

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 26, 1979
9:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Snell

Absent: Councilmembers Mullen, Trevino

MINUTES APPROVED

Councilmember Himmelblau moved that the Council approve the Minutes for July 19, 1979. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Snell

Noes: None

Absent: Councilmembers Mullen, Trevino

BOARDS AND COMMISSIONS

Mayor McClellan announced the following appointments will be made to Boards and Commissions on August 9, 1979:

On-Going of Goals Assembly Committee - 1
Community Development Commission - 2
Joint Airport Zoning Board - 1
Electric Utility Commission - 3
Hospital Board - 3
Plumbing Advisory Board - 1

Employees' Retirement System of Austin - 1
Arts Commission - 1
Parks and Recreation Board - 1
Renewable Energy Resources Commission - 1
Citizens' Board of Natural Resources and Environmental Quality - 1
Board of Adjustment - 1
Energy Conservation Commission - 1

WASTEWATER APPROACH MAIN

Councilmember Himmelblau moved that the Council adopt a resolution to authorize the following Wastewater Approach Main:

ANNCO, INC. - For construction of a Wastewater Approach Main to serve The Village at Angus Valley Subdivision. (No cost participation by the City.)

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

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan
Noes: None
Absent: Councilmembers Mullen, Trevino

PAYMENT AUTHORIZED

Councilmember Himmelblau moved that the Council adopt a resolution to authorize payment to the following:

DICK MATZ - The cost difference of 12"/8" Water Main installed in Oak Knoll Commercial Addition - \$9,472.16

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

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan
Noes: None
Absent: Councilmembers Mullen, Trevino

CHANGE ORDER

Councilmember Himmelblau moved that the Council adopt a resolution to approve a Change Order in the amount of \$50,401.89 to Austin Roads Company, for Robert Mueller Municipal Airport Terminal Access Road Re-Alignment and Parking Lot. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan
Noes: None
Absent: Councilmembers Mullen, Trevino

CONTRACTS APPROVED

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

TEXAS CRUSHED STONE COMPANY	- Flexible Road Base and Crushed Road
North I. H. 35	Stone, Public Works Department.
Georgetown, Texas	Twelve Months Supply Agreement
	Items 1 thru 7 - \$226,065

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

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Snell, Mayor McClellan

Noes: None

Absent: Councilmembers Mullen, Trevino

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

WHITE'S MINES	- Aggregates, Grades 3 and 5, Public
116 East Travis	Works Department.
San Antonio, Texas	Twelve Months Supply Agreement
	Item 1 - 3,000 tons @ \$10.08/ton
	Item 2 - 8,000 tons @ \$10.33/ton
	Estimated total \$112,880

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

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Snell, Mayor McClellan

Noes: None

Absent: Councilmembers Mullen, Trevino

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

RALPH B. JOHNSON & COMPANY, INC.	- Freeze Protection Cable and Related
1017 Rosine	Items, Electric Utility Department.
Houston, Texas	Items 1 thru 4 - \$11,010.00

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

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Snell, Mayor McClellan

Noes: None

Absent: Councilmembers Mullen, Trevino

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

ACETO CHEMICAL COMPANY
126-02 Northern Boulevard
Flushing, New York

- Hydrazine, Electric Utility
Department.
Twelve Months Supply Agreement
Item 1 - 18,000 lbs. @ \$.82/lb.
Total \$14,760.00

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

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Snell, Mayor McClellan

Noes: None

Absent: Councilmembers Mullen, Trevino

Councilmember Himmelblau moved that the Council adopt a resolution to approve the following contract:

ABEL STATIONERS
416 Congress Avenue
Austin, Texas

- CAPITAL IMPROVEMENT PROGRAM -
Office Furniture for Montopolis
Public Health Center, Austin-Travis
County Health Department.
Item 1-24 - \$12,222.36
C.I.P. No. 76/91-04

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

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Snell, Mayor McClellan

Noes: None

Absent: Councilmembers Mullen, Trevino

ADOLESCENT PREGNANCY PROGRAM

Councilmember Himmelblau moved that the Council adopt a resolution for the Austin-Travis County Health Department to submit a grant application for an Adolescent Pregnancy Program to the Department of Health, Education and Welfare in the amount of \$354,095. (HEW \$234,635 and City in-kind contribution \$119,460) The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Snell, Mayor McClellan

Noes: None

Absent: Councilmembers Mullen, Trevino

FIRE TRUCK SOLD

Councilmember Himmelblau moved that the Council adopt a resolution to sell surplus property (fire truck, 1961 model) to Briggs Volunteer Fire Department, in the amount of \$10,000.00. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan
Noes: None
Absent: Councilmembers Mullen, Trevino

CAPITAL IMPROVEMENTS PROGRAM

Councilmember Himmelblau moved that the Council adopt a resolution to select the professional engineering planning services of Alan M. Voorhees & Associates in connection with the Southwest Quadrant Traffic Study for Public Works and Urban Transportation Departments. CAPITAL IMPROVEMENTS PROGRAM 79/65-02. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan
Noes: None
Absent: Councilmembers Mullen, Trevino

Mayor McClellan commented, for the record, the neighborhood is in agreement with this.

EXEMPLARY IN-SCHOOL YOUTH PROGRAM DEMONSTRATION PROJECT

Councilmember Himmelblau moved that the Council adopt a resolution to submit proposals under Exemplary In-School Youth Program Demonstration Project for the following:

1. University of Texas, Job Readiness Clinic, in the amount of \$423,934 to provide services to 150 handicapped youth for the period February 1, 1980 to September 30, 1981.
2. Education Service Center, Region XIII/Austin Community College in the amount of \$483,782 to provide services to 100 handicapped youth, for the period February 1, 1980 to November 1, 1981.

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

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan
Noes: None
Absent: Councilmembers Mullen, Trevino

Councilmember Himmelblau thanked Mr. Herrera for his efforts in the City being able to receive a 5% cost allocation.

BOOKMOBILE SERVICES AGENDA ITEM
POSTPONED TO AUGUST 9

Councilmember Himmelblau moved that the Council bring back August 2, 1979 consideration of discontinuing the Library's Bookmobile Services. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Snell, Mayor McClellan
Noes: None
Absent: Councilmembers Mullen, Trevino

(Later in the day)

Motion to Reconsider

Mayor Pro Tem Cooke moved that the Council reconsider the motion to bring back the bookmobile consideration August 2, 1979. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Snell, Mayor McClellan
Noes: None
Absent: Councilmembers Mullen, Trevino

Motion

Mayor Pro Tem Cooke moved that the Council bring back August 9, 1979 consideration of discontinuing the Library's Bookmobile Services. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Mayor
McClellan, Mayor Pro Tem Cooke
Noes: None
Absent: Councilmembers Mullen, Trevino

PORTION OF ETJ RELEASED TO PFLUGERVILLE

Councilmember Himmelblau moved that the Council adopt a resolution to release a portion of Austin's ETJ (extraterritorial jurisdiction) to the City of Pflugerville. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Snell, Mayor McClellan
Noes: None
Absent: Councilmembers Mullen, Trevino

AUSTIN TRANSIT POLICY MANUAL

Councilmember Himmelblau moved that the Council adopt a resolution to adopt the revised Austin Transit Policy Manual, with exception of fare section. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan
Noes: None
Absent: Councilmembers Mullen, Trevino

PUBLIC HEARINGS SET

Councilmember Himmelblau moved that the Council set a public hearing on August 9, 1979, to consider amendment to the Master Plan to allow a Planned Development Area at Orchid Lane and Howard Lane, for 10:30 A.M. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan
Noes: None
Absent: Councilmembers Mullen, Trevino

Councilmember Himmelblau moved that the Council set a public hearing on August 9, 1979 at 11:00 A.M. on the Overall Economic Development Plan. (Recommended by Economic Development Task Force) The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan
Noes: None
Absent: Councilmembers Mullen, Trevino

TRANSPORTATION ENTERPRISES, INC.
RATE STRUCTURE FOR CHARTER SERVICE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ESTABLISHING THE FEES AND RATES CHANRGED FOR USE OF THE SERVICES PROVIDED BY TRANSPORTATION ENTERPRISES, INC., A FRANCHISE GRANTED BY THE CITY COUNCIL OF THE CITY OF AUSTIN THROUGH ORDINANCE NO. 790412-N; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Pro Tem Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan,
Mayor Pro Tem Cooke
Noes: None
Absent: Councilmembers Mullen, Trevino

The Mayor announced that the ordinance had been finally passed.

AUSTIN TRANSIT SYSTEM RATE

Mayor McClellan introduced the following ordinance:

Mayor Pro Tem Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan,
Mayor Pro Tem Cooke
Noes: None
Absent: Councilmembers Mullen, Trevino

The Mayor announced that the ordinance had been finally passed.

SPRINGDALE ROAD

Mayor McClellan introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF SPRINGDALE ROAD IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DEFINED, PERFORMED BY THE TEXAS HIGHWAY DEPARTMENT - AUSTIN ROAD COMPANY; AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES TO THE CITY IN CONNECTION THEREWITH; DECLARING AN EMERGENCY; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE. (CIP No. 73/62-39)

Mayor Pro Tem Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan,
Mayor Pro Tem Cooke
Noes: None
Absent: Councilmembers Mullen, Trevino

The Mayor announced that the ordinance had been finally passed.

TITLE XX FAMILY PLANNING SERVICES

Mayor McClellan introduced the following ordinance:

Mayor Pro Tem Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, accepting and appropriating \$121,300 from the Texas Department of Human Resources for reimbursement of Title XX Family Planning Services to certain patients under Title XX from September 1, 1979 through August 31, 1980 (Health Department). The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan,
Mayor Pro Tem Cooke

Noes: None

Absent: Councilmembers Mullen, Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

Mayor Pro Tem Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, accepting and appropriating \$60,000 from the Texas Department of Human Resources for Title XX Family Planning Services to certain patients from September 1, 1979 through August 31, 1980 (Brackenridge Hospital). The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan,
Mayor Pro Tem Cooke

Noes: None

Absent: Councilmembers Mullen, Trevino

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE

Mayor McClellan 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: ALL OF LOT 2 AND A 146,137 SQUARE FOOT TRACT OF LAND OUT OF AND A PART OF LOT 3, HOOD AND PENDERGRAS SUBDIVISION, FROM INTERIM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND, TRACT 2: LOT 3, SAVE AND EXCEPT A 146,137 SQUARE FOOT TRACT OF LAND, AND ALL OF LOT 1, HOOD AND PENDERGRAS SUBDIVISION, FROM INTERIM "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 11700-11726 ANGUS ROAD, 5217-5325 WEST DUVAL ROAD, AND 5220-5304 THUNDER CREEK ROAD; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (P & H Enterprises, Inc., C14-77-151)

Mayor Pro Tem Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan,
Mayor Pro Tem Cooke

Noes: None

Absent: Councilmembers Mullen, Trevino

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE POSTPONED

Mayor Pro Tem Cooke moved that the Council postpone until August 2, 1979, the THIRD READING of an ordinance amending the 1967 Austin City Code (Zoning Ordinance) to cover the following change:

KNIGHTS OF COLUMBUS 2305-2333 Columbus
HOME ASSOCIATION
By Jeryl D. Hart
C14-79-042

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

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

Ayes: Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan,
Mayor Pro Tem Cooke

