



## **Austin City Council MINUTES**

**For** JULY 26, 1984 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

### **City Council**

**Ron Mullen**  
Mayor

**John Treviño, Jr.**  
Mayor Pro Tem

**Council Members**

**Mark Rose**  
**Roger Duncan**  
**Sally Shipman**  
**Mark E. Spaeth**  
**Charles E. Urdy**

**Jorge Carrasco**  
City Manager

**Elden Aldridge**  
City Clerk

### **Memorandum To:**

Mayor Mullen called to order the meeting of the Council scheduled for 1:00 p.m., noting the presence of all Councilmembers.

#### **MINUTES APPROVED**

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, approved the minutes for the regular meeting of June 28, 1984.

#### **DELAYED PAYMENT ON PARK SITE DISCUSSED**

Mr. Egbert V. Smith appeared before Council to discuss delayed payment on park site, electric bill and deposit, and Spicewood Springs Road improvements.

Mr. Isham, City Attorney, told Council that Mr. Smith has his own legal counsel, Mr. Womack, who has been offered a settlement for Mr. Smith. Mr. Isham said he will keep Council apprised of developments.

#### **TRANSIENTS IN EAST AUSTIN DISCUSSED**

Ms. Lori Cervenak-Renteria and Ms. Frances Martinez appeared before Council to discuss problems caused by transients in the East Austin Neighborhood. She said the Central Business District should have the transients, not homeowners.

Mayor Mullen said he shares the concerns and feels a work detention program is needed in Austin.

**SALVATION ARMY TRANSIENT SHELTER DISCUSSED**

Mr. Michael Parten, S.E. Neighborhood Alliance, Mr. John Emerson and Mr. Keith Bodenhamer all appeared before Council to discuss denial or postponement of zoning case C14-84-074, re Salvation Army Transient Shelter in neighborhood and school area.

**CITIZEN DID NOT APPEAR**

Mr. Don Babel who had requested to discuss effects of transient shelter on existing and planned housing in East Oltorf area did not appear.

**SAFETY OF WESTGATE BOULEVARD**

Ms. Pauline Gamble, representing South West Austin Neighborhood Association, appeared before Council to discuss safety for Westgate Boulevard. Mr. Jim Thompson, Water and Wastewater Department, told her what has been done to improve the situation.

**TRANSIENTS ON EAST SIDE DISCUSSED**

Mr. Tony Hearn appeared before Council to discuss complaints from the East Side residents about transients in the neighborhood.

**CONSENT ORDINANCES**

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (7-0 Vote)

**Capital Improvements Program**

Amended the 1983-84 Capital Improvements Program by:

- a. Appropriating \$160,000 to the 1983-84 CIP Transfer (Aviation) and adding CIP Serial Number 84/81-17 Interim Planning and Improvements to the Terminal Building at Robert Mueller Municipal Airport.
- b. An additional appropriation not to exceed \$3.5 million for electric distribution systems improvements from contributions in aid of construction revenues.

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Approved the necessity for and ordered improvements to Cameron Road & Rutherford Lane, consisting of one unit covering approximately 4 blocks. CAPITAL IMPROVEMENTS PROGRAM No. 73/62-44.

**Tax Increment Zone**

Approved a Tax Increment Zone for the Municipal Office Complex.

Zoning Ordinances

Amended Chapter 13-2 of the Austin City Code (Zoning Ordinance)  
to cover the following changes:

- |    |   |  |   |
|----|---|--|---|
| a. | WESTVIEW DEVELOPMENT<br>COMPANY<br>By Planned Environments<br>C14r-82-014                 | 4911 Capitol of Texas<br>Hwy.                | From Interim "AA" Interim<br>"LA" & "A" 1st H&A to<br>"A-2" 1st H&A |
| b. | DR. MAURICE D. COHN<br>By Richard S. Leo<br>Newman & Richard P.<br>Martinez<br>C14-83-027 | 1105 W. 40th Street                          | From "A" 1st H&A<br>to "O" 1st H&A                                  |
| c. | JOHN T. MAHONE/O.V.<br>BENNETT JR.<br>C14r-84-079   | Capital of Texas Hwy.<br>and Cedar Street    | From Interim "AA" 1st H&A<br>to "O-1" 2nd H&A                       |
|    |   | 6-0 Vote, Councilmember Rose abstained       |   |
| d. | R.E. WOOLEY, INC.<br>By Richard C. Reed<br>C14r-84-086                                    | 5901 I.H. 35 North<br>923-1029 Clayton Lane  | From "A" 3rd H&A to<br>"c-2" 3rd H&A                                |
|    |   | PASSED ON EMERGENCY BASIS                    |   |
| e. | DEMPSEY HOUSE<br>By Kim Alan Williams<br>C14h-84-004                                      | 700 East 44th Street                         | From "A" 1st H&A to<br>"A-H" 1st H&A                                |
| f. | ZIMMERMAN HOUSE<br>By Glun D. Durham<br>C14h-84-003                                       | 9019 Parkfield Drive                         | From Interim "A" 1st<br>H&A to "A-H" 1st H&A                        |
| g. | EILEEN DAUGHERTY<br>OURAND<br>By Marin B. Osgood<br>C14-83-252                            | 8100-8102 Georgian<br>Drive, 100-106 Wonsley | From "A" 1st H&A to<br>"B" 1st H&A                                  |
| h. | E.H. HURST, TRUSTEE<br>By T.J. Morton<br>C14r-83-029                                      | 2550-2642 Capitol of<br>Texas Hwy., South    | From Interim "AA" 1st<br>H&A to "O-1" 1st H&A                       |
| i. | WALTER A. TEW ELECTRIC<br>INC.<br>By Rodney W. Tew<br>C14r-83-229                         | 13579 Research Blvd.                         | From Interim "AA" 1st<br>H&A to "C" 1st H&A                         |
| j. | CITY OF AUSTIN<br>OFFICE OF LAND<br>DEVELOPMENT SERVICES<br>C14-84-068                    | 9121-9219 Balcones Club<br>Drive             | From Interim "AA" 1st<br>H&A to "GR" 1st H&A                        |
| k. | CITY OF AUSTIN OFFICE<br>LAND DEVELOPMENT SERVICES<br>C14-84-069                          | 9616-9626 Anderson Mill<br>Road              | From Interim "AA" 1st H&A<br>to "GR" 1st H&A                        |

