

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 1, 1975
1:00 P.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor Butler presiding.

Roll Call:

Present: Councilperson Dr. Linn, Councilmen Binder, Friedman,
Snell, Lebermann, Mayor Butler

Absent: Mayor Pro Tem Dryden

The Invocation was delivered by DR. JOHN BARCLAY, Central Christian Church.

PRESENTATION

Mr. Les Gage, Co-Chairman of the Citizens' Committee for a More Beautiful Town Lake, appeared before the Council to present a check to the City in the amount of \$21,362.44 to be used on Town Lake. Mr. Gage noted that Mrs. Betty Wilson, Chairman, helped to make the fund-raising project so successful. Mr. Gage took this opportunity to introduce other members:

Ms. Helene Burns
Mrs. Roy Butler
Mrs. Cecil Cabaniss
Mr. W. W. Coates

Mr. Russell Fish
Mrs. Luci Nugent
Dr. Sinclair Black

Mr. Gage stated that it had been a pleasure, and he looked forward to continuing their work for the City. He hoped what they had done could be utilized and appreciated by all citizens of Austin.

Mayor Butler thanked Mr. Gage on behalf of the Council, and he pointed out that he had not known of any group's raising this much.

INVITATION

Mrs. Les Gage, Austin Natural Science Association, appeared before the Council to issue invitations to the Council to attend SAFARI '75 to be held May 3 and 4, 1975, on the Zilker Nature Trail, from noon to 7:00 p.m. The Council was presented with SAFARI hats.

OLDER AMERICAN MONTH

Mayor Butler read and then presented a proclamation to Messrs. Alvin Burger and Jack Robinson, proclaiming the month of May, 1975, as "Older American Month", with the general purpose of Older American Month to focus attention on the expanding role of senior adults in the social, economic, and spiritual life of the community.

Mr. Burger thanked the Council on behalf of all senior citizens and invited the Council to attend a garden party at Austin's new park, Mayfield, near Laguna Gloria, from 1:00 to 4:00 p.m.

LOYALTY DAY

Mayor Butler read and then presented a proclamation to Mr. Delos Alvis, proclaiming May 1, 1975, as "Loyalty Day" and called upon all citizens to take full advantage of this special occasion. He further urged that all individuals, schools, churches, organizations, business establishments, and homes within his official jurisdiction display the Flag of the United States and to participate in patriotic Loyalty Day activities to be sponsored by the Veterans of Foreign Wars of the United States, Posts Nos. 3377, 856, 4443, 8787, 8906, 8925, and 6795 and Auxiliaries, on or near May 1.

Mr. Alvis thanked the Council; and on behalf of Post 3377, he presented the Council with awards for their loyalty and patriotism.

BE KIND TO ANIMALS WEEK

Mayor Butler read and then presented a proclamation to Mrs. Sarah Mabry and Mr. Doyle Nordyke, proclaiming the week of May 4-10, 1975, as "Be Kind to Animals Week" and commended to all citizens a full participation in all the events related. Mr. Nordyke thanked the Council and invited them to attend open house of their new facilities on May 4, 1975, from 1:00 to 4:00 p.m.

City Manager Davidson took this opportunity to note that some cities were having some heated arguments with their humane societies, but Austin was very grateful for the service that was provided.

LAW DAY USA

Councilman Friedman read and then presented a proclamation to Messrs. Ed Small and Rogan Giles, proclaiming May 1, 1975, as "Law Day USA" and urged all citizens to recognize this special day and join in its observance through court visitations and by attending bar association-sponsored Law Day programs.

Mr. Small thanked the Council and announced that Mayor Butler would be honored at 7:30 p.m. at the State Senate Chamber by being presented with the Liberty Bell award. He invited the Council to attend.

RECOGNITION

Mayor Butler read and then presented a resolution to Associate Municipal Court Judge Rob V. Robertson in recognition of his being honored as one of only two other judges in Texas who had been invited to attend the Criminal Justice Standards Conference at the University of Nevada on April 24-27.

Judge Robertson thanked the Council and commented that it was an honor to have been invited, and he felt it was an honor for the citizens of Austin.

SALE OF CERTIFICATES OF OBLIGATION

At Mayor Butler's request, City Manager Davidson noted that at 10:30 a.m. the City had received bids for the sale of Certificates of Obligation for the Municipal Annex Projects in the amount of \$750,000. He stated that Austin received 5 qualified bids for these 8-month Certificates, and the low bid had been that of First National Bank in Dallas, for an effective interest rate of 3.95%. According to Mr. Curtis Adrian, First Southwest Corporation, Mr. Davidson noted these were excellent bids considering the present market. Mr. Davidson indicated that the Council acted to accept the best bid and passed an ordinance which officially accepted the sale of the Certificates.

APPROVAL OF MINUTES

Councilman Friedman moved that the Council approve the Minutes of April 24, 1975. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Butler, Councilperson Dr. Linn, Councilmen Binder, Friedman, Snell, Lebermann

Noes: None

Absent: Mayor Pro Tem Dryden

EXECUTIVE SESSION ACTION

Mayor Butler noted that the Council had been in an Executive Session earlier in the day and had discussed several matters with the City Attorney. City Attorney Don Butler noted that a motion had been filed at the Railroad Commission by Southern Union Gas, asking to revise the method by which gas costs were passed on to Austin rate payers. As reported, the Company had fallen \$1.8 million behind in its collections because of an incorrect estimate. They have filed a motion to ease into this collection on a somewhat less significant basis, with an increase of about 22% and up to 44% in August. He pointed out that it was not so much a matter of whether this should be done, but how this should be done.

He felt that his recommendation was the most viable alternative, otherwise Austin would have a very substantial jump in August.

Councilman Lebermann moved that the Council authorize the City Attorney to follow his recommended course of action. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,
Councilman Binder

Noes: Councilperson Dr. Linn

Absent: Mayor Pro Tem Dryden

Mayor Butler also noted that appointments were discussed in the Executive Session and were now before the Council for action:

Councilperson Dr. Linn moved that the Council appoint the following as additional members to the CHARTER REVIEW COMMITTEE:

Ms. Eloise Campos

Ms. Cora Briggs

Ms. Margaret Gomez

Mr. Dan Ruiz

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

Ayes: Councilmen Snell, Lebermann, Mayor Butler, Councilperson
Dr. Linn, Councilmen Binder, Friedman

Noes: None

Absent: Mayor Pro Tem Dryden

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:

M. H. FLOURNOY
By William T. Hall
C14-75-027

5606 South Congress
Avenue

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

Councilman Friedman moved that the Council grant "C" Commercial, 1st Height and Area District as recommended by the Planning Commission. The motion, seconded by Councilperson Dr. Linn, carried by the following vote:

Ayes: Councilperson Dr. Linn, Councilmen Binder, Friedman,
Snell, Lebermann, Mayor Butler

Noes: None

Absent: Mayor Pro Tem Dryden

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

VICTOR F. WILKENING,
Executor of the Estate
of Frieda H. Wilkening
By H. W. Ladd, Jr.
C14-75-028

1910 Whitis Avenue
also bounded by West
20th Street

From "B" Residence
2nd Height and Area
To "GR" General Retail
3rd Height and Area
RECOMMENDED by the Planning
Commission

Councilman Snell moved that the Council grant "GR" General Retail, 3rd Height and Area District as recommended by the Planning Commission. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Binder, Friedman, Snell, Lebermann, Mayor
Butler, Councilperson Dr. Linn

Noes: None

Absent: Mayor Pro Tem Dryden

The Mayor announced that the change had been granted to "GR" General Retail, 3rd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

CROW & ASSOCIATES,
INC.
By Wayne S. Curtis
C14-75-032

2001 Wheelless
Lane

From "GR" General Retail
To "C-1" Commercial
RECOMMENDED by the Planning
Commission

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

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,
Councilperson Dr. Linn, Councilman Binder

Noes: None

Absent: Mayor Pro Tem Dryden

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

PHILIP BASHARA, SR.,
ET AL
C14-75-031

1600-1612 East 51st
Street
5114-5118 Berkman
Drive

From "BB" Residence
To "LR" Local Retail
RECOMMENDED by the Planning
Commission, subject to a
restriction prohibiting
residential units of any kind

Councilperson Dr. Linn moved that the Council grant "LR" Local Retail District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilperson Dr. Linn, Councilmen Binder, Friedman, Snell
Noes: None
Absent: Mayor Pro Tem Dryden

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

WILLIAM A. CRENSHAW &
CHARLES CROSLIN
By Jeryl Hart &
Tom Curtis
C14-75-035

2303-2413 Kramer
Lane

From Interim "A" Residence
1st Height and Area
To "D" Industrial
1st Height and Area
RECOMMENDED by the Planning
Commission, subject to a
subdivision providing right
of way on Kramer Lane, 40 feet
from the center line, and for
the proposed Braker Lane as
shown in the preliminary
subdivision of this tract.

Councilman Friedman moved that the Council grant "D" Industrial, 1st Height and Area District, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilperson Dr. Linn, carried by the following vote:

Ayes: Councilperson Dr. Linn, Councilmen Friedman, Snell,
Lebermann, Mayor Butler
Noes: None
Absent: Mayor Pro Tem Dryden
Not in Council Chamber when roll was called; Councilman Binder

The Mayor announced that the change had been granted to "D" Industrial, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

INDEPENDENT
ARCHITECTS
C14-75-036

1100 East 8th
Street
801-805 Waller
Street

From "B" Residence
To "O-H" Office-Historic
RECOMMENDED by the Planning
Commission, subject to a
restriction of the use of the
"O" Office District to
professional and semi-
professional office use only.

In response to a question from MR. FRANK RIOS, MR. GEORGE VILLALVA, the applicant, stated that he had no objection to limiting the use to professional office use only in that they could justify the restoration of the house in that they would be leasing two professional offices.

Councilman Friedman moved that the Council grant the change to "O-H" Office Historic District, as recommended by the Planning Commission, subject to conditions, but restrict the use to professional office use only. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Friedman, Lebermann, Mayor Butler
Noes: Councilman Snell
Absent: Mayor Pro Tem Dryden
Abstain: Councilperson Dr. Linn

The Mayor announced that the change had been granted to "O-H" Office-Historic District, subject to conditions, but restrict the use to professional office use only, and the City Attorney was instructed to draw the necessary ordinance to cover.

LINDEMANN HOUSE
C14h-75-003

1100 East 8th Street
801-805 Waller
Street

From "B" Residence
To "O-H" Office-Historic
RECOMMENDED by the Planning
Commission

Councilman Friedman moved that the Council grant "O-H" Office-Historic District, as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Friedman, Snell, Lebermann, Mayor
Butler
Noes: None
Absent: Mayor Pro Tem Dryden
Abstain: Councilperson Dr. Linn

The Mayor announced that the change had been granted to "O-H" Office-Historic District, and the City Attorney was instructed to draw the necessary ordinance to cover.

62.101 LTD.

By Will Garwood

C14-75-042

6501-7009 Ed Blue-
stein5500-5604 Decker
Lake Road

From Interim "A" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area
(Tract 1A),
"O" Office
1st Height and Area
(Tract 2A), and
"A" Residence
1st Height and Area
(Tract 3A) as amended
RECOMMENDED by the Planning
Commission as amended and
subject to the amended restric-
tive covenant which provides
for (1) landscaping of the
"A" Residence buffer area and
(2) in the "O" Office tracts
a maximum building height of
25 feet and maximum apartment
density of that permitted by
"BB" Residence.

Councilman Lebermann asked what sort of assurances the neighborhood had that these recommendations would be carried out concerning the landscaping. In response to this, Mr. Dick Lillie, Planning Department Director, stated that the covenant upon which the applicant had agreed was that a landscape plat will be submitted, and it was his intent to check with Parks and Recreation and the Environmental Board to see that this plan has to be approved prior to issuance of a building permit and that the landscape plan must be in place prior to occupancy. Mr. Lillie pointed out that it was the intent of the covenant that they do not build without the landscaping, and this will be carried out with the assistance of the Legal Department.

Councilman Lebermann moved that the Council grant "GR" General Retail, 1st Height and Area District (Tract 1A), "O" Office, 1st Height and Area District (Tract 2A), and "A" Residence, 1st Height and Area District (Tract 3A) as amended, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,
Councilperson Dr. Linn, Councilman Binder

Noes: None

Absent: Mayor Pro Tem Dryden

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District (Tract 1A), "O" Office, 1st Height and Area District (Tract 2A), and "A" Residence, 1st Height and Area District (Tract 3A) as amended, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

The Council heard and DENIED the following zoning changes:

HOWARD HAND	1806-1808 West 6th	From "A" Residence
By John E. Powers	Street	To "O" Office
C14-75-034	601 Theresa Street	RECOMMENDED by the Planning
		Commission subject to a
		privacy fence on the north
		boundary

Mr. Lillie noted that there was a valid petition but that several signatures had been withdrawn. He reviewed this case by stating that this was located on the edge of an older neighborhood of single-family homes. In 1971, the Council granted "GR" General Retail District on the corner of Patterson and West 6th. He noted that this request was for an antique shop using the existing buildings on the tract.

