

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 8, 1978

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, Councilmembers Cooke, Goodman, Himmelblau,
Mayor Pro Tem Mullen, Councilmembers Snell, Trevino

Absent: None

The Invocation was delivered by Reverend Don Hauck, Presbyterian
Minister's Fund.

AUSTIN FOLK FESTIVAL DAYS

MR. WILLIE KOCUREK, representing all the ethnic groups in Austin, was in
the Council Chamber to receive a proclamation from Mayor McClellan designating
June 9-11, 1978 as Austin Folk Festival Days. He thanked the Mayor on behalf
of the people of Austin.

MAGNA CHARTA DAY

Mayor McClellan read a proclamation designating June 15, 1978, as Magna
Charta Day. It was accepted with appreciation by MRS. JESSIE MCILROY SMITH,
MRS. JOHN C. HORTON and WILMOT HORTON.

APPROVAL OF MINUTES

Councilmember Himmelblau moved that the Council approve the Minutes of
the Meetings for May 25, 1978 and June 1, 1978. The motion, seconded by
Mayor Pro Tem Mullen, carried by the following vote:

ARCHITECTURAL SERVICES

Councilmember Himmelblau moved that the Council adopt a resolution to select the firm of Spencer Associates for architectural services for construction of Decker welding shop, Holly Plant Machine Shop Addition and Electric Building Basement Alterations. (CAPITAL IMPROVEMENTS PROGRAM Nos. 78/39-05, 76/39-02 and 73/39-08.) The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

ENGINEERING SERVICES

Councilmember Himmelblau moved that the Council adopt a resolution to select the firm of Snowden & Meyer for Soils Investigation and Engineering Testing Services during the design and construction of L.B.J. High School tennis facilities improvements, Pleasant Valley Park ballfield improvements and removal of architectural barriers at swim facilities. (CAPITAL IMPROVEMENTS PROGRAM Nos. 76/86-17, 75/86-56, 75/86-52 and 77/86-16.) The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

GRANT APPLICATION

Councilmember Himmelblau moved that the Council adopt a resolution to submit a grant application for \$15,000 from the National Endowment for the Arts. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

CONTRACT RENEWED FOR
TRANSPORTATION TO DAY ACTIVITIES

Councilmember Himmelblau moved that the Council adopt a resolution to renew a contract in the amount of \$42,669 from the Texas Department of Human Resources for transportation to day activities. (City's share \$1,067; Title XX, Social Security Act \$41,602 - June 1, 1978 to May 31, 1979) The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

on the sidewalks rather than the street because of easier access to the walks if there are no curbs and gutters.

Councilmember Himmelblau asked why Rev. Southerland has requested lay-down curbs. Mr. Graves, Director of Engineering, said that it is unclear but he suspects it is because the streets are narrow in the neighborhood and if there were curb and gutter, then cars would only be able to park on one side to maintain passage through the streets and they would prefer being able to park on the sidewalks. MRS. JESSIE MCILROY SMITH, who was in the audience, approached Council and asked if it is legal to park on sidewalks. Mr. Graves told her it is not. Mr. Davidson said that if lay-down curbs are constructed, it would cause a problem of law enforcement by inviting cars to park on sidewalks and the Police Department has many more important and serious things to do other than enforce parking on the sidewalks. Mr. Davidson said he would discuss this matter with Rev. Southerland. Councilmember Cooke asked when the proposed curbs and gutters will be constructed and Mr. Graves answered that the first phase will be on next week's agenda for awarding of a contract.

FUTURE OF COMMUNITY HEALTH CENTERS

Councilmember Snell asked for a discussion of future community health centers. He said he wanted to know about the feasibility of enlarging the Rosewood-Zaragosa Health Center, changing of hours and the kinds of services.

Ms. Sue Edwards, Acting Director, Public Health Department, said that "our tentative proposal has been to move the proposed Givens Park C.I.P. project and combine that with the Rosewood-Zaragosa existing medical clinic and public health clinic. That way the cost could be reduced and at the same time expand the services rather rapidly so we could absorb the patient visits from Brackenridge Hospital." She said hours of operation have not yet been discussed in detail. She said she thinks the importance of this is that having to start from scratch and having to go out and find property and then start at the beginning with construction at the Givens Park area, would take a lot longer than combining those two into one large medical center. The cost would also be reduced, because there are already lab facilities existing at Rosewood-Zaragosa, etc. Councilmember Himmelblau asked when they would know if the other building can be used. She said they have been working on the use and enlargement of the other part of the building and the release of it from HUD.