July 26, 1984

## ZONING - (Continued)

CITY OF AUSTIN  
OFFICE OF LAND  
DEVELOPMENT SERVICES  
C14-84-067

12305-12315 & 12401- From Interim "AA" 1st H&A  
12415 Dorsett Road to "AA" 1st H&A  
4803-4820 Marblehead Dr.  
12500-12508 Monaghan Trail  
12400-12401 Bruge's Lane  
4814-4817 Pelham Drive  
4900-4915 Bedrock Trail  
4700-4809 Hawkhaven Lane  
4900-4910 Hawkhaven Lane  
4704-5153 Ganymede Drive  
4800-4824 & 4900-4920 Transit Circle  
4704-4710 Callistro Terrace, 12700-12705  
Transit Cove, 12600-12613 Andromeda Cove  
12600-12605 & 12700-12715 Europa, 12600-12603  
Plut Lane, 12800-12807 Ganymede Court,  
12600-12605 & 12700-12713 Rhea Court, 4713,  
4801-4825, 4901-4929, 5001-5035 and 5101-5169  
Parmer Lane

m. CITY OF AUSTIN  
C14-83-243

5500-5901 Abilene Trail From Interim "AA" 1st H&A  
4701-4811, 5517-6011 to "AA" 1st H&A  
4600-4618, 4712-4816  
5400-5800 Convict Hill  
5500-5646 Wagon Trail Road  
7200-7205 Smoke House Trail  
5600-5611 Wagon Train Cove  
6200-6207 Steele Run  
5302-5505 Wolf Run  
6200-6206 Honey Dew Court  
6400-6406 Rap Turke Cove  
7000-7217 Chuck Wagon Trail  
5500-5607 Camp Fire Trail  
7300-7308 Camp Cove  
7300-7307 Canteen Circle  
5300-5611 Honey Dew Terrace  
6300-6420 Steer Trail  
5300-5417 Badger Bend  
6538-6569 Fair Valley Trail  
7200-7305 Trace Chain Drive  
5800-6015 Cannon Mountain Drive  
7400-7508 Whistlestop  
7600-7602 Hawkeye Drive  
7400-7503 Ladle Lane  
7000-7216 Wheeler Branch  
5200-5310 Dry Wells Road  
5100-5108 Dusty Trail Cove  
5000-5013 Desert Oak Circle  
6200-6216 Sunkist Lane  
7400-7507 Cannon Mountain Place  
6000-6006 Whistlestop Cove

CITY OF AUSTIN  
C14-83-243 (Contd.)

4900-4901 Wing Road  
4812-5213 Summeret Trail  
5200-5305 Wheeler Branch Circle  
5100-5108 Wagon Hitch Cove  
4700-5112 Woodcreek Road  
4800-5001 Dry Oaks Trail  
6814-7306, 6903-7373 Beckett Road  
6800-7210 Fence Line Drive  
6700-7007 One Oak Road  
7000-7106 Hanging Oak Circle  
6900-6907 Range Oak Circle  
6800-6812 Terra Oak Circle  
6800-7003 Western Oaks Boulevard  
6000-6310 Smith Oak Trail  
6000-6214 Sun Vista Drive  
5300-5311 Beckett Circle  
4800-4806 Midoak Circle  
6900-7003 Treaty Oak Circle  
7001-7011 Bent Oak Circle  
7100-7209 Square Oak Circle  
6800-6811 Hitching Post Circle  
5000-5101 Cornelia Drive  
6000-6306 Morning Dew Drive  
6102-6103 Jays Lane  
5400-5624 Porsche Lane  
4600-4817 White Elm Drive  
4700-4707 White Elm Court  
4500-4605 Lantry Lane  
4208-4632 Yellow Rose  
4500-4605 Crider Pass  
6302-6606 Brush Country Road  
6300-6510 Sanderson Avenue  
6200-6210 Adel Cove  
6200-6208 Myra Court  
4808-5202, 4809-5107, 5302-5301  
McCarty Lane (Wm. Cannon Drive)  
6100-6106 Yellow Rose Cove  
5800-6042 Westcreek Drive  
4900-5017 Cana Cove  
6100-6205 Hill Forest Drive

7/26/84

n. CITY OF AUSTIN  
C14-83-301

1300-1404, 1301-1411 From Interim "AA" 1st H&A  
Maidenstone Drive to "AA" & "A" 1st H&A  
11108-11514 Oak View Drive  
6900-7102, 6901-7107  
Narrow Oak Trail  
6900-7124, 6901-7707 Danwood Drive  
6900-7202, 6901-7201 Fireoak Drive,  
7100-7508, 6805-7507 Chelsea Moor  
11308-11408, 11311-11413, 11700-  
11756, 11701-11757 D K Ranch Road  
7300-7310, 7301-7311 Kapok  
8568-8602 Spicewood Springs Road  
11500-11618, 11501-11619 Sherwood Forest  
11500-11610, 11501-11611 Queens Way  
11500-11602, 11501-11603 Shakespearean Way  
8000, 8001-8003 Pilgrim's Place  
11218-11300, 11219-11301 Blackmoor Drive  
11208-11234, 11209-11237 Henge Drive  
8100-8102, 8101-8103 Greenwich Meridian  
11217-12003, 11216-11804 Barrington Way  
11220-11706, 11221-11705 Windermere Meadows  
7506 & 7507 London Bridge 7100-7104,  
7101-7107 Carlwood Drive, 7800 & 7801  
Downing Street, 7800 & 7801 Scotland Yard  
7800, 7801-7805 Parliament Place, 11500-11618,  
11501-11619 Sherwood Forest, 11612, 11609-11611  
Sweetshade Lane, 11900-11902, 11901-11903  
Commonwealth Way, and all of Attar Cove, Baring  
Cove, Carew Cove, Knight's Bridge, Sutton Place,  
Buckingham Road, Chevden Circle, Charing  
Cross Road, Grass Cove, Tanbark Cove,  
Vallecito Cove, Shamard Circle,  
Bristlecone Lane, Ironwood Circle, Cassye  
Cove, Chelsea Moor Cove, Darcus Cove, Spotted  
Oak Cove.

