



## **Austin City Council MINUTES**

**For**

**SEPTEMBER 20, 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 Councilmember Shipman's motion, Mayor Mullen's second, approved minutes of regular meeting of September 6, 1984 & Special Meetings of September 14, 1982, December 8, 1982, September 20, 1983 & September 10, 1984. (6-0 Vote, Councilmember Spaeth not yet present in Council Chamber.)

#### **WATER QUALITY DISCUSSED**

Bert Cromack talked about the interpretation of water quality data for the NURP Study.

#### **CONSENT ORDINANCES**

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (6-0 Vote, Councilmember Spaeth absent.)

#### **CIP Amendment**

Amended the 1983-84 Capital Improvements Program by appropriating \$647,000 from Wastewater Capital Recovery Fees to the Williamson Creek Wastewater Treatment Plant.

9/20/84

Bond Sale

Approved an ordinance and all matters incident and related to the issuance and sale of \$3,500,000 City of Austin, Texas, Combination Tax and Revenue Certificates of Obligation, Series 1984 at 8.4% interest to Merrill Lynch.

Item Postponed

Postponed until September 27, 1984 an item to consider amendments to Chapter 13-2 of the City Code; providing requirements and criteria for development within the RM 2222 Highway Corridor.

Smoke Detectors

Amended Chapter 13-5, Code of the City of Austin, 1981, by amending Section 13-5-1210(c) to state specific implementation dates for retroactive installation of smoke detectors and fire and safety equipment.

Postponed until September 27, 1984, consideration of amendment to Section 13-5-1810(b).

Street Name Change

Approved the following street name change: A portion of Howard Lane to Wells Branch Parkway. (Request submitted by Mr. Ed Wendler Jr., on behalf of Provident Development Company)

Zoning Ordinances

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

EDWARD JOSEPH	8313-8419 Cameron Road	From Interim "AA" 1st
	8401-8405 & 8400-8422	H&A to "B" 1st H&A
	Clear Creek Drive	

WALTER VACKER ASSOC	500 Capital of Texas	From "O" 1st H&A
By Richardson Verdoorn	Highway South	to "LR" 1st H&A
C14r-83-236		

MARIO & MARY AGUILAR	9510 Brown Lane	From Interim "AA" 1st
By Morton Plotsky		H&A to "DL" 1st
C14-84-150		H&A

EMERGENCY PASSAGE OF ORDINANCE

9/20/84

R.G. MUELLER JR. 3701-3705 Jefferson From "A" 1st H&A  
By Randolph G. Mueller Street to "GR" 1st H&A  
C14-82-194

JAMES & RENA J. 1714 Fort View From "A" 1st H&A  
REEVES to "O-1" 1st H&A  
By Jeffrey J. Stewart  
C14-84-011  
EMERGENCY PASSAGE

DENVY & LILLIAN 1712 Fort View From "A" 1st H&A  
JACKSON to "O-1" 1st H&A  
By Jeff Stewart  
C14-84-051  
EMERGENCY PASSAGE

C.B. FRANCIS 10606-10920 Jollyville From Interim "AA" &  
By Jean Bringol Road "O" 1st H&A to "BB" &  
C14-83-194 "O-1" 1st H&A

FRANCIS & ASSOC. Rear Portion of 10606, From "BB" 1st H&A  
NO. 5 10614, 10806 & 10920 to "O-1" 1st H&A  
By Jean Bringol Jollyville Road  
C14-84-005

ANTHONY SPEARS 1172 Webberville Road From "C" 1st H&A  
C14-83-244 to "C-2" 1st H&A

Operating Budget Amendment

Amended the 1983-84 Operating Budget by

a. Appropriating 14,900.00 from the General Fund Ending Balance to Managements Services for the Sesquicentennial.

b. Appropriating \$1,268,545 from the General Fund Ending Balance to:

(1) City Attorney - \$230,000

(2) Health 800,000

## OPERATING BUDGET - (Continued)

(3) Taxation        \$171,545

(4) Budget            67,000

- c. Appropriating \$250,000 from the VES Working Capital Fund Ending Balance to the Vehicle Equipment Services Department.

**CONSENT RESOLUTIONS**

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, adopted the following resolutions in one consent motion: (6-0 Vote, Councilmember Spaeth absent)

**Release of Easements**

Authorized release of the following easements:

- a. 7.5' Public Utility Easement along the east property line of Lot 11, Block F, Milwood Section Eleven, 4705 Callisto Terrace. (Request submitted by Carlson & Dippel on behalf of the Bill Milburn Company)
- b. Portion of the 7.5' Public Utility Easement on the north property line of Lot 1-A, Warehouse Park Subdivision Section 2-A. (Request has been submitted by McKean/Priesmeyer)
- c. Portion of the Public Utility and Drainage Easement on Lot 57, Lakewood Section III and a portion of Lot 110, Block C, Lakewood Section I. (Request has been submitted by Mr. Maury Hood on behalf of Jester Development Corporation and the Lakewood Homeowners Association.)

- d. A Sanitary Sewer Easement recorded in Volume 6023, Page 1346, of the Travis County Deed Records and located on Lot 1, Rutland Plaza. (Request has been submitted by Jeryl Hart Engineers, Inc.)

License Agreements

Approved entering into the following License Agreements:

- a. To allow the encroachment of three (3) borrowed light wells into public right-of-way (sidewalk area) adjoining the West half of Lot 10, Block 57, Original City of Austin. (Request has been submitted by Mr. Eugene Wukasch)
- b. To allow the encroachment of additional decking into the public right-of-way adjoining Lot 7, Block 2, Lake Addition, 3800 Lake Austin Boulevard (Request has been submitted by Mr. Craig Gatewood on behalf of the University of Texas)

Environmental Studies

Authorized an agreement in the amount of \$28,278.00 between the City of Austin and the Wild Basin Institute for Environmental Studies.

