

25

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 5, 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, Lebermann, Mayor
Butler, Mayor Pro Tem Love

Absent: Councilman Handcox

The Invocation was delivered by REVEREND F. M. (Buddy) SUMMERS, University Presbyterian Church.

SUPPORT KLRN WEEK

Mayor Butler read and then presented Mrs. Deborah Powers, Volunteer Coordinator for KLRN Pledge Week, a proclamation proclaiming the week of September 8-14, 1974, as "Support KLRN Week," and encouraged all residents to take advantage of the excellent programming of this station and urged them to support this station in its efforts to serve the residents of the City. It was noted that KLRN was celebrating the 12th anniversary of its first broadcast, made September 10, 1962.

REQUEST TO INSTALL STREET BANNER

Councilman Lebermann moved that the Council approve a request by Bobby Binford, Head Cheerleader at Crockett High School, for permission to install a street banner on Manchaca Road at the intersection of Jones Road from September to November, 1974. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Absent: Councilman Handcox

Not in Council Chamber when roll was called: Councilmen Binder,
Friedman

ANNOUNCEMENT

City Manager Dan Davidson took this opportunity to announce that Mr. C. R. Malone, General Manager of the Austin Transit System, was retiring after 28 years of service. Mr. Joe Ternus, Urban Transportation Director, introduced Mr. Jim Gibson as the new General Manager, noting that he had been former manager of Jackson Transit System, Jackson, Mississippi, for 8 years. Mr. Gibson indicated that it was a pleasure to be able to come to Austin and be a part of a city that had the appearance of being a growing and striving city. He felt that it would be a privilege and honor to work with such a community and Council. Mayor Pro Tem Love took this opportunity to recognize Mr. Malone.

APPOINTMENTS

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

Emergency Medical System Review Committee

Mayor Pro Tem Love moved that the Council appoint the following to the newly created Emergency Medical System Review Committee:

Mr. Curtis Weeks, Chairman	Mr. Robert Koonce
Mr. Carl Hobbs	Dr. Tom Kirksey
Dr. Robert Pape	Mrs. Olga Bredt
Mr. Joe Manor	Mr. W. D. Shropshire
Mr. Jay Johnson	

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

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

APPROVAL OF MINUTES

Councilman Lebermann moved that the Council approve the Special Meeting Minutes of August 27, 1974, and the Regular Meeting Minutes of August 29, 1974. The motion, seconded by Councilman Friedman, carried by the following vote:

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

HEARING ON REQUEST FOR TELEPHONE RATE INCREASE

Mayor Butler opened the public hearing scheduled for 1:00 p.m. on a request by Southwestern Bell Telephone Company for a telephone rate increase.

Proponents

MR. DONALD THOMAS, attorney representing Southwestern Bell Telephone, reviewed the situation concerning the rates of the Company, noting that in 1972 the rate relief that had been requested was based on the investment and the operations of the Company for 1970; and at that time the Council determined that Southwestern Bell was entitled to substantially less than one-half of what they believed they were entitled to at that time. He felt that had the relief been more in conformity with what had been presented to the Council, their needs would be 2-1/4 million dollars less than what they felt they were entitled to in their application today.

He felt that in three respects they had failed at the last hearing:

1. It had been determined that the basis of rate making in Texas was derived from a Texas Supreme Court case, which required that they find a fair value rate base which was a mixture of the reconstruction cost new less observed depreciation with some weight to be given to historical cost. He did not think the Council was made aware of the logical considerations behind this strict legal principle in that when they opened their doors for business they priced their product and services based upon what their product was worth that day.
2. He felt that they had failed in their communication with the City in allowing the issue of ad valorem taxation as a consideration in the rate base. He noted that the Supreme Court stated that each citizen must be taxed fairly and equally in terms of the type of property being taxed.
3. He felt that they had failed in not presenting to the Council immediately any information it desired to have and that it felt to be relevant to the hearing. He noted that the experts were present today in each field where complex questions might be directed and were here to present any information to support the urgency of this request.

MR. GRAY BRYANT, Division Manager for Southwestern Bell, reviewed some events concerning their earnings position for the past several years by use of slides. He noted that their rate request filed on January 5, 1972, was for \$3.9 million and was predicated on low earnings in 1970. He further noted that their rate of return in 1970 was 3.11%. He stated that in May, 1973, the Council granted them \$1.7 million and went into effect August, 1973, with their fair value earnings dropping below 1.68%. He announced that they concluded 1973 with a 1.98% rate of return.

He also reviewed the basis for determining their rate base, which had eventually been set by Council at \$56.8 million; but they had determined the original cost of investment, less depreciation, to be \$49.1 million with their replacement cost new less an adjustment for age and condition to be \$72.4 million. He stated that the Council elected to weight their rate base more toward the original cost and authorized them to earn 7.25% on the \$56.8 million. He noted that they contended that the rate base should have been set at \$69.8 million in that it more nearly reflected accurate replacement costs and more nearly permitted a hedge against inflation. He indicated that their original

cost of investment, less depreciation, was now \$89.7 million with a replacement cost new of \$123.8 million; and they had set a fair value rate base of \$117 million.

He stated that from January, 1971, until December 31, 1974, they will have added \$108.2 million of investment in Austin; and in this same period they have received a rate increase that netted them \$850,000 after taxes. He noted that their metropolitan population jumped from 214,900 in 1959 to 380,000 by mid-1974 with telephones increasing from 89,412 to 277,541 in June of this year.

He indicated that they were in urgent need of the requested \$6.4 million, which was a 24.2% increase on their part and would be about a \$1.55 increase per month for the residential subscribers. He estimated that they may raise their residence and business installation rates, but raising it from \$6.00 to about \$15.00 would still not compensate for actual costs. He noted that they had to install six telephones for every one they gained.

He reviewed a map illustrating some scattered pockets where their facilities were insufficient, most of which were outside the City limits; and the map also depicted the amounts of money being spent to relieve the congestion. He added that out of 140,800 customers, they had 385 prospective customers on a temporary waiting list for telephone service, most of whom would be accommodated within a 30-60 day period. In regard to installation and repair appointments, he stated that they were meeting 96.67% of them on schedule; but they were taking vigorous steps toward meeting their installation and repair commitments and had added 93 installers and repairmen to their plant force since the first of the year.

In regard to sales activities, he suggested that this had been the result of their trying to promote their best products and at the same time increase their revenues which would hopefully have the ultimate effect of eliminating some future appearance before the Council for rate relief. He added that with regard to deposit policies, it was a case of protecting the Company and their rate payers against financial loss. He noted that they were constantly stressing to their business office people to only get credit protection where risk was indicated or where the applicant had no previous credit history that they could verify. He further noted that on the average, only 1 customer in 12 had a deposit in Austin.

He reviewed the employee and payroll situation, stating that there were 2,023 employees in Austin with an annual payroll of \$19,627,476; and their local taxes were \$2,426,604.

In conclusion, he felt that once the Council had reviewed their request in detail they would agree that the full \$6.4 million was warranted and hoped that they would bring this case to a close no later than 60 days from today.

MR. L. W. HAGEMAN, Inventory and Costs Engineer for Southwestern Bell in the State of Texas, noted that his primary responsibilities included the making of inventories and appraisals of the Company's property used in providing local telephone service in the various exchanges of the Company in Texas. He added that at the request of the management of the Company, studies were made under his supervision and direction, from which he had been able to determine the fair value of property devoted to local telephone service operations.

