

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 1, 1976
10:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor Friedman presiding.

Roll Call:

Present: Councilmembers Himmelblau, Hofmann, Lebermann, Linn,
Trevino, Mayor Friedman, Mayor Pro Tem Snell

Absent: None

The Invocation was delivered by MRS. E. MARIE GILBERT, representing Wesley United Methodist Church.

APPROVAL OF MINUTES

Mayor Pro Tem Snell moved that the Council approve the Minutes for June 24, 1976. The motion, seconded by Councilmember Linn, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau,
Hofmann, Lebermann, Linn, Trevino

Noes: None

Abstain: Mayor Friedman

PRESENTATION

Mr. Glenn Brown, President of the Downtown Lion's Club, and Mr. Barrett Garrison, Co-Chairperson of the Bicentennial Committee and Vice Chairman of the Austin Parks and Recreation Board; Mr. Frank Kerbow, incoming President; Mr. Bill Hart, Co-Chairman of the Bicentennial Committee; and Mr. Fred Young, Chairman of the Community Betterment Committee of the Lion's Club, appeared before the Council to present a check in the amount of \$10,576.66 to the City's Parks and Recreation Department to be used in the Auction Oaks area of Republic Square. Mr. Brown then reviewed the many projects that the Lion's Clubs have been involved in over the years.

In conclusion, Mr. Brown stated that the check would be presented to the Parks and Recreation Board at a luncheon to be held later in the day.

ZONING HEARINGS

Mayor Friedman announced that the Council would hear the zoning cases scheduled for 10:00 a.m. for public hearing at this time. Pursuant to published notice thereof, the following zoning cases were publicly heard:

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|------------------------------------------------------------------------|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| WESTENFIELD DEVELOP- MENT COMPANY By Thomas Graham C14-76-044 | 2408-2410 Exposition Boulevard | From "A" Residence 1st Height and Area To "O" Office 1st Height and Area RECOMMENDED by the Planning Commission |
|------------------------------------------------------------------------|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------------|

Mr. Dick Lillie, Director of Planning, reviewed the surrounding uses and noted that the zoning request was to legalize the use of the parking lot. The Planning Commission recommended this application and there was no opposition at the Zoning Committee meeting.

In response to Councilmember Linn's question concerning why some of the Planning Commission members were opposed, Mr. Lillie stated that their concern was whether "O" Office should be granted since it would permit other uses. In response to Councilmember Himmelblau's question, Mr. Lillie commented that a 4-foot high fence would be required along the parking lot line. (Applicant present)

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

Ayes: Councilmembers Himmelblau, Hofmann, Lebermann, Trevino,
Mayor Friedman, Mayor Pro Tem Snell
Noes: Councilmember Linn

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

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| WAYNE DAYTON and GEORGE WEEMS C14-76-047 | 9200 F.M. Road 1325 | From "A" Residence 1st Height and Area To "C-2" Commercial 1st Height and Area RECOMMENDED by the Planning Commission |
|------------------------------------------------|---------------------|--------------------------------------------------------------------------------------------------------------------------------------|

Mr. Lillie noted that the application was located within an industrial area and the particular lot originally was used for a lumberyard storage and retail sales facility. The proposal is to convert a portion of that space into "C-2" Commercial uses. After review, the Planning Commission felt that the use

would be compatible with the zoning and the use in the area and recommended its approval.

Councilmember Himmelblau stated that she had received some complaints about the traffic in the area, and Mr. Lillie pointed out that this particular use would be for after business hours and felt that it would not create a major traffic problem. He commented that the Urban Transportation Department could be asked to investigate Councilmember Himmelblau's concern.

Councilmember Linn moved that the Council grant "C-2" Commercial, 1st Height and Area District, as recommended by the Planning Commission. The motion was seconded by Councilmember Trevino: (Applicant present)

Ayes: Councilmembers Hofmann, Lebermann, Linn, Trevino,
Mayor Friedman, Mayor Pro Tem Snell, Councilmember Himmelblau
Noes: None

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

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

4714-4802 South
Congress Avenue

From "C" Commercial and
"A" Residence
1st Height and Area
To "DL" Light Industrial
1st Height and Area
NOT Recommended
RECOMMENDED by the Planning
Commission "A" Residence, 1st
Height and Area on 30 feet from
the bluff and "DL" Light
Industrial 1st Height and Area
on the remainder.

Mr. Lillie stated that this application does fall within an area designated for "DL" Light Industrial. This was before the Council several months ago without a favorable recommendation, and the applicant requested that it be sent back for a rehearing. On rehearing the Planning Commission did not recommend the zoning as requested but that it be amended whereby the west 30 feet of the bluff line would be "A" Residence and recommended "DL" zoning on the remainder of the property. The applicant is in agreement with this recommendation.

Councilmember Hofmann inquired of Mr. Starkey if he would be agreeable to dedicating the area to remain "A" residential, including the area down to the creek, as a greenbelt to the City. Mr. Starkey commented that this was his intention and he would be agreeable to this. Mr. A. E. Starkey pointed out that this property was owned by his wife, Mrs. Hazel Goodnight Starkey.