o. CITY OF AUSTIN  
C14-83-300

220-320, 203-319 From Interim "A" 1st  
Mocking Bird Lane, 106, H&A to "AA" & "A"  
110, 200-318, 201-319 1st H&A  
Red Bird Lane, 5300-  
5515 Blue Bird Lane  
5510-5516, 5401-5515  
Humming Bird Lane

p. CITY OF AUSTIN  
C14-83-246

8200-8805 Millway Dr. From Interim "A" 1st H&A  
8200-8511 Daleview Dr. to "AA" & "A" 1st H&A  
Flagstone Drive, 3103-  
3112 Starwood Drive  
3100-3107 Candlelight Ct.  
3102-3106 Charlwood

## ZONING - (Continued)

p. CITY OF AUSTIN  
C14-83-246 (continued)

2512-3907 & 3001-3105 Steck Avenue  
7928-8114, 7929-8115 & 8600-  
8608 Rockwood Lane  
3000-3012 Firwood Drive  
7928-8106 Vinewood Lane  
3000-3004 Vinewood Cove  
3000-3103 Boxdale Drive  
2456-2907 Ashdale Drive  
8000-8115 Briarwood Lane  
8000-8107 Logwood Drive  
8600-8717 Primrose Lane  
2700-2902 Thrushwood Drive  
8800-8803 McCann Drive  
2701-2703 & 3201-3207 Benbrook Drive  
2700-2703 Kerrybrook Lane  
8600-8711 Melshire Drive  
8600-8624 Winding Walk  
8000-8118 Parkdale Drive  
8000-8017 Pinedale Cove  
2600-2708 Clarkdale Lane  
3000-3207 Crosscreek Drive &  
8600-8710 Donna Gail Drive  
3201-3207 Mossrock Drive  
8601-8803, 8600-8802 Dawnridge Circle

q. CITY OF AUSTIN  
C14-83-262

400-623 Blue Valley From Interim "A" & Interim  
300-677 Mario Street "AA" 1st H&A to "A" & "AA"  
8100-8106 Criswood 1st H&A  
Place, 8000-8305  
Belclaire Lane, 8206-  
8303 Belclaire Circle  
400-429 Baldridge Drive  
8200-8402 Beaver Brook  
8300-8303 Orr Drive  
7905 Cold Stream  
8000-8115 Boggy Ridge  
600-605 Sundial Cove  
7905-8011 Creekmore Lane  
8200-8210 Alcorn Circle  
8100-8214 Beaconcrest Drive  
8000-8004, 8106-8209 South 1st Street

## ZONING - (Continued)

r. CITY OF AUSTIN  
C14-83-268

6404-6600, 6718-6814, From Interim "A" & Interim  
6407-6803 Sandshof "AA" 1st H&A to "AX" 1st  
Drive, 6300-6504, 6301- H&A  
6505 Virgo Lane  
6300-6524, 6301-6527  
Moonglow Drive, 6900-6906,  
6901-6905 Juno Circle  
6700-7004, 6701-7003 Aries Lane  
7000-7110, 7001-7111 Asto View Drive  
6700-6706, 6701-6705 Sandshof Circle  
6900-7120, 6901-7119 Carwill Drive  
6700-7208, 6701-7021 Hillcroft Drive  
6700-7000, 6801-7003 Colony Loop Drive  
6722-7108, 6723-7105 Decker Lake Road  
6700-6710, 6701-6711 Colony Park Cove  
6808-7008, 6809-7009 Shannon Drive  
6904-6918, 6905-6919 Ponsdale Lane  
6800-6902, 6801-6903 Waynesborough Drive  
6800-6801 Red Ridge Drive  
6800-6804, 6801 Bryonwood Drive  
7000-7102, 7001-7103 Fleetridge Drive  
6900-7108, 6901-7111 Townsborough Drive  
6909-7303 Johnny Morris Road  
7000-7030, 7001-7031 Craybrough Circle  
7100-7130, 7101-7131 Howerington Circle  
6600-6612, 6601-6613 Johnny Morris Cove  
7200-7240, 7201-7241 Ellington Circle

s. CITY OF AUSTIN  
C14-83-299

4041-4021 Kandy Drive From Interim "AA" 1st H&A  
3916-4616 McCarty Lane, to "AA", "EB" & "SR"  
also bounded by Wm. 1st H&A  
Cannon, Glasgow Drive,  
Wm. Burns, 5803-6703  
Convict Hill Road, 6600-6804 Beckett Rd.

5401-5907, 5202-5906 McCarty Lane,  
6202-6310, 6203-6309 Smith Oak Trail  
5214-5310, 5215-5309 Somerset Trail  
5204-5212, 5207-5211 Maulding Pass  
6529-6569, 6524-6554 Fair Valley Trail  
5300-5406, 5301-5409 Honey Dew Terrace  
6303-6514, 6302-6422 Steer Trail and all  
of Ridge Oak Road, Reynolds Road, Westview  
Road, Badger Bend, Wolf Run, Bapture Cove and  
Honey Dew Court.

## ZONING - (Continued)

- t. **EDGAR M. & BILLIE BERRY**  
By Len Layne  
C14-83-338  
9309 Dessau Road  
From Interim "AA" 1st H&A to "DL" 1st H&A
- u. **MRS. EARNEST PRIETT (Geraldine)**  
C14-78-192  
10101-10129 North I.H. 35  
10100-10114 Middle Fiskville Road  
emergency passage of ordinance  
From Interim "AA" 1st H&A to "C" & "O" 1st H&A
- v. **CITY OF AUSTIN OFFICE OF LAND DEVELOPMENT SERVICES PROPERTY IN THE LAKE AUSTIN ZONING STUDY**  
C14-83-003.18, .21, .24, .27, .28, .29, .38, .39, .40, .44, .45, .46, .47, .48, .49, .50, .51, .53, .54, .55, .56, .57, .58, .59, .60, .61, .65, .67, .68, .70, .71, .72, .73, .74, .75, .76, .77, .78, .79, .80, .81, .82, .83, .85, .88, .89, .90, .93, .94, .97, .99, .100, .101, .102, .105, .108, .110, .112, .119, .120, .121, .122, .123, .124, .126, .129, .132, .135, .137, .148, .149, .150, .151, .155, .158, .164, .165, .167, .168, .171, .173, .182, .186, .198, .219, .225, .236, .240, .241, .243, .244, .250, .255, .261, .262, .264, .265, .267, .268, .269  
From Interim "A" Interim "LA" & "A" 1st H&A to "AA" 1st H&A
- w. **CITY OF AUSTIN OFFICE OF LAND DEVELOPMENT SERVICES PROPERTY IN THE LAKE AUSTIN ZONING STUDY**  
C14-83-003.8, .30, .131, .133, .134, .136, .140, .156, .157, .163, .166, .169, .178, .197, .202, .206, .254, .259  
From Interim "LA" & "A" 1st H&A to "A" 1st H&A
- x. **CITY OF AUSTIN OFFICE OF LAND DEVELOPMENT SERVICES PROPERTY IN THE LAKE AUSTIN ZONING STUDY**  
C14-83-003.33  
From unzoned & Interim "LA" 1st H&A to "LA" 1st H&A