Ms. Andrea Beatty, Assistant City Manager, said that they have been looking at the space vacated by the library in the other building, for a short term use. They have not been approaching it as taking over the entire building. She said they are in the process right now of discussing this with Joe Morahan, Property Management Director, and they will return to Council with a facilities plan and a transition plan of transferring Brackenridge patients to the Health Department. Mr. Davidson said that at the time Mr. Snell asked for a discussion of the health centers, he had asked for an estimate of what the variations would cost. Mr. Davidson said that, with his permission, he would distribute copies of that to other Councilmembers.

PUBLIC HEARINGS SET
ADOPTION OF UNIFORM CODES

Councilmember Himmelblau moved that the Council set a public hearing to consider adopting the latest edition of the Uniform Fire Code, with amendments, June 29, 1978 at 11:00 a.m. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

Councilmember Himmelblau moved that the Council set a public hearing to consider adopting the latest edition of the Uniform Mechanical Code, Chapter 39 of the Austin Code (recommended by the Heating, Air Conditioning and Refrigeration Appeals Board) June 29, 1978 at 11:00 a.m. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

Councilmember Himmelblau moved that the Council set a public hearing to consider adopting the latest edition of the Uniform Plumbing Code, Chapter 42 of the Austin City Code (recommended by the Plumbing Advisory Board) June 29, 1978 at 11:00 a.m. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

Councilmember Himmelblau moved that the Council set a public hearing to consider adopting the latest edition of the Uniform Building Code, Chapter 36 of the Austin City Code (recommended by the Building Code Board of Appeals) June 29, 1978 at 11:00 a.m. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

MEDICAL ASSISTANCE PROGRAM IMPLEMENTATION - PHASE I

Councilmember Himmelblau moved that the Council adopt a resolution to adopt policies, effective June 18, 1978, to be used in determining eligibility of all persons seeking health care under the City of Austin's Medical Assistance Program. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

OPERATING EXPENSES - MEDICAL ASSISTANCE PROGRAM
CETA

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 770922-A, ANNUAL BUDGET ORDINANCE FOR FISCAL YEAR 1977-78, BY APPROPRIATING FUNDS FROM THE BUDGETED ENDING BALANCE AND TRANSFERRING SAID FUNDS INTO THE HEALTH DEPARTMENT ACCOUNT NUMBER 69769200-200, 69769200-300 AND 69769200-900; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 770922-A, ANNUAL BUDGET ORDINANCE FOR FISCAL YEAR 1977-78, BY TRANSFERRING FUNDS FROM BRACKENRIDGE HOSPITAL ACCOUNT NUMBERS 62779000-100, 62779360-100, 62779020-100, AND 62779360-300 TO THE HEALTH DEPARTMENT ACCOUNT NUMBERS 69769200-100, 69769200-200, AND 69769200-300; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed. The Medical Assistance Program will be administered by the Health Department.

LIBRARY COMMISSION TERMS CHANGED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 18-2 OF THE 1967 CODE OF THE CITY OF AUSTIN PROVIDING THAT THE MEMBERS OF THE LIBRARY COMMISSION WILL BE APPOINTED TO TWO-YEAR STAGGERED TERMS, WITH THE TERMS OF EIGHT OF SUCH MEMBERS EXPIRING JANUARY 1 OF EVEN-NUMBERED YEARS AND THE TERMS OF THE OTHER SEVEN MEMBERS EXPIRING JANUARY 1 OF ODD-NUMBERED YEARS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

AMENDMENT TO EMS QUALITY ASSURANCE TEAM ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING PART 4 OF ORDINANCE NO. 750116-D AS AMENDED BY ORDINANCE NO. 780316-E AND ORDINANCE NO. 780504-K BY PROVIDING THAT THE TEN ORIGINAL MEMBERS OF THE EMERGENCY MEDICAL SERVICES QUALITY ASSURANCE TEAM BE APPOINTED TO TERMS EXPIRING JANUARY 1, 1980 OR JANUARY 1, 1981; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE AMENDMENTS