He indicated that the fair value of an article of property ordinarily was measured by the amount that such property brought in a free market; however, he noted that the property of the Company or of any other utility, in place and operating as a working plant, was not bought and sold in daily exchange. He concluded that the basis for determining the value of such property was done by considering all the material facts concerning the property and then by the application of sound, trained, engineering judgement to these facts and that among the more important facts which were taken into consideration were the following:

1. The original cost of the property, i.e., the number of dollars invested in and subject to all risks inherent to the operation of the business.
2. The original cost of the property less the book reserve for depreciation (net investment).
3. The current cost of the properties used and useful in rendering telephone service. These costs should reflect cost levels for material and wages as of a particular date.
4. The condition of the property which indicates the effect of deterioration and obsolescence.
5. The current cost of the property adjusted to reflect the amount of deterioration and obsolescence.
6. The net investment in the property expressed in terms of purchasing power of current dollars.
7. The amount of cash working capital and the value of the quantity of materials and supplies required to properly operate the business.

In response to Councilman Friedman's question with regard to the dollar amount paid to Western Electric for equipment, Mr. Hageman did not have the information; but he indicated that he would supply the Council with this figure.

In conclusion, he felt that this was a problem of determining the costs of providing local telephone service; and it was his opinion that the proper amount to be included in the earnings statement relating to true earnings for the 12 months ending December 31, 1973, should include the amount of \$7.1 million as expense for depreciation.

MR. R. M. GESCHWIND, Assistant Chief Supervising Accountant for Southwestern Bell for the State of Texas, noted that he was responsible for maintaining the Company's ledgers for the State, and the entries were made under his supervision and direction; and in this capacity, the Austin Exchange Operating Statement for the 12-month period ended December 31, 1973, was prepared under his direct supervision. He attested that the revenues and expenses shown in that statement were accurate and reasonable for the furnishing of exchange service in Austin and that the books and records for the Company were kept by the Company accurately and in full compliance with the Uniform System of Accounts for telephone companies as prescribed by the Federal Communications Commission.

He reviewed the Exchange Operating Statement, which had been furnished the Council in connection with their request. He noted that the statement included all the revenues, expenses, and property which were associated with the furnishing of Austin local exchange service for the 12-month period ended December 31, 1974. He concluded that the Total Revenues were \$26,499,960 and the Total Expenses were \$24,581,765, resulting in Exchange Net Operating Income of \$1,918,195. With adjustments to income in the amount of \$394,431 this brought the Effective Exchange Net Operating Income to \$2,312,626.

Opponents

MR. J. PETER CAMPBELL, 1301 Village West Drive, felt that the present rates were too high.

MS. OLLENE PETTERSON, Rt. 8, Box 248, expressed her displeasure concerning the fact that her telephone was out of order frequently.

MR. KENNETH NOWOTNY, 4600 Avenue D, mentioned that the phones were out of order during rain storms. In reference to the Company's statement that had been submitted at the previous hearing, he suggested that there was a discrepancy of over \$1 million for the depreciation figure in what they reported to Internal Revenue Service and what they reported to Council. He wanted to know how big that discrepancy was between what I.R.S. would accept and what they were stating to the Council.

MS. MINNIE HAMLETT, 1207 Hillside Street, suggested that the Company charge each person who could see or did not have a physical defect a fee for having Information look up a number unless the number had been changed and was not in the book.

MR. DALE NAPIER, representing University City Lobby Committee, felt that the following should be discussed at later hearings on this:

1. Installation charges and transients involved. He stated that the students were the most transient and were among the lowest income people in the City.
2. Matter concerning sales practices. He did not understand why the company pursued such a policy.

In response to Mayor Butler's question, the City Attorney, Mr. Don Butler, felt that there was a great deal to go into on this matter because of the circumstances concerning local and long distance service. He noted that Southwestern Bell had been cooperative in furnishing the City with the information requested. He recommended that the City employ an outside rate consultant to thoroughly examine this request, and they would come back and make a recommendation to the Council after they had had an adequate opportunity to study this. He did not know whether or not this could be done in 60 days, particularly since most of the rate people were involved in other rate cases. He added that he would be prepared to make recommendations within the next week or so as to the consultant.

In response to Mayor Butler's question concerning the possibility of naming a citizen committee, it was determined by the Council that they would remain flexible concerning this issue. It was suggested that the City Attorney make his recommendation by Tuesday, September 10, at the Budget Work Session at 4:00 p.m.

HEARING ON RELOCATION OF RED RIVER STREET

Mayor Butler opened the public hearing scheduled for 3:00 p.m. on the Consulting Engineer's report concerning the relocation of Red River Street.

Proponents

MR. JOE TERNUS, Urban Transportation Director, reviewed this by noting that in 1952 the Council vacated San Jacinto Boulevard from 19th to 26th Streets for the University and that since then the University officials have allowed the public to utilize this street. He indicated that with the increased traffic in this area, it became apparent that non-University traffic would be restricted; and studies were conducted to determine alternate routes for this traffic, which included the following:

1. A Red River-San Jacinto-Duval one-way system.
2. San Jacinto with pedestrian overpasses.
3. A depressed Red River section and elevated San Jacinto Boulevard.
4. An elevated San Jacinto Boulevard and a depressed Red River section.
5. Red River relocation.
6. San Jacinto Boulevard relocation.

He continued by stating that during 1973 a special committee composed of Mayor Roy Butler, Councilman Bob Binder and Lowell Lebermann, and University Regents discussed many items of interest to the City and University and among these was a joint project to support traffic after San Jacinto was closed. He added that the afore-mentioned items were reviewed by the Committee, and the proposal recommended by this Committee and approved by the Council last December was the relocation of Red River. He pointed this out on a map.

When the agreement with the University was approved, he noted that there were questions on the specific design width of Red River between 32nd and 38th Streets; and consultants were selected (Forrest and Cotton, Inc.) to make a special traffic analysis and recommend specific design characteristics. He indicated that the preliminary engineering report, which had been submitted to Council, and environmental assessment for this project reaffirmed the need for a minimum 60-foot roadway along Red River, with the reversible lane operation enabling this width requirement to be minimal. Among factors considered by the consultants, Mr. Ternus noted that they considered several environmental concerns including the use of existing street right of way wherever possible, alignment shifting in order to avoid trees, specific erosion control methods, and the provisions of additional landscaping, miniature parks and buffer zones.

Mr. Ternus further noted that this preliminary report was being reviewed by the Citizens Board of Natural Resources and Environmental Quality, and their comments would be forwarded to the consultants as well as information from this hearing for the consultants' considerations in preparing final plans.

He mentioned that present today representing Forrest and Cotton were Messrs. Roy Porter, Vice-President; Jim Alvis, Project Manager; Richard Wheeler, Project Engineer; and Mike Chafin. He requested that the staff be authorized to prepare the final plans, based on the 60-foot roadway width as recommended in the report.

In response to Councilman Friedman's question, Mr. Ternus stated that with or without San Jacinto there was a need for improvements to Red River. Councilman Friedman, Mr. Richard Tulk, Assistant City Attorney, and City Manager Davidson discussed whether or not there was a prescriptive easement for San Jacinto. Mr. Tulk explained that if the public used appiece of property for a public use for an extended period of time with the acquiescence of the land owner, there was a prescriptive easement. He added that there could be a prescriptive easement for a public street; but ordinarily, prescription did not run against the sovereignty of the soil, which would be the State of Texas. In response to Councilman Friedman's question as to whether or not this was a valid vacation at this time, Mr. Tulk stated that he would check into it. Councilman Friedman wondered if the City was rushing ahead too fast with the opportunity to perhaps save the University some money in purchasing right away and save the City some money in the expenditure of rerouting a major street.