Councilmember Hofmann moved that the Council grant "A" Residence, 1st Height and Area on 30 feet from the bluff and "DL" Light Industrial, 1st Height and Area District on the remainder, with the understanding that the 30 feet of bluff line would be dedicated for greenbelt. The motion, seconded by Councilmember Lebermann, carried by the following vote:

Ayes: Councilmembers Hofmann, Lebermann, Linn, Trevino, Mayor
Friedman, Mayor Pro Tem Snell, Councilmember Himmelblau
Noes: None

The Mayor announced that the change had been granted to "C-H" Commercial-Historic, 4th Height and Area, excepting the 7 x 18 foot strip of land, and the City Attorney was instructed to draw the necessary ordinance to cover.

The following zonings were DENIED:

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|---------------------------------------------------------------------------------|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>THE AUSTIN NATIONAL BANK, TRUSTEE By Paul Wendler C14-76-045</p> | <p>1907 Whitis Avenue</p> | <p>From "B" Residence 2nd Height and Area To "C" Commercial 2nd Height and Area NOT Recommended RECOMMENDED by the Planning Commission "GR" General Retail, 1st Height and Area</p> |
|---------------------------------------------------------------------------------|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Mr. Lillie commented that this application was located in an area that is presently zoned "C" Commercial and "GR" General Retail. Lots to the north and property to the east are zoned "B" Residence. He stated that the Landmark Commission looked at this structure and felt it did not meet the criteria for Historic designation.

The staff recommended that "C" Commercial zoning was compatible with the zoning that exists to the south and across the street; however, the Planning Commission felt that a more restrictive zoning to "GR" General Retail would be more appropriate and that is their recommendation to the Council. The applicant is in agreement with the "GR" General Retail designation.

In response to Mayor Friedman's question concerning the number of apartment units that could be built on this property with the "B" zoning, Mr. Lillie indicated that approximately 10 to 15 one-bedroom units could be built.

MR. PAUL WENDLER, representing the trusts which own the property being discussed, as well as owning property to the south and another structure located to the north being considered for historical zoning, stated the intended use of this property could be served by the "GR" General Retail zoning and if expansion of the commercial building was necessary at a later date, then the site plans would be presented at that time. At the present time, this zoning will satisfy the needs.

In response to Mayor Friedman's question, Mr. Wendler noted that this particular tract would be utilized in conjunction with the commercial building which was the old Slaughter store and Studtman Photo location. He stated that he had been working with an architect and Studtman's for expansion of their operation in the building. Negotiations have also been in process on the possibility of having a grocery store in this location. Mr. Wendler stated that the lot would be used purely for parking. Councilmember Hofmann noted that there was already a large parking area in front of the Studtman and Slaughter building. Mr. Wendler commented that a parking area was located here but is very difficult to park in. His plans would entail a reduction in the number of spaces in front and handling the flow of traffic better. Mayor Friedman felt that building a neighborhood shopping center in this neighborhood would dictate more walking space than driving space.

In response to Councilmember Himmelblau's question, Mr. Wendler stated that he could use "LR" Local Retail zoning if it permitted parking uses. Mr. Lillie noted that "O" Office would permit this also. Mr. Wendler reiterated that this lot would be used strictly for parking and nothing else. Councilmember Himmelblau felt that "O" Office zoning would be appropriate at this time. In response to Mayor Friedman's question, Mr. Wendler stated that he would be willing to restrict the use to just parking regardless of the zoning with the understanding that if expansion of the building occurred at a later date he would come back and request that the restriction be lifted.

Mayor Friedman asked Mr. Lillie if the property could be joined into a subdivision and keep this part of the tract "B" Residence and use it for parking without having to change the designation of zoning on this tract. Mayor Friedman felt that this is one of the areas that the City could not afford to remove residences and change zonings.

Mr. Wendler stated that the original use of the property was to build high-rise apartments; however, that plan changed and he would now like to renovate the existing building and put it to a better use for the neighborhood.

GRACE BROUSSARD appeared in opposition to the zoning request and asked that the zoning remain "B" Residence and that further use of the building be responsive to the wishes and the needs of the neighborhood. She then outlined her reasons for opposing this zoning change which included retaining the trees and houses, not high-rise apartments and parking lots. Ms. Broussard also felt that this zoning change would devalue the property and felt that there are already plenty of parking facilities in the area. She also stated that renovation of the existing house could be done by the owners in order to obtain longer leases and would constitute a reasonable amount without extending property to commercial use. Ms. Broussard commented that the intended uses of the building have not been clearly defined by the owners. She also indicated that she has contacted the owners and offered to work with them in the renovation and a long term lease arrangement.

In response to Councilmember Linn's question, Ms. Broussard submitted that she felt there was a move for the street to become commercial rather than residential. She stated she had a petition containing 68 names of people living in the area supporting the continuance of a residential area. In response to Mayor Friedman's question concerning any problems with traffic at the Slaughter's store, Ms. Broussard noted that there were no problems with traffic on Whitis Street from the store.