Community Facilities Contract

Approved entering into a Community Facilities Contract with Airpark Associates, Storm Properties, Schlumberger Well Services, and Nash Phillips Copus.

Capital Improvements Program

Approved the following Change Order in the amount of \$7,200.00 to Austin Road Company for Kramer Lane Improvements. (0.62% increase of the original contract)

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Approved a proposed Supplemental Amendment No. 1 to the Professional Services Agreement between the City of Austin and Henningson, Durham and Richardson for the Williamson Creek Wastewater Treatment Plant "Emergency South Irrigation System". CAPITAL IMPROVEMENTS PROGRAM NO. 82/23-85.

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Approved a Supplemental Amendment to the Professional Services Agreement between the City of Austin and Turner, Collie & Braden, Inc. for the Onion Creek Wastewater Treatment Facilities Improvments. CAPITAL IMPROVEMENTS PROGRAM NO. 82/23-85.

Contracts Approved

Approved the following contracts:

- |                                                                                                                             |                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. OLMO'S CONSTRUCTION COMPANY<br>P. O. Box 13172<br>Austin, Texas                                                          | - CAPITAL IMPROVEMENTS PROGRAM -<br>Williamson Creek Wastewater<br>Treatment Facilities (interim)<br>Improvements, Water and Wastewater<br>Department - \$196,421.00<br>C.I.P. No. 82/23-85 |
| b. PRIESTER-MELL & NICHOLSON, INC.<br>601 East 56th Street<br>Austin, Texas                                                 | - CAPITAL IMPROVEMENTS PROGRAM -<br>Transmission Line Conductor<br>Circuits 972 & 974 Howard Lane<br>to McNeil, Electric Utility<br>Department - \$137,369.15 C.I.P.<br>No. 85/13-04        |
| c. SCIENTIFIC MARKETING<br>INSTRUMENTATION & LABORATORY<br>EQUIPMENT, INC.<br>1523 Northwest Boulevard<br>Georgetown, Texas | - Gas Chromatograph System, Water<br>and Wastewater Department,<br>Total \$52,684.10 84-0312-MB                                                                                             |
| d. SCHMIDT CONSTRUCTION COMPANY<br>7230 Highway 290 West<br>Austin, Texas                                                   | - Heavy Equipment, Water and<br>Wastewater Department<br>Total \$30,000.00 84-C358-JJ                                                                                                       |
| e. HARCO CORPORATION<br>11631 North Houston Rosslyn Rd.<br>Houston, Texas                                                   | - HIRDA Replaceable Deep Anode<br>Cathodic Protection System,<br>Electric Utility Department<br>Total \$81,572.15 84-S350-LK                                                                |
| f. SAF-T-MARK SUPPLY COMPANY, INC.<br>1200 Park Street<br>Tyler, Texas                                                      | - Pavement Striper, Aviation<br>Department<br>Total \$15,498.00 84-0351-DC                                                                                                                  |
| g. WATSON DISTRIBUTING COMPANY, INC.<br>5511 Brewster Drive<br>San Antonio, Texas                                           | - Tractor/mower, Parks and Recreation<br>Department<br>Total \$19,943.00 84-0340-DC                                                                                                         |
| h. CLIFTON METAL PRODUCTS, INC.<br>2001 E. Loop 820 South<br>Fort Worth, Texas                                              | - Utility Trailers, Vehicle and<br>Equipment Services Department<br>Total \$7,400.00 84-0290-MB                                                                                             |
| i. 3M COMPANY<br>3M Center<br>7211 Lamplight Lane<br>St. Paul, Minnesota                                                    | - Reflective Emblems, Vehicle and<br>Equipment Services Department<br>Twelve (12) Month Supply Agreement<br>Total \$25,192.00 84-0328-DC                                                    |

## CONTRACTS - (Continued)

- j. THE UNIVERSITY OF TEXAS AT AUSTIN - Interlocal Cooperation Agreement  
Center for Energy Studies to provide for development of a  
Austin, Texas commercial buildings database  
and analysis of glazing energy  
conservation option, Resource  
Management Department - \$55,100.00

Jobs Bill

Approved a Jobs Bill for Standard Rehabilitation Loan in the following amount and authorize staff to enter into appropriate contract:

- a. Mastercraft Construction - \$15,400.00

Hyperbaric Services

Approved entering into an agreement with Austin Hyperbaric Therapy, Inc. (AHTI) for the provision of hyperbaric services at Brackenridge Hospital.

Physician Services

Approved entering into an agreement with George Martinez, M.D., P.A., for the provision of physician services at the Brackenridge Emergicenter.

## CSBG

Approved the Community Services Block Grant (CSBG) funding proposal in the amount of \$327,962 to operate the neighborhood centers in FY' 85.

Public Hearings Set

Set the following public hearings:

- a. An appeal from Mr. John M. Joseph of the Office of Land Development Services decision to deny a Waterway Development permit for 5510 N. IH 35. #84-06-4160: October 25, 1984 at 4:30 p.m.
- b. Adoption of a residential conservation service rate and a transportation rate for Southern Union Gas Company: October 25, 1984 at 4:15 p.m.
- c. Dedication of a Wastewater Easement through a portion of Waller Creek Greenbelt. (Requested by Austin Avante Ventures, Ltd.): October 25, 1984 at 4:45 p.m.

Airport Improvement Program

Authorized submission of an application for a Federal Aviation Administration Airport Improvement Program Grant in the amount of \$3,164,950.

Letter Agreement

Approved entering into a Letter Agreement by and between the City of Austin, Austin Avante Bentures, Ltd. Gibraltar Savings Association.

