



Austin City Council MINUTES

For SEPTEMBER 27, 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, noting the presence of all Councilmembers.

MINUTES APPROVED

The Council, on Councilmember Spaeth's motion, Councilmember Shipman's second, approved minutes of the regular meeting of September 13, 1984. (4-0 Vote, Mayor Pro Tem Trevino, Councilmembers Duncan and Rose were out of the room.)

HOWSON COMMUNITY CENTER

Mr. David L. Bearden appeared before Council to request rededication of Howson Community Center located at 1192 Angelina.

CONSENT ORDINANCES

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

Budget Amendment

Amended the 1984-85 Operating Budget by:

- a. Accepting Rental Rehabilitation Program Grant Funds in the amount of \$425,800 from the U.S. Department of Housing and Urban Development.

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b. Accepting \$5,440.00 in Community Development Block Grant (CDBG) Entitlement funds for Federal Fiscal Year 1984-85 (10th year) from the U.S. Department of Housing and Urban Development (HUD).

c. Accepting \$123,000 from the Texas Department of Highways and Public Transportation for a Community Safety Restraint Incentive Project.

Taxi Ordinances

Passed through third reading of an ordinance granting a Public Utility Franchise to operate a taxicab service to Capital Cab Company, Inc.

Passed through third reading of an ordinance granting a Public Utility Franchise to operate a taxicab service to Roy's Taxi, Inc.

Passed through third reading of an ordinance granting a Public Utility Franchise to operate a taxicab service to Yellow Checker Cab of Austin, Inc.

Passed through third reading of an ordinance granting a public utility franchise to operate a taxicab service to Airline Taxi Company.

Item Pulled

During the consent motion, Council pulled, at staff's request consideration of amending Chapter 13-5, Code of the City of Austin, by amending Section 13-5-1810(b) to state specific implementation dates for retroactive installation of smoke detectors and fire and safety equipment, until October 4, 1984.

Zoning Ordinances

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

- | | | | |
|----|--|---|--|
| a. | HEIERMAN BUILDING
By Joe Colbert
C14h-84-007 | 115 E. 5th Street | From "C-2" 4th H&A
to "C-2-H" 4th H&A |
| b. | KENNETH J. WEDEIKES
C14-84-189 | 1317 Rosewood Ave. | From "A" 1st H&A
to "GR" 1st H&A |
| | | 6-1 Vote, Councilmember Shipman voted No. | |
| c. | CHARLES L. VILLASENOR
C14-84-197 | 2711 East 1st Street | From "C" 2nd H&A
to "C-2" 2nd H&A |

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- d. CFC HARDIN JOINT
VENTURE
By Charles Graves, Jr.
C14r-84-110

8627 MoPac Expressway
North

From "GR" 1st H&A
to "O-1" 2nd H&A

Third Reading of Ordinance

Passed through third reading of an ordinance amending Chapter 13-2 of the Austin City Code to cover the following changes: (4-3 Vote, Councilmembers Duncan, Rose and Shipman voted No.

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

10608 Morado Circle

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

CONSENT RESOLUTIONS

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

Eminent Domain

Authorized Eminent Domain Proceedings to acquire the following described tracts of land for Drainage Easements for the Boggy Creek Drainage Project:

- a. 1,063 sq. ft. out of Lot 3, Gullett Gardens No. 3.
(Joe Simecek et ux, Edith M. Simecek, owners)
- b. 2,618 sq. ft. out of Lots 4 and 5, Gullett Gardens
No. 3. (Clarence W. North, owner)

Release of Easements

Authorized release of the following easements:

- a. 2.5' of the 7.5' Public Utility Easement along the west property line of Tract 1, Fire Station No. 22 Subdivision, 5309 E. Riverside Drive. (Request submitted by the OFPC Division of the Public Works Department.)
- b. The Public Utility Easement along the rear of Lots 37 and 38, Block A, Woodhaven II, 3502 Katsura Lane. (Request submitted by Mr. Alan L. Whitton)

Real Estate Sale

Approved sale of City-owned real estate (S-165). 3,244 square feet of land out of and a part of Lot 2, Block 4, I.P. Jones Subdivision.