In response to Councilman Friedman's question as to whether or not the relocation was needed now that the Fine Arts Center construction had been delayed for some time because of budgetary problems, MR. FRANK ERWIN, member of the Board of Regents and Chairman of the Regents Building and Grounds Committee, felt that the need for implementing this plan was urgent today as it had been previously and did not feel that the delay in the construction of the Center could be used as any grounds for delaying this project. He noted that there was a Special Events Center under construction which would relieve the City of having to spend \$10 or \$15 million to build a similar coliseum and which he felt more than continued the urgency in that it would seat 17,000 people as opposed to 3,000 for the Fine Arts Center.

Mr. Erwin reviewed the history of relationships between the City and the University beginning in 1882 when the University was opened. He mentioned a dispute over moving the campus and noted that the leadership of the City made a proposition that they would appoint a Commission and that if the State would appropriate \$1,350,000, the Commission would acquire the land between Speedway and Red River and from 19th to 24th Streets (about 130 acres) and would guarantee the State that if it cost more than \$1,350,000, the City would raise the money and pay for the land if they would leave the campus where it was. Mr. Erwin stated that the bill was passed.

He further noted that as a part of that statute that created the Commission, it gave the Board of Regents the power to vacate all public streets, sidewalks, alleys, and other public ways within Red River and Lampasas (now Speedway) and 24th and 19th Streets; and the Board undertook by resolution to close those streets. He added that in about 1933, the Board and City agreed to extend San Jacinto from 19th to 24th Streets; and the University put up 3/4 of the money to build the street and gave all the right of way with the City putting up 1/4 of it and agreeing to maintain the street as a public street.

In his opinion, there was no way the City could reopen San Jacinto nor could the City prevent the Board from closing San Jacinto from 19th to 26th Streets; however, he felt that they should exhaust every possibility in trying to find a solution to the traffic problem east of the campus that would emerge

if and when San Jacinto was closed. He felt that it would be closed as a matter of necessity as more and more students enrolled.

He emphasized the fact that alternatives were considered such as pedestrian walkways over San Jacinto, and he did not believe any one could come up with any solution that had not already been considered and rejected as being less desirable than the one recommended. He noted that it had been their understanding that the section between 18th and 26th Streets would be put under contract on or before December 31, of this year, and it was in that context that they agreed to the continuation of 14 years' use by the City of the Municipal Golf Course area.

Opponents

MR. RON GRESSEL, 5304 Meadowcreek Circle, felt that the City was letting the University run its own affairs and that the relocation was a waste of most of the people's tax money. He believed that walkways could be built over the existing roads to save taxes and to save the homes that bordered the roads. He suggested that people's homes and businesses were more important than a golf course.

DR. WILLIAM SHIVE, 843 East 38th Street, expressed the following concerns:

1. Unusually large road to come through the area that did not lead anywhere, except to feeder streets in the area.
2. A major boulevard would slowly deteriorate the area, so that within a few years the City would be spending more money than it invested to renovate the area.
3. Felt that this street would be narrowed considerably, which would protect the schools in the area.
4. Suggested that the needs of the residents in the area be considered and that the City propose to the Regents a solution of how to route the traffic best north of 26th Street.

DR. R. M. ROBERTS, 841 East 38th Street, reiterated some of Dr. Shive's remarks:

1. Felt the width projected was unnecessary in that the University was about as big as it was going to be.
2. Noted that I. H. 35 would be double-decked and would carry much more traffic.
3. Felt that Red River went nowhere and that it essentially came from nowhere.
4. Was opposed to this because it would mean the demolition of quite a number of apartment buildings and professional buildings between 26th and 32nd Streets. He specifically mentioned Red River's closeness to St. David's Hospital because of this relocation.

MR. DALE NAPIER, representing the University City Lobby, based his opposition on the following:

1. The effect on the area.
 - a. East campus community - several apartment complexes would be knocked out.
 - b. West campus community
2. Environmental concerns
3. This street plan would be the first in a series of steps.
4. Traffic

He felt that it was very clear that there were some problems with the 1952 ordinance and suggested that the Council review it and see if it was legal to close the street. He thought it was fine to have San Jacinto closed except for the fact that it made it necessary to relocate Red River, which he suggested would have disastrous effects. He requested that the staff find out how closely Federal regulations that were attached to all Revenue Sharing Funds, such as environmental regulations, were monitored.

In summary, he requested that the Council completely reject this policy to deny the University the ability to close San Jacinto.

MR. LARRY BROWNSTEIN, 903-B East 32nd Street, felt that the residents of the community between 26th and 32nd Streets were being sacrificed; and he was angry because they had not had adequate input into a decision which would effect their lives. He noted that there had been no meetings held and no surveys taken of the neighborhood area to find out their concerns or their opinions. He quoted from a transcript of the meeting in December, 1973, in which Councilman Dryden stated "...The Engineering Firm are professional people, and I certainly do hope that they will take suggestions from the good people who live in this neighborhood..." He pointed out that the firm did not seek suggestions from the people and that when they tried to communicate with them, they were told that they were ordered by the City not to discuss the project with the citizens in that area.

In response to Mr. Brownstein's question as to the reason for rejecting the alternative of overhead walkways, Mr. Erwin stated that the traffic that was projected for the area could not be taken care of in the present limits of the two streets; and therefore, it would not solve the traffic problem even if it were assumed that the pedestrian traffic could be taken care of by overhead walkways.

Mr. Brownstein regretted the fact that this was the last public hearing on Red River, and it was his opinion that it was determined in December, 1973, that there would be a preliminary hearing and then another hearing.

He felt that there were other alternatives which would be less destructive and pointed out that Forrest and Cotton did not give any consideration to how people would get from the neighborhood in the north to Red River Street. He suggested that there was no mention in the report of what this project would do to the crowding of the feeder streets, if those feeder streets were going to have to be enlarged, what the expense of this would be to the City and what it

would do to the neighborhood in this area. City Manager Davidson noted that the consultants pointed to traffic projections made as if San Jacinto Street were going to remain open in the future.

In response to Councilman Binder's question, Mr. Ternus stated that the consultants did not hold any public hearings and that he had not interpreted this as being the action of the Council at that time. Mr. Davidson had not interpreted that either but understood that some of the views of the property owners and others who had presented expressions to the City would be presented to the consultants by the staff, which had been done. Mr. Ternus understood that if additional public hearings were necessary, it could be provided and that the question that was directed specifically to the consultants was the width of the street. He suggested that there would be a public session when the contract is let, which would be when the specific designs have been prepared and have gone out for bids, at which time the Council would give direction as far as the width of that roadway.

In response to Mayor Butler's request, Mr. Davidson noted that the project of plans and specifications was being broken into 3 segments:

1. From 19th Street to Manor Road, which he hoped would be before the Council for consideration of a contract by November 15, 1974.
2. From 32nd to 38th Streets would be completed in January, 1975.
3. From 26th to 32nd Streets, including the S-curve, would be completed in April, 1975.

Councilman Binder felt that if the people were promised public hearings, they should have them. Mayor Butler suggested that there will be public hearings on November 15, in January, and in April.

