

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 28, 1980
9:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmembers Cooke, Goodman,
Himmelblau, Mayor Pro Tem Mullen, Councilmembers
Snell, Trevino

Absent: None

TEXAS EXES DAY

Texas Exes Day will be observed March 2, 1980, according to a proclamation read by Mayor McClellan, and accepted with the thanks and appreciation of Mrs. Judy Nemir and Dr. David J. McClintock, members of the Steering Committee.

AUSTIN CO-OPERATIVE WEEK

MR. ROBERT NORRIS was present in the Council Chamber to receive a proclamation, read by the Mayor, designating the week of March 23-30 as Austin Co-operative Week. Mr. Norris called attention to the fair which will be held March 30, 1980 and invited all to attend. He thanked the Mayor and Council for the proclamation.

MINUTES APPROVED

Councilmember Himmelblau moved that the Council approve the Minutes of the Special Meeting of January 18, 1980. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau,
Mayor Pro Tem Mullen, Councilmembers Snell, Trevino
Noes: None

SPICEWOOD SPRINGS ROAD PROJECT

Councilmember Trevino moved that the Council adopt a resolution to authorize eminent domain proceedings to acquire the following tracts of land for the Spicewood Springs Road Project: (Spicewood Enterprises, Inc., owners)

Street widening and improvements:
.28 of one acre and .48 of one acre out of the James Mitchell Survey.

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution to authorize eminent domain proceedings to acquire the following tract of land for the Spicewood Springs Road Project: (Spicewood Enterprises, Inc., owners)

Drainage Easement:
6,156 square feet out of the James Mitchell Survey.

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution to authorize eminent domain proceedings to acquire the following tract of land for the Spicewood Springs Road Project: (Spicewood Enterprises, Inc., owners)

Drainage Reservoir:
.56 of one acre out of the James Mitchell Survey.

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution to authorize eminent domain proceedings to acquire the following tracts of land for the Spicewood Springs Road Project: (Jack L. Burkett, Owner)

Street Widening and Improvements:

6,544 square feet, 3,431 square feet, and 0.38 of one acre out of the James Mitchell Survey.

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution to authorize eminent domain proceedings to acquire the following tracts of land for the Spicewood Springs Road Project: (Jack L. Burkett, owner)

Drainage Reservoir:

1,927 square feet out of the James Mitchell Survey.

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution to acquire certain land for the Spicewood Springs Road Project: (Mesa to Hart Lane) CAPITAL IMPROVEMENTS PROGRAM NO. 72/62-23.

Two tracts of land being .44 and .42 of an acre out of the James Mitchell Survey. (I. Harold Silberberg, et ux)

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

SHADY LANE BRIDGE PROJECT

Councilmember Trevino moved that the Council adopt a resolution to authorize the acquisition of certain right-of-way and an easement for the Shady Lane Bridge Project. CAPITAL IMPROVEMENTS PROJECT NO. 78/65-04.

1,306 square feet (right-of-way) and 917 square feet (easement) out of Lot 2, Thomas F. Taylor Subdivision. (Don L. Landford)

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

EASEMENT RELEASE

Councilmember Trevino moved that the Council adopt a resolution to authorize release of the following easement:

A 5 feet by 30 foot electric easement located in Lots 21 and 22, Block A, Lost Creek Hilltop, 1302 Thaddeus Cove. (Requested by Clinton P. Rippy for Doyle Wilson Builder, Inc., owner)

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

DISCLAIMER OF INTEREST

Councilmember Trevino moved that the Council adopt a resolution authorizing the disclaimer of interest by the City of Austin in a fifteen (15.00) foot reserved drainage area adjacent to Lot 6, Block F, Oak Ridge Heights, Section One, southwest corner of South 1st Street and Cumberland Road. (Requested by Frank Harren for Jess Auvenshine, owner) The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

CHANGE ORDER

Councilmember Trevino moved that the Council adopt a resolution to approve a Change Order in the amount of \$4,965.00 to Pool and Rogers Paving Company, Inc. for Paving and Drainage Improvements Group 62-B, Assessment Paving, CAPITAL IMPROVEMENTS PROJECT NO. 75/62-01. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

CASH SETTLEMENT AUTHORIZED

Councilmember Trevino moved that the Council adopt a resolution to authorize the following cash settlement: CAPITAL IMPROVEMENTS PROJECT No. 77/62-03

Nash Phillips/Copus Company - For intersection improvements and
extra width paving in the Dove
Springs Subdivision - \$6,449.70

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

CONTRACTS APPROVED

Councilmember Trevino moved that the Council adopt a resolution to approve the following contract:

WESTERN FLOORS OF AUSTIN, INC. 6513 Burnet Lane Austin, Texas	- Carpet/Tile Replacement, Municipal Building Annex - \$14,382.00
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution to approve the following contract:

M. B. JUSTICE COMPANY 3206 Stardust Drive Austin, Texas	- CAPITAL IMPROVEMENTS PROGRAM - East 12th Street Alleys - HCD - \$40,929.96 C.I.P. No. 80/62-04
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution to approve the following contract:

B & B LAND CLEARING COMPANY 1212 Old Highway 71 Austin, Texas	- CAPITAL IMPROVEMENTS PROGRAM - Construction of Electric Ductlines and Concrete Foundations for Southwest Oaks, Phase Two - \$71,030.70 C.I.P. No. 80/15-01
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution to approve the following contract:

ENVIRONMENT ONE CORPORATION 2772 Balltown Road Schenectady, New York	- Monitoring Equipment, Electric Utility Department Item 1, 4 ea. @ \$11,036.00 Total: \$44,144.00
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution to approve the following contract:

TRENCH ELECTRIC LTD.
c/o R. D. Erb Company
3952 Irving Boulevard
San Antonio, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Shunt Reactor and Mounting Platform,
Electric Utility Department
Items 1 & 2, 6 ea.
Total: \$225,510.00 C.I.P. No.
77/35-05

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution to approve the following contract:

BOUND TO STAY BOUND
West Morton Road
Jacksonville, Illinois

- Juvenile Prebound books, Library
Department.
Item 1 - \$50,000.00

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution to approve the following contract:

I.B.M.
1609 Shoal Creek Boulevard
Austin, Texas

- High Speed Line Printer, Data
System Department
Item 1 - \$6,092.00/mo. (\$6,512.00/mo.
beginning October 1980) for two years.
Total: \$154,608.00/twenty four months.

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution to approve the following contract:

MOORE BUSINESS FORMS, INC.
8301 Balcones Drive, Suite 304
Austin, Texas

- Forms Detacher/Burster Imprinter,
Data Systems Department - \$9,337.00

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution to approve the following contract:

DICTAPHONE CORPORATION
111 West Anderson Lane, Suite 212
Austin, Texas

- Multi-channel Logging Reproducer
Dictaphone, Police Department
Item 1, 1 ea. - \$7,009.00

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution to approve the following contract:

MODULAR AMBULANCE CORP.
1801 South Great S.W. Parkway
Grand Prairie, Texas

- Ambulances, Type II, Class 1-A,
Replacement Equipment, Vehicle and
Equipment Services Department
Item 1 EM-1, 8 ea. @ \$14,946.55
Total \$119,572.40

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution to approve the following contract:

SIGMOR REFINING COMPANY
3643 East Commercial Street
San Antonio, Texas

- Emergency purchase of Diesel Fuel
#2, Vehicle and Equipment Services
Department
200,000 gallons @ \$0.805
Total: \$161,000.00

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution to approve the following contract:

DUNCAN INDUSTRIES
751 Pratt Boulevard
Elk Grove Village, Illinois

- Parking Meters, Urban Transportation
Department
Item 1, 16 ea. @ \$190.60
Item 2, 108 ea. @ \$190.60
Item 3, 10 ea. @ \$197.94
Item 4, 2 ea. @ \$99.30
Item 5, 29 ea. @ \$197.94
Total: \$31,552.66

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution to approve the following contracts:

Bid Award:

- Mowers and Tractors - replacement
and additional equipment for various
City Departments - \$60,531.94

LONGHORN INTERNATIONAL
4711 East 7th Street
Austin, Texas

- Item AG-1 - \$9,044.35

LANFORD EQUIPMENT COMPANY
830 Airport Boulevard
Austin, Texas

- Items AG-2, AG-4 and AG-7 -
\$15,385.59

WATSON DISTRIBUTING COMPANY
9111 Broadway
San Antonio, Texas

- Items AG-3 and AG-5 - \$28,452.00

CHEM TURF AND SPECIALTY
10211 Plano Road
Austin, Texas

- Item AG-6 - \$7,650.00

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution to approve the following contract:

AUSTIN CONCRETE WORKS, INC
801 Airport Boulevard
Dallas, Texas

- Concrete Products, Street and Bridge and Water and Wastewater Departments
Items 1 through 25, 27 through 63 -
\$248,903.81

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Trevino moved that the Council adopt a resolution to approve the following contract:

KENNEDY VALVE DIVISION
10555 Northwest Freeway
Houston, Texas

- Fire Hydrants, Repair Kits, Repair Parts and Fire Hydrant Extension, Water and Wastewater Department
Twelve (12) Month supply agreement.
Items 1-9 - \$65,258.00

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

WASTEWATER APPROACH MAIN

Councilmember Trevino moved that the Council adopt a resolution to approve the following Wastewater Approach Main:

ALLIED DEVELOPMENT COMPANY,
owner

- Construction of approximately 1080 feet of 8-inch wastewater approach main to serve Century South Subdivision. (City cost participation will be \$15,100.00)

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

ITEM PULLED FROM AGENDA

A resolution to temporarily close Congress Avenue from 7th Street to 8th Street from 3:00 p.m. to 12 midnight, May 11, 1980, as requested by Ms. Jannis S. Baldwin representing Les Patrons of the Paramount, and authorization of the Electric Department to hang electric light streamers across Congress Avenue between 7th and 8th Streets, was pulled off the Agenda.

TEMPORARY STREET CLOSING

Councilmember