MR. JOHN POWERS, representing the applicant, felt that his client was interested in the preservation and restoration of the area. He pointed out that out of five contacted thus far, five had withdrawn their signatures from the referenced petition. He further pointed out that the applicant accepted the condition of the fence, and he would join any opposition in changes north of the tract on Theresa.

He addressed himself to several points that had been raised by the opposition:

1. Increase in traffic. He suggested that with the approval of MoPac, it was evident that traffic would be increased.
2. Alteration in the appearance of the neighborhood from residential to retail. He felt this was residential in a bad sense.
3. Encouragement for rezoning the area for further commercialization. He commented that the Planning Commission had stated that they would not approve any future changes in the area.
4. Creation of undesirable conditions that would effect the elderly. He did not believe this was the case.

The following appeared in opposition to the zoning request:

MR. JOE HART appeared and noted that he was representing the Concerned Citizens for the Development of West Austin, and members of this group were present to address the Council.

MR. STEVE JOHNS, 613 Theresa Street, submitted that Theresa Street was narrow and could not carry the traffic that would be generated. He noted that he had been told that Urban Transportation had estimated that "O" Office District would increase traffic in the amount of 200 cars per day. He felt that the residents did not need nor want additional shopping facilities. He suggested that this neighborhood was passing as a residential area, whether

occupied by owners or renters; and their life style had long been established, and the residents were not able to relocate should undesirable conditions change the neighborhood. He hoped that the Council would give them the same consideration if the threat occurred in their neighborhood.

REVEREND WILLARD SOUTHERLAND, Pastor of Sweet Home Baptist Church (1725 West 11th Street), joined in the opposition of this even though he was not in the immediate area because he felt it would increase the traffic in the area; and he felt the line must be drawn somewhere. He suggested that enough communities had been disrupted.

MRS. JULIE HOWELL, 707 Theresa Street (Austin Tomorrow Goals Assembly), noted that one of the problems that had been discussed by the Assembly had been neighborhood integrity and the issue of spot zoning. She submitted that this was very poor planning and that this was a small residential neighborhood, and this would attract additional traffic through the neighborhood. She stated that the residents wanted to have an effective impact on decisions made about their neighborhood. She urged Council to weigh this decision very carefully.

MR. MICHAEL KEENE, 720 Patterson, stated that the applicant had bought three houses across from his and had allowed them to deteriorate. He felt that the applicant was going to change the character of the neighborhood and was not concerned for the residential character of the neighborhood at all. He asked whether the people who lived here were going to control the changes or the people who did not live here. He suggested that the neighborhood was not dying and that it was living and changing, and the question was who was going to control the nature of those changes. He submitted that the Council were the only ones who could help them.

MR. MART stated that they objected to this for the following reasons:

1. Business aspect of the change. He felt that they would have no control over the use of the property or assurance that this would be an antique store.
2. Increase traffic.
3. Precedent setting.
4. General welfare of the public would not be served by this change.

He asked that the Council help this neighborhood and others like it protect its right to exist and requested that this zoning application be denied.

Mr. Powers made the following points:

1. Mr. Hand was not a bad landowner who let his property run down.
2. Expertise of the staff should be considered by the Council in that they had recommended this change.
3. Some houses were run down on Patterson.
4. Withdrawal of some of the signatures from the petition.

He requested that the Council grant this change.

Councilman Snell moved that the Council DENY the zoning change. The motion, seconded by Councilperson Dr. Linn, carried by the following vote:

Ayes: Mayor Butler, Councilperson Dr. Linn, Councilmen Binder, Friedman, Snell, Lebermann

Noes: None

Absent: Mayor Pro Tem Dryden

ALCO INVESTMENT CORP.
C14-75-043

4811 Burnet Road
also bounded by
Oran Street

From "A" Residence
1st Height and Area and
"C" Commercial
2nd Height and Area
To "C" Commercial
1st Height and Area
RECOMMENDED by the Planning
Commission as amended subject
to right of way necessary to
increase Oran Street to 60
feet and subject to a privacy
fence along the eastern
boundary where adjacent to
"A" Residence District zoning.

In response to Councilman Binder's comment that this had been opposed by the staff, Mr. Lillie stated that the lots on both sides of this were zoned "A" Residence District.

MR. ROBERT RANDALL noted that there were plans for a small mini-warehouse on the back part of the tract. He remarked that they had agreed to build the fence; and with his knowledge, there had been no objection from any of the residents.

Councilperson Dr. Linn moved that the Council DENY the zoning change. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Friedman, Snell, Councilperson Dr. Linn, Councilman Binder

Noes: Councilman Lebermann, Mayor Butler

Absent: Mayor Pro Tem Dryden

The Mayor announced that the change had been DENIED.

JOE C. SALDANA
C14-75-030

501 West Oltorf
Street, also
bounded by Durwood
Street

From "GR" General Retail
To "C-2" Commercial
NOT Recommended by the Planning
Commission

Councilman Binder moved that the Council DENY the zoning change. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Snell, Lebermann, Mayor Butler, Councilperson Dr. Linn, Councilmen Binder, Friedman

Noes: None

Absent: Mayor Pro Tem Dryden

The Mayor announced that the change had been DENIED.

RONALD H. CHITSEY
By John E. Powers
C14-75-041

5107 Leralynn
Street

From "A" Residence
To "BB" Residence
NOT Recommended by the Planning
Commission

Councilman Lebermann moved that the Council DENY the zoning change.
The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Butler, Councilperson Dr. Linn, Councilmen Binder,
Friedman, Snell, Lebermann

Noes: None

Absent: Mayor Pro Tem Dryden

The Mayor announced that the change had been DENIED.

The following zoning changes were POSTPONED:

M. H. FLOURNOY
C14-75-040

140-202 Eberhart
Lane

From Interim "A" Residence
1st Height and Area
To "B" Residence
1st Height and Area
NOT Recommended by the
Planning Commission

MR. BILL HALL, representing the applicant, asked that this be postponed for one week to have a full Council present. Councilman Friedman moved that the Council POSTPONE consideration of this until May 8, 1975. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilperson
Dr. Linn, Councilmen Binder, Friedman, Snell

Noes: None

Absent: Mayor Pro Tem Dryden

The Mayor announced that the zoning was POSTPONED.

C. BEN HIBBETTS
REALTY, INC.
By Hollis Jefferies
C14-75-044

1700 Parker Lane
also bounded by
Riverside Drive and
Lupine Lane

From "LR" Local Retail
To "GR" General Retail
NOT Recommended by the
Planning Commission

MR. BEN HIBBETTS, applicant, stated that he had owned this property since 1964; and he noted that the property across from his was all "GR" General Retail District. He indicated that the purpose of the change was so that beer could be served in a Mexican restaurant on the property. He commented that the change was recommended by the staff.

