

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 10, 1977  
10:00 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, Mayor  
Pro Tem Himmelblau, Councilmember Mullen

Absent: Councilmembers Snell, Trevino

INVOCATION

Reverend Raymond D. Kiser, Memorial United Methodist Church, gave the Invocation. There was an attempt made to stop the prayer when Ms. Patricia Rezabek and Ms. Bonnie Bliss protested from the audience concerning prayer at the beginning of a Council meeting. Mayor McClellan informed them that the Invocation would be continued and that they were welcome in her office at any time for a discussion, or they could appear on a future Council Agenda under Citizen's Communications. She told them that if they did not wish to listen to the prayer, they were free to leave the Council Chamber, and they did.

MINUTES APPROVED

Councilmember Cooke moved that the Council approve the Minutes for November 3, 1977. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mullen

Noes: None

Abstain: Mayor Pro Tem Himmelblau

Absent: Councilmembers Snell, Trevino

## MENTAL RETARDATION MONTH

MS. VIVIAN LEPINE and MS. DORIS THIELEMAN accepted, with their thanks, a proclamation read by Mayor McClellan designating the month of November, 1977, as Mental Retardation Month, and called on all citizens to commend the Austin Association for Retarded Citizens for its continuing concern for the mentally retarded and to encourage all citizens to support the programs of this organization.

## EMERGENCY MEDICAL SERVICES WEEK

Mayor McClellan read a proclamation designating the week of November 12 through 19, 1977, as Emergency Medical Services Week, and called on all residents to recognize the contributions of the men and women in this important profession and acknowledge the lives that have been saved through their dedicated efforts. Accepting the proclamation with the appreciation of all EMS paramedics was JIM McMICHAEL, EMT paramedic; BUCK KELSEY, nurse paramedic; PAT HAYNES, EMT; and DENNIS SIMMONS, EMT paramedic.

## POPPY DAYS

Poppy Days, November 11, 1977, was proclaimed by Mayor McClellan, and by her action does encourage the citizens of Austin to wear the Memorial Poppy as a tribute to all veterans of Austin who served in defense of our land and to whom we pay honor on Veteran's Day, November 11, 1977. Accepting the proclamation on behalf of the American Legion Auxiliary was MRS. JAMES L. McADAMS, and the 1977 Poppy Girl, JENNIFER DIXON. They expressed their thanks to the Mayor and Council.

## VETERAN'S DAY

MS. JUNE BELL, General Chairman, All Veterans Committee, accepted on behalf of the Committee with their thanks, a proclamation setting aside Friday, November 11, 1977, as Veteran's Day. Mayor McClellan read her proclamation and called on all residents of Austin to observe and participate in the appropriate ceremonies planned by our City's veterans organizations.

## SCHOOL CLASS RECOGNIZED

Mayor McClellan and Councilmembers recognized the fifth grade class and their teacher, Ms. Evelyn Wilson, from Matthews Elementary School, who were in the Council Chamber to observe.

## PARADE PERMIT

Mayor Pro Tem Himmelblau moved that the Council approve the request for a parade permit from William R. Staudte, President, Austin Pacers M/C, for children in pediatric ward of Brackenridge Hospital from 1:00 p.m. to 2:00 p.m.,

Saturday, December 10, 1977, beginning from Pacers Club House (BAFB) north on 183, west on 71, north on Congress, east on 11th, north on Red River, east on 15th, south on West Frontage Road, east on 12th, north on East Frontage, west on Martin L. King, north on Guadalupe, north on Lamar, south on Airport, south on 183 to club house. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

Absent: Councilmembers Snell, Trevino

#### PARADE PERMIT

Councilmember Goodman moved that the Council approve the request for a parade permit from Samuel R. Hernandez for Brown Berets, from 1:30 p.m. to 3:30 p.m., Saturday, November 12, 1977, beginning from San Marcos and Holly, east on Holly, north on Canadian, west on 2nd Street, west on 1st Street, north on Congress to the Capitol. The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau,  
Councilmember Mullen, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmembers Snell, Trevino

MR. SAM HERNANDEZ stated the Brown Berets had a meeting the previous evening and decided it would be less likely for any incidents to occur during the parade if there were no police officers in the area. City Manager Davidson stated this had been discussed with Mr. Paul Hernandez and the Chief of Police. The Brown Berets had been informed that the authority for traffic control cannot be transferred to a non-police person and it would be extremely hazardous to try to conduct a parade without having adequate traffic controls at intersections. Therefore, Mr. Davidson told the Council, it is advisable to have police protection during a parade. Chief of Police Dyson, in talking with the people concerned, has advised them it will be kept at a minimum.

#### 1977 CITY CHRISTMAS LIGHTING

MR. MAC HOLDER, Chairperson, Energy Conservation Commission, appeared before Council to discuss the 1977 Christmas Lighting Program. Mr. Holder stated they are again recommending a program of sensible Christmas lighting in which they will emphasize lighting in Austin areas where the public is most likely to enjoy it. Since 1974, he said, they have consistently held the energy consumption to a minimum while utilizing the maximum effect. This year, he said, they are recommending a slight increase in Christmas lighting, due to increased use of the area, and the Commission believes the increase will be justified by the number of people who will be enjoying it. Energy usage recommended is about 11% of the usage for Christmas lighting prior to 1974. 1977 Christmas lighting recommendations by the Energy Conservation Commission are as follows:

1. Downtown Austin - (Congress Avenue and Sixth Street) from dusk until midnight from November 23 through January 1. Regular street lighting to remain on for security purposes.
2. Giant Christmas Tree - (Zilker Park) from dusk until midnight, December 4 through December 25.
3. Yulefest - Santa's Village, Parking Lot, Garden Center Building Area - from 6:30 p.m. to 10:00 p.m., December 17 through December 22.
4. Jamie Odom Pavilion, West 1st Street between Seaholm intake and the railroad bridge...the round pavilion.
5. No other City facilities should be lighted with decorative lighting.

City Manager Davidson commented that the Energy Conservation Commission has done an excellent job each year in helping to guide the City toward a reasonable conservation program pertaining to Christmas decorating and asked the Council to approve the recommendations as put forth by Mr. Holder.

Councilmember Goodman moved that the Council approve the recommendation of the Energy Conservation Commission for 1977 Christmas lighting. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

#### LEASE AGREEMENT

Councilmember Mullen moved that the Council adopt a resolution to renew a Lease Agreement with the Austin Civic Ballet for use of the second floor of the Old Fire Station at 30th and Guadalupe. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

#### DEDICATIONS

Councilmember Mullen moved that the Council adopt a resolution to approve the dedication of the following City-owned properties as street right-of-way for:

- a. South Lakeshore Boulevard
- b. West 9th Street between Lamar Boulevard and West Avenue
- c. West 10th Street between Lamar Boulevard and West Avenue

## d. Festival Beach Area Streets:

- (1) 0.28 acre for Waller Street connection to new park road.
- (2) Two tracts, each containing 1,550 square feet for a new cul-de-sac on Salina Street
- (3) Two tracts, 1,595 square feet and 1,504 square feet for a cul-de-sac on Chalmers Avenue
- (4) Four tracts for the widening and realignment of Bergman Street at Fiesta Gardens

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

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

## EASEMENT RELEASE

Councilmember Mullen moved that the Council adopt a resolution to authorize release (jointly with LCRA) of portions of an easement acquired for the Fayette Power Project. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

## LEASE AGREEMENT TERMINATED

Councilmember Mullen moved that the Council adopt a resolution to authorize termination of the Lease Agreement between the City of Austin and Jackson Tire Company for property located at 201 West 2nd Street. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

## MAN-MADE LAGOON TO BE FILLED

Councilmember Mullen moved that the Council adopt a resolution to authorize Mr. Charles L. Sandahl, Jr., to fill a portion of the landward side of a man-made lagoon adjacent to Lake Austin. (Recommended by the Navigation Board) The motion, seconded by Councilmember Cooke, carried by the following vote:

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

## ILLUMINATION AGREEMENT

Councilmember Mullen moved that the Council adopt a resolution to authorize an Illumination Agreement with the State Department of Highways and Public Transportation for the location of U. S. Highway 183 between Loop 360 and I.H. 35. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

## CONTRACTS APPROVED

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

WESTINGHOUSE ELECTRIC CORPORATION	- CAPITAL IMPROVEMENTS PROGRAM -
201 North St. Mary's Street	Austrop Substation, Gas Circuit
San Antonio, Texas	Breaker, Electric Department.
	Item 1 - \$174,100.00

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

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

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

TRANS TRONICS INC.	- Traffic Signal Heads for Urban
3612 W. Vickery Boulevard	Transportation Department.
Ft. Worth, Texas	Item 1 - \$23,400.00

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

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

Councilmember Mullen moved that the Council approve the following contracts:

Bid Award:	- Pharmaceuticals for Brackenridge Hospital Twelve Months Supply Agreement Total - \$816,760.62
AMFAC DRUG SUPPLY COMPANY 11927 Wardfield San Antonio, Texas	- \$94,089.13
THE UPJOHN COMPANY 4114 N. Central Expressway Dallas, Texas	- \$89,875.88
SCHERING CORPORATION Gallopig Hill Road Kenilworth, New Jersey	- \$68,252.86
CUTTER LABORATORIES 4542 McEwen Road Dallas, Texas	- \$58,209.30
ABBOTT LABORATORIES Abbott Park D361 North Chicago, Illinois	- \$42,120.73
WYETH LABORATORIES 8717 Directors Row Dallas, Texas	- \$39,440.20
MERCK SHARP & DOHME 925 111th Street Arlington, Texas	- \$38,712.12
McGAW LABORATORIES 3310 Quebec Street Dallas, Texas	- \$32,191.92
BRISTOL LABORATORIES P. O. Box 657 Syracuse, New York	- \$30,203.64
ROCHE LABORATORIES 340 Kingsland Street Nutley, New Jersey	- \$27,664.22
PARKE DAVIS COMPANY P. O. Box 5206 Dallas, Texas	- \$24,981.55

ARMOUR DIAL, INC. Greyhound Tower Phoenix, Arizona	- \$23,962.50
HOECHST PHARMACEUTICAL COMPANY Route 202-206 North Somerville, New Jersey	- \$22,856.54
E. R. SQUIBB & SONS 3101 Buffalo Speedway Houston, Texas	- \$17,884.59
BEHRENS DRUG CORPORATION P. O. Box 1467 Austin, Texas	- \$13,964.36
MCNEIL LABORATORIES Camp Hill Road Ft. Washington, Pennsylvania	- \$12,406.55
PURDUE FREDERICK COMPANY 50 Washington Street Norwalk, Connecticut	- \$10,529.48
WINTHROP LABORATORIES 90 Park Avenue New York, New York	- \$10,214.16
VITARINE COMPANY P. O. Box 35046 Dallas, Texas	- \$10,056.53
PFIZER, INC. P. O. Box 22249 Dallas, Texas	- \$9,868.14
AYERST LABORATORIES 3601 Executive Boulevard Mesquite, Texas	- \$8,400.64
SOUTHWESTERN DRUG CORPORATION P. O. Box 1231 San Antonio, Texas	- \$8,205.88
SYNTEX LABORATORIES, INC. LOCK BOX GPO Box CMB San Juan, Puerto Rico	- \$7,856.88
AMERICAN PHARMACEUTICAL CO. 245 Fourth Street Passaic, New Jersey	- \$7,525.69



SMITH KLINE AND FRENCH  
LABORATORIES  
1500 Spring Garden Street  
Philadelphia, Pennsylvania

- \$7,030.35

FELLOWS CHROMALLOY  
12741 Capital Avenue  
Oak Park, Michigan

- \$6,968.75

ELKINS-SINNS, INC.  
2 Esterbrook Lane  
Cherry Hill, New Jersey

- \$6,677.64

SANDOZ PHARMACEUTICAL COMPANY  
Route 10  
East Hanover, New Jersey

- \$5,653.20

SAVAGE LABORATORIES  
Byk-Gulden, Inc.  
P. O. Box 1000  
Missouri City, Texas

- \$5,637.80

Total: - \$741,441.23

Thirty-six other awards are \$5,000.00 or less and will be handled by administrative action, totaling \$75,319.39.

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

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

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

AUSTIN ENGINEERING COMPANY  
P. O. Box 3255  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM  
Construction of 4,285 feet of 16-inch  
water main in the vicinity of U.S.  
183, Burnet Road and Kramer Lane -  
\$123,300.00 - CIP No. 75/40-04

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

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

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

UNITED CONSTRUCTION COMPANY  
4311 Brookview  
Dallas, Texas

- CAPITAL IMPROVEMENTS PROGRAM  
Construction of Boggy Creek East  
Wastewater Interceptor - \$542,535.00.  
CIP No. 73/50-14

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

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

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

GRAVITY STRUCTURES  
1719 Manor Road  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Channel Improvements in Blunn Creek  
from East Live Oak to a point 800  
feet south of East Live Oak -  
\$6,724.20. CIP No. 75/70-30

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

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

#### GBF/DIME FILE

Councilmember Mullen moved that the Council adopt a resolution to submit a request for and enter into an agreement with the Bureau of the Census for Federal funding participation in evaluating the accuracy of the GBF/DIME File. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

#### CHANGE ORDERS

Councilmember Mullen moved that the Council adopt a resolution to approve a Construction Change Order in the amount of \$15,816.00 to AUSTIN ROAD COMPANY for Municipal Airport Apron Fillet Improvements. CAPITAL IMPROVEMENTS PROGRAM No. 73/81-02. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Councilmember Mullen moved that the Council adopt a resolution to approve a Construction Change Order in the amount of \$140,392.90 to J. T. WAGGONER CONSTRUCTION COMPANY for EDA-LPW Sidewalk Program Phase III. CIP. No. 78/75-01. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Councilmember Mullen moved that the Council adopt a resolution to approve Phase 2B Expansion Brackenridge Hospital, Change Order in the amount of \$25,707.00. CIP No. 74/84-01. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

#### SENIOR CITIZENS PROJECT

Councilmember Mullen moved that the Council adopt a resolution to approve submission of an application in the amount of \$16,839.00 to the Texas Committee for the Humanities and Public Policy for funds to operate a Senior Citizens Project. (Project period: January 1978 through August 1978 - Total in-kind cost to City: \$10,797.00) The motion, seconded by Councilmember Cooke, carried by the following vote:

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

#### TRANSPORTATION PLANNING ACTIVITIES

Councilmember Mullen moved that the Council adopt a resolution to enter into an Agreement between the City of Austin and the Austin Transportation Study Advisory Committee (MPO) to provide reimbursement to the City for Transportation Planning Activities. (\$39,712.00) The motion, seconded by Councilmember Cooke, carried by the following vote:

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

## TRANSPORTATION FOR THE ELDERLY

Councilmember Mullen moved that the Council adopt a resolution to submit a second year grant renewal application to the Capital Area Planning Council for Transportation for the Elderly. (December 1, 1977 - November 30, 1978) The motion, seconded by Councilmember Cooke, carried by the following vote:

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

## SPRINGDALE ROAD PROJECT

Councilmember Mullen moved that the Council adopt a resolution to authorize payment to the Texas Department of Highways and Public Transportation for the City's portion of Springdale Road Project (\$250,200.00) CIP No. 73/62-39. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

## PUBLIC HEARINGS RESET

Councilmember Mullen moved that the Council reset a public hearing for December 8, 1977 at 11:00 a.m. to consider an amendment to Section 45-30(c) of the Austin City Code of 1967 regarding off-street parking for day care or kindergarten facilities. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Councilmember Mullen moved that the Council reset a public hearing for December 8, 1977, at 11:30 a.m. to consider amendment to Section 45-4(c) of the Austin City Code of 1967 regarding the establishment of a period of time for a temporary sales office for use in the development of a new subdivision. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

## WORK SESSION SET

Councilmember Mullen moved that the Council set a work session for December 12, 1977, at 4:00 p.m. to review and verify Boards and Commissions reports. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

## PUBLIC HEARING ON BOARDS AND COMMISSIONS - PULLED

The Council had before it a resolution to set a public hearing on Boards and Commissions to determine if each Board or Commission should be continued, modified, or terminated. By unanimous assent, the Council decided to act on this resolution after the above scheduled work session has been completed, so the item was pulled from the Agenda.

## PUBLIC HEARING SET

Councilmember Mullen moved that the Council set a public hearing on December 8, 1977, at 2:00 p.m. on an appeal by Robert Penn Fowler from an order of the City Health officer directing the cutting of weeds and removal of rubbish. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

## PUBLIC HEARING - APPROACH MAIN FOR TIMBERLINE SUBDIVISION

Mayor McClellan opened the Public Hearing set for 10:30 a.m. on whether to permit the construction of an 8-inch wastewater approach main through park land to serve Timberline Section IV Subdivision.

Mr. Curtis Johnson, Director of Water and Wastewater, stated this public hearing is one of dual purpose in that it involves an approach main and does go across land used for park purposes. So, he said, action on both of these points needs to be spoken to by the Council. The proposed 140-foot, 8-inch wastewater approach main would make service available to Timberline Section IV Subdivision. The line, Mr. Johnson said, will serve only that subdivision and as a result of policy, the total cost would be paid by the subdivider.

With respect to the portion of the hearing of the line crossing park property, this proposed project has been reviewed by the Parks and Recreation Board and received a favorable recommendation from that Board, Mr. Johnson said.

From the approach main prospect, the project has been reviewed by the Planning Commission and likewise received a favorable recommendation from the Planning Commission.

MRS. BOB RYLAND, who lives in South Austin, asked if this is above Barton Springs pool and also wondered if there is a conduit under the creek. Mr. Johnson replied that there is an existing main on the north edge of the creek at this point which keeps the wastewater from being dumped right into the creek. He said the approach main in question will connect right into that.