MRS. PAT NULTY, 910 East 38-1/2 Street, felt that after the expressway was completed, this would relieve the majority of the traffic and Red River would not be necessary to handle traffic. In response to her question as to whether or not the study took into consideration that Red River would be vastly relieved, Mr. Davidson stated that it had and that it would relieve the State traffic; but a standard Red River Street would be needed for the future. She also felt that there would be accidents in the area of the S-curve.

MR. ROGER PINCKNEY, 3101 Harris Park Avenue, stated that it had been his understanding that when the contract was let to Forrest and Cotton, they would study alternatives; and after some of the residents had met with the consultants and Mr. Ternus, it had been determined that the route was already set, and all they were supposed to study was the cost estimate. As far as he knew, the contract was not even let to determine how wide the street was going to be because it had already been determined. In conclusion, he suggested that if the City was going to tighten its budget, they could do away with this project and spend the tax dollars wisely.

MS. HOLLIS TURNHAM, 907-B East 32nd Street, stated that this project would destroy her apartment complex (Northwood Terrace) at 32nd and Red River, which she believed was one of the best complexes in the City. She noted that her apartment manager had told her in August that the consultants had never set foot on the property. She pleaded that this complex not be destroyed.

MR. HENRY ROHLICH, 3209 Hampton Road, voiced his opposition for the following reasons:

1. Felt that the Board of Regents was telling the City what to do with their property.
2. Felt that there were so many roads in the area that went north and south that it seemed like an engineering and ecological stupidity to draw up another plan for traffic.

In response to his question concerning whether or not bike routes were part of the plan, Mayor Butler noted that they were.

DR. GEORGIA FELTER LEGETT, 2904 Swisher, noted that she and her husband had built their home, office and housing for 120 people here and that it was a structure that could not be reduplicated. She felt that this relocation was not only a threat to her livelihood and nervous system, but it sacrificed extremely good housing for more than 400 University personnel and others. She did not want this traffic so close to St. David's Hospital in that it was not conducive to peace and quiet. She noted that she had tried to contact Forrest and Cotton, and they were not at liberty to speak with her, and she was not invited to the meeting that was mentioned earlier by Mr. Pinckney.

DR. CAREY LEGETT, 2904 Swisher, felt that this relocation would disrupt living quarters in the area, specifically in the 8th curve. He quoted from the paper as follows: "...City Manager Dan Davidson has said that though the engineering report has no alternate route for the Council to consider, there will be alternates available for study at the public hearing..." He stated that he had not heard or seen any alternate route in this area submitted or discussed or any drawings made of such.

Dr. Shive appeared again to note that he did not believe this study had been made to show the City what its needs really were and pointed out that to move the street closer to St. David's might have a serious effect because of the carbon monoxide emissions.

MR. MORRIS SHAPIRO noted that he represented a group of gentlemen who with himself owned a piece of property in this area and that their main concern was they wanted to know one way or the other what was going to be done because they had postponed some needed repairs and other expenses.

MRS. WALTER RICHTER, 3901 Avenue G, noted that her main complaint was that the people who used Duval and Red River were not aware that San Jacinto was going to be closed. In response to her question with regard to how she would get to town going down Duval, Mr. Ternus reviewed the options that would be available through the use of a map.

Motion

Councilman Lebermann moved that the Council take the following action:

1. Instruct the City Manager to proceed with the next phase of this project.
2. Request that a transcript of this hearing be delivered to Forrest and Cotton so that they in their design phase could take into consideration all of the concerns insofar as possible of the people who had expressed themselves.
3. Stipulate that the bike lane and sidewalks aspects be considered in the design phase.
4. Determine that a public hearing would be held when the design phase comes back to Council.
5. Instruct Forrest & Cotton be in touch with the Citizens Board of Natural Resources and Environmental Quality and the departments so that they will have their continuing input and recommendations.

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

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

Mayor Butler requested that those who wanted to be in touch with Forrest and Cotton sign up with phone numbers, etc.

At the time Councilman Binder seconded the motion, he commented that having lived in this area for quite a number of years and having given more than casual attention to this particular problem, it was his opinion that this project would end up with a more cohesive, unified neighborhood with less traffic within the neighborhood than presently. He thought that it would improve the neighborhood integrity north of the campus and regretted that his opinion differed from those who had spoken today.

Mayor Butler prefaced his affirmative vote by stating that sometimes there were those who had to suffer for the actions to benefit the entire community and hoped that they would not think this decision had been made capriciously.

Councilman Dryden prefaced his affirmative vote by commenting that he was not pleased to have to vote in that a lot of his friends were concerned and involved but indicated that it was his duty. He regretted that some of the citizens did not get an opportunity to discuss their interests with the consultants and suggested that the consultants listen to the people in the future.

The Council recessed at 5:55 p.m.

Mayor Butler called the meeting to order at 6:10 p.m.

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:

FRED EBY, JR.	1101 Enfield Road	From "B" Residence
By Martin Boozer, Jr.		2nd Height and Area
C14-74-107		To "O" Office
		1st Height and Area
		RECOMMENDED by the Planning Commission

Mayor Pro Tem Love moved that the Council grant "O" Office, 1st Height and Area, as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

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

EARL ROSEN	3700 Valley View	From "A" Residence
C14-74-109	Road	To "B" Residence
		RECOMMENDED by the Planning Commission

Mayor Pro Tem Love moved that the Council grant "B" Residence District, as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

The Mayor announced that the change had been granted to "B" Residence District, and the City Attorney was instructed to draw the necessary ordinance to cover.

HOWSON HOUSE	700 San Antonio	From "O" Office
Paul Wendler	Street	To "O-H" Office-Historic
C14h-74-001	500 West 7th Street	RECOMMENDED by the Planning Commission

Mayor Pro Tem Love moved that the Council grant "O-H" Office-Historic District, as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

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

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.

CASWELL HOUSE
City of Austin
C14h-74-003

1406-1408 West Avenue
also bounded by West
15th Street

From "A" Residence
To "A-H" Residence-Historic
RECOMMENDED by the Planning
Commission

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

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

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

MRS. FREDDY ROSS DOWNS
Independent Executrix
of the Estate of H. D.
Downs
By C. C. Cook
C14-74-105

4327 South First Street

From "A" Residence
To "GR" General Retail
RECOMMENDED the Plan
RECOMMENDED by the Planning
Commission as amended

Mayor Pro Tem Love moved that the Council grant "GR" General Retail District, as amended, as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

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

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

WAYNE T. DAYTON
By Robert L. Davis
C14-74-108

8112-8212 Cameron Road
1316-1430 Rutherford

From Interim "A" Residence
1st Height and Area
To "GR" General Retail and
"BB" Residence
1st Height and Area
(as amended)
RECOMMENDED as amended by the
Planning Commission

In response to Councilman Binder's question, Mr. Dick Lillie, Planning Department Director, noted that this area was designated for industrial development four or five years ago and that since annexation, that area had no provision for residential uses and that this was in conformity with the plan for that tract. Mayor Pro Tem Love moved that the Council grant "GR" General Retail District and "BB" Residence, 1st Height and Area District, as amended, as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

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

The Mayor announced that the change had been granted to "GR" General Retail District and "BB" Residence, 1st Height and Area District, as amended, and the City Attorney was instructed to draw the necessary ordinance to cover.