Lease Extensions

Approved an extension of one month of leasing for Housing and Community Services and the Health Department in the Colorado Building.

Approved extending and renewing lease with Lavaca Association for the parking lot at W. 9th Street and Lavaca Street.

Professional Engineering Service

Approved selection of Parkhill, Smith and Cooper, Inc. for professional engineering services for the Wastewater Disposal Alternatives for the Lower Barton Creek Watershed for the Water and Wastewater Utility and Planning and Growth Management Departments.

Change Orders

Approved the following change orders:

- a. In the amount of \$38,640.00 to Telespector Corporation for the optional equipment, spare parts and internal modification for T.V. Inspection Vans. (7.35% increase of the original contract)
- b. Capital Improvements Program - In the amount of \$56,528.00 to Peabody Southwest, Inc. for the Govalle Wastewater Treatment Plant Contract. (.29% increase of the original contract) CAPITAL IMPROVEMENTS PROGRAM No. 73/23-83.

Capital Improvements Program

Approved a proposed Supplemental Amendment No. 1 to the professional services agreement between the City of Austin and Camp, Dresser & McKee, Inc. in connection with the 1984-86 Walnut Creek Wastewater Treatment Plant increased capacity improvements. CAPITAL IMPROVEMENTS PROGRAM No. 82/23-81.

Acquired Public Utility Easements for the installation of a sludge line related to the Onion Creek Wastewater Improvements. CAPITAL IMPROVEMENTS PROGRAM No. 73/28-87.

Contracts Approved

Approved the following contracts:

CONTRACTS - (Continued)

- a. KENTRON, INC.
1320 Industrial Drive
Houston, Texas
 - CAPITAL IMPROVEMENTS PROGRAM -
Cam Unit Assemblies, Urban
Transportation Department -
\$15,750.00 C.I.P. No. 75/88-01
- b. HAEGELIN CONSTRUCTION COMPANY
9008 United Drive
Austin, Texas
 - CAPITAL IMPROVEMENTS PROGRAM -
Installation of Electric
Distribution Facilities for
Copperfield Subdivision, Sections
2B and 2C, Electric Utility
Department - \$66,753.80 C.I.P.
No. 84/15-01
- c. B & B LANDCLEARING COMPANY, INC..
1212 Old Bastrop Highway
Austin, Texas
 - CAPITAL IMPROVEMENTS PROGRAM -
Installation of Electric
Distribution Facilities for
Ridge at Balcones, Electric Utility
Department - \$17,509.20 C.I.P. No.
84/15-01
- d. WESTINGHOUSE ELECTRIC CORPORATION
201 N. St. Mary's
San Antonio, Texas
 - Liners for a Westinghouse
Steam Turbine, Electric Utility
Department - \$18,384.00
84-0336-DC
- e. IRD MECHANALYSIS, INC.
6150 Huntley Road
Columbus, Ohio
 - Vibration Analyzer Balancer,
Electric Utility Department
\$7,570.00 - 84-0344-MB
- f. Bid Award:
 - Engineering and Financial Modeling
Software, Electric Utility
Department - \$651,180.00
84-S349-LK
- (1) ENERGY MANAGEMENT ASSOCIATES, INC.
100 Northcreek
Atlanta, Georgia
 - Generation Planning Software
Financial Planning Software
Total \$293,280.00
- (2) WESTINGHOUSE ELECTRIC CORPORATION
777 Penn Center Blvd.
Pittsburg, Pennsylvania
 - Distribution Planning Software
Total \$226,400.00
- (3) POWER TECHNOLOGIES, INC.
Post Office Box 1058
Schenectady, New York
 - Transmission Planning Software
Total \$131,500.00

CONTRACTS - (Continued)

- g. **INTEGRAPH CORPORATION**
One Madison Industrial Park
Huntsville, Alabama
- Automated Distribution Records System, Electric Utility
Department - Total \$956,173
84-S359-LK

Council first approved this in the consent motion, then came back later to reconsider the contract award. Someone in the audience wished further discussion concerning the award of the contract. Mayor Mullen advised him to discuss this with the Purchasing Department because the bid from Integrgraph Corporation is the accepted bid.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, approved awarding of the contract to Integrgraph Corporation. (7-0 Vote)

