFINING APPLICABLE TERMS AND STANDARDS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTIONS 39-48 AND 39-77 OF THE AUSTIN CITY CODE OF 1967, REVISING STANDARDS FOR THE INSTALLATION OF INSULATION IN HEATING AND AIR CONDITIONING WORK UNDER CERTAIN CONDITIONS; DEFINING TERMS AND STANDARDS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

#### ZONING HEARINGS

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

AUSTEX DEVELOPMENT  
COMPANY, LTD.  
By Louis Kirchofer, Jr.  
C814-74-004

5600 Block of Westgate  
Boulevard, also bound-  
ed by Stassney Lane

From "A" Residence  
To Planned Unit Development  
27 attached single-family  
dwelling units with common  
open space and recreation  
facilities called "Old Town  
East"

RECOMMENDED by the Planning  
Commission, subject to com-  
pliance with departmental  
requirements as on file with  
Planning Department; not  
requiring the closing of the  
drive opening nearest the  
West Gate/Stassney inter-  
section; subject to a 6'  
privacy fence along the  
property lines where adjoining  
existing single-family lots  
and applicant to work with  
the Planning Department on  
sidewalk requirements

AUSTEX DEVELOPMENT  
COMPANY, LTD.  
By Louis Kirchofer, Jr.  
C814-74-003

5600 Block of Westgate  
Boulevard, also bound-  
ed by Cherry Creek  
Drive

From "A" Residence  
To Planned Unit Development  
25 attached single-family  
dwelling units with common  
open space and recreation  
facilities called "Old Town  
West"

RECOMMENDED by the Planning  
Commission, subject to com-  
pliance with departmental  
requirements as on file with  
the Planning Department;  
deleting Traffic Engineer's  
requirement to extend Donna  
Drive to Cherry Creek Drive;  
and applicant to work with  
the Planning staff on side-  
walk requirements

It was noted that these two requests had been postponed from April 4, 1974, pending a report to determine what must be done in connection with the drainage structure, what must be required of the applicant, and what must be required of the City. It was further noted that Mr. Philip F. Adams, Jr., representing Southwest Austin Home Owners Association (a group of residents in Cherry Creek), had appeared before the Council on April 4 in opposition to a drainage problem in the area and how the units would effect the problem. In response to Mayor Butler's question as to whether or not he was satisfied with the progress that had been made, Mr. Adams stated that he had not heard about any progress. Mr. Davidson suggested that Mr. Adams and any other interested parties meet after the meeting with Mr. Charles Graves, Director of Engineering, so that he might describe the commitment of the developer and the City and what

had been worked out to make sure that these commitments would be met. He added that he was in a position to report to Council that the developer had agreed to maintain his commitments under the ordinance, and this matter was now ready for Council's consideration. In response to Councilman Binder's question in reference to Mr. Adams' drainage problem, Mr. Davidson stated that the staff had looked primarily at the required improvements of the developer in connection with the drainage facility which ran through these subdivisions and that they would have to look at Mr. Adams' lot to the likelihood of problems in the future. He noted that the City had required of the developer all they could under the subdivision ordinance and that the City would clean out the slit and make sure the channel would be open in the future so that it would not back up water. At this point Mayor Butler requested that Messrs. Adams and Graves discuss this.

After discussion by Messrs. Adams and Graves, Mayor Butler asked Mr. Adams if he was satisfied with the commitments that had been made. Mr. Adams indicated that his main problem was the assurance that the drainage area would be kept clean and whether or not it was adequate to even handle the water flow. Mayor Butler requested that Mr. Adams monitor the situation and notify the City should any problems arise.

Councilman Handcox moved that the Council grant the Planned Unit Developments as recommended by the Planning Commission subject to conditions for both zoning cases (C814-74-004 and C814-74-003). The motion, seconded by Councilman Friedman, carried by the following vote:

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

The Mayor announced that the change had been granted for Planned Unit Developments, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

#### RELEASE OF EASEMENTS

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing release of the following easement:

A portion of a drainage easement of varying width in Lot B of OAK HAVEN, SECTION 3. (Requested by Mr. William Leach, owner.)

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

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

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing release of the following easement:

A portion of a public utilities easement seven and one-half (7.50) feet in width in Lot A of PLAZA VENTURA, a subdivision at the northwest corner of the intersection of Mission Hill Drive and Burleson Road. (Requested by Mr. Randolph A. Haynes, Jr., owner.)