## ITEM POSTPONED

Councilmember Duncan postponed his item for discussion to consider confirming policies for the City of Austin for the Edwards Aquifer Recharge and contributing zones and directing the City Manager to implement programs for such policies as outlined until September 27, 1984.

## RM2222, 2244 AND 620

Councilmember Shipman introduced an item to Council to consider requesting staff to prepare a plan for driveway access and roadway and street locations on RM 2222, 2244 and 620, previously designated as scenic arterials by the City Council. She said these are to be used as reference when property owners come in to request access. She said she knows this will be a time consuming study and thought it appropriate for the whole Council to vote upon. Councilmember Shipman believes this will do more to improve traffic flow before there is a problem than after the fact, than any other single action which can be taken. She said she does recognize Council will be constrained by State law on this.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, approved requesting the City Manager to request staff to prepare a plan for driveway access and roadway and street locations on RM 2222, 2244 and 620, previously designated as scenic arterials by the City Council. (6-0 Vote, Councilmember Spaeth absent)

## REQUESTS DENIED

Mr. Stuart N. Henry requested a variance from the Slaughter Creek Watershed Ordinance for three properties adjacent to Slaughter Creek and Riddle Road. Council made no motion, therefore there was no action. Request was denied.



**REQUEST DENIED - (Continued)**

Mr. John B. Sanford's request for exemption from Inner-City Ordinance at 501 West 38th Street, 4007 Avenue H and 4013 Avenue H did not receive Council approval.

**SEWER LINE CONNECTIONS APPROVED**

The Council, on Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, approved the request of Mr. Jim Bruch to allow sewer line connections in front of property located at 616 West Stassney instead of 400 feet away. (7-0 Vote)

**STATUS REPORT - NORTHWEST NEGOTIATIONS**

Mr. Carrasco introduced the report on Northwest Negotiations. He said as a result of Council's request a week ago on an update of the discussions that had been held regarding the northwest area and the provision of services to that area as well as the land use plan, there have been two meetings with the applicant that originally applied for municipal utility districts out in the northwest. He said they are still working on a conceptual plan on the kinds of things that can be done to respond to the plan presented to Council several months ago. There are still several studies to be made before the report is complete.

Terry Childers, Assistant City Manager, said they have met with the MUD applicant in the northwest area. They are discussing land uses for the area and financing improvements in the area. Results of today's meeting is that applicant will prepare a revised package reflecting the revision in their thinking concerning servicing the area as a result of work they have done. On October 11 a meeting has been scheduled to provide them with full staff response to their revised package. He said there can be a final report on this item on October 25, 1984.

**THIRD READING OF ZONING ORDINANCE**

The Council, on Councilmember Spaeth's motion, Mayor Pro Tem Trevino's second, passed through third reading of an ordinance amending Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following change: (4-3 Vote, Councilmembers Duncan, Rose and Shipman voted No.)

M.E. THOMSON, ET AL

By Mauro, Sarret & Wendler  
C14-83-073

1000-1010 Banister  
Lane & 3708-3818  
Garden Villa Lane

From "A" 1st H&A to  
"BB" 1st H&A

Councilmember Spaeth stated that roads will be upgraded and there will be proper drainage before construction begins.

## SECOND READING OF ORDINANCE

The Council, on Councilmember Spaeth's motion, Mayor Mullen's second, passed through SECOND READING ONLY of an ordinance amending Chapter 13-2 of the Austin City Code to cover the following change:

RANDY MORINE  
By Robert W. Jackson  
C14-84-104

10608 Morado Circle

From Interim "AA" 1st  
H&A to "BB" 1st H&A

4-3 Vote, Councilmembers Duncan, Rose and Shipman voted No.

## WASTEWATER SERVICE CONNECTIONS

The Council, on Councilmember Urdy's motion, Councilmember Spaeth's second, waived the requirement for three readings and finally passed an ordinance establishing a limitation on the number of wastewater service connections to be made within the area contributing wastewater to Williamson Creek Wastewater Treatment Plant. (7-0 Vote)

Prior to the vote, Mayor Mullen explained the ordinance. He said it will be used if the Williamson Creek injunction is lifted and will limit hook-ups to no more than 8 per day. Councilmember Duncan asked if 8 is a comfortable number and Jim Thompson, Director of Water and Wastewater, stated it will be comfortable for a short period of time.

## EASEMENT APPROVED

The Council, on Councilmember Duncan's motion, Mayor Mullen's second, adopted a resolution authorizing release of the following easement: (7-0 Vote)

Portion of a Sanitary Sewer Easement recorded in Volume 522, Page 642, of the Travis County Deed Records insofar as it affects a portion of Lot 5, Block 6, Westfield "A" 2411 Enfield Road. (Request has been submitted by Mr. Charles M. Johnston)

## PUBLIC HEARING - STREET VACATION

Mayor Mullen opened the public hearing set for 3:00 p.m. on vacation of the following and passage of ordinance: Swanee Drive right-of-way. (Request submitted by Mr. Greg Stremiska of Bury & Pittman on behalf of the University of Texas) No one appeared to be heard.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance vacating Swanee Drive right-of-way. (7-0 Vote)

## RECESS

Council recessed its meeting at 2:45 p.m. and resumed its recessed meeting at 4:10 p.m.

## PUBLIC HEARING - SOUTHERN UNION GAS RATES

Mayor Mullen opened the public hearing set for 3:30 p.m. on suspending for (90) days the residential conservation service rate and the transportation rate proposed by Southern Union Gas Company; and passage of ordinance.

