



## Austin City Council MINUTES

For MARCH 27, 1984 - SPECIAL CALLED MEETING - 4:00 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  
Acting City Manager

Elden Aldridge  
City Clerk

### Memorandum To:

Mayor Mullen called to order the Special Called Meeting of the Council, scheduled for 4:00 p.m., at 5:45 p.m., noting the presence of all Councilmembers

#### JURORS FOR DESIGN COMPETITION

##### Motion

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, expanded the number of jurors from three to five and one alternate for the design competition for the Municipal Office Complex. (7-0 Vote)

##### Motion

The Council, on Councilmember Spaeth's motion, Councilmember Duncan's second, approved the following five jurors for the design competition for the Municipal Office Complex: (7-0 Vote)

Natalie de Blois, Harold Box, Bonne  
Powell, Jonathan Barnett and John S. Chase

##### Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Shipman's second, approved Ponciano Morales III as alternate juror for the design competition for the Municipal Office Complex. (7-0 Vote)

3/27/84

INVESTIGATIVE BODY - WILLIAMSON CREEK  
WASTEWATER TREATMENT PLANT

Council had before them a resolution to appoint a committee of Councilmembers to act as an investigative body pursuant to Article II, Section 5, of the City Charter with regard to the Williamson Creek Wastewater Treatment Plant problems, Section 2, Paragraph g. Mayor Mullen said, "The ability of this body will be way beyond what Council can normally do in that we can subpoena records and subpoena statements from people and put people under oath. This is probably the first time this has ever been used by the City Council. We believe that the Williamson Creek Wastewater Plant problem has been going on so long and there are still so many unanswered questions that we would like to get down to the bottom of this and find out why. I suggest that Mr. Duncan be the chairperson of this committee, with Mr. Rose and Mrs. Shipman serving as members of the committee."

Councilmember Duncan said, "We got together on Sunday and drew up a general outline of how to proceed and I passed that out. First I want you to look at the history of the project including all bond elections, appropriations, Council directives, staff reports and recommendations that were made, Council policy decisions, administrative procedure changes and in particular the State compliance records for the plant. We hope at that time to reach some conclusions as to responsibility, contributing factors to the situation and also look at what our current situation is and then make recommendations as to how this can be avoided in the future. The method we will be looking at will include an extensive document search on compliance record, the design and construction history of the plant, the funding history, the operational history of the plant including hook-ups, EPA compliance records, Planning Commission documents, meeting tapes, Water and Wastewater Commission documents and meeting tapes. We hope to do this without needing any resources other than our in-house resources. I think the three members of the Committee will have their own Council Aides working on this. We will probably need some additional clerical help in preparation of the final report. We do not anticipate having to hire additional personnel at this point in the investigation. We may possibly be holding hearings at the end of the investigation and will be preparing a final report. We anticipate it will take at least 30 days to do the document background research. Interviews and hearing may take another 30 days and we are going to shoot for around the first of June as a final report date." Councilmember Rose said there was not a recommendation that we hire an outside engineering firm to look at the situation. Staff resources will be used.

Mayor Mullen said, "In the event that you are going to use the Charter, you are going to have to come back and request that." Councilmember Duncan said they will come back if they run into snags and feel that they need to exercise subpoena powers or other powers granted to them by the Charter. Mayor Mullen said any testimony given will be in public and any questioning under oath will be done in public.

Mayor Pro Tem Trevino said anyone asked to testify shall do so or be subject to penalties prescribed by an ordinance. "I don't know if an ordinance exists now that has those penalties and if not, I ask the committee to consider drawing up and recommending the ordinance to the full Council.

#### Motion

The Council, on Councilmember Duncan's motion, Mayor Mullen's second, adopted a resolution establishing Councilmembers Duncan, Shipman and Rose as a committee to act as an investigative body with regard to the Williamson Creek Wastewater Treatment Plant problems. (7-0 Vote)

#### TRANSFER OF WASTEWATER

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Spaeth's second, adopted a resolution authorizing the City Manager to enter into a contract regarding the transfer of wastewater from Williamson Creek Wastewater Treatment Plant to Walnut Creek Wastewater Treatment Plant. (7-0 Vote)

Assistant City Attorney Linda Wiegman discussed the agreement and Bill Bulloch gave the route proposed by Nash Phillips Copus, who are willing to help with the transferral of wastewater. Jim Thompson, Water & Wastewater Department, said the trucks will operate 24 hours a day. Jorge Carrasco, Acting City Manager, stated this plan will lower the depth of Williamson Creek by one inch."

John Moore, representing NPC, said, "As part of this agreement I believe NPC's going to take a lot of responsibility in overseeing the total operation including proper traffic routing, and the whole business. ....The Water Department is not planning on having much responsibility once the truck leaves the plant site."

Mayor Mullen said, "They are not going to have any responsibility, isn't that right? I just want to make it sure on the record that it is not 'about' right or close to, it is NO responsibility". Mr. Moore said, "That is right".

#### NO ACTION TAKEN

No action was taken by Council and Tom Jones did not appear concerning removal of a restrictive covenant on property located at 6407 Springdale Road.

#### EXECUTIVE SESSION

Mayor Mullen announced Council would go into Executive Session pursuant to Article 6252-17 to confer with City's Attorneys re pending litigation

before the Texas Water Commission relative to water rights adjudication of the City's water rights, Section 2, Paragraph e, and after such closed or executive session any action to be taken will be done in open meeting.

RECESS & ADJOURNMENT

Council recessed its meeting at 6:11 p.m. and adjourned its meeting at 6:30 p.m.