LEE BARBEE commented that the houses located at 1907 and 1909 Whitis are both antiques and represented architectural integrity in the City. He felt that the requested zoning change would be an environmental encroachment into the neighborhood and a mistake to destroy either of the dwellings.

JACK CONNELL, 1911 Whitis, stated that this is a neighborhood and another parking lot will not keep it a neighborhood much longer. He did not desire to see any additional stores or offices in the area and wanted to see the neighborhood quality preserved. He also felt that there was never a parking problem associated with the Slaughter's store. Mr. Connell then presented a letter from Mr. Richard Wallis, 1911 Whitis, opposing the request for a zoning change, which was filed with the City Clerk.

CATHERINE WOOLSEY, 1911 Whitis, noted that she had a letter from one of the residents on 20th Street expressing his concerns for the future of the community. She pointed out that there was a parking lot in the area that is owned by the same trust company and felt it could be used for the additional parking the applicant felt was needed. Ms. Woolsey also noted that she had never seen a problem with parking when the Slaughter's store was operating in the area.

GERALD McCLOUD, 1911 Whitis, stated that he has a nice front yard and asked that it not be turned into a parking lot.

At this time, Mr. Lillie proceeded to answer Mayor Friedman's question concerning the subdivision zoning and stated that if the lot is kept separate or if it is joined by subdivision to the corner lot it would have to be zoned "O" Office in order to provide parking.

Motion

Councilmember Himmelblau moved that the Council amend the Planning Commission's request and grant "O" Office zoning to this tract of land. The motion was seconded by Councilmember Lebermann.

Substitute Motion

Councilmember Linn moved that the Council deny this zoning request. The substitute motion was seconded by Councilmember Trevino. (Applicant present)

Roll Call on Substitute Motion

Roll Call on Councilmember Linn's substitute motion, Councilmember Trevino's second, showed the following vote:

Ayes: Councilmembers Linn, Trevino, Hofmann, Mayor Friedman,
Mayor Pro Tem Snell
Noes: Councilmembers Himmelblau, Lebermann

The Mayor announced that the substitute motion carried; therefore, the zoning request was denied.

Mr. Lillie noted that a special permit could be applied for in connection with the parking lot or for an "O" Office use and would be reviewed by the Planning Commission. If this permit is granted by the Commission, it is appealable to the Council.

KENNETH McGARY
By Ed Zimmerman
C14-76-048

4502 Avenue D

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

Mr. Lillie commented that the application would permit parking, and the Planning Commission recommended that the application not be granted since

there is really no place for the zoning to be terminated once it gets started. The intended use of the requested zoning would be to provide additional parking for the doctor's practice on the south. This area is totally a single-family neighborhood and the Commission did not feel that the zoning should be granted.

Councilmember Linn moved that the Council DENY the zoning change request. The motion, seconded by Councilmember Hofmann, carried by the following vote:
(Applicant not present)

Ayes: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers
Himmelblau, Hofmann, Lebermann, Linn, Trevino
Noes: None

The Mayor announced that the zoning had been DENIED.

CARROLL P. YOUNG
By Ward Robertson
C14-76-049

1403 Collier Street

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

Mr. Lillie stated that the use of this application would be for a garage and there would be a problem with access on and off Lamar Boulevard. He pointed out that in the past both the Commission and the Council have set as a limit for commercial zoning the rear property line of land which fronts on South Lamar. To the west of that line, they have denied commercial zoning unless it has access only to Lamar to the east. All of the zoning which has been granted has been "BB" Residence or occasionally "B" Residence as a buffer between the more intensive uses along Lamar and the single-family residential to the west of Kinney. This is the primary reason the staff recommended that this application not be granted, and the Planning Commission agreed.

MR. WARD ROBERTSON, representing the applicant, commented that Mr. Carroll Young had owned this property since 1950 and it is a weed patch. Someone is interested in buying the property and felt the property could be converted into a revenue producing piece of land. They wanted access to the property from Collier Street instead of from Lamar for traffic safety.

JOHN HARMS, a resident of Kinney Avenue, commented that he did not like the weed patch either but felt that a retail location was not the answer.

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

Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann,
Lebermann, Linn, Trevino, Mayor Friedman
Noes: None

The Mayor announced that the zoning had been DENIED.

RELEASE OF EASEMENT

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

The Public Utilities Easement that covers the west five (5.00) feet of Lot 5-A, Resubdivision of Lot 5, Block C, Angus Valley Number 4, locally known as 12002 Cactus Bend. (Requested by C. and James W. Bramlett, owners of Lot 5-A, Block C) (Applicant present)

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

Ayes: Councilmember Lebermann, Linn, Trevino, Mayor Friedman,
Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann
Noes: None

CONTRACTS AWARDED

Councilmember Linn moved that the Council adopt a resolution awarding the following contract:

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|---------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| AUSTIN ENGINEERING COMPANY P. O. Box 3255 Austin, Texas | - Sludge Transfer Main Improvement (Walnut Creek Treatment Plant to Hornsby Bend) - \$878,429.00 |
|---------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|

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

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro
Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann
Noes: None

Councilmember Linn moved that the Council adopt a resolution awarding the following contract:

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|------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| J. R. WOODRUFF COMPANY 1400 West Belt North Houston, Texas | - Closed Circuit Television Gauge Viewing System, Electric Power Production Division. Items 1-11 and 15-16 - \$5,483.00 |
|------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|

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

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro
Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann
Noes: None

Councilmember Linn moved that the Council adopt a resolution awarding the following contract:

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| MOTOROLA, INC. 3320 Belt Line Road Dallas, Texas | - Emergency Medical Communications and Telemetry System, Vehicle and Equipment Services Department to be used by Emergency Medical Services - \$104,091.00 |
|--------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro
Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann
Noes: None

Councilmember Linn moved that the Council adopt a resolution awarding the following contract:

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|---------------------------------------------------------------------------|----------------------------------------------------------------|
| THREEBEE CONSTRUCTION COMPANY, INC. P. O. Box 9401 Austin, Texas | - Renovation of Montopolis Recreation Center - \$120,800.00 |
|---------------------------------------------------------------------------|----------------------------------------------------------------|

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

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro
Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann
Noes: None

In response to Councilmember Hofmann's question, Mr. Mike Segrest, Parks and Recreation Department, noted that this contract would complete the work associated with renovation that was not completed in the first phase.

Councilmember Linn moved that the Council adopt a resolution awarding the following contract:

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| AIR CONDITIONING, INC. P. O. Box 3470 Austin, Texas | - Removal of Architectural Barriers to the handicapped at Rosewood, Hancock and Mayfield Recreation Centers - \$72,700.00 |
|-----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|

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

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro
Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann
Noes: None

Councilmember Linn moved that the Council adopt a resolution awarding the following contract:

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|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AMERICAN LIGHTING STANDARDS CORPORATION 836 Key Road Brenham, Texas | - Design and Fabrication of Galvanized Steel Transmission Line Structures, to be used at Fiskville and Wheelers Lane Substations. Items 1-4 - \$40,722.00 |
|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro
Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann
Noes: None

AMENDMENT TO AGREEMENT WITH AIRPORT PARKING COMPANY
POSTPONED

The Council had before it for consideration amending the agreement with Airport Parking Company of America to provide for expansion of the airport parking lot, establish new parking fees effective February 15, 1977, increase the City's percentage of gross revenues, and extend the agreement an additional five years.

In response to Councilmember Linn's question, City Manager Dan Davidson pointed out that the City does have an option of instead of extending the agreement it could make the improvements using City money and operating the facility at the end of the lease period. He felt that this company does a good job of operating at the airport and are willing to make the improvements and will result in increased revenues to the City.

Mr. Roy Bayless, Director of Aviation, responded to some of Councilmember Linn's concerns by stating that capital dollars would be rebated to the Airport Parking Company over a period of 10 years. The existing agreement which expires in 1983 provides for 75% of gross in excess of \$200,000 per year paid to the City. They are willing to increase that gross from 75% to 80% above \$350,000. He felt that the City would be leaving the airport in approximately 8 to 10 years. In referring to the agreement and extending it to a new facility, Mr. Bayless stated that the City would be obligated to extend the contract. This was executed in 1968. City Manager Davidson noted that an amendment could be requested concerning access to the new airport.

Mayor Friedman pointed out that Airport Parking Company of America did not have a claim on the parking facilities at any new airport unless the City moves in prior to the termination of this contract which is 1983. Mayor Friedman suggested that this be delayed one week and discuss these concerns with the Airport Parking Company. In response to Councilmember Hofmann's question concerning the delay of the new parking fees, Mr. Bayless commented that the fee would be effective upon completion of the improvements or whenever the Council so desires. She favored doing it as soon as possible. Mayor Friedman suggested making this a part of the airport budget for October 1.

City Manager Davidson stated that consideration of this agreement with Airport Parking Company of America would be placed on the agenda for discussion at the July 8, 1976, Council meeting.

DISPOSITION OF PARCEL LOCATED IN BRACKENRIDGE PROJECT

Councilmember Linn moved that the Council adopt a resolution approving the disposition of Parcel No. 16-B located in the Brackenridge Project, Tex A-11-1. (Sold to the Veterans of Foreign Wars for \$57,500.00) The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann, Lebermann, Linn
Noes: None

AUSTIN TRANSIT SYSTEM HOLIDAY

Mayor Pro Tem Snell moved that the Council adopt a resolution authorizing the deletion of July 4, 1976, and the addition of July 5, 1976, as an Austin Transit System holiday. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers
Himmelblau, Hofmann, Lebermann, Linn, Trevino
Noes: None

Mr. Joe Ternus, Director of Urban Transportation, pointed out that this would be for this one year only.