HENNA CHEVROLET, INC.
& GULF OIL CORP.
By Malcolm Robinson
C14-74-104

604-704 Delmar Avenue

From "A" Residence
To "C" Commercial (as
amended)
NOT Recommended as amended
RECOMMENDED "C" Commercial on
the eastern 3 lots and "B"
Residence on the western 3
lots, subject to continuous
privacy fencing on the western
boundary and along Delmar
Avenue frontage of the lots
being recommended "B" Resi-
dence, subject to 1/2 the
right-of-way (5') to increase
Delmar Avenue to 60', by the
Planning Commission.

Mayor Pro Tem Love moved that the Council grant "C" Commercial District on the eastern three lots and "B" Residence District on the western three lots, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilman Friedman, carried by the following vote:

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

The Mayor announced that the change had been granted to "C" Commercial District on the eastern three lots and "B" Residence District on the western three lots, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

JAMES C. HUDSON
By TSMV, Inc.
C14p-73-009 (L)

Intersection of
Congress Avenue and
Miller's Lane (also
bounded by Riverside
Drive)

Revision of a previously
approved special permit for
a Hotel, Convention Center
and Office Complex, located
within the "L" Lake District
RECOMMENDED by the Planning
Commission, subject to
Departmental requirements
as on file with the Planning
Department

Councilman Friedman moved that the Council grant revision of the previously approved special permit for a Hotel, Convention Center and Office Complex, located within the "L" Lake District, subject to departmental requirements as on file with the Planning Department, as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

Absent: Councilman Handcox

The Mayor announced that the revision of the special permit within the "L" Lake District had been granted, subject to departmental requirements as on file with the Planning Department, and the City Attorney was instructed to draw the necessary ordinance to cover.

AUSTIN COUNTRY CLUB
ESTATES
By Jeryl D. Hart
C814-74-008

5200 East Riverside
Drive

From Interim "A" Residence
1st Height and Area
To 198 detached single-family
dwelling units, with
common open space, called
"Pecan Creek," a Planned
Unit Development
RECOMMENDED by the Planning
Commission, subject to
departmental requirements,
but requiring sidewalks on
only one side of Faro Drive
and deferring construction of
sidewalks on Riverside Drive

Mayor Pro Tem Love moved that the Council grant the change to Planned Unit Development, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

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

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

The Council heard and GRANTED a portion of the following zoning change and DENIED a portion of the zoning change:

FARM AND HOME SAVINGS ASSOCIATION	4925-5049 Frederick Lane	From Interim "A" Residence 1st Height and Area
By Joe Gilbreth	1912-2030-and 1913-	To "LR" Local Retail
C14-74-082	2029 Teri Road	1st Height and Area, Tract A, and "B" Residence 1st Height and Area, Tracts B and C
		NOT Recommended
		RECOMMENDED by the Planning Commission "LR" Local Retail, 1st Height and Area for Tract A, subject to a Special Permit; and "BB" Residence 1st Height and Area on Tracts B and C.

In response to Councilman Friedman's question, Mr. Lillie stated that the staff's recommendation had been not to grant the changes on Tracts B and C. He noted that there was about 300 feet of space between Tract B and a subdivision which was in preliminary form for residential uses and that the proposal would put some buffering in this area such as duplexes. Mr. Phil Mockford, representing the applicant, felt that "BB" Residence District for Tracts B and C was a proper way to develop this area and was compatible with what had gone on. He noted that the neighborhood was aware of this and had no objections. There was some discussion with regard to the density of Tracts B and C.

Motion

Mayor Pro Tem Love moved that the Council grant "LR" Local Retail, 1st Height and Area District on Tract A, subject to a Special Permit; and "BB" Residence, 1st Height and Area District on Tracts B and C, as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, showed the following vote:

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

The Mayor announced that the motion had failed to carry.

Substitute Motion

Councilman Friedman moved that the Council grant "LR" Local Retail, 1st Height and Area District for Tract A only, subject to a Special Permit, and that Tracts B and C be denied. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

Absent: Councilman Handcox

The Mayor announced that the change had been granted to "LR" Local Retail, 1st Height and Area District for Tract A only, subject to a Special Permit, and that Tracts B and C had been denied, and the City Attorney was instructed to draw the necessary ordinance to cover.

ZONINGS DENIED

DAVID B. BARROW, JANE
E. BARROW and THE
ESTATE OF EDWARD R.
BARROW
By Robert C. Sneed
C14-74-075

3519-3531 Greystone
Drive
7425-7437 Wood
Hollow Drive

From "BB" Residence
To "LR" Local Retail
RECOMMENDED by the Planning
Commission subject to a
special permit and specific
design criteria as recommended:
(1) alteration of the site
should be held to a minimum.
Existing trees should be
preserved. (2) buildings
should be set back from
residential buildings on
adjacent tracts to the east
and south to allow for land-
scaping and along Wood Hollow
to allow for preservation of
trees. (3) identification
signs should be low-profile
with free-standing signs
compatible with the design of
the project.

Mr. Lillie reviewed this application noting that it was included in an area of land which had been zoned for apartments over the last several years with commercial zoning existing along the frontage of MoPac. He added that on this particular tract the Planning Commission in their recommendation to grant also requested that a special permit be filed which was a site plan that spoke to some performance standards on which the Commission agreed with the staff with respect to design or layout of the convenience store and which had been appealed by a gentleman who owned property on the east. Mr. Lillie mentioned that there were some 40 to 50 units that were condominiums, and the owners had not been notified because they were not on the City's tax roll. He commented that he was concerned about something commercial being on this corner and did not see anything short of an epidemic.

Proponents

MR. BILL SCUDDER, representing the applicant, felt it would be improper for commercial development to "mushroom" into this intersection. He noted that they had met with the Northwest Austin Civic Association and presented them with a detailed list of design and environmental issues, which he felt a shopping center had to solve before it could be considered. At that time, he stated that there was no opposition to the application; however, he added that they had changed their minds and reversed their lack of opposition. He indicated that he had learned that the area next to the proposal had not received notices; and when the Association found out, they met with them. Mr. Scudder mentioned that he had requested the opportunity to meet with these people at the same time, but they declined to have them present. For this reason, he wanted to postpone consideration of this until September 19, 1974.

There was discussion by the Council and from some of the opposition, and it was determined that this case should not be postponed.

MR. MILTON DENNY, 7201 Wood Hollow, was in favor of this because he felt they needed a convenience type center in this area in that the nearest store was 12 or 13 blocks away. He recommended the delay that had been requested and noted that he objected to the fact that people not living in the area did not approve. He further noted that in about a 4-hour period he had collected about 60 signatures of people in favor of this proposal.

MS. JULIE MARSH, resident of Oak Hollow, requested that this be postponed to give some of the residents in the area an opportunity to come and give their viewpoints.

Mr. Scudder continued by noting that there was need for a convenience center. To speak to the issue of what this would look like at the entry, he addressed the following issues:

1. Density that the buildings and paving would cover.
2. Possible removal of trees.
3. Relationship of parking to street to building.
4. Graphics control.
5. Trash control.
6. Character of the buildings themselves.
7. Lighting.

With regard to precedent setting, he suggested that the Council approve this request and go on record as saying that no other zoning would be approved that did not meet the needs or specific performance standards of the total residential area.

MS. PAT PATTERSON, resident of Oak Hollow, was very much in favor of this proposal and felt it an injustice for the Association to say that they could not have this center.