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: THE NORTHERNMOST 50 FEET AND THE EASTERNMOST 65 FEET OF LOTS 10, 11 AND 12, BLOCK 1; Lots 1, 9 AND 10, BLOCK 2; AND LOT 1, BLOCK 3, SILVERTON HEIGHTS, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND,
TRACTS 2 AND 3: LOTS 10, 11 AND 12, BLOCK 1; LOTS 1, 9 AND 10, BLOCK 2; AND LOT 1, BLOCK 3, SAVE AND EXCEPT THE NORTHERNMOST 50 FEET AND THE EASTERNMOST 65 FEET, HEREINABOVE DESCRIBED AS TRACT 1, SILVERTON HEIGHTS, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 606-611 KAWNEE AND 608-611 SWANEE; 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. (C. B. Smith, Sr. and C. P. Sanders, C14-78-022)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
THE WEST 200 FEET OF A 1.02-ACRE TRACT OF LAND, LOCALLY KNOWN AS 1407 MONTOPOLIS DRIVE; FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Joe R & Dora G. Arellano, C14-78-080)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
LOT 2, LESS THE WEST 25.83 FEET AVERAGE, BIG DELWOOD, SECTION 2, LOCALLY KNOWN AS 4611 NORTH I. H. 35, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; 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. (Constance E. Wollman, C14-78-076)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
THE CENTRAL 37.7 FEET OF LOT 4, BLOCK 79, ORIGINAL CITY, LOCALLY KNOWN AS 702 SAN ANTONIO, FROM "O-H" OFFICE-HISTORIC DISTRICT TO "O" OFFICE DISTRICT; 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. (The San Antonian, C14h-74-046)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

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 21.251-ACRE TRACT OF LAND, LOCALLY KNOWN AS 13759-13771 U. S. HIGHWAY 183; FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, 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 PROVIDING AN EFFECTIVE DATE. (Woodrow R. Lee, C14-78-063)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
A 5,000-SQUARE-FOOT TRACT OF LAND, LOCALLY KNOWN AS 1621 WEST BEN WHITE BOULEVARD; FROM "LR" LOCAL RETAIL DISTRICT TO "C" COMMERCIAL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Walter & Charles Wendlandt, C14-78-070)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
LOT 2, OF THE JAMES P. DAVIS SURVEY #14, LOCALLY KNOWN AS 5501 BALCONES, FROM "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "C" 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 PROVIDING AN EFFECTIVE DATE. (Discovery Properties, Ltd, C14-78-072)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

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:

LOT 2, BALCONES COMMERCIAL PARK, LOCALLY KNOWN AS 12705 RESEARCH BOULEVARD; FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, 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 PROVIDING AN EFFECTIVE DATE. (Lyndon Crider, C14-78-074)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

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 7,854-SQUARE-FOOT TRACT OF LAND, LOCALLY KNOWN AS 13700-13712 U. S. HIGHWAY 183 AND 10000-10002 HIDDEN MEADOWS DRIVE; FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS AND WILLIAMSON COUNTIES, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Forrest N. Troutman Trustee, C14-78-077)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

