

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 15, 1977  
7:00 P.M.

Council Chamber  
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, Councilmembers Mullen, Snell, Trevino

Absent: None

The Invocation was given by Reverend Wayne G. Smith, Faith United  
Methodist Church.

APPROVAL OF MINUTES

Mayor Pro Tem Himmelblau moved that the Council approve the Minutes for  
December 8, 1977 and December 1, 1977 8:00 p.m. The motion, seconded by  
Councilmember Cooke, carried by the following vote:

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

Noes: None

## BOARDS AND COMMISSIONS

Mayor McClellan announced that the Council held a Work Session on Monday, December 12, 1977, on the sunset review of boards and commissions. At that time public hearings were set for boards and commissions the Council intends to modify, change composition or jurisdiction, or abolish, as follows:

January 3, 1978 - 7:00 p.m.  
Electric Building, 301 West Avenue

Joint Legislative Committee  
Town Lake Committee  
Library Board  
Airport Master Plan Study Committee  
Airport Zoning Board  
Arts Commission  
Navigation Board  
Parks and Recreation Board  
Building Code Board of Appeals  
Building Standards Commission,  
Housing Authority Board of Commissioners  
Urban Renewal Board of Commissioners

January 4, 1978 - 7:00 p.m.  
Council Chambers

Energy Conservation Committee  
Vending Commission  
On-Going Goals Committee  
Explosive Appeals Board  
Boggy Creek Ad Hoc Committee  
Construction Advisory Committee  
EMS Quality Assurance Team  
Citizens Board of Natural Resources and Environmental Quality  
Community Development Commission  
Traffic Safety Advisory Board - Municipal  
Traffic Safety Advisory Board - Citizens  
Urban Transportation Commission

Mayor McClellan said she is sending letters to the Chairman of each Board and Commission and asking them, in turn, to notify their members.

Appointments Scheduled

According to Mayor McClellan, appointments which will be made to the Boards and Commissions on December 29, 1977, are as follows:

Arts Commission: Ethnic Culture, term to expire August 1, 1978  
Human Relations Commission: 1 - term to expire November 1, 1978  
Building Standards Commission: Social worker - term to expire  
June 1, 1978

Appointments Made

The Mayor announced that there were some Board and Commission appointments to be made this evening.

Arts Commission

Mayor Pro Tem Himmelblau moved that the Council appoint Joan Holtzman to a term on the Arts Commission, Austin Symphony, expiring August 1, 1978. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

Ethics Review Commission

Councilmember Trevino moved that the Council appoint Javier Aguilar to a term on the Ethics Review Commission, CPA, expiring July 1, 1978. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Commission On the Status of Women

Councilmember Mullen moved that the Council appoint Donna Lindsey to a term on the Commission on the Status of Women, expiring June 30, 1978. The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

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

Planning Commission

Councilmember Cooke moved that the Council appoint Leo Danze to the Planning Commission, with term expiring June 1, 1978. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Community Development Commission

Councilmember Snell moved that the Council appoint Delores W. Walker to a term on the Community Development Commission, expiring March 1, 1978. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Solicitation Board

Councilmember Goodman moved that the Council appoint Thressa Lockridge to a term on the Solicitation Board, expiring July 1, 1979. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

Austin Independent School District  
Community Education Consortium

Councilmember Cooke moved that the Council appoint Mayor McClellan to represent the City on the Austin Independent School District Community Education Consortium. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Mayor McClellan stated that she has previously announced appointments which will be made at the January 5, 1978, Council meeting.

PUBLIC HEARING ON SOUTHEAST DISTRICT PARK

Mayor McClellan opened the public hearing scheduled for 6:00 p.m. on the Southeast District Park.

Mr. Jack Robinson, Director of Parks and Recreation, appeared before Council to report that since the last time the Southeast District Park was discussed at a Council meeting, they have held a field day for the people of the neighborhood and had about 50 people in attendance. In the 1975-76 budget, he said they had \$75,000 for planning of the site and some initial development. To date, he said, they have spent \$27,744. In 1976-77 they had \$218,000 for playground, parking, roads, play slab, landscaping and trails, picnic units, security lights and maintenance facilities. In 1977-78 there is \$600,000 for an Olympic size swimming pool. Mr. Robinson said there appeared to be a great deal of concern in the community as to whether the proposed plan is carried out or whether another site should be considered. He felt that several different opinions will be heard tonight. However, the Parks and Recreation Department feels it needs a complete recreational facility at the proposed site..the pool, recreation center, athletic field, and picnic areas. The reason is that families are recreating together and the complete facility should be all in one place. There is money available to do the basic development and put in the swimming pool. Mr. Robinson stressed it is essential to the City and the neighborhood that there be no delaying in the projects. If, however, the Council decides on some alternate plan, money can be shifted at their discretion. He also pointed out that land at another site, two miles from the proposed site, has been offered the City as a possible athletic field site. He again stressed that it is essential to keep all facilities together on one site.

MS. LYNNETTE LEWIS, President, South Austin Neighborhood East, appeared and read the petition from her neighborhood, accompanied by 880 signatures. It read as follows: "We the undersigned Citizens of South Austin respectfully request the City Council of the City of Austin to approve and carry forward at the earliest possible opportunity the proposed Southeast Austin District Park as outlined in the Master Plan, a copy of which is herewith attached."

MR. GEORGE KING, Southeast Austin Growing Neighborhood Association of Today, appeared to state that the organization he represents is in complete accord with the proposal of the Parks and Recreation Department, and urges construction to begin immediately. He said there are some people opposing the park and he feels that their objections are not feasible. He said the elimination of the ball field to leave the swamp as it is would be ridiculous.

MR. JOHN WILSON, representing the Veteran's Administration Data Processing Center, 1615 Woodward Avenue, told the Councilmembers that his department had wanted to do something during the Bicentennial year which would be remembered and keep the spirit of the year alive. They had collected \$6,600 which they hope will be used toward the construction of a baseball diamond in Southeast District Park. He pointed out that 47% of the natural land is preserved in the Master Plan for the park and he did not think the swamp area needed to be preserved in its entirety.

MS. JEAN MATHER, President, South River City Citizens, stated that her neighborhood is in favor of proceeding as quickly as possible with the proposed plan but suggests that other land be purchased with the \$400,000 it will cost to drain the marsh land. She said they are asking that the approved plans which are funded for now be expedited, but that the door should be left open for purchase of other land for the ball field if this is feasible. If nothing else can be done, she said, her association will agree to the draining of the marsh land and putting in the ball field, but it will be 18 months before the City has the money to do this and in the meantime it can evaluate the marsh land. Councilmember Goodman read the statement of the Environmental Board to her and said it stated the same things she was suggesting: "To approve the basic plan presented by the consultant for the development of the park with the recommendation that alternative ways be looked at concerning the drainage of the marsh area, particularly with an emphasis on leaving the surface stream in the marsh as natural as possible." Following this quotation there was discussion of Ms. Mather's proposal between the Mayor, Mr. Robinson and Ms. Mather.

MR. FRANK ROCKWELL, representing SANE, told Council he is afraid that if they do not proceed with the proposed plan for the park, the area will end up as an apartment complex.

MS. ALMA BARRERA, President, Travis Audubon Society, appeared to say she does not want to stop development of the park, but wants to emphasize there are only two marshes in the city of Austin. She said there should be an opportunity to evaluate the areas so the children of Austin will derive maximum benefit from the marshes.

MR. ORVILLE NEWELL, representing SANE, appeared to say that they approve of the proposed park development exactly as the Parks and Recreation Department has outlined it and recommended that it be adopted.

MR. RICHARD GRANT, a member of SANE, appeared to state many of the children in his neighborhood now play in the street, and urged that the proposed park plan in its entirety be started as soon as possible.

MS. JOAN MIRABAL appeared to say she wholeheartedly supports the Southeast District Park as planned.

MS. JOYCE KLEIN, a member of the Environmental Board, appeared to re-state the motion of the Board, as read earlier by Councilmember Goodman.

#### Motion

Councilmember Goodman moved that the Council close the public hearing and approve the basic plan presented by the consultants for the development of the park with the recommendation that alternative ways be looked at concerning preservation of the marsh area.

Mr. Robinson had expressed concern that the marsh area would be a safety hazard for children and the Mayor asked him how Mr. Goodman's motion would speak to that. Mr. Robinson said that as he understood the motion, they would go ahead and drain the area for the athletic field. Councilmember Goodman asked when the draining is planned, and when Mr. Robinson answered, next bonding period, Mr. Goodman said that his motion meant that if a suitable alternative can be developed before that time, it would be considered, and if not, the proposed plan would proceed. He explained that his motion leaves the alternatives completely open. Councilmember Trevino said the only alternative he could see is whether or not to consider purchase of additional land, because the issue seems to be whether or not to drain the marshland.

Mr. Robinson told the Council that the consultants for the park looked at the overall safety of the area and the desirability of relationship of one area to the other. Mayor McClellan said she had concern for the safety factor and does not see it spoken to. Mr. Robinson said he is concerned that the marsh area divides the district park site, so the children living east of the marsh would come across it to get to the basic development. He said all that is being built now is the swimming pool and playground area and parking. It is possible to do some shifting, but wants to look at it closely before construction because of the safety for the children. Councilmember Mullen said that it is his understanding no additional funds will be expended and wondered, without additional funds, how the looking will be done. Mr. Robinson said the consultants feel they have already looked at alternatives and have proposed the most desirable and economic way to develop the park. He felt the most viable alternative might be whether or not they could buy the land on Woodward, and then how could they address the concerns of the neighborhood for making the marsh area safe for the children who are going to be in the area. Mr. Goodman asked if there were many dangerous situations in City parks. He cited City Park, Zilker, etc. Mr. Robinson said they tried to keep the dangerous areas where they are not as attractive to children, or where they would be.

#### Motion Withdrawn

Councilmember Goodman withdrew his motion.