Noes: None

Absent: Councilmembers Mullen, Trevino

ZONING ORDINANCES - SECOND READING

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

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

LOT 1, REINDALE ACRES, LOCALLY KNOWN AS 9310 NORTH INTERREGIONAL HIGHWAY 35, FROM "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE. (Ramada Inn, Inc., C14-79-097)

The ordinance was read the second time, and Mayor Pro Tem Cooke moved that the ordinance be passed to its third reading. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan

Noes: None

Abstain: Mayor Pro Tem Cooke

Absent: Councilmembers Mullen, Trevino

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

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

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

A 0.68 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1602 EAST 1ST STREET (WOLF HOUSE), FROM "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT TO "C-H" COMMERCIAL-HISTORIC, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE. (Wolf House, C14h-77-044)

The ordinance was read the second time, and Mayor Pro Tem Cooke moved that the ordinance be passed to its third reading. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan

Noes: None

Abstain: Mayor Pro Tem Cooke

Absent: Councilmembers Mullen, Trevino

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

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

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:

AN APPROXIMATE 6,820 SQUARE FOOT TRACT OF LAND, BEING A PORTION OF OUTLOT 7, DIVISION B, ORIGINAL CITY OF AUSTIN (EVANS HALL), LOCATED ON CHICON STREET (HUSTON-TILLOTSON CAMPUS), FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "B-H" RESIDENCE-HISTORIC, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE. (Evans Hall, C14h-79-012)

The ordinance was read the second time, and Mayor Pro Tem Cooke moved that the ordinance be passed to its third reading. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan

Noes: None

Abstain: Mayor Pro Tem Cooke

Absent: Councilmembers Mullen, Trevino

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

ZONING ORDINANCE

Mayor McClellan 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: LOTS 1 AND 2, W. E. DAVIS SUBDIVISION AND LOT 5-A, J. D. JENNINGS SUBDIVISION, SAVE AND EXCEPT A FIVE FOOT STRIP OF LAND PARALLEL AND ADJACENT TO THE SOUTH 2ND STREET RIGHT-OF-WAY LINE, FROM "MH" MOBILE HOME, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2: A FIVE FOOT STRIP OF LAND PARALLEL AND ADJACENT TO THE SOUTH 2ND STREET RIGHT-OF-WAY LINE BEING OUT OF AND A PART OF LOTS 1 AND 2, W. E. DAVIS SUBDIVISION AND LOT 5-A, J. D. JENNINGS SUBDIVISION, DESCRIBED IN TRACT 1 ABOVE, FROM "MH" MOBILE HOME, FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 3702 SOUTH 2ND STREET, 805 SOUTH CENTER STREET AND 3704 SOUTH 2ND STREET; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (James D. and Eunice H. Jennings, C14-79-090)

Mayor Pro Tem Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan,
Mayor Pro Tem Cooke

Noes: None

Absent: Councilmembers Mullen, Trevino

The Mayor announced that the ordinance had been finally passed.

ATHLETIC FIELDS

Mr. Leonard Ehrler, Director of Parks and Recreation, appeared before Council and presented the following City Manager's Report on Greater East Austin Youth Association Athletic Fields:

The City Council at its meeting held November 16, 1978, granted the use of a site south of the intersection of Prock Lane and Sara Drive (not parkland) to the Greater East Austin Youth Association for the development of athletic fields. The Parks and Recreation Department has worked with the Greater East Austin Youth Association in preparing a site plan for this area. Because the Association is a non-profit organization, and this is City land, it is our understanding that no special permits are required.

The Association proposed to develop three (3) kickball fields, one (1) football field, a concession stand and a parking lot to accommodate forty-four (44) vehicles on City land in the eastern end of the property bordered on the north by Prock Lane; on the south by the MKT Railroad; and on the west by the Tannehill Branch of Boggy Creek.

A large portion of the actual site is located under high intensity power lines. The Electric Department has given their approval to locate kickball fields there, and in fact would like to see more of this kind of use of utility easements.

Councilmember Himmelblau asked if any City funds will be required and Mr. Ehrler replied none will be required. Mr. Davidson, City Manager, informed Council he thought this will be a good solution.

Motion

Councilmember Goodman moved that the Council authorize a contract with the Greater East Austin Youth Association Athletic Fields. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Himmelblau, Snell, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman

Noes: None

Absent: Councilmembers Mullen, Trevino

1979 SIDEWALK CONSTRUCTION PROGRAM

Mr. Joe Ternus, Director of Urban Transportation, presented the following report on the 1979 Sidewalk Construction Program:

In 1970, the City Council authorized construction of sidewalks along school routes funded by the Capital Improvements Program. In 1975, the program was expanded to include funding and construction of sidewalk along major arterial and collector streets where pedestrian needs were identified.

For fiscal year 1978-79, there is \$450,000 available for sidewalk construction; \$300,000 for the Safe School Sidewalk Program and \$150,000 for the Safe Street Sidewalk Program.

Exhibit "A" identifies locations having moderate to heavy school-oriented pedestrian traffic. The City School Sidewalk Committee, consisting of members of the City Council Parent Teacher's Association, Austin Independent School District, City Police and Urban Transportation Department has unanimously endorsed construction of the sidewalks in the priority listing. It is anticipated that the first 20 locations can be constructed with the funds available.

Exhibit "B" identifies locations having moderate to heavy special pedestrian needs that will improve access to domestic shopping, educational and social activities for mobility impaired pedestrians. It is anticipated that locations one through eight can be constructed with available funds.

At their meeting of July 18, 1979, the Urban Transportation Commission unanimously (5-0) endorsed the proposed sidewalk construction program and recommends to the City Council the priorities as listed.

(Exhibit "A" and Exhibit "B" are on the following pages.)

SAFE SCHOOL SIDEWALK PROGRAM FY 78-79

July 26, 1979

STREET	SIDE	FROM	TO	LENGTH	AREA OF CITY	\$10 - 1' ESTIMATED COST		SCHOOL
1. St. Johns Blvd	South	Martin	North Crest	1,600'	Northeast	16,000		Webb
2. Greystone Blvd.	South	Chimney Corners	Stone Cliff	1,400'	Northwest	14,000		Doss
3. Far West Blvd.	North	Chimney Corners	Wood Hollow	2,400'	Northwest	24,000		Doss
4. Manor Road	South	Westminister	Rogge Lane	1,650'	North east	16,500		Pecan Springs/Sacred Heart
5. Shoal Creek	East	Twin Oaks	Cavileer	1,400'	Northwest	14,000		Gullett
6. Justin Lane	South	Hardy	Arroyo Seca	1,800'	North	18,000		Brentwood
7. Congress	West	Sandra	Eberhardt	3,000'	South	30,000		Pleasant Hill
8. Hackberry	South	Navasota	Angelina	800'	East	8,000		Blackshear
9. Dellafield	N. West	Guadalupe	Northway	1,400'	North	14,000		T. A. Brown
10. Emerald Forest	Both	Completion: fill gaps - 3 lots		326'	South	3,260		Odom
11. Turtle Creek	South	S.E. corner lot		400'	South	4,000		Odom
12. Ohlen Road	South	Burnet Road	R.R. Tracks	1,625'	North	16,250		Wooten
13. E. 16th Street	North	Chicon	Salina	400'	East	4,000		Campbell
14. Benson	North	Airport	Guadalupe	1,400'	North	14,000		Reilly
15. North Loop	North	Joe Sayers	Sunshine Dr.	3,200'	North	32,000		McCallum
16. Leona	East	13th Street	16th Street	600'	East	6,000		Campbell
17. E. 12th Street	South	Givens Park	Springdale Rd.	900'	East	9,000		Sims
18. San Bernard	East	Bob Harrison	Hackberry	1,200'	East	12,000		Blackshear
19. Austin Woods	N. West	Tallwood	Mesa	1,200'	Northwest	12,000		Hill
20. Reicher	East	Manor	Rogge Lane	3,325'	Northeast	33,250		Pecan Springs/Sacred Heart
21. Rutland	North	Parkfield	North Lamar	2,500'	North	25,000		Wooldridge
22. W. 38 1/2	South	Harris Park	Helms Ave.	1,600'	North	16,000		Lee
23. Woodrow	West	Ruth	Justin Lane	800'	North	8,000		Brentwood
24. Woodrow	East	Karen	Ruth	800'	North	8,000		Brentwood
25. Woodrow	West	Arroyo Seca	Madison	200'	North	2,000		Brentwood
26. Willow	East	Comal	Canadian	800'	East	8,000		Metz
27. Chimney Corners	West	Edgerock	Greystone	350'	Northwest	3,500		Doss
28. Ponciana Dr.	S. East	Deadwood	Lemon Dr.	1,200'	Southeast	12,000		Houston
29. Salina	East	East 11th	Rosewood Dr.	800'	East	8,000		Campbell
30. Anthony	West	Willow	Canterbury	290'	East	2,900		Metz
31. Willow	North	Waller	Comal	1,600'	East	16,000		Sanchez
32. Arroyo Seca	West	Romeria	Brentwood	1,600'	North	16,000		Brentwood
33. Goodwin	North	EX.sidewalk	Tillery	400'	East	4,000		Oak Springs
34. Neal	South	Linder	Gunter	1,200'	East	12,000		Govalle/Allar
35. Rundberg Lane	Both	Northgate	Lamar	13,000'	North	130,000		Wooldridge

SAFE SCHOOL SIDEWALK PROGRAM FY 78-79

STREET	SIDE	FROM	TO	LENGTH	AREA OF CITY	\$10 - 1' ESTIMATED COST		SCHOOL
36. Greentbrook Pkwy	East	Berkman	Westminster	2,400'	Northeast	24,000		Blanton
37. Burrell Dr.	West	Anderson	Ohlen	3,600'	North	36,000		Wooten
38. Burrell Dr.	East	Dale	Wooten Dr.	800	North	8,000		Wooten
39. Lansing	S. West	Manchaca Rd.	Gladeview	1,200'	South	12,000		Sunset Valley/Crockett
40. Harris	West	Hardouin	Westover Rd.	1,650'	West	16,500		Brykerwoods
41. Greenlawn Pkwy.	North	Greenhaven	Dougherty	800'	North	8,000		Gullett
42. Greenlawn Pkwy.	South	Burnet	Grt. Northern	3,700'	North	37,000		Gullett
43. Rundell Place	East	Rabb Road	Ann Arbor	400'	South	4,000		Zilker
44. Glenridge	East	Rockledge	N. Hills Dr.	1,200'	Northwest	12,000		Doss/Murchison
45. Rundberg Lane	North	Teasdale	Middle Fiskville Cemetery Rd.	400'	Northwest	4,000		Dobie Jr. High
46. Stout	North	Midblock	Rockwood	800'	North	8,000		Pillow
47. E. Live Oak	North	Clifton	Eastside	400'	South	4,000		Travis Hgts.
48. Parkcrest Dr.	North	Balcones	Highland Crest	850'	Northwest	8,500		Highland Park
49. Ann Arbor	East	Rabb Glen	Dell Place	250'	South	2,000		Zilker
50. Highland Hills Dr.	West	40 yds N. of Highland Hills Cir.	S. of Highland Hills Cir.	200'	Northwest	2,000		Highland Park
51. Highland Hills Cir.	South	RM. 2222	Highland Hills Dr.	100'	Northwest	1,000		Highland Park
52. Pinnacle Dr.	East	Moon River Dr.	Walsh Talton	2,300'	Southwest	24,000		Cedar Creek
53. RM. 2222	East	Parkcrest, Highland Crest, Northland Int.	Highland Hills Cir.	400'	Northwest	4,000		Highland Park
54. Pampa	Both	Guadalupe	Isabelle	800'	North	8,000		Reilly
55. Holly Street	South	Comal	Canadian Terr.	3,270'	East	32,700		Metz
56. Valley Oak Drive	West	Perry Lane	Highland Terr.	700'	Northwest	7,000		Highland Park
57. St John's Blvd.	North	Duval	E. Service Dr.	400'	North	4,000		Webb
58. Rogge Lane	West	Ridgemont	Westminster	700'	Northeast	7,000		Blanton
59. Webberville	West	Govalle	Goodwin	1,200'	East	12,000		Oak Springs
60. Parkfield	East	Rundberg	Rutland	630'	North	6,300		Woodbridge
61. Robble	West	Cima Serena	Midblock	800'	Northwest	8,000		Anderson/Hill
62. Hathaway Dr.	East	Colfax	Polaris	800'	North	8,000		Burnet Jr. High
63. Brentwood	South	Woodrow	Laird	800'	North	8,000		Brentwood
64. Rockwood	East	Stillwood	(To x-walk at Stout)	200'	North	2,000		Pillow
		Midblock	Rockwood					
65. Manor Rd.	South	Springdale	Reiche	800'	Northeast	8,000		Pecan Springs/Saddled Heart