Mr. Bob Laczko, District Vice-President, Southern Union Gas Company, appeared before Council to state, "Southern Union Gas Company has filed with the City an RCS program which we feel will provide cost effective conservation program for our customers. We have incorporated into the program recommendations for the City staff and have developed a weatherization kit customized to the needs of the customer to be delivered to the customer immediately after each energy audit with several kit items to be installed and demonstrated by the auditor. This morning a letter was delivered to Councilmembers, City Attorney and City Manager, detailing our attempts to develop the standard RCS program that complied with the City Council request which was the 1983 rate request. We respectfully request that the City Council not suspend the rate and permit the program to go into effect."

Bob Rima, Attorney for Southern Union Gas, spoke to the transportation issue. He said he wanted to speak about concerns SUG has with regard to the proposed suspension of a new rate filed by SUG. The new rate is for transporting gas for some of their large volume customers within their system within the City of Austin. The proposed suspension, he said, "if allowed to take place will financially impact our two largest customers, the University of Texas and Texaco, to the extent of \$450,000 approximately per month that the rate is not in effect for UT and approximately \$50,000 a month for Texaco. The new rate does not adversely impact any other customer. It consists of all the costs to serve the customers as approved by the Council. Public interest is best served by taking no action and public interest is not served by suspension. If there are issues they will come to light at a proposed public hearing in October. It is my legal analysis that the action proposed is not a power that is granted to the City by the Legislature. The City Attorney's office differs with my legal opinion but at this point the important point is that no one is served by testing that issue. What is served is the significant financial contributors to the cost of service in the City of Austin, U.T. and Texaco, two big customers, and the proposed suspension will work to their detriment. I urge you to not suspend the transportation rate that has been filed by the company."

Linn Shivers, Attorney for U.T. System, told Council

## HEARING - (Continued)

to let the Southern Union transportation rate go into effect. He said they will save about \$15,000 a day which is money from the taxpayers pocket.

Carl Shahady, Legal Department, stated, "We have made a recommendation that you suspend the transportation rate. We would like to revise that recommendation based on what we have heard today by discussing this matter with numerous UT officials and Texaco officials who are present at this hearing. It appears they will lose significant amounts of money each day of the period of suspension on the transportation rate. Although we do not revise our legal provision we believe it would be proper for the Council to refrain from extending the transportation rate and we will have a hearing in October on the transportation rate without any harm to these customers. We do not revise our recommendation in regard to the RCS rate."

Jerry Lawson discussed the RCS rate. "I have received a letter which opposes several interrogatories that we will be happy to deal with. In light of these interrogatories we will have a number of our own for Southern Union Gas. Our primary concern is that the kit being proposed is not cost effective. We have told SUG that since March of last year. 70% of the savings come from 1/6th to 1/7th of the cost they are now proposing and an additional 30% of the savings is not cost effective. We do not want conservation to be shown in this light to the rate payers. We recommend a scaled down version of the weatherization kit that they recommend. We have scaled down to the version we recommend of a slow flow showerhead, a water heater wrap and a certain amount of pipe insulation. These would be installed by SUG. They agree to do that already. The kit and the recommendation in question are those used previously which are not promoted as cost effective but are part of an equity program for low income citizens."

Councilmember Duncan stated: "Your recommendation is that we not act on the RCS rate today and delay that until the 25th and go ahead and act, according to Legal, on the transportation rate? ... No, we are not going to suspend the transportation rate but do suspend the conservation rate until October 25th."

Motion

Councilmember Duncan made a motion, seconded by Councilmember Urdy to not suspend the transportation rate but do suspend the residential conservation service rate until October 25, 1984. (7-0 Vote)

## 1984-85 FINANCIAL PLAN

Council had before them for consideration an ordinance adopting the 1984-85 Financial Plan. Mayor Mullen stated: "I want to talk about the fact that because of the re-evaluation, we have discussed making certain we got down to a number that will reduce the total tax burden as much as possible. That figure last year was 65¢ per \$100.00. The City Manager has recommended 48.10 in his budget and I wanted to ask Council to consider a goal as we go into these budget negotiations of cutting that down to 47.10 and would like to have that as a motion so we can work toward that goal.

Motion

Councilmember Rose made a motion, seconded by Councilmember Duncan to have a goal of 47.10¢ per \$100.00 of evaluation on property tax. (7-0 Vote)

Motion

Mayor Pro Tem Trevino made a motion, seconded by Councilmember Duncan, to adopt the City Manager's proposed recommendation of the City of Austin Financial Plan in the following manner:

## Social Services

American Institute for Learning	18,664
Austin Association for Retarded Citizens	21,693
Austin Area Black Leadership Coalition	40,477
Austin Area Urban League	40,487
Austin Child Guidance & Evaluation Center	119,676
Austin Community Nursery	62,767
Austin Families	18,300
Austin Family House	33,132
Austin Rape Crisis Center	59,743
Austin Rehabilitation Center	80,000
ARCIL	24,016
Austin Tenants Council	55,118
Austin-Travis County MH/MR	541,581
Austin Women's Center	39,174
Big Brothers Big Sisters	76,842
Capital Area Food Bank	33,970
Capital Area Rehabilitation Center	113,968
Caritas	83,430
Center for Battered Women	53,957
Ceden	25,875
Central East Austin Community Organization	21,000
Child and Family Service	43,052
Child, Inc.	322,000

## FINANCIAL PLAN - (Continued)

Community Bound	20,307
DAR	69,650
Extend-A-Care	32,800
Gents Club	14,820
Goodwill Industries	25,000
Greater Austin Council on Alcoholism	32,000
Holy Cross Hospital	14,897
Legal Aid Society	179,937
Middle Earth	45,485
New Moon Wilderness	10,024
Open Door Preschool	9,292
Parents Anonymous	19,645
Pebble Project	7,500
People's Community Clinic	86,540
Planned Parenthood	30,000
Services for the Elderly	61,700
South Austin Youth	45,663
Sponsor Coordinators for Refugees	38,650
Teenage Parent Council	9,822
United Action for the Elderly	87,600
United Cerebral Palsy	34,200
University Y	
Austin Community Gardens	36,718
Womenspace	20,475
AWARE	20,475
Vaughn House	77,566
Volunteer Center	20,020
Youth Advocacy	28,000
Youth Employment Services	82,300
Shelter for Children	32,000
	<u>3,123,008</u>

Mayor Pro Tem Trevino asked that Council defer until later in the afternoon the Cultural Arts.