TEMPORARY STREET CLOSURE FOR DEDICATION OF HISTORICAL
BUILDING MEDALLION

Councilmember Linn moved that the Council adopt a resolution temporarily closing 115-121 East 5th Street (south side), from 7:00 a.m. to 12:30 p.m., July 2, 1976, as requested by Mr. Joe Colbert for dedication of historical building medallion. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann,
Lebermann, Linn, Trevino, Mayor Friedman
Noes: None

TEMPORARY STREET CLOSURE FOR OFFICE OF BICENTENNIAL AFFAIRS

Councilmember Linn moved that the Council adopt a resolution temporarily closing Riverside Drive from South First to Lamar, from 5:00 p.m. to 12:00 a.m., July 4, 1976, as requested by Mr. Beverly Sheffield of the Office of Bicentennial Affairs. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann,
Lebermann, Linn, Trevino, Mayor Friedman
Noes: None

SETTING PUBLIC HEARING TO CONSIDER AMENDMENT TO ZONING ORDINANCE

Councilmember Linn moved that the Council set a public hearing for July 29, 1976 at 10:30 a.m. to consider an amendment to the Zoning Ordinance concerning recommendations of the Sign Committee. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Himmelblau, Hofmann, Lebermann, Linn,
Trevino, Mayor Friedman, Mayor Pro Tem Snell
Noes: None

CONSIDERATION OF CONTRACTS FOR PURCHASE OF NATURAL GAS SUPPLIES

Mr. R. L. Hancock, Director of Electric Utility, presented a report to the Council concerning the purchase of natural gas supplies for the electric utility. He stated that under consideration is the purchase of spot gas on short-term contracts, 30 days or 60 days, from three different suppliers by Austin, the Lower Colorado River Authority and San Antonio, in which those entities agree to purchase from those suppliers spot gas on a best efforts basis. The utilities then enter into an agreement with Lo Vaca to sell them the gas at their price; Lo Vaca agrees to pay that price to deliver gas to those utilities and to provide the option of deducting the price of that gas from Lo Vaca's monthly bill. The problem centers around the fact that the current spot gas suppliers of Lo Vaca will not renew their spot gas monthly contracts because of financial risk if Lo Vaca goes bankrupt.

This will provide a substantial sum of gas and will provide a substantial additional supply from Intex to the system in order to address the summer needs. On the basis of this supply, Mr. Hancock felt that the gas picture for Lo Vaca would be very manageable this summer and would expect very few curtailments. The cost of the gas will be \$1.90 per million BTU.

In summary, the contracts and agreement provide for:

1. Delivery of gas to Lo Vaca by gas producing companies.
(Dow Chemical, Tennagas, and Intex)
2. Transportation and delivery of gas supplies to Austin by Lo Vaca.
3. City payments for gas supplies to be made to gas producing companies.
4. All payments to gas producing companies by the City to be deducted from Lo Vaca's bill to the City.

The net effect of this series of transactions is to guarantee payment to the gas producing companies for gas supplies provided to Austin. If guarantees are not provided in this way, these gas supplies will not be available to Lo Vaca and the City of Austin will face substantial gas curtailments.

Councilmember Lebermann moved that the Council adopt a resolution authorizing contracts for the purchase of natural gas supplies for the electric utility. The motion, seconded by Councilmember Linn, carried by the following vote:

Ayes: Councilmembers Hofmann, Lebermann, Linn, Trevino, Mayor
Friedman, Mayor Pro Tem Snell, Councilmember Himmelblau
Noes: None

AUTHORIZING PURCHASE OF SIX PRIMARY ELECTRICAL SYSTEMS FOR SIX
APARTMENT COMPLEXES

The Council had before it for consideration purchasing six primary electrical systems in six apartment complexes to allow the conversion of these systems to individual meters. (\$45,102.55)

In reviewing the memo that was sent out by City Manager Davidson, Councilmember Himmelblau noted that it seemed many of the apartment owners would go ahead and convert regardless of what the City payment would be and felt it would be better for the City to let the owners pick up this expense. She asked Mr. R. L. Hancock if it would be better for the City to enter into a contract over a 20 or 40-year period with no interest on the note.

Mr. Hancock commented that no thought has been given to a long-term pay out but anticipated a one-time lump sum payment. After discussing the various alternatives, Mr. Hancock felt that it would be equitable for Austin to purchase the systems if the owner desires the City to deal directly with the tenants and put them each on individual meters.

In response to Councilmember Himmelblau's question as to purchasing secondary transformers, Mr. Hancock noted that some of the transformers would be in accordance with City specifications and some may not quite conform to standards. If they do not, they would be discounted 75%.

In reference to the cash flow, Mr. Hancock referred to the six units discussed in the memo and stated that the first three did not comply with specifications and would be discounted 75%, and the cash flow would be reduced by about \$25,000 until it became necessary for appropriate changes in other transformers in that installation.

As far as the owners being able to continue their own maintenance, Mr. Hancock felt that this would not be very practical and certain liabilities would also be a point of concern.

Mayor Friedman stated that the whole point of considering this was to give people closer control on the consumption of energy and give the apartment owners and developers a chance to get out of the rising costs. He felt that this conversion should lower bills for the apartment owners and, therefore, lower base rentals for the apartment dwellers. He did not support buying the apartment's old equipment.