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

LOT 1, AND THE WEST 13.26 FEET OF LOT 2, BLOCK 158, ORIGINAL CITY, LOCALLY KNOWN AS 1301-1309 LAVACA AND 206-208 WEST 13TH STREET; FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Roger A and Lydia R. Schieffer, C14-78-084)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
THE NORTH 69 FEET OF THE NORTH 138 FEET OF THE EAST 125 FEET, OUTLOT 10, DIVISION E, LOCALLY KNOWN AS 1610 WEST AVENUE; FROM "O-H" OFFICE-HISTORIC DISTRICT TO "O" OFFICE DISTRICT; 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. (Millican House, C14h-78-004)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
LOT 12, OUTLOT 34, DIVISION D, HORST SUBDIVISION, LOCALLY KNOWN AS 2212 NUECES, 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; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Gerhard-Schoch House, C14h-78-002)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
WEST 28' OF LOT 1, BLOCK 59, LOCALLY KNOWN AS 401 EAST 6TH STREET, FROM "C-2" COMMERCIAL, FOURTH HEIGHT AND AREA DISTRICT TO "C-2-H" COMMERCIAL-HISTORIC, FOURTH 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 PROVIDING AN EFFECTIVE DATE. (Cotton Exchange-Clegg/Austin, C14h-78-008)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
E. 9' OF LOT 1, W. 24' OF LOT 2, BLOCK 59, LOCALLY KNOWN AS 407 EAST 6TH STREET, FROM "C-2" COMMERCIAL, FOURTH HEIGHT AND AREA DISTRICT TO "C-2-H" COMMERCIAL-HISTORIC, FOURTH 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 PROVIDING AN EFFECTIVE DATE. (J. L. Buas Building, C14h-78-009)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
E. 46' OF LOT 2, W. 18-1/2' OF LOT 3, BLOCK 59, LOCALLY KNOWN AS 409-413 EAST 6TH STREET, FROM "C-2" COMMERCIAL FOURTH HEIGHT AND AREA DISTRICT TO "C-2-H" COMMERCIAL-HISTORIC, FOURTH 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 PROVIDING AN EFFECTIVE DATE. (Joseph Nalle Building, C14h-78-010)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
THE EAST 20 FEET OF LOT 3, AND THE WEST 9 FEET OF LOT 4, BLOCK 59, ORIGINAL CITY, LOCALLY KNOWN AS 419 EAST 6TH STREET; FROM "C-2" COMMERCIAL DISTRICT TO "C-2-H" COMMERCIAL-HISTORIC DISTRICT; 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. (Hamilton Building, C14h-78-013)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
A 900-SQUARE-FOOT TRACT OF LAND OUT OF AND A PART OF THE EAST 30 FEET OF LOT 4, BLOCK 59, ORIGINAL CITY, LOCALLY KNOWN AS 506 (512) NECHES (423 EAST 6TH STREET); FROM "C-2" COMMERCIAL DISTRICT TO "C-2-H" COMMERCIAL-HISTORIC DISTRICT; 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. (Schuwirth Building, C14h-78-014)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
THE CENTRAL 31 FEET OF LOT 1, BLOCK 60, ORIGINAL CITY, LOCALLY KNOWN AS 503 NECHES, FROM "C-2" COMMERCIAL DISTRICT TO "C-2-H" COMMERCIAL-HISTORIC DISTRICT; 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. (Paggi Blacksmith Shop, C14h-78-015)

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

COMPREHENSIVE COMMUNITY ENERGY MANAGEMENT

The Council had before it a resolution to consider authorization of submission of a Comprehensive Community Energy Management proposal to Argonne National Laboratory for funding from U. S. Department of Energy.

Mr. R. L. Hancock, Electric Utility Director, explained to Council, "As you recall, last time Council authorized us to proceed with the development of a submittal. We've been working on a crash basis since last Thursday. We're currently at the point where we need the resolution that authorizes Austin's submittal and the inclusion of that resolution from the Council, in the submittal. The document is due in the National Argonne Laboratory offices next Friday, which probably means they need to leave here next Thursday, so this probably will be our last crack at it. We do not have the document in final form. We propose to complete that portion the early part of next week; a major part of the planning has been completed, particularly the budget aspects of it. It appears now that the total application will be in the area of \$518,000.00 to the Feds. Of that Austin will match or contribute in-kind about \$127,000. It will require that Austin dedicate about 10% of the time of about 5 or 6 department heads, or department head level personnel, for the two-year period of the study. In addition to that, and directly chargeable to the project is the time of six managers of specific tasks under the application, and their overhead and salaries..these will be charged directly to the project and recovered under the Federal funding. The term of the project is still anticipated to be about two years. The consultant's contribution, you will recall last time we discussed utilization of three consulting firms..the consultant utilization in the application would be about \$330,000 of the \$518,000."

Mr. Davidson, City Manager, again told Council that the adoption of the resolution is recommended.

Mayor McClellan remarked that during her recent trip to Washington, D.C., she and other Councilmembers had a good visit with the Department of Energy and felt it was one of their more productive visits of the trip.

Councilmember Himmelblau moved that the Council adopt a resolution to authorize submission of a Comprehensive Community Energy Management proposal to Argonne National Laboratory for funding from U. S. Department of Energy. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

AUSTIN'S POSITION TO BE ESTABLISHED ON PUBLIC HEARING ON SEWAGE TREATMENT PLANT

Council had before it for consideration establishment of the City of Austin's position on the Environmental Protection Agency's public hearing on the sewage treatment plant for Northwest Balcones Subdivision.