Amendment to Motion

Mayor Pro Tem Trevino amended his motion to set aside and earmark the monies of 1% of the bed tax to be used for tourism and convention activities that are to be decided at a later date.

Mayor Pro Tem Trevino stated Council has more motions to make.

Roll Call on Motion with Amendment

7-0 Vote

FINANCIAL PLAN - (Continued)

Motion

Councilmember Urdy made a motion regarding the City employees as follows:

General Wage Increase 4½% effective October 1, 1984  
Increase retirement benefits to 7%, a 4/10% increase,  
effective January 1, 1985  
Add one designated holiday in honor of Martin Luther  
King, the third Monday in January

The motion was seconded by Mayor Pro Tem Trevino.

Mayor Mullen stated the proposed Financial Plan has been worked on a long time and Council had asked the City Manager to come in with a goal accomplished. "A lot of these things have continuously been discussed for weeks and months. Our Goals and Objectives have also given the City Manager a direction to go to in preparing the budget. With some minor modifications made today, we are getting there."

Friendly Amendment Accepted

Councilmember Duncan offered a friendly amendment to add to the motion instruction to the City Manager to look at the suggestion that there be facilitated communication between employees and a feedback system as recommended by AFSCME, not adopting their program, but asking the City Manager to draft our own program for Council to consider.

Councilmember Urdy accepted the friendly amendment.

Councilmember Spaeth requested the City Manager to review the different options to relieve Police officers of the responsibility of funeral escort service. "I would like for us to review these options and implement the program in six months."

Friendly Amendment Accepted

Councilmember Spaeth's friendly amendment to review Police escort service for funerals and implement a new program in six months was accepted by Mayor Pro Tem Trevino.

Roll Call on Motion with Amendments

7-0 Vote

## FINANCIAL PLAN - (Continued)

Mayor Mullen stated, "In addition to this, I asked the City Manager to go back and re-look at the re-evaluation from the time the budget was closed to this time. There is additional income that will be generated because of the re-evaluation's which are higher than projected at that time. I believe the City Manager's final figure is about \$1,075,400 in addition. That will be added to our final discussion on the budget figure. We've asked the City Manager to come in with further cuts to the budget. I'd like to read what they are:

"City Manager Department	\$1,500
City Clerk	2,500
Management Services	2,500
Municipal Court	10,000
Information Systems	90,000
City Attorney	15,000
Personnel	25,000
Communications	25,000
Urban Transportation	50,000
Fire Department	150,000
Police Department	100,000
Public Works	200,000
Library	25,000
PARD	100,000
EMS	50,000
Health	50,000
Human Relations	2,500
Housing & Communication	
Service	8,000
Auditing	2,500
Financial Services	50,000

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Total \$959,500

Reduce VES transfer by	\$90,000
Reduce fuel by	50,000
Reduce travel by	50,000
Lease vehicles rather than purchase	500,000

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Total 1,649,500

minus 29,600 back into Police Dept.

NET 1,620,000 TOTAL"

Mayor Mullen further stated, "What we need to do if the Council is amenable to those cuts and to the motion on the floor, is to add that as an amendment to the motion.

Amendment Accepted

Mayor Pro Tem Trevino accepted the amendment to the motion to include the above figures.



## FINANCIAL PLAN - (Continued)

Friendly Amendment

Councilmember Duncan offered a friendly amendment that we transfer funds from the ending balance of the gross services fund in the amount of \$85,800 to the Office of Environmental Resource to be allocated to two additional environmental inspectors, \$46,100 and one biologist at \$29,000 and one environmental intern at \$10,700 to be assigned to biological protection program.

Councilmember Urdy accepted the friendly amendment.

Friendly Amendment

Councilmember Shipman offered a friendly amendment concerning Parks and Recreation, stating that swimming pools will be kept open the same length of time they have in the past; and extend the hours of Deep Eddy Pool to October 21 until 9 p.m. Friendly amendment accepted.

Friendly Amendment

Councilmember Shipman offered a friendly amendment to request the City Manager to monitor the History Center, in the event another position is needed there, it be considered a part of the budget.

Mayor Pro Tem Trevino accepted the friendly amendment.

Friendly Amendment

Councilmember Shipman offered a friendly amendment to request the City Manager to devise a longevity scale for City Council Aides, which will be a reclassification after a certain period of time.

Mayor Pro Tem Trevino accepted the friendly amendment.

Friendly Amendment

Councilmember Spaeth offered a friendly amendment to increase the Municipal Court Judge's pay by \$5,000 annually and the Municipal Clerk of Court by \$5,000 for a total of \$35,000 (\$5,000 fringe benefits.)

Councilmember Urdy accepted the friendly amendment.

Roll Call on Motion  
With Friendly Amendments

7-0 Vote

**FINANCIAL PLAN - (Continued)**

Mayor Mullen discussed the Electric Utility System and stated it is recommended "We decrease the amount of fuel by \$31,228,642; decrease the working capital by \$8,614,675, for a total of \$39,843,317. That will reduce the increase in rates that were projected from 10% to 8%."