Motion

Councilmember Cooke moved that the Council close the public hearing and proceed with the plan for Southeast District Park as presented. The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

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

## AGENDA ITEMS WITHDRAWN

Mayor McClellan announced that the following items have been withdrawn from the Agenda:

- E.14. Consider authorization to enter into an agreement with the University of Texas at Austin to implement a Station Location Study for the Emergency Medical Service Department in the amount of \$14,250.00
- E.17. Setting of a public hearing to consider an amendment regarding Historic zoning was acted on last week.
- E.12a. Temporary closing of West 15th Street - North driving lane from West Avenue to the west for 200 feet, December 19, 1977.

EMERGENCY ITEM  
LAKE AUSTIN DEVELOPMENT ORDINANCE

Councilmember Goodman asked what the proper procedure is for considering an emergency item. He referred to the public hearing scheduled for 9:30 p.m. on amending the proposed Lake Austin Development Ordinance to cover land in the Colorado Watershed located on the east side of Lake Austin from Mount Bonnell south to Tom Miller Dam; and passage of the ordinance. (Mayor Pro Tem Himmelblau and Councilmember Trevino)

Mr. Jerry Harris, City Attorney, said once the item has been placed on the agenda, it can be handled in a couple of ways. The whole Council can vote on whether or not they want to consider it an emergency item, or a motion can be made to withdraw the item from the agenda by those who placed it on the agenda and if that motion carries, it is off the agenda.

Councilmember Goodman said, "In the interest of saving anybody a long waiting period if they are here for that, does that mean we have to wait for 9:30 p.m., or can we vote now on the resolution of it." Mr. Harris said the Council can act on it any time it cares to, but it should be announced at 9:30 p.m., in case someone only shows up at that time.

Motion

Councilmember Goodman moved that the Council not consider the item as an emergency, the reason being a Lake Austin Ordinance has been in the works a long time, and this is a late date to be considering this addition to it. The motion was seconded by Councilmember Mullen.

Mayor McClellan said she assumed this would leave this on its original schedule for the January public hearing. Mayor Pro Tem Himmelblau said she objected since she is the one who wanted it put on the agenda as an emergency. Councilmember Goodman said, "With all due respect to the Mayor Pro Tem, I don't have any objection to the proposal, I just don't think it is wise to do it at this particular time. The Lake Austin Ordinance was in the works for a couple of years, and the people who may live in this other area, which is..out of the 2,000 acres involved in this proposed tract, we would add on the Lake Austin area only 50 acres which is undeveloped. So we are talking about a very insignificant tract of land." Mayor Pro Tem Himmelblau replied, "Since you feel very strongly about how land should be developed in the watershed, do you want to pick any 50 acres in the other part and just take it out too? There's no run-off, no nutrients from that..we'll just take another 50 acres out?" Councilmember Goodman replied, "Given the circumstances in this particular case, I think we have failed to give those who are concerned adequate warning as we did concerning the rest of the area, and it's just unfair to consider it on an emergency basis." Mayor Pro Tem Himmelblau said, "I think they can be heard tonight. They have been contacted..the large land owners."

Roll Call on Motion

Ayes: Councilmembers Mullen, Snell, Mayor McClellan, Councilmembers Cooke, Goodman

Noes: Mayor Pro Tem Himmelblau, Councilmember Trevino

Mayor Pro Tem Himmelblau, voting no, stated, "That's like closing the barn door after the horse gets out."

Councilmember Trevino stated, "I wasn't born in the country, so I don't know anything about horses, but I concur with the Mayor Pro Tem in that we have always extended courtesies to each other and I vote with the Pro Tem."

Mayor McClellan said, "I have concern both ways here, but I gotta vote so I am going to vote yes, because I do think when you set a public hearing, and I think this Council has a precedent of giving ample notice before we have those public hearings, and I think when we consider an item on an emergency basis, it is a public hearing, even though we contact people, I don't know that that is giving the proper due notice and certainly is not the procedure that we generally follow on moving. Usually we do the other way on public hearings. We defer them rather than speed them up on an emergency basis. So I'll vote yes."

Councilmember Goodman stated, "We did not tell the horse that we were going to put him in the barn, as we did in the other case, that's why I think it is unfair. I vote yes."

Mayor McClellan announced the item would not be heard on an emergency basis tonight, and that Council will leave the hearing set for January 12, 1977, at 3:30 p.m.



## RELEASE OF EASEMENTS

Councilmember Trevino moved that the Council adopt a resolution to authorize release of the following Easement:

The north two and one-half (2.50) feet of a seven and one-half (7.50) foot Public Utility Easement on the south line of Lot 38, Block G, Wooten Terrace, Section 3. (Requested by Mr. Neal Cukerbaum, agent for owner of said lot)

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

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

Councilmember Trevino moved that the Council adopt a resolution to authorize release of the following Easement:

A Easement six (6.00) feet in width centered on the common lot lines of Lots 10 and 11, Block B, Barton Hills, Section Seven. (Requested by Mr. Tom Shefelman, owner of Lot 10 and representing the owner of Lot 11)

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

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

Councilmember Trevino moved that the Council adopt a resolution to authorize release of the following Easements:

Two (2) Public Utilities Easements located in Lot 6, Block C, Ford Place No. 1 and Lots B-1 and B-2 of Roy B. Stewart's Subdivision of a part of Ford Place No. 1 in the City of Austin. (Requested by William B. Stringer, Agent for the owner, Mr. Roy B. Stewart)

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

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

Councilmember Trevino moved that the Council adopt a resolution to authorize release of the following Easement:

The south two and one-half (2.50) feet of the north seven and one-half (7.50) feet of the west 134.00 feet of the Drainage Easement in Lot 23, Block I, Spicewood at Balcones Village, Section Six, a Subdivision in Travis County, Texas. (Requested by Mr. Jeryl D. Hart, P.E., representing Mr. Doyle Wilson, builder and owner of Lot 23, Block B-I)

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

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

#### ENGINEERING SERVICES

Councilmember Trevino moved that the Council adopt a resolution to select the professional engineering service of Lockwood, Andrews & Newman for the planning and design of the roadway, CAPITAL IMPROVEMENTS PROGRAM - Stassney Lane Improvement - Jacaranda Drive westerly to IH 35. CIP No. 78/62-63. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Councilmember Trevino moved that the Council adopt a resolution to select the professional services of Espy-Huston & Associates, Inc., for the planning and design of 38th and 38-1/2 Street Improvements, Guadalupe Street to IH 35 North. CAPITAL IMPROVEMENTS PROGRAM, CIP No. 73/62-29. The motion, seconded by Councilmember Cooke carried by the following vote:

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

Mayor McClellan reminded staff that there had been a lot of discussion on this when it was included in the C.I.P. about plugging the neighborhood into the design and study. City Manager Davidson said they remembered and it will be done.

Councilmember Trevino moved that the Council adopt a resolution to select the professional services of Stapp-Hamilton & Associates, Inc., for soils investigation and foundation recommendation services for the Shady Lane Bridge, CAPITAL IMPROVEMENTS PROGRAM, CIP No. 78/65-04. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Councilmember Trevino moved that the Council adopt a resolution to select the firm of Trinity Engineering Testing Corporation for soils investigation and engineering testing services during the design and construction of improvements to the Govalle Wastewater Treatment Plant. CAPITAL IMPROVEMENTS PROGRAM, CIP No. 73/59-03. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

## CHANGE ORDER

Councilmember Trevino moved that the Council adopt a resolution to approve construction Change Order No. 1 in the amount of \$14,243.15 to J. T. Waggoner Construction Company for MoPac Railroad Drainage Improvements, Phase II. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

## CONTRACTS AWARDED

Councilmember Trevino moved that the Council adopt a resolution to award the following contract:

JENNINGS & COLLINS CONSTRUCTION  
COMPANY & ZAPALAC COMPANY  
5000 East Ben White, #303  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM,  
Metz Park Open Gym - \$119,835.00  
C.I.P. No. 78/86-25

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

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

Councilmember Trevino moved that the Council adopt a resolution to award the following contract:

TEXAS CRUSHED STONE COMPANY  
4 Miles South on IH 35  
Georgetown, Texas

- Crushed Limestone Aggregate, Street  
and Bridge Division, Twelve months  
Supply Agreement with option for  
extension up to twelve months.  
Item 1: Est. 1,000 c.y. @ \$4.04/c.y.  
Item 2: Est. 1,000 c.y. @ \$4.04/c.y.  
Total price: \$8,080.00

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

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

Councilmember Trevino moved that the Council adopt a resolution to award the following contract:

GRAPHIC CONTROLS  
189 Van Rennselaer Street  
Buffalo, New York

- Charts, Electric Utility  
Twelve Month Supply Agreement with  
option for an additional six months  
extension - \$9,547.94

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

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

Councilmember Trevino moved that the Council adopt a resolution to award the following contract:

GIRARD MACHINERY COMPANY  
3428 Roosevelt  
San Antonio, Texas

- One Used Hydraulic Excavator with  
Boom Extension, Vehicle and Service  
Department.  
Item 1 - \$63,958.57

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

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

#### INNOVATIVE ENERGY CONSERVATION GRANT

Councilmember Trevino moved that the Council adopt a resolution to submit grant applications to the Governor's Office of Emergency Resources for grants totaling \$20,000 each under the Innovative Grants Program for Energy Conservation in the State of Texas. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

#### BUFORD TOWER RENOVATION

Councilmember Trevino moved that the Council adopt a resolution to approve the renovation of the Buford Tower and installation of memorial chimes in memory of Mr. Rex D. Kitchens by Mrs. Rex Kitchens and the Austin Chapter of Women in Construction. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Mayor McClellan offered the special thanks of the Council to Mrs. Kitchens and Women in Construction for their project.

## AIR QUALITY CONTROL

Councilmember Trevino moved that the Council adopt a resolution to the Texas Air Control Board concerning designation of non-attainment areas for air quality control. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

## TEMPORARY STREET CLOSINGS

Councilmember Trevino moved that the Council adopt a resolution to temporarily close the following streets or parts of streets:

San Jacinto Street - Parking lane and two driving lanes on west side of street from East 18th Street south for 300 feet. (December 26, 1977, between 9:00 a.m. and 4:00 p.m.)

East 18th Street - Close entire street between San Jacinto and Brazos Street. (December 26, 1977, between 9:00 a.m. and 4 p.m.)