- h. **DALTON TRANE SERVICE COMPANY**
3650 High Point Road
San Antonio, Texas
- Air Compressor, Public Works
Department - Total \$10,334.00
84-0356-DC
- i. **PLAINS MACHINERY COMPANY**
2235 NW Loop 410
San Antonio, Texas
- Tractor-Loader, Public Works
Department
Thirty-six (36) months Lease/
Purchase - Total \$50,374.16
84-0280-MB
- j. **ECOLOGY ACTION OF AUSTIN, INC.**
600 West 28th Street #101
Austin, Texas
- Materials Processing Recycling
Services, Public Works Dept.
Twelve (12) Month Contract
Estimated total \$10,000.00
84-S269-LI
- k. **LAW ENFORCEMENT EQUIPMENT CO.**
2520 Summit
Kansas City, Missouri
- Police Helmets and Face Shields,
Austin Police Department
Twelve (12) month Supply Agreement
Estimated Total \$6,405.00
84-0281-AV
- l. **PUMP AND POWER EQUIPMENT COMPANY**
8108 Mesa, #A-218
Austin, Texas
- Trailer Mounted Portable Sewage
Pump, Water and Wastewater
Department - \$12,231.00 84-0320-AV
- m. **THE MONTEK COMPANY**
13029 Champions Drive
Houston, Texas
- Gas Detectors, Water and Wastewater
Department - \$5,202.00
84-0339-MB
- n. **PUMP AND POWER EQUIPMENT COMPANY**
8108 Mesa, #A-218
Austin, Texas
- Trailer Mounted Portable Sewage
Pump, Water and Wastewater
Department - \$13,708.00
84-0322-AV

CONTRACTS - (Continued)

- o. REXDAN, INC.
13642 Research Blvd.
Austin, Texas
- p. Bid Award:
- (1) CONSERVATION UNLIMITED
10201 B McKalla
Austin, Texas
 - (2) ENPRO
9444 Old Katy Road Suite 115
Houston, Texas
 - (3) WHEDON PRODUCTS, INC.
20 Hurlbut
West Hartford, Connecticut
- q. TRANSPORTATION VEHICLES, INC.
1713 Laughlin Road
Bellwood, Florida
- r. Bid Award:
- (1) AUSTIN CHEMICAL CO.
302 Bowie
Austin, Texas
 - (2) BANCROFT PAPER COMPANY
2201 E. 6th Street
Austin, Texas
 - (3) CENTURY PAPERS, INC.
10205 Metropolitan Drive
Austin, Texas
 - (4) LONE STAR PAPER COMPANY
200-210 East St. Elmo
Austin, Texas
 - (5) MATERA PAPER
835 N. W.W. White Road
San Antonio, Texas
- Open Office System, Resource Management Department
Total \$20,540.35 84-0341-DC
 - Water and Heat Conservation Products, Resource Management Department
Total \$173,030.00 84-0348-AV
 - Item 7 - \$8,580.00
 - Item 1, 2, 5, 6, 8 - \$139,450.00
 - Item 3 - \$25,000.00
 - Trolley-Simulated Buses, Urban Transportation Department
Six (6) month Lease/Purchase
Total \$117,000.00 84-0372-MB
 - Course Paper Products, Central Stores Division
Six (6) month Supply Agreement
Total \$46,991.00 84-0300-GW
 - Item 13
 - Item 1-6, 8, 9, 11, 19, 21-23
 - Item 7, 20
 - Item 14
 - Item 17 and 18

CONTRACTS - (Continued)