## ZONING - (Continued)

- y. CITY OF AUSTIN OFFICE C14-83-003.191 From Interim "A" & "A"  
OF LAND DEVELOPMENT 1st H&A to "SR" & "LA"  
SERVICES PROPERTY IN 1st H&A  
THE LAKE AUSTIN ZONING  
STUDY
- z. CITY OF AUSTIN OFFICE C14-83-003.177 From Interim "LA" & "A"  
OF LAND DEVELOPMENT 1st H&A to "LA" & "A"  
SERVICES PROPERTY IN 1st H&A  
THE LAKE AUSTIN ZONING  
STUDY
- aa. CITY OF AUSTIN OFFICE C14-83-003.25 From Interim "LA" 1st H&A  
OF LAND DEVELOPMENT to "A-2" 1st H&A  
SERVICE PROPERTY IN  
THE LAKE AUSTIN ZONING  
STUDY
- bb. WILLIAM H. ESPEY, 1134-1152 Lost Creek From Interim "AA"  
TRUSTEE Boulevard 1st H&A to "O-1"  
By David Armbrust 1st H&A  
C14-83-157

Emergency Passage of Ordinance

Second and Third Readings

Passed through second and third readings of ordinances amending Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following changes:

- a. Frontier Trails, Inc. 6912-7008 Brodie Lane From Interim "AA" 1st  
By John M. Joseph H&A to "GR" 1st H&A  
C14-83-098 (part)
- b. Bill Milburn, Inc. 3516-3540 Duval From Interim "AA" 1st  
By John Meinrath H&A to "A-2" 1st H&A  
C14-80-138 (part)  
Tract J

Exemption from Capital Recovery Fee

Granted an exemption from Ordinance No. 840717-A, amending the Capital Recovery Fee Ordinances, for those contractors with projects which had mechanical bids (including fees) dated prior to June 16, 1984.

Water Conservation Ordinance

Approved amendments to the Water Conservation Ordinance to reaffirm Council action taken on July 19, 1984.

CONSENT RESOLUTIONS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, adopted the following resolutions in one consent motion: (7-0 Vote)

Release of Easements

- a. 2.5' of a 10' Electric Easement of record in Volume 4097, Page 915, of the Travis County Deed Records and release of the 5' x 12' Public Utility Easement as shown on the plat of Lot C, Austin Business Park No. 2, Research Blvd. @ Payton Gin Road. (Request submitted by Mr. James E. Nolden)
- b. The 5' wide Electric Easement as dedicated on Lot 2, Northfair Subdivision, Airport Blvd. @ North Lamar Blvd. (This request has been submitted by Murray Properties)
- c. The Electric and Telephone Easement recorded in Volume 3307, Page 2267, of the Travis County Deed Records and located on Lot 1, Block 2, Silverton Heights, Airport Blvd. @ N. Lamar. (Request submitted by Murray Properties)
- d. The 10' x 40' Easement located on the common lot line of Lots 7 & 8, Manana West Subdivision. (Request submitted by Mr. Jay S. Johnson)

License Agreement

Approved entering into the following license agreement:

To allow the aerial encroachment of a sign into the public right of way adjoining Lots 1 & 2, Block A, South Park Section I, locally known as 2907 South First Street (Existing). (Request submitted by Ralph Harris Surveyor, Inc.)

Community Facilities Contract

Entered into a Community Facilities Contract with Amelang Partners Investment Builders for the construction of the intersection at Rutherford Lane and Cameron Road.

U.S. 183 Project

Approved entering into a Supplemental Agreement with State Department of Highways and Public Transportation allowing for alternate method of right-of-way acquisition on U.S. 183 Project (Loop 1 Interchange) and authorizing payment of the City of Austin's estimated share of \$500,000.00 to the State Department of Highways and Public Transportation.

Capital Improvements Program

Approved a Supplemental Amendment No. 10 to the Professional Services Agreement between the City of Austin and Bovay Engineers, Inc. for the Interim Planning and Improvements of the Terminal Building at Robert Mueller Municipal Airport. (Council Goal VII.14)

Contracts Approved

Approved the following contracts:

- |  |  |
|--|--|
| a. OLMOS CONSTRUCTION COMPANY<br>P. O. Box 13172<br>Austin, Texas      | - CAPITAL IMPROVEMENTS PROGRAM -<br>Eberhart-Cooper Lane Phase II,<br>Street and Drainage Improvement,<br>Public Works Department -<br>\$466,562.25 - C.I.P. Nos. 78/62-31,<br>83/22-04 & 83/23-04                   |
| b. H & H CONCRETE CONSTRUCTION CO.<br>P. O. Box 6460<br>Austin, Texas  | - CAPITAL IMPROVEMENTS PROGRAM -<br>Beverly Hills Lift Station No. 1<br>and No. 2 Relief Main, Water &<br>Wastewater Department- \$61,360.00<br>C.I.P. No. 83/23-10  |
| c. TOLSON OIL COMPANY<br>6615 Berkman<br>Austin, Texas                 | - Gasoline and Diesel Fuel, Vehicle<br>and Equipment Services Department<br>Twelve (12) Month Supply Agreement<br>Total \$2,447,090.00 84-0265-MB  |
| d. Bid award:  | - Captive Parts, Vehicle and<br>Equipment Services Department<br>Twelve (12) Month Supply Agreements<br>To be awarded by progressive<br>purchasing method from low to high<br>bid - Total \$175,000.00<br>84-0243-JG |
| (1) RIO DODGE, INC.<br>7309 North Interregional<br>Austin, Texas       | - Items 1-3  |
| (2) TOWNLAKE CHRYSLER-PLYMOUTH<br>841 West 6th Street<br>Austin, Texas | -  |