**Motion**

Mayor Pro Tem Trevino made a motion, seconded by Councilmember Duncan to decrease the amount of fuel by \$31,228,642 and decrease the working capital by \$8,614,675 for a total of \$39,843,317.

Mayor Mullen stated, "On the solid waste services on the reduction list the lease/purchase of vehicles will decrease that requirement by \$110,000 and the rear loading collection equals about \$40,000 for a total of \$150,000 decrease and would reduce the rate from \$7.10 to \$7.00

**Motion**

Mayor Pro Tem Trevino made a motion, seconded by Councilmember Duncan to decrease solid waste services by \$150,000.

**Friendly Amendment**

Councilmember Duncan offered a friendly amendment to adopt the transfer from Electric to General Fund at the dollar figure recommended in the budget, but do not adopt policy of transfer today but come back and do so in 30 days.

Mayor Pro Tem Trevino accepted the friendly amendment.

**Roll Call on Motions**

7-0 Vote

Mayor Mullen stated that at this point the reduction in the budget is about \$40,500,000 below the City Manager's recommendation. He said the budget is finalized with the exception of cultural contracts that has to do with the bed tax. "Council, I would like us to go ahead and approve the budget that we discussed and come back to the bed tax question after that."

**Motion**

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, approved the Financial Plan as discussed. (7-0 Vote)

## FINANCIAL PLAN - (Continued)

Mayor Mullen stated, "What the Council has done is taken about \$39,000,000 out of the Utility System in cuts. Net cuts from the General Fund side, \$635,000. Cuts of \$150,000 from solid waste. I must mention that in our final motion it would be fair for us to put back in some money for Police and Fire. Their wage increase should start on the same day as the rest of the employees. It had been pegged to start on 10/14 and it should start at 10/1. That will cost an additional \$37,750 to accomplish it. The net total differential on the budget is a reduction of the budget by \$40,628,742. The property tax rate will be decreased from 48.1 to 47.1 and the ending balance will be increased by \$350,000 which makes an ending balance of \$9,582,000. We started off with about \$9,200,000."

Mayor Pro Tem Trevino pointed out that not too many years ago the ending balance was \$300,000 and now the ending balance is over \$9,000,000 and "I think this is to insure in the event there is a contingency that cannot be overlooked or suggested by Council, that there is sufficient money to utilize that."

Mayor Mullen further stated, "We said if we reduced the budget by 27.7%, if people got an increase in their evaluation, they would have had to have gotten an increase of over 55% to be comparable. That is complicated to understand, but if you have \$100.00 and you increase it by 10% then you increase it to \$110.00. If you decrease it by 10% it only decreases to 101. .... So 27.7% decrease is comparable to 55.4% increase on your evaluation. Everybody agree to that? If your house was worth \$100,000 and it now is \$150,000, that's a 50% increase. If you reduce increase by 50% you only reduce it to 125. That is what we have done. .... It sounds strange but it accomplishes what we promised to do. Also, I want to mention that we discussed a projected increase in electric utility rates on May 1985 they would go into effect. They are projected to be an 8% increase instead of a 10% increase. Is there a motion on the floor to approve all of that?"

Motion

Mayor Pro Tem Trevino said, "Yes, exactly as you stated, Mayor." Councilmember Duncan seconded the motion. (7-0 Vote)

## LATER IN THE DAY:

Council returned to discussion of the Financial Plan later in the day, after a recess from 7:15 p.m. to 7:55 p.m.

Jorge Carrasco, City Manager, stated he wanted to clarify the number of personnel increased in the Police Department. He said there will be an additional 17 sworn officers in addition to discontinuing the funeral escort which always takes four officers. Over the next six months, when the funeral escort is discontinued, the four officers will be freed for other duty, making the total 21 officers, which makes 1.66 officers per 1000 population.

## FINANCIAL PLAN - (Continued)

Motion

Mayor Pro Tem Trevino made a motion, seconded by Councilmember Shipman to fund Cultural Arts as follows:

AGENCY	COUNCIL INITIAL REC	ADJUSTMENT	Final Rec. BALANCE
-----	-----	-----	-----
BALLET AUSTIN	46,631	2,731	43,900
LAGUNA GLORIA	185,532	4,486	181,046
PARAMOUNT	60,402	3,537	56,865
ZACHARY SCOTT/GENERAL PROJECTS	49,085	2,874	46,211
AUSTIN BALLET	24,700	1,446	23,254
DEBORAH HAY	11,682	684	10,998
SHARIR	10,799	632	10,167
BLACK ARTS	27,000	(83)	27,083
LUCHA	36,963	2,164	34,799
WOMEN AND WORK	31,246	1,830	29,416
AUSTIN SYMPHONY	69,360	4,062	65,298
CIRCLE THEATRES	10,799	632	10,167
A C V A A	15,053	881	14,172
DANCE UMBRELLA	23,438	1,372	22,066
MUSIC UMBRELLA	13,685	801	12,884
TEXAS CIRCUIT	4,909	287	4,622
BALLET FOLKLORICO	23,167	1,357	21,810
CORAL UNION	12,271	719	11,552
CIRCLE OF THEATRES	22,481	1,316	21,165
CIVIC CHORUS	4,516	264	4,252
COMMUNITY ORCHESTRA	1,374	80	1,294
A C V A A/SPONSORED PROJECTS	11,044	647	10,397
A C V A A/ JOINT APPLICATIONS	7,461	437	7,024
ETHNIC HISTORY	1,200	70	1,130
FEDERATION OF MUSICIANS	28,639	1,677	26,962
FRIENDS OF TRADITIONL MUSIC	884	884	0
LAWYERS AND ACCOUNTANTS	9,768	572	9,196
INVISIBLE INC	3,534	207	3,327
BALLET EAST	13,100	767	12,333
B A A/CONCEPTS UNLIMITED	1,767	1,767	0
CITY PLAYHOUSE	25,524	1,495	24,029
DANCE UMBRELLA/SPONSORED PROJECT	12,762	747	12,015
EARLY MUSIC INST	982	982	0
GENESIUS	4,319	253	4,066
K M F A	3,000	176	2,824
LIVE OAK	7,854	460	7,394
MUSIC UMBRELLA/SPONSERED PROJECT	12,608	738	11,870
AUSTIN SYMPHONIC BAND	1,669	98	1,571
CIVIC WIND ENSEMBLE	2,305	135	2,170
MUSIC WORKSHOP	1,178	69	1,109
ACCESS FOR YOUTH			

