

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 8, 1975  
1:00 P.M.Council Chambers  
301 West Second Street

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The meeting was called to order with Mayor Butler presiding.

## Roll Call:

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

Absent: None

The Invocation was delivered by MAYOR PRO TEM DRYDEN.

## NATIONAL HOSPITAL WEEK

Mayor Pro Tem Dryden read and then presented a proclamation to Mr. Jack Martin, Texas Hospital Association, on behalf of the following, proclaiming the week of May 11-17, 1975, as "National Hospital Week" and called on all residents to recognize the contributions of the men and women in this life-saving profession:

Major Stone	- Bergstrom Air Force Base
Mr. Bob Lloyd	- St. David's Community Hospital
Mr. Paul Thomas	- Seton Medical Center
Mr. Hal Coker	- Westminster Manor
Mr. John Wilson	- U.T. Health Center
Col. Bill Dyer	- Shoal Creek Hospital
Mr. Jess Hayes	- Holy Cross Hospital
Mr. Will Brown	- Brackenridge Hospital
Mr. Dan Luckey	- Austin State Hospital

## RECOGNITION

Mayor Butler read and then presented a resolution signed by the Council to Mr. Curtis Beville for 48-1/2 years of dedication in providing transportation services to the citizens as a street car operator and bus driver and encouraged all residents to join the Council in recognizing his efforts in behalf of the

citizens. It was noted that Mr. Bevill retired as a transit driver on April 1, 1975. Mr. Bevill thanked the Council and introduced his family.

#### VIRGIE CARRINGTON DEWITTY DAY

Mayor Butler read and then presented a proclamation to Mrs. Ruth Davis and Mrs. Virgie C. DeWitty, proclaiming May 16, 1975, as "Virgie Carrington DeWitty Day" and encouraged all residents to join the Council in honoring Mrs. DeWitty for devoting her life, her talent, and her skill to the service of humanity and dedication to God. It was noted that she had served Ebenezer Baptist Church as Minister of Music for 50 years and as Director of Choirs for 35 years.

Mrs. DeWitty thanked the Council for this honor.

#### NATIONAL HISTORIC PRESERVATION WEEK

Councilperson Dr. Linn read and then presented a proclamation to Mr. Phillip Creer, Chairman of the Historic Landmark Commission, proclaiming the week of May 12-18, 1975, as "National Historic Preservation Week" and encouraged all residents to join the Council in recognizing the need for enhancing the City, state, and nation by protecting historic landmarks.

Mr. Creer accepted the proclamation on behalf of all citizens interested in preserving Austin.

#### APPROVAL OF MINUTES

Councilman Friedman moved that the Council approve the Special Meeting Minutes of May 1, 1975 (10:30 a.m. and 12:00 noon); the Regular Meeting Minutes of May 1, 1975 (1:00 p.m.); and the Special Meeting Minutes of May 5, 1975 (10:00 a.m.). The motion, seconded by Councilman Lebermann, carried by the following vote:

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

#### HEARING ON PROPOSED GLUE AND PAINT ORDINANCE

Mayor Butler opened the public hearing scheduled for 1:00 p.m. on the proposed Glue and Paint Ordinance, as proposed by the Council on Mouth Affairs.

MR. ROWLAND PERSONS, President of Bradford Paint Company, addressed himself to the issue of aerosol spray paints and their display. He recommended the passage of the ordinance with the penalty provision, but he felt that he would have a hard time complying with the provision that it would be unlawful to display paint in such a manner that it would be unattended by personnel of the establishment.

In response to Councilman Friedman's suggestion that empty cans could be displayed or cans with their nozzles removed, Mr. Persons felt this would be difficult and added that the retailers would do all they could to control the problem. However, he asked for more area in which to operate to get to the source of the problem on an individual basis.

It had been stipulated in the ordinance that glue and similar substances would mean any glue or similar substance which contained one or more of 20 listed volatile solvents.

MR. KEITH KNAPP distributed information relating to various items in a department store that contained the solvents. He felt that "similar substances" was too broad an area. In reference to the stipulation that a record of sales would be required by the salesman, Mr. Knapp felt that this would be difficult. He was in agreement with the proposed ordinance from the City Attorney, which would delete any record keeping requirement; but he did not accept the display provision.

MR. HOWARD O'DONNELL, representing Davis Hardware, listed other items that contained the solvents. He felt that if the retailers realized all that was included in the ordinance, there would be more opposition. He also felt that the display provision would be impossible for them.

MR. RUDOLPH ZAPATA, Mental Health-Mental Retardation, supported the ordinance and estimated that there were about 1,000 paint sniffers in the City.

MR. DONALD BELL supported the ordinance and suggested that something even harsher could be used, and he recommended that the Council prohibit the sale of aerosol paint within the corporate limits of Austin.

MR. MATT MATHIAS, Chairman of the Council on Youth Affairs, noted that the present ordinance that prohibited glue sniffing contained a provision that prohibited items that contained one or more of 12 solvents; therefore, he submitted that this proposal would not change the ordinance that much. He stated that something needed to be done and hoped the Council would strongly consider the matter as a problem in Austin and accept this ordinance.

In response to Councilman Lebermann's question, Mr. Mathias stated that a public hearing was held on this; and representatives of the Police Department recommended and supported the record-keeping section of the ordinance. He noted that they also met with the Advisory Council of Storefront #1.

MS. VERONICA ROEBUCK, Texas State Program on Drug Abuse, could not take a position on this; but she expressed their gratitude and support of the Council's endeavors in proposing such a move and submitted that the concept itself showed a step in a direction of concern. She noted that her agency had compiled statistics concerning persons in treatment for inhalant abuse, deaths affiliated with inhalant abuse, and places for counseling and treatment.

In response to Councilperson Dr. Linn's question, Ms. Roebuck stated that in 1974 the agency had record of 187 offenders in Austin; and of that 187, 87% were Spanish surnamed and 2.37% were Black, with \$2,000 to \$3,000 being the average annual income.