JOE RIDDELL appeared before Council to state that he thought the sewer line would be detrimental in its effect on the park land. He outlined the projected subdivision and said he thought the land would be more conducive to a Planned Unit Development because the slopes could be better responded to. Mayor Pro Tem Himmelblau pointed out that the Council was not acting on a subdivision development or a PUD today. She said that at this time she could not comment on either of them, but no matter what is put there, sewer service will be needed. Mr. Riddell said his point was that the development should not be detrimental to the creek. Mr. Davidson, City Manager, said that is sort of like questioning the Building Code or the Electric Code that will be required of the property, at this time, because you are considering the sewer. He said those things have nothing to do with what is on today's agenda. He said that Mr. Riddell was talking to the Council about something that could represent considerable liability to the City of Austin, because of previous approval that has been granted for the project. City Attorney Harris said his concern is that there is a process concerning the type of lots and subdivisions the property will be developed in. He said he assumes the Planning Commission has already made their decision and if the land has been platted as single family units, there would be some concern if the City Council were to override the decision of Planning and Zoning as to how to put a sewer line through park land. Mr. Davidson pointed out that the only question at this hearing is whether or not to install an approach main across park land. Mr. Riddell pointed out that Austin does have a creek ordinance and asked the Council to impose certain conditions on their approval:

1. Development should meet the criteria of the Lake Austin Plan.
2. Require ponding and filtration of run-off.
3. Require a 50-foot setback from the 100-year floodplain line to buffer the park.
4. Dedicate land adjacent to the floodplain.

Mr. Riddell said the Council should disapprove the sewer line and use of park land and have the developer come back through the Planned Unit Development process which would require closer supervision of the use of the land.

Councilmember Mullen asked Mr. Johnson, "Is it your opinion there is any feasible and prudent alternative than to use the park land for water main purposes?" "No, sir," answered Mr. Johnson. "Is it your opinion," asked Councilmember Mullen, "that the project includes all reasonable plans to minimize harm to such land as a park?" "Yes, sir," answered Mr. Johnson.

Mrs. Bob Ryland reappeared and asked the Council to protect parkland.

Mayor Pro Tem Himmelblau asked Mr. Lillie, Director of Planning, if ponding and filtration be tied to the preliminary of the subdivision. Mr. Lillie said he thought that when the Department of Engineering reviews a plat they look at it to see if that is possible, but does not know if they did so in this instance. Mayor Pro Tem Himmelblau said she would like to make this a conditional arrangement, if Mr. Harris would agree, but just on the one point of ponding and filtration.

MR. HOOPER, representing the applicant, said that many of the issues Mr. Riddell raised were thoroughly discussed in the Planning Commission process and the original proposal was for Planned Unit Development. It did not work out and the owner of the land has elected to go forward in this fashion. The original proposal was to have on the two tracts of 12 acres total, about 120 units. As such there is a significant need for the control of run-off and filtration. The development of the property will be in concurrence with the Lake Austin Growth Development Management Plan. Mr. Hooper said that since everything has been discussed, they are ready to go through with their plans and the line itself will go through an existing passway. Mr. Hooper said they feel they have done everything feasible to meet all requirements and asked that the Council approve the request without conditions.

#### Motion

Mayor Pro Tem Himmelblau made a motion to close the public hearing and that it be the finding of the City Council that there is no feasible and prudent alternative to the use of this land for wastewater main purposes and that this project includes all reasonable planning to minimize harm to such land as a park, and further move that the City Council approve this project. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

#### HEALTH FEES AND PERMITS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 12-42(c) OF CHAPTER 12; SECTION 12-60(a) OF CHAPTER 12; SECTION 12-22 OF CHAPTER 12; SECTION 43-3 OF CHAPTER 43; SECTION 33-6 OF CHAPTER 33; SECTION 29-49(c)(1) OF CHAPTER 29; SECTION 42-612(g)(1) OF CHAPTER 42; SECTION 13-15 OF CHAPTER 13; SECTION 18-5 OF CHAPTER 18; AND ADDING A SECTION 13-27 TO CHAPTER 13 OF THE AUSTIN CITY CODE OF 1967; PROVIDING FOR INCREASES IN CERTAIN FEES FOR HEALTH PERMITS, IMMUNIZATIONS, AND BIRTH AND DEATH CERTIFICATES; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

#### SPEED ZONES

The Council had before it the modification of certain school reduced speed zones as follows:

<u>DELETING</u>	<u>ON</u>	<u>TO</u>	<u>FROM</u>
	Redd Street (Joslin School)	Manchaca Road	200 feet east of Pack Saddle Pass
<u>ADDITIONS</u>			
	West 49th Street (Rosedale School)	52 feet east of <del>Rainey Drive</del>	205 feet east of Lynnwood Street
	Redd Street (Joslin School)	Manchaca Road	200 feet east of Pack Saddle Pass
	Rundberg Lane (Barrington School)	325 feet west of <del>Slayton Drive</del> Slayton Drive	399 feet east of Slayton Drive

Mayor McClellan introduced the following ordinance:

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

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

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

The Mayor announced that the ordinance had been finally passed.



## ANNEXATION ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 64.87 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE HENRY P. HILL LEAGUE IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

The Mayor announced that the ordinance had been finally passed.

## ZONING ORDINANCES

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:

(1) LOT 2 AND EAST 60 FEET OF THE SOUTH 88.1 FEET OF LOT 1, MARTHA SUBDIVISION, LOCALLY KNOWN AS 101 WEST ST. ELMO ROAD AND ALSO BOUNDED BY SOUTH CONGRESS AVENUE, FROM "C" COMMERCIAL DISTRICT AND "C-2" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; AND, (Charles L. Hoffman, C14-77-116)

(2) WEST 60 FEET OF LOT A, PERRY ESTATES RESUBDIVISION NO. 1, LOCALLY KNOWN AS 810 PARK BOULEVARD, FROM "O" OFFICE DISTRICT TO "A" RESIDENCE DISTRICT; AND, (Pauline Coffey Johnson, C14-77-117)

(3) LOT 2B, RESUBDIVISION OF LOT 2, SHOALMONT ADDITION, LOCALLY KNOWN AS 2308-2310 HANCOCK DRIVE, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND, (Joe K. Murchison, C14-77-122)

(4) TRACT 1: THE SOUTH 200 FEET OF LOTS 4, 5 AND 6, MRI SYSTEMS CORPORATION SUBDIVISION, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND, (

TRACT 2A: THE SOUTH 120 FEET OF A 4 ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2B: A 4 ACRE TRACT OF LAND, SAVE AND EXCEPT THE SOUTH 120 FEET, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; LOCALLY KNOWN AS 12574 AND 12617-12621 U. S. HIGHWAY 183 AND ALSO BOUNDED BY JOLLYVILLE ROAD; AND, (LML Investments, C14-77-123)

(5) LOT 19, BLOCK A, SOUTH LAMAR SQUARE SUBDIVISION, LOCALLY KNOWN AS 1314-1320 SOUTH LAMAR BOULEVARD, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; AND, (O. Sherman Snowden, Executor, C14-77-125)

(6) TRACT 1: A 2.2112-ACRE TRACT OF LAND, FROM "C" COMMERCIAL DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND,

TRACT 2: A 1.0722-ACRE TRACT OF LAND, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT, LOCALLY KNOWN AS 2025 WEST BEN WHITE BOULEVARD AND 4401-4435 CACTUS LANE; AND, (Jonada Company, et al, C14-77-128)

(7) LOT 1, RESUBDIVISION OF PARTS OF LOTS 41 AND 42, DUVAL HEIGHTS ADDITION, LOCALLY KNOWN AS 5740 NORTH I. H. 35 AND 971 REINLE STREET, FROM "C" COMMERCIAL DISTRICT, SIXTH HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIFTH HEIGHT AND AREA DISTRICT; AND, (Texaco, Inc., C14-77-129)

(8) LOT 1, TOWN AND COUNTRY VILLAGE ADDITION, SECTION 2, LOCALLY KNOWN AS 8659-8669 SPICEWOOD SPRINGS AND 12812-12826 U. S. HIGHWAY 183, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND, (Autotronics Systems, Inc., C14-77-132)

(9) LOT 2A, RESUBDIVISION OF LOTS 1 AND 2, MORROW SUBDIVISION, LOCALLY KNOWN AS 11657-11679 U. S. HIGHWAY 183, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND, (Ken Sheppard, C14-77-134)

(10) LOT 1, BLOCKS A AND B, THE WOODS AT ANDERSON MILL, LOCALLY KNOWN AS 13682-13690 U. S. HIGHWAY 183 AND 9905-9915 WOODLAND VILLAGE DRIVE, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND, (William T. Gunn, C14-77-135)

(11) A 9,528-SQUARE-FOOT TRACT OF LAND, LOCALLY KNOWN AS 800 RIO GRANDE STREET AND 700 WEST 8TH STREET (NORTHWEST CORNER), FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND, (D. Y. & Dorethy Fournichelle, C14-77-137)

(12) AN APPROXIMATE 7.74-ACRE TRACT OF LAND BEING COMPRISED OF SIX (6) TRACTS OF LAND CONTAINING 0.21 ACRES, 3.99 ACRES, 0.93 ACRES, 0.239 ACRES, 1.33 ACRES, AND 1.0342 ACRES, RESPECTIVELY, LOCALLY KNOWN AS 9017-9101 JOLLYVILLE ROAD, AND ALSO BOUNDED BY U. S. HIGHWAY 183, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; ALL OF 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. (Mrs. Frien [Susie] Gatliff, et al, C14-77-139)