## FINANCIAL PLAN - (Continued)

	982	982	0
WEAVERS AND SPINNERS	1,512	89	1,423
THE OPEN THEATRE	3,534	207	3,327
PEOPLE HISTORY IN TEXAS	982	58	924
THEATRICAL PRODUCTIONS	3,927	3,927	0
ZACHORY SCOTT/COMTY PROD	19,513	1,143	18,370
ADMINISTRATIVE AIDE	22000	1,288	20,712
CONTINGENCY FUND	866	51	815
*****	*****	*****	*****
TOTAL	\$888,007	\$52,000	\$836,007

Mayor Mullen said he wanted to make certain everyone understands that is slightly higher than what was allocated to begin with but he said it is close enough to the estimated bed tax. "It is very hard to know exactly, but since we have estimated conservatively there probably will be no problem at all. I want everyone to understand this is bed tax money, it is not property tax money.

Friendly Amendment

Mayor Mullen offered a friendly amendment that if any of these entities have not turned in a proper record, if they need to be audited and they haven't been, if they cannot prove what they have been doing with the money in the past, that the new funds not be allocated until the records are brought up to date, properly, for the Commission.

The friendly amendment was accepted.

Amendment to Motion

Mayor Pro Tem Trevino offered a motion amendment that all agencies comply with the rules and regulations, the monthly report, the quarterly report, and whatever is required of them; if they do not funds will be cancelled.

Friendly Amendment

Councilmember Duncan offered a friendly amendment that the increase allocated to the Music Umbrella/Sponsored Project be designated to the Creative Opportunity Orchestra.

Mayor Pro Tem Trevino accepted the friendly amendment.

Mayor Mullen said, "We may be cutting some of these programs to where if they cannot make up the difference they cannot put on a program. If that happens we need to have that fund go back into

## FINANCIAL PLAN - (Continued)

the contingency fund at the end and not just be with that organization."

Roll Call on Motion with Amendments

- 7-0 Vote

Mayor Mullen stated, "We need to adopt the Operating Budget as listed on the agenda."

Motion

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, waived the requirement for three readings and finally passed an ordinance adopting the Operating Budget of approximately \$860,000,000 as amended. (7-0 Vote)

Motion

The Council on Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, waived the requirement for three readings and finally passed an ordinance approving the Capital Improvements Program budget of approximately \$733.8 million. (7-0 Vote)

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, waived the requirement for three readings and finally passed an ordinance adopting the Ad Valorem (Property) Tax Rate at 47.1 per \$100. (7-0 Vote)

Motion

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, waived the requirement for three readings and finally passed an ordinance adopting changes to Historic Exemptions. (7-0 Vote)

Motion

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, waived the requirement for three readings and finally passed an ordinance adopting the Tax Roll of \$15.6 billion. (7-0 Vote)

## TRAFFIC TICKETS FOR MAYOR MULLEN

On behalf of the Council, Mayor Pro Tem Trevino presented Mayor Mullen with a book of traffic tickets to hand out because, as Mayor Pro Tem Trevino said, "You are a certified police officer".

## ZONING HEARINGS

Mayor Mullen announced Council would hear the the following zoning application. Council heard, closed the public hearing, granted and instructed the City Attorney to draw the necessary ordinance.

C 14-84    OLTORF-BEN WHITE  
074       JOINT VENTURE  
          by URS Engineers

Proposed Oltorf  
Street and Ben White  
Boulevard

From Interim "AA" 1st H&A  
to        "C" & "DL" 2nd H&A  
RECOMMENDED subject to  
letter of credit for 1/3  
of the cost of a traffic  
signal at Bryant Boulevard/  
East Ben White; total cost  
of 474' of left-turn lane  
storage; and total cost of  
a free right-turn lane  
for westbound E. Ben White  
and northbound Bryant  
Boulevard; all as agreed  
to by applicant.

GRANTED AS AGREED TO BY APPLICANT AND  
THE NEIGHBORHOOD

Dick Rathgeber, University Business Park, said they have reached an agreement with The Greater Southeast Neighborhood Alliance and the Montopolis Neighborhood Association. The agreement is, "No public transient food/shelter facility will be constructed anywhere in the subdivision. The second part is that Lots 4,5,6 Block A, and Lot 4, Block B, will be restricted to "GR" or lower zoning. Number three is that all building and site plans must be presented to an architectural consultant committee composed of two representatives from the developers and one representative from the neighborhood association and must be approved by a majority vote. A letter of credit will also be included."

Enrique Lopez, Montopolis Neighborhood Association, and Michael Parton, Southeast Neighborhood Alliance, both expressed their approval.

Councilmember Shipman asked for buffering and Marie Gaines, Office of Land Development, said it is not necessary since the adjoining area is industrial.