City Attorney Harris said, "As you are all aware, the Northwest Balcones Subdivision has pending before the Texas Commission an application for a wastewater discharge system into Bull Creek in connection with their package plant operation. The Texas Water Commission granted that permit; the City of Austin and others filed a motion for rehearing and now that motion for a rehearing has been granted and I think that hearing has been set for somewhere around July the 11th. In addition to our activity in that proceeding which was authorized by the City Council, the Environmental Protection Agency (EPA) is also going to conduct a hearing on this particular wastewater discharge permit and we would like some direction from the Council as to whether we should proceed to also oppose this permit before that particular body, or not."

Mayor McClellan felt that they should oppose the permit in whatever way possible and was delighted that the rehearing has been granted.

Councilmember Trevino moved that the Council adopt a resolution authorizing establishing the City of Austin's position on the Environmental Protection Agency's public hearing on the sewage treatment plant for Northwest Balcones Subdivision. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

CLARKSVILLE PROJECT

City Manager Davidson gave a report which was in response to Rev. W. B. Southerland's letter concerning the Clarksville Project. His letter, according to Mr. Davidson, concerned the residents of Clarksville's desire to have lay down curbs rather than the proposed paving and curbing. Mr. Davidson said staff does not recommend any change in the proposal as paving and curbing is a better control for autos and trucks. He said lay down curbs creates problems of parking

Councilmember Snell said, "What I would be interested in would be a study made of the use of the clinic if it were enlarged and the hours, as compared to the use of the 6th Street Clinic and the hours also involved there. What I am most interested in is whether it would be feasible to eliminate the health center proposed at Givens Park and include it in the Rosewood-Zaragosa." Ms. Edwards said that would be looked at along with the rest of the facilities that they would need to look at with regard to the transfer of Brackenridge Hospital patients. She said that it is anticipated the report will be ready around August 1, 1978.

ARTS COMMISSION

The Arts Commission was scheduled, on the agenda, to endorse a cultural service needs assessment for the City of Austin. Mayor McClellan commented that this had already been approved today, and asked Mr. Al Golden, Chairman of the Arts Commission if he had anything to say. He said "Thank you."

RECOMMENDATION ON PROPOSED TREE ORDINANCE

BROTHER DANIEL LYNCH, Vice-Chairperson of the Citizen's Board of Natural Resources and Environmental Quality, appeared before the Council to present the Board's recommendation on the proposed Tree Ordinance. He stated that the Ordinance was returned to the joint committee for revision and review and then later voted on by the Board (10-2) to be returned to the City Council. Brother Lynch indicated that the last time he appeared before the Council, he was asked if there were any other cities which had a Tree Ordinance or hired tree arborists or foresters. He stated that he researched this information and that his source of information was the Urban Tree Data Service, Managing Municipal Trees, published by the International City Manager's Association, 1976. Brother Lynch indicated that 70% of the cities with a population of 25,000 or over had a Tree Ordinance. He stated that 75% of those with a population of 250,000 to 500,000 had a Tree Ordinance also, as of 1976. In addition to this, 57% of those cities with a population of 250,000 to 500,000 have a tree care program. As to question of whether there would be enough work to warrant hiring an arborist, Brother Lynch stated that on the average there are 94,285 trees located in the cities with populations between 250,000-500,000. He stated that they were asking for an arborist at a salary range of about \$15,000 per year. He stated that the average salary for an arborist is \$14,466 per year, which is very close to the original salary suggested. Brother Lynch read an article which appeared in the May 11th issue of the Austin American Statesman, describing the situation in Atlanta, Georgia. He pointed out that Atlanta has an Ordinance prohibiting the removal of trees on non-residential property, a full-time arborist and an aggressive tree planning program. The City also maintains its own tree farm. Brother Lynch indicated that one of the things proposed in the Ordinance is some sort of tree nursery or tree farm, a care program to take care of the trees, and an educational program, which would instruct people on how to take care of trees. He stated that all of this would be part of the arborist's work, and that he would probably only require a half-time assistant. Brother Lynch felt that it would be an Ordinance that could be profitably endorsed. He stated that they did try to streamline the Ordinance and make it more acceptable.

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

EXECUTIVE SESSION ANNOUNCED

Mayor McClellan announced that at noon today, or when the agenda items are complete, the Council will convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated; and after such closed or executive session, any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary. The Mayor stated that after the executive session, Council will return to the Council Chamber to vote on any board or commission appointments discussed.