In response to Mayor Butler's question, Mr. Lillie stated that the "GR" General Retail District classification could be restricted to a very small area to allow the restaurant to serve beer. He noted that this had been discussed and rejected by the staff in that they felt "GR" General Retail District was appropriate to the whole site.

In response to Council's question, Mr. Hibbetts stated that this condition would be acceptable to him.

MS. JO ANN RAY, 1621 Sunnyvale Street, stated that she had a petition with 28% in opposition to any change, including the sale of beer and suggested that it would encourage the possibility of a cocktail lounge.

Motion

Councilperson Dr. Linn moved that the Council uphold the recommendation of the Planning Commission not to grant the change; however, the motion died for lack of a second.

Councilman Binder pointed out that whenever a case was not recommended by the Planning Commission, it required 6 votes of the Council to overturn it; and if the applicant so requested, a postponement could be approved for a full Council to be present.

Mr. Hibbetts requested a postponement in view of the fact that there was not a full Council.

Motion

Councilman Binder moved that the Council POSTPONE consideration of this change until May 8, 1975. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Friedman, Snell, Lebermann, Mayor
Butler, Councilperson Dr. Linn
Noes: None
Absent: Mayor Pro Tem Dryden

The Mayor announced that the zoning was POSTPONED.

The following zoning changes were WITHDRAWN:

WILLIAM CHAMPION	5701-5703 Clay	From "A" Residence
By Martin Boozer, Jr.	Avenue	To "B" Residence
C14-75-038		NOT Recommended by the Planning Commission

This was withdrawn by MR. MARTIN BOOZER, representing the applicant.

EMIL ROOS	1506-1508 Garden	From "A" Residence
By James A. Brady	Street, also	To "LR" Local Retail
C14-75-039	bounded by Comal Street	NOT Recommended by the Planning Commission

This was withdrawn by MR. JAMES A. BRADY, representing the applicant.

The following Planned Unit Development application was GRANTED:

N.P.C. ASSOCIATES	Coronado Hills	A request for revision of
By Mike Ashford	Drive and	Old Town, Phase III, from
C814-74-012	Barcelona Drive	51 to 62 attached single-
		family dwelling units, a
		Planned Unit Development
		as recommended by the
		Planning Commission

Councilman Friedman moved that the Council grant the change from 51 to 62 attached single-family dwelling units in Old Town, Phase III, a Planned Unit Development, as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,
Councilperson Dr. Linn, Councilman Binder
Noes: None
Absent: Mayor Pro Tem Dryden

The Mayor announced that the change had been granted to 62 attached single-family dwelling units, and the City Attorney was instructed to draw the necessary ordinance to cover.

ZONING ORDINANCE

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
LOT "B," SCHNITZER ADDITION, FROM "O" OFFICE, SIXTH HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, SIXTH HEIGHT AND AREA DISTRICT; AND THE NORTH 75 FEET OF LOT "A," SCHNITZER ADDITION, FROM "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; LOCALLY KNOWN AS 5300 AVENUE "F," AND THE REAR OF 112 EAST NORTH LOOP; 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. (Fred J. Schnitzer, C14-75-019)

Councilperson Dr. Linn 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 Snell, carried by the following vote:

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,
Councilperson Dr. Linn, Councilman Binder
Noes: None
Absent: Mayor Pro Tem Dryden

The Mayor announced that the ordinance had been finally passed.

CONTINUED HEARING ON TELEPHONE RATE INCREASE

Mayor Butler opened the continued public hearing on the rate increase request from Southwestern Bell Telephone Company. (Continued from April 24, 1975.) City Attorney Don Butler distributed copies of material concerning recommended distribution of the increase as follows:

Basic services	\$1,322,070
Installation, moves, etc	1,212,429
(Residence from \$6.00 to \$13.50)	
(Business from \$10.00 to \$23.50)	
Non-published charge of 50¢ per month	97,380
Miscellaneous services	<u>708,029</u>
	\$3,339,908 (12.7%)

It was pointed out that this would have an effect on certain services as follows:

	<u>Present</u>	<u>New</u>
1-Party Residence	\$ 6.40	\$77.00
1-Party Business	\$16.35	\$18.00

As far as the miscellenous items were concerned, Mr. Butler stated that there was an equal spread of the increase. He suggested that the ordinance approving the \$3.3 million increase not be passed through all three readings at this time because there needed to be more time to go through all this; however, he suggested that one reading would be helpful in giving a sense of direction. He pointed out that the Council had an ordinance before them that encompassed most of these increases. He noted that the ordinance would require that the Company file an unqualified acceptance of this increase within 10 days before the effective date of the ordinance; otherwise, the ordinance would not go into effect. He added that the increase was an interim one only, providing that if it should be determined improper charges were used, there would be a refund through a rate reduction.

MR. GRAY BRYANT, Division Manager of Southwestern Bell, was not happy with the amount of the increase in that they had requested \$6,443,310 or 24.2%; however, in meetings with Mr. Butler, they had reached some degree of accord, and he asked that the Council take action. He stated that they would contemplate the acceptance and/or subsequent filing of additional relief.

MR. EARL L. CALDWELL, Vice President of Southwest Interconnect, Inc., (a competitor of Southwestern Bell), stated that if the Company raised single line business rates and was allowed to ignore the same rate increase on its business equipment (10-button telephones and switchboard equipment), the net effect would be that all businessmen were subsidizing Southwestern Bell's equipment rates; and he felt that competition would be destroyed. He requested that any rate increase be uniformly applied across the board to both lines and equipment.

In response to this, Mr. Bryant stated that he did not know if the increase would be spread on every single item, which he submitted would be about 1,400 items. He noted that such items would be subject to elasticity of demand. He further pointed out that they were faced with a \$3.4 million increase at the maximum; and they had been very accommodating, and he wanted the guarantee of generating this revenue in coming up with a spread that was fair and equitable.

Mayor Butler suggested that between the first and final readings there would be time for the Company to provide answers to such questions in more detail.

In response to Council's questions, Mr. Bryant stated that he would like to be left the latitude of giving this proper consideration with regard to accepting it or rejecting it; and he had no intent of taking this matter to the courthouse.

Motion

In the interest of getting this before the public, Councilman Lebermann moved that the hearing be closed and the Council pass the ordinance through its first reading. Councilman Binder seconded the motion; which carried by the following vote:

Ayes: Councilmen Snell, Lebermann, Mayor Butler, Councilman Binder*

Noes: Councilperson Dr. Linn, Councilman Friedman

Absent: Mayor Pro Tem Dryden

*Councilman Binder felt that the present Council should "finish up" the rate increase. He stated that he had not had a chance to study the distribution; but in the interest of getting through the first reading, he seconded the motion that had been made.