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

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

Mayor McClellan 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:

TRACT 1: LOT 16, BLOCK A, BARRINGTON OAKS, SECTION ONE, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2: A 2.3454 ACRE TRACT OF LAND, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; LOCALLY KNOWN AS 12005-12027 BARRINGTON WAY, AND ALSO BOUNDED BY JOLLYVILLE 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. (Barrington Oaks Joint Venture, C14-77-127)

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

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

Noes: None

Absent: Councilmembers Trevino, Snell

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 2.82-ACRE TRACT OF LAND, LOCALLY KNOWN AS 11207-11325 JOLLYVILLE ROAD, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, 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. (Casey & Hampton Investments, C14-77-136)

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

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

Noes: None

Absent: Councilmembers Trevino, Snell

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 16.5 FEET OF LOT 3, BLOCK 66, ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 412 EAST 6TH STREET (QUAST BUILDING), 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. (Quast Building, Britt R. Kennard, owner, C14h-77-037)

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

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

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, CONOCO ADDITION, LOCALLY KNOWN AS 4906 BURLESON ROAD, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, 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. (City of Austin [Hays City Corporation d/b/a Tex-Con Oil Company, owner], C14-77-018)

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

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

The Mayor announced that the ordinance had been finally passed.

## PUBLIC HEARING ON ANNEXATION

The Mayor opened the public hearing scheduled for 11:00 a.m. to consider annexation of and directing the administration to institute annexation proceedings to annex the following: (Case No. C7a-76-012)

25.03 acres of land out of the Thomas Anderson League, Westcreek Section Two. (Requested by Provident Development Company, James H. Mills, Vice-President)

Mr. Lillie, Director of Planning, appeared before Council to state that in April of this year the City received a request to consider annexation of the balance of the Westcreek subdivision which had not been included in the 1975 request. In reviewing the request the Planning Department also found another three acres that belonged to the same firm, not included in the subdivision. That acreage was added to the original request for 22 acres, for a total of just over 25 acres. The request was submitted to City departments for comments and they have been distributed to Councilmembers. These areas can be served as the Westcreek subdivision is being developed. The fire protection department indicated that the response time is longer than we like, in this area, but with the opening of William Cannon Drive, it will be cut down considerably. It is likely that this area of the subdivision will not be under construction immediately as they are proceeding with other acreage within the Westcreek subdivision. Mr. Lillie said it is the Planning Department's recommendation the annexation be allowed to proceed.

No one appeared to speak on the annexation.

Councilmember Goodman moved that the Council close the public hearing and proceed with the annexation of 25.03 acres of land out of the Thomas Anderson League, Westcreek Section Two. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

## CETA TITLE VI PUBLIC SERVICE PROJECTS

The Council had before it for consideration authorization to negotiate contracts with five non-profit agencies to operate CETA Title VI Public Service Projects.

Ms. Turner, representing Human Resources, appeared before Council to say that there are five non-profit agencies that they are recommending for approval by the Council:

Texas Society for Autistic Citizens  
Austin Branch NAACP  
Laguna Gloria Art Museum  
The League of United Chicano Artists  
The Mary Lee Foundation

Mayor Pro Tem Himmelblau said she wanted to know the criteria used in selecting because they have a lot of non-City agencies that applied. Ms. Turner answered that the agencies they are recommending for approval have submitted revised budgets or additional information. Based on that, if the applicants had not submitted additional information required, they were not listed as eligible on the list the Councilmembers had received. City Manager Davidson asked if each of the proposed agencies comply with the proposals. Ms. Turner said they did. Mayor Pro Tem Himmelblau asked what the difference was between the evaluation of the Capital Area Rehabilitation Center and Mary Lee Foundation. She wanted to know why some are rejected and some are taken. Ms. Turner said all the applications were reviewed by a staff committee and also by an advisory committee. Based on the ratings of both committees, a determination was made as to whether or not to submit the application to the City Council. Ms. Turner said they had requested additional information from Capital Area Rehabilitation but they had not complied. Mayor Pro Tem Himmelblau said that sometime in the near future she would like to see a set of criteria and manner in which points are awarded. Ms. Turner said those that were selected were innovative and provided services not previously provided within the City itself. City Manager Davidson assured Mayor Pro Tem Himmelblau that she would receive the information she requested. Councilmember Mullen asked if there was still money available for the projects. Ms. Turner said that they recommended agencies would use all of the funds available at this time. Mr. Davidson said there are some additional phases forthcoming and he will add them to the report so the Council will know what is coming in the future.

There was more discussion among the Councilmembers, and the Mayor Pro Tem concluded she needed to learn more about Title VI.

#### Motion

Mayor Pro Tem Himmelblau moved that the Council approve the contracts with the five non-profit agencies listed to operate CETA Title VI Public Service Projects. The motion was seconded by Councilmember Goodman.

MS. JOY SCHAEFFLER, Capital Area Rehabilitation Center, appeared to state that Ms. Turner had said she did not receive a response to certain information they had asked for; then she amended that to say they had. Ms. Schaeffler said she had a copy of a letter dated October 6, 1977, submitting the information they had asked for. She said they had received a letter dated November 7, 1977, from Andy Ramirez saying that, "Your application, Community para-professional outreach project, will be submitted to the Austin City Council for their selection and final approval, Thursday, November 10." She said that is why she is at the meeting, and asked that every consideration be given this because they do need assistance in their activities.

Mr. Davidson said that, based on the letter dated November 7, 1977, from Mr. Ramirez, he wanted the item postponed one week. That would give them time to forward the information from Ms. Schaeffler, as well as criteria information they had asked for. Mayor McClellan asked if this would place any hardship on anyone to delay this one week.

#### Motion Withdrawn

Mayor Pro Tem Himmelblau withdrew her motion.

Mr. Davidson said that they could work with a week's delay and that is what he would recommend. This item will be on the Agenda for November 17, 1977.

#### GOODWILL TRIPS

The Council had before it an ordinance amending Chapter 2, Article V, Section 2-33(a)(1) and Chapter 2, Article VI, Section 2-35(e)(4) of the Austin City Code to provide that the Mayor and members of the City Council may accept offers of goodwill trips provided that such an acceptance is disclosed on the annual financial disclosure statement. Mayor McClellan said that she did not think the Council should take a vote until all members are present at a future meeting.

COLIN CARL, Chairman, Ethics Commission, appeared to discuss goodwill trips taken by Councilmembers. He said the commission feels that the amendment to the ordinance is a good proposal. As an example, he said, some of the traveling he has done in connection with his job has been his most valuable experience. Mr. Carl pointed out that the proposed amendment to the Ethics and Financial Disclosure Ordinance would allow the Mayor and members of the City Council to accept an offer of a trip or excursion as long as:

1. The sponsor's purpose is one of goodwill toward the City.
2. Such a trip or excursion is of some benefit to the citizens of the City.
3. The sponsor has no intent to influence the Mayor or members of the City Council in the performance of their official duties.
4. The Mayor or member of the City Council accepting such a trip or excursion discloses its acceptance on the annual financial disclosures statement.

Mayor McClellan told the Council and Mr. Carl that she would like to see a procedure established in the City Clerk's office where a running tabulation could be kept of gifts accepted by the Councilmembers as well as travel reports. She said the form should be devised by the City Manager's office. Report before going on a trip, arrangements must be made, and it would simplify matters if the records were kept in one place, the City Clerk's office. When the trip is completed, there should be a report regarding expenses (who picked up the tab), etc. The Mayor pointed out that these trips they are talking about are not "junkets", not trips that are being taken behind closed doors. That's why, she said, it is important to let it be known ahead of time when trips are going to be taken, and have the records kept open to the public.

The Mayor cited the example of her forthcoming trip to Boston which will be paid for by the Harvard Institute and is a seminar for Mayors. She said that it will be educational, and asked if education trips would be included under goodwill trips. Mr. Carl answered that the reason "goodwill" was used was to cover educational trips, too. Mayor McClellan said she thought all trips should be reported, whether it is on City dollars, or dollars from somewhere else, such as the Harvard Institute of Politics. Councilmember Mullen stated

"That's what I've been trying to get done for a long time now, and I am glad to hear you say that. I'd like to see all trips reported, but I think it's even more important to see trips paid for by the City reported. When the City's money is spent and we don't choose to tell the taxpayers where we have gone, or why, I think we're in a bad position." Councilmember Cooke expressed his agreement. Mayor McClellan said she did not think other members of the Council should judge whether or not another member should take a trip, but that it would be important to report all trips and let the public judge. Mayor Pro Tem Himmelblau said she thought each Councilmember should have a reporting file which would be updated with each trip each Councilmember takes, so that a running tab is on file for the public.