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

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

## BLACKSHEAR PROJECT

Councilmember Trevino moved that the Council adopt a resolution to approve the disposition of Parcel R-73 to Edith Jordan and Emma McArthur, Blackshear Project, A-11-2, for \$500.00. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

## MEDICARE AND MEDICAID COST REPORTS

Councilmember Trevino moved that the Council adopt a resolution to authorize the firm of Ernst and Ernst to review and assist in the preparation of the Medicare and Medicaid Cost Reports. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

## CITY SPIRIT

Councilmember Trevino moved that the Council adopt a resolution to accept the "City Spirit" Program of the National Endowment for the Arts grant. (Grant provides all salary, travel, and living expenses for the program facilitator.) The motion, seconded by Councilmember Cooke, carried by the following vote:

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

PUBLIC HEARING  
UTILITY SERVICE REGULATIONS

Councilmember Trevino moved that the Council set a public hearing on Utility Service Regulations for January 26, 1978 at 2:30 p.m. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

## SPECIAL PRESENTATION

Mayor McClellan announced that they had a very special presentation to make and asked Mr. Brad Shearer to join the Councilmembers at the front of the Council Chamber. She said that this is the first time this Council has presented one of the Special Recognition Awards, and said there is one for him and one for Earl Campbell. The Mayor said the award was given to Brad Shearer in recognition of his being the second leading tackler on the team, with 109 tackles this season. He is also an outstanding young man who has won the Outland Trophy and the Concensus All-American Awards this year.

BRAD SHEARER told the Council that their award is truly an honor for him as he has made Austin his home for the past six years. He also expressed the thanks and gratitude of Earl Campbell, who was not in the Council Chamber. Mr. Campbell is the leading rusher and scorer nationally, 1,744 yards rushing this season, and 114 points scored this season, making him the Heisman Trophy winner and recipient of the Concensus All-American Award.

Councilmember Goodman introduced Bradley and Scott McClellan in the Council Chamber. He said on November 10, 1977 the Council passed a resolution supporting Earl Campbell for the Heisman Trophy. On behalf of Scott and Bradley (who brought the framed Resolution forward) Mayor Goodman asked Mr. Shearer to deliver the Resolution to Earl Campbell.

Ordinance 771215-B

F.S. §8000 Homestead Exemption

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## SANTA BOWL DAY

Mayor McClellan read a proclamation designating Saturday, December 17, 1977, as Santa Bowl Day, in honor of the football game which will be played by the Nautilus IH 35 City Champions and the Austin Police Department's Finest teams to help the cause of Operation Blue Santa. Santa Bowl is scheduled to take place at 3:00 p.m. at Bartholomew Park, with the price of admission a small toy or can or package of food or money donation to be delivered to deserving Austin families on Christmas Eve by Austin Police Department personnel.

## TOYS FOR TOTS WEEK

Whereas the Marine Corps Reserve sponsors the Toys for Tots program nationwide, providing gifts for needy children so that they too can have a joyous Christmas, Mayor McClellan proclaimed the week of December 12-18, 1977, as Toys for Tots Week and urged all citizens to participate in this program as a display of unselfish concern during the season of good will.

## "SENIOR SERGEANT"

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING PART 2 OF ORDINANCE NO. 740718-E, PART 1 OF ORDINANCE NO. 770922-A, AND PART 1 OF ORDINANCE NO. 770929-H, CREATING WITHIN THE POLICE DEPARTMENT THE CIVIL SERVICE CLASSIFICATION OF "SENIOR SERGEANT"; ESTABLISHING THE NUMBER OF AUTHORIZED POSITIONS WITHIN THE CLASSIFICATION OF POLICE SENIOR SERGEANT; REVISING THE CIVIL SERVICE PAY PLAN TO ESTABLISH A BASE SALARY FOR POLICE SENIOR SERGEANT; ESTABLISHING EFFECTIVE DATES; REPEALING ALL ORDINANCES IN CONFLICT HERewith; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

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

The Mayor announced that the ordinance had been finally passed.

## \$8,000 HOMESTEAD EXEMPTION

Mayor McClellan introduced the following ordinance:

771215-B.  
F.S.



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

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

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:

A 1,296-SQUARE-FOOT TRACT OF LAND, LOCALLY KNOWN AS 11541-11571 U. S. HIGHWAY 183 AND 11500-11538 ANGUS VALLEY ROAD, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Stalong Company, Inc., C14-77-143)

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

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

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:

- (1) LOT 1, BUELL PARK, LOCALLY KNOWN AS 13219 U. S. HIGHWAY 183, ALSO BOUNDED BY BOARDWALK DRIVE, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,
- (2) THE EASTERNMOST 200 FEET OF A 4.94 ACRES OF LAND, LOCALLY KNOWN AS 10500 JOLLYVILLE ROAD, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND,
- (3) A 15.68-ACRE TRACT OF LAND, LOCALLY KNOWN AS 3107 STECK AVENUE AND ALSO BOUNDED BY SHOAL CREEK BOULEVARD, FROM "O" OFFICE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND,

(4) A 705-SQUARE-FOOT TRACT OF LAND, LOCALLY KNOWN AS 3834 PROMONTORY POINT DRIVE, FROM "D" INDUSTRIAL DISTRICT TO "C-2" COMMERCIAL 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. (Covenant Builders, Inc., C14-77-140; Joe S. Hill & Alan M. Hill, C14-77-144; Austin Northwest Development Company, C14-77-146; Missouri Improvement Company, C14-77-155)

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

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
THE SOUTH 60 FEET BY 175 FEET OF LOT 1, BLOCK 5, OUTLOT 56, DIVISION B, GEO. L. ROBERTSON SUBDIVISION, LOCALLY KNOWN AS 1171 SAN BERNARD STREET (THOMPSON HOME); FROM "O" OFFICE DISTRICT TO "O-H" OFFICE-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. (Thompson Home, C14h-77-034)

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

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 9, RUTLAND DRIVE BUSINESS PARK, SECTION FIVE, AND LOTS 1, 2, 3, AND 4, RUTLAND DRIVE BUSINESS PARK, SECTION SIX; LOCATED ON METRIC BOULEVARD, BOYER BOULEVARD, AND MEARNS MEADOW BOULEVARD; FROM INTERIM "A" RESIDENT 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 DECLARING AN EMERGENCY. (City of Austin Area, C14-77-161)

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

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

The Mayor announced that the ordinance had been finally passed, and was effective immediately.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
THE EAST 65 FEET OF LOT 4, BLOCK 106, ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 600 WEST 9TH STREET, ALSO BOUNDED BY NUECES STREET; FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (James A. Martindale, (C14-77-153)

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

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, C.B.S. INDUSTRIAL ADDITION, LOCALLY KNOWN AS 3412 EAST 4TH STREET; FROM "D" INDUSTRIAL, THIRD HEIGHT AND AREA DISTRICT TO "C-2" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Jack H. Bartles, C14-77-154)

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

The Mayor announced that the ordinance had been finally passed.

## ZONING ORDINANCE - SECOND READING

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

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 2.9-ACRE TRACT OF LAND, SAVE AND EXCEPT A FIVE-FOOT STRIP OF LAND ALONG WOOD-LEIGH STREET AND BRAESWOOD ROAD, WHICH SHALL REMAIN ZONED "B" RESIDENCE DISTRICT, LOCALLY KNOWN AS 123-129 WOODWARD STREET, 3402-3414 WOODLEIGH STREET AND 201-203 BRAESWOOD ROAD, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE. (Richard L. Matz & Adon Sitra, C14-77-112)

The ordinance was read the second time and Councilmember Trevino moved that it be passed to its final reading. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Trevino, Cooke, Goodman, Snell

Noes: Mayor McClellan, Mayor Pro Tem Himmelblau, Councilmember Mullen

The Mayor announced that it had been passed through second reading only.

## COMMISSION REVIEW ORDINANCE

Mayor McClellan introduced the following ordinance ~~as~~ an emergency item:

AN ORDINANCE PROVIDING FOR PERIODIC REVIEW OF CERTAIN BOARDS, COMMISSIONS AND COMMITTEES OF THE CITY OF AUSTIN; PROVIDING FOR A PROCEDURE FOR TERMINATING OR MODIFYING BOARDS, COMMISSIONS AND COMMITTEES; REPEALING ORDINANCE NO. 770825-E; PROVIDING FOR THE SUSPENSION OF THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, providing that annual reports filed by chairpersons shall be approved by a majority of the members of each commission and providing that the City Council shall be required to conduct public hearings only on those commissions which it determines should be considered for modification or termination. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

## CITIZEN ASKS PROHIBITION OF DRIVEWAY CUTS

MS. HARRIET E. BUXKEMPER, Area Coordinator-Area 3, South River City Citizens, appeared before Council to request an ordinance prohibiting driveway cuts on Reagan Terrace east of Betty Jo Drive.

She said she lives in Parkinson Estates and asked the Council's help and protection from the parking lot of the Railroad Commission Building now under construction. She said the lot has spaces for 400 cars and commented that Mr. Ternus, Director of Urban Transportation, and his staff worked hard to find a solution to the creation of a heavy flow of traffic through their neighborhood. She said the fear has been that traffic, wanting to avoid the intersection of IH 35 and Riverside Drive, will enter through the neighborhood, go east on Reagan Terrace and turn left into the parking lot. Mr. Ternus, she said, has angled the entrance in an attempt to keep eastbound traffic from turning left into it. The exit drive will be controlled by an electronic arm or one-way teeth imbedded in the concrete. In her opinion, Mr. Ternus' solutions will only solve half of the problem. Her neighborhood fears that half of the cars leaving the plant at 5 p.m. will cause a dangerous situation when the cars drive through her neighborhood in an attempt to avoid the IH 35-Riverside Drive congestion. The Legal Department of the City of Austin, she said, feels that a driveway on Reagan Terrace is safer than an exit on the access road near the down ramp from the expressway. The neighborhood does not agree. She read the driveway ordinance to the Council, in addition to a letter from the Legal Department to Mr. Ternus concerning the interpretation of the ordinance. Mrs. Buxkemper urged that the Council pass an ordinance prohibiting driveway cuts on Reagan Terrace east of Betty Jo Drive.