- (6) MONARCH PAPER COMPANY
3911 Woodward Street
Austin, Texas - Item 10 and 15
- (7) NATIONWIDE PAPERS
519 N. Medina
San Antonio, Texas - Item 16
- s. AUTOMATED REALTY SYSTEMS, INC.
13140 Colt Road, Suite 212
Dallas, Texas - Purchase of Mortgage Loan
Servicing Software, Housing and
Community Services Department
Total \$8,110.00 84-S364-LK
- t. AMERISOURCE
9037 Research Boulevard
Austin, Texas - Purchase of two (2) Microcomputer
Systems, Communications Department
Total \$17,416.83 84-S369-LK
- u. ERNST & WHINNEY
1900 Frost Bank Tower
San Antonio, Texas - Purchase of a Computerized DRG and
Code Assignment System,
Brackenridge Hospital
Total cost \$55,930.00 84-S315-LK
- v. COOPERS & LYBRAND
1300 InterFirst Bank Tower
Austin, Texas - Training for City Employees
in Management Audit Skills,
Financial Services Department
Six (6) Weeks Contract
Estimated total \$9,000.00
84-S378-KM
- w. K&F CONTRACTORS, INC.
118 East 6th Street
Belton, Texas - CAPITAL IMPROVEMENTS PROGRAM -
Construction of a Vocational Training
Center, Housing & Community Services
\$1,019,729.00 C.I.P. No. 84/72-01
- x. DARRELL BLACK CUSTOM WOOD
FLOORING
904 Hill Wood Drive
Austin, Texas - Repair/Refinish Gymnasium floor at
Pan American Recreation Center, Parks
and Recreation Department
October 1, 1984 to October 31, 1984
Estimated total \$8,304.00 84-S368-LK

CDBG

Approved reallocating \$149,886 from Community Development Block Grant (CDBG) 7th Year Contingency and \$50,114 from CDBG 8th Year Contingency to supplement funds already allocated for construction of the Vocational Training Facility.

Lease

Adopted a resolution approving, ratifying and confirming the execution, on September 17, 1984, of that certain Lease between the City of Austin, as Lessor, and the Austin Avanté Ventures, Ltd., as Lessee, by the City Manager's designee, Assistant City Manager Sue Edwards.

Contracts, Tourism & Convention

Approved Agency Contracts for 1984-85 Tourism and Convention Services: Austin Chamber of Commerce, \$812,000; Joint Venture, one year, Mexican-American Chamber of Commerce and Capital City Chamber of Commerce, \$100,000 each (ACC 70% and 15% to M-ACC and CCCC if bed tax exceeds \$812,000) (6-1 Vote, Councilmember Duncan voted No.)

Water & Wastewater Approach Mains

Approved the following water and wastewater approach mains:

- a. DAVID GRAY
 - Water Approach Main to include approximately 52.8 acres of Commercial Development for Calco/Sweco/Connally. No City Cost Participation.
- b. DAVID GRAY
 - Wastewater Approach Main to include approximately 52.8 acres of Commercial Development for Calco/Sweco/Connally. City Cost Participation of \$53,295.00. No service commencement until the lower portion of Big Walnut tract is complete, and until the extended permit for the Walnut Creek Wastewater Treatment Plant is approved by the Texas Water Commission.

Standard Rehabilitation Loan

Approved Jobs Bill for Standard Rehabilitation Loan in the following amount and authorized staff to enter into appropriate contracts:

- a. Mastercraft Construction - \$18,466.00
- b. Mastercraft Construction - 17,530.00
- c. Lighthouse Int'l (MBE) - 16,500.00
- d. Meadows Construction - 11,222.00
- e. Texas Star Improvement - 16,333.00
- f. Texas Western Associates - 18,600.00
- g. Texas Western Associates - 14,400.00

Community Facilities

Authorized a Community Facilities Contract between the City of Austin and Philip J. Tremont for the construction of a roadway connecting Windy Brook Drive and Creekwood Road.

Windsor Park Transit Route

Approved modifying the Windsor Park transit route to service LBJ High School.

Contract Relating to Natural Gas

Approved renewal of a contract with William J. Murray for assistance with technical matters relating to natural gas.

Social Service Agency Contracts

Authorized contracts with Social Service Agencies awarded funding per the approved FY 1984-85 Operating Budget.

WIC Program

Approved amending and renewing the current contract with the Texas Department of Health for the Women, Infants and Children (WIC) Program for the period October 1, 1984 to September 30, 1985.

Congress of Cities Delegate

Approved selection of Councilmember Duncan as a Voting Delegate to attend the annual Congress of Cities meeting in Indianapolis, Indiana, November 24-28, 1984.