Mayor McClellan re-stated she thought the City Manager's office should help them work out a procedure and that the City Clerk's office will be the logical place to keep it since the financial disclosure statements are on file there. The procedure will be to keep running tabulations. She said this probably would be in the form of an amendment. Mayor McClellan said she personally intended to report everything, even under \$10.00. She said there should be a running tabulation of trips so that anyone at anytime can look at them without having to wait until the end of the year. She said she thought it would be a good idea to keep a separate tabulation on trips Councilmembers are taking on City dollars. Mr. Carl said that the Ethics Review Commission would work with the Legal Department to prepare an amendment to include the points brought out by Mayor McClellan.

Councilmember Mullen asked if they could instruct the City Manager to try to combine the two items under discussion, City paid and non-City paid trips in the report. Mayor McClellan said she did not think they wanted to combine it with an amendment to the Ethics Ordinance. Councilmember Mullen said he was talking about procedures for reporting. Councilmember Cooke said he would like to see a procedure include a written trip report. If someone goes on a trip and it is pertinent to what the Council is doing, then all other Councilmembers should receive the information learned during the trip.

Mayor McClellan said, "We will ask the City Manager to design us a procedure for reporting on trips and that all of this should be brought back to the City Council on December 1, when we will have a full Council in attendance."

Councilmember Mullen said he would like a report on where they stand with the budget they have already given themselves this year. The Mayor said that report would also be included to the Council.

MR. ALLEN BUSSLER appeared to say he wanted to reinforce Mr. Carl's recommendations. He said he approved the amendment to the Ethics Ordinance and Councilmembers should be allowed to travel on goodwill trips.

#### RECESS

The Council recessed for noon at 11:45 a.m. and resumed its meeting at 2:00 p.m.



AMBASSADOR OF THE NETHERLANDS  
VISITS COUNCIL MEETING

Mayor McClellan announced that some very special visitors were in the Council Chamber, Ambassador of the Netherlands to the United States, Robert Tammenoms Bakker, and his wife, Jean Cameron Bakker. The Mayor asked Ambassador and Mrs. Bakker to join her at the podium where she presented them with certificates making them honorary citizens of Austin.

Mayor McClellan pointed out that the Bakkers had just visited San Antonio, and while they are in Austin, they are being hosted by the International Office of the University of Texas.

AMBASSADOR BAKKER thanked the Mayor for her kind words of welcome and for the tribute of honorary citizenship. He said they have been in the United States for some years now. Whenever he and his wife go on their forays, they usually combine several states into one visit. He said this is the first time in the United States that they have dedicated one week and one trip to just one state. He feels there is a buoyancy in the Texas air which does things for people. Ambassador Bakker stated, "It is also a great privilege and very rewarding to see that in Texas the role of women is properly recognized. Yesterday we were graciously received by the San Antonio Municipal Council by Mrs. Cockrell, and it is wonderful to see that this City is also headed by a lady. Many men would agree with me that in our daily lives we experience all the natural order of things, but it's not often we see this natural order reflected in public life. In Austin, we see another example of the dynamism that is characteristic of the United States. If I were ever asked what during our years in the United States I had experienced as perhaps the most typical impression, the most illustrative of what a country stands for and what it is about, I would say these meetings of municipal councils. Because the way they are handled and the way they function, I have never seen anything similar, even in other democracies. And I could not think of a better example of democracy in action and of the functioning of a free country where the people rule. It is a privilege to be allowed to address such a meeting." The Ambassador said it is not in his power, when he is abroad, to confer awards, but he brought her a personal souvenir, a recent publication about his native City Amsterdam.

Mayor McClellan thanked him for the book and said she would share it with the City of Austin.

WE'RE NUMBER ONE CELEBRATIONS

MS. FLORITA SHEPPARD, Executive Secretary, Mutual Community Development, Inc., appeared before Council to thank them for their help in providing a peaceful Saturday night on the "Drag." She said she originally had wanted to appear under Citizen's Communications to complain, but instead, she was there to say thank you. Mayor McClellan said the Council appreciated her thanks.

MS. LYNN GOODMAN STRAUSS appeared before Council to read a letter in which she expressed her thanks for their cooperation in curbing the Saturday night post-football game revelry. Mayor McClellan commented that she appreciated her thanks...that people come and complain but seldom come to Council meetings to say thank you.

FRANK SAYERS, a University area resident, appeared to say on previous weekends their ears have been assaulted by noise, but that the past weekend was a blessing.

CARMINE RUEBOUT, Inter-Cooperative Council, told the Council that they were impressed with the control exercised last Saturday night and thanked them.

BETTY PHILLIPS, Save the University Neighborhood Association, brought her son Joshua to meet the Mayor. They presented Mayor McClellan with a cake which said, "Our Mayor is Number One." Mayor McClellan accepted the cake with her thanks, on behalf of the City.

Councilmember Cooke said he and other members of the Council wanted to express their thanks to the police officers who have put in many hours of overtime to control the festivities on the "Drag" on Saturday night. He also expressed gratitude for the behavior of the citizens and students.

#### MESSAGE PARLORS - PUBLIC HEARING

Mayor McClellan opened the public hearing scheduled for 2:00 p.m. on amendments to the Ordinance regulating massage parlors. She said this is the first time this Council has addressed this issue and that there are two main proposals in the amendments under consideration:

1. Massage parlors should be in "C" Commercial zoning, 500 feet from residences, churches and schools.
2. Operation and regulations of massage parlors.

Mayor McClellan said that she did not feel the provision of a guest list of customers to a massage parlor is important, but she does feel massagers should have a license, that their hours of operation are important, and also the zoning restrictions.

Ms. Sheila Finneran, Assistant City Attorney, gave the following report:

The first ordinance is a new ordinance on the licensing and operation of massage parlors. The key features of this ordinance are as follows:

1. A massage parlor operator must be licensed.
  - a. Cannot have been convicted of a felony or a crime involving prostitution within the last five (5) years.
  - b. Cannot have had a license denied, suspended or revoked in the last five (5) years.
2. A massager must be licensed.
  - a. Cannot have been convicted of a felony or crime involving prostitution within the last five (5) years.
  - b. Must have a health card.

- c. Must have a physician's certificate stating that he or she is free of communicable diseases. (Not required by current ordinance.)
- d. Must have completed three (3) semester hours of basic anatomy and physiology. (Not required by current ordinance.)
3. Nude massages are prohibited. (Not prohibited by current ordinance.)
4. Massage parlors are required to keep an appointment book listing all patrons. (Not required by current ordinance)
5. Massage parlors may operate only between 8:00 a.m. and 10:00 p.m. (Not required by current ordinance)
6. The fee for an operator's license is \$100.00 per year. (Current fee is \$25.00 per year.)
7. The fee for a massager's license is \$25.00 per year. (No fee required under current ordinance.)
8. Licenses may be revoked for violations of the ordinance and for violations of the law occurring at the massage parlor.

The second ordinance is an amendment to the City's zoning ordinance. Under the current zoning ordinance, massage parlors may be located in "O" Office districts. "O" Office zoning is, as a general rule, likely to be located nearer to residential properties than is "C" Commercial zoning. Therefore, under the attached ordinance, massage parlors would be permitted in "C" Commercial districts and disallowed in "O" Office districts. In addition, under this ordinance, a massage parlor could not be located within 500 feet of a church, school or property zoned "SR," "AA," or "A." Under the law, this ordinance will have to be presented to the Planning Commission prior to adoption by the City Council.

Mayor McClellan pointed out that the Council has been supplied with a fiscal note proposal on what the massage parlor ordinance would cost, and the revenues, plus the increase in fees would more than cover the cost of enforcing the ordinance. She also said that since there is not a full Council in attendance today, there will be no vote taken. It is her contention that Government has a legitimate interest in determining violations of the law and she believes it is in order to regulate massage parlors. She hopes that regulations will encourage legitimate massage parlors and discourage illegitimate operations.

Councilmember Cooke noted that in the proposal that will have to go before the Planning Commission they are talking about changing massage parlors from "O" Office zoning to "C" Commercial. He asked what other businesses in the City of Austin are regulated by a requirement to close at 10:00 p.m. in the evening. The Mayor replied that most of the activities that take place in "O" Office areas don't go on 24 hours a day. Most of the activities close down at a reasonable hour. In this instance, where massage parlors are already in operation, the ordinance will provide enough hours in which to operate, such as 8:00 a.m. to 10:00 p.m. She said these hours have been upheld in a number of cities. Mayor Pro Tem Himmelblau said they would have to grandfather those

that are already in existence, but maybe if they did not have a limitation of hours in "C" Commercial, it would be an incentive for some of the present massage parlors to move. Ms. Finneran said she would have to research this point.

Councilmember Goodman asked how the ordinance was developed. Ms. Finneran replied that to a large extent the San Antonio ordinance has been followed. Not word for word, but their ordinance has been tested through the courts and approved by the Supreme Court of Texas. Councilmember Goodman asked how the prohibition of nude massages are enforced in San Antonio. Ms. Finneran said their ordinance contains a provision that each massage room has to have a window of a certain size and they specify where the window is to be. In addition, no door should be capable of being locked. Mayor McClellan said that San Antonio did have 21 massage parlors before regulation, now they have three. They did have 200 massagers, now there are 15 or 16. Councilmember Goodman asked how they arrived at a \$100 fee. Ms. Finneran said this followed the San Antonio ordinance, and Mayor McClellan said it would also be to cover the cost of enforcing the ordinance.