Mayor Pro Tem Himmelblau said that she had noted there is already a curb cut on Reagan Terrace and asked if it can be closed. Mr. Ternus answered that the permit has been issued and a request for a driveway has been submitted to the City. The permit was reviewed in accordance with existing City ordinance and a design has been approved which, in his opinion, will keep the traffic from entering the site from the west. It will allow traffic to go out and go west, as would a driveway in IH 35 frontage road. The permit has been approved and issued. It cannot be reversed, Mr. Ternus stated. Mr. Davidson, City Manager, said they would not recommend this. Mayor Pro Tem Himmelblau stated she has worked with this neighborhood for about five years and did not like to see the driveway go into the residential area. Her preference would have been to have the entrance and exit on the frontage road. Mr. Davidson said, "We're not saying it's irreversible, Mrs. Himmelblau, we're saying we don't recommend it be reversed. We think there are some legal problems involved with such a reversal. We don't think there's any better solution from a traffic design standpoint. We, too, respect the concerns of the neighborhood. As a matter of fact we have some beliefs that the solution to do this on Riverside Drive would in some ways be worse than the controlled entrance and exit worked out on Reagan Terrace on a limited basis."

Councilmember Mullen stated he looked at the site, and it appeared a lot of money had already been spent on a driveway. He said it looked like the City would be liable for a big lawsuit if the money has already been spent to put a long driveway in all the way back to the property. A new approach would be out

of the question, he thought. Mr. Ternus said the permit is a valid issued permit. After more discussion, Mr. Davidson told the Council, "We recommend that the driveway permit stands. We are continuing to look at means of protecting the neighborhood. Mr. Ternus has talked to a lot of people in this area and so has my office, but we believe the permit has been legally issued, and we do not recommend any change." Mrs. Buxkemper thanked the Council for listening to her.

#### BRACKENRIDGE HOSPITAL PARKING

MR. JOHN CISLER, Board Member and Student-Faculty Representative, Brackenridge Student Nurses Association, had requested to appear before the Council to discuss the Brackenridge Hospital parking situation. He did not appear. He had written a letter to Councilmembers stating that due to a number of recent developments, the Association felt unprepared to present their proposal to the Council at this time.

#### GOLF ENTERPRISE FUND

Mr. Robinson, Director of Parks and Recreation Department, presented a report from the Park Board. He reminded the Council they had talked to them two weeks ago concerning changing of the golf enterprise fund. At that time he had been asked to go back and look at some of the cost comparisons. They are as follows: Golf, 31 cents per participant hour, (without Hancock it would be 27 cents per participant hour; composite for tennis is 10 cents per participant hour; for softball it is 31 cents; and for swimming it is 22 cents per participant hour. Mr. Robinson said the Parks Board continues to recommend that the golf division be taken out of the golf enterprise fund and place in the general fund account, and that all available surcharge funds be spent for projected Capital Improvements Program expenditures identified in prior fiscal years of 1977-78 as follows: \$200,000 for renovation of seven holes at Lions Municipal Golf Course; \$22,000 for cart paths and restrooms at Jimmy Clay golf course; \$2,000 for Jimmy Clay Concession vent; and if sufficient funds are available, construction of pavilions at Jimmy Clay and Morris Williams golf courses. He said it is further recommended that the golf green fee be reduced by the amount of the surcharge and the surcharge be eliminated and that all future C.I.P. improvements be funded from a General Obligation bond.

MR. WILLIAM CROMWELL, Golf Advisory Board, told the Council that the average green fee on week days is \$2.93 in Amarillo, Dallas, Houston, Lubbock, San Antonio and Austin. The current weekday fee in Austin, with the surcharge eliminated would be \$3.00. The average green fee weekend rate at the courses is \$3.71, for Austin it is \$3.50. Mr. Cromwell's opinion is that the golfers are paying their fair share and are in line with other sports. He said he thinks if the surcharge is not eliminated, the cost per hour will continue to rise, because there will not be as many golfers out on the courses.

The Mayor commented that she does not relish a surcharge, but there is concern because the budget has already been adopted in which fees were increased in order to keep Hancock Golf Course open. City Manager Davidson stated he has sent a communication to Council suggesting that this not be changed. "We feel that the fee is an important way to insure that there will be some funding to

produce capital improvements for the golf system in the future." He continued, that if the Council wishes to continue this matter further as recommended, he suggests it come up during the C.I.P. or the annual Operating Budget next summer. Mr. Cromwell commented that he understands that eliminating the surcharge in the current operating budget will not effect the normal operations of the golf course. He said it may have a future effect on the golf courses, but that would be considered in the C.I.P. budget. Mr. Davidson added that if the Council wants to consider this matter later, he and his staff will be certain that both the Planning Commission and the Council will have some adequate tabulations and updates on revenues received at the time they consider this matter. Work will begin on the C.I.P. as early as April. Mayor McClellan thought Council should look at this in connection with next year's C.I.P. Councilmember Snell asked if the surcharge will continue in the meantime.

Motion - Died for Lack of a Second

Councilmember Snell moved that the Council accept the recommendation of the Golf Advisory Board and the Parks and Recreation Board to eliminate the golf surcharge. The motion died for lack of a second.

Motion - Died for Lack of a Second

Councilmember Snell moved that the Council eliminate the golf surcharge beginning immediately. The motion died for lack of a second.

Mayor McClellan repeated that since this should be looked at when studying next year's C.I.P., as a recommendation and suggestion at that time.

Motion

Councilmember Trevino moved that the Council study the recommendation to amend the Golf Capital Improvements Program, eliminate the Golf Enterprise Fund, and eliminate the Golf Surcharge when studying next year's C.I.P. The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

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

\*Councilmember Snell stated that "we have two appointed boards, the Golf Advisory Board and the Parks and Recreation Board, that recommended the surcharge be eliminated and we just completely ignore them. When the Sunset Ordinance comes around, we should eliminate these boards if we're not going to listen to them. I vote no."

Mayor McClellan said, "I think we certainly should not eliminate these boards. Many times the boards present contrary points of view and many times we take recommendations from these boards, and many times we modify them, and sometimes we do not accept the recommendations, but I appreciate the work of the Parks and Recreation Board and the Golf Advisory Board, and in fact are not ignoring what they said, but will be plugging it into our study of the C.I.P. I think that is the reasonable way to do, so we really look at the impact. I imagine some of these people would be probably most unhappy too, if it had a significant impact on the future Capital Improvements of the golf area. I think that's what we have to ascertain before we act on it. Therefore, I vote yes."

Councilmember Goodman stated, "I agree with Councilmember Snell, I just differ on the timetable. Until we see what will happen if we implement it, I vote yes."

#### PUBLIC HEARING ON MASSAGE PARLORS

Mayor McClellan opened the public hearing scheduled for 7:30 p.m. by indicating that this was a continuation of a public hearing on an amendment to the Ordinance relating to Massage Parlors. Foregoing staff presentation, the Mayor proceeded directly to the hearing.

MR. HOWARD GREEN, 304 East 33rd Street, spoke against any kind of restriction of massage parlors. He felt that the current laws already restricting massage parlors should be repealed. Mr. Green felt that massage parlors are being used as scapegoats. He stated that persons of good will did not want to see scapegoats made out of people engaging in voluntary activities.

MS. BARBARA HEWITT, 1903 Brackenridge, a certified masseuse and member of the American Massage and Therapy Association, read a letter addressing the proposed amendment changes. The letter read as follows:

"To the City Council of Austin, Texas: We the undersigned teachers, students, practitioners and recipients of therapeutic massage support the Council's effort to regulate massage parlors. From the perspective of massage regulation in other states, we would like to propose the following changes in the Ordinance:

1. Whereas Texas has no massage licensing body of its own, professionals holding another state license or certificate should be included among the exceptions to the proposed Ordinance. Proposed Change: Add to Section 18-2(a)(7); "Persons holding valid certificates to practice massage in other states or persons working under the direction of any such persons."
2. Whereas the intent of this Ordinance is to update the massage business, it would seem logical to eliminate the use of the word "parlor" which has many negative connotations. Proposed Change: Massage parlor should read "Massage business" wherever the phrase occurs.
3. Whereas there is no accompanying financial statement to justify the substantial increase in proprietors' and massagers' fees, we are therefore opposed to this increase.
4. Whereas keeping an appointment book which could be reviewed at any time by public officials would be a breach of confidentiality. We are opposed to this requirement. Proposed Change: Eliminate Section 18-12."

In response to a question from Councilmember Goodman, Ms. Hewitt indicated that she had no problems with the proposed hours of operation. She felt that the most important stipulation in the Ordinance was the requirement for massage education.



MR. LARRY BROWNING, 6913 Brynmawr, did not appear to speak on his turn before the Council.

MR. LAIRD PALMER, 1010 West 9th Street, attorney representing a number of massage parlors, told the Council that there was no evidence of illegalities being committed in massage parlors to justify the proposed Ordinance. He recommended that the Council leave prostitution and dope trafficking to the Police and not pass an Ordinance that would interfere with the livelihood of the innocent massagers. Mayor McClellan stated that government has a legitimate interest in deterring violations of the law, and that regulation speaks to that.

DR. P. J. PARIS, 919 Keith Lane, spoke in favor of the proposed Ordinance.

MRS. WORTH B. HOUSE, 1211 East 31st Street, urged the Council to pass the proposed ordinance.

MR. GEORGE STROMQUIST, 1302 East 29th Street, spoke in favor of the proposed Ordinance.

MS. BARBARA KIEKE, 3009 East Avenue, spoke in support of the proposed Ordinance. She indicated that she lived several feet away from the Oriental House of Massage and that she was very concerned about the hours of operation.

MR. HUGH LOWE, 508 West 12th Street, representing the Central Texas Chapter of the American Civil Liberties Union, indicated that they seconded the statements made by previous speaker Laird Palmer and that they were opposed to the Ordinance for many of the same reasons. Mr. Lowe indicated that the requirement that patrons to massage parlors register was entirely unconstitutional. He stated that they were also concerned about the hours of operation outside of residential districts. Mr. Lowe stated that the hours of operation stipulation is unconstitutional and would not stand up.