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

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

#### LICENSE AGREEMENT PERMITTING ENCROACHMENT

Councilman Friedman moved that the Council adopt a resolution authorizing a license agreement between the City of Austin and Mr. W. D. DODSON permitting above-ground encroachment of a second-story walkway over a portion of a sanitary sewer easement ten (10.00) feet in width in Lot A, RAINEY RIVER ADDITION. (Requested by Mr. W. D. Dodson, owner.) The motion, seconded by Councilman Handcox, carried by the following vote:

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

#### ANNEXATION HEARING SET

Councilman Handcox moved that the Council adopt a resolution setting a public hearing at 1:00 p.m. on May 9, 1974, to consider annexing the following:

441.82 acres of land out of the William Cannon League and the Santiago Del Valle Grant: Resubdivision of Lot 18, Block B, CIRCLE S. RIDGE, SECTION ONE, DAVID and PURYEAR ADDITION, R. O. DAVIS ADDITION, LA FUENTE SUBDIVISION, L. I. POWELL SUBDIVISION, SAN ANTONIO ROAD ADDITION, Resubdivision Lots 5, 6, 7, 8, 9, 10 and 11, Block E, and Lots 1 and 7, Block F, SAN ANTONIO ROAD ADDITION, SAN ANTONIO ROAD ADDITION, SECTION 3, ANNIE E. SHACKELFORD SUBDIVISION, AUSTIN INDEPENDENT SCHOOL DISTRICT TRACT of land and unplatted land and portion of CIRCLE S. ROAD, BLUFF SPRINGS ROAD, OLD CROW LANE, LITTLE TEXAS LANE AND GOODNIGHT LANE.

Tract 1 - 72.67 acres; Tract 2 - 32.94 acres; and Tract 3 - 34.05 acres. (Requested by Douglas Duwe, agent for 150 Ltd., owner.) Tract 4 - 5.53 acres. (Requested by Austin Independent School District.)

296.63 acres. (Initiated by City of Austin).

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

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

#### CONTRACTS AWARDED

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

JOE BADGETT CONSTRUCTION COMPANY	- For construction of the Municipal
1909 West Koenig Lane	Building Annex Council Chambers
P. O. Box 9401	Foundation - \$42,300
Austin, Texas	

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

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

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

MISSION CONTRACTORS, INC.	- For South Fifth Street
8117 Culebra	30-inch water transmission
San Antonio, Texas	main - \$129,605.40

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

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

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

Bid Award:	- Riding Rotary Mower
	5 each for Parks and Recreation
	Department
	2 each for Water Treatment

CHEMICAL & TURF SPECIALTY COMPANY	- Item 1; 5 ea. @ \$1,250.00
P. O. Box 38202	Total - \$6,250.00
Dallas, Texas	

INTERNATIONAL HARVESTER COMPANY	- Item 1; 2 ea. @ \$1,209.00
4711 East 7th Street	Total - \$2,418.00
Austin, Texas	



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

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

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

Bid Award:	- 3 each Sedans 6 each 1/2-Ton Pickups 3 each 3/4-Ton Pickups Vehicle and Equipment Services Department
JAY SMITH CHRYSLER PLYMOUTH 841 West 6th Street Austin, Texas	- Item 8; 3 ea. @ \$3,193.00 Total - \$9,579.00
HENNA CHEVROLET, INC. 7522 Interregional Austin, Texas	- Item 12; 6 ea. @ \$3,148.00 Item 21; 3 ea. @ \$4,593.00 Total - \$32,667.00

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

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

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

PAUL E. ALLEN COMPANY, INC. 6200 Richmond Houston, Texas	- Playground Equipment for Parks and Recreation Department Item 1 - \$5,955.00
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The motion, seconded by Councilman Lebermann, carried by the following vote:

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

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

CAPITOL AGGREGATES, INC. Bolm Road and Ed Bluestein Boulevard Austin, Texas	- Hot Mix Asphaltic Concrete, Special Type D for Street & Bridge Division. Item 1 - \$80,000.00
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The motion, seconded by Councilman Lebermann, carried by the following vote:

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

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

TEXAS INDUSTRIES, INC.  
825 Ed Bluestein Boulevard  
Austin, Texas

- Concrete, mortar and Fill Sand  
For Street and Bridge Division  
Item 1; 300 cu.yds. @ \$3.80/cu.yd.  
Item 2: 100 cu.yds. @ \$4.50/cu.yd.  
Item 3; 10,000 cu.yds. @ \$2.00/cu.yd.  
Total - \$21,590.00

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

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

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

Bid Award:

- Miscellaneous Electric Utility Items  
to be used by the Electric Department

GRAYBAR ELECTRIC COMPANY, INC.  
7434 North Lamar Boulevard  
Austin, Texas

- Item Nos. 1.1 - 5,075 ft. @ \$199.79/cft.  
1.2 - 400 ft. @ \$107.25/cft.  
7 - 12 @ \$10.54/ea.  
13 - 18 @ \$ 5.65/ea.  
14 - 18 @ \$ 6.32/ea.  
15 - 90 @ \$ 3.75/ea.  
16 - 45 @ \$ 8.60/ea.  
19 - 69 @ \$ 4.00/ea.  
20 - 24 @ \$ 9.25/ea.  
22 - 1,100 @ \$.2148/ea.  
23 - 1,100 @ \$.1089/ea.  
30 - 25 @ \$14.50/ea.  
Total - \$12,851.35

SOUTHWAY ELECTRIC UTILITY  
SERVICE, INC.  
3201 Longhorn Boulevard  
Austin, Texas

- Item Nos. 5 - 51 @ \$47.75/ea.  
8 - 36 @ \$17.20/ea.  
10 - 9 @ \$11.00/ea.  
12 - 45 @ \$117.00/ea.  
17 - 72 @ \$ 26.00/ea.  
21 - 18 @ \$ 13.55/ea.  
27 - 25 @ \$ 3.06/ea.  
29 - 36 @ \$ 4.26/ea.  
Total - \$10,764.21

PRIESTER-MELL COMPANY, INC.  
601 East 56th Street  
Austin, Texas

- Item Nos. 2 - 51 @ \$136.34/ea.  
3 - 21 @ \$ 90.16/ea.  
9 - 12 @ \$ 7.94/ea.  
24 - 2,200 @ \$.3187/ea.  
25 - 47 @ \$ 6.44/ea.  
26 - 42 @ \$ 6.73/ea.  
28 - 24 @ \$ 7.40/ea.

Total - \$10,406.06

In response to Councilman Binder's question, in regard to the three afore-mentioned items, Mr. Solon Bennett, Director of Purchasing, stated that the escalation on these bids was the price in effect at time of shipment. He noted that the City did have the current price; and in these cases, all bidders did bid the same way. He added that actual pricing would be determined at the time the material would be delivered and that the pricing was actually established by the manufacturer. He indicated that these were resale items and that the manufacturer merely added markup. He assured the Council that the City's interest would be protected. In regard to City Manager Davidson's statement, Mr. Bennett noted that the City had first received "price in effect at time of shipment" bids and rejected them and then readvertised and placed a clause in the bid invitation which stated that the pricing was subject to check and that there would be no profit or overhead markup on the increased amount. In conclusion, he noted that this was the least desirable manner used but that these pricing practices were established by the manufacturer.

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

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

APPLICATION FOR PLANNING GRANT  
FROM DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Councilman Friedman moved that the Council adopt a resolution authorizing the Planning Department to submit its third annual application for a planning grant from the Department of Housing and Urban Development. The request will be for \$59,804 and \$29,902 will be local share provided by use of permanent personnel in the Department's approved budget for a total cost of \$89,706. The contract period will be from June 1, 1974, to May 1, 1975. The motion, seconded by Councilman Handcox, carried by the following vote:

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

APPLICATION FOR COLOR PHOTOGRAPHY PROCESSING EQUIPMENT

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to submit a grant application to the Texas Criminal Justice Division for Color Photography Processing Equipment for the Austin Police Department. The total cost will be \$21,352.00; Criminal Justice Division

support will be \$18,150.00; and the City's cash match will be \$3,202.00. The contract period will be from June 1, 1974, through May 31, 1975. The motion, seconded by Councilman Handcox, carried by the following vote:

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

APPLICATION FOR GRANT  
FOR LIBRARY SERVICES TO ELDERLY PROGRAM

Councilman Friedman moved that the Council adopt a resolution authorizing the Public Library to apply for an extension grant of \$8,775.00 from the Texas Governor's Committee on Aging to support the Library's "Library Services to the Elderly Program." (In-kind match of \$2,981 will be required.) Contract period will be from July 1, 1974 to September 30, 1974. The motion, seconded by Councilman Handcox, carried by the following vote:

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

HEARING SET ON AMBULANCE RATES

Councilman Handcox moved that the Council adopt a resolution setting a public hearing for 1:30 p.m. on April 25, 1974, to consider establishment of ambulance rates for transfer and other non-emergency ambulance services. The motion, seconded by Councilman Dryden, carried by the following vote:

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

DISPOSITION OF SUBSTANDARD STRUCTURES

Mayor Pro Tem Love moved that the Council accept the recommendations from the Building Standards Commission that the Legal Department take proper legal disposition of the following sub-standard structures which have not been repaired or demolished within the required time. The motion

- |                            |                                  |
|----------------------------|----------------------------------|
| 1. 1409 South Third Street | - Marvin James Cooper            |
| 2. 1707 Holly Street       | - Joel V. Quintanilla            |
| 3. 1181 Pandora Street     | - Margaret Freeny Cooper Johnson |

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

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

## EXECUTION OF TRANSFER AND ASSIGNMENT

Councilman Friedman moved that the Council adopt a resolution authorizing the execution of a transfer and assignment without recourse of Special Assessment Certificate No. 6606-3745-65-28(b) P-2929 (d) and Special Assessment Certificate No. 6611-3950-65-94(c) P-2986 (r) to the First National State Bank of New Jersey, Newark, New Jersey. 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

## ACQUISITION OF LAND FOR MOPAC EXPRESSWAY

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing the acquisition of West 5th Street at MoPac Expressway (Jay Frank Smith) for right of way for the MoPac Expressway. 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

ACTION TAKEN ON POSSIBLE ACQUISITION OF LAND FOR  
FIESTA GARDENS

It was noted that two pieces of property had been recommended to be authorized for acquisition for the expansion of Fiesta Gardens at Town Lake. Ms. Cecily Simms, Attorney for Legal Aide and Defenders Society, appeared before the Council representing Angelita M. Perez and her husband, Joe Hernandez. She indicated that they had come to her that morning with some questions, and therefore, requested that Council delay any action concerning their property so that she might have time to determine the status of the situation. Ms. Simms stated that Mr. Hernandez had told her that a representative from the City had "coerced him into signing some document" agreeing to sell his property. She noted that Mr. Hernandez was an elderly Chicano who spoke very little English and did not know what he signed and did not seem to have a copy.

In response to Mayor Pro Tem Love's question, Mr. Joe Morahan, Director of the Property Division, indicated that if there were some doubt about the matter, he would prefer that action be delayed to properly handle this. Mayor Pro Tem Love moved that the Council adopt a resolution authorizing the acquisition of 2007 Bergman (Lee D. Goode et al) for the expansion of Fiesta Gardens at Town Lake and postpone action on 2106 Bergman (Angelita M. Perez et vir Joe Hernandez) until May 2, 1974. 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

PARTICIPATION OF ELECTRIC DEPARTMENT  
IN STUDY AND PROGRAM

Councilman Dryden moved that the Council adopt a resolution authorizing the Electric Department to participate in a study entitled "Thermal Loading Analysis for Reservoirs and Estuaries, State of Texas" under the direction of the Electric Reliability Council of Texas. Approximate cost to the City will be \$4,000.00. The motion, seconded by Councilman Binder, carried by the following vote:

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

Councilman Dryden moved that the Council adopt a resolution authorizing the Electric Department to participate in an Electric Reliability Council of Texas Thermal Monitoring Program on Texas Reservoirs. Approximate cost to the City will be \$1,200.00. The motion, seconded by Councilman Binder, carried by the following vote:

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

DISPOSITION OF PARCELS

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

Parcels I-6 and I-9 in the Blackshear Project, Tex A-11-2.

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

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

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

Parcels I-1-A and I-1-B in the Glen Oaks Project, Tex A-11-4

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

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

## RECOGNITION

Mayor Pro Tem Love took this opportunity to recognize a group of fourth-grade students from I. W. Popham School, Del Valle, and their Vice-Principal, Mr. George Head, and their teacher, Mrs. Jones. He indicated that they were studying the subject "Who Runs the City." He thanked all of them for attending.