MS. SHARON CHAFFIN, Coordinator of the Concordia Neighborhood Association, appeared before Council to present a petition protesting the opening, in their neighborhood, of the Oriental House of Massage Parlor. She said that they were protesting massage parlors in neighborhoods in an effort to prevent crime in communities. Ms. Chaffin expressed their thanks to the Mayor, Council, members of the Legal Department and Chief of Police Dyson for the help and interest they have given in this matter.

DAVID KEEN, Chairman, Steering Committee, Concordia Neighborhood Association, stated his and his neighbors' opposition to massage parlors which choose to locate close to a residential area. Their opposition to the Oriental House of Massage has resulted in the ordinance proposed which would more strictly regulate massage parlors in Austin. He said they are also seeking laws to keep other neighborhoods from being encroached upon as they have. Massage parlors are often viewed as houses of prostitution and centers of drug traffic. He said they attract X-rated films and topless bars, and attract traffic in the vicinity at the least desirable hours. Massage parlors located in a neighborhood decrease the surrounding property values. He urged the Council to adopt the massage parlor ordinance which would restrict hours and enforce stricter rules.

LAIRD PALMER, an attorney representing about 100 people who own or work in massage parlors, appeared before Council to state he had not had time to research the proposed ordinance and asked that the public hearing be continued at a later date.

A man who did not want to identify himself stated that he reads detective magazines and is against any regulations which would restrict personal activity.

MS. SINGLETON, owner of a massage parlor for 26 years, says that a massage parlor like hers is for good health. She has had extensive training in the art of massage. Restricted hours, a \$100 fee and a change in zoning would be detrimental to her business. She said she does pressure massage and her art is a healing art. Many times, Ms. Singleton said, someone needs a massage in the middle of the night, and restricted hours would be a hardship to someone in need. Mayor McClellan said that the purpose of the public hearing is to

find out how legitimate massagers, such as Ms. Singleton will be effected by an ordinance, and how to protect the massagers and the public.

JOHN BECKEL appeared before Council to say he was neither for nor against the massage parlor ordinance and that he had only lived in Austin for a short time. He said it is getting more difficult all the time to make a living because of all the government restrictions.

MISTI EASTERWOOD, who works at Vicki's massage parlor, said that she gives full body massage in the nude. She said she is neither a prostitute or a drug user. She said there is such a thing as sensual massage without sexual overtones. Mayor Pro Tem Himmelblau asked Ms. Easterwood to hold out her palms with her thumbs up. After looking at them, the Mayor Pro Tem told her that if she gave massages, her opponents muscle would be very thick.

HOWARD GREEN, a Libertarian, appeared before Council to state that every man has a right to his own life, therefore, there should be no regulations for massage parlors.

JIM CHRISTIANSON, a member of the Concordia Neighborhood Association, appeared to say that their neighborhood is one with roots, and they are dismayed at the situation developing since the massage parlor was allowed to go into business among them. He said there is evidently nothing they can do about their neighborhood, but he wants zoning changes to protest other parlors in other neighborhoods. He said they want massage parlors which will operate legitimately. He said the proposed ordinance is a good one and hopes that the Council will have the courage to adopt it.

GEORGE STROMQUIST, who owns the property next door to the Oriental House of Massage Parlor, said he used to rent rooms to students, but they have to be protected, so they can no longer rent rooms from him.

MRS. WORTH HOUSE, of the Concordian Neighborhood Association, said that the area has been one of dignity and she would like to see it remain that way. She asked that the Council reserve the beauty of the City and have the massage parlors removed from the City altogether.

CARL HICKERSON appeared as an opponent to the ordinance. In his opinion, if this law is enacted it will encourage organized crime to enter the City.

WAYNE MERCER, appeared before the Council and reprimanded the Mayor for turning the massage parlor ordinance into a zoning issue. He said that no other type of business is forced to close at 10:00 p.m. He said that if massage parlors are outlawed, it would take money away from the massagers, and where would they go?

SCOTT BEAZER, a Libertarian, said he is opposed to the zoning restrictions being proposed and also massage parlor restrictions.

BOBBY KING, a law student who has been in Austin four months, thought the hearing ridiculous.

MS. BARBARA O'CHESTER appeared in support of the ordinance as written. She told the Council she would give them a report tomorrow on organized crime and its connection with massage parlors. She said she is not a sexual puritan, but she is opposed to massage parlors.

TERRY PARKER, 2401 Manor Road, appeared to say he would not like to see the spirit of freedom in Austin curtailed. He thought the City should use persuasion, not laws, to enforce a point of view. He thought that massage parlor control would play right into the hands of organized crime.

MR. MARTIN, Air Force (Retired), appeared to say he believed in everybody believing what they want to but not in doing what they want to. He said that if we do not do some things that are tough, we will not have a free nation much longer. He said massage parlors should be regulated and agrees with the ordinance. He disagrees with the theory that "anything you do is all right if you don't hurt someone else."

PAUL HANNEMAN, attorney for Mr. Tenaka, owner of the Oriental House of Massage, showed pictures of the house, and said that it is his contention that the Concordia Neighborhood Group is backed by Hyltin-Manor Funeral Home. He said the neighborhood group had never complained to the owner of the Oriental House, or to him, their attorney. He said that he thought legitimate business will be hurt if the ordinance goes into effect. He said his client can live with the ordinance, but that it will encourage crime in the area. Mayor McClellan asked him if he had said his client could live with the ordinance as drafted. He answered affirmatively.

BLINZA OLDK, owner of La Femme Massage Parlor, said that a massage parlor is not pornographic and she is tired of being looked down upon. She stated she is a Christian and a capitalist and that massage parlors are good for tourism. She said most massage parlor owners are just individuals and are not connected with organized crime. Mayor McClellan asked her what part of the ordinance she finds objectionable. Ms. Oldak answered, the hours. She said most of her clients appear after 5 p.m. or after 2 a.m. She also said that most money made in massage parlors is as a result of topless or nude massagers. Ms. Oldak said she also thought massage parlors should not be in a residential area.

JOE MORRELL, manager of Vicki's Massage Parlor, said he had moved here recently from Galveston. He did not think the ordinance should be adopted.

ELAINE NEELEY appeared to ask the legal definition of a prostitute. Ms. Sheila Finneran, Assistant City Attorney, said she would check the definition in the penal code.

Ms. Singleton returned to the podium to ask if massage parlors are for health purposes or for illegal money. Mayor McClellan said there appeared to be a great diversity in massage parlors. Ms. Singleton said that the books she had studied prohibit touching certain areas of the body, so how can a full body massage be legitimate.

A physician, who did not identify himself, appeared to state that thoughts are things that make us better, and we must be morally clean. He said that massage parlors should be closely examined and laws made for the good of the community. He said his concern is for the young people.

Ms. Sharon Chaffin returned to the podium to answer Mr. Paul Hanneman's inferences regarding the Concordia Neighborhood Association. She said that Mr. Hanneman had made many false statements. The Neighborhood Association is not backed by Hyltin-Manor; they hold their meetings there. Also, Mr.

Hanneman had charged that they had named themselves for Concordia College. She explained they were named for Concordia Avenue.

Mayor McClellan suggested that the public hearing should be continued at a later date. Councilmember Cooke said he wanted a report on Section 18-3, items (g) and (i). He wanted to know if this is required by other businesses:

- (g) The experience of the applicant in the field of massage, if any, and whether or not, in this or any other City, the applicant has had a license to operate a massage parlor denied, revoked or suspended, and the reason therefor.
- (i) Authorization for the City, its agents and employees to seek information and conduct an investigation into the truth of the statements set forth in the application.

Councilmember Cooke also asked for a report on why Section 18-5, Approval by the Police Chief, is included in the proposed ordinance:

The Police Chief or his designate shall conduct an investigation into the criminal history, if any, of the applicant. Before any license shall be issued under this Chapter, the Police Chief shall first sign his approval of the application. He shall not sign his approval if he finds that, within the five years next preceding the date of application, the applicant has been convicted of a felony or an offense involving prostitution.

Councilmember Goodman commented that windows in massage rooms are not included in Austin's ordinance. He wanted to know how prostitution can be prohibited if there are no windows. Mayor Pro Tem Himmelblau said her concern is to be able to keep legitimate massagers like Ms. Singleton.

Councilmember Goodman moved that the Council continue the public hearing at 2:30 p.m., December 15, 1977. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

#### RECESS

The Council took a brief recess at 4:45 p.m., and resumed its meeting at 5:05 p.m.