MS. SHARON CHAFFIN, 2904 Dancy, representing the Concordia Neighborhood Association, told the Council that the original intent of the Association was to get the Oriental House of Massage out of their neighborhood. She indicated that her organization was most concerned with the educational requirement for massage parlors and the hours of operation. She expressed support for the proposed Ordinance.

MR. JIM CHRISTIANSON, 3103 Robinson, told the Council that there were a number of massage parlors that fell within 500 feet of residential areas even though the areas themselves were zoned commercial. He also stated that this past summer, the Texas State Supreme Court rendered a decision that the San Antonio massage parlor ordinance was constitutional and he pointed out that the San Antonio regulation was much more strict than the one being proposed for Austin. Mr. Christianson urged the Council to vote for the 500 foot zoning strip and the regulation of hours of operation.

MR. DAVID KING, 3106 Dancy, Chairman of the Steering Committee of the Concordia Neighborhood Association, spoke in support of the proposed Ordinance. He stated that massage parlors generally lower the quality of a neighborhood and that they were centers of prostitution and dope trafficking. Mr. King stated that the regulation of location and hours of operation was of great importance.

MR. ROYAL MASSET, 606 Rathervue, felt that the Ordinance was a balance of civil liberties. He did not think that such regulation would undercut civil liberties.

MR. HOWARD ELROD, 7312 Shadywood, a registered massage therapist, indicated that a massage education program could be instituted at the Community College. He suggested that the word "parlor" be changed to "business." Mr. Elrod stated that the trained physical therapists in Austin were in support of the Ordinance with a few amendments. Mayor McClellan asked Mr. Elrod if he had any problem with the proposed hours of operation and Mr. Elrod indicated that he did not.

MR. ALAN BUCKLEY, 1910 Hearthstone, asked what were some of the stipulations of the proposed Ordinance. Ms. Sheila Finneran, Assistant City Attorney, outlined the Ordinance for Mr. Buckley. Mr. Buckley stated that the real issue in question was one of morality. He felt that just because something was sensual, it was not necessarily obscene.

MS. RENE TAYLOR stated that all persons have a right to make a living. She stated that she worked in a massage parlor and that they served persons who came to them, not persons that they went out to get.

MS. BLINZA OLDAK, owner of La Femme Massage Parlor, stated that her business was located on IH 35 and that traffic to her business did not effect the residential area because traffic was always going by on the highway anyway. She questioned what right other persons had to keep her employees out of a job.

MR. DENNIS CULLIVER stated that the closing of certain massage parlors would mean a loss of revenue for the City of Austin. He pointed out that it would not cost as much to regulate the Ordinance if a number of the massage parlors were driven out of business. Mr. Culliver stated that the fiscal potential of passing the Ordinance was in favor of the City and he urged the Council to pass the proposed Ordinance for not only financial reasons but for moral reasons as well.

MR. MARK CLARK spoke in favor of putting restrictions on massage parlors in order to curtail moral decline in Austin.

MR. TERRY PARKER urged the Council to not use legislation to enforce morality. He stated that people should be allowed to make their own decisions and that governmental intervention would have a bad socio-economic impact. Mr. Parker felt that specifying zonings for massage parlors would constitute a dangerous precedent that would be the source of trouble for the Council later on.

MS. VONDA BARD, a massager, stated that if the massage parlors are closed, the employees of the parlors will have to go out on the streets to make a living.

MR. PAUL W. HANNEMAN, attorney representing the Oriental House of Massage, invited the Council to come see for themselves what the Massage Parlor is like before making any kind of decision.

Motion

Councilmember Goodman moved that the Council close the public hearing. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Motion

Councilmember Goodman moved that the Council approve the zoning segment of the Ordinance; refer the Ordinance back to the Planning Commission; change the word "parlor" to "business" in Part I, Section 76 of the Ordinance; and include "public park or playground" at the end of Part I, Section 76 of the Ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

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

Mayor McClellan made the following statement in regard to the Ordinance: "I think we need an Ordinance also that speaks to regulation, particularly to hours as has been addressed by a number of neighborhood residents."

Councilmember Mullen made the following statement in regard to the Ordinance: "We have some things that we asked for staff to take care of, that's going to take a week, I checked. He said he'd be back in a week. I think we'd better wait until we get that information about regulation of hours if we are going to include those that are within 500 feet or not within 500 feet. And before we do that I think we need some information. So I would move that we bring this back on the 29th with that information so that we can make a decision."

Motion

Councilmember Mullen moved that the Council instruct staff to bring back information regarding education and hours of operation by December 29, 1977. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Councilmember Cooke made the following statement in regard to the Ordinance: "I wanted to know on specific points of the Ordinance, regarding whether..and whether we'd require businesses to acquire approval of the Chief of Police and did we actually regulate hours for businesses in the City and what they were if we did, and also requiring under Section 18-3, listing information with regard to what type of equipment will be used, experience in the field and things like that. The legal staff has furnished me with those franchises and businesses that we do regulate in such manners which clarifies a point for me and indicates that we are doing this..good or bad. I'll point

out also that regarding the hours, they do say junk dealers and hours regulating intoxicating beverages, and when they're sold, but it doesn't necessarily regulate the business and that's where I have a concern. I will share this information with the Council and anybody that wants it as a matter of fact, and so instruct the Legal Department to provide it to anybody that would like it."

#### PUBLIC HEARING ON CAPITAL INCREMENT FEE

Mayor McClellan opened the public hearing scheduled for 8:30 p.m. on the repeal of Ordinance No. 760325-D, relating to the Capital Increment Fee.

MR. RANDALL WOOD indicated that he was speaking in support of the proposal made by Councilmembers Goodman, Snell and Mayor Pro Tem Himmelblau on the imposition of the Capital Increment Fee. Mr. Wood stated that the Capital Increment Fee, which levies a tax on new residential construction projects, would not have been developed if the Water and Wastewater Bond Proposal of 1975 had not failed. He stated that an emergency had existed and interim steps were taken to cope with the emergency. Mr. Wood pointed out that the emergency was now past but that the Capital Increment Fee has become institutionalized in the City financial structure. He stated that the fee acts as a regressive tax or surcharge on home buyers. Mr. Wood also pointed out that the fee drives up the price of a new home. He then made the following points:

1. The fee denies consumers the opportunity to finance a home.
2. The fee is not related to utility usage.
3. The fee only taxes the recent home buyer. Persons buying a home prior to the 1976 imposition of the fee did not pay the fee.
4. The fee has contributed to out-of-City development or the "leapfrog" effect.

Mr. Wood indicated that revenues from the Capital Increment Fee do not need to be made up in order for the Water and Wastewater utility to continue its normal operation. He then listed certain Council measures for revenue recovery, which he did not support. They are as follows:

1. An across the board 6 to 8 percent water rate increase.
2. A deferment in \$18-21 million worth of authorized Water and Wastewater Capital projects.
3. A moratorium on residential construction.
4. A shift of Water and Wastewater funds for necessary HCD and CDD projects to other operating accounts.
5. Cuts in the authorized appropriation levels of social service programs funded by the current operating budget.

Mr. Wood then listed some measures of which his clients were in support. They are as follows:

1. Authorize a cost of service study to determine if the 1.5 differential charged out-of-City customers is adequate or should be raised, possibly, to 1.75 or 2.0.
2. Reinstate a monthly minimum fee for all water and wastewater customers to appropriate and economically justifiable levels such as those which existed prior to 1976.
3. Continue to charge the Capital increment fee to out-of-City users for a period of one calendar year. This fee should be terminated on January 1, 1979.
4. Institute a 5% penalty charge for all delinquent water and wastewater customers.
5. Continue to pursue the procurement of an EPA grant in the amount of 75% of the cost of the Onion Creek Water and Wastewater treatment.
6. Continued implementation of the currently funded productivity study.

MR. ERSEL BRASHEAR, representing Nash Phillips-Copus Company, urged the Council to repeal the Capital Increment Fee. He stated that termination of the fee would be a great help to the home owner.

MRS. WILBOURN WEAVER told the Council that she was having to pay \$250 for plumbing and questioned why she had to pay an additional \$175 tap fee to tie into a City water line only 10 feet away from her home.

#### Motion

Councilmember Goodman moved that the Council do the following:

1. Decrease the Capital Increment Fee by 50% effective January 1, 1978, only for customers inside the City limits.
2. Repeal the increment fee inside the City limits effective March 1, 1978, pending the outcome of a cost of service study for providing water and sewer service to customers outside of the City limits or in utility districts. Should this study show that a rate increase for these customers can not be justified, the effective date of the total repeal for customers inside the City shall be June 30, 1978.
3. The Capital Increment Fee shall continue for out-of-City customers until September 30, 1979, at which time it shall be repealed.

4. An instruction to the City Manager to make the cost of service study and to deliver it to the Council by January 30, 1978.
5. That the City Manager take the necessary steps so that the Council can:
  - a. Set the minimum charge for water at \$2.52 and for Wastewater at \$2.90.
  - b. Establish a standby charge of \$2.52 for water and \$2.90 for Wastewater.
  - c. Establish a 5% late payment penalty for water and wastewater customers.
6. Instruct the City Manager to utilize \$340,000 in HCD funds in 1977-78 and \$230,000 in 1978-79 for Water and Wastewater Improvements.

The motion was seconded by Mayor Pro Tem Himmelblau.

Councilmember Goodman stated that the Council would not be able to move on the Zaragosa Irrigation Project until very late in the current year at the earliest. Councilmember Trevino questioned why this was so. City Manager Dan Davidson indicated that certain C.I.P. projects were scheduled for certain times of the year. Councilmember Trevino asked why the Council was not advised early enough so as to reprogram some of the monies needed to do things that needed to be done. Mr. Davidson indicated that the Council was not advised on that particular aspect of any of the projects that were approved by the Council.

#### Roll Call on Motion

Roll call on Councilmember Goodman's motion, Mayor Pro Tem Himmelblau's second showed the following vote:

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

Mayor Pro Tem Himmelblau made the following statement: "I'd like to say that I didn't vote for this when it first came up and I'm glad to vote to repeal it, yes."