SALE OF LAND

Councilmember Himmelblau moved that the Council adopt a resolution to authorize sale of City-owned tract of land to adjacent owner, Ralph Moreland Restaurants, subject to limitation regarding access:

.37 of one acre of land out of Lot 11, Block A, Partition of the Estate of James E. Bouldin.

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

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

EASEMENT RELEASE

Councilmember Himmelblau moved that the Council adopt a resolution authorizing the release of the following easement:

An Electric and Telephone Easement located on Lot 14, Block "O" of Violet Crown Heights, Section 2, which Electric and Telephone Easement is recorded in Volume 2811, Page 387 of the Deed Records of Travis County, Texas, locally known as 6301 Woodrow Avenue. (Requested by Messrs. T. C. Lowe, F. J. Smalley and A. C. Bible, representing Northwest Baptist Church.)

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

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

PAYMENT AUTHORIZED

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

NPC REALTY COMPANY

- The cost difference of 12"/8" water line installed to serve Cherry Creek, Phase 6, Section 3 - \$8,775.38.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

CHANGE ORDER

Councilmember Himmelblau moved that the Council adopt a resolution to approve a change order in the amount of \$6,705.00 to United Construction Company for Jollyville Road (Old 183) 24-inch water transmission main. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

CONTRACTS APPROVED

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

STANLEY SMITH SECURITY, INC.
4914 Burnet Road
Austin, Texas

- Armored Car Services, Various City Departments.
Eighteen Months Service Agreement for Parks and Recreation Department.
Twelve Months Service Agreement for Finance Department and Utility Customer Services Division - \$13,199.50.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

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

- Bid Award:
- Police and Fire Uniforms, Purchases and Stores Department.
Twelve Month Supply Agreement
- FECHHEIMER BROS., COMPANY
4545 Malsbary Road
Cincinnati, Ohio
- Items 1-6 - \$13,568.55
- KAUFMAN UNIFORMS COMPANY
926 Fredericksburg Road
San Antonio, Texas
- Item 7 - \$2,880.80
- PRINCE CONSORT TIE COMPANY
16 South Eutaw Street
Baltimore, Maryland
- Item 8 - \$599.25

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

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

- CONTROL COMPONENTS, INC.
2567 S.E. Main Street
Irvine, California
- Control Valve for No 1 Decker
Main Boiler Feed Pump Recirculation Pump, Electric Department
Item 1 - 1 ea. - \$9,500.00

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

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

- WESTINGHOUSE ELECTRIC CORP.
201 N. St. Mary's Street
San Antonio, Texas
- Material for Installation of Hot
Reheat Piping on Decker No. 1
Turbine, Electric Department.
\$15,000.00

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

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

MCKESSON CHEMICAL COMPANY
4351 Director Drive
San Antonio, Texas

- Hydrazine, Power Production
Division.
Twelve Months Supply Agreement
Item 1 - \$12,675.00

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

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

HOLTKAMP COMPANY
65 North Cross
Centralia, Illinois

- Cable Splicing Trailer, Vehicle
and Equipment Services Department
Item 1 - 1 ea. - \$12,360.24

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

AUCTION OF SURPLUS VEHICLES AND EQUIPMENT

Councilmember Himmelblau moved that the Council adopt a resolution to dispose of, by auction method on June 24, 1978, surplus vehicles and equipment. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

Mayor Pro Tem Mullen asked Brother Lynch if the Board had given any consideration to exempting persons owning homesteads from being prohibited from removing trees. Brother Lynch indicated that they did not.

MR. L. C. REESE, a property owner, told the Council that having a tree on one's property was a liability. He felt that there should be some kind of tax compensation because personal property would not be worth as much. Mayor McClellan pointed out to Mr. Reese that before any Ordinance is considered, there would be a public hearing on the matter. Mr. Reese also indicated that he thought the Ordinance was unnecessary. Mayor McClellan reiterated that all concerned parties would have a chance to express themselves at the public hearing to be held on the Ordinance.

W. H. PASSON HISTORICAL SOCIETY

MRS. ADA SIMOND, President, and MRS. EVA ROSS, member of the W. H. Passon Historical Society, appeared before the Council to make presentation of a gift. Mrs. Ross presented the City with a portion of land entitled Bethany Cemetery. She stated that they have been trying to take care of the cemetery for some time. Mrs. Ross pointed out, however, that it was becoming increasingly hard for her to maintain the cemetery.