Mayor Friedman also suggested going to a 3-year pay out period with no interest which would ease the burden on the City's cash flow and would be in line with depreciation factors of the owners. He pointed out that this idea for the conversion of the meters has been worked on for almost three years and the Austin Apartment Association has been a great help in assisting with information on this matter. Mr. Hancock felt that it was evident that individual metering would reduce energy consumption. Councilmember Himmelblau also suggested looking into the depreciation value which is shown on the owner's books. City Manager Davidson pointed out that the staff recognized that this decision is a Council policy matter and there are several options in addressing the problem.

After discussion, the Council agreed that this should be postponed one or two weeks to allow time for more information. Mayor Friedman suggested that members of the Conservation Commission and the Austin Apartment Association be contacted to discuss the concerns brought out. Councilmember Linn suggested looking at the accurate depreciation that the apartment owners use. After discussion among the Council, it was decided that consideration of authorizing the purchase of six primary electrical systems for six apartment complexes would be postponed until July 15, 1976.

E.I. 760701-A Appropriating Funds for

Remodeling Model Cities Clinic

Caption goes here

PARKING METER ZONES

Councilmember Linn moved that the Council adopt a resolution authorizing the following parking meter zones:

Parking Lot Zone - 30-60-90-120 - Block 89 and 90 of the Original City of Austin, in that area on the east side of the Police and Courts Building between such building and the west right-of-way line of 700 block of West Service Road of I. H. 35 and south of the northeast wing of building.

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

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann
Noes: None

ORDINANCE APPROPRIATING FUNDS FOR MODEL CITIES CLINIC

Mayor Friedman introduced the following ordinance:

E.I.
760701-A
11/10/76
11/10/76

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 Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann, Linn
Noes: None

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE

Mayor Friedman introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
LOT 1, BLOCK "C," TONKAWA BLUFF ADDITION, LOCALLY KNOWN AS 3801 BAILEY LANE, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Mrs. Myrtle S. Cuthbertson, C14-76-011)

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

Ayes: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers
Himmelblau, Hofmann, Lebermann, Trevino
Noes: Councilmember Linn

The Mayor announced that the ordinance had been finally passed.

AMENDMENT TO RESOLUTION SETTING A PUBLIC HEARING ON ANNEXATION

Mayor Friedman moved that the Council adopt a resolution amending the resolution setting a public hearing on July 15, 1976, to enlarge area to be annexed to the City of Austin, to provide a 500-foot corridor as required under State statutes (27.81 acres). The motion, seconded by Councilmember Linn, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann,
Lebermann, Linn, Trevino, Mayor Friedman
Noes: None

Mr. Lillie stated that this would add the 27.81 acres to the original 7.23 acres that was set last week for public hearing.

BRACKENRIDGE HOSPITAL FINANCING

City Manager Davidson pointed out that this item could have just as well been entitled "General Fund Financing for the City of Austin" because the overall concern has to do with the entire General Fund Budget and not just Brackenridge Hospital. He noted that the recommendations he would make to the Council today are for deliberation, and he would like to have them placed on the agenda for consideration on July 8, 1976.

Because of declining revenues and certain increased costs, there needs to be approximately \$2.2 million made up throughout the General Fund and the hospital budget itself in order to insure the City will not have a year-end deficit. Of the \$2.2 million, \$750,000 worth of actions have already been taken by the hospital administration.

In his report, City Manager Davidson presented additional actions he intended to take, with the assistance of all department heads and administrators, which will result in the recovery of \$370,000 which will be applied to the deficit problem. These administrative actions will include a firmer stand on the limited hiring freeze and discussion of non-essential positions which have been identified as being approximately 159 vacancies that are in this category. Mr. Davidson indicated that he would ask the department heads and administrators to confirm the identification of these positions and any others that can be kept vacant without any substantial result on the municipal services. He has also asked that the use of all overtime be eliminated except that associated directly with public safety and health. There will also be an examination of the capital equipment list located in the back of the budget, and any equipment that has not been purchased that can wait for at least another year will be held.

The three actions being requested of the Council would result in \$283,000 by recognizing that Community District Number Five has been recommended for delay by the Planning Commission until the Boggy Creek study has been completed. He asked that these General Revenue Sharing Funds, \$283,000, be allocated by the Council to the Operating Budget to help off-set any possible deficit. He further suggested that recognizing the Planning Commission's suggestion that the Webberville Golf Course Construction Project be delayed, that the Council allocate those Revenue Sharing Funds of \$250,000 back into the Operating Budget to help insure there will not be a deficit.

In conclusion, he asked that the Council reallocate or appropriate \$517,119 from the Vehicle Replacement Fund. Analysis indicates that this can be done without being detrimental to municipal operations, and he will ask the Council for this appropriation on July 8.

If these actions are taken by the Council and the administration is successful in carrying out this program as outlined, the City can recover the \$2.2 million required and continue to provide services to the citizens. Mr. Davidson stressed the importance of this being a team effort with everyone striving to work together. The City Charter clearly states that the City cannot end the year with a deficit in the Budget and thereby necessitating the reason for presenting this report today. Mr. Davidson stated that he would ask the Council's formal consideration of these proposals presented today at the July 8 Council meeting.