## CONTRACTS - (Continued)

- (3) CAPITOL CHEVROLET  
501 North Lamar  
Austin, Texas - Items 4 & 6
- (4) LEIF JOHNSON FORD, INC.  
501 Koenig Lane  
Austin, Texas - Item 5
- (5) MEMORRIS DOWNTOWN FORD  
808 West 6th Street  
Austin, Texas -
- e. COOPER EQUIPMENT COMPANY  
8723 Broadway  
San Antonio, Texas - Implement Trailers, Vehicle  
and Equipment Services Department  
total \$19,610.00 84-0237-MB
- f. DIXON ENGINEERING COMPANY  
5630 Heffernan  
Houston, Texas - Strip Chart Recorders, Electric  
Utility Department  
Items 1-3 - \$17,386.00  
84-0245-MB
- g. CUTLER REPAVING, INC.  
921 East 27th Street  
Lawrence, Kansas - CAPITAL IMPROVEMENTS PROGRAM -  
Repaving of Streets 1984, Public  
Works Department - \$388,372.50  
C.I.P. Nos. 83/62-05, 83/22-04,  
& 83/23-04
- h. AUSTIN ROAD COMPANY  
428 East Anderson Lane  
Austin, Texas - CAPITAL IMPROVEMENTS PROGRAM -  
Construction of Jollyville Road  
Improvements, Phase I (from  
Great Hills Trail to Bell Avenue)  
Public Works Department -  
\$2,089,529.25 - C.I.P. Nos.  
84/62-14, 83/22-04 & 83/23-04
- i. GAREY CONSTRUCTION COMPANY INC.  
11607 North Lamar  
Austin, Texas - CAPITAL IMPROVEMENTS PROGRAM -  
Construction of Northwest Park  
Excavation Plan, Pony-Colt Ball  
Field, Public Works Department  
Total amount \$377,629.80 -  
C.I.P. No. 82/60-05
- j. MOLE CONSTRUCTION COMPANY  
AND S & M CONSTRUCTORS, INC.  
(Joint Venture)  
29100 Hall Street  
Solon, Ohio - CAPITAL IMPROVEMENTS PROGRAM -  
Construction of the Onion Creek  
Wastewater Interceptor Section IV  
(Lower Tunnel), Water and  
Wastewater Department -  
Total amount \$8,592,569.19  
C.I.P. No. 73/23-11

Surplus Material

Approved disposal of surplus vehicles and vehicular communications equipment by auction method on August 4, 1984.

AUSTIN TRANSPORTATION STUDY GROUP

The Council, on Councilmember Rose's motion, Councilmember Duncan's second, voted to affirm the appointment of Councilmember Mark Spaeth to the Austin Transportation Study Group, effective July 16, 1984. (7-0 Vote)

ITEM FROM COUNCIL POSTPONED

Council postponed until August 2, 1984 an item from Councilmembers Urdy and Duncan to consider approval of \$70,000 in available funds to complete Phase I of the Nueva Vida Low-Cost Housing Project. Mayor and Council said more information is needed.

TASK FORCE: WATER & WASTEWATER  
CAPITAL RECOVERY FEES

Councilmember Duncan introduced an item to Council to consider City Council charge to the City Manager's Task Force on Water and Wastewater Capital Recovery Fees. He said, "I would like to suggest that the task force, as appointed by the City Manager, consider the items that I listed on the water and wastewater fees. We do want to determine the cost of service so I would like to see them determine the cost of service for water and wastewater by pressure zones, drainage basins and growth corridor areas. We need to determine the effect on our bonded indebtedness which recover certain percentages of cost of service. The rest of the Council has determined ahead of time that we want to recover 100% of full cost of service. We need to look at the options for 90% and 80%, etc. and see if there are any indirect costs associated with this that the City would be picking up that would not be reflected in the capital recovery fee, that is, not direct water and wastewater costs if it is going to cause expansion in any other city service area and determine those things for commercial and industrial customers if there is a significant difference between industrial and commercial, then we need to know that."

RELOCATION OF VACANT GARAGE APARTMENT

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, approved the request of Ms. Suzanne Fulton for exemption to Ordinance No. 840419-P (Old West Austin Neighborhood) in order to relocate a vacant garage apartment. (7-0 Vote)

EXEMPTION FROM CAPITAL  
RECOVERY FEE ON WATER METER

Ms. Annette H. Westbrook appeared before Council to request exemption from the capital recovery fee on water meter. She said she is the owner of Green Thumb Gardens and was denied water service on March 6, 1984 and presented a letter to Council expressing her concerns.

City Manager Carrasco said he would like to review and asked that this item be brought back on August 2, 1984 for recommendation and action.

CITIZEN DID NOT APPEAR

Mr. Tommy Walker, who had requested exemption from moratorium of sewer tap sales in Williamson Creek Area, did not appear.

EXEMPTION APPROVED

Mr. Bick Brown appeared before Council. He said he is co-owner of Hyde Park Bar & Grill and asked for an ordinance exemption in order to remodel the kitchen.

Motion

The Council, on Councilmember Spaeth's motion, Mayor Pro Tem Trevino's second, approved the request of Mr. Bick Brown for an exemption to Ordinance No. 840119-E so that a building permit may be issued. (7-0 Vote)

PUBLIC HEARING - APPEAL ON DENIAL OF WATERWAY  
FOR EMMAUS CHRISTIAN FELLOWSHIP

Mayor Mullen opened the public hearing set for 2:00 p.m. on an appeal from Mr. Todd A. Shimoda on the denial of a Waterway Development Permit Application 84-05-1037 for Emmaus Christian Fellowship at 755 Springdale Road.

Councilmember Shipman said that in addition to presentation she wants clarification from staff too because they did not oppose the granting of the appeal but are concerned that this not be used as a procedure for future cases.

Howard Wheeler, trustee, Emmaus Christian Fellowship, said the property was purchased in order to build a church building. Prior to purchase they investigated restrictions of the City and the fact that it was in the flood plain, the effect it would have on their projected building plans. We understood at that time we had to build the property

## HEARING - (Continued)

one foot out of the flood plain and studied it all prior to the purchase of the property. "We are getting ready to build a building and under the laws at that time everything would have worked out. The property had been abandoned for a number of years because the owners husband had died and she could not keep up the property.....We plan no high density development to the property. ....When we started the building permit procedure we found out that last September the other flood plain ordinance had been passed and that now no encroachment on the 100 year flood plain is allowed. We found out that an appeal procedure is allowed and we feel that is applicable to us. We do not feel irresponsible in asking the Council to bail us out of buying a bad piece of property. We have acquired one waterway development permit already and fully investigated the laws prior to the purchase of the property. We request that we be one of the groups that the appeal process in that law was written for and ask for an exemption."