MR. PAUL HERNANDEZ, representing Carnales Inc., suggested that this ordinance was criminalizing a social problem and felt that it would be more beneficial to refer the inhalant abusers to an agency for help. He felt that the ordinance itself would not do anything and would not benefit the victims. He was in favor of prohibiting the sale to anyone under 17; but instead of a penalty section, he suggested a treatment section.

Councilman Lebermann pointed out that state law took precedence over the City ordinance, and Austin's police were obligated to report to the state law; but he agreed that treatment was important.

MR. MALCOLM GREENSTEIN, attorney representing the Austin Committee for Justice, pointed that paint sniffing mainly effected the poor; and he pointed out that there was a State Statute covering the penalty of the offender. He wondered why this was necessary in the City's ordinance.

In reference to the 20 listed solvents, he noted that California has prohibited a group of poisons and have defined it using only one of the substances, which was toluene. He pointed out that this was included in the three types of spray paint that were most commonly used by the youth. He added that California had defined toluene as being included in but not limited to glue, cement, dope, paint thinners, paint, and any other combination of hydrocarbons.

In response to comments that had been made by retailers that they would not comply with the provisions unless an ordinance was passed, Mr. Greenstein suggested that the City give them what they wanted by passing the ordinance.

MR. MARIO MORALES, representing the Montopolis Advisory Board to the Storefront who had first drafted this proposal, suggested that the ordinance be reworded to prohibit only glue and similar substances containing toluene.

#### Motion

Councilman Friedman moved that the City Attorney come back with an ordinance on May 22, 1975, utilizing the definition of substances containing toluene or any derivative containing toluene and eliminating the section calling for the arrest of anyone who purposely inhales, and utilizing the basic draft of the ordinance as presented by the Storefront and the Youth Council, and gaining the cooperation of retailers. Councilman Binder seconded the motion.

Mayor Pro Tem Dryden felt that it would be beneficial if the retailers participated, and Councilperson Dr. Linn was interested in seeing something done about the treatment. Councilman Friedman suggested that the victim could be referred to a specific agency.

Councilman Friedman's motion, seconded by Councilman Binder, carried by the following vote:

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

## PRESENTATION

Representatives of the Austin Police Association took this opportunity to show their appreciation to the Council. They believed that the governmental body for which a law enforcement agency worked was responsible for the professionalism of that department. He noted that their genuine goal was to provide professional law enforcement for the City. They presented the Council with certificates to be converted to plaques for display.

POSTPONEMENT OF HEARING ON RENEWAL OF  
TELEPHONE COMPANY'S FRANCHISE

Upon the request of the City Attorney, the public hearing that was scheduled for 2:30 p.m. on the renewal of Southwestern Bell Telephone Company's Franchise was postponed until May 22, 1975.

## CONTINUED HEARING ON TELEPHONE RATE INCREASE

Mayor Butler opened the continued public hearing scheduled for 2:30 p.m. on the rate increase request from Southwestern Bell Telephone Company and consideration of an ordinance approving the rate. City Attorney Don Butler noted that the Company had been requested to present revised figures that would better spread the recommended \$3.3 million increase as follows:

1. Increase Distribution

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 50¢ per Month	97,380
Miscellaneous Services	<u>708,029</u>
	\$3,339,908

2. Per Cent Increase

Requested Increase	\$6,443,310	(24.2%)
Increase Granted	3,339,908	(12.7%)

3. Increase Effect on Certain Services

	<u>Present</u>	<u>New</u>
1-Party Residence	\$ 6.40	\$ 7.00
1-Party Business	16.35	18.00

He noted that the ordinance before the Council provided for these increases and that the Company would file a tariff within 30 days enumerating other increases to be reviewed to determine that there had been a spread that would not produce more than the \$3.3 million and made on a fair, across-the-board manner.

Mr. Butler added that the Council could act on this, and the staff would bring anything to the Council that was needed. He pointed out that the ordinance would provide that the Company must file an unqualified acceptance of the ordinance within 10 days before the ordinance went into effect. He noted that this was an interim increase, pending the outcome of certain allegations with a provision for a refund to customers if necessary.

The City Attorney recommended the \$3.3 million increase with the rate spread as indicated. He submitted that it would be easy to recommend no increase at all; however, he stated that the same basic rate making procedures would suggest that the Company be given what they were entitled to under the law and under rate making procedures. He suggested that the ordinance be passed as a matter of protecting the rate payer and that the worst thing the City could do for the rate payer would be to deny the Company because of the evidence available.

In response to Councilman Lebermann's question, Mr. Butler stated that the spread would be so that it would be 9% on the rate charges and 9% on miscellaneous and equipment. He noted that there were 1,300 different items; and if the City had a cost of service study on all items, we might be in a better position. However, he was satisfied that the increase had been distributed fairly.

Mayor Butler introduced the following ordinance:

AN ORDINANCE REPEALING ORDINANCE NO. 730524-E, EXCEPT UNDER CERTAIN CIRCUMSTANCES; DETERMINING THE FAIR VALUE RATE BASE OF SOUTHWESTERN BELL TELEPHONE COMPANY FOR THE AUSTIN EXCHANGE; DETERMINING A FAIR RATE OF RETURN THEREON; DETERMINING AND FIXING THE SCHEDULE OF RATES FOR BASIC SERVICES IN THE CITY OF AUSTIN, TEXAS; PROVIDING A PROCEDURE FOR FILING COMPANY TARIFFS AND APPROVAL THEREOF; REQUIRING THE FILING OF NECESSARY MATERIAL PRIOR TO ANY CONTEST HEREOF; ACCEPTANCE OF THE RATES AND TERMS PRESCRIBED HEREIN BY SOUTHWESTERN BELL TELEPHONE COMPANY; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

Councilman Lebermann moved that the Council close the public hearing, waive the requirement for three readings, declare an emergency, and finally pass the ordinance effective as provided in the City Charter, approving the rate increase of \$3.3 million as recommended by the City Attorney. The motion, seconded by Mayor Pro Tem Dryden, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

## POSTPONEMENT OF ANNEXATION HEARING

The public hearing to consider annexation of the following was postponed until May 22, 1975:

323.55 total acres of land (Case No. C7a-75-001)

1. 53.86 acres known as Travis Country. (Requested by owner, Farm & Home Savings Association)
2. 173.51 acres known as Trailwood Village One at Travis Country and Trailwood Village Two at Travis Country. (Requested by owner, Austex Development Co., Ltd.)
3. 96.18 acres - portion of Loop 360 and unplatted land. (Initiated by City of Austin)

## HEARING ON AMENDMENT TO ZONING ORDINANCE

Mayor Butler opened the public hearing to amend the Zoning Ordinance as follows:

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

Mr. Dick Lillie, Planning Department Director, reviewed this by stating that the Planning Commission had recommended that land be annexed "AA" as opposed to "SR". He noted that this had been postponed from May 1, 1975, pending consideration of reducing the minimum lot size from 7,200 square feet, as stipulated under "AA", to 5,750 square feet, as stipulated under "A". After review by the staff, Mr. Lillie indicated that they recommended the lot size be reduced to the same as under "A" (5,750) but that the Council accept the recommendation of "AA". He indicated that a developer or subdivider who was going to subdivide his lots of less than 7,200 square feet would have to submit a zoning application; and if he planned to build duplexes, townhouses, or Planned Unit Developments, a zoning change would be required.

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(d) BRINGING ANNEXED TERRITORY OR UNZONED PROPERTY UNDER THE INTERIM "AA" RESIDENTIAL DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

(Section 45-14(d) to provide for annexation of all property to the City as "Interim AA" Residence, rather than "A" Residence, but with the minimum lot size to be 5,750 square feet; and any unzoned land owned by a public agency within the City of Austin which is subsequently transferred to private ownership shall assume an interim classification being the same as that designated for annexed property.)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilman Binder,  
Mayor Pro Tem Dryden

The Mayor announced that the ordinance had been finally passed.

#### ZONING HEARING

Mayor Butler opened the public hearing that had been postponed from May 1, 1975, to consider the following zoning application:

M. H. FLOURNOY	140-202 Eberhart Lane	From Interim "A" Residence
C14-75-040		1st Height and Area
		To "B" Residence
		1st Height and Area
		NOT Recommended by the
		Planning Commission

MR. BILL HALL, representing the applicant, reviewed the area by use of slides. He stated that the subject tract involved 8.492 acres, and the issue was single-family versus multi-family life style. He noted that the staff's recommendation had been based on the feeling that the neighborhood should be protected from zoning intrusions and should be of the density allowed by "A" Residence. He submitted that the cost of single-family dwellings had gone out of sight, and the applicant's request was for a limited number of multi-family dwellings in an area where streets and City services were adequate. He submitted that this was not at all incompatible with the area. He requested that the change be granted.

Mayor Pro Tem Dryden felt that the request was reasonable and that some development in this area would be an improvement. In response to Mayor Pro Tem Dryden's question, Mr. Hall stated that they did not have a specific number of units in mind; but they would be willing to consider "BB" Residence, which would reduce the density from "B" Residence.

In response to Mayor Pro Tem Dryden's further questions, Mr. Lillie stated that "BB" would allow 23 units per acres; and 180 units could be built on this tract.

In response to Councilman Binder's question, Mr. Lillie did not recommend "BB" Residence District.

#### Motion

Mayor Pro Tem Dryden moved that the zoning request be granted and changed to "BB" Residence District. The motion died for lack of a second.



Motion

Councilman Binder moved that the Council uphold the recommendation of the Planning Commission to deny the zoning change. The motion, seconded by Councilperson Dr. Linn, carried by the following vote:

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

The Mayor announced that the change had been DENIED.

HEARING ON AMENDMENT TO AUSTIN DEVELOPMENT PLAN

Mayor Butler opened the public hearing scheduled for 3:30 p.m. to amend the Austin Development Plan as follows:

An area of approximately 61 acres, requested by owner, Mr. Buford Stewart, for a change in the land use designation from low density residential to an industrial Planned Development Area. The site is located on Brodie Lane approximately one mile south of U. S. Highway 290 and north of McCarty Road, at the intersection of proposed Outer Loop (William Cannon Drive) and Brodie Lane.

It was noted that this was for a proposed Motorola Plant location. Mr. Lillie reviewed the major industrial development in Austin along with this proposal, the site, and surrounding area by the use of slides. He noted that there was about a one-half mile extraterritorial jurisdictional overlap in the corporate limits of Sunset Valley and the City limit line, with the general area being in the Austin Independent School District. He indicated that the general character of the land was predominantly undeveloped and agricultural with acreage in the area under consideration for annexation. He noted that a tract of about 200 acres to the west was under consideration and would be before the Council in June. He pointed out that the only two streets serving the area now were Brodie Lane and McCarty Lane. Mr. Lillie noted that plans called for Brodie Lane to be a major arterial street and would be widened to 90 feet of right of way with four lanes of paving; William Cannon Drive is proposed as a major arterial to be widened to 120 feet of right of way with six lanes of paving. He mentioned that William Cannon Drive does not presently exist.

MR. TONY ATHENS, Environmental Resource Management Director, reviewed the environmental impact on this site. He noted that they examined three potential uses the site could be put to: (1) single family, (2) multi-family and/or commercial, and (3) the proposed plant. He stated that the specific items that were considered were:

Traffic  
Air pollution  
Water pollution  
Noise  
Impermeable coverage  
Land form alteration

Night lighting  
Glare, signs  
Utility infrastructure  
Temperature increase  
Combined impact on open space

He indicated that they made an analysis and comparison, and the Motorola plant had the smallest net environmental impact on the site because there would be less development on the land and more open space. It was determined that building coverage would entail 15%; paved parking coverage, 24%; and open space, 61%.

Mr. Lillie continued his review of the proposal and noted that the staff was concerned about the relatively uncommitted nature of acreage in this area and the precedent the approval would give to further industrial development in the area. He felt that the impact on the immediate area was similar to and in some ways better than single-family development; however, further intensification of the non-residential uses in the uncommitted areas needed to be considered and strip development of major streets avoided.