Public Hearings Set

Set public hearings on the following:

- a. Dedication of a Wastewater Easement through a portion of North Cat Mountain Park: November 8, 1984 at 3:30 p.m.
- b. An ordinance designating approximately 162 acres on RM 2222 near its intersection with RM 620 a Planned Development Area, a plant proposed by 3-M, Inc.: October 25, 1984 at 4:45 p.m.
- c. Proposed Hazardous Materials Management Ordinance:
October 18, 1984 at 5 p.m.

- d. Dedication of Wastewater Easement through a portion of Barton Creek Greenbelt: November 8, 1984 at 5 p.m.

EDWARDS AQUIFER

The Council, on Councilmember Duncan's motion, Councilmember Rose's second, voted to confirm 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. (7-0 Vote)

PRIVATE INDUSTRY COUNCIL

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, approved reappointment of City selected members to the Private Industry Council: (7-0 Vote)

Gus Garcia, Sam Sigrossi, Roberto Martinez,
Bernice Hart, Hank Guerrero, & Jerry Joseph

EXEMPTION FROM ORDINANCE APPROVED

The Council, on Councilmember Duncan's motion, Councilmember Shipman's second, approved the request of Mr. Ed Jordan for exemption from the Lake Travis Ordinance (840308-K) (7-0 Vote)

REQUEST WITHDRAWN

Mr. Don Babel withdrew his request for exemption from Ordinance No. 840913-K (Montopolis Moratorium) for any project in Chevy Chase South for which a special permit has been applied.

HEARING SET

Council set a public hearing on October 25, 1984 at 6:30 p.m. on the request of Ms. Donna Kristaponis that Council refer TIA to staff for reconsideration of driveway location for Lost Canyon Condominiums.

ITEM POSTPONED

Ms. Jean Strobe withdrew her request for two weeks to ask Council to rescind the last quote on water tap cost.

INNER CITY ORDINANCE EXEMPTION

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, granted the request of Mr. John H. Corbin for exemption from Inner City Ordinance for remodeling 1413 West 6th. (6-0 Vote, Councilmember Spaeth abstained due to conflict of interest.)

WATER SYSTEM IN WEST BULL CREEK AREA

Council will further discuss, on October 4, 1984, Mr. John Noell's request for approval of an agreement regarding the construction of improvements to the City's water system in the West Bull Creek Area.

PUBLIC HEARING POSTPONED

Council postponed until October 18, 1984 a public hearing to consider a proposed amendment to Chapter 13-2 and Chapter 13-2A (Zoning Ordinance) of the Austin City Code to provide a definition of berm signs.

PUBLIC HEARING - WATER & WASTEWATER TAP MORATORIUM

Mayor Mullen opened the public hearing set for 3:00 p.m. on the water and wastewater tap moratorium.

Jim Thompson, Director of Water and Wastewater, said there is concern with the hook-up process in the area of the moratorium. Some people have contracted for houses, have loan commitment, their houses are complete and they cannot close or move in because wastewater is not available. Mr. Thompson said the moratorium on tap sales should be continued. He said the only exceptions allowed should be for extremely undesirable situation over which there is no control.

John Joseph, representing Nash Phillips Copus, told Council some of the people who have house contracts with NPC and cannot get a wastewater hookup are in the Council Chamber. They were, as follows:

Peter Venezia said they has moved here two months ago, his house will be finished by October 1 and he cannot move in. Councilmember Duncan asked him if the moratorium was in effect when he signed the contract. Mr. Venezia said 15 minutes before signing he was told there was a potential problem but it was not a major concern.

George Allen said he contracted in June for a home for September 1. They sold their old house and closed in late July. Sewer tap is not available so he is suffering financially and losing his committed financing.

HEARING - (Continued)

Councilmember Shipman asked about the tap. Mr. Allen told her when he bought the house he was told all he had to do was ask the Council and he would be granted the wastewater tap.

Mike McHail said they have contracted to buy a house with no wastewater tap and asked for a tap hook up so they can move into their house.

Sharon Dennis said she moved here from Houston and has a house but no tap. She said she signed the contract in March. The situation was not misrepresented to her, but she felt the problem would be solved.