Mayor McClellan stated that Councilmember Snell has already made some inquiries into the matter. The Mayor felt that it would be appropriate if the City Manager brought a report to Council within 3-4 weeks. City Manager Dan Davidson indicated that 3-4 weeks would be adequate time to return to Council with a report.

Councilmember Snell moved that the Council direct the City Manager to bring back a report to Council on Bethany Cemetery with 3-4 weeks. The motion, seconded by Mayor Pro Tem Mullen, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

Mrs. Simond indicated that almost half of Bethany Cemetery is virgin land and no one is buried on it. She stated that the half that does contain burial sites is covered over with trees and that it is a disservice to the memory of the persons there that the cemetery is in such a condition. Mrs. Simond pointed out that the condition of the property afforded many safety hazards to the area.

FOURTH OF JULY FIREWORKS DISPLAY

MR. CHANNING DAVID JONKER, Project Chairman for Fourth of July Fireworks Display, Austin Jaycees, appeared before Council to request permission to use north and south shores of Town Lake and the parking lot adjacent to Municipal Auditorium, July 4, 1978.

Motion

Mayor Pro Tem Mullen moved that the Council approve the request from the Austin Jaycees. The motion was seconded by Councilmember Cooke.

Mr. Jonker told the Council that he had failed to indicate on the request that they also wanted to utilize the insurance offered by the City. City Manager Davidson told Mr. Jonker that he would discuss that with him after the meeting. He stated that he was not prepared to discuss the insurance at the moment but that he could talk with Mr. Jonker later in the afternoon.

Roll Call on Motion

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

STACY DAM PROJECT

THOMAS W. GEORGE, General Counsel, Lake Travis Improvement Association, appeared before Council to request passage of a resolution in opposition to the Stacy Dam Project. Mr. George told the Council that the Travis County Commissioners Court has already passed an Ordinance opposing the construction of the dam. He stated that the dam will reduce the level of Lake Travis, effect the capacity to generate low cost electricity and effect Austin's drinking water.

MR. DAN LARNER, President of the Lake Travis Improvement Association, thanked the Council for contributing the weight of the City of Austin to the opposition of the dam.

Motion

Mayor Pro Tem Mullen moved that the Council adopt a resolution opposing the Stacy Dam Project. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Councilmember Goodman read the following segment from the resolution: "That the City Council of the City of Austin does hereby formally register its opposition to the granting of Water Permit Number 3866 to build Stacy Dam and does hereby request that members of the Texas Water Commission deny the Permit to build the Stacy Dam."

ZONING POSTPONED

MR. TOM CURTIS, Attorney for Mr. Lawrence A. Schrader, Jr., appeared before Council to request that the Council postpone Zoning Case No. C14-78-101

until either the 6th or the 13th of July. (Case previously scheduled for June 29, 1978) Mr. Curtis stated that the Planning Commission has already reviewed the case and that its decision was not favorable. He stated that in order to save time, they were going to withdraw the item.

Councilmember Goodman moved that the Council withdraw the zoning case. The motion was seconded by Councilmember Cooke. No vote was taken on the motion.

Mayor McClellan indicated that the zoning case would be scheduled on next week's agenda for a request for withdrawal.

RESOLUTION TO LOWER TAX RATE

MR. ODUS S. CRUMLEY, President of the Austin Board of Realtors, appeared before Council to present a resolution requesting that the Council lower the tax rate after adjusting for the increase in appraisal values for real estate in Austin. Mr. Crumley introduced the First Vice-President of the Austin Board of Realtors, MS. DOROTHY WALLACE, to the Council. Mr. Crumley then read the resolution as follows:

"WHEREAS, the City of Austin Tax Department is in the process of re-evaluating all of the property in the City of Austin and the Austin Independent School District; and,

WHEREAS, such re-evaluation is for the purpose of equalizing the values as shown on the tax rolls; and,

WHEREAS, the Austin City Council and the Austin School Board will, following the tax rolls presentation to them, be setting the tax assessment rates for the year following;

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the Austin Board of Realtors respectfully request the City Council and the School Board to set the rate so as to not increase the total tax income beyond that income received in the current year for the reason that the budget of expenditure of these two entities is at the maximum that property tax should bear and, further, to reduce the expenditures on only that necessary to perform the services that are governmental in nature.

AND BE IT FURTHER RESOLVED that a copy of this resolution be presented to the City Council and the School Board."