## PUBLIC HEARING ON THE TOWN LAKE CIRCULATION PLAN

Mayor McClellan opened the public hearing scheduled for 4:00 p.m. Ms. Pat Gregory, Transportation Administrator for the Urban Transportation Department, made a presentation before the Council. She stated that the proposed plan was prompted by the closing next spring of the Congress Avenue Bridge for repairs. She indicated that the five bridges which transverse Town Lake accomodate some 200,000 vehicles daily between the north and south side of Austin and that this number is increasing as development within the City increases. Ms. Gregory indicated that because of peak period congestion and the exclusion of buses from the weakened bridge, the fixed transit routes currently have difficulty maintaining schedules on thirty minute frequencies. In April of 1978, reconstruction will necessitate the complete closure of the Congress Avenue bridge for approximately 18 months. Ms. Gregory pointed out that even though traffic on the Congress Avenue bridge is presently restricted to the two inner most lanes, as many vehicles use the bridge as use the South First Street bridge. She stated that an estimated 34,000 persons will be displaced from the bridge and must begin car pooling, riding transit or driving alternative routes. Ms. Gregory stated that traffic patterns will be redistributed producing intensified use of the South First Street and Lamar Boulevard bridges. She stated that a coordinating effort is needed to achieve optimum use of the remaining Town Lake bridges. Ms. Gregory indicated that there were three programs that were recommended.

1. Traffic control modifications
2. Enhanced transit service
3. Commuters voluntary shanges in travel patterns.

She indicated that numerous traffic control modifications are recommended. Ms. Gregory stated that one major improvement would be a First/Second Street, one-way pair in the central business district. The one-way system would improve north-south traffic flow by simplifying signal phasing and by eliminating reserve signal time for turning movements. She stated that the transition to the First/Second Street system would occur at San Antonio, which would be one-way south-bound between Second and First Streets. From this street, traffic would be east-bound on First Street and west-bound on Second Street, with three to five traffic lanes provided on each street. She stated that traffic signals would be installed on Second Street at Guadalupe and Lavaca, and stop signs would be altered to give priority to traffic on Second Street. Dual left turns would be permitted on First Street at Lavaca, on Second Street at Guadalupe and San Antonio and on San Antonio at West First Street. Ms. Gregory indicated that in order to provide an adequate turning radius, corners would be widened at three intersections on West First Street:

1. Northwest corner at San Antonio
2. Northeast corner at Guadalupe
3. Northwest corner at Lavaca.

Additional parking would be permitted on West First, from Lavaca, to just east of Colorado Street. Further east, dual left turns would be provided at First Street and Congress, and at First Street and San Jacinto. At Second and Congress,



dual south-bound right turns would be authorized. Parking would remain on both sides of Second Street and would be added on First Street from Congress to Neches. At Second Street and San Jacinto, a traffic signal would be erected. Ms. Gregory indicated that the one-way system would terminate on the east at Red River Street, which would be one-way, north-bound, between First and Second Streets. Dual right turns would be permitted for west-bound traffic on East First at Red River, and east-bound left-turn lanes would be provided on East First at Neches and Red River.

At East Second, dual left turns from Red River would be permitted. She stated that along First Street, space would be available for a contraflow bus lane from Brazos to Red River. Buses would have unimpeded travel and would maintain service along East First Street.

Ms. Gregory indicated that a reversible lane system would operate during peak periods on South First Street to accomodate the large increase in trips. She stated that the reversible lane would range from West First Street to Barton Springs Road. Three north-bound lanes would be provided in the morning and three south-bound lanes would be provided in the evening. During the off-peak period, the reversible lanes would be unnecessary and all lanes would return to normal operation. Lane control devices would also be erected. This would require widening the intersection of West First Street and Lavaca/Guadalupe Streets to add one south-bound and two north-bound lanes. Ms. Gregory stated that traffic flow on Lamar Boulevard would be improved by limiting left turn movements. Left turns at Fifth and Sixth Streets would be restricted during peak periods and south-bound left turns at Riverside and west-bound left turns at Barton Springs would be eliminated. Dual west-bound left turns would be permitted on Riverside Drive. She stated that the proposals also included restricting turning movements along Riverside Drive and Barton Springs Road. Selected left turns would be restricted or protected during peak periods. To facilitate turns, the southeast corner at Barton Springs and Riverside would be widened. In addition, the traffic signal at Congress and Barton Springs would be removed from operation. Ms. Gregory indicated that buses would be added to the four routes currently using the South First Street bridge to provide more dependable service. More park and ride parking lots would be identified and the current routing revised. She stated that two methods of improving traffic flow are staggering work hours and car pooling. Ms. Gregory concluded her presentation by indicating that the proposed plan was devised by a team from the Urban Transportation Department.

Councilmember Cooke asked how persons would travel west to MoPac if West First Street were made one-way. Ms. Gregory indicated that people could travel down Second Street, west-bound, and make the transition back to West First Street at San Antonio Street. They could then proceed to MoPac on West First Street. She indicated that there would be traffic signalization at the intersection of West Second and Guadalupe. City Manager Dan Davidson stated that with two-way streets, it would not be possible to move the amount of traffic there would be once the Congress Avenue bridge is closed. Mr. Davidson asked that the City Council endorse the proposed plan. Mayor Pro Tem Himmelblau asked what the effects would be of closing the left turn from Lamar Boulevard on to West Sixth Street to get to MoPac. Mr. Joe Ternus, Director of the Urban Transportation Department, indicated that there was surprisingly little traffic making that particular turn in both the morning and the evening.

MR. CAL HARRIS told the Council that his business would be paralyzed due to the lack of traffic that would flow by his establishment if the Congress Avenue bridge is closed. Mr. Harris asked that the Council consider trying to keep one-way, north-south traffic on the bridge while it is being repaired. He felt that the proposed circulation plan was good but that the closing of the Congress Avenue bridge would not be good for the businesses in the immediate area. Mr. John German, Director of the Street and Bridge Department, stated that the design of the bridge was such that it required having to remove the entire top part of the bridge completely in order to repair it. This would make it impossible to maintain any kind of traffic flow on the bridge. In regard to a question from City Manager Davidson, Mr. German stated that traffic could be maintained on the bridge during the later stage of construction. Mr. German indicated that the bridge would close when the contractor is ready to begin construction. Mr. Davidson assured Mr. Harris that everything would be done to keep the bridge open as long as possible during its reconstruction.

MRS. LILA JANE AKIN TINSTMAN asked how the term "peak hours" was defined. Mr. Ternus indicated that they were generally defined as being from 7-9 a.m. to 4-6 p.m. Mrs. Tinstman indicated that in her restaurant business, peak hours occurred during the regular meal hours. She suggested that Mr. Ternus consider the noon hour as a peak period also. Mr. Ternus indicated that they did recognize 12:00 noon as being a peak period and stated that the improvements in signal timing due to the First/Second Street one-way system and the changes at Riverside and Barton Springs will enable a lot larger number of vehicles to use South First Street to go into the area where Mrs. Tinstman's restaurant is located.

MR. DARREL SHANKLAND, Manager of the Imperial 400 motel on South Congress, asked why First Street had been chosen to run east-bound rather than west-bound. He felt a much larger flow of traffic coming into Austin from the north or the south I.H. 35 would be heavier than that on MoPac. Mr. Shankland felt that there should be consideration to reverse this as far as one-way directions on First and Second Streets were concerned. Mr. Ternus indicated that currently there was more traffic on First Street coming from MoPac than from I.H. 35. He stated that if traffic was routed westward on First and eastward on Second Street, there would have to be a signal light at San Antonio Street to cross the traffic and this would create restrictions on the flow. Mr. Shankland asked if there would be directional signs situated on I.H. 35. Mr. Ternus indicated that there would not be any additional signs on I.H. 35. He stated that there would be additional signs on the City streets where the one-way system begins. Mr. Shankland asked if the City would shoulder the cost of advertising alternate routes to his hotel. Mr. Davidson indicated that the City would be erecting directional signs which will adequately designate the new routings.

Councilmember Cooke asked Mr. Ternus if the contribution from the Federal government would be \$300,000, if the aforementioned proposal is adopted. Mr. Ternus indicated that this was true. Mr. Ternus explained that most of the funds needed to implement the proposal would be addressed somewhere in the City budget.

Mrs. Tinstman asked about the possibility of having a reversible lane on the Lamar Street bridge. Mr. Ternus indicated that his idea had been considered but then rejected for two reasons. First, it would be impractical from a fiscal viewpoint and, secondly, from an operational viewpoint, peak hour traffic on the bridge was heavy in both directions.

Motion

Councilmember Mullen moved that the Council close the public hearing and approve the Town Lake Circulation Plan. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Noes: None

Absent: Councilmembers Snell, Trevino

Mayor Pro Tem Himmelblau suggested that the Army Corps of Engineers be approached again as to the installation of a pontoon bridge. Councilmember Mullen asked that people who will be effected by the changes give suggestions on how the system can be improved as the project goes along.

BANNER LOCATION

Mayor McClellan and Councilmember Cooke presented a proposal to delete the banner location on Congress Avenue in order to improve its appearance. Mr. Davidson indicated that there would be no problem in implementing the proposal.

Councilmember Cooke moved that the Council absolve the City of responsibility of hanging banners over Congress Avenue, to be effective in 10 days. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: None

Absent: Councilmembers Snell, Trevino

CENTRAL AREA COOPERATIVE PARKING PROGRAM

Mr. Joe Ternus of the Urban Transportation Department, indicated that the Council had been submitted copies of a report of the central area parking program which was based on discussions with the State and University of Texas. He indicated that the report adequately outlines the methods by which parking problems can be solved in the central area. Mr. Ternus asked that the Council endorse the program. City Manager Davidson also recommended that the program be approved by the Council.