Withdrawal of Motion

At this point Mayor Butler withdrew his vote; Councilman Lebermann withdrew his motion; and Councilman Binder withdrew his second.

City Attorney Don Butler commented that he was worried about going to the courthouse with this matter and suggested that the Council should act in accordance with the evidence before them.

Motion

Councilman Lebermann moved that the Council postpone consideration of this for one week to give further time to review this. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilperson Dr. Linn, Councilmen Binder, Snell

Noes: Councilman Friedman

Absent: Mayor Pro Tem Dryden

HEARING TO AMEND ZONING ORDINANCE

Mayor Butler opened the public hearing scheduled for 1:00 p.m. to amend the Zoning Ordinance. Mr. Lillie reviewed this by stating that Councilmen Friedman and Lebermann had suggested that there be changes to the Zoning Ordinance; and after working with the Legal Department and Planning Commission, there were four amendments to be considered.

1. Section 45-14.3, providing notification of proposed zoning change by placing signs on involved property.

Mr. Lillie noted that they were now required to provide legal notice in the newspaper and notify property owners within 300 feet of the property. He also noted that it was now required that in subdivisions, signs be placed on the property after Council approval to inform new property owners or home builders that zoning has taken place.

He pointed out that this amendment would inform property owners in advance of the first hearing. He noted that this would be the responsibility of the City and would not increase the fee to the City. The signs would be temporary until final action of the Council. He remarked that this was recommended by the Planning Commission.

Motion

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 OF THE CODE OF THE CITY OF AUSTIN OF 1967; PROVIDING FOR THE ADDITION OF SECTION 45-14.3 PROVIDING FOR PLACEMENT OF SIGNS ON PRIVATE PROPERTY ADVERTISING PROPOSED ZONING CHANGE; PROVIDING FOR SECTION 45-31 (g) TO BE AMENDED TO ALLOW SIGNS REQUIRED BY SECTION 45-14.3; 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 Butler, Councilperson Dr. Linn, Councilmen Binder, Friedman, Snell, Lebermann

Noes: None

Absent: Mayor Pro Tem Dryden

("Within ten [10] days of the filing of any application for a zoning change or special permit, the City shall place signs when determined necessary by the Director of Planning to be erected on property under application for the purpose of advertising proposed zoning changes and special permits. If required, the signs shall meet the following requirements: each sign shall be no smaller than 18" by 30" and shall include the words 'Proposed Zoning Change' or 'Proposed Special Permit' plus such other information as may be determined necessary by the Director of Planning...")

The Mayor announced that the ordinance had been finally passed.

2. Section 45-14(c), lengthening reapplication period after denial of zoning request from one year to 18 months.

Mr. Lillie noted that the Planning Commission had recommended that this remain the same.

Councilman Friedman commented that it had been his request to extend the time after withdrawal and/or denial. In response to this, Mr. Lillie stated that the matter of withdrawal was a written policy of the Planning Commission and Council and not contained in the Zoning Ordinance.

MR. TOM CURTIS, Austin Association of Builders, asked whether this would apply to Planning Commission denial also.

In response to this, Councilman Friedman noted that it would apply to Council denial only. In response to Mayor Butler's question as to the purpose of this, Councilman Friedman suggested that an area could not change significantly in one year, and this would put less of a burden on the residents and more of a burden on the applicant.

Mr. Curtis suggested that when the applicant and neighbors could get together on a zoning item, this would be the most logical time to bring it back to the Council. He pointed out that the Planning Commission had recommended it be left as is.

Motion

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 OF THE CODE OF THE CITY OF AUSTIN OF 1967; PROVIDING FOR THE AMENDMENT OF SECTION 45-14(c); PROVIDING FOR THE TERM REQUIRED BEFORE RESUBMISSION OF A ZONING CASE TO BE EIGHTEEN MONTHS; PROVIDING FOR A METHOD TO RESUBMIT A ZONING CASE PRIOR TO THE EXPIRATION OF EIGHTEEN MONTHS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

~~The ordinance was read the first time, and~~ Councilman Friedman moved that the ordinance be passed to its second reading. The motion, seconded by Councilperson Dr. Linn, carried by the following vote:

Ayes: Councilperson Dr. Linn, Councilmen Binder, Friedman, Snell
Noes: Councilman Lebermann, Mayor Butler
Absent: Mayor Pro Tem Dryden

The Mayor announced that the ordinance had been passed through its first reading only.

3. Section 45-14(d), requiring that (a) all annexed property acquire an interim zoning classification of "SR" and (b) adding the requirement that unzoned state or federally owned land subsequently transferred to private interest be given interim zoning classification.

Mr. Lillie pointed out that "SR" (Suburban Residential) would include only single-family residences, schools, parks, clinics on very large tracts, some home occupations; and would not allow duplexes, townhouses, or PUD's. He added that it would require a minimum of 18,000 square feet for single-family lots. It was noted that at present the ordinance required that upon annexation, the land was zoned "A."

He stated that the Planning Commission rejected this and recommended that land be annexed as "AA", which would be just as restrictive as "SR" except that minimum lot size would be only 7,200 square feet.

In connection to the unzoned state or federally owned land, he noted that there was a number of acres within the City that were unzoned. He suggested that this be given an interim zoning classification; and if it was going to be intensive zoning, application should be made and approved by the Planning Commission and Council.

Motion

Councilman Lebermann moved that Section 45-14(d) be amended as recommended by the Planning Commission, which would incorporate the recommendation of "AA" as opposed to "SR". Councilman Friedman seconded the motion.

MR. JOHN McPHAUL objected to the point of "AA" in that it would increase the minimum lot size restriction from 5,750 to 7,200 square feet; and one would have to go through a zoning application in order to get back to the minimum lot size.

After discussion, Mr. Lillie suggested that this come in as "A" but restrict it to single-family.

Withdrawal of Motion

In view of a suggestion for a week's postponement, Councilman Lebermann withdrew his motion; and Councilman Friedman withdrew his second.

It was determined that this would be postponed until May 8, 1975, pending further study.