Barbara McHail had the same story as her husband. She said 8 taps a day are available and thought they would be on that quota.

Arthur Balk also said they signed a contract in March and cannot move into their house and asked if he would ever get a sewer tap.

Janet Soderholm said their house was completed in June in Buckingham Estates and cannot move in.

John Braun, a small builder, bought 10 lots in January in the Williamson Creek subdivision. He has not been able to buy water and sewer taps. He is paying high interest payments and cannot build on the lots.

Kay Stevens asked if people without houses and who have taps cannot give their taps to people with houses.

Mayor Mullen pointed out to the citizens that they told the homebuilders months ago that a solution may not be forthcoming, yet the Council has to take the flak. Councilmember Duncan stated the tap buyers legally own their tap and Council cannot take them away and give them to someone else. Mayor Mullen said the City is trying to find a solution to specific problem. Councilmember Spaeth said this is an emotional issue.

Dave Wallace, Texas Commercial Investments, said it is time to look for a solution. A greater capacity is needed because growth will not stop.

Councilmember Shipman said "We recognize where we are but we are in a legal bind."

John Joseph, NPC, said they know this predicament is not the fault of the Council. NPC has 167 people with homes which cannot be hooked up. He said if the moratorium is modified they believe they can solve the problem.

HEARING - (Continued)

Ed Wendler Sr. presented a letter from NPC. Discussion followed concerning their proposal. (LETTER ON FILE IN CLERK'S OFFICE)

Councilmember Duncan said the reason for this hearing is because NPC built homes at risk.

Bill Bulloch, representing NPC, said they want to help solve the problem at risk and be a part of the solution now.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Spaeth's second, closed the public hearing and said action will be taken on October 4, 1984. (7-0 Vote)

STREET VACATION

Mayor Mullen opened the public hearing set for 3:30 p.m. on vacation of the following: Howard Lane right of way at F.M. Hwy. 1325. (request submitted by Mr. Ed Wendler Jr. on behalf of Provident Development Company) C10V-84-019.

No one appeared to be heard.

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance vacating Howard Lane right-of-way at F.M. Hwy. 1325. (7-0 Vote)

RECESS

Council recessed its meeting at 4:35 p.m. and resumed its recessed meeting at 5:05 p.m.

ACTION ON APPEAL

Council had before them for action an appeal from Mr. Bert Cromack, representing the Save Barton Creek Association, of the Planning Commission decision to approve a variance for Barton Bend Office Park.

Motion

The Council, on Councilmember Spaeth's motion, Mayor Mullen's second, approved the variance on condition the Barton Bend Office Park area be reduced by 58,000 square feet and move the buildings as close as possible to the street. (5-2 Vote, Councilmembers Duncan and Shipman voted No.)

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ACTION ON ZONING CASE

Council had the following zoning case before them for action:

Motion

The Council, on Councilmember Spaeth's motion, Mayor Mullen's second, voted to grant "O" 2nd H&A on the following tied to a site plan encompassing 198,000 square feet, move buildings as close as possible to the street, provide gift of parkland and amenities for hike and bike trail, with a maintenance agreement. (5-2 Vote, Councilmember Shipman and Duncan voted No.)

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 site plan.
GRANTED AS ABOVE MOTION READS

ACTION POSTPONED

Council postponed until October 4, 1984 at 3:10, action on the following zoning case if the petition is not valid. If it is valid, action will be taken October 25, 1984 at 3:10 p.m.

C14r-84 CATHERINE HANKEY 3300 King Street
167 By John Bolt Harris

From "A" 1st H&A
To "O-1" 1st H&A
RECOMMENDED AS AMENDED
(See above)

PUBLIC HEARING - CRITICAL WATER QUALITY ZONE

Mayor Mullen opened the public hearing set for 4:30 p.m. to consider a proposed amendment to the Lake Travis Ordinance (Ordinance No. 840308-K) of the Austin City Code to provide a definition of critical water quality zone. No one appeared to be heard.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Shipman's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending the Lake Travis Ordinance No. 840308-K of the Austin City Code to provide a definition of critical water quality zone. (6-0 Vote, Councilmember Rose was out of the room.)