Todd Shimoda consulting engineer, did an engineering analysis of the property and found the proposed structure meets all the criteria for a waterway development permit except for the new flood plain ordinance about encroachment into the 100 year flood plain. The project, he said, "Will not adversely affect the flood plain either on the site or on any other property. We've positioned the building at the highest point of the flood plain to completely maintain safety for the building itself and have met all requirements except for this one specific criteria."

Tom Hansel, Assistant Director of Engineering, Office of Land Development Services, said the "denial was based on the part of the ordinance prohibiting buildings built within the 100 year flood plain. The applicant has met all of the criteria other than that one provision. He is proposing to build on pier and beam that would encroach in the 100 year flood plain. Staff does not oppose this based on the insignificant size of the proposed development and also that Boggy Creek improvements, when they are done, will remove this building from the 100 year flood plain. The building will be 1' above flood plain."

Motion

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, approved the Waterway Development Permit Application for Emmaus Christian Fellowship at 755 Springdale Road. (6-0 Vote, Councilmember Urdy was out of the room.)

Councilmember Duncan asked if this will be a routine approval from Council from now on for anybody that builds in the flood plain if they elevate it above the 100 year flood plain. Councilmember Shipman said "No, I concur with the staff recommendation that this case not be used as a procedure for future cases."

### THIRD READING WATERSHED ORDINANCE

Council had before them for approval the THIRD reading of an ordinance amending the Watershed Ordinance for Onion Creek, Bear Creek, Little Bear Creek, Williamson Creek and Slaughter Creek.

Councilmember Rose stated: "I have two changes."

#### Motion

Councilmember Duncan made a motion to pass through third reading of an ordinance amending the Watershed Ordinance for Onion Creek, Bear Creek, Little Bear Creek, Williamson Creek and Slaughter Creek. Councilmember Rose seconded the motion and offered the following two amendments, which were accepted by Councilmember Duncan:

(1) Part 2, Section 13.3407 Sec. B which reads currently, "The Planning Commission may grant a variance from the terms of this section of this code when one of the applicants shows improvement of water quality over the conditions that would have resulted had the development proceeded without a variance." I want to change that to read: "The Planning Commission may grant a variance from the terms of Section 13.3433 when one of the applicants shows the water quality condition the same or greater than what had resulted had the development proceeded without a variance....."

(2) The second amendment would be in Part 4 where it says aquifer related watershed and the last sentence reads "All questions concerning the exact boundary shall be determined by the Director of Environmental Resource Management". I'd like to change that to read that "All questions concerning the exact boundaries shall be determined by the Council."

Councilmember Rose stated, "I think it is a bad precedent for the director of a department on their own be able to make that kind of a determination."

#### Friendly Amendment

Mayor Mullen offered a friendly amendment to state, "All questions concerning the exact boundaries shall be recommended by the Director of Environmental Resource Management and approved by the Council". Councilmember Duncan accepted the friendly amendment.

Councilmember Duncan asked staff to bring back the set of resolutions associated with the ordinance with recommendations on everything from legislative priorities next session and various things that we never considered and I would like to bring them back on the Agenda for consideration.

#### Roll Call

7-0 Vote

## NORTHWEST MUD

Council took no action to pass the ordinance before them to consider approval of the creation of the Northwest Austin Municipal Utility District 1, 2, & 3, but made the following motion:

Motion

The Council, on Councilmember Rose's motion, Mayor Mullen's second, approved taking no action on the ordinance, let the 120 day review expire, the City Manager is to negotiate with petitioners and landowners in the area, reach an agreement, and come back to Council in 60 days. (7-0 Vote)

## DRAFT DEVELOPMENT PROSPECTUS

The Council unanimously agreed to bring back an ordinance approving a Draft Development Prospectus for action on July 30, 1984 during a Special Called Meeting concerning the Municipal Office Complex.

## RECESS

Council recessed its meeting at 3:00 p.m. for a Housing Board Meeting and resumed its recessed meeting at 3:14 p.m.

## RECESS

Council recessed its meeting at 3:15 and resumed its recessed meeting at 3:30 p.m.

## SINGLE FAMILY MORTGAGE PURCHASE REVENUE BONDS

The Council, on Councilmember Urdy's motion, Mayor Mullen's second, adopted a resolution authorizing the issuance, sale and delivery of \$33,998,137.20 AHFC Single Family Mortgage Purchase Revenue Bonds, Series 1984; approving the form and substance of a trust indenture, sale servicing and administration agreement, bond purchase agreement, and preliminary and final official statement authorizing the execution of documents and instruments necessary or convenient to carry out a Single Family Mortgage program; and containing other provisions relating to the subject.

## ACTION DELAYED

Council was scheduled to take action on the request of Mr. Terry Bray for exemption from site plan requirement in Fairview Park property. Council delayed action until August 2 at 3:30 when City Attorney Isham will make a recommendation to Council.

## ALLEY &amp; STREET VACATIONS

Mayor Mullen opened the public hearings set for 3:00 p.m. on vacation of West 16th Street Alley, 200 block; and Concordia Avenue from Harmon Avenue to the West End.

Richard Ridings, Director of Public Works, reported these closures have both been approved by all parties concerned.

Motion

The Council, on Councilmember Urdy's motion, Councilmember Shipman's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance vacating West 16th Street Alley, 200 Block. (Request submitted by State Purchasing and General Services Commission C10v-84-011). (6-0 Vote, Mayor Pro Tem Trevino was out of the room)

Motion

The Council, on Councilmember Shipman's motion, Councilmember Urdy's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance vacating Concordia Avenue from Harmon Avenue to the West end. (Request submitted by Concordia Lutheran College, C10v-84-004.) (7-0 Vote)

PUBLIC HEARING - APPEAL OF PLANNING COMMISSION  
DECISION

Mayor Mullen opened the public hearing set for 3:00 p.m. on an appeal from the Barton Hills-Horseshoe Bend Neighborhood Association of the Planning Commission's decision concerning the project located at 2700 Westhill, Stoney Hollow. C14P-82-103. (Hearing is continued from July 19, 1984)

Jane Anderson, representing the neighborhood, said that they disagree with the type of development proposed and are concerned with flooding and drainage. She showed slides.