Mayor Friedman commented that he recently attended the Mayor's Conference and financing problems of many of the nation's cities were discussed. In some cities, employees were being laid off due to these problems. City Manager Davidson pointed out that some cities have closed hospitals and facilities as well as eliminating certain services, and he was appreciative that the Council is concerned with the fiscal integrity of the municipal government.

In response to Councilmember Trevino's question as to whether there are any other options to consider in connection with this matter Mr. Davidson stated that these are the ones that have been identified which would not have ramifications for other City municipal services. He noted that in the next week he would check into some other possibilities.

Since the majority of the financial problem is occurring with the hospital, and the City is serving the County, Councilmember Trevino suggested that the Council Committee meet with the County Commissioner's Court to see if they could help out with these finances. Councilmember Himmelblau agreed with Councilmember Trevino in that it was time to ask the County Commissioner's Court to step in and give the City some help. City Manager Davidson emphasized that what was being discussed today was some insurance between now and the last day of September and not a solution to the problems of the next fiscal year.

At this time, the Council recessed and met in an Executive Session.

AFTERNOON SESSION
2:00 P.M.

Mayor Friedman called the afternoon session to order.

EXECUTIVE SESSION ACTION

Mayor Friedman announced that the Council had met in an Executive Session earlier and considered appointments to various boards and commissions which were now before the Council for action. The Brackenridge Hospital Board will be considered on July 8.

Plumbing Code Board of Appeals

Councilmember Himmelblau moved that the Council appoint the following to the Plumbing Code Board of Appeals for two years:

| | |
|-------------------|---------------------------------------------------------------------------------------------|
| Reappoint: | James C. Middleton (Master Plumber) Richard Andrewartha (Licensed Journeyman Plumber) |
| New Appointments: | John Lingo Chris Lanier |

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

Ayes: Councilmembers Himmelblau, Hofmann, Lebermann, Linn,
Trevino, Mayor Friedman, Mayor Pro Tem Snell
Noes: None

Historic Landmark Commission

Councilmember Hofmann moved that the Council appoint the following to the Historic Landmark Commission for two years:

James Christianson
Mary Gutierrez Cantu
Robert Bain

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

Ayes: Councilmembers Hofmann, Lebermann, Linn, Trevino,
Mayor Friedman, Mayor Pro Tem Snell, Councilmember
Himmelblau
Noes: None

Commission on the Status of Women

Councilmember Trevino moved that the Council appoint the following to the Commission on the Status of Women for two years:

Reappoint: Ora Houston
Cora Briggs
Maria Angela Flores
Janice May
Michael Bruce
Diana Camacho

New Appointments: Kay Bard
Tina Navarro
Levy Isaacks
Pattie Osher

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

Ayes: Councilmembers Lebermann, Linn, Trevino, Mayor Friedman,
Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann
Noes: None

Mayor Friedman also noted that the Council appointed Mayor Pro Tem Snell and Councilmember Trevino to meet with the City Manager and the Chief of Police on a quarterly basis to keep the Council abreast on the activities of the human and community relations area of the Austin Police Department.

APPEARANCE TO REQUEST USE OF TOWN LAKE IN CONJUNCTION WITH
WATER SKI TOURNAMENT

Mr. Vance Naumann, President of Austin Ski Club, appeared before the Council requesting permission to use Town Lake facilities for a Water Ski Tournament on July 17 and 18, 1976. Councilmember Himmelblau pointed out that this had not been reviewed by the Navigation Board, and Mr. Naumann stated that due to the time element he was presenting it to the Council.

Councilmember Hofmann asked Mr. Naumann if he had considered using Lake Walter E. Long for this event and he commented that he had not but preferred to use Town Lake since the water condition was ideal. Councilmember Hofmann expressed the problem with noise and the use of motor boats on the lake and felt that Town Lake should be kept quiet. Mr. Naumann stated that the maximum speed of the ski boats would be about 36 miles per hour. In response to Councilmember Linn's question, Mr. Naumann stated he had not attempted to contact the Navigation Board for a special meeting either. Mayor Friedman pointed out that there was already one race planned for the Aqua Festival that has been approved.

In response to Councilmember Linn's question, Mr. Naumann commented that he did not know what the decibel level of the boats would be. She expressed concern also with the noise level and the area residents. Councilmember Hofmann stated that she did not feel comfortable with granting permission for this request since it had not been before the Navigation Board.

Motion- Died

Councilmember Hofmann moved that the Council deny permission to use Town Lake facilities for the Water Ski Tournament on July 17 and 18, 1976. The motion died for lack of a second

Mayor Friedman pointed out that this request was just an additional one to a race that has already been approved. He did think that Mr. Naumann should have made his request earlier.

Motion

Councilmember Lebermann moved that the Council grant permission to Mr. Vance Naumann for the use of Town Lake facilities for Water Ski Tournament on July 17 and 18, 1976. The motion was seconded by Councilmember Trevino.

Amendment to the Motion

Councilmember Trevino offered a friendly amendment to the motion urging this organization to be looking into alternate sites with the assistance of the Navigation Board, various citizens' committees and the City staff. Councilmember Lebermann accepted the amendment.