PUBLIC HEARING - SOLAR CODE

Mayor Mullen opened the public hearing set for 4:30 p.m. on the Solar Code.

Paul Balmuth Sunray Corporation, said this is an important code. Warren Cole, Cole Solar Systems, also spoke in favor of the code. Chris Higgs favors the code, as does Daryl Janes, Energy Management Commission. Carl Brooks questioned the necessity of the code but Steve Frettenie approved.

Lonnie Davis, Director of Building Inspection, told Council all four construction boards approve the code and approved initial installer to do his own electric wiring and plumbing.

Council had some question about the electric wiring and the plumbing so Mayor Mullen suggested they approve the code and leave out those two items.

Motion

The Council, on Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, closed the public hearing, approved the concept of the code, instructed the City Attorney to remove the two items in question and bring back an ordinance after the Electric and Plumbing boards have reviewed. (7-0 Vote)

HEARINGS POSTPONED

Council postponed until October 25 at 7:00 p.m. the hearing scheduled for 5:00 p.m. to consider a proposed amendment to Chapter 13-2 (Zoning Ordinance) and Chapter 13-2A (Revised Zoning Ordinance) of the Austin City Code to provide a definition of Research and Development.

Council postponed until November 8, 1984 at 6 p.m. the hearing scheduled for 6:30 p.m. today to consider an appeal from Mrs. Pat Bishop of the Planning Commission's decision to deny a Special Permit for Lil Dumplin Day Care Center. (C14p-84-058)

APPEAL DENIED

Council took no action on an appeal from Mr. Bert Cromack, representing the Save Barton Creek Association, of the Planning Commission's decision to approve a variance for Barton Bend Office Park (C8-84-41) therefore the appeal was denied.

APPEAL DENIED

Council took no action 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) therefore the appeal was denied.

RECESS

Council recessed its meeting at 6:10 p.m. and resumed its recessed meeting at 6:35 p.m.

EXECUTIVE SESSION

Mayor Mullen announced Council would enter into a closed, or Executive Session, pursuant to Article Article 6252-17, Texas Revised Civil Statutes Annotated to discuss an item from Council introduced by Councilmember Duncan, discharge parameters for the revised Williamson Creek Discharge Permits. After such closed or executive session, any action to be taken will be done in open session.

RECESS

Council recessed for its executive session at 6:35 p.m. and resumed its recessed meeting at 7:30 p.m.

TAXICAB ORDINANCE

The Council, on Councilmember Rose's motion, Councilmember Urdy's second, passed through FIRST READING ONLY of an ordinance amending Article III, Chapter 8-7 of the City Code, pertaining to the Taxicab Ordinance. Staff is to get fiscal note and staffing pattern; include pecuniary interest, and ordinance to be effective January 1, 1985. (7-0 Vote)

RM 2222 HIGHWAY CORRIDOR

The Council, on Councilmember Rose's motion, Mayor Mullen's second, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-2 of the City Code; providing requirements and criteria for development within the "RM 2222 Highway Corridor".

Councilmember Rose reviewed the amendments before adoption. Councilmember Shipman offered two friendly amendments, which he did not accept. One was to restrict residential density to 10 units rather than 15 units per acre and the other was to limit height to 40' not 53'. Councilmember Rose said both points had been discussed by the

HIGHWAY CORRIDOR - Continued

committee at length and he wanted to accept their recommendations.

A motion, made prior to the final motion to approve, was made by Councilmember Shipman and seconded by Councilmember Duncan to delete Section b concerning retail use. Motion Failed by a vote of 2-5 with Mayor Mullen, Mayor Pro Tem Trevino, Councilmembers Rose, Spaeth and Urdy voting No.

TAXICAB FRANCHISE APPLICATIONS

Council postponed until October 4, 1984 action on Taxicab Franchise Applications of Harlem Cab, Austin Cab and Capital City Cab.

DAVIS SPRING MUD

Council had before them an ordinance to consider consenting to the creation of the Davis Spring Municipal Utility District.

City Manager Carrasco told Council the recommendation is to not allow the creation of Davis Spring MUD.