## ANNOUNCEMENT

Mayor Pro Tem Love announced that on April 25, 1974, the Council would be honoring Mr. Harry Yant with a proclamation for his many years of distinguished service to youth baseball in South Austin. He noted that Mr. Yant had worked with the South Austin Optimist Club for 16 years and had been Chairman of all the Club's youth programs. He added that the special occasion would include the dedication of the new Garrison Park Field. Mr. Travis Smith, representing the South Austin Optimist Club, took this opportunity to thank the Parks and Recreation Department and Mr. Jack Robinson, Director, and Mr. Mike Segrest, Park Project Administrator.

CITIZEN APPEARANCE  
CONCERNING CONSTRUCTION ON MT. BONNELL ROAD

Mr. Joe M. Taylor appeared before Council concerning the construction by Granite Construction on Mt. Bonnell Road, from which he lived about 100 feet. He noted that the company was drilling a shaft which would tap into the Cross-town Sewage Project. He stated that the project had been an ear and eye sore to the residents in the area for over a year. He related incidents of rock blasting, bull dozing, and overall loud noise at various times of the day and night. He noted that he was a professional musician and that his home was his office and that he could not get anything accomplished with this going on. In response to Mayor Butler's question as to exactly what he was requesting, Mr. Taylor felt that it would be helpful if the company could devise a definite work schedule. He further added that he had been told by various members of the company that work would be completed shortly. Mayor Butler stated that he had received a memo noting that work was confined to daytime only and that it would actively continue for three to four more weeks according to the engineers, at which time the crews would move entirely out of the area; and then work would resume after several months and would continue at varying levels until the completion during the second quarter of 1975.

Mayor Butler further added that this was a \$19.8 million project that Council had awarded, that it would have to be completed. Mr. Taylor did not want the work to be stopped but felt that some consideration should be given them. He requested that some compensation be given either from the company or from the contractor. Mayor Butler suggested that Mr. Taylor and others meet with Mr. Curtis Johnson, Director of Water and Wastewater. There was discussion in reference to the ordinance that dealt with blasting, and City Manager Dan Davidson noted that the referenced project was outside the corporate limits, and the ordinance would not be enforceable; however, he added that the provisions within this ordinance should be followed and possibly even more stringent requirements could be met.

A gentleman appeared and stated that he had been living in this area long before any construction had begun and that since then, a stream had become extremely polluted. He added that he was a student and could not study at all during the day. In conclusion, he requested that Council give more consideration to the pollution matter. It was suggested by Councilman Lebermann that this be investigated.

#### PARADE PERMIT IN CONJUNCTION WITH "ROUND-UP WEEK"

Councilman Friedman moved that the Council grant a request by Chad Cable for a parade permit for initiation of The University of Texas "Round-Up Week" festivities on April 20, 1974, from 1:00 p.m. to 2:00 p.m. beginning at the Municipal Auditorium parking lot, right on Riverside Drive, left on Congress, and up to the Capitol Building. The motion, seconded by Councilman Handcox, carried by the following vote:

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

#### REQUEST TO PLACE STREET BANNER ACROSS EAST OLTORF

Councilman Friedman moved that the Council grant a request by Mr. Scott Miller, representing the William B. Travis High School Student Council, to place a street banner across East Oltorf adjacent to the school. The motion, seconded by Councilman Handcox, carried by the following vote:

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

#### REQUEST TO COMPLETE PAINTING ON RETAINING WALL

Messrs. Gary Rogers and Chris Travis appeared before Council requesting permission to complete a painting entitled "It Is A Beautiful Day" on the retaining wall at Windsor Road and Winstead Lane. Mayor Butler distributed pictures of this among the Council. City Manager Davidson did not recommend the painting on public property and felt that this would be difficult to control. He did not think it was fair to the people across the street or adjacent. Mr. Travis noted that people had stopped and indicated their approval of the painting in that it brightened up the neighborhood. It was their attitude that this would be improving City property. Councilman Dryden felt that the gentlemen had been in the wrong for beginning this painting without obtaining permission beforehand. There was discussion as to the fact that this would set a precedent. After further discussion, Mayor Pro Tem Love moved that the Council grant the request to complete the painting. The motion, seconded by Councilman Binder, carried by the following vote:

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



## PARADE PERMIT FOR TEENS AID RETARDED

Councilman Friedman moved that the Council grant a request by Vanessa Harrison for a parade permit for Austin Teens Aid Retarded (TAR's) on April 27, 1974, from 8:00 a.m. to 8:00 p.m. beginning on east frontage road of Interstate Highway 35 from State Farm Insurance Company to City limits and back the same route. (Hikers will come down Lamar to Rundburg Lane, left on Rundburg, cross Interstate Highway 35 and behind State Farm Insurance Company to parking lot. 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

## REQUEST BY AUSTIN SKI CLUB

Councilman Friedman moved that the Council approve a request by Mr. Dick Williamson, Senior Vice-President of the Austin Ski Club, that the Ski Tournament (previously approved for April 20 and 21, 1974) be rescheduled for April 27 and 28, 1974, because of Club scheduling conflicts. 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

## ZONING ORDINANCES

Mayor Butler introduced the following ordinance:

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

(1) LOTS 1 THROUGH 11, BLOCK 7, PLEASANT HILL ADDITION, LOCALLY KNOWN AS 5429-5535 SOUTH CONGRESS AVENUE AND 5528-5534 WASSON ROAD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; AND,

(2) LOT 1, PARKWOOD IN UNIVERSITY HILLS, SECTION 3; LOT 2-B, PARKWOOD IN UNIVERSITY HILLS, SECTION 4; AND LOT 3-A, FIRST RESUBDIVISION OF PARKWOOD IN UNIVERSITY HILLS, SECTION 3, LOCALLY KNOWN AS 2739-2945 LOYOLA LANE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT AND "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,

(3) TRACT 1: A 20.17 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT; AND,

TRACT 2: A 5.21 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; LOCALLY KNOWN AS 7901-8131 RESEARCH BOULEVARD (U.S. HIGHWAY 183); 7900-8114 NORTH LAMAR BOULEVARD; 8200-8212 NORTH LAMAR BOULEVARD; AND THE REAR OF 8116-8154 NORTH LAMAR BOULEVARD; AND,

(4) LOT 1 AND THE WEST ONE-HALF OF LOT 2, OUTLOT 142, ORIGINAL CITY OF AUSTIN LOCALLY KNOWN AS 700-702 EAST 12TH STREET AND 1201-1205 SABINE STREET, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND,

(5) LOTS 1, 2 AND 3, SUBDIVISION OF PART OF OUTLOT 76, DIVISION "D", LOCALLY KNOWN AS 3501-3503 OWEN CIRCLE AND 3411 OWEN AVENUE, FROM "BB" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT;

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. (Carl W. Cole and Edgar A. Smith, C14-74-016; City of Austin, C14-74-029; Ben Hur Shrine Temple, C14-74-013; Texas Municipal Retirement System, C14-74-019; Bettye Jo Lumpkins, C14-74-026)

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

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

A 3,965 SQUARE FOOT AREA WITHIN DOBIE MALL LOCATED AT THE NORTHEAST CORNER OF THE STREET LEVEL, LOCALLY KNOWN AS 2014-2018 WHITIS AVENUE AND 301-305 WEST 21ST STREET, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL 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. (Continental Assurance Company, C14-74-027)

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

## GAS RATE ORDINANCE

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

AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 711014-E BY PROVIDING FOR CERTAIN ADJUSTMENTS TO THE RATES OF SOUTHERN UNION GAS COMPANY. (OPTION "B")

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

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

Noes: Councilmen Friedman, Handcox, Binder

The Mayor announced that the ordinance had been finally passed.

## REFUND CONTRACT

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

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH CITY NATIONAL BANK, TRUSTEE. (Research Plaza Subdivision)

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

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

Noes: Councilmen Binder, Friedman

Abstain: Mayor Butler

The Mayor announced that the ordinance had been finally passed.

## NAMING OF UNIVERSITY HILLS PARK

The Council received a report from the Parks and Recreation Advisory Board on naming the new University Hills Park. It was noted that no action was required at this time.

## ADJOURNMENT

The Council adjourned at 2:25 p.m.

APPROVED

*Ray Braden*  
Mayor

ATTEST:

*Grace Monroe*  
Acting City Clerk