Roll Call on Amended Motion

Roll Call on the amended motion showed the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem
Snell, Councilmembers Himmelblau, Lebermann
Noes: Councilmember Hofmann
Abstain: Councilmember Linn*

*Councilmember Linn stated that her abstention was due to a lack of information regarding this request.

PERMISSION TO HANG A BANNER

Councilmember Lebermann moved that the Council approve a request from Mr. Hilton Sherrod for permission to hang a banner across Manchaca Road at the intersection of Jones Road from July 19, 1976, through August 2, 1976, advertising Vacation Bible School. The motion, seconded by Councilmember Linn, carried by the following vote:

Ayes: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers
Himmelblau, Hofmann, Lebermann, Linn, Trevino
Noes: None

PARADE PERMIT

Councilmember Linn moved that the Council approve a request for a parade permit from Tamara Hooks for the Austin Bicentennial Association on July 4, 1976 from 3:00 p.m. until 4:00 p.m., beginning on Pecos, south on Greenlee to Hillview, to Bowman, west on Bowman, back down Pecos (north) to Reed Park. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann,
Lebermann, Linn, Trevino, Mayor Friedman
Noes: None

AWARD FROM THE UNITED STATES CONFERENCE
OF MAYORS

Mayor Friedman announced that he had received a certificate from the United States Conference of Mayors commending the City of Austin for its participation in a community lasting program for the Bicentennial of this year. He noted that this would be forwarded to Mr. Beverly Sheffield, Director of Bicentennial Affairs, for his records.

LOWER WALLER CREEK DEVELOPMENT PLAN

This item is for the City Council's approval by resolution of the Lower Waller Creek Development Plan as prepared by the Waller Creek Joint Venture Consultants, Myrick, Newman & Dahlberg - Taniguchi, Shefelman, Vackar & Minter - Freese & Nichols.

Mr. Richard Myrick, Urban Planner, introduced the other members that were involved with the creation of this plan and congratulated them on their help. Mr. Myrick referred to the report that was distributed to the Council giving the recommendations of the consultants on how the Waller Creek Project should be handled. Mr. Myrick complimented the City staff in providing the consultants with the necessary information to complete this report. He also complimented the citizens of Austin and the various concerned committees.

He then reviewed with the Council the goals of the Waller Creek Study which included extension of the hike/bike greenbelt system between Town Lake and Symphony Square. Goals of landowners in the creek area are, predictably, even more specific, and related to economic realities. They are as follows:

1. Protect/increase property values.
2. Protect property from flooding and erosion.
3. Create economic incentive for development. Allow for realistic financing of projects.
4. Improve accessibility and visibility.
5. Streamline approval process for development.
6. Create separate zoning district with controls and expedient processes for development.

Mr. Myrick then presented a slide presentation of the proposed Waller Creek Development Plan.

Dr. Wiley Jordan, Chairman of the Parks and Recreation Department Advisory Board, stated that the request being made today is for the approval of Phase I construction which has been authorized and budgeted. It would include pedestrian and bicycle paths along the creek to connect the Town Lake system with Symphony Square and the University area. It also includes a pilot project between 6th and 8th Streets, and parking patterns on Sabine Street would be altered to increase the parking in the area and decrease through traffic. He felt that with the authorization of Phase I, development would be stimulated in the area. The Parks Board has unanimously asked that the Council authorize Phase I construction and allow the Parks Board to continue to coordinate and supervise the activities and development of the Master Plan. In response to Councilmember Linn's question, Dr. Jordan indicated that if Phase I is authorized, the bike trails should be completed in approximately one year. In response to Councilmember Hofmann's question, Dr. Jordan noted that there would not be any shifting of funds required for this project.

City Manager Davidson suggested that consideration of this be delayed one week so he could review the Capital Improvements Program in relation to this recommendation presented today. Councilmember Hofmann felt this was essential information that should be reviewed by the Council. Councilmember Linn stated that she felt this project is vital for the downtown area and favored moving funds forward for the project. Dr. Jordan felt that this plan would bring in \$90 million of additional investment.

Mayor Friedman felt that the City should proceed with this plan. He also entered into the record a resolution from Mr. Jim Wells, Chairman of the Austin Tomorrow Ongoing Committee, supporting the goals of the Lower Waller Creek Development Plan.

RESOLUTION

"The Austin Tomorrow Ongoing Committee supports the spirit and goals of the Lower Waller Creek Development Plan. The Committee has not had sufficient time to review details and is planning work sessions on the technical aspects. The Plan, its location, and the overall impact are completely supported by the Austin Tomorrow Goals.

THEREFORE, BE IT RESOLVED that the Austin Tomorrow Ongoing Committee supports the Lower Waller Creek Development Plan, Phase I, and urges approval by the Austin City Council.

s/Jim Wells
Jim Wells
Chairman
Austin Tomorrow Ongoing Committee"

Councilmember Lebermann commented that he is very excited about this project. He also announced that he had been invited to accept a check from the Veterans Administration in the amount of \$7,000 for Bicentennial projects and was equally excited about this contribution.

ADJOURNMENT

The Council adjourned at 3:15 p.m.

APPROVED



Mayor

ATTEST:



City Clerk