He stated that the Planning Commission recommended the amendment to the Plan on the recommendation of the staff, with certain conditions being placed on their recommendation:

1. Performance standards be included in the P.D.A. contract.
2. Site plan be on file in the Planning Department.
3. Timing of anticipated development as indicated for the period 1977-79.
4. Departmental reports, including modification of the Bannockburn Preliminary Plan to reflect this project if approved and development of uses permitted in "A" Residence zoning between William Cannon Drive and that portion of Bannockburn presently approved and under development.
5. Re-evaluation of the timing of William Cannon Drive in the City's Capital Improvement Program.
6. Amendment of the 1969 Expressway and Major Arterial Plan for the location of William Cannon Drive from Manchaca Road westerly through the Bannockburn Subdivision.

MR. ROBERT SNEED, representing the applicant, presented petitions containing in excess of 1,350 signatures in support of the proposal. He made the following points:

1. As part of the final granting of this, Motorola has asked that the site be annexed to the City.
2. The plan will be the most protective to all parties involved and will effectively and totally provide a method whereby the buffer zone (17-acre tract) would be limited to its future use to those uses which would be included within the "A" Residence classification.
3. Motorola has stated that unless the William Cannon Drive system is put in place, they would not build a plant until such time as it was committed, in process, and there was no question that it would be an accomplished result.

4. This proposal had been recommended by the Planning Department and unanimously adopted by the Planning Commission.
5. Motorola was interested in the development of a facility where there was the same environmental condition at the work place as at home.
6. Motorola would employ a maximum of 2,500, with 90 to 95% to be taken from the work force now in Austin; and 75% of all employees would be women.

He reviewed the proposed Motorola "campus" by use of slides and read a letter from Ms. Joanne Sprenger, Chairperson of Austin's Chapter of the Sierra Club. She stated in her letter that the Executive Committee wanted to comment on the environmental aspect of the proposal and noted that they were satisfied with the environmentally sound approach made by the planners. They felt that the present format was a positive approach to commercial industrial development in Austin and encouraged the City to watch the project carefully in the future to insure that the final plan incorporated the attractive environmental aspects of the present concept. They also encouraged all developers to make similar efforts on future projects.

Mr. Sneed asked that the application be approved and stated that every possible effort had been made to preserve the environmental quality of life and asked that they be given the opportunity to provide the economic well being of Austin's citizens.

In response to Councilperson Dr. Linn's question, MR. NORM KAZAK (Motorola), stated that they were an equal opportunity employer with an affirmative action plan.

MR. STEVE TACKETT, representing the Brodie Lane Homeowners Association, was not addressing himself to the issue of growth versus no growth; nor was he opposing the location of the plant into Austin. He recognized that there would be important economic benefits Motorola could provide to Austin, but he submitted that the threat of the loss of these jobs was not the issue. He suggested that there were more appropriate sites for the location of the plant, and the Planning Department had recommended four more appropriate sites.

DR. LODIS RHODES, representing the Association, addressed himself to the issue of the notification procedure that had been used by Motorola. He noted that residents now residing in the Bannockburn Subdivision moved in by the time negotiations were taking place and were either not informed or were misinformed. He submitted that the first formal notification of the residents involved was in the form of a letter on April 3, 1975, from the Chamber of Commerce to the residents in the Bannockburn area. The next official notice was from the Planning Department on April 8, 1975, stating that there would be a public hearing before the Planning Commission on April 16; and only three homes received official notification. He presented a petition in opposition to the plan from the immediate property owners.

DR. BARBARA CHANCE, representing the Association, reviewed the area by use of slides and suggested that traffic was already heavy in the area. She was concerned about the encroachment into the neighborhoods. She was also concerned with the uncommitted land in the area, and she noted that they would be petitioning the future Council for a roll back on some of their zoning along

Brodie Lane. She suggested that there needed to be a master plan not just for this site but for the entire southwest area of Austin.

Mr. Tackett spoke to the issue of access to the site and noted that there were 1,455 vehicles on Brodie Lane. He suggested that this proposal would generate 5,500 daily; but if it remained residential, it would generate less than one-half that the proposal would. He believed that the road should be completed before the plant was approved. He also felt that the City could not assure the residents that William Cannon Drive would be paved because it was not in their jurisdiction.

MRS. SHARON HUMENICK appeared on behalf of her husband, DR. MICHAEL HUMENICK, and read a report that he had prepared that brought out the following recommendations:

1. Further study of the Motorola plant location should be made before consideration of zoning changes on Brodie Lane.
2. Study should include input from all concerned entities, particularly those residents in the local area.
3. Study should include consideration of the economic impact of the plant as a function of where it is located and whether or not it is within the City limits. The economic impact includes the costs and benefits to the City as a whole and the individual residents in the plant area.
4. Study should estimate the impact of the plant on further development in the area.

Dr. Chance summarized their reasons for opposition and noted that this proposal violated many of the AUSIN TOMORROW Goals:

1. Notification issue.
2. Citizen participation in land use changes and zoning changes and economic development policies.
3. Industries employing semi-skilled workers should be located so that they would be easily accessible to low-income workers.
4. Improving existing streets and paving City streets now unpaved rather than accelerating new streets.
5. Zoning and land use changes should be made more difficult and the neighborhood protected against unwarranted encroachment.
6. Unannexed industry and the economic burden to the City.
7. Land use patterns outside the City limits where controls are disbursed between the City and the County.
8. Avoid the domino effect of zoning.

9. Lack of plan for proper buffering between land uses.
10. Scattered development on the edges of the City which would be undesirable land use.
11. Excess or uncontrolled traffic in the neighborhoods and traffic congestion.
12. Responsiveness of City government.

Dr. Chance asked that the Council follow through on the ideas in AUSTIN TOMORROW and plan today for Austin tomorrow.

In response to Councilperson Dr. Linn's question concerning the wage schedule, Mr. Sneed stated that Motorola was equal to or greater than prevailing pay schedules for similar type work in Austin.

MR. DAN CHAMBERS, President of the South Austin Rotary Club, stated that his organization was in favor of this and submitted that Motorola had made every effort to have a beautiful plant.