July 26, 1978

SAFE SCHOOL SIDEWALK PROGRAM FY 78-79

July 26, 1979

STREET	SIDE	FROM	TO	LENGTH	AREA OF CITY	\$10 - 1' ESTIMATED COST		SCHOOL
66. Yates	East	Karen	Brentwood	200'	North	2,000		Brentwood
67. Payne	North	Midblock	Grover	400'	North	4,000		Brentwood
68. Garden	North	Miller	Comal	400'	East	4,000		Sanchez
69. S. 2nd St.	South	Philco	S. 1st	400'	South	4,000		St. Elmo
70. Great Northern	East	Stoneway	Foster Lane	2,800'	Northwest	28,000		Gullett
71. Knollwood	North	Mesa	Thornclyff	2,400'	Northwest	24,000		Murchison
72. Thornclyff	West	Knollwood	North Hills Dr.	400'	Northwest	4,000		Murchison
73. Chesterfield	East	Denson	Guadalupe	2,000'	North	20,000		Reilly
74. Walsh Tarlton	West	Stoneridge Rd.	Pinnacle Dr.	2,400'	Southwest	24,000		Cedar Creek
75. Briarcliff	East	Wheelless	Briar C. Blvd.	800'	Northeast	8,000		Harris
76. Rabb Road	East	Rabb Glen	Melbridge Pl.	4,000'	South	40,000		Zilker
77. Bluebonnet Ln.	West	South Lamar-- ??	Rabb Glen	800'	South	8,000		Zilker
78. Cima Serena	N. East	Robbie	Tallwood	425'	Northwest	4,250		Hill
79. Hycreek	South	Manor Rd.	Reich	1,200'	Northeast	12,000		Sacred Heart
80. Northcrest	North	Crestland	Prairie Dell	800'	North	8,000		T.A. Brown
81. South 3rd St.	East	Philco	St. Elmo	1,200'	South	12,000		St. Elmo
82. Mesa	West	North Hills	Far West	400'	Northwest	4,000		Doss/Murchison
83. Great Hills Trail	West	Mesa	Adirondak	1,600'	Northwest	16,000		Anderson
84. Garden Street	South	Comal	Canadian	2,650'	East	26,500		Metz
85. Ridgmont Dr.	West	Berkman	Rogge Lane	1,200'	Northeast	12,000		Blanton
86. Crosscreek	South	Nilway	Shoal Creek	400'	North	4,000		Pillow
87. Bluebonnet Lane	Both Sides	S. Lamar	Collier	1,600'	South	16,000		Zilker
88. Comal	North	Bergman	Riverview	1,200'	East	12,000		Martin Jr. High
89. Canadian	South	Bergman	Holly Street	950'	East	9,500		Martin Jr. High
90. Haskell	North	Chalmers	Canadian	950'	East	9,500		Martin Jr. High
91. Haskell	North	Waller	Comal	1,200'	East	12,000		Sanchez
92. Goodnight	East	Alegria	Karen	800'	North	8,000		Brentwood
93. Alegria	North	Laird Dr.	Arroyo Seca	800'	North	8,000		Brentwood
94. Pequeno	North	Laird Dr.	Arroyo Seca	1,200'	North	12,000		Brentwood
95. Payne	North	Laird Dr.	Arroyo Seca	1,200'	North	12,000		Brentwood
96. Karen	North	Laird Dr.	Yates	1,000'	North	10,000		Brentwood
97. Ruth	North	Woodrow	Grover	800'	North	8,000		Brentwood
98. Ruth	South	Woodrow	Grover	800'	North	8,000		Brentwood
99. Choquette	South	Arroyo Seca	Grover	2,000'	North	20,000		Brentwood
100. Dwyce	South	Arroyo Seca	Grover	1,600'	North	16,000		Brentwood
101. Cullen	North	Hardy	Yates Ave.	800'	North	8,000		Brentwood

SAFE SCHOOL SIDEWALK PROGRAM FY 78-79

July 26, 1979

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>AREA OF CITY</u>	<u>\$10 - 1' ESTIMATED COST</u>	<u>SCHOOL</u>
2. Cullen	South	Yates	Arroyo Seca	800'	North	8,000	Brentwood
3. Cullen	South	Woodrow	Grover	1,600'	North	16,000	Brentwood
4. Colony Creek	South	Northgate	Briardale/Hunters Trace(empty lot 1505 - 1611)	1,360'	North	13,600	Woodbridge
5. Mildred	South	Willow	East 1st St.	400'	East	4,000	Martin Jr. High
6. Ashley	South	Garner Ave.	Kinney Ave.	400'	South	4,000	Zilker
7. Rockwood	West	Rockdale	Beg. Royal Orleans Apts.	400'	North	4,000	Pillow
8. Canterbury	North	Comal	Canadian	800'	East	8,000	Metz
9. Stanwood (3101)	South	Daleview	Rockwood	800'	North	8,000	Pillow
10. Collinfield	East	Quail Park	Rundberg	600'	North	6,000	Woodridge
1. Madison	South	Hardy	Grover Ave.	2,800'	North	28,000	Brentwood
2. Piedmont	South	Hardy	Grover Ave.	2,800'	North	28,000	Brentwood
3. Quail Park	South	Parkfield	Collinfield	3,000'	North	30,000	Woodbridge
4. Pasadena	South	Hardy Dr.	Yates Ave.	1,600'	North	16,000	Brentwood
5. Riverview	North	Chicon	Canadian	800'	East	8,000	Martin Jr. High
6. Romeria	North	Laird Dr.	Arroyo Seca	1,500'	North	15,000	Brentwood
7. Glissman Rd.	East	Springdale	Mansell	800'	East	8,000	Allan Jr. High
				153,801'		\$1,538,010	

1978-1979

June 26, 1979

SAFE STREET SIDEWALK PROGRAM

\$10-1'

<u>PRIORITY</u>	<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>EST. COST OF SIDEWALK</u>
1.	East 21st Street (curb ramps)	South	Alleys between Guadalupe	Wichita	-0-	\$ 800
2.	Bull Creek Road	East	38 1/2 Street	45th St.	5,642'	56,420
3.	West 35th Street	North	Jackson Avenue	Jefferson St.	1,000'	10,000
4.	Lamar Boulevard	West	45th Street	North Loop Blvd.	3,640'	36,400
5.	45th Street	North	Lamar Boulevard	Guadalupe St.	1,784'	17,840
6.	Berkman	East	51st Street	Rogge Lane	1,565'	15,650
7.	Newming	West	Academy	Monroe	1,000'	10,000
8.	Burnet Road	Both Sides	Fill in gaps between 45th	Allandale Rd.	1,000'	10,000
9.	Sunshine Drive	East	Criss Cole Center	Burnet Rd.	1,820'	18,200
10.	Lamar Boulevard	West	38th Street	45th St.	3,458'	34,580
11.	Jefferson Street	East	West 35th Street	38 1/2 St.	400'	4,000
12.	Burnet Road	East	Fill in gaps between Koenig Lane	53rd St.	300'	4,000
13.	Airport Boulevard	North	51st Street	Koenig Lane	2,450'	24,500
14.	Cameron Road	East	51st Street	U.S. 290	6,000'	60,000
TOTALS					30,059'	\$300,000

July 26, 1979

EXHIBIT B

Mayor Pro Tem Cooke asked about the sidewalks in the core area of Austin. Mr. Ternus said there is no core plan and Mr. Davidson pointed out that the sidewalks there have not been ignored. He said he thought before any sidewalk plan for the core area is devised the final development of the downtown revitalization plan should be accomplished, because any sidewalk work should be done in the areas not subject to removal. He said he will be happy to look into the core area and see what is needed. Mr. Ternus pointed out sidewalk ramping for the handicapped will be done downtown and in the University area. Councilmember Himmelblau asked if, when walks are built for a state facility, if we can obtain matching state funds. Mr. Ternus answered negatively. He said one needs to go through the Legislature and the people suffer while waiting for appropriation from that source. Mr. Davidson said the sidewalks Councilmember Himmelblau questioned, have been requested by the parents of the children who will use them, and not by the State facility. The City Manager said Mr. Ternus would prepare a report tabulating sidewalk work which has been completed.

Motion

Councilmember Goodman moved that the Council approve the report with a friendly amendment by Mayor Pro Tem Cooke that they look into the core area. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmember Snell, Mayor McClellan, Mayor Pro Tem Cooke,
Councilmembers Goodman, Himmelblau

Noes: None

Absent: Councilmembers Mullen, Trevino

RAILROAD CROSSING PROTECTION STUDY

Mr. Joe Ternus, Director of Urban Transportation, presented the following City Manager's report on the Railroad Crossing Protection Study:

On January 18, 1979, the City Council directed the staff to review the City's railroad crossing protection program and to indicate possible actions to upgrade these crossings.

The report updates the Railroad Crossing Protection Study conducted in 1969. Since the original study, the City has almost doubled in size from 63.3 square miles to 123.5 square miles. During this ten year period, the City has eliminated three (3) at-grade crossings by grade separation and annexed eleven (11) additional crossings. The City has upgraded thirty-six (36) at-grade crossings by installing flashers, cantilever flashing signals or automatic gates with flashers. Today, there are thirty-three (33) at-grade crossings remaining with no mechanical protective devices.

In addition to installing mechanical protective devices, a number of crossings can be improved by cleaning brush or weeds which block visibility and other minor site improvements. In order to implement the recommended program, it is estimated that these measures would cost approximately 3.8 million dollars.

The Urban Transportation Commission unanimously (5-0) endorsed the study and recommends it to the City Council for consideration.

Mr. Ternus recommended to Council that the report be updated every three years. Councilmember Goodman thought the update should be done every two years. Mr. Davidson stated: "There's one point I wanted to make to the Council. I doubt, after you evaluate the recommended Capital Improvements Program, that you will feel we are devoting enough resources to directing the problems identified in this report. So with your permission, we'd like to bring these recommendations back up as a part of the C.I.P. with no action today. You may want to designate or set a plan to designate a certain amount of funding each year for the next ten years so that at the end of that period of time we can see some light at the end of the tunnel and we will have accomplished a great deal. That's what I recommend you do with this report and on your recommendation we will bring it back up at that time." Council agreed.