Councilmember Snell made the following statement: "I didn't vote for either and certainly don't feel like..because of the 5% that we tax on for late payment, I can't support it now, I regret it very much and I vote no."

Councilmember Goodman made the following statement: "I will give the City Clerk a written copy of the motion since it's lengthy, but, in short, if we are able to generate additional revenues from out of City water users, we will use that revenue and move up the effective repeal of the Capital Fee..to March 1, 1978. If we're not able to generate that revenue, then it will be June 30, 1978, at half the rate because on January 1st it's reduced by 50%."

Councilmember Cooke made the following statement: "I think one other thing that's interesting to note here is that, I think Councilmember Mullen had asked for information regarding whether the Capital Increment Fee was being used in other major cities in Texas and we were the only major city utilizing it and I'm glad to see that it went the way it did."

#### CONTRACT AWARD

The Council had before it for consideration a contract award concerning the Safe Street Sidewalk Program in the amount of \$122,494.15, to J. T. Waggoner Construction Company. Councilmember Cooke asked for information. The engineer's estimate had been it would cost \$109,000 for 60 working days, and the bid is for \$122,500. Mr. Charles Graves, Director of Engineering, said three bids had been received, this was the low bid, and he does not feel the bid is out of line. Mr. Graves said all of the contractors are heavily loaded with work and the bids are less competitive than they have been. Councilmember Cooke asked if Mr. Graves felt the 60-day completion requirement caused the contractor to raise his bid. Mr. Graves said, "No, there is pretty fast movement on sidewalk type construction." He said they normally estimate time required under normal circumstances to complete a project and allow a little bit more time than they think is needed. Unless there is a press for time, there is a tendency to string projects out and not complete them. Having to maintain inspectors and other personnel on the project does constitute a cost to the City. Having them too long costs more. To his knowledge, Mr. Graves said they have never had a complaint about giving too little time to a project.

Councilmember Cooke moved that the Council adopt a resolution to award the following contract:

J. T. WAGGONER CONSTRUCTION  
COMPANY  
3401 East 1st Street  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM,  
1976-77 Safe Street Sidewalk  
Program - \$122,494.15

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

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

#### SWIMMING POOL IMPROVEMENTS

The Council had before it for consideration a contract to be awarded to Hayden Sales Construction Company for Martin and Montopolis Swimming Pool Improvements in the amount of \$546,331.00. Again, Councilmember Cooke questioned the reason for the bid to be so much higher than the estimate, which was \$492,000. Mr. J. D. Murchison, representing Construction Management, answered Mr. Cooke's query by saying this is somewhat the same situation as Mr. Graves discussed. The contractors are very busy right now, and it is difficult to get competitive bids. Councilmember Mullen suggested they wait and bid again. Mr. Davidson, City Manager, said they will honor the Council's wishes, but he would recommend they award the contract because with the rate of inflation, if the City waits, the next bid may be higher.

Councilmember Trevino moved that the Council adopt a resolution to award the following contract:

HAYDEN SALES CONSTRUCTION  
COMPANY  
P. O. Box 234  
Junction, Texas

- CAPITAL IMPROVEMENTS PROGRAM,  
Martin & Montopolis Swimming  
Pool Improvements - \$546,331.00  
CIP Project Nos. 77/86-21 and 77/86-22

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

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

#### BID AWARD FOR POLICE AND ADMINISTRATIVE SEDANS

The Council had before it for consideration a bid award for police and administrative sedans for the Vehicle and Equipment Service Department. Mr. Daron Butler, Budget Director, outlined the proposed uses of the automobiles under bid consideration. Mr. Davidson, City Manager, commented that his staff is pleased with the bids and have found the service on vehicles purchased from the two dealers has been excellent in the past.

#### Motion

Councilmember Snell moved that the Council adopt a resolution to award the following contracts:

Bid Award:

- Police and Administrative Sedans,  
Vehicle and Equipment Service  
Department.

JAY SMITH CHRYSLER PLYMOUTH  
841 West 6th Street  
Austin, Texas

- Item Sheet S-1
  - Item 1 - 45 ea. @ \$4,493.00
  - Item 2 - 1 ea. @ \$4,677.00
- Item Sheet S-2
  - Item 1 - 85 ea. @ \$5,737.00
- Item Sheet S-3
  - Item 1 - 1 ea. @ \$5,473.00
- Item Sheet S-4
  - Item 2 - 2 ea. @ \$4,727.00
- Item Sheet S-5
  - Item 1 - 4 ea. @ \$4,863.00
- Total: \$728,886.00

LEIF JOHNSON FORD  
501 East Koenig Lane  
Austin, Texas

- Item Sheet S-5
  - Item 1 - 2 ea. @ \$5,431.00
  - Item 2 - 2 ea. @ \$5,493.00
- Total: \$21,848.00

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



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

#### AIRPORT TRANSIT ROUTE

After concern expressed by Councilmember Snell that the people in the neighborhood effected by the proposed adjustment of the airport transit route to Delwood, Wilshire, Maplewood were not informed of the change, decision on this issue was postponed.

Councilmember Mullen moved that the Council postpone consideration of adjustment to the airport transit route to Delwood, Wilshire, Maplewood until December 29, 1977. The motion, seconded by Councilmember Snell, carried by the following vote:

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

#### BICYCLE REGISTRATION

Councilmember Snell asked if the staff had recommended amending Section 6-8 of the Austin City Code pertaining to bicycle registration. Mr. Davidson, City Manager, answered that this has been recommended by several city departments. Mr. Joe Ternus, Urban Transportation Director, told Council the recommendation was based on problems occurring in the theft of bicycles caused by the lack of registration of same. He said that it appears that the requirement of a light on the front of the bicycle may be a deterrent to bike registration. This change, he said, will have no effect on enforcement of the State law which requires a light on bicycles operated at night.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 6-8 OF THE CODE OF THE CITY OF AUSTIN, 1967; DELETING FROM ITS PRESENT STATUS THE REQUIREMENT THAT BICYCLES BE EQUIPPED WITH LIGHTING AND REFLECTING EQUIPMENT REQUIRED BY STATE LAW FOR THE OPERATION OF BICYCLES AT NIGHT BEFORE LICENSES MAY BE ISSUED; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

The Mayor announced that the ordinance had been finally passed.

## FIRE ZONE ORDINANCE

The Council had before it for consideration an amendment to the 1977-78 Operating Budget to appropriate funds for the enforcement of the Fire Zone Ordinance. Councilmember Mullen questioned whether or not two people will be needed for this who are fire specialists. He said he understood people in the shopping centers will be able to enforce this and wondered why we need City employees in addition. Chief Leland Priest, Fire Department, stated that there are approximately 1100 places to survey according to last year's City Director (900 apartment complexes, 90 shopping centers, 100 schools, 30 miscellaneous places.) He said it will take some time to survey the places where a fire lane is needed. In the meantime, those that are surveyed and underway, present an enforcement problem involved in the evenings and weekends. The security department of the shopping centers will be writing the tickets and they will have to be picked up and delivered to the Police Department by 1:00 p.m. the next day to go into their computer system. The tickets have to be carefully marked to indicate violation of a fire code ordinance, plus the shopping center name, and security force. Because of the number of places they will have to survey, plus the method of enforcement, they feel they will need two employees to accomplish this.

Mayor Pro Tem Himmelblau asked if it would lower the insurance premiums for the businesses if the fire lanes were designated. Mr. Priest said he did not think so. In answer to Mr. Mullen's question concerning an increase in cost for personnel, Mr. Davidson explained that for the past three years they have held the expansion of personnel in the Fire Department to an absolute minimum and it is his opinion that they have been close to having an inadequate number in the Fire Prevention section simply to inspect commercial and institutional responsibility that we now have. He said he did not think it's proper for the City Council to adopt a new ordinance requiring City inspections, regulations and enforcement without insuring that we can do a proper job of carrying out the order. He said if the Council cannot provide adequate personnel to enforce the new ordinance, he would like to see it rescinded, because we cannot stretch these limited people and then make people believe that we're going to do something that is not being done. In answer to Mr. Mullen's question as to whether or not it takes someone with expertise to patrol the fire lanes, Mr. Priest said he thinks it does. He said it takes someone who knows about the fire lanes and is skilled in dealing with the management of the businesses. After further discussion, the following motion was made:

Councilmember Mullen moved that the Council postpone until January 12, 1978, a decision on amending the 1977-78 Operating Budget to appropriate funds for enforcement of the Fire Zone Ordinance; City Manager to come back at that time with alternative suggestions, including the possibility of not using firemen for enforcement of an amendment. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

## PROPOSED WASTEWATER PACKAGE PLANT

A proposal for a wastewater package plant for Northwest Balcones subdivision was discussed in a City Manager Report, by Dr. McReynolds, Director of Environmental Resources, and Mr. Reed, Deputy City Manager, as well as Mr. Lillie, Director of Planning. For some years, Mr. Reed told the Council, the Texas Water Resources Agency, has sought the City's advice and recommendations on requests for package treatment plants in those portions of the Austin area that drain into Lake Austin in the Colorado River portions where the drainage comes through the City. Except for one instance, the City's interest in those cases has been to seek to get the best quality effluent we could from the plant. In this case, however, the staff has a quandary in that the Council has passed on first reading an ordinance which has a statement in it that there shall be no direct discharge of wastewater into Lake Austin and tributaries. The first hearing on the proposed plant for Balcones subdivision comes up on December 20, which is before the next called Council meeting. During this interim, Mr. Reed said, they are requesting a policy guidance be given to the staff as to whether that provision of the Lake Austin Ordinance to this case as we respond to questions or make presentations to the Texas Water Resources Agency.

Dr. McReynolds gave a brief presentation to alternatives available to this subdivision and on some problems that could be experienced in the Lake Austin watershed from such a plant. (City Clerk did not receive a copy of her memo.) Dr. McReynolds referred a memo from City Attorney Jerry Harris that pointed out there may be some problems with provisions in the ordinance. (City Clerk did not receive a copy of the memo.)