(On Councilmember Duncan's motion, Mayor Pro Tem Trevino's second,  
7-0 Vote)

C14-84    CITY OF AUSTIN  
217       PARKS AND  
          RECREATION  
          DEPARTMENT

519 S. Pleasant  
Valley Road

From Interim "A" 1st H&A  
To        "GR" 1st H&A  
RECOMMENDED  
MOTION TO GRANT FAILED

## ZONING - (Continued)

Marie Gaines reviewed. She said the applicant is seeking "GR" 1st H&A. The Planning Commission took the item by consent and felt it was an appropriate land use change. The proposed zoning would allow the incidental sale of beer at the Craig softball concession building complex to supplement food sales.

Jesus Garza, Acting Director of Parks and Recreation, stated the PARD Board approved the roll back to "A" if the concession ever is lost or the agreement runs out. Councilmember Spaeth said that basically they are not changing anything but giving them a new vehicle because of the State law that changed.

Paige Graves spoke in opposition to the re-zoning.

Motion

Councilmember Spaeth made a motion to approve as recommended by the Planning Commission with the understanding it is not something new that is being done, it has been in existence before and that it roll back to "A" if existing use ceases to be. Mayor Pro Tem Trevino seconded the motion. (Motion FAILED by a vote of 3-4, with Mayor Mullen, Councilmembers Duncan, Rose and Shipman voting No.)

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C14r-84 DANNY M. WOMACK  
013 By Brad Burns

MoPac (Proposed)

From Interim "A" 1st H&A  
To "O" 2nd H&A  
NOT RECOMMENDED  
RECOMMENDED "O-1" 1st H&A,  
tied to a site plan.  
ACTION TO BE TAKEN 9/27/84  
AT 3:15 p.m.

Marie Gaines reviewed. No one appeared to be heard.

Motion

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

## PUBLIC HEARING ON APPEAL

The public hearing, scheduled for 5:00 P.M. was held with David Armbrust, Tom Hansel, Joe Beal, Bert Cromack, Frank Cooksey, Phil Savoy, Jane Anderson, Shudde Fath and Jay Powell speaking on an appeal from Bert Cromack, representing Save Barton Creek Assn., of Planning Commission decision to approve a variance for Barton Bend Office Park. Decision will be made on September 27, 1984 at 3:15 p.m.



## ZONING HEARING

Mayor Mullen announced Council would hear the zoning case scheduled for 4:00 p.m. Council heard, closed the public hearing and directed the City Attorney to draw the necessary ordinances.

C14-80 THE VILLAGE OF  
114 WEST CREEK  
By Barry Campbell

4800 McCarty Lane

Review of site plan  
for "A-2" zoning.

GRANT AS RECOMMENDED BY  
PLANNING COMMISSION; 50%  
MASONRY ON FRONT, LOWER  
IMPERVIOUS COVER TO 40%

AND SUBJECT TO 2 LETTERS REFERRED TO BY APPLICANT (OLDS HAS)

Marie Gaines reviewed the application. She said 12 units per acre is planned.

Scott Roberts, representing NPC, explained the project.

Sarah Summer, 5009 Summers Circle, told Council the neighborhood has met with NPC and they have agreed to some changes. She said their problem is one of density and fear they will be in the danger of flooding with the proposed project.

Jack Briarwood said this project is adjacent to the 100 year flood plain. He said Oak Hill is under intense development and there could be a flood and turn the area into a disaster area.

Bert Cromack said this is in a critical water quality zone.

Phil Evans, president, Western Oaks Neighborhood Association, is against the project. Elizabeth Eisenhower also asked Council to deny.

Councilmember Shipman said she believes 80 units in the area consists of too intensive zoning.

Motion - DIED FOR LACK OF SECOND

Councilmember Shipman made a motion to grant 64 units. Motion died for lack of a second.

Motion

Councilmember Duncan made a motion, seconded by Councilmember Urdy to approve the zoning as recommended by the Planning Commission, with 50% masonry on the front and lower the impervious cover to 40%. (5-1-0 Vote, Councilmember Shipman voted No, Councilmember Spaeth was out of the room.)

## PUBLIC HEARINGS ON APPEALS

Mayor Mullen opened the public hearing set for 5:00 p.m. on an appeal from Mr. Bert Cromack, representing the Save Barton Creek Association, of the Planning Commission decision to approve a variance for Shadowridge Crossing Section 1, Phases A and C (C8-84-62 and Section 1, Phases B, D and E). (C814-84-013).

Motion

The Council, on Councilmember Urdy's motion, Mayor Mullen's second, closed the public hearing and approved the variance with two crossings. (6-0 Vote, Councilmember Spaeth was out of the room.)

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Mayor Mullen opened the public hearing set for 5:00 p.m. on an appeal from Mr. Bert Cromack, representing the Save Barton Creek Association, of the Planning Commission decision to approve a variance for Tanglewood Forest, Section 4, Phase E (C8-82-32.02) (84).

Bert Cromack reviewed. He said the engineer has worked out a solution which will accommodate water.

Fred Lockwood, representing the Wilson Company, asked the Council to uphold the Planning Commission decision and approve the variance.

Mayor Mullen said staff should go back and look at the cost of the road. He requested this be brought back September 27, 1984 at 3:25 p.m.

## CITIZEN COMMUNICATION

John Noell appeared before Council to give them a letter concerning approach mains in the West Bull Creek area. He said there are a number of problems. The Planning Commission will consider this next Tuesday and he requested Council discuss the situation during the September 27, 1984 Council Meeting.

## EXECUTIVE SESSION

Mayor Mullen announced Council would enter Executive Session to discuss:

- (1) Houston Lighting and Power Company, et al v. Brown

and Root, et al in Matagorda County and City of Austin vs.  
Houston Lighting and Power Company in Travis County - Section 2,  
Paragraph e. (Litigation)

(2) Acquisition of land - Section 2, Paragraph f..

RECESS AND ADJOURNMENT

Council recessed its meeting at 9:40 for Executive Session  
and adjourned its meeting at 10:25 p.m.