AUSTIN POLICE DEPARTMENT TRAFFIC SAFETY PROGRAM

Chief of Police Frank Dyson presented the following City Manager Report on the Austin Police Department Traffic Safety Program:

Attached are memos from Major Kendall Thomas, Commander of the Austin Police Department (APD) Uniform Division, which outline an intensive traffic safety and enforcement program designed to address the very serious problems presently being experienced in Austin.

While the memo and attachments outline the program in more detail, in general the proposal stresses public education through expanded use of the media and strengthened enforcement activities.

The one aspect of the program which will create some discussion involves the use of unmarked police units for radar enforcement in high collision and high violation areas. While I realize this item will cause some debate regarding "entrapment," the unmarked units will be used only in areas where we are having very serious problems and I believe they are an important part of the program if we are to make a strong effort to reduce traffic collisions in Austin.

"Austin is in the midst of its worst crisis in the area of traffic safety in its history. The citizens of Austin are suffering more loss of lives, injuries, and property damage than ever before as a result of collisions.

"In this report, the following questions will be addressed:

1. What is the problem?
2. What are the projections if current policy is continued?
3. What is our best course of action to address the problem?

July 26, 1979

I.

FATALITIES - FIRST 6 MONTHS OF 1977, 1978, 1979

1977 - 11	
1978 - 21	90.90% increase over 1977
1979 - 35	66.66% increase over 1978

218.18% increase in 1979 over 2 year period.

INJURIES - FIRST 6 MONTHS OF 1977, 1978, 1979

1977 - 2888	
1978 - 3129	8.34% increase over 1977
1979 - 3418	9.23% increase over 1978

18.35% increase in 1979 over 2 year period.

TOTAL COLLISIONS - FIRST 6 MONTHS OF 1977, 1978, 1979

1977 - 9241	
1978 - 9867	6.77% increase over 1977
1979 - 10560	7.02% increase over 1978

15.27% increase in 1979 over 2 year period.

PROPERTY DAMAGE - FIRST 6 MONTHS OF 1977, 1978, 1979

1977 - \$6,667,302	
1978 - \$6,537,931	1.94% decrease over 1977
1979 - \$8,396,936	28.43% increase over 1978

25.94% increase in 1979 over 2 year period.

ANALYSIS OF TRAFFIC FATALITIES FOR 1979 TODATE:

Right Of Way violations contributing
54.3%

Speeding violations contributing
45.7%

Alcohol violations contributing
14.3%

NOTE: The above figures do not equal 100% due to the fact that some fatalities had multiple violations contributing.

July 26, 1979

II.

Projected totals for 1979 under current conditions:

Fatalities	70
Injuries	7,000
Property Damage	\$16,500,000
Total Collisions	21,000

III.

Recommended changes in current policies and procedures:

- A. Initiate a public awareness program in traffic safety.
- B. Step up enforcement by expanded use of warnings and citations in those areas which have shown, by statistics, to contribute to collisions.
- C. Change current tolerance policy from 9 to 5 miles per hour when radar is utilized. Leave as is on vehicle clock speeding cases.
- D. Request Municipal Judges to increase certain hazardous fines and possibility of increasing commercial vehicle fines over passenger cars.
- E. Utilization of more radar equipment and less random patrol to conserve energy and at the same time apply enforcement to those specific areas that statistics have indicated as collision prone areas where speed is involved.
- F. Restricted use of unmarked units to work radar where statistics have shown speed as a contributing factor in collisions and marked units have been utilized without success in controlling speeding violations.
- G. Saturation Patrol of areas showing by statistics as high DWI incident locations. Support shifts would be assigned to work areas like Riverside, 183 North, North I.H. 35, and South Congress assigned specifically to look for drunk drivers during those hours that DWI's are most prevalent.

Mayor Pro Tem Cooke asked what success had been accomplished when he had directed the use of unmarked cars in Dallas. He said they felt their traffic control program was better enforced with the use of unmarked cars. When Councilmember Snell questioned their legality, Chief Dyson pointed out they are not illegal. He said they are not used for apprehension but are used in radar control. Mayor McClellan reiterated unmarked cars and un-uniformed police officers will not be used for apprehension. She said we have to do more than we have in the past in order to curb the present traffic safety crisis, and pointed out she is in full support of unmarked cars. Mayor Pro Tem Cooke expressed his pleasure at the initiative coming from the Police Department in the last few months and voiced his support of unmarked cars. He asked that Council be given a report on how the program is going after it has been in progress. Chief Dyson said the report will be presented to Council in three months and pointed out the unmarked cars will be used on a selective basis where the City is experiencing the most problems.

Judge Garcia, Municipal Court, appeared before Council to state he has reviewed the Traffic Safety Program Report and does not agree with all of the recommendations but is taking them under consideration. He said he specifically wants to check into moving violation fines, but thinks non-moving should be left as they are.

There was some discussion among Council concerning the report and the following motion was made:

Mayor Pro Tem Cooke moved that the Council endorse the Austin Police Department Traffic Safety Program. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Snell
Noes: None
Absent: Councilmembers Trevino, Mullen

ZONING HEARINGS

Mayor McClellan announced Council would hear zoning cases scheduled for 10:00 A.M. Pursuant to published notice thereof, the following zoning cases were publicly heard:

H. C. McGARY	606 West Applegate	From Interim "AA" Residence
C14-79-104	Drive, also bounded	1st Height and Area
	by Motheral Drive	To "A" Residence
		1st Height and Area
		RECOMMENDED by the Planning
		Commission

Mayor Pro Tem Cooke moved that the Council grant "A" Residence, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Snell
Noes: None
Absent: Councilmembers Mullen, Trevino

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

CLIFFORD J. 9517-9425 I.H. 35
WOERNER 9506-9424 Middle
By Robert Penrose Fiskville Road
C14-79-113

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

Mayor Pro Tem Cooke moved that the Council grant "C" Commercial, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Snell
Noes: None
Absent: Councilmembers Mullen, Trevino

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

EMERALD WRAY 4705 North I.H. 35
C14-79-114

From "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
RECOMMENDED by the Planning
Commission

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

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Snell
Noes: None
Absent: Councilmembers Mullen, Trevino

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.

July 26, 1979

LARRY PEEL
C14-79-116

7630 Wood Hollow
Drive

From "O" Office
1st Height and Area
To "BB" Residence
1st Height and Area
RECOMMENDED by the Planning
Commission

Mayor Pro Tem Cooke moved that the Council grant "BB" Residence, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Snell

Noes: None

Absent: Councilmembers Mullen, Trevino

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

PHILIP JUAREZ
C14-79-119

1211 Parkway

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

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

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Snell

Noes: None

Absent: Councilmembers Mullen, Trevino

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.

FEATHERLITE
CORPORATION
By Jay Frank
Powell
C14-79-122

8130 North Lamar

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

Mayor Pro Tem Cooke moved that the Council grant "C" Commercial, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Snell
Noes: None
Absent: Councilmembers Mullen, Trevino

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

CRISWELL MANAGE- MENT COMPANY, INC. By Steve Van C14-79-137	108-302 Barton Springs Road 131-153 South 1st Street	From "L" Lake 4th Height and Area To "C-2" Commercial 4th Height and Area RECOMMENDED by the Planning Commission
--	--	---

Mayor Pro Tem Cooke moved that the Council grant "C-2" Commercial, 4th Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Snell
Noes: None
Absent: Councilmembers Mullen, Trevino

The Mayor announced that the change had been granted to "C-2" Commercial, 4th Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

S.C.S.C., LTD., THERON S. BRAD- FORD By Burrell D. Johnston C14-79-132	7934 Great Northern Boulevard	From "GR" General Retail 1st Height and Area To "C-2" Commercial 1st Height and Area RECOMMENDED by the Planning Commission
---	----------------------------------	--

Mayor Pro Tem Cooke moved that the Council grant "C-2" Commercial, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Snell
Noes: None
Absent: Councilmembers Mullen, Trevino

The Mayor announced that the change had been granted to "C-2" Commercial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

July 26, 1979

Ordinance Passed - Emergency Basis

Mayor McClellan introduced the following ordinance:

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

A 14,210 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 7934 GREAT NORTHERN BLVD., FROM "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "C-2" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (S.C.S.C., Ltd., Theron S Bradford, C14-79-132)

Mayor Pro Tem Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance on an emergency basis. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Snell

Noes: None

Absent: Councilmembers Mullen, Trevino

The Mayor announced that the ordinance had been finally passed.

MAURICE SHAFER
By John Neely
C14-78-207

Bounded by F.M. 620
and Broadmeade Avenue

From Interim "AA" Residence
1st Height and Area
To "LR" Local Retail
1st Height and Area
RECOMMENDED by the Planning
Commission "LR" Local Retail,
as amended by applicant, sub-
ject to site plan and the
conditions of the 183 study as
offered by applicant.

Councilmember Snell moved that the Council grant "LR" Local Retail, 1st Height and Area District, as amended by applicant, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan

Noes: None

Absent: Councilmembers Mullen, Trevino

The Mayor announced that the change had been granted to "LR" Local Retail, 1st Height and Area District, as amended by applicant, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

EDD OGDEN
By P.K. Staber
C14-79-118

530-A and 530-B
South Congress

From Interim "A" Residence
1st Height and Area
To "C" Commercial
1st Height and Area
RECOMMENDED by the Planning
Commission "C" Commercial, 1st
Height and Area and that the
applicant check with the neigh-
bors to see if they would
prefer a privacy fence.

Councilmember Snell moved that the Council grant "C" Commercial, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Snell, Mayor McClellan

Noes: None

Absent: Councilmembers Mullen, Trevino

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

RAYMOND E.
MITCHELL, TRUSTEE
By Chester Mallett
C14-78-219

9700-9808 R.M. 620

From Interim "AA" Residence
1st Height and Area
To "LR" Local Retail
1st Height and Area
RECOMMENDED (as amended) by
the Planning Commission "LR" Local Retail
by the applicant, the zoning be tied to
restrictions and requirements as noted in
the 183 study and that the zoning be
tied to the site plan as volunteered by
the applicant with the restrictions as
volunteered by the applicant. An amend-
ment was made that when the property is
subdivided those restrictions be made a
part of the plat.

Councilmember Snell moved that the Council grant "LR" Local Retail, 1st Height and Area District (as amended), subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Snell, Mayor McClellan

Noes: None

Absent: Councilmembers Mullen, Trevino

The Mayor announced that the change had been granted to "LR" Local Retail, 1st Height and Area District (as amended) subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

RUDOLFO BARRERA & 920 Shady Lane
MILTON SIMON 928 Shady Lane
By Jim Laurence
C14-79-105

From "A" Residence
1st Height and Area
To "GR" General Retail and
"A" Residence
1st & 6th Height and Area
NOT Recommended

RECOMMENDED by the Planning Commission
"GR" General Retail, 1st Height and Area
from the driveway north, the remainder of
the Tract to remain "A" Residence as
amended by the applicant, with a ten-foot
strip of "A" Residence along the rear
property line and five feet of right-of-
way, with a letter to Public Works
Department that the trees be preserved.