Councilmember Cooke moved that the Council endorse the concept for the central area parking program as presented by the Urban Transportation Department. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Noes: None

Absent: Councilmembers Snell, Trevino

## BLIND CORNER PROGRAM

Ms. Sue Edwards, Acting Deputy Director of the Austin-Travis County Health Department, submitted a report to Council on the Blind Corner Program. The report read as follows:

"In 1976, the City Manager's Office and the departments concerned began review of the procedures used to resolve complaints of sight obstructions at street corners (primarily plant life.) At that time, the City's response on such complaints was slow. Austin has experienced rapid growth while the resources for this program had remained constant. The enabling portion of the City Code required complicated enforcement procedures. Four departments were involved in referrals, with Urban Transportation receiving and investigating complaints, then referring them to the Police Department, the Health Department and Parks and Recreation for further action. This resulted in much duplication of effort.

After discussion of the problems, the City Manager's Office assigned the responsibility for receiving, investigating and coordinating these complaints to the Environmental Health Services Division of the Health Department. Throughout 1977, the program has operated more successfully than in previous years, without increased expenditures. Complaints on vegetation other than high weeds and grass on vacant property have been investigated within one to two days after the complaint. Since complaints are handled before duplicate complaints are received, the total complaint load has dropped. From February to October of 1977, the program handled 282 cases of this type."

Ms. Edwards indicated that the majority of the cases coming in have come in through the weed-lot program and the aforementioned 282 complaints could be processed through this program. She stated that the most important point to be considered is that duplication of complaints has been stopped due to more rapid processing of complaints by the Health Department.

## PROPOSED CHANGES TO INSURANCE BENEFITS

Mr. Jimmy Flakes, Director of the Personnel Department, spoke on three memorandums sent to the City Manager in regard to changing the insurance benefits. He stated that the first item dealt with recommended improvements to the City's insurance plan. The money for this would come from reserve funds at the Connecticut General Insurance Company and by increasing the premiums to employees. Mr. Flakes asked that the Council approve the proposed changes to improve the insurance benefits for the City employees. Mayor Pro Tem Himmelblau asked what the total cost to the City would be. Mr. Flakes indicated that the total cost of the program from December 1, 1977, to the end of the budget year is \$534,537. He stated that the City currently has \$600,000 in two funds with Connecticut General and here in the City. The cost of dependent coverage is \$235,810. Mr. Flakes indicated that the City would not be paying any new money out of the budget.

Councilmember Mullen moved that the Council accept the proposed changes to the employees' insurance benefits. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

#### OPTIONAL INSURANCE PROGRAM

Mr. Flakes asked that the Council change the City policy which specifies only one major insurance carrier for employees, to allow his department to provide opportunities for insurance carriers to provide insurance to employees at group rates. He stated that there would be no expense to the City and that there would be minimal involvement on the part of the City. Mr. Flakes indicated that a survey taken of City employees showed that the employees wanted certain types of coverage that is currently prohibited at group rates. City Manager Davidson recommended that the item be postponed for a week to 10 days in order to give the Council extra time to consider the proposal.

#### ZONINGS SET FOR PUBLIC HEARING

The City Manager reported the following applications have been referred to the Planning Commission for recommendation and have been set for Public Hearing before the City Council on December 29, 1977.

DOYLE CHAPMAN C14-77-157	7313 North Lamar Boulevard	From "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area
CITY OF AUSTIN By Planning Department C14-77-158	12022-12070 Jollyville Road 11900-11927 Broadoaks Drive 11900-11926 Oak Knoll Drive	From Interim "AA" Residence 1st Height and Area To "A" Residence 1st Height and Area
JAMES K. EICHELBERGER, JR. C14-77-159	4317-4365 Duval Road	From Interim "AA" Residence 1st Height and Area To "D" Industrial 1st Height and Area
DORIS WILEY By Joe Bowles C14-77-160	6303 Manchaca Road	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
JOHN PATTON C14-77-161	3404 Kerbey Lane	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area

C. R. SIMONSON By Robert Davis C14-77-162	11604 Jollyville Road	From Interim "AA" Residence 1st Height and Area To "O" Office 1st Height and Area
EDGAR S. DAUGHERTY & RAYMOND H. RADE C14-77-163	8227-8235 North Lamar Boulevard	From "D" Industrial 6th Height and Area To "C-2" Commercial 6th Height and Area
J. ALTON BAUERLE & DENNIS O. BAUERLE C14-77-164	Rear of 2100-2124 South Lamar Boulevard 2119-2121 Oxford Avenue 2110 Kinney Avenue	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
USABLE SPACE ASSOCIATES, LTD. and CLIFTON & IDA J. TOWNSEND By Alan Minter C14-77-165	3200-3214 Ed Bluestein Boulevard 6310-6404 Harold Court Rear of 6301-6313 Hudson Street	From Interim "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area
HULDA KOESTER & RAY J. ROGERS By Adon Sitra C14-77-166	3513-3701 West Avenue	From "A" Residence 1st Height and Area To "LR" Local Retail 1st Height and Area
MEDICAL PARKWAY ASSOCIATES By Irvin Hamilton C14-77-167	4008 Medical Parkway 4009-4013 Lewis Lane	From "A" Residence and "B" Residence 1st Height and Area To "O" Office and "GR" General Retail 1st Height and Area
VES INVESTMENTS, LTD. By Irvin Hamilton C14-77-168	Rear of 2300 Pasadena Drive	From "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area
BEECAVE DEVELOP- MENT CO., INC. By James Grant C14-77-169	1505 Walsh-Tarleton Lane	From Interim "AA" Residence 1st Height and Area To "A" Residence 1st Height and Area
PIKE H. DOBBINS, ET AL By Nelson Johnson C14-77-170	5002-5019 East Ben White Boulevard	From Interim "AA" Residence 1st Height and Area To "C" Commercial 1st Height and Area
JOE GILBRETH & CO., INC., ET AL By Phil Mockford C14-77-171	U.S. Highway 183 and Fathom Circle	From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area

MOCKINGBIRD HILL LTD., ET AL By Morris Olguin C14-77-138	Rear of 10511-10621 North Lamar Boulevard	From Interim "AA" Residence 1st Height and Area To "DL" Light Industrial and "A" Residence 1st Height and Area (as amended)
ALLEN R. RUNDELL By Travis Phillips C14-77-156	4100-4124 Spicewood Springs Road 8001-8133 Kerith Dale Drive 3901-3953 Steck Avenue	From Interim "A" Residence 1st Height and Area To "O" Office (Tract 1) and "BB" Residence (Tract 2) 1st Height and Area
HURSCHEL B. MORGAN, ET UX By Tina Trochta C14-77-049	6301 Manchaca Road	From Interim "A" Residence 1st Height and Area To "O" Office 1st Height and Area (without limitations)
ROBERT H. NUTTER By Jose Mercado C814-77-008	4206 Steck Avenue	From "A" Residence 1st Height and Area To a 23-unit residential planned unit development called "ALTA VISTA"
VACKAR INTERESTS, INC. C814-77-009*	Lost Creek Boulevard	A 28-unit residential planned unit development called, "THE VALLEY AT LOST CREEK"
<p>*The application listed above appears before the City Council in accordance with the amended Austin Development Plan, which allows City Council review of P.U.D.'s as Master Plan amendments in the E.T.J. area.</p>		
HEIERMAN BUILDING Joe Colbert, owner C14h-74-013	115 East 5th Street	From "C-2" Commercial 4th Height and Area To "C-2-H" Commercial-Historic 4th Height and Area
JOHNSON HOME American Legion, Travis Post #76, owner C14h-77-023	2201 West 1st Street	From "C" Commercial 1st Height and Area To "C-H" Commercial-Historic 1st Height and Area
COLORADO SCHOOL Montopolis Church of Christ, owner C14h-77-043	500 Montopolis Drive	From "A" Residence 1st Height and Area To "A-H" Residence-Historic 1st Height and Area
ST. EDWARD'S BAPTIST CHURCH St. Edward's Baptist Church, owner C14h-77-045	406 Montopolis Drive	From "A" Residence 1st Height and Area To "A-H" Residence-Historic 1st Height and Area

## ADJOURNMENT

The Council adjourned at 6:25 p.m.

## EARL CAMPBELL RESOLUTION

A resolution, read by Councilmember Goodman, was adopted by the Mayor and members of the Austin City Council, cited Earl Campbell for approaching the 4000 yard career rushing mark, carrying the ball 189 times for 1,188 yards and 12 touchdowns, helping the University of Texas Longhorns compile an 8-0 record; and further resolved that Earl Campbell of the University of Texas Longhorn football team has played in an unusually outstanding manner, and that we call on the New York Downtown Athletic Club to award the distinguished Heisman Trophy to Number 20, Earl Campbell.

## ANNOUNCEMENT

Mayor McClellan announced that action had been taken at the Special Called Meeting of November 4, 1977, to have a Special Called Meeting November 14, 1977, at 5:00 p.m., for action on the proposed Touche-Ross new electric rate.

APPROVED

  
Mayor

ATTEST:

  
City Clerk