RELEASE OF EASEMENTS

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

All of the Public Utilities Easement that covers the rear five (5.00) feet of Lot 5, Block "A", HERMAN BROWN ADDITION NO. 2, SECTION 1, 2804 Scenic Drive. (Requested by Mr. Dudley D. McCalla, owner of Lot 5)

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

Ayes: Councilmen Friedman, Snell, Mayor Butler, Councilperson
Dr. Linn, Councilman Binder
Noes: None
Absent: Mayor Pro Tem Dryden
Abstain: Councilman Lebermann

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

Portions of the Water-line Easement ten (10.00) feet in width on Lots A and B, NORTHCREST ADDITION. (Requested by B. F. Priest, Registered Public Surveyor representing Greenbriar Development, LTD., and Red Lobster Inns of America, Inc., owners of Lots A and B)

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

Ayes: Councilmen Friedman, Snell, Mayor Butler, Councilperson
Dr. Linn, Councilman Binder
Noes: None
Absent: Mayor Pro Tem Dryden
Abstain: Councilman Lebermann

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

The west forty-five (45.00) feet of the Public Utility Easement five (5.00) feet in width and fifty (50.00) feet in length that was provided in Lot 2, Block I, SHERWOOD FOREST, by instrument of record in Volume 4277 at Page 595 of the Deed Records of Travis County, Texas. (Requested by Mr. Ken Owens, representing Mr. and Mrs. George W. P. Reinhart, owners of the south forty-five feet of Lot 2 and the north fifteen feet of Lot 3, in Block I, Sherwood Forest.)

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

Ayes: Councilmen Friedman, Snell, Mayor Butler, Councilperson
Dr. Linn, Councilman Binder
Noes: None
Absent: Mayor Pro Tem Dryden
Abstain: Councilman Lebermann

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

The east eighty (80.00) feet of the Public Utility Easement that covers all of the north ten (10.00) feet of Lot 11, OAK HAVEN SECTION ONE. (Requested by Mr. Robert Shapiro, owner of Lot 11)

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

Ayes: Councilmen Friedman, Snell, Mayor Butler, Councilperson
Dr. Linn, Councilman Binder
Noes: None
Absent: Mayor Pro Tem Dryden
Abstain: Councilman Lebermann

CONTRACTS AWARDED

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

Bid Award:	- Air Switches for Electric Department
ITE IMPERIAL CORPORATION	- Items 1 & 2 - 6 ea. @ \$2,323.00
303 Jackson Hill	Total \$13,938.00
Houston, Texas	(subject to escalation)
SOUTHWAY ELECTRIC UTILITY	- Item 3 - 2 ea. @ \$2,458.00
SERVICE COMPANY	Items 4 & 5 - 12 ea. @ \$3,538.00
3201 Longhorn Boulevard	Item 6 - 2 ea. @ \$2,601.00
Austin, Texas	Item 7 - 2 ea. @ \$4,000.00
	Total \$60,574.00

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

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,
Councilperson Dr. Linn, Councilman Binder
Noes: None
Absent: Mayor Pro Tem Dryden

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

SOUTHWAY ELECTRIC UTILITY	- Lightning Arresters for Electric
SERVICE COMPANY	Department
3201 Longhorn Boulevard	Item 1 - 9 ea. @ \$955.00
Austin, Texas	Item 2 - 6 ea. @ \$2,016.00
	Item 3 - 6 ea. @ \$965.00
	Total \$26,481.00

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

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,
Councilperson Dr. Linn, Councilman Binder
Noes: None
Absent: Mayor Pro Tem Dryden

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

Bid Award:

- Coarse Paper Products,
Central Stores Division

BANCROFT PAPER COMPANY
OF TEXAS, INC.
2201 East 6th Street
Austin, Texas

- Items 1, 2, 5, 6, 7, 10, 12, 15, 16,
18, 21, 29, 31, 32, 34, 35 and 37 -
\$8,084.09

NATIONWIDE PAPERS
519 North Medina
San Antonio, Texas

- Items 3, 4, 8, 11, 13, 14, 17, 19,
20, 22, 23, 24, 25, 26, 27, 28, 30,
33 and 36 - \$12,361.78

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

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,
Councilperson Dr. Linn, Councilman Binder

Noes: None

Absent: Mayor Pro Tem Dryden

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

INTERNATIONAL BUSINESS
MACHINES CORPORATION

- Extended Term Plan for Optical Mark
Reader and Fixed Term Plan for Mag-
netic Tape Unit, Data system Depart-
ment. Two Year Extended Term Plan
Lease for Item No. 1 Optical Mark
Reader and Two Year Fixed Term Plan
Lease for Item No. Magnetic Tape Unit
for use with Item No. 1 - \$1,613.00
per month.

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

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,
Councilperson Dr. Linn, Councilman Binder

Noes: None

Absent: Mayor Pro Tem Dryden

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

JAGGER CONSTRUCTION COMPANY
P. O. Box 13066
Austin, Texas

- Lion's Municipal Golf Course planting
of Tees and Greens, C.I.P. Project No.
8672 0 - \$5,115.79.

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

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,
Councilperson Dr. Linn, Councilman Binder

Noes: None

Absent: Mayor Pro Tem Dryden

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

NEW PAVING, INC.
Box 52
Seguin, Texas

- Lion's Municipal Golf Course Cart
Path Paving, C.I.P. Project No. 8672 0 -
\$27,201.00

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

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,
Councilperson Dr. Linn, Councilman Binder

Noes: None

Absent: Mayor Pro Tem Dryden

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

LANIER BUSINESS PRODUCTS
1010 West 19th Street
Austin, Texas

- Central Dictation System - \$19,522.00

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

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,
Councilperson Dr. Linn, Councilman Binder

Noes: None

Absent: Mayor Pro Tem Dryden

CONTRACT FOR FAMILY PLANNING SERVICES

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to sign a contract between the City of Austin for Brackenridge Hospital and the State Department of Public Welfare for Family Planning Services. The motion, seconded by Councilman Snell, carried by the following vote:

Ayes: Councilmen Snell, Lebermann, Mayor Butler, Councilperson
Dr. Linn, Councilmen Binder, Friedman

Noes: None

Absent: Mayor Pro Tem Dryden

TEMPORARY CLOSING OF STREET FOR WOMEN'S ART GUILD

Councilman Lebermann moved that the Council adopt a resolution temporarily closing West 35th Street at Balcones Drive, Old Bull Creek Road at Mt. Bonnell Road and Foothill Drive at Foothill Parkway from 6:00 - 11:00 p.m., May 16, 1975, 7:00 a.m. to 11:00 p.m. May 17, 1975 and 7:00 a.m. to 11:00 p.m. May 18, 1975 as requested by Mr. Scott Keller for the Women's Art Guild. The motion, seconded by Councilperson Dr. Linn, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilperson Dr. Linn,
Councilmen Binder, Friedman, Snell

Noes: None

Absent: Mayor Pro Tem Dryden

TEMPORARY CLOSING OF ROAD FOR
NATURAL SCIENCE ASSOCIATION

Councilman Lebermann moved that the Council adopt a resolution temporarily closing Stratford Road from under the MoPac Bridge to Vale Street from 11:00 a.m. to 7:00 p.m. May 3 and 4, 1975, as requested by Mr. Tom W. Shefelman, President of the Austin Natural Science Association. The motion, seconded by Councilperson Dr. Linn, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilperson Dr. Linn,
Councilmen Binder, Friedman, Snell.