Councilmember Himmelblau moved that the Council grant "GR" General Retail, 1st Height and Area from the driveway north, the remainder of the Tract to remain "A" Residence as amended by the applicant, with a 10 foot strip of "A" Residence along the rear property line, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan,
Mayor Pro Tem Cooke
Noes: None
Absent: Councilmembers Mullen, Trevino

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District from the driveway north, the remainder of the tract to remain "A" Residence as amended by the applicant, with a 10-foot strip of "A" Residence along the rear property line, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

W. TRAVIS WILL- 1703 West Avenue
IAMSON, ET UX
By Phyllis Cartwright
C14-79-108

From "B-H" Residence-Historic
1st Height and Area
To "O-H" Office-Historic
1st Height and Area
RECOMMENDED by the Planning
Commission

Mr. Lillie reviewed the application by use of slides. MR. RALPH DAUGHERTY, representing the applicant, appeared and explained to Council a doctor wants to purchase the house, use the first floor for his office, and the upstairs will be used by the doctor's wife for her business. He said this will be good use of the property and the building will be cared for for the betterment of the neighborhood.

SUSANNE CANNON, 1711 San Gabriel, lives two blocks from the site and said she likes to think the area would some day revert to residential. She requested Council to re-think the piecemeal zoning and direct the Planning Department to re-think what urban zoning is. Mayor Pro Tem Cooke said he is against more intense zoning in the area. Councilmember Goodman stated the area is already mixed use.

Councilmember Goodman moved that the Council grant "O-H" Office-Historic, 1st Height and Area District as recommended by the Planning Commission, and study the Master Plan for the Old West Austin Neighborhood and parking. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Goodman, Himmelblau, Snell
Noes: Mayor Pro Tem Cooke
Absent: Councilmembers Trevino, Mullen

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

C. M. BUILDERS,
INC.
By Charles Marsh
C14-79-124

507 Powell

From "B" Residence
2nd Height and Area
To "O" Office
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Himmelblau explained she would not vote for deletion of the right-of-way.

Mayor Pro Tem Cooke moved that the Council grant "O" Office, 1st Height and Area District, as recommended by the Planning Commission, subject to 6 feet of right-of-way dedication. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Snell, Mayor McClellan
Noes: None
Absent: Councilmembers Mullen, Trevino

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

GREEN PASTURES
C14h-79-013

811 West Live Oak

From "A" Residence, "LR" Local
Retail and "C" Commercial
1st Height and Area
To "A-H" Residence- Historic,
"LR-H" Local Retail-Historic,
and "C-H" Commercial-
Historic
1st Height and Area
RECOMMENDED by the Planning
Commission

Mr. Guadalupe Limon, 906 West Live Oak, asked Council how the "H" zoning will effect his house which is right across the street. They told him it will not have any effect on his property.

Councilmember Himmelblau moved that the Council grant "A-H" Residence-Historic, "LR-H" Local Retail-Historic, and "C-H" Commercial-Historic, 1st Height and Area District, as recommended by the Planning Commission, and accept finding of fact A, B, H, I, K, L, M. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmember Snell, Mayor McClellan, Mayor Pro Tem Cooke,
Councilmembers Goodman, Himmelblau

Noes: None

Absent: Councilmembers Mullen, Trevino

The Mayor announced that the change had been granted to "A-H" Residence-Historic, "LR-H" Local Retail- Historic, and "C-H" Commercial-Historic, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

THERON S. BRADFORD, Spicewood Springs Road
TRUSTEE and Chimney Corners
By Thomas Hodges
C814-79-004

From Interim "A" Residence
1st Height and Area
To a 108-unit Residential
Planned Unit Development (PUD)
called "Williamsburg"
RECOMMENDED by the Planning
Commission, with a curb across
Chimney Corners emergency exit
rather than a chain.

Mr. Lillie reviewed the application by use of slides.

Motion

Councilmember Goodman made a motion to grant as recommended, with the deletion of Planning Department Item 3 (Recommend to redesign the southern portion of project; it appears too dense relative to adjoining single family residences. PUD should be compatible with adjoining areas.)

DAN CHAN, representing the neighborhood, stated he does not think the neighborhood has been given all the answers. He asked about the density and said he does not fully understand the plan because he does not know specifically where the walls of the units will be. He did express his agreement to a PUD.

Substitute Motion

Councilmember Goodman made a substitute motion to send the PUD plan back to the Planning Commission and bring it back to the Council in one week. Councilmember Snell seconded the motion.

MS. JEAN BRINGOL, representing the applicant, said she had not heard any other opposition. The neighborhood association, at its meeting, had been in agreement with the proposed PUD.

Mr. Chan said he had asked the price of a one-bedroom unit and never received an answer. MR. TOM HODGES, the developer, said all plans are in compliance and there are no one-bedroom units. Price range for the units will be \$75,000 to \$100,000. He too, said there had been no opposition at the public hearing, but there had been some heated discussion. Mr. Chan commented he thought the application should be sent back to the Planning Department for a concrete, structured site plan.

There was more discussion among Council, Mr. Chan and Mr. Hodges.

Roll Call on Substitute Motion - No Action Taken

Ayes: Councilmembers Snell, Mayor McClellan, Councilmember Goodman

Noes: Mayor Pro Tem Cooke

Absent: Councilmembers Trevino, Mullen

Not in Council Chamber when roll was called: Councilmember Himmelblau

(Council adjourned for lunch and when they came back the following action was taken.)

Mr. Chan addressed Council, stating he had his questions answered and withdrew his objections.

Motion

Councilmember Goodman moved that the Council grant a 108-unit residential Planned Unit Development called "Williamsburg," subject to conditions, as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Snell

Noes: None

Absent: Councilmembers Trevino, Mullen

The Mayor announced that the change had been granted to a 108-unit residential Planned Unit Development called "Williamsburg," subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

Zoning Hearings Continued

COTTON TEXAS, LTD.
By Robert Sneed
C14-79-134

9208-9302, 9304-9406
and 9408-9504 Great
Hills Trail

From "A" Residence
1st Height and Area
To "O" Office

1st Height and Area

RECOMMENDED by the Planning
Commission "O" Office, 1st Height and
Area on Tract 3 to a depth of 600 feet
on the eastern portion, to continue
the request on Tracts 1 and 2.

Councilmember Himmelblau questioned the need for the zoning change since it had just been granted "A" Residence in 1978. MR. ROBERT SNEED, representing the applicant, stated Mr. Cotton wants to build his office there. Council decided it should hold decision until a full Council is in attendance.

Councilmember Goodman moved that the zoning hearing be continued August 9, 1979 at 11:45 A.M. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Snell

Noes: None

Absent: Councilmembers Mullen, Trevino

A. C. BRYANT,
INCORPORATED
By Sterling Koester
C14-79-110

Rear of 2711 Exposition
locally known on building
as 2719 Exposition

From "C" Commercial
1st Height and Area
To "C-1" Commercial
1st Height and Area

NOT Recommended by the Planning
Commission

MS. SHARON HERRONOMOUS, President of the Casis PTA, appeared before Council and stated they feel the proposed site is inappropriate for a liquor store because it is across the street from Casis School. Councilmember Himmelblau said she is having difficulty sorting out the facts because the grocery store next door sells beer and wine. Mayor McClellan stated she consistently votes against liquor stores being next door to schools. Council decided to hold their decision until a full Council is present.

Councilmember Goodman moved that the zoning hearing be continued August 9, 1979 at 9:30 A.M. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Snell, Mayor McClellan, Mayor
Pro Tem Cooke, Councilmember Goodman

Noes: None

Absent: Councilmembers Mullen, Trevino

Zoning Hearings Postponed

J. MAR FIREPLACE
CENTER, INC.
By Jodi Williamson
C14-79-094

11575-11581 Highway 183
11518-11520 Angus Road

From Interim "AA" Residence
1st Height and Area
To "C" Commercial
1st Height and Area

RECOMMENDED by the Planning
Commission "GR" General Retail for that
part of tract fronting Angus Road with
the exception of one foot of "A" Residence
along the north boundary as well as one
foot of "A" adjacent to Angus Road.

Councilmember Snell moved that the Council postpone the zoning hearing to August 23, 1979 at 7:15 P.M. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Snell, Mayor McClellan

Noes: None

Absent: Councilmembers Mullen, Trevino

JERRY A. HAWKINS
& MARTHA HAWKINS
C14-79-123

13409 Research Boulevard

From Interim "AA" Residence
1st Height and Area
To "C" Commercial
1st Height and Area
NOT Recommended

RECOMMENDED by the Planning Commission
"O" Office, 1st Height and Area as amended
by the applicant; that applicant will
submit a site plan in accordance with the
provisions of the study and also has
agreed to the recommendations of the 183
study.

Councilmember Himmelblau moved that the Council postpone the zoning hearing to August 9, 1979 at 11:15 A.M. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Mayor
McClellan, Mayor Pro Tem Cooke

Noes: None

Absent: Councilmembers Mullen, Trevino

FREDERICK E. AND
PATRICIA G.
TANKERSLEY
By Don Harris
C14-79-128

801 East Riverside
also bounded by
Alameda Drive

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

Mayor Pro Tem Cooke moved that the Council postpone to August 9, 1979, at 11:30 P.M. zoning hearing on case No. C14-79-128. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Snell

Noes: None

Absent: Councilmembers Mullen, Trevino

Zoning Cases Denied

JAMES A. MOSLEY
By Robert Penrose
C14-79-106

5007 Lynnwood Street

From "B" Residence
1st Height and Area
To "LR" Local Retail
1st Height and Area
NOT Recommended by the
Planning Commission. (Appli-
cant requested amendment to
zoning from "B" Residence, 1st
Height and Area to "O" Office,
1st Height and Area by letter.)

Mr. Lillie reviewed the application with use of slides.

MR. BOB PENROSE, an architect, appeared before Council and said he wanted to buy the property if he can put an architectural-engineering office on the lot. He said it is now zoned to contain 40 units an acre. He just wanted to put one small building on the lot and preserve a large tree.

MR. BILL HELLUMS, President, Rosedale Neighborhood Association, appeared before Council and read a letter to them from the Association asking them to deny the zoning request and preserve the residential integrity of the neighborhood.

Mr. Penrose returned to ask if he presented a site plan to the Council it would help his cause. Councilmember Himmelblau said she would not be influenced because she does not want to see "O" Office on the zoning map.

Councilmember Himmelblau moved that the Council DENY the zoning change. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan,
Mayor Pro Tem Cooke

Noes: None

Absent: Councilmembers Mullen, Trevino

July 26, 1979

BOBBY G. BOYD
C14-79-111

6904 Meador

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

Mr. Lillie reviewed the zoning application by use of slides. No one appeared to be heard.

Councilmember Himmelblau moved that the Council DENY the zoning change. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Himmelblau, Snell, Mayor McClellan, Mayor
Pro Tem Cooke, Councilmember Goodman
Noes: None
Absent: Councilmembers Mullen, Trevino

MRS. EVELYN W.
COLLINS
By Yolanda
Martinez
C14-79-115

1018 Justin Lane
also bounded by Ryan
Drive

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

No one appeared to be heard.

Councilmember Himmelblau moved that the Council DENY the zoning change. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau
Noes: None
Absent: Councilmembers Trevino, Mullen
Not in Council Chamber when roll was called: Councilmember Snell

ODAS JUNG
C14-78-161

406-412 and 500 East
Ben White Boulevard

From "D" Industrial
1st Height and Area
To "D" Industrial
2nd Height and Area
NOT Recommended by the
Planning Commission

Councilmember Snell moved that the Council uphold the recommendation of the Planning Commission, and DENY the zoning change. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Snell, Mayor McClellan,
Mayor Pro Tem Cooke
Noes: None
Absent: Councilmembers Mullen, Trevino

Zoning Cases Sent Back to Planning Commission

MAX R. HADDICK
C14-79-112

7212-7236 Manchaca Road

From "A" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area
NOT Recommended by the
Planning Commission

Mr. Lillie reviewed the application.