Mayor McClellan thanked Mr. Crumley and Ms. Wallace for bringing the resolution before the Council. Councilmember Cooke hoped that the Board of Realtors will help the Council analyze the budget when it is received on August 8th. Mr. Crumley hoped that the Council would take the resolution into favorable consideration. He presented Mayor McClellan with posters and tickets for the Ablanado-Grayson benefit scheduled for June 18, 1978.

PUBLIC HEARING ON STREET VACATING

Mayor McClellan opened the public hearing scheduled for 10:00 a.m. on vacating a portion of East Johnanna Street and Nickerson Street. No one appeared to be heard.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THOSE CERTAIN PORTIONS OF EAST JOHANNA STREET, NICKERSON STREET, SOUTH CONGRESS AVENUE ALLEY AND NICKERSON STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT FOR PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

The Mayor announced that the ordinance had been finally passed.

PUBLIC HEARING ON STREET VACATING

Mayor McClellan opened the public hearing scheduled for 10:00 a.m. on vacating portions of Ridge Oak Drive right-of-way. No one appeared to be heard.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF RIDGE OAK DRIVE IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

The Mayor announced that the ordinance had been finally passed.

PUBLIC HEARING ON ALLEY VACATING

Mayor McClellan opened the public hearing scheduled for 10:00 a.m. on vacating a portion of a 20-foot alleyway. No one appeared to be heard.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF BIERCE STREET ALLEY IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR ELECTRIC UTILITY AND TELEPHONE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

The Mayor announced that the ordinance had been finally passed.

FEASIBILITY STUDY FOR A PROPOSED CONVENTION CENTER

Councilmember Goodman indicated that this was a preliminary step to make some sort of assessment of the need for a convention center in Austin. In regard to the Special Events Center, Councilmember Goodman stated that they wanted to know what the City Manager's recommendations are insofar as how the Center's impact could be measured. He stated that they wanted an initial study from the Manager's Office as to what it would take to have a market analysis done, the economic feasibility of a Center and what kind of impact the Center would have on the City. Councilmember Goodman also indicated that they wanted included in the study, how a Center could be financed in a bond package and what the impact would be.

City Manager Dan Davidson felt that the request was very timely and that such a product would be coming before the Council as part of a Capital Improvements Project. He stated that it deals directly with the Council's policy on economic development and indicated that he would return with a report as quickly as possible.

Councilmember Trevino hoped that the Manager's study would touch upon the amount of convention revenue that the City has lost over the last five years. He felt that it would be surprising to the citizens of Austin to know how much municipal revenue has been lost to other cities because Austin has not had a convention facility large enough to be able to compete with other cities. City Manager Davidson stated that he would also include this information in the study report.

Councilmember Goodman moved that the Council direct the City Manager to conduct a study on the feasibility of a Convention Center in Austin, and to submit a report to Council. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

Councilmember Cooke stated that about four months ago the staff provided information on the current situation and suggested that this information might be included in the report.

RECESS

Mayor McClellan then announced that the Council would recess into executive session. She stated that the Council would be resuming the Council meeting after the executive session, at which time they would consider Boards and Commissions appointments.

BOARDS AND COMMISSIONS APPOINTMENTS

Mayor McClellan stated that the Council had previously announced all of the appointments that would not be made today with the exception of the one vacancy on the Electric Utility Commission which, she indicated, would be made at the time other appointments are made to that Commission on July 1, 1978. The Mayor stated that the other announcements were already made for the June 15, 1978, meeting. She stated that the Council would be appointing today, nine members to the reconstituted Hospital Board with the understanding that the Medical Chief of Staff will sit as an Ex Officio member to the Hospital Board of Trustees.

Councilmember Cooke moved that the Council appoint the following members to the Hospital Board of Trustees, effective June 16, 1978:

Janice Robinson
Mike Willatt
Bill Summers
Gus Garcia
John Tolleson

Judge Tom Reavley
Andra Cohn
Ed Adams
David Warner

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

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

Councilmember Trevino regretted that none of the appointees were from south Austin, which he stated constituted 1/3 of the City's entire population. Councilmember Cooke also agreed with this sentiment.

June 8, 1978

ADJOURNMENT

Council adjourned its meeting at 11:39 a.m.

APPROVED

Carole Zentgraf McCall
Mayor

ATTEST:

Grace Monroe
City Clerk