MR. PETER VON WUPPERFELD, one of the developers in this project noted that Mr. Lillie had received a telegram from the Doug Frank Development Corporation in Phoenix, Arizona, that owned the 20-acre tract of land on the southwest corner. He further noted that the Corporation has a special permit granted to build a 400-unit complex, which he felt would provide a very strong buffer. He quoted from the telegram; "...We support the development of Greystone Plaza. Such development would be a definite asset to residents who will be living in our apartment project..." In response to Councilman Dryden's questions, Mr. Von Wupperfeld stated that he was not a part of that Corporation and that the telegram had been solicited when the project was first started.

There was discussion by Councilman Friedman with regard to the fact that he did not understand how this would prevent mushrooming in that the Council would have to grant other requests for changes if this one were done. Councilman Friedman wondered if there were some way of contacting the owners of the adjacent lots to have them sign an agreement that they would not request a change in zoning. Mr. Scudder stated that he had not and had no idea what the response would be, but he thought this was a good idea. Councilman Dryden felt that it would not be fair to grant only this request.

Opponents

MR. IRWIN SALMANSON stated that they were concerned by the fact that if this corner were to be rezoned, the other would go. He added that there was already a store nearby.

MR. NORMAN HERTING, representing the Northwest Austin Civic Association, indicated that their opposition was based on the fact that this would create spot zoning.

MR. WILLIAM P. TRYON, 3515 Greystone, appeared to represent 42 other property owners of the Shadow Oakes Townhouses. He presented the Council with a petition signed by 27 property owners in opposition based on the following:

1. Wanted this area to remain residential.
2. Felt that the area was satisfactorily served by existing stores and services.
3. Felt that the center would create excess traffic which would not be compatible with the neighborhood.
4. Felt this would be endorsing spot zoning.
5. Felt that no effort had been made by the petitioners to secure the approval of adjacent property owners.

MR. BOB CAIN, 3800 Greystone Drive, stated that he had discussed this issue with his neighbors; and it was the general feeling that they were in opposition. He did not see how the Council could grant this change and deny another on the other corner. He also pointed out that there were three or four stores within easy reach at this time.

Motion

Mayor Pro Tem Love moved that the Council DENY the change to "LR" Local Retail District. The motion, seconded by Councilman Binder, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

SAMUEL E. DUNNAM
By Roger S. Hanks
C14-74-091

701-711 West 19th
Street
1808-1810 Rio Grande
Street
1809-1811 West Avenue

From "O" Office
To "GR" General Retail
NOT Recommended by the
Planning Commission

Councilman Dryden moved that the Council DENY the change to "GR" General Retail District. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

RICHARD WOODRUM
By Larry Slater
C14-74-102

902 South Center
Street

From "A" Residence
To "MH" Mobile Home
NOT Recommended by the
Planning Commission

Councilman Dryden moved that the Council DENY the change to "MH" Mobile Home District. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

JERRY R. REED,
LARRY NEIMANN &
EDMUND J. FLEMING,
JR.
C14-74-106

1801 Airport Boulevard
3200 East 18th Street

From "LR" Local Retail
6th Height and Area
To "C" Commercial
1st Height and Area
NOT Recommended by the
Planning Commission

Mr. Carl Daywood appeared and presented the Council with a picture of what the building would look like that was proposed on this corner lot. Mrs. Ed Langdon, 1607 McKinley Avenue, did not want this changed because she felt it would change her whole way of life. She noted that when she had bought the property, it was a residential area. Mr. Daywood felt that this proposed building would act as a buffer for the neighborhood. Councilman Friedman did not know what else could be done with Airport Boulevard.

Councilman Lebermann moved that the Council DENY the change to "C" Commercial, 1st Height and Area District. The motion, seconded by Councilman Dryden, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

ZONINGS POSTPONED

VELMA KELLER
By Helen R. Hall
C14-74-100

1501 Newning Avenue

From "A" Residence
To "B" Residence
NOT Recommended

Mayor Pro Tem Love moved that the Council postpone consideration of this until September 12, 1974. The motion, seconded by Councilman Binder, carried by the following vote:

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

TED L. EDWARDS, JR.
By Robert D. Jones
C14-74-110

3407-3413 Cedar
Street

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

The Council postponed consideration of this application.

ZONINGS WITHDRAWN

J. B. MOCK
C14-74-092

608 Radam Lane

From "A" Residence
To "C" Commercial
NOT Recommended

Mayor Pro Tem Love moved that the Council approve the withdrawal of this zoning case. The motion, seconded by Councilman Binder, carried by the following vote:

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

ERWIN K. STORK
C14-74-103

604-606-1/2 West
Mary Street

From "A" Residence
To "O" Office
NOT Recommended by the
Planning Commission

Mayor Pro Tem Love moved that the Council approve the withdrawal of this zoning case. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Applications which are recommended for ninety-day EXTENSIONS - conditions are in the process of completion:

Councilman Dryden moved that the Council EXTEND the following zoning changes for 90 days:

JOHN J. McKAY
C14-69-145

4600-4616 FM Road 969
4301-4501 Springdale
Road

From "A" Residence
To "GR" General Retail

W. L. MAYFIELD
By Bryant-Curington
(Doren Eskew, new
agent) C14-69-190

3625-3919 Cima Serena

From Interim "A" Residence
1st Height and Area
To "BB" Residence
1st Height and Area

RUNDBERG LANE
PROPERTIES
By Hale & Assoc.
C14-71-231

Rear of 502-602
Rundberg Lane

From "B" Residence and
"BB" Residence
To "O" Office, "GR"
General Retail and
"B" Residence

FRED C. MORSE By Richard C. Baker C14-72-145	6902-6926 Ed Bluestein Boulevard	From Interim "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area and "BB" Residence 1st Height and Area (as amended)
MARGARET E. HAYS, ET AL By H. Glenn Cortez (D. W. Morris, new agent) C14-72-178	1502-1512 Wheless Lane	From "A" Residence To "B" Residence
DOUGLASS DUWE, ET AL (Twelve-Twenty-Five, Ltd.) C14-72-181	Rear of southside of 200-500 Block of San Jose Street	From "A" Residence 1st Height and Area To "B" Residence and "BB" Residence
JACQUELYNE TIEMANN By Richard C. Baker C14-72-202	4100-4232 Ed Blue- stein Boulevard	From Interim "A" Residence 1st Height and Area To "C" Commercial 5th Height and Area
EDWARD G. SIEGMOND & MRS. JOHN A. SHERRILL By Robert C. Sneed C14-72-203	4234-4418 Ed Blue- stein Boulevard 4101-4427 Tannehill Lane	From "A" Residence 1st Height and Area To "A" Residence 1st Height and Area, "B" Residence 1st Height and Area, "LR" Local Retail 1st Height and Area and "GR" General Retail 1st Height and Area (as amended)
DICKSON PROPERTIES, INC. ET AL C14-72-204	Bounded by East River- side Drive, Pleasant Valley and the Colorado River (497 acres)	From Interim "A" Residence 1st Height and Area To "B" Residence 3rd Height and Area, "BB" Residence 2nd Height and Area, "BB" Residence 1st Height and Area, "LR" Local Retail 1st Height and Area and "GR" General Retail 1st Height and Area