MR. WOODROW SLEDGE, Austin Independent School District, noted that their concern had been with the buffer area to the south and to the north of the high school. They felt the developer's restricting this area to "A" Residence was sufficient, and they were greatly interested in the development of the streets. He believed the development of this plant would encourage enough development in the area that there would be enough pressure to get the roads developed. He did not anticipate the domino effect and suggested that this was "bread and butter" for the people of Austin.

MS. NORA LADAY, representing Kincheonville residents (members of the Brodie Lane Homeowners Association), was opposed to this plant being located in this residential area and hoped that the Council would not approve the amendment.

Mayor Pro Tem Dryden felt that good points had been made and that Brodie Lane would be developed. He also felt that this proposal would not be a detriment to the area but would be beneficial.

#### Motion

Mayor Pro Tem Dryden moved that the public hearing be closed and that the Council adopt a resolution approving amendment to the Austin Development Plan as recommended by the Planning Commission. Councilman Lebermann seconded the motion by stating that Mr. Lillie had assured him that one of the primary aims of the AUSTIN TOMORROW Goals was the introduction of performance zoning.

#### Amendment to Motion

Councilperson Dr. Linn requested that the motion be amended to stipulate that the final document not be drawn up until the hearing on the annexation of property in the area. Mayor Pro Tem Dryden accepted the amendment, and the amended motion carried by the following vote:

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

Noes: None

Councilman Binder commented that this was good for the area and not in violation of the Goals document.

Councilman Friedman supported Councilman Binder's statement.

#### ZONING HEARING

Mayor Butler opened the public hearing scheduled to consider the following zoning application:

C. BEN HIBBETTS	1700 Parker Lane	From "LR" Local Retail
REALTY, INC.	also bounded by	To "GR" General Retail
By Hollis Jefferies	Riverside Drive and	NOT Recommended by the Planning
C14-75-044	Lupine Lane	Commission

MR. HOLLIS JEFFERIES, representing the applicant, noted that this request was for the purpose of selling beer in a Mexican restaurant; and he noted that the applicant was willing to close Lupine Lane. He stated that after having been in contact with the residents, their main concern was that this would be setting a precedent.

MR. BILL HECK, 1304 Loma Drive, appeared in opposition and submitted that the other businesses in the area did not need this change. He pointed out that the applicant appeared before the Council several years ago and had asked for "C" Commercial District to put in a lounge. He suggested that this was a stepping stone to that and asked that the Council deny the request.

Mr. Heck noted that the property owners had organized a petition protesting the change in that they did not want alcohol being served in the area, and they were interested in this remaining a residential area.

MR. JOE RAY, 1621 Sunnyvale, opposed the change and felt that it was strip zoning.

MRS. MARGIE CLEM, 1602 Sunnyvale, felt that this was too close to their neighborhood.

Mayor Pro Tem Dryden moved that the Council uphold the recommendation of the Planning Commission and **DENY** the zoning change. The motion, seconded by Councilman Friedman, carried by the following vote:

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

Noes: None

The Mayor announced that the zoning change had been **DENIED**.

## HEARING ON VACATION OF STREETS

Mayor Butler opened the public hearing scheduled on the proposed vacation of Bill Hughes Road and Wilma Drive.

Mayor Butler introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF BILL HUGHES ROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR WATER MAIN PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF WILMA DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE 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 Councilperson Dr. Linn, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

## POSTPONEMENT OF APPROACH MAIN CONTRACT

The Council had before it the authorization of execution of the proposed Approach Main Contract for Travis Country. However, this was postponed until May 22, 1975.

## HEARING SET CONSIDERING SANITARY LANDFILL

Councilperson Dr. Linn moved that the Council set a public hearing at 1:00 p.m., June 12, 1975 to consider the temporary use of a portion of Walter E. Long Metropolitan Park for a sanitary landfill. (Period not to exceed 7 years) The motion, seconded by Councilman Friedman, carried by the following vote:

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

## RELEASE OF EASEMENTS

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

All of the Public Utility Easement that covers all of the south (or rear) seven and one-half (7.50) feet of Lots 20 and 21 and all but the east 25' of Lot 22, CORONADO VILLAGE, SECTION ONE. (Requested by Nash Phillips-Copus Associates, owners of Lots 20, 21 and 22)

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

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

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

A portion of the Drainage Easement twenty (20.00) feet in width in Lot 1 of the RESUBDIVISION LOT 9, BLOCK 3, MANCHACA ESTATES. (Requested by Mr. Chat E. Altis of Incorporated Investors, Inc., owner of Lot 1)

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

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

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

All of the Public Utilities Easement that covers all of the northeast ten (10.00) feet of Lot 6, Block "Z," NORTHWEST HILLS, CAT MOUNTAIN SECTION, known as 4600 Cat Mountain Drive. (Requested by Mr. Roger Borgelt, owner of Lot 6)



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

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

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

A portion of the Public Utility Easement that covers the north five (5.00) feet of Lot 45, Block "D," CROWN RIDGE VILLAGE SECTION ONE, known as 9412 Crown Ridge Road.  
(Requested by Mr. Ralph W. Harris, Registered Public Surveyor representing Mr. Sid Jagger, owner of Lot 45)

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

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

#### CONTRACTS AWARDED

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

BEST PRINTING COMPANY	- Calendars, Public Service &
3218 Manor Road	Information for the Office of
Austin, Texas	Bicentennial Affairs - \$6,418.00

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

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

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

AMERICAN OPTICAL	- Forensic Trinocular Comparison
Scientific Instrument Division	Microscope for Police Laboratory
603 McGowen Avenue	1 ea. @ \$8,853.00
Houston, Texas	