Mayor Pro Tem Himmelblau asked Mr. Curtis Johnson, Director of Water and Wastewater, if there is anything better than a package type treatment plant available..such as an evaporating plant which can be used by subdivisions which cannot hook into a sewer system. Mr. Johnson replied that the only thing he could think of would be a facility in which the effluent is put into some sort of pond which had a sufficient surface area so that strict evaporation could take care of the effluent. He said from a long range perspective in building a sewerage system which someday will be in the City limits of Austin, the best alternative would be some way to connect to the existing City system. In this particular case, he continued, it would be an extreme burden on someone to have to finance such an extension to the system. If that alternative cannot be done, then Mr. Johnson feels a package plant is the second best alternative for providing sewerage service to this type area. A distant third, in his opinion, would be for the use of septic tanks.

Councilmember Cooke asked if we have a legal right to have this in the ordinance. Mr. Harris answered, "It is our conclusion, working with the Texas Water Commission staff and others, that no, this is in their jurisdiction. We would not have the legal right to have this in our ordinance. It's been preempted by the state."

Motion

Councilmember Goodman made a motion to adopt the resolution submitted by the Environmental Resource Board.

There was some discussion concerning the two resolutions which had been submitted. Mr. Reed said: "The essential difference between the two resolutions that you have copies of is that the shorter one deals only with Northwest Balcones Subdivision. The one submitted by the Environmental Board deals not only with the subdivision, and I think the Legal Department might like to use some choice wording, but it does request denial of the permit of Northwest Balcones Subdivision. It goes on in the next to the last paragraph and asks in effect for a "0" discharge policy throughout the Lake Austin watershed for future permits as well and then concludes with another paragraph, so that the Environmental Board resolution is a much broader resolution."

Councilmember Cooke said he would look at the resolution but, "I'm certainly not ready to vote on it tonight." He added later, "It seems like it happens every week and this is no exception. In the last hour of the last minutes we're flooded with all kinds of documentation. And the resolution and all the other documents, pro and con, I think, need to be looked at and I think for us to start making motions and making decisions on stuff we've had, some less than an hour, when we're trying to plug in several other things..whether it's a ploy, whether it's time, or whatever, I think it's wrong for this Council to continue to utilize data we get in the last few minutes to make decisions that are very important. And so I don't think we should consider this resolution tonight. If we had had it prior to the last two hours I might consider it."

Mr. Reed said, "May I suggest the broader resolution that deals with the whole scope of the Lake Austin watershed might be placed on your agenda for consideration at the time you have your third reading of the Lake Austin Ordinance." Councilmember Goodman said he would agree to that. "And," continued Mr. Reed, "then if you want to set just an action on Northwest Balcones tonight, you could take action on the other resolution." Mayor McClellan commented that she would not object to that.

After further discussion concerning this issue, the following motion was made:

Motion

Councilmember Goodman repeated his motion; Councilmember Trevino seconded it.

Mr. Coleman, developer of the Northwest Balcones Subdivision, appeared before Council and said that he has a contract to monitor a wastewater package plant on a daily basis; that they would be glad to be serviced by the Water & Wastewater Department; and that the level of discharge is 5-5-1. He said he would be glad to monitor the plant constantly and asked Council to not pass the resolution which would single out one subdivision. He said they are 6-1/2 creek miles from Lake Austin and will not pollute Austin water.

The President of the Spicewood Springs Road Valley Association, appeared to say his group is against the proposed water package plant..that they are against polluting the creeks, and that the subdivision should wait and tie onto lines when they are available. In answer to Mayor Pro Tem Himmelblau's question concerning the type of sewage disposal system his is on, he replied, "septic tanks."

Roll Call on Motion

Roll call on Councilmember Goodman's motion, Councilmember Trevino's second, adopting the resolution submitted by the Citizens' Board of Natural Resources requesting the Texas Department of Water Resources to deny the request for a wastewater package plant for Northwest Balcones Subdivision, showed the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers Goodman, Snell

Noes: Councilmember Cooke, Mayor Pro Tem Himmelblau, Councilmember Mullen

Mayor Pro Tem Himmelblau stated with her vote: "I feel it's very unfair to put this on at the last moment. It wasn't on the agenda as an established item; it wasn't even on as an emergency item. No." Mayor McClellan said the issue was on the agenda. "What we did with it was not on there, but the whole issue was there and we can act on the City Council/City Manager Reports."

LAKE AUSTIN GROWTH MANAGEMENT PLAN ORDINANCE  
SECOND READING

The Council had before it for consideration the second reading of the Ordinance amending Chapter 41 of the Austin City Code to provide standards for development of land located within the watershed of Lake Austin as described by the resource maps of the Lake Austin Growth Management Plan.

Mayor McClellan stated that she wanted to include language under the alternative methods provision which would speak to water quality as well as density.

Motion

Councilmember Goodman moved that the Council adopt the following amendment to the proposed ordinance:

"All preliminary plans and final plats submitted after the effective date of this ordinance shall meet the requirements of this ordinance, provided, however, that all preliminary plans approved prior to the effective date of this ordinance shall be permitted to meet the following impervious cover requirements: 37% on slopes from 0 to 15%; and 20% on slopes over 15%."

Friendly Amendment to Motion - Accepted

Councilmember Mullen offered the following friendly amendment:

"An applicant could follow the impervious cover requirements proposed by Councilmember Goodman provided the alternative methods route was not used."

Councilmember Goodman accepted the friendly amendment. The motion with amendment was seconded by Councilmember Mullen, and carried by the following vote:

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

Motion

Councilmember Goodman moved that the Council adopt the following amendment to the proposed ordinance as recommended by Mayor McClellan:

(e) Alternative methods. Alternative methods to the criteria set out in the provisions of Sections 41-11.1, 41-13(n), and 41-35.3 shall be approved by the Planning Commission if said commission determines that the alternative will not materially alter the scope or average density of the development as it would be permitted if the development were pursuant to the specific criteria set out in the provisions of this section; and,

(1) will, in accordance with criteria and standards set forth in the department of engineering's Austin Drainage Criteria Manual, not exceed the runoff rate levels predictable under the specific criteria the alternative methods are to replace; and,

(2) will not result in significant predictable lowering of the water quality (in terms of fecal coliform, lead, total organic carbon, total nitrogen, total phosphorus, hydrocarbons - hexane extract, and suspended solids) of the subject tract runoff from the quality level expected under the specific criteria the alternate methods are to replace;

or, said alternatives shall be approved by said commission if it determines that the alternatives:

(1) will, in accordance with criteria and standards set forth in the department of engineering's Austin Drainage Criteria Manual, not exceed the runoff rate levels predictable under the specific criteria the alternative methods are to replace; and,

(2) will not result in significant predictable lowering of the water quality (in terms of fecal coliform, lead, total organic carbon, total nitrogen, total phosphorus, hydrocarbons - hexane extract, and suspended solids) of the subject tract runoff from the quality level expected under the specific criteria the alternate methods are to replace.

Any alternate proposals for controlling quality and rate of runoff must be capable of being legally enforced. The developer or applicant shall have the burden of proof in establishing the merits of any proposed alternative methods. The proposal shall be certified by a registered professional engineer with expertise in the area of concern.

All alternative proposals, methods and plans shall be submitted by the applicant to the directors of engineering and office of environmental resources management for review. The planning commission shall not act upon any alternate proposals until the commission has received a report on said proposals from the directors of engineering and office of environmental resources management.

Prior to action on the final plat, the city attorney shall approve the enforceability of the proposals.

The motion, seconded by Councilmember Mullen, carried by the following vote:  
(Later in the meeting, Mayor Pro Tem Himmelblau changed her vote to Yes.)

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

Councilmember Mullen asked if the phrase, "there should be no direct discharge of wastewater effluent into Lake Austin and its tributaries" is legal.

Councilmember Goodman asked if there is a severance clause in this ordinance. Mr. Jerry Harris replied that there "is not one, however, this becomes a part of the City Code that has a large catch-all severance clause in the front."

#### Motion

Councilmember Mullen moved that the Council remove the phrase "there should be no direct discharge of wastewater effluent into Lake Austin and its tributaries" from the amendment. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Mayor McClellan asked, "Did all the Council get a memo from the Engineering Department on water quality monitoring? I don't know if you want to put that on another agenda or not, but I asked that it be distributed to everybody." Councilmember Cooke asked if this can be considered on December 29, 1977. (City Clerk did not receive a copy of the memo.)

#### Motion

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

AN ORDINANCE AMENDING CHAPTER 41 OF THE CODE OF THE CITY OF AUSTIN, 1967; DECLARING CERTAIN FINDINGS OF FACT; PROVIDING STANDARDS FOR DEVELOPMENT OF LAND LOCATED WITHIN THE WATERSHED OF LAKE AUSTIN PRESCRIBED BY THE RESOURCE MAPS OF THE LAKE AUSTIN GROWTH MANAGEMENT PLAN; EXEMPTING CERTAIN PLANNED UNIT DEVELOPMENTS FROM THE REQUIREMENTS OF THIS ORDINANCE; PROVIDING A MAXIMUM TIME PERIOD IN WHICH THIS ORDINANCE WILL HAVE EFFECT; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read the second time, and Councilmember Mullen moved that it be passed to its final reading. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

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

Mayor McClellan stated that third reading will be scheduled for December 29, 1977. "We will also schedule on that agenda the water quality monitoring, which I think is very important to step up along with this."

#### SECOND READING TRUTH IN SELLING ORDINANCE - FAILED

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

AN ORDINANCE REQUIRING THE DISTRIBUTION OF A LEAFLET TO PROSPECTIVE HOME BUYERS; REPEALING ORDINANCE NO. 770113-C; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read the second time, and Councilmember Goodman moved that it be passed to its final reading. The motion was seconded by Councilmember Cooke.