DAVIS & DANZE, INC. By Martin Boozer, Jr. C14-72-206	1100-1104 West 38th Street 3800 Medical Parkway	From "C" Commercial 1st Height and Area, "A" Residence 1st Height and Area and "GR" General Retail 1st Height and Area To "C" Commercial 2nd Height and Area (as amended)
T. C. STEINER By Richard Baker C14-72-239	Pleasant Valley Road and Riverside Drive (Tracts 5, 6, 7, & 8 only)	From Interim "A" Residence 1st Height and Area To "BB" Residence 1st Height and Area, "LR" Local Retail and "A" Residence 1st Height and Area
KASH-KARRY, INC. By John H. Akin C14-72-242	Rear of 6202-6212 Manchaca Road	From "A" Residence To "GR" General Retail
BILLIE J. LYNAS C14-72-253	3504-3510 & 3528- 3538 Darby Lane 6219-6309 Wilcab Road	From "A" Residence To "C" Commercial
DAVID B. BARROW, ET AL By Bryant-Curington C14-72-267	3544-3624 Far West Boulevard	From Interim "A" Residence 1st Height and Area and "LR" Local Retail 1st Height and Area To "GR" General Retail 1st Height and Area
MIKE WILLIAMS ESTATE By A. J. Archuleta C14-72-293	9226 Jollyville Road	From Interim "A" Residence 1st Height and Area To "BB" Residence 2nd Height and Area, "BB" Residence 1st Height and Area and "A" Residence 1st Height and Area (as amended)
MARVIN M. HENRY By M. J. Schroeder C14-73-017	7534-7540 Cameron Road	From Interim "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
TEXAS AFL-CIO By Howard Brunson C14-73-018	300-310 West 11th Street 1100-1110 Lavaca Street	From "C" Commercial 3rd Height and Area To "C" Commercial 4th Height and Area

RICHARD DORRELL C14-73-024	8315-8505 Balcones Drive	From Interim "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
THOMAS P. FRANCIS, ET UX By Phil Mockford C14-73-048	509-517 Alpine Road 3601-3613 South 1st Street	From "B" Residence To "LR" Local Retail
CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS By Boyd W. Strong C14-73-062	923 Clayton Lane	From "A" Residence 1st Height and Area To "GR" General Retail 2nd Height and Area
ODAS JUNG By Joe Jung C14-73-119	812-1024 West Ben White Boulevard 809-1017 Banister Lane	From "A" Residence 1st Height and Area and "GR" General Retail 5th Height and Area To "C" Commercial 1st Height and Area
JESSE CASTRO, ET UX By Robert D. Jones C14-73-135	6110 East Riverside Drive 6111 Kasper Street	From "A" Residence To "C" Commercial
CHARLES C. ALLISON, and C. R. GILSTRAP By Terry J. Sasser C14-73-141	1800 Stassney Lane (as amended)	From Interim "A" Residence 1st Height and Area To "O" Office 1st Height and Area (as amended)
THE MURRAY FAMILY PARTNERSHIP, LTD. ET AL By E. C. Thomas C14-73-142	8853-8905 Research Boulevard (U. S. Highway 183)	From Interim "A" Residence 1st Height and Area To "B" Residence 1st Height and Area and "GR" General Retail 1st Height and Area
MRS. LOUISE F. BOYER By Robert L. Davis C14-73-161	Northeast corner of Rutland Drive and the T. & N. O. Railroad	From Interim "A" Residence 1st Height and Area To "D" Industrial 1st Height and Area
ST. ANDREWS PRESBYTERIAN CHURCH By John Jones C14-73-165	2009-2017 Koenig Lane 1909 Ullrich Drive 5800-5808 Laird Drive	From "A" Residence To "O" Office
CULLERS & NUTTER, INC. By Edgar James C14-73-167	3715 Manchaca Road	From "A" Residence To "B" Residence and "O" Office

EARL PODOLNICK, ET UX By John H. Akin C14-73-171	600-702 Nelray Boulevard 5412-5414 Guadalupe Street	From "A" Residence To "O" Office
EDWARD R. RATHGEBER, JR., ET AL By Tom Curtis C14-73-172	Bounded by South 1st Street, William Cannon Drive and Bill Hughes Road	From "A" Residence To "GR" General Retail (as amended)
MRS. EDNA J. DUFFY By Robert L. Davis C14-73-173	1901-1925 South Interstate Highway (Tract 1 only)	From "A" Residence To "O" Office (as amended)
KVET BROADCASTING COMPANY By James W. Dodd C14-73-211	Rear of 1868-2040 Rundberg Lane 9429-9401 Running Bird Lane (proposed streets)	From Interim "A" Residence 1st Height and Area To "D" Industrial 1st Height and Area and "B" Residence 1st Height and Area
SAM HARRIS, ET UX & VERNON LEMENS By Edna A. Rice C14-73-216	503-507 East Rundberg Lane	From "A" Residence To "GR" General Retail
CITY OF AUSTIN & E. G. HESTILOW By Robert L. Davis C14-73-220	1101-1221 West Ben White 4211 Banister Lane	From "A" Residence To "O" Office (as amended)
EARL LOCKHART, JR. & MIKE TURNER By Phil Mockford C14-73-223	8569-8603 Research Boulevard	From Interim "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
MRS. E. R. YOUNGBLOOD By Adon Sitra C14-73-227	Rear of 2001-2045 South I. H. 35 also bounded by Mariposa Drive	From "A" Residence To "O" Office (as amended)
MERRITT, DARDEN & HETHERLY, ET AL By Robert C. Sneed C14-73-230	2220-2316 North Loop Boulevard	From "LR" Local Retail 2nd Height and Area To "LR" Local Retail 3rd Height and Area (as amended)
HOUSING AUTHORITY OF AUSTIN By Forest Pearson C14-73-239	750-826 & rear of 876-998 Ed Bluestein Boulevard	From "B" Residence To "D" Industrial

CECIL E. HEARD, ET AL By Chris Crow C14-73-128	1801-1807 Ben White Boulevard 4400-4404 Russell Street	From "LR" Local Retail and "O" Office To "GR" General Retail (as amended)
JAMES M. DYESS, ET AL By Bob R. Howerton C14-73-217	9021-9109 Capital Drive 601-605 Middle Lane	From "A" Residence, "BB" Residence and "C" Commercial To "GR" General Retail
MANCHACA-STASSNEY, LTD. By Robert C. Sneed C14-73-219	Rear of northeast corner of Manchaca Road & Stassney Lane	From "O" Office To "A" Residence, "B" Residence and "GR" General Retail
MAUDINE O. CLOER By Paul Jones, Jr. C14-73-229	2700-2704 South First Street 601-603 Cumberland Road	From "A" Residence To "O" Office (as amended)

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

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

Noes: None

Absent: Councilman Handcox

Not in Council Chamber when roll was called: Councilman Friedman

Applications which are recommended for DISMISSAL - no action has been
taken by applicant to complete conditions during allocated time:

Councilman Dryden moved that the Council ~~DISMISS~~ the following zoning
applications:

KATYE WATTERSON By Dale O. Johnson C14-73-107	2612-2614 South 1st Street 600 Cumberland Road	From "A" Residence To "O" Office
MRS. BERNADETTE DEARINGER By J. Hubert Lee C14-73-152	6622 Isabelle Drive	From "A" Residence To "GR" General Retail