MR. BOB KARKOSKY appeared before Council to oppose the zoning request. His father bought the adjacent tract to the west of the application. He pointed out the tract owned by his father is landlocked, therefore rendering it unusable. He discussed a private road and their need for easement rights. He said he is opposing Mr. Haddick's application because he wants to put in a car wash and they want a street so they can either sell or develop their land. Councilmember Goodman requested a report on the landlock situation from Mr. Lillie. Mr. Lillie said he would provide one.

MRS. HADDICK appeared before Council, asking Council to grant their request for "GR" General Retail zoning.

Motion

Mayor Pro Tem Cooke moved that the Council postpone the zoning case until August 9, 1979 at 11:30 A.M. The motion was seconded by Councilmember Snell.

Substitute Motion

Councilmember Goodman made a substitute motion to refer the zoning case back to the Planning Commission with revised request. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Snell, Mayor McClellan, Mayor Pro Tem Cooke,
Councilmembers Goodman, Himmelblau
Noes: None
Absent: Councilmembers Trevino, Mullen

POOL & ROGERS
PAVING COMPANY, INC.
By James Bryce
C14-79-131

3603 South Second Street

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

Councilmember Goodman moved that the Council refer the zoning case back to the Planning Commission. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Snell, Mayor McClellan
Noes: None
Absent: Councilmembers Mullen, Trevino

PENDING ZONING APPLICATIONS

DON McELWREATH,
ET AL
By Jose Mercado
C14-77-133

7700-7722 Old Cameron
Road
1500-1508 U.S. 183

RECOMMENDED Extension by the
Planning Commission

Mayor Pro Tem Cooke moved that the Council grant extension of the zoning case. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau

Noes: None

Absent: Councilmembers Trevino, Mullen

Not in Council Chamber when roll was called: Councilmember Snell

NEWELL SALVAGE
COMPANY OF AUSTIN
C14-76-013

710 Industrial Boulevard

RECOMMENDED Extension by the
Planning Commission

Mayor Pro Tem Cooke moved that the Council grant extension of the zoning case. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau

Noes: None

Absent: Councilmembers Trevino, Mullen

Not in Council Chamber when roll was called: Councilmember Snell

HAZEL GOODNIGHT
STARKEY, ET AL
By Will Thurman, Jr.
C14-76-020

4714-4802 South Congress

RECOMMENDED Dismissal by the
Planning Commission (Letter
received to remove from Agenda)

Mayor Pro Tem Cooke moved that the Council grant EXTENSION of the zoning case. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau

Noes: None

Absent: Councilmembers Trevino, Mullen

Not in Council Chamber when roll was called: Councilmember Snell

GEORGE FRANKLIN
By Terry L. Belt
C14-76-080

614 West 32nd Street,
also bounded by King
Street

RECOMMENDED Extension by the
Planning Commission

Mayor Pro Tem Cooke moved that the Council grant Extension of the zoning case. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau
Noes: None
Absent: Councilmembers Trevino, Mullen
Not in Council Chamber when roll was called: Councilmember Snell

STEVE G. GRINNELL, 1607-1611 West Avenue
ET AL 721 West 17th Street
C14-76-027

RECOMMENDED Dismissal by the
Planning Commission

Mayor Pro Tem Cooke moved that the Council grant Dismissal of the zoning case. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau
Noes: None
Absent: Councilmembers Trevino, Mullen
Not in Council Chamber when roll was called: Councilmember Snell

MRS. PERRY L. 2900 Rio Grande Street,
JONES also bounded by west
By J. Winston 29th Street and Salado
Chapman Street
C14-76-079

RECOMMENDED Dismissal by the
Planning Commission

Mayor Pro Tem Cooke moved that the Council grant Dismissal of the zoning case. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau
Noes: None
Absent: Councilmembers Trevino, Mullen
Not in Council Chamber when roll was called: Councilmember Snell

HONORARY CITIZENSHIP

Mayor McClellan presented a Certificate of Honorary Citizenship and a Key to the City to DR. DITMAR CASEY from Munich, Germany. He is in Austin as one of 22 German Army officers attending engineering classes at the University of Texas. Dr. Casey has also been a member of the Council in Munich for several years. He thanked the Mayor for the Certificate and Key and expressed his appreciation to the Council and members of the Council Chamber audience. The Mayor also introduced DR. GEORGE HOFFMAN, Engineering Professor, University of Texas.

RECESS

Council recessed its meeting at 12:15 P.M. and resumed its recessed meeting at 2:10 P.M.

SEWER CONNECTIONS

MR. RICK FISHER, representing The Landev Company, appeared before the Council to request approval from the City of Austin to connect four single-family lots in Bee Cliffs Subdivision (proposed) to the gravity portion of the existing sewer approach main on West Lake Drive. The property was within the City's two-mile ETJ (Extraterritorial Jurisdiction). Fiscal arrangements of \$5,400 and a \$138 approach main fee had been arrived at.

After discussion, City Manager Davidson said that the item would be on next week's agenda, but he could not guarantee that everything would be ready for him to make a recommendation.

Mr. Fisher stated that there was no objection to the annexation of the subject property.

INTRODUCTION OF SCOUT

Mayor McClellan introduced MR. JEFF BROWN who was working on an Eagle Scout project in communications through KTBC-TV, Channel 7.

SYMPHONY POPS CONCERTS PICNICS

MR. DON ROTH, General Manager, Austin Symphony Orchestra Society, appeared before the Council to request permission for food and drinks in the Municipal Auditorium during the spring pops concerts to carry on a long standing and popular Austin tradition. He pointed out that the tradition was similar to the one in Boston created by the late Arthur Fiedler. He asked if the City could at least reinstitute the food aspect of the tradition.

Councilmember Himmelblau asked if the Symphony Society would be willing to pay a fee to the concessionaire so that a precedent would not be set whereby everyone using the Auditorium would bring in food. Mr. Roth said that depending on the magnitude of the fee, the Society would consider it. Considering the Society's revenue loss and ill will created by last spring's action, he could not imagine that the fee would exceed that magnitude.

Mayor McClellan said that since the concessionaire contract was coming up for renegotiation in August that the City should examine its options to see if the contract could be amended to address the problem.

STREET BANNERS

Councilmember Himmelblau moved that the Council approve the request of Mrs. Homer Garrison, III, representing the Junior League of Austin, to have street banners placed two spans north of 38th Street on Lamar and just south of Anderson Lane on Burnet Road. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Himmelblau, Snell

Noes: None

Absent: Councilmembers Mullen, Trevino

Not in Council Chamber when roll was called: Councilmember Goodman

PROPOSED INDUSTRIAL WASTE ORDINANCE

MR. JAMES A. BRADY, representing Austin Liquid Disposal Company, Inc., appeared before the Council to request that the Council consider enacting an ordinance which would monitor the disposal of industrial waste within the City of Austin. The State Health Department had directed that landfills not accept that type of waste (Hauled Waste). The purpose of the ordinance was to ensure that the type of waste under consideration got to a site approved by the State. The ordinance was patterned after ordinances in Dallas and Houston.

City Manager Davidson said that the staff would review the proposed ordinance and report back to Council.

TRENCH BURNERS

MS. ROBIN HANSEN, representing her south Austin neighborhood, read a letter requesting the Council to ban the use of trench burners in Austin. She asked the Council to set a public hearing on the matter.

Mayor McClellan asked the City Manager through the appropriate offices to advise the Council of its jurisdiction, what restrictions could be placed within the City limits, and at an appropriate time set a public hearing.

Albert De La Rosa of the Legal Department stated that the City would have a representative present at the Texas Air Control Board hearing tomorrow regarding the applicant's request for a permit, and would report back to Council.

Councilmember Goodman said that the Environmental Board had submitted a memorandum to the Council advising that it was their opinion that the City should have an ordinance regulating trench burners.

BOOKMOBILE SERVICE TERMINATION

MRS. TERRY DUDERSTADT appeared before the Council to ask that Bookmobile Service in the Lago Vista area be continued. She then presented some petitions to the Council on the matter.

MRS. FREDDIE FUNK also appeared before the Council representing the North Oaks Neighborhood Association read a letter expressing opposition to the termination of the Bookmobile service to her area. She asked that the service be continued until a permanent library branch was built to serve the area, and that the City accelerate plans for the branch library.

Councilmember Himmelblau suggested that rental space be located in the area to replace the Bookmobile. She also suggested that cost figures be examined at budget time to see if two trailers owned by the City could be placed in strategic shopping areas to replace the Bookmobile.

Mayor McClellan suggested that the City see if an agreement could be worked out with the Round Rock School District for use of the library.

Motion to postpone for two weeks already stated in the Minutes on Page 6.

DOWNTOWN REVITALIZATION

MR. BILL OLIVER, Coalition for Vital Revitalization, who was out of town, requested to be placed on the August 2nd Agenda to discuss Downtown Revitalization.

MS. KAREN MCGRAW, Coalition for Vital Revitalization, speaking on the Downtown Revitalization program, stated that hearings had been held on the subject by the Arts Commission, Transportation Commission and the Historical Landmark Commission. Reports and Minutes were submitted to the Council. She then reviewed the progress on the Alternative Plan being prepared for downtown by Austin citizens. Ms. McGraw next read several resolutions by the Coalition for Vital Revitalization and other resolutions which she had prepared in the interest of the Coalition for Vital Revitalization.

Ms. McGraw asked that all planning information relating to downtown revitalization be made available bilingually and free to the public at a central location after working hours and weekends.

City Manager Davidson stated that most of the City's planning reports were on file with the libraries.

Mayor McClellan asked the City Manager to check on a central location for the subject documents.

RECYCLING IN AUSTIN

MR. DON ANDERSON displayed a bag of recyclables and stated that they needed to be reclaimed from the City's landfills. He asked the City to develop a diversified policy for solid waste management.

MARILYN HUGHES CEPEDA spoke in support of continuing a recycling program in Austin. She supported a study of the problem.

Mayor McClellan stated that the possibility of a feasibility study would be considered at budget time.

Councilmember Himmelblau said that she had asked the Council of Governments for some information on Federal funds available for such a program and would be available in two weeks to discuss the matter further.

MS. DIANNE GRANDSTROM felt that it was time for the City to take progressive action on recycling.

WAYNE CLARK stated that recycling saved lots of energy. He pointed out that recycling aluminum saved 95% of the energy required to produce it.

MS. LORI GILMORE stated that Austin's landfills would reach capacity in about 1-1/2 years. She suggested making useful items from throwaway garbage and that the city institute a recycling program. She presented a petition in support of recycling.

PAUL ROBBINS discussed the bio-mass generator which could break down garbage through heat. Methane, oil and charcoal from the garbage could provide Austin with 40 megawatts annually. Another innovation at Purdue University which created alcohol potentially could power the City fleet. Organic matter could be composted, and waste paper could be converted to insulation.

MR. PAT PERANTEAU asked everyone in support of recycling to stand. He presented a petition to the Council supporting recycling and Ecology Action.

JEFF LANZA, with the Center for Maximum Potential Building Systems, stated that recycling was a form of conservation. The Center was presently building four solar hot water heaters for the City using almost exclusively recycled materials. He asked that recycling consciousness be maintained and encouraged in Austin.