Noes: None

Absent: Mayor Pro Tem Dryden

PARKING METER ZONES

It was noted that the Council had before it consideration of various parking meter zones. In response to Councilperson Dr. Linn's question as to who had requested or recommended this, Mr. Allen Brecher, Urban Transportation, stated that all the businesses in the area had been contacted and had approved the change.

City Manager Davidson stated that the staff could furnish the names requested and also information concerning the various zones adjacent to the downtown area.

Councilman Friedman moved that the Council adopt a resolution authorizing the following parking meter zones:

<u>STREET</u>	<u>ADDING</u> <u>ZONE 30-60</u> <u>BLOCK</u>	<u>SIDE</u>
East 5th Street	300	North and South

	<u>DELETING</u> <u>ZONE 30-60-90-120</u>	
East 5th Street	300	North and South

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

Ayes: Mayor Butler, Councilperson Dr. Linn, Councilmen Binder,
Friedman, Snell, Lebermann

Noes: None

Absent: Mayor Pro Tem Dryden

APPLICATION FOR GRANT FOR OPERATION OF
PERFORMANCE PLANNING AND REVIEW PROGRAM

Councilman Friedman moved that the Council adopt a resolution authorizing application to the Texas Department of Community Affairs for an Inter-governmental Personnel Act (IPA) grant for the operation of a Performance Planning and Review Program in the amount of \$45,840. The motion, seconded by Councilman Snell, carried by the following vote:

Ayes: Councilperson Dr. Linn, Councilmen Binder, Friedman,
Snell, Lebermann, Mayor Butler
Noes: None
Absent: Mayor Pro Tem Dryden

CONTRACT WITH ASSOCIATION FOR RETARDED CITIZENS

Councilman Friedman moved that the Council adopt a resolution authorizing a contract with Austin Association for Retarded Citizens. (Total budget for project \$16,808; City's share \$7,904 - Contract term June 1, 1975 through August 30, 1975). The motion, seconded by Councilman Snell, carried by the following vote:

Ayes: Councilperson Dr. Linn, Councilmen Binder, Friedman,
Snell, Lebermann, Mayor Butler
Noes: None
Absent: Mayor Pro Tem Dryden

GRANT APPLICATION FOR
CONDUCTING COMPREHENSIVE MANPOWER PROGRAM

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to submit the grant application for CETA Title I funds by the Capital Area Manpower Consortium in the amount of \$2,207,072 for the purpose of conducting a comprehensive manpower program within the Capital Area during Fiscal Year 1976. The motion, seconded by Councilman Snell, carried by the following vote:

Ayes: Councilperson Dr. Linn, Councilmen Binder, Friedman,
Snell, Lebermann, Mayor Butler
Noes: None
Absent: Mayor Pro Tem Dryden

HEARING SET TO CHANGE BLACKSHEAR URBAN RENEWAL PLANS

Councilman Friedman moved that the Council set a hearing for June 19, 1975 at 1:00 p.m. to change the Blackshear Urban Renewal Plans as follows:

1. That Concho Street between Gregory Street and East 11th Street remain open and be widened to a right of way of 50 feet for standard street construction.
2. That Chalmers Street between East 10th Street and East 8th Street remain open and be widened to a right of way of 50 feet for standard street construction.

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

Ayes: Councilmen Binder, Friedman, Snell, Lebermann, Mayor Butler, Councilperson Dr. Linn

Noes: None

Absent: Mayor Pro Tem Dryden

It was then brought out that June 19 was June-teenth Day, and an alternate motion was made.

Councilman Friedman moved that the Council rescind its original motion and set a hearing for June 26, 1975, at 1:00 p.m. to change the Blackshear Urban Renewal Plan as afore-mentioned. The motion, seconded by Councilman Snell, carried by the following vote:

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler, Councilperson Dr. Linn, Councilman Binder

Noes: None

Absent: Mayor Pro Tem Dryden

ACQUISITION OF LAND FOR ELECTRIC SUBSTATION

Councilman Friedman moved that the Council adopt a resolution authorizing the acquisition of certain land for use as the Pilot Knob Electric Substation.

17.669 acre tract of land out of the Garner Mays Survey No. 501, the J. Bettick No. 500 and the Santiago Del Valle Grant. (Charles L. Bruchmiller et al)

The motion, seconded by Councilperson Dr. Linn, carried by the following vote:

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler, Councilperson Dr. Linn, Councilman Binder

Noes: None

Absent: Mayor Pro Tem Dryden

EMINENT DOMAIN PROCEEDINGS

Councilman Friedman moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire property for the following:

Open drainage purposes:

3,483 sq. feet out of the James P. Wallace Survey No. 57. (Richard C. Pulatie, et al)

The motion, seconded by Councilperson Dr. Linn, carried by the following vote:

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler, Councilperson Dr. Linn, Councilman Binder

Noes: None

Absent: Mayor Pro Tem Dryden

Councilman Friedman moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire property for the following:

Paving of Georgian Drive:

2,106 sq. feet out of Lot 1, Block A, Georgian Acres. (Richard C. Pulatie, et al)

The motion, seconded by Councilperson Dr. Linn, carried by the following vote:

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,
Councilperson Dr. Linn, Councilman Binder

Noes: None

Absent: Mayor Pro Tem Dryden

Councilman Friedman moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire property for the following:

West Austin Water Transmission Main:

In, upon and across the east 7-1/2 feet of Lot 4,
Block F of Balcones Addition, Section 2. (Horace
W. Netherton, Jr., et ux)

The motion, seconded by Councilperson Dr. Linn, carried by the following vote:

Ayes: Councilmen Friedman, Snell, Lebermann, Mayor Butler,
Councilperson Dr. Linn, Councilman Binder

Noes: None

Absent: Mayor Pro Tem Dryden

"STATEMENT OF UNDERSTANDING" WITH RED CROSS

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to execute a "statement of understanding" with the local chapter of the American Red Cross to formalize the relationships between local governmental agencies and the Red Cross during emergency periods brought about either by natural disasters or military crises. The motion, seconded by Councilman Snell, carried by the following vote:

Ayes: Councilmen Snell, Lebermann, Mayor Butler, Councilperson
Dr. Linn, Councilman Binder, Friedman

Noes: None

Absent: Mayor Pro Tem Dryden

PROFESSIONAL SERVICES

The Council had before it the selection of a firm for professional services in connection with the Lower Waller Creek Development Plan. Councilman Binder reviewed the various firms recommended and their qualifications and abilities to perform the service.