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

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

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

Bid Award:	- Bandages & Dressings, Brackenridge Hospital, 12 month supply agreement.
KENDALL Box 5007 Arlington, Texas	- Items 3, 4, 8, 9, 14, 16, 21, 23, 33-36, 45-53, 59, 61 and 69 - \$61,330.57
GENTEC HOSPITAL SUPPLY Box 4860 Austin, Texas	- Items 1, 2, 10-13, 22, 24-27, 29-32, 37-44, 57, and 63 - \$17,051.39
IPCO HOSPITAL SUPPLY 7136 Ardmore Street Houston, Texas	- Items 58, 64, 67, and 68 - \$12,849.60
JOHNSON & JOHNSON 501 George Street New Brunswick, New Jersey	- Items 5, 6, 7, and 65 - \$8,217.10
AMERICAN HOSPITAL SUPPLY 202 Great Southwest Parkway Grand Prairie, Texas	- Items 54, 55, 56, 62 and 66 - \$4,516.40
CAROLINA COTTON 11810 Duxbury Dallas, Texas	- Items 15 and 60 - \$3,549.00

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

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

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

ACCO, BRISTOL DIVISION 7701 Parnell Street Houston, Texas	- Telemetering Equipment, Water and Wastewater Department Item 1-5 - \$7,376.00
---	--

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

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

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

BRUCE LAKE COMPANY  
390 Lincoln Highway  
Coatesville, Pennsylvania

- Steel Transmission Line Pole  
Structures for Electric Department  
Item 1 - \$444,709.00

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

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

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

LEHIGH STRUCTURAL STEEL COMPANY  
Gordon Street  
Allentown, Pennsylvania

- Steel Transmission Line Towers for  
Electric Department  
Item 1 - \$147,357.00  
(subject to escalation)

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

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

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

GENERAL ELECTRIC COMPANY  
1600 NE Loop 410  
San Antonio, Texas

- Network Protectors, Electric Department  
Item 1 - 4 ea. @ \$9,475.00  
Item 2 - 4 ea. @ \$6,100.00  
Item 3 - 3 ea. @ \$5,330.00  
Total \$78,290.00

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

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

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

Bid Award:

- 15,000 Volt, Paper and Lead Cable,  
Central Stores Division for use by  
Electric Department.

PHELPS DODGE CABLE & WIRE  
COMPANY  
8111 Kempwood Drive  
Houston, Texas

- Item 1 - 4,800 feet @ \$7.625  
Total \$36,600.00

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

- Item 2 - 9,000 feet @ \$1.82
- Total \$16,380.00

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

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

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

Bid Award:

- Miscellaneous Electric Utility Items,  
Electric Department

GRAYBAR ELECTRIC COMPANY, INC.  
7334 North Lamar Boulevard  
Austin, Texas

- Item 1, 4, 8, 9, 11, 13, 14 and 15 -  
\$5,600.05

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

- Items 2, 5, 6, 7, 10 and 12 -  
\$7,061.76

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

- Items 3 and 16 - \$925.06

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

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

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

GENERAL ELECTRIC COMPANY  
4219 Richmond Avenue  
Houston, Texas

- Replacement Parts for Steam Turbine  
Unit No. 4 Holly Street Power Plant,  
Electric Utility Department.  
Items 1 - 85 - \$22,702.97

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

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

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

MULTI-AMP CORPORATION  
4721 Bronze Way  
Dallas, Texas

- Circuit Breaker Test Set, for use in testing breakers at power plants, Electric Utility Department  
Item 1 - \$12,058.20

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

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

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

U. S. STEEL SUPPLY  
Division of U. S. Steel Corporation  
Cyclone Fence  
2920 East Randol Mill Road  
Arlington, Texas

- For the construction of a chain Link Fence at HiCross Substation  
Electric Department - \$7,382.00

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

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

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

DORSETT DITCHING COMPANY  
Route 1, Box 60E  
Buda, Texas

- For the construction of an Electric Ductline and Pull Boxes at 6937 North Interregional Highway, Electric Department - \$5,123.00

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

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

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

ROBERT E. MCKEE, INC.  
El Paso, Texas

- Phase 2B Expansion of Brackenridge Hospital, Capital Improvements  
Program No. 8410 3 - \$9,553,000.00

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

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

#### CONDEMNATION OF TRANSMISSION LINE EASEMENT

Councilman Lebermann moved that the Council adopt a resolution authorizing condemnation of a 138 KV, transmission line easement, in the Garner Mays #501, Survey on FM Road 812. The motion, seconded by Mayor Pro Tem Dryden, carried by the following vote:

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

#### LEGAL DISPOSITION OF SUBSTANDARD STRUCTURES

Councilman Friedman moved that the Council accept recommendations from the Building Standards Commission that the Law Department take proper legal disposition of the following substandard structures which have not been repaired or demolished within the required time:

- |                           |                         |
|---------------------------|-------------------------|
| 1. 901-1/2 Tillery Street | John Robert Evans et al |
| 2. 2516 East 8th Street   | Mr. Walter Brown        |
| 3. 1137 (D) Lott Avenue   | Mr. Edward F. Toney     |
| 4. 5407 Chesterfield      | Mr. H. R. Stinson       |

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

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

#### APPLICATION TO ERECT BOATHOUSE

Mayor Pro Tem Dryden moved that the Council adopt a resolution approving an application by Mr. Dudley D. McCallisto erect a two-story boathouse, providing an enclosed recreational room. (Recommended by the Navigation Board.) The motion, seconded by Councilman Friedman, carried by the following vote:

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

#### EXECUTION OF QUITCLAIM DEED

Councilman Binder moved that the Council adopt a resolution authorizing the City Manager to execute a quit-claim deed conveying to Mr. Edgar H. Perry III a strip of street right-of-way conveyed to the City of Austin by mistake. The motion, seconded by Mayor Pro Tem Dryden, carried by the following vote:

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

#### APPLICATION FOR GRANT FOR EMPLOYEE COUNSELING PROJECT

Councilman Friedman moved that the Council adopt a resolution authorizing application to the Texas Department of Community Affairs for an Intergovernmental Personnel Act (IPA) grant for an Employee Counseling Project. The motion, seconded by Councilman Binder, carried by the following vote:

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

#### GRANT APPLICATION TO CRIMINAL JUSTICE DIVISION

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to submit a grant application to the Texas Criminal Justice Division for the project entitled, "Metropolitan Austin Criminal Justice Planning Unit." (Texas Criminal Justice Division support, \$42,293.00 - program period July 1, 1975 through September 30, 1976.) The motion, seconded by Councilman Binder, carried by the following vote:

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

#### ADVANCE FUNDS TO URBAN RENEWAL AGENCY

Councilman Friedman moved that the Council adopt a resolution authorizing the advance of \$752,600 of Housing and Community Development Block Grant advance funds to the Austin Urban Renewal Agency. (This advance will fund renewal improvements approved by Council on February 13, 1975.) The motion, seconded by Councilman Binder, carried by the following vote:

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

#### ACQUISITION OF LAND FOR FIESTA GARDENS

Councilman Friedman moved that the Council adopt a resolution authorizing the acquisition of certain land for the expansion of Fiesta Gardens:

1910 Bergman Avenue (Carey Legett, Jr., et ux)

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

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

City Manager Davidson noted that the house was vacant on the site and there would be no relocation. He also noted that the owner accepted this.

AMENDMENTS TO GRANT AGREEMENTS  
CONCERNING AVIATION

Councilman Friedman moved that the Council adopt a resolution approving an amendment to the Grant Agreement between the City and the Federal Aviation Administration to provide additional funds in the amount of \$35,842.24. (Project #8-48-0013-02 increasing Federal participation from 50% to 82%) The motion, seconded by Mayor Pro Tem Dryden, carried by the following vote:

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

Councilman Friedman moved that the Council adopt a resolution approving an amendment to the Grant Agreement between the City and the Federal Aviation Administration deleting grooving on Runway 12R-30L from the agreement and revising the maximum Federal Grant to \$878,803.00. The motion, seconded by Mayor Pro Tem Dryden, carried by the following vote:

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

CONTRACT WITH THE AUSTIN AMBULANCE COMPANY

Mayor Pro Tem Dryden moved that the Council adopt a resolution authorizing the City Manager to execute a contract with the Austin Ambulance Company for the purpose of acquiring the vehicles and equipment of that firm and to cancel the firm's franchise for transfer service. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

APPEARANCE CONCERNING 9TH AND 10TH STREETS PROJECT

Mr. Ken McHam appeared to ask the Council to reconsider the 9th and 10th Streets Project. He suggested that this was a project that people had been saying was one which was not justified by any study, and he noted that the project was carried through despite citizen protest and despite the fact that the City never made a traffic count on 9th and 10th Streets. He pointed out that three major citizens' boards had asked the City to stop the project, and he asked that the City reconsider this project in view of all these things, and



in view of the fact that it was possible to make alterations to the plans of the present contract with very minor problems involved to the City.

He stated that after having talked to various people, they had laid out what they felt should be done in a number of alternatives in the order that they felt would be the most just thing and what they felt would really be best for the interest of the City. He noted that the citizens of the Old Austin Neighborhood group as well as others felt that the area was so significant to the history of the City and the growth that they would continue in their efforts to litigate the damage they felt this project did to the neighborhood and park. He listed their priorities:

1. Go ahead and make the decision today to hold in abeyance all construction on the project until plans can be developed to change the bridge across 9th Street from an automobile bridge to a pedestrian and bicycle bridge and extend the park up the part of land dedicated for 9th Street all the way over to West Avenue.
2. Hold the project in abeyance until the appropriate citizens' advisory boards may make recommendations to the Council as to what alternatives would best mitigate the anticipated ill effects of the project.
3. Instruct the contractor to conduct the operation at a regular pace until there could be a public hearing held in two weeks on the issue.

He submitted that the City owed it to the people to take a little more time on the project that was going to make a lot of difference in the future of this neighborhood.

In response to Mr. McHam's comment that the project was proceeding at a fast rate, Mayor Butler noted that the project was behind schedule.

Ms. Carolyn Bucknall, former chairperson of the Old Austin Neighborhood, supported Mr. McHam's comments and noted that there were many Austinites who had the same feeling. She pointed out that Christian Science Monitor had cited this project as an example of bad planning or lack of planning.

#### Motion

Councilperson Dr. Linn moved that the contractor conduct work at the regular pace and the Council conduct a public hearing in two weeks; however, the motion died for lack of a second.

#### POSTPONEMENT OF APPEARANCE

Mr. Louis Davis postponed his appearance before the Council until June 5, 1975, to discuss citizens' cooperating with the Police Department to rid Austin of crime.

## REQUEST BY JAYCEES

Councilman Friedman moved that the Council approve a request by Mr. Pat Kaufman, Project Chairman of the Austin Jaycees, in conjunction with the City's participation in the Bicentennial Kickoff and Honor America Day Celebration on July 4 and 5, 1975, for the following, subject to compliance with the Police Department and Parks and Recreation:

1. Permission to use the south shore of Town Lake for the Jaycees' celebration on July 4 and 5.
2. Insurance.
3. Speaker's platforms and stand, fencing, booths, bandstands, and public address system from the Parks and Recreation Department.
4. Police traffic and crowd control.
5. Street barricades set up by Public Works Department.
6. Permission to close off Riverside between 1st Street and South Lamar.

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

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

## APPEARANCE CONCERNING COMMUNITY CENTER AND OPEN GYMNASIUM

Mrs. Bertha Means appeared before the Council to discuss the proposed Community Center and Open Gymnasium to be located in Givens Park. She presented the Council with data in support of her belief that this proposal would not meet the needs of the community. (This information on file in the City Clerk's Office.) After Mrs. Means' presentation with the assistance of slides, Councilman Snell moved that the Council instruct the staff that this proposal be sent back to Parks and Recreation for restudy and reconsideration and instruct them to make another recommendation to the Council. The motion, seconded by Councilman Friedman, carried by the following vote:

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

## REQUEST CONCERNING MOPAC

Ms. Louise Jarrell, representing Westenfield Citizens Group, appeared before the Council to present information and request the Council's support for the protection and preservation of the West Austin Inner City. Ms. Jarrell distributed copies of her presentation to the Council (on file in the City Clerk's Office); and in summation, she requested that the Council not open the Westover, Windsor, or Enfield ramps to MoPac. She suggested that West 5th, 6th, and 1st Streets could be used as exits and approaches to MoPac.

Councilman Friedman suggested that the Council have a public hearing to discuss these ramps with the interested citizens.

In response to Mayor Pro Tem Dryden's question, City Manager Davidson stated that he had completed a partial study; but he noted that he was supposed to come back to the Council with a study that would be acceptable to the representatives of the various neighborhood groups that had appeared before the Council. He noted that they had not been able to agree upon this matter.

There was discussion concerning the notification procedure that should be used for the public hearing. It was suggested that the tax roll could be used along with the news media. It was also suggested that the area involved should be Exposition to the west, First Street to the south, Lamar Boulevard to the east, and 35th Street to the north.

Councilman Friedman moved that the Council set a public hearing for June 12, 1975, at 1:00 p.m. to consider the MoPac ramps. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

It was also determined that some of the other neighborhood groups would be notified, such as the Northwest Austin Civic Association and Balcones Civic Association.

#### ITEM CONCERNING TRAFFIC SIGNALS

Ms. Rosa Fowler, Ms. Rosa Vega, and Mrs. Loyd, Teachers from Palm Elementary School, had requested to appear before the Council concerning traffic signals at East 1st Street and frontage road. This item was not considered.

#### ZONING ORDINANCES

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
LOT 23, WALNUT HILLS SUBDIVISION, LOCALLY KNOWN AS 6101 ADALEE AVENUE AND 6112 MANOR ROAD, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE 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. (Jackson and Mary E. Bayless, C14-75-013)

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
A 62,561.483 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1700-1720 EAST RIVERSIDE DRIVE AND 1701-1721 SOUTH LAKESHORE DRIVE, FROM "B" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Hixon Development Company, C14-74-052)

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
TRACT 1: A 99.42 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,  
TRACT 6: A 12.52 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED AT 2803-3309 WEST BEN WHITE BOULEVARD (LOOP 360) AND ALSO BOUNDED BY THE PROPOSED MOPAC BOULEVARD; 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. (Jagger Associates, Inc., C14-74-178)

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

## AMENDMENT TO ZONING ORDINANCE

The Council had before it second and third readings of an ordinance amending Section 45-14(c) of the Austin City Code of 1967 (Zoning Ordinance) to lengthen the reapplication period after denial by the Council of a zoning request from one year to 18 months. Councilman Friedman noted that it had been passed through its first reading on the basis that the neighborhood would not change in that period of time. He stated that it had been suggested that an applicant be allowed to come back in one year if 20% of the property owners within 200 feet of an application were willing to come back and say they were in favor of the change in zoning. Councilman Friedman submitted that this would give the applicant a chance to work very closely with the neighborhood.

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

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 second time, and Councilman Friedman moved that the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

The Mayor announced that the ordinance had been finally passed.

## ORDINANCE CONCERNING SALE OF ALCOHOLIC BEVERAGES

The Council had before it the third reading of an ordinance to allow later hours for the sale of alcoholic beverages.

The following appeared in opposition to the ordinance:

MR. D. J. JOHNSTON stated that he had a petition with 310 signatures in opposition to the ordinance and pointed out that their concern was not with a moral issue. They based their opposition on traffic accidents, the increase in crime, and energy consumption.

MRS. BARBARA O'CHESTER submitted that alcoholism was the number one drug problem in the City, and she did not feel the argument for this that it would increase convention traffic was a vital one.

MRS. DANIEL M. McRAY suggested that this was not in the best interests of the people except for the bar owners, and she stated that she had obtained signatures in opposition to this.

MR. W. A. DARTER felt that the Council should be voting on how to cut down the drinking hour instead of extending it.

MR. WILLIAM HECK addressed himself to the noise factor and felt that the extension would be another raid of the residential ownership.

MS. ANN McAFEE suggested that there would be an increase in accidents and presented the Council with some statistics from Houston concerning DWI's since the passage of their ordinance for the extension.

In connection with Ms. McAfee's comments, Councilman Friedman suggested that the increase in DWI's was not so much connected with the extension but the fact that there were now better techniques for the police to detect alcohol, such as the breathalyzer.

MR. TOM HARRISON addressed himself to the fact that this was the number one drug problem in Austin.

MR. PAT MARCUM spoke to the issue of notification and submitted that the public had not been made sufficiently aware that the Council was considering this ordinance.

MR. ROYAL MASSET asked that the Council postpone their decision on this for a month to get the people together to work out a rational plan.

The following appeared in support of the ordinance:

MR. JOHN BARBER, bar owner, supported the extension.

MR. J. B. KLEIN hoped that the Council would pass the ordinance.

MS. JANET KRIEGER wanted to know how many traffic accidents were caused by people drinking at private parties and not bars.

#### Motion

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

AN ORDINANCE AMENDING CHAPTER 14 OF THE AUSTIN CITY CODE OF 1967, BY ADDING THERETO A NEW SECTION PROVIDING FOR THE HOURS DURING WHICH THE SALE, CONSUMPTION, OR POSSESSION OF BEER OR MIXED BEVERAGES IS PERMITTED. (2 a.m. 7 nights)

The ordinance was read the third time, and Councilman Binder moved the ordinance be finally passed. The motion was seconded by Councilman Snell.

#### Substitute Motion

Councilperson Dr. Linn moved that the ordinance be passed through its third reading to extend the drinking hour to 1:00 a.m. Sunday through Thursday and 2:00 a.m. Friday and Saturday. The substitute motion died for lack of a second.

Roll Call on Motion

Roll call on Councilman Binder's motion, Councilman Snell's second, showed the following vote:

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

The Mayor announced that the ordinance had been finally passed.

\*Mayor Pro Tem Dryden prefaced his negative vote by stating that this was not best for all Austin's citizens.

\*Councilman Snell prefaced his vote by noting that he had received a telephone call this morning; and because of the way the caller approached him, he voted "yes."

## ADJOURNMENT

The Council adjourned at 9:05 p.m.

APPROVED

  
Mayor

ATTEST:

  
City Clerk