James Duncan, Director of Office of Land Development Service, reviewed the application. Brian Schuller showed the location on the map.

Jim Thompson, Director of Water and Wastewater, said that service can be provided through Brushy Creek and the residents in the area will be customers of Austin. Terry Childers said service can be provided to this MUD in a reasonable length of time.

After discussion the motion was made.

Motion

The Council, on Councilmember Rose's motion, Mayor Pro Tem Trevino's second, directed that this be granted as an in-city MUD and come back in six weeks or sooner if ready. (7-0 Vote)

MINORITY BUSINESS ENTERPRISES

City Manager Carrasco presented a report on Contract/Purchase Awards to Minority Business Enterprises. As of the end of August, 1984, the awards have increased to 9% from 4% the previous year.

CONTRACTS APPROVED

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, adopted a resolution approving the following contracts which are the City Manager's recommendation, plus \$110,000 for Family House; staff to reissue RFP's October 1 for those not already funded (total \$439,000 from prior years that needs to be reprogrammed; extend NBL, AMEDC and EACEDC 60 days; instruct the City Manager to find method to deal with the transient problems thorough CDBG funds. (7-0 Vote)

- a. **BLACKSHEAR NEIGHBORHOOD DEVELOPMENT CORPORATION**
603 Theresa
Austin, Texas
 - Construction of Affordable Housing for Moderate Income Residents, Housing and Community Services Department
Not to exceed \$300,000.00
84-S274-LI
- b. **BLACKLAND NEIGHBORHOOD DEVELOPMENT CORPORATION**
603 Theresa
Austin, Texas
 - Construct Rental Housing in Community Development Block Grant (CDBG) Eligible Areas, Housing and Community Services Department - Not to exceed \$500,000.00 84-S275-LI
- c. Bid Award:
 - 10th Year Community Development Block Grant (CDBG) Program, Housing and Community Services Department
Not to exceed \$1,282,999.00
84-S276-LI et al
- (1) **AUSTIN AREA URBAN LEAGUE (MBE)**
3112 Manor Road
Austin, Texas
 - Emergency Repairs Program and Consultation Services. Not to exceed \$319,500.00
- (2) **UNITED CEREBRAL PALSY OF THE CAPITAL AREA, INC.**
1715 East 6th St
Suite 100
Austin, Texas
 - Architectural Barrier Removal Program and Counseling Services. Not to exceed \$314,175.00
- (3) **AUSTIN TENANTS' COUNCIL**
1619 East First Street
Austin, Texas
 - Rental Repairs and Tenants Counseling. Not to exceed \$159,750.00
- (4) Special Projects:
 - a. **AUSTIN TENANTS' COUNCIL**
1619 East 1st Street
Austin, Texas
 - Rehabilitation Resources Project
Not to exceed \$35,638.00

CONTRACTS - (Continued)

- (b) BLACKSHEAR NEIGHBORHOOD DEVELOPMENT CORPORATION
603 Theresa
Austin, Texas - Shared Housing for the Elderly
Not to exceed \$50,000.00
- (c) MEXICAN-AMERICAN CHAMBER OF COMMERCE (MBE)
115 East 6th Street
Suite 202
Austin, Texas - Minority Purchasing Council
Not to exceed \$104,279.00
- (d) PLANNED PARENTHOOD OF AUSTIN
1309 East 12th Street
Austin, Texas - Family Planning Clinic
Not to exceed \$29,882.00
- (5) AUSTIN HOUSING AUTHORITY
1640 East 2nd Street
Austin, Texas - Public Housing Renovations
Not to exceed \$269,775.00

EXECUTIVE SESSION

Mayor Mullen announced Council would go into Executive Session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated to discuss the following matters and any action to be taken will be done in open session:

a. Pending Litigation

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

- (2) State of Texas v. City of Austin and United South Austin v. City of Austin - Section 2, Paragraph e.

b. Acquisition of Land - Section 2, Paragraph f. Consider approving option for purchase of land for water treatment plant No. 4

RECESS AND ADJOURNMENT

Council recessed its meeting for executive session at 10:15 p.m. and adjourned its recessed meeting at 10:30 p.m.