After discussion, Councilman Binder moved that the Council select the firm of TANIGUCHI, SHEFELMAN, VACKAR & MINTER for professional services for the following project for the Parks and Recreation Department:

Lower Waller Creek Development Plan, Town Lake northerly to 10th Street - C.I.P. Project No. 8676 4.

The motion, seconded by Mayor Butler, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Councilmen Binder, Friedman
Noes: Councilperson Dr. Linn, Councilman Snell
Absent: Mayor Pro Tem Dryden

REVISED UTILITY SERVICE REGULATIONS

Councilman Lebermann moved that the Council adopt a resolution approving revised Utility Service Regulations. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Butler, Councilperson Dr. Linn, Councilmen Binder, Friedman, Snell, Lebermann
Noes: None
Absent: Mayor Pro Tem Dryden

ITEM CONCERNING STREET NAME CHANGE

The Council had before it authorization of the City Manager to request new reflective signs for Martin Luther King, Jr., Boulevard on I.H. 35. City Manager Davidson pointed out that it was the recommendation of the group who originally approached Council with this, Austin Black Assembly, that the name "M. L. King Boulevard" be used on the I. H. 35 signs. On that basis he noted that the Texas Highway Department estimated the cost to be \$50,000 as opposed to \$225,000 originally estimated if the full name "Martin Luther King, Jr., Boulevard" were used. In response to questions, he stated that 19th Street's signs would read "Martin Luther King, Jr., Boulevard." He pointed out that there would be some 14 signs involved at various points along I. H. 35. In response to Councilman Lebermann's question, Mr. Davidson stated that the cost involved for the 19th Street signs would be about \$4,000.

Motion

Councilman Snell moved that the Council adopt a resolution authorizing the City Manager to request new reflective signs to read "M. L. King Boulevard" on I. H. 35. Councilperson Dr. Linn seconded the motion.

The following appeared in opposition to the motion before the Council:

MR. ROB SOUTHERLAND pointed out that the City had cut down the budget and eliminated certain services to the City, and he did not agree with the spending of the \$54,000 for the signs.

MR. DICK HODGKINS asked if a study had been done as to the cost to the City if the signs were placed on MoPac as opposed to I.H. 35 and 19th Street. He was informed that there would be no additional cost. Mr. Hodgkins suggested that Dr. King was a man of peace and did not throw his money away, and he deserved to be recognized by Austin in an instance when the City could do it at no additional cost.

As a member of the Austin Transportation Study Committee, he noted that the reason there were no federal funds available was that they had already been expended to the present signs; and there would be no addition to that. He suggested that someone on the Council reconsider and perhaps offer a substitute motion that MoPac be named Martin Luther King, Jr., Boulevard.

MR. DAVID BELL, business owner on 19th Street, noted that he had spoken to a number of people about a petition that was being circulated; and they were in the process of getting 20,000 signatures to call for a referendum on this.

MR. C. A. BURTON noted that he had appeared in opposition when this had been before the Council as a hearing, and he had suggested that MoPac be named instead. He submitted that 19th Street was not now nor would ever actually be a boulevard. He felt that this would set a precedent and would make it difficult for tourists. He noted that he had obtained some signatures in opposition to this; and he stated that if it required 20,000 signatures, they would get them; and if this was not enough, they would get more. He asked that the Council postpone consideration of this matter for two weeks, and he commented that he had found little or no opposition to the naming of MoPac.

MRS. C. P. SANDERS, 4515 Rimrock Trail, felt that the citizens were being rushed into spending over \$50,000 when it was unnecessary. She suggested that Congress could be named once a year on Dr. King's birthday. She hoped that the Council would repeal its decision.

MR. HARRIS JOHNSON stated that he had checked with the Post Office and had been told that they would no longer forward mail after one year.

In response to a comment made that mail was still being forwarded with an East Avenue address, it was brought out by Mayor Butler that to the best of the City's records, East Avenue has never been changed to Interregional.

Mr. Johnson noted that petitions were circulating, and he had a petition with him that contained 3,000 signatures from all parts of Austin. He submitted that the people were very angry about this, and some had asked if this money could be spent for paving their streets.

The following appeared in support of the motion before Council:

MR. PAT HOLMAN noted that earlier in the meeting the Council had approved a contract for \$27,000 to pave a golf course cart path and contracts for various items, and this seemed like no expenditure at all.

MS. ANNE McAFEE could not believe the opposition and suggested that if it was so important, MoPac could always be named; however, she preferred 19th Street be named in that it united East and West Austin. She wanted Austin to show what brotherhood really meant.

A member of the Austin Black Assembly was under the impression that when this had been approved by the Council, the City had the money to do it. He noted that the majority of the Black community wanted this, and they were getting the feeling that the Council did not care about the Blacks.

Councilman Binder noted that there had been overwhelming public interest in this on both sides, and there had been mention of MoPac and Loop 360. He felt that the interest of the community would best be served, because so many had been unaware, if the Council scheduled another public hearing.

Substitute Motion

Councilman Binder moved that the Council schedule a public hearing for May 8, 1975, at 5:00 p.m. to look into 19th Street, along with Loop 360 and MoPac. Councilman Lebermann seconded the substitute motion.

In response to the comment made by the representative of the Austin Black Assembly, Mayor Butler noted that when the Council authorized the change, it appeared that the Highway Department would absorb the cost of signs on I.H. 35. However, representatives of the Highway Department have indicated that Federal regulations prohibit them from paying for an item more than one time, and the signs on I.H. 35 have already been paid for.

Roll Call on Substitute Motion

Roll call on Councilman Binder's substitute motion, Councilman Lebermann's second, to have a public hearing on May 8, 1975, at 5:00 p.m. to consider 19th Street, Loop 360, and MoPac, showed the following vote:

Ayes: Councilmen Binder, Lebermann, Friedman, Mayor Butler
Noes: Councilman Snell, Councilperson Dr. Linn*
Absent: Mayor Pro Tem Dryden

The substitute motion carried by a 4 to 2 vote.

*Councilperson Dr. Linn prefaced her negative vote by stating that MoPac almost cut right through Clarksville, and that was one of the Black areas; and it would be improper to name MoPac after Dr. King.

Councilman Binder requested that he not be bothered with mail and phone calls during the next week.

In response to Mr. Pat Holman's question, Mayor Butler noted that the cost of a referendum would be about \$20,000.

DR. J. J. SEABROOK addressed himself to this issue and stated that the Council had already voted to approve the naming of 19th Street. After further comments, Dr. Seabrook collapsed.

The Council recessed at 5:20 p.m. and stated that they would resume on May 2, 1975, at 12:00 noon.