Sam Gammon showed maps of the proposed project and said they should reduce the scale of the project and reduce the high level of impervious cover to cut down on the chance of flooding.

Mr. David Armbrust, representing H.C. Carter, told Council if the apartments are allowed and supported by the neighborhood, then he will agree to do the following:

- (1) Limit maximum grades of parking lots and driveways to 12.8%.

## HEARING - (Continued)

- (2) Detain 10% more water than required by City Ordinance.
- (3) Provide additional detention to an unspecified amount in the wide part of the creek area so long as the level of any detained water stays under 2 or 3 feet.
- (4) Comply with cut and fill provisions of Lake Austin Watershed Ordinance.
- (5) Add a site plan note that crash gate on Westhill shall remain in place and that this provision is enforceable by surrounding property owners. Also, zone a one foot strip along south property line at location of crash gate "AA" residential.
- (6) Eliminate windows on north side of building #5 near Gammon residence.
- (7) Eliminate windows on west side of buildings 12 and 13 near Cole residence.
- (8) No buildings to have piers more than 4' above ground level.
- (9) The underside of any building on piers shall be hidden by lattice work, shrubs or other materials.
- (10) The long 3 story building in the center of the project to have an undulating/offset roof line.
- (11) Shrubbery to be added at the periphery of the property near the Gammon residence.
- (12) Detention facilities to be in place prior to construction of any buildings.

Mr. Armbrust told Council that the impervious cover totals 53%.

Bill Taminga, architect, said the number of units should be reduced to 90 and impervious cover should be reduced to 35%.

Jane Anderson said they would like to see the compatibility standards added to the list and would like to have the neighborhood's interpretation entered for the record. (See Exhibit "A" on following page.)

## HEARING - (Continued)

## EXHIBIT "A"

Flooding/Drainage

1. In addition to the proposed retention of water in berms, terraces and parking areas, additional retention of water shall be provided for behind the existing earthen dam structure with controlled release at a depth of 3 feet.
1. All water detention and control facilities, including and not limited to berms and terraces, paved parking retention, as well as retention behind a controlled release structure at the site of the present dam, shall be put into place prior to any further construction on this site.
3. 10% as per Planning Commission agreement direction.

Development on Steep Slopes

1. The maximum gradient of the slope on all drives and parking lots shall be no greater than 12.8%.
2. The cut and fill in all areas shall conform with the limitations established by the Lake Austin Watershed Ordinance or shall be limited to a maximum of 4 feet except for the building pads.

Conformity/Compatibility

1. Foundation piers and beams shall be limited to height of 4 feet above the present or natural grade and shall in all instances be covered by lattices in such a manner that no portion of the underside of the building is exposed to view.
2. The roof line of all buildings shall be designed and built in a staggered or alternating manner, so as to be, "undulating".
3. There shall be no windows or balconies V, XII and XIII, adjacent to single family residences, or in the event of change of building location or numbers, the ends of buildings adjacent to property on Rae Dell Avenue.
4. Additional evergreen trees and shrubs shall be planted and maintained to visually screen the west end of any building near the northwest corner of the subject site.
5. Conform to compatibility standards.

Traffic/Safety

1. A "crashgate" which will allow passage of authorized emergency vehicles and prohibit passage of any private vehicle shall be installed in the proximity of the property line adjacent to Westhill Drive. Approval of this special permit shall contain such wording as to create special beneficiary interests by property owners in the neighborhood to create a legally and enforceable right to insure the continued maintenance of such barrier by all present and future owners until such time as the City Council approves a change in zoning for this site.

Motion - Died for Lack of Second

Councilmember Shipman made a motion to uphold the appeal and deny on criteria 3 & 9. There was no second to the motion.

Members of the neighborhood and the applicant left the Council Chamber to discuss the issue.

Later in the day, the neighborhood representatives and applicant returned to the Council Chamber. Mayor Mullen stated the majority of the neighborhood will approve the project with the agreements stated for the record as listed on pgs. 19, 20 & 21.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Spaeth's second, closed the public hearing and accepted the agreement with the applicant and neighborhood with the amendments as agreed to by the applicant and neighborhood. (6-1 Vote, Councilmember Shipman voted No.)

ACTION ON ZONING CASE

Council was scheduled to take action at 3:45 p.m. on the following zoning case. Council took action as follows:

C14-84	RANDY MORINE	10608 Morado Cir.	From Interim "AA" 1st H&A
104	By Robert W.		To "BB" 1st H&A
	Jackson		RECOMMENDED
			<u>GRANTED AS RECOMMENDED</u>

Mayor Mullen stated a complete hearing has been held on this item. He asked why it was not voted on previously. Ms. Lilas Kinch, Land Development, stated the Council wanted everyone present when it was voted on.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Spaeth's second, voted to grant as recommended. (6-0 Vote, Councilmember Shipman voted No.)

Motion to Reconsider

The Council on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, voted to reconsider the motion. (7-0 Vote)

A man who did not identify himself, reminded the Mayor that anyone who had new information was told they could speak. He said he is against five buildings with 60 apartments looking into the backyards of their homes. He asks for permanent "AA" but if the zoning change is granted, asked for a buffer between the apartments and the neighborhood.

## ZONING - (Continued)

Robert Jackson, representing Randy Morine, told Council the closest building to a residence will be 353'.

Councilmember Shipman said she does not feel the site in question is appropriate for multi-family zoning.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Spaeth's second, voted to grant the zoning as requested. (4-3 Vote, Councilmembers Duncan, Rose and Shipman voted No.)

## PUBLIC HEARING - CAPITAL IMPROVEMENTS BUSINESS LOAN GUIDES

Mayor Mullen opened the public hearing, set for 4:00 p.m. on Capital Improvements Business Loan Guidelines.

Paula Phillips reviewed and said no vote will be taken today.

Norma Lawrence, 3020 E. 14 $\frac{1}{2}$  Street said she has a business at that address and wants service area expanded. Jeffrey Lewis, National Business League wants the program expanded to other streets.