There was discussion by Councilmember Goodman concerning Councilmember Cooke's proposal of last week that if it does not appear feasible for an employee to be available on weekends to answer questions concerning zoning, then this provision of the ordinance will be rescinded. Mayor McClellan commented that she still has lots of concerns about the ordinance. There was some discussion in regard to the provision of the ordinance concerning elevation information which should be given to prospective buyers. Mayor McClellan asked where the records of who received the pamphlet will be kept. Mr. Lonnie Davis, Building Inspection Director, said that as the proposal is drafted, a copy of the acceptance form for the pamphlet would be kept by the realtor and one by the prospective buyer. He said there could be a third copy filed in his office. Mayor Pro Tem Himmelblau asked when this would be done. Mr. Davis said, the ordinance says, "prior to the signing of contract." Councilmember Goodman said he did not think the City needed to keep a copy..it would be the salesman's duty to do that. Mayor McClellan answered that it seemed to her that if they are making that requirement, it would be logical to keep a copy



pre-trip statement, it will be the City Manager's responsibility to distribute this information to the City Council and the City Clerk.

"The adoption of this policy will aid Councilmembers in keeping informed on the travel plans of their fellow Councilmembers. Also, the availability of this information will help keep the general public aware of Council related travel and the purposes such travel serves.

"This proposal falls under our commitment to an open government where Council related activities are in easy view of the Austin citizens. I hope this proposal will receive your favorable consideration."

#### Motion

Councilmember Mullen moved that the Council adopt the proposal for the reporting by Councilmembers of planned travel. The motion was seconded by Mayor McClellan.

Mayor Pro Tem Himmelblau said she would like to see "supporting data attached," included on the forms. Councilmember Cooke said he thought this would become redundant because there already is a provision for turning into the City expenditures and tickets. Access to this information is available through standard forms provided. He said he was in favor of the full reporting, but did not think more should be added to the form. Mrs. Himmelblau questioned Mr. Davidson, City Manager, concerning this. He replied that the tickets and expenditures are required for attachment by City employees and it is supposed to apply to Councilmembers, too, "as far as I can require it."

#### Friendly Amendment

Councilmember Goodman proposed a friendly amendment that at the earliest possible time, which may be the next budget year, seven separate accounts shall be established for the seven Councilmembers' travel funds. Councilmember Mullen accepted the friendly amendment.

Councilmember Mullen said he wanted it made clear that the report of travel plans include all travel plans, not just those out of the budget. "I don't care," he said, "where they come from, they need to be treated the same."

#### Roll Call on Motion

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

on file in the City. Mr. Davis said his department had envisioned that if a dispute arose they would require the real estate agent to produce his copy. There was further discussion among Councilmembers, City Manager and Mr. Davis on this issue.

Second to Motion Withdrawn

Councilmember Cooke withdrew his second to the motion.

Second to Motion

Councilmember Trevino seconded the motion made by Councilmember Goodman.

Roll Call on Motion - Failed

Ayes: Councilmembers Snell, Trevino, Goodman

Noes: Councilmember Mullen, Mayor McClellan, Councilmember Cooke,  
Mayor Pro Tem Himmelblau

The Mayor announced that the second reading of the ordinance had failed to pass.

Councilmember Snell commented, "I will vote just to keep it open as I did before, but I'm not satisfied with the ordinance. I vote yes."

Mayor McClellan stated: "The more I get into it, the more problems I see. I vote no."

Mayor Pro Tem Himmelblau said of her vote: "I don't like it any better than I did several weeks ago. No."

Mayor McClellan said she still would like to see a pamphlet developed however, for distribution. "Mr. City Manager, I still would like us to work on that and bring it back to Council in pamphlet form." Mr. Davidson said that staff would work on it.

REPORTING OF TRAVEL PLANS

Councilmember Mullen read the following memo he had sent to the Mayor and Councilmembers concerning his proposal for the reporting by Councilmembers of planned travel:

"Recently, the Council approved a form with which Councilmembers must report goodwill trips they intend to take. I believe that a pre-trip statement of travel plans is not only appropriate in these cases, but should be part of the process for all Council-related travel. Therefore, I am requesting that the Council adopt as policy a requirement for pre-trip reports to be filed with the City Manager before travel arrangements are processed. Furthermore, it should be the City Manager's responsibility to distribute the reports he receives to the other Councilmembers and to the City Clerk's office. These reports should be available to the general public for their inspection.

"In addition to the pre-trip statement, I am proposing a form to be completed after a Councilmember's return. The purpose of this report will be to update the information provided on the pre-trip statement. As with the

## CENTRAL TEXAS MEDICAL FOUNDATION CONTRACT

The Council had before it for discussion possible contract considerations with the Central Texas Medical Foundation which Councilmember Cooke had requested. Councilmember Cooke was concerned over how the pending situation with Brackenridge Hospital would effect CTMF's recruiting of both staff and students in their medical education program. There was also a question as to whether or not the City would continue its contract with CTMF.

There was discussion among the Council regarding a possible statement of support for the Central Texas Medical Foundation, but no formal action was taken.

INDUSTRIAL WASTE ORDINANCE  
PUBLIC HEARING SET

Dr. Maureen McReynolds, Director, Environmental Resource Department, summarized the five types of changes in the proposed sanitary sewer ordinance and the storm sewer ordinance which constituted the industrial waste ordinance. Those changes were:

1. Changes in the waste standard to reflect new Federal or State standards.
2. Changes in definitions to provide clarity.
3. Inclusion of more precise language regarding administration of the ordinance. Some small businesses would now be exempt.
4. Inclusion of an exemption for grease trap requirements at convenience stores with self-service gas stations.
5. Fee increase of from \$20 to \$25.

The Council agreed to set a public hearing on the ordinance at 2:30 p.m., December 29, 1977, and the City Manager was to see that the various organizations effected by the ordinance would be notified of the hearing.

## PARKING STUDY - NINTH AND NUECES STREETS

Mr. Ternus, Director of Urban Transportation, said that his department would complete their study of the parking situation at Ninth and Nueces Streets in 30 days.

## U.S. 183 DRIVEWAY STUDY

Mr. Ternus reported that he will come back at a later date with specifics regarding the U.S. 183 driveway study.

## FIREFIGHTER'S PENSION FUND CONTRIBUTIONS

Mr. Dan Davidson, City Manager, informed the Council that Firefighter's Pension Fund Contributions will be discussed as an agenda item on December 29, 1977.

## DRAG BOAT RACING

The Council received a report concerning alternate sites for drag boat racing from Mr. Robinson, Director of Parks and Recreation.

## 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 January 26, 1977.

FAIRWAY ESTATES, INC. By M.D. Eyerley C14-77-172	13176-13192 U.S. 183 8500-8504 Balcones Club Drive	From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
M.E. JOHNSON, ET UX C14-77-173	905 East 49th Street	From "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area
EARL HOWARD AND JO SUE HOWARD By Richard E. Kammerman C14-77-174	1715-1721 West Avenue 713-719 West 18th Street	From "B" Residence 2nd Height and Area To "O" Office 2nd Height and Area
SUPERIOR DAIRIES, INC. By M. J. Adamson C14-77-175	612 Driskill Street 613 East 1st Street	From "B" Residence 2nd Height and Area To "C" Commercial 2nd Height and Area
GEORGE B. SHEPHERD By Dred Simmons C14-77-176	5608 Parkcrest Drive also bounded by Highland Crest Drive	From "LR" Local Retail 1st Height and Area To "C" Commercial 1st Height and Area
BOBBY R. HOLLIDAY By Phil Mockford C14-77-177	10931 U.S. 183 North	From Interim "AA" Residence 1st Height and Area To "GR" General Retail (front 200 feet) and "C" Commercial (remainder of tract) 1st Height and Area

AUSTIN BOARD OF REALTORS, INC. By Gerald Couch C14-77-178	4015 and 4105 Lewis Lane	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
CECIL LEE BRIGGS By Phil Mockford C14-77-179	2011-2015 Cullen Avenue	From "A" Residence 1st Height and Area To "B" Residence 1st Height and Area
NPC REALTY COMPANY By Phil Mockford C14-77-180	1422 Fairfield Drive 1507 Peyton Gin Road	From "B" Residence 1st Height and Area To "O" Office 1st Height and Area (Tract 1) "GR" General Retail 1st Height and Area (Tract 2)
PATRICIA HOWARD HARRIS By Michael L. Schoenfeld C14-77-181	7101-7125 Springdale 7030-7124 Ed Bluestein Boulevard	From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
NORTH OAKS VILLAGE VENTURE By Michael L. Schoenfeld C14-77-182	11806-11914 Barrington Way, also bounded by Parliament Place	From "AA" Residence 1st Height and Area To "A" Residence 1st Height and Area
ADON SITRA, TRUSTEE By Adon Sitra C14-77-183	2000-2020 Matagorda Street	From "O" Office 1st Height and Area To "A" Residence 1st Height and Area
JOHN J. MITCHELL By R. W. Shortes C14-77-184	609 Thrasher Street	From "A" Residence 1st Height and Area To "MH" Mobile Home 1st Height and Area
CAPITAL CITY STEEL By Malcolm L. Milburn, Sr. C14-77-185	Rear of 6717 Circle S. Road	From Interim "AA" Residence 1st Height and Area To "DL" Light Industrial 2nd Height and Area
MALCOLM L. MILBURN, SR. TRUSTEE C14-77-186	521-613 St. Elmo Road 4501-4519 Terry O. Lane	From Interim "AA" Residence 1st Height and Area To "DL" Light Industrial 2nd Height and Area
J.L.P. DEVELOPMENT CORPORATION By Bob Binder C14-77-187	3300 Anderson Lane, also bounded by Great Northern Boulevard	From "GR" General Retail 1st Height and Area To "C-2" Commercial 1st Height and Area

ROBERT L. WILLIAMS  
By City of Austin  
C14-77-188

11720 Bell Avenue

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

MALCOLM H. FLOURNOY  
By Don Emerson  
C14-77-189

Rear of 214 Eberhart  
Lane, also bounded by  
proposed Shallow Bend  
Street

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

MEDICAL PARKWAY  
ASSOCIATES  
By Irvin L.  
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

JOHN A. PARKER  
By P. M. Bryant  
C14-76-093

1601-1623 Cameron Road  
1600-1610 Future Drive

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


#### ADJOURNMENT

The Council adjourned its meeting on December 6, 1977, at 1:40 a.m.

APPROVED

  
Mayor

ATTEST:

  
City Clerk