MS. CHRIS DeBREMAECKER voiced her support of City funding for Ecology Action.

At that point a solar collector built from recyclables was brought into the Council Chamber.

MR. CHRIS RUTLAND explained how the solar collector operated. He stated that in two years Austin threw away enough cans to build 8,000 of the collectors. Low income families could benefit from using the collectors. He urged the City to support Ecology Action, consider the different ways that recycling could work and to consider ways the City could get involved in recycling to help with energy and poverty situations in Austin.

MR. PLENY FISK, III, who had requested to appear to discuss recycling in Austin, did not appear to be heard.

DOWNTOWN REVITALIZATION

MR. JOHN ASHE CORRY requested to appear before Council to ask for the rejection of "eminent domain" status to the designated downtown area and adoption of renovation plans similar to those functioning so well in San Antonio,

Texas. He discussed Austin's quality of life and stated that the American City Corporation's plan for downtown revitalization would alter that quality of life. He invited the public to attend a town meeting in the main library August 6, 1979.

BOGGY CREEK

MR. GENARO HERNANDEZ appeared before the Council to discuss flooding on Boggy Creek. He requested that the Creek be cleaned out with City crews before the next rainfall.

MR. JORGE GUERRA also spoke in support of the petition and asked the City to clean up the creek now.

Mayor McClellan asked the City Manager to get a report from Public Works on what had been done and what could be done on cleanup in the area.

MR. PAUL HERNANDEZ spoke in support of cleaning up the entire Creek and asked for action now.

FEEES FOR POSTPONEMENT OF ZONING APPLICATIONS

Mayor McClellan opened the public hearing scheduled for 11:30 a.m. to amend Chapter 45 of the Austin City Code, Zoning Ordinance regarding the establishment of fees for postponement of zoning applications requested by the applicant.

Dick Lillie, Planning Director, reviewed the proposed amendment and said that a fee of one-half of the original zoning fee if a postponement is requested by an applicant had been recommended by the Planning Commission unanimously.

MR. ALLEN RUNDELL spoke in opposition to the proposed fees, feeling that it would penalize developers.

MRS. DOROTHY RICHTER stated that a case in her neighborhood may have prompted the proposed amendment. She felt that the postponement date should not be longer than the withdrawal time (12 months). If the Council set a postponement date, then additional fees should not be required.

Mr. Lillie said that very seldom was a postponement left open-ended, that they are usually for 30, 60 or 90 days. He suggested that in postponement of cases that a definite time and date be set.

Motion

Councilmember Goodman moved that the Council close the public hearing and bring the item back in two weeks with a recommendation from the Legal Department regarding the length of time for postponement in addition to the fee. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmember Snell, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmember Goodnan

Noes: None

Absent: Councilmembers Mullen, Trevino

Not in Council Chamber when roll was called: Councilmember Himmelblau

LANDSCAPING REQUIREMENTS

Mayor McClellan opened the public hearing scheduled for 2:30 p.m. to amend Chapter 45 of the Austin City Code, Zoning Ordinance, regarding establishment of landscaping requirement on (1) land zoned "BB" or more permissive which is located on streets with a right-of-way 60 feet or more greater and (2) land with twenty or more parking spaces.

Mr. Lillie reviewed the events leading to the proposed landscaping ordinance. The ordinance had two purposes: (1) provide landscaping along major streets, arterials and highways and (2) provide landscaping with the perimeter of parking lots that had 20 or more spaces to break up the sea of asphalt. The landscape strip would be required to be an average of 10 feet and a minimum of 8 feet within the building setback line along streets having rights-of-way of 60 to 120 feet. Landscaping averaging 15 feet with a minimum of 10 feet within the building setback line on streets, arterials and highways with 120 feet of right-of-way or greater would be required. Parking lots with 20 spaces or more would have at least 5% of the lot in landscaping. The ordinance provided for a definition of a landscaped area, outlined the requirements and provided a preamble in which the ordinance would not be placed in effect for 120 days to recognize those developments which were in the pipeline. The ordinance would be reviewed after one year for performance. Certification on the part of the owner would be required to minimize City expense in inspections.

CHARLES MEEK, member of the group providing citizen input into development of the ordinance, commented on a series of slides depicting the lack of landscaping on certain Austin streets. Mr. Meek said that the ordinance would not be retroactive or punitive. The ordinance contained a great deal of flexibility and was not a no-growth ordinance. He endorsed inclusion in the ordinance of the following statements:

1. "Landscaping must be maintained and all plant material kept in a healthy condition."
2. "The Planning Commission shall have the authority to grant a variance from the requirements of this section. Additionally, the Planning Commission may grant special credits toward the requirement for the preservation of existing trees."

Mayor Pro Tem Cooke asked why the central business district was exempted from the ordinance. Mr. Meek replied that the central business district was by and large in place and they did not want to make the ordinance retroactive. Mayor Pro Tem Cooke disagreed. Mr. Lillie said that in the central business district there was 4th Height and Area zoning and building was permitted to the property line. In such a case, there would be no set aside area for landscaping. Parking lots could be required to landscape. Mayor Pro Tem Cooke was not

encouraged if everything was on the property line because it discouraged landscaping by new developments. Mr. Meek added that if the ordinance were adopted to cover areas other than the core area, then some precedent would be established and would encourage landscaping for the downtown area.

SID JAGGER, another member of the subcommittee which considered the ordinance, felt that a landscaping ordinance would have more beneficial impact on the City than anything else that had been done since he had been on the Planning Commission. He asked the Council to postpone the ordinance 30 days so that certain objections to it could be worked out.

Responding to Mayor Pro Tem Cooke's question, Mr. Jagger said that he did not think the ordinance would effect an apartment complex at all. The only exception would be in existing neighborhoods where someone went in, bought up two or three lots, covered 100% of the area with parking up to the property. In a normal apartment development there would be ample room for landscaping.

MARY LEY, representing Travis Audubon Society, urged the Council to adopt the ordinance as soon as possible and not postpone it for more than 30 days.

KAREN POPE, 1210 Windsor Road, spoke in support of the ordinance.

TOM SHEFELMAN, an architect who also was a member of the landscape ordinance subcommittee, urged passage of the ordinance now, but supported further study of it.

PAUL HERNANDEZ, representing the East 1st Street Advisory Council, said that East Austin was not told about the ordinance. He wondered how the ordinance would relate to Urban Transportation's request for five more feet of easement on East 1st and East 2nd Streets.

City Manager Davidson stated that the City supplied all neighborhood centers with copies of proposed ordinances. Any neighborhood association on file in the Planning Department was routinely supplied with such information.

LARRY NIEMAN, representing the Austin Apartment Association, spoke in opposition to the proposed ordinance. The Association had 26 specific objections to the ordinance. He questioned the constitutionality of the ordinance and cited a Texas Supreme Court decision to support his position. He indicated a willingness to work with the City Attorney's office to revise the ordinance.

TOM CURTIS, representing the Austin Association of Builders, stated that the Association did not support the first draft of the proposed ordinance and had not studied the present draft. The Association would take a position on the revision after its August meeting. He felt that the people who would be effected most would be the ones who had already subdivided their property, which meant that such owners would have to change their original plans to allow for the required landscaping. Loss of a tier of parking in such cases would be fairly common. He supported Mr. Jagger's comments on the need for flexibility in the ordinance.

WILL GARWOOD, representing the developer of the shopping center at MoPac and Loop 360, stated that his client had put 30 acres into a conservation easement at the time the property was zoned. Under the proposed ordinance, even more land would be required of the developer. Mr. Garwood felt that that was a good example of the need for flexibility in the ordinance. He cited another example of where a developer who was planning a much smaller shopping center would lose one-third of his retail space if he complied with the ordinance.

Councilmember Goodman asked Mr. Lillie to comment on that item. Mr. Lillie said that he had not examined the building plan, but of the nine which had been judged a better job of designing the off street parking on the site did not effect the retail space or the off street parking space. He felt that perhaps a better layout of the building on the property was necessary.

Councilmember Goodman stated that the Council had never done anything retroactively on a wide scale basis which had a heavy impact. There had been appropriate variances not to hold anyone up or unduly punish them. He felt that the same thing would apply with the proposed ordinance.

ROBERT DAVIS objected to the ordinance in its present form since it did not have flexibility and did not provide for alternatives. He felt that the ordinance should not apply to property which had already been subdivided and zoned, but should apply to future situations.

DOROTHY WALLACE, President, Austin Board of Realtors, read a letter which supported individual efforts at landscaping but voiced the following concerns:

1. Possible confiscation of property without due compensation
2. Cost to the city and property owner
3. Arbitrary nature of fixed area requirements

Combined frontage and parking requirements could significantly reduce the size of properties and impose a financial burden on the developer and the consumer. Specific expenses for the property owner would include: 1) landscaping, 2) loss of revenue from the portion of land consumed by landscaping requirements, and 3) increased architectural, engineering and appraisal expenses for projects currently under way. Additional time required for the review process would also increase City personnel costs. Fixed area requirements ignored the problem of variations in lot depth. The Board requested a continuation of the hearing so that more equitable alternatives to improve the City's appearance could be explored.

ED FLEMING, a mortgage banker with Capital Mortgage Bankers, quoted from a letter by Tom Gardner, an MAI appraiser in Austin, which said that the proposed ordinance could have a far reaching adverse economic impact on real estate values the result of which could have a depressing effect on values caused by a significant loss of utility in the land. Mr. Fleming felt that the small retail and office properties would be hurt by the proposed ordinance and that rents would increase. He felt that the ordinance was inflationary and needed further consideration before adoption.

C. L. REEVES stated that he had 12 pieces of property left in an 85-acre subdivision which he started 11 years ago. Referring to one of the properties now under development, Mr. Reeves stated that under the proposed ordinance, it would not be economically feasible to develop the property. Nine of the other 11 pieces of property were in that same category. He stated that if the ordinance were applied to his property, it would devalue the property by at least one-third.

Councilmember Goodman pointed out that there would be a variance clause in the ordinance to allow for cases such as Mr. Reeves' property.

RICHARD DURRELL, President, Austin Commercial Real Estate Society, cited an example on a piece of property on Jollyville Road whereby the owner had already been required to place a 25-foot greenbelt in the rear of the property and under the proposed ordinance would be required to give up 15 more feet in the front. Mr. Durrell also felt that the 120-day lead time was insufficient. He hoped that while the ordinance was being reconsidered that the lead time could be extended, especially for people who were already in the process of arranging financing. He was in favor of the ordinance but wanted to see it revised so that it was fair to everyone involved.

Motion

Mayor Pro Tem Cooke moved that the Council continue the public hearing until 3:00 p.m., August 30, 1979, with the City Manager to act as coordinator. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Snell, Mayor McClellan, Mayor Pro Tem Cooke,
Councilmembers Goodman, Himmelblau
Noes: None
Absent: Councilmembers Mullen, Trevino

PUBLIC HEARING ON CLOSING OF NAVASOTA STREET

Mayor McClellan opened the public hearing scheduled for 2:30 p.m. on closing the following; and passage of ordinance:

NAVASOTA STREET from the north property line of East 4th to the south property line of East 5th Street. (Requested by Southern Pacific Transportation Company.)