Ms. Phillips said projects immediately adjacent to the corridor are eligible.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Spaeth's second, closed the public hearing and a vote will be taken August 9, 1984. (7-0 Vote)

## PUBLIC HEARING - BUILDING SET-BACK

Mayor Mullen opened the public hearing set for 5:00 p.m. on an amendment to Chapter 13-2-133(1) (Zoning) deleting the provision that allows a three foot increase in height for each one foot that a building is set back in "C" 2nd H&A Use District; and passage of Ordinance.

No one appeared to be heard.

Motion

The Council, on Councilmember Spaeth's motion, Councilmember Duncan's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-2-133(1) (Zoning) deleting the provision that allows a three foot increase in height for each one foot that a building is set back in "C" 2nd H&A Use District. (7-0 Vote)

## ZONING HEARINGS

Mayor Mullen announced Council would hear zoning application scheduled for 4:30 p.m. Council heard, granted, and directed the City Attorney to draw the necessary ordinances for the following:

C14-84	RUBEN H. JOHNSON	601-615 W. 15th St.	From "LR" 2nd H&A
056		1410-1418 Nueces St.	To "C" 4th H&A
			RECOMMENDED subject to
			Restrictive Covenant for
			residential use only.
			<u>GRANT AS RECOMMENDED</u>

## EMERGENCY PASSAGE OF ORDINANCE

Aliece Minnassian, Land Development Department, reviewed the zoning application.

Martin Kamp, representing the applicant who wishes to build condominiums on 15th Street, told Council they will not be in the Capitol view corridor. He said the building will be 16 stories with four units per floor and he believes it will be consistent with the development in the area.

Richard Buerger, president, St. Martin's Lutheran Church congregation, showed slides of how the building will look, and how it's height and location will block the view of the Capitol from various parts of the City. He asked that the zoning change be denied.

Nelson Schuller, who owns property at 515 West 15th, said the proposed building would be 140' higher than the church structure. He said the area is low density office with trees and many refurbished older homes. He asked the zoning be denied because it will not be compatible.

Pastor John Auer, Sr. Pastor, St. Martin's Lutheran Church, said he and the congregation do not want the view of the Capitol blighted. He said the proposed oversized building will be outside of the downtown tall building area and will not look like it belongs in the area.

Phil Conard urged Council to keep "LR" zoning.

Susan McCallom, representing land owners at 16th and Rio Grande, told Council the neighborhood is unique and she wants it kept that way.

Natalie DeBlois stated that property within 200' of "A" zoning can be no higher than 60' according to compatibility standards.

Camille Dunn told Council if they want to control growth then they must limit height.

Dorothy Richter told Council they are custodians of a building, the Capitol, that belongs to Texas. They must preserve the view.

## ZONING - (Continued)

Martin Kamp said the building will not block the Capitol view corridors. He said the condominiums are residential and will bring the people back downtown.

Councilmember Duncan asked Lilas Kinch, Land Development, if the building will block the Capitol view in any of the designated corridors. She said it will not.

Motion

Mayor Pro Tem Trevino made a motion, seconded by Councilmember Urdu to close the public hearing and approve the zoning change.

Councilmember Shipman stated she will vote against the change because the area is zoned "O" 2nd H&A and this would be spot zoning.

Mayor Mullen said the church and neighborhood should have used another argument that the building will not block the Capitol view.

Councilmember Spaeth said he will vote in favor because he supports downtown living.

Roll Call on Motion

6-1 Vote, Councilmember Shipman voted No.

## RECESS

Council recessed its meeting at 6:30 p.m. and resumed its recessed meeting at 7:00 p.m.

## ZONING HEARING

Mayor Mullen announced Council would hear the zoning case scheduled for 4:35 p.m. Council heard and DENIED the zoning change.

C14-84    SHERI GALLO, ET AL    307-313 West 38th St.  
007    By Rhonda Denton/  
      Sherri Gallo

From "A" 1st H&A  
To "O-1" 1st H&A  
Amended  
RECOMMENDED "O-1" 1st  
tied to site plan  
approval by Planning  
Commission and City  
Council, compliance with  
38th Street guidelines  
and subject to retaining  
structure.

DENIED

(On Councilmember Spaeth's motion, Councilmember Duncan's second, 6-1 Vote,  
Mayor Mullen voted No.)

## PUBLIC HEARING - WATERWAY SITE DEVELOPMENT PERMIT

Mayor Mullen opened the public hearing set for 5:15 p.m. on an appeal from Mr. Richard J. Kern on the denial of Waterway Site Development Permit - 6300, 6400, 6412 Hwy. 290 West FRD 84517. No one appeared to be heard.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, closed the public hearing, and approved the permit. (7-0 Vote)

## NORTHWEST AUSTIN MUD'S 4, 5, 6

Mayor Mullen opened the public hearing set for 5:30 p.m. on Northwest Austin MUD's 4, 5 & 6.

Mary Arnold discussed environmental concerns.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Rose's second, closed the public hearing. (7-0 Vote)

PUBLIC HEARING - ALTERNATIVE ALIGNMENTS FOR  
PROPOSED 1ST/3RD STREET ONE-WAY TRAFFIC

Mayor Mullen opened the public hearing set for 6:30 p.m. on alternative alignments for the proposed 1st/3rd Street one-way traffic operation.

Allan Brecher, Director of Urban Transportation, said there are four options and explained by use of maps.

Councilmember Spaeth discussed the moving of the ball diamond and Humane Society. Council discussed the streets, maps, etc. Mayor Mullen said he favors an east/west thoroughfare. He said he prefers that it is not included in the September bond issue but wants to work out the details before presenting it to the public.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Spaeth's second, closed the public hearing. (6-0 Vote, Councilmember Duncan was out of the room.)

EXECUTIVE SESSION

Mayor Mullen announced Council would go into Executive Session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss Overton vs. City of Austin - Section 2, Paragraph e, and after such closed or executive session, any action to be taken will be done in open meeting.

RECESS

Council recessed its meeting at 9:00 p.m. and resumed its meeting at 12:40 p.m.

OVERTON VS CITY OF AUSTIN

Council discussed the case of Overton vs City of Austin. Transcript of discussion is on file in the City Clerk's office.

Motion

The Council on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, instructed the City Attorney to pursue settlement with the plaintiff. (6-1 Vote, Councilmember Spaeth voted No.)

ADJOURNMENT

Council adjourned its meeting at 12:45 a.m., July 27, 1984.