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

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

Noes: None

Absent: Councilman Handcox

Not in Council Chamber when roll was called: Councilman Friedman

CONTRACTS AWARDED

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

WESTINGHOUSE ELECTRIC CORPORATION 201 North St. Mary's Street San Antonio, Texas	- Oil Pump Support and Drive, for Boiler Feed Pump Turbine Unit No. 1, Decker Power Plant, Electric Utility Department - \$8,222.91.
--	--

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

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

Noes: None

Absent: Councilman Handcox

Not in Council Chamber when roll was called: Councilman Friedman

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

GENERAL OFFICE EQUIPMENT COMPANY 4108 North Lamar Austin, Texas	- Office Furniture and Fixtures for Airport Department - \$8,137.27.
---	--

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

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

Noes: None

Absent: Councilman Handcox

Not in Council Chamber when roll was called: Councilman Friedman

APPLICATION IN CONNECTION WITH
WASTEWATER TREATMENT FACILITIES

Councilman Lebermann moved that the Council adopt a resolution authorizing the City Manager to submit an application to the Environmental Protection Agency under Public Law 92-500 for \$47,250 to conduct initial feasibility studies for expansion of the wastewater treatment facilities at Williamson Creek. (Total cost will be \$63,000 with the City's share being \$15,750.) The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

Absent: Councilman Handcox

Not in Council Chamber when roll was called: Councilman Friedman

CHANGE ORDER IN CONNECTION WITH
CROSSTOWN WASTEWATER INTERCEPTOR

Councilman Lebermann moved that the Council adopt a resolution approving a Change Order to Granite Construction Company in the amount of \$11,218 in connection with the Crosstown Wastewater Interceptor, C.I.P. Project No. 5029 3. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

ACQUISITION OF LAND FOR WEST 38TH STREET

Councilman Lebermann moved that the Council adopt a resolution authorizing the acquisition of the 1000 block West 38th Street (H. J. Mayton, et al) for widening West 38th Street from Crawford to Guadalupe Streets. The motion, seconded by Councilman Dryden, carried by the following vote:

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

ACQUISITION OF LAND FOR
BARTON CREEK DISTRICT PARK AND GREEN BELT

Councilman Lebermann moved that the Council adopt a resolution authorizing acquisition of two tracts of land out of the Henry P. Hill Survey Number 21, being 8.43 acres and 127.03 acres (Tom W. Bradfield et al) for the Barton Creek District Park and Greenbelt. The motion, seconded by Councilman Dryden, carried by the following vote:

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

ACQUISITION OF LAND FOR BARTON SKYWAY

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing the acquisition of 1.45 acre tract out of a 283.87 acre tract out of Henry P. Hill League (Tom W. Bradfield et al) for Barton Skyway. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

ACQUISITION OF LAND FOR
ST. JOHNS DRAINAGE PROJECT

Councilman Lebermann moved that the Council adopt a resolution authorizing the acquisition of certain land for the St. Johns Drainage Project:

7507-7509 Carver	(Austin Savings & Loan Assn.)
7403-7405 Meador	(Myers Parsons)
7500-7504 Bethune Street	(T. H. White et ux)

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

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

PROFESSIONAL SERVICES AT TENNIS CENTER

Councilman Dryden moved that the Council select MR. JOHN FULTON for professional services at Caswell Tennis Center. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

REQUEST FOR LEASE OF CITY-OWNED PROPERTY

It was noted that Mr. George A. Hill, Manager of the American Red Cross Centex Chapter, had requested to appear before the Council to request a lease on City-owned property located at Pershing Drive and Redwood Avenue. However, a representative of Junior Achievement appeared in his stead. It was noted that Junior Achievement had a \$1 per year lease on this property and wanted to sublet a corner to the Red Cross for their new facility. In response to Council's questions, Mr. Joe Morahan, Property Management Director, stated that this was a 10-year lease with an option for 10 more years at \$1 per year. There was discussion by Councilman Binder with regard to the City's renegotiating this agreement for fair market value. It was also mentioned that the Red Cross could sublet through Junior Achievement with the Junior Achievement then paying the City.

After further discussion, Councilman Binder moved that the City instruct the City Manager to discuss renegotiating this lease with the Junior Achievement at fair market value. 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

Noes: None

Absent: Councilman Handcox

Not in Council Chamber when roll was called: Councilman Dryden

WITHDRAWAL OF REQUEST ON DISCUSSION OF WATERWAYS IN AUSTIN

It was noted that Mr. Joe Riddell had requested to appear before the Council to discuss waterways of Austin. However, this request was withdrawn.

ZONING ORDINANCE

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 23,000 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 4807-4809 RED BLUFF ROAD, FROM "A" RESIDENCE DISTRICT TO "C" 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.
(Mamie Lindsey, C14-72-187)

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

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

Noes: None

Absent: Councilman Handcox

Not in Council Chamber when roll was called: Councilman Dryden

The Mayor announced that the ordinance had been finally passed.

ADDITIONS TO SPEED ZONES

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 21-41, SUBSECTION (d), OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN ADDITIONS TO SAID SUBSECTION, THEREBY DECLARING MAXIMUM PRIMA FACIE SPEED LIMITS ON CERTAIN STREETS WITHIN SCHOOL ZONES IN THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS," (VERNON'S ANN, CIV. ST., ART. 6701d); SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: None

Absent: Councilman Handcox

Not in Council Chamber when roll was called: Councilman Dryden

The Mayor announced that the ordinance had been finally passed.

ORDINANCE PROHIBITING BEGGING

Councilman Binder moved that the Council postpone the second reading of an ordinance prohibiting begging in public places until October 3 and the third reading until November 7, 1974. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

Absent: Councilman Handcox

Not in Council Chamber when roll was called: Councilman Dryden

REFUND CONTRACT

Second and third readings of an ordinance authorizing the following refund contract were postponed until September 12, 1974:

GLENN W. CASEY CONSTRUCTION CO - For water improvements in Indian
INC., owner Oaks Subdivision - \$61,669.61

PROPOSED CHANGES IN ZONING ORDINANCE AND POLICIES

Councilman Friedman presented the following proposals to the staff and requested that they be studied with a report back to the Council:

1. A sign be posted on the property and/or building in connection with all requested and proposed zoning changes that would give information with regard to current zoning, proposed zoning, time and date of all public hearings. He requested that Mr. Lillie come back with a cost estimate to be included in the application fee.
2. Change the period of time in connection with withdrawn and postponed applications so that applicant could not come back before 12 months for withdrawals and 18 months for denials.

3. Elimination of "horse trading" with the applicant so that the decision of the staff and Commission's recommendation would be the final determination.

REQUESTS OF STAFF

Councilman Lebermann requested that the Staff take the following action:

1. Draft and forward to the Planning Commission for consideration a new section of the Zoning Ordinance establishing a Zoning Classification restricted to Agricultural Uses.
2. Initiate a procedure of converting Interim "A" Zoning to permanent zoning upon annexation.

REQUESTS OF PLANNING COMMISSION

Councilman Lebermann requested that the Planning Commission take the following action:

1. Consider Zoning "SR" all land adjacent to Lake Austin which is within the City limits between Mansfield Dam and Tom Miller Dam.
2. Consider requiring six-foot solid private fences on property lines between "A" Residential Zoning and all land with less restrictive zoning.

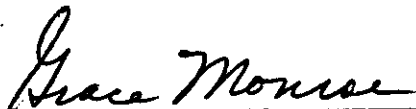
ADJOURNMENT

The Council adjourned at 8:40 p.m.

APPROVED


Mayor

ATTEST:



City Clerk