MR. JESSE PIAMA, representing the Southern Pacific Transportation Company appeared before Council. He said this is not a safe crossing so they want to close the street and channel the traffic 846 feet away to Comal and Waller Street, thus terminating all traffic at this point. Councilmember Goodman stated some residents who live within the area of the railroad tracks would not have a way to get home and Mr. Piama said it would be very costly to change the tracks. Mr. Piama said the Southern Pacific Transportation Company wants to work with the City and the neighborhood and come up with an equitable solution.

MR. RICARDO DERRAL, attorney representing the neighborhood, feared the closing of the street would cause a gathering place for derelicts. He asked Council to continue the hearing when a full Council is present.

JIM STASSWINDER, representing Stasswinder Marble Company, told Council the closing of Navasota Street would hamper the use of their new facility at that point.

FRANCIS MARTINEZ, member of LULAC, stated the closing of the street would inhibit the use of community facilities located in the area.

STEVE DOSER, a resident in the area, said Navasota is a nice street, but it does need improvement.

PAUL HERNANDEZ told Council he does not want to see Navasota Street closed.

MACK FINNOY, an area resident, opined it would be bad for everybody to close Navasota Street.

Mr. Piama returned to state if the intersection is left as it is, and not closed, the City Manager should contact the Engineering Department of the City and work out a way to improve the intersection and the street from 1st to 6th.

Motion

Councilmember Goodman moved that the Council close the public hearing, deny the request to close Navasota Street; and City Manager is to work with the Southern Pacific Transportation Company on ways to improve the intersection. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmember Snell, Mayor McClellan, Mayor Pro Tem Cooke,
Councilmembers Goodman, Himmelblau

Noes: None

Absent: Councilmembers Trevino, Mullen

ENERGY CONSERVATION IN NEW BUILDING CONSTRUCTION

Mr. Lonnie Davis, Director of Building Inspection, referred Council to the report they have received from the Building Code Board of Appeals concerning Energy Conservation in New Building Construction. He asked them to receive the report and set a public hearing.

Motion

Mayor Pro Tem Cooke moved that the Council receive the report on Energy Conservation in New Building Construction and set a public hearing for September 13, 1979, at 10:00 a.m. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Snell

Noes: None

Absent: Councilmembers Trevino, Mullen

ANNEXATION PUBLIC HEARING

Mayor McClellan opened the public hearing, scheduled for 3:00 p.m. to consider annexation of and directing the administration to institute annexation proceedings to annex the following:

535.89 acres of land out of the James Coleman Survey No. 25 William Bell Survey No. 44, L. Lindsey Survey No. 287, Robert Foster Survey No. 43, James Jett Survey No. 1, T. J. Chambers 8 League Grant, and M. D. Williams Survey No. 49, Lakewood Village, Lakewood Park Section 1, Lakewood Park 3, Lakewood Park Section 4, Lakewood Park Section 5, The Courtyard, a portion of Loop 360 and R.M. Highway 2222 and unplatted land. (Initiated by City of Austin) C7a-79-002

Mr. Lillie appeared before Council, reminding them this had been heard previously and had been postponed to allow information to be given to John Alvis, an attorney. The reports given to Mr. Alvis were on the capacity of existing fire hydrants which is 580 and 790 gallons per minute and the cost of wastewater which is \$290,000 according to a fiscal note.

MR. KEN BRUACH, who lives in the Lakewood Addition asked what the City would provide to them. Mr. Davidson, City Manager, stated, "There is nothing proposed in the way of Capital Improvements during the first four years. That might change after you are annexed to the City. The City is under no obligation to provide service out there for three years, but it has always been this Council's policy to provide police, fire, garbage collection service and certain maintenance items on an immediate basis, even though you won't pay taxes until a year from next January. That has been explained to a number of people who have inquired and I certainly want you to know that." Mr. Broach said, "The fire protection is not scheduled until 1983." Mr. Davidson answered, "In 1982-83 there's an additional fire station proposed to serve the northwest part of the City but in the meantime your area will be served by any one of three stations that are either in existence or under construction. ... The indicated response time of service you will receive is a lot better than the 45-50 minutes you now have." Mr. Broach said there are a lot of proposals flying around and that disturbs the residents. They want to know what will be done. Mayor Pro Tem Cooke told him he should look at Council's intent. If the City is trying to provide, in an orderly fashion, EMS, fire stations, etc., then he felt Council is fulfilling their commitment to the citizens and from that point of view, "I think we are doing that." Mr. Broach stated, "If that is Council's intention, I will not go on with the rest of my questions. If that is what you are going to do, I think it's super!" Mayor Pro Tem Cooke advised Mr. Broach to monitor the CIP (Capital Improvement Program) so that he can make his statements at the public hearings regarding services needed for his area.

MR. ALLEN RUNDELL appeared and asked how the residents can have the present Council's assurance that three years from now the new Council will back up this Council's word. Mayor McClellan stated, "We make decisions but we cannot bind other Councils," and told Mr. Rundell she has repeatedly stated this. Mr. Rundell opined he would get nothing for his money so does not want to be annexed.

MR. JOHN ALVIS, representing the homeowners in Lakewood, appeared before Council and said he looks forward to working with the City.

Motion

Mayor Pro Tem Cooke moved that the Council close the public hearing, approve the annexation of the following, and instruct the administration to institute annexation proceedings:

535.89 acres of land out of the James Coleman Survey No. 25, William Bell Survey No. 44, L. Lindsey Survey No. 287, Robert Foster Survey No. 43, James Jett Survey No. 1, T. J. Chambers 8 League Grant, and M. D. Williams Survey No. 49, Lakewood Village, Lakewood Park Section 1, Lakewood Park 3, Lakewood Park Section 4, Lakewood Park Section 5, The Courtyard, a portion of Loop 360 and R.M. Highway 2222 and unplatted land. (Initiated by City of Austin) C7a-79-002

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Snell

Noes: None

Absent: Councilmembers Mullen, Trevino

Councilmember Goodman, at the time of roll call, stated he would have to abstain on the vote on the ordinance.

Mr. Davidson stated: "I want to express that I believe we've had some very good questions from people living in this area and even after the annexation is final a number of City offices will stand by to answer any additional questions that the citizens might have. We appreciate the opportunity to talk about these concerns and anything you might like to know we will be happy to provide the information.

PARKING FEES FOR ZILKER PARK

The Council had before it for consideration an amendment to Ordinance No. 760311-G establishing fees for recreational services. Mr. Leonard Ehrler, Jr., Director, Parks and Recreation, presented the following report:

"Due to the ever increasing vehicular traffic problems in Zilker Park, the Parks and Recreation Department is requesting approval from the City Council, by amendment of Ordinance No. 760311-G Establishing Recreation Fees and Charges, to initiate a \$1.00 per car parking fee for Zilker Park. A \$1.00 entrance fee is currently being charged at the other two (2) metropolitan parks, Lake Austin and Lake Long. The Parks and Recreation Department through the initiation of an alternative parking area and a "free" Zilker Park Shuttle Bus Pilot Project, is trying to give Zilker Park back to the citizens who want to use the park.

The department is requesting that the parking fee for this pilot project be initiated beginning August 4, 1979 and remain in effect during the times that the free shuttle bus service is operational. The shuttle service is proposed to be in operation on weekends and during special events scheduled for the Zilker Hillside Theatre area.

The department proposes to operate this free shuttle bus service as stated above and indicated on the attached map."

Council pursued the proposal with considerable discussion.

Motion

Councilmember Goodman moved that the Council postpone a decision until full Council is in attendance. Seconded by Councilmember Snell.

Substitute Motion

Mayor Pro Tem Cooke offered a substitute motion to approve the amendment to Ordinance No. 760311-G establishing fees for recreational services on a trial basis for one month. It was seconded by Councilmember Himmelblau.

Council agreed the ordinance should be on a trial basis in order to find out if the proposal is well taken and if the expenses of the shuttle bus will be covered by the parking fees.

Friendly Amendment to Substitute Motion

Councilmember Goodman offered a Friendly Amendment to the Substitute Motion to exclude Labor Day, and make the trial basis from August 4 through 30th. Mayor Pro Tem Cooke accepted the friendly amendment.

Original Motion Withdrawn

Councilmember Goodman withdrew his original motion.

Roll Call on Motion

Mayor McClellan introduced the following ordinance:

Mayor Pro Tem Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance on an emergency basis. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

ELECTRIC RATE MAKING PROCESS

Mr. Jorge Carrasco, Electric Utility Department, appeared before Council to give a report on the Electric Rate Making Process. "The purpose of the report," he said, "is just to review with the Council a time-table of the study, to identify the steps in the rate-making process, and to identify some of the action that was requested by the City Council. The rate study has been underway for approximately 15 months. During this period of time the target date of the study has been October 1, 1979. That would mark the time table by which we would plan to complete the review of existing rates and have Council's adoption of final rate tariffs. If this time table is not possible there may be a need for an interim rate adjustment. The steps in the rate-making process are three:

1. Determination of system revenue requirements. This will identify the revenue needs of the utility and will not identify the impact on any individual customer class.
2. Allocate the cost to each of the different customer classes.
3. Assignment of rate tariffs.

"Ordinarily before we proceed to the cost allocation stage we would be requesting the Council to review and approve the system rather than the requirements. However, this action would be tantamount to authorizing or approving the budget and would not allow for all the usual routine deliberations that are a part of the budget process. Accordingly, what we are asking, is that the Council authorize the staff to proceed with the allocations of the process service study with the understanding that if there are any changes in the budget we would make whatever changes are necessary to the cost of service work before proceeding to the rate tariff design. The reason why this is important is the rate tariff design stage will involve a considerable amount of work and we feel it desirable to go ahead and make sure that we have the final system revenue requirements before proceeding to the rate tariff design stage."

Mayor Pro Tem Cooke asked if they would receive an analysis or some kind of an indication prior to the completion of the budget and adoption of budget as far as any rate changes? Mr. Carrasco said they have provided a report which Council has received which identified the recommended rate change at 8.8% in revenues from customer sales under the proposed rates compared to what the existing rates would generate during fiscal 1980. It also recommends Council consider a two-year rate design period. The rate change would be adequate for two years contingent on inflationary trends and any other changes we have assumed in our estimates. Mayor Pro Tem Cooke stated, "That is the recommendation of the City Manager and we've got to analyze that and make a decision in our adoptive process as to whether we will go with 8.8% or whether we feel there should be an alteration to that. So, basically, that is before us now and we will deliberate that issue at the same time we deliberate the budget." Mayor McClellan asked if the Electric Utility Commission is going to make any recommendations to them. Mr. Carrasco said they have received the same report and will have a meeting in order to formulate recommendations.

Mr. Davidson said, "We are going ahead now and design a computation of allocation of that total requirement into the various classifications so you will have something to look at in detail. This is on the premise of 8.8%. As

July 26, 1979

Mr. Carrasco said, the Council, in your budget deliberations may decide the rate requirement should be something else. Then we would merely take the computer studies and calculations that have been done and make the adjustments in accordance with your decisions. And that's the way we would adjust the design rate." Mr. Carrasco said in the interest of time they would like to move ahead to the second stage which is actually to allocate costs to the different customer classes with the understanding that "if you make any changes to the final budget we would go back and change those costs to correspond to your recommendations." Mr. Davidson said they do not want to be thought overly presumptuous in going ahead with the next step but it needs to be done if they are going to have it ready.

ADJOURNMENT

The Council adjourned its recessed meeting at 6:45 p.m.

APPROVED

Mayor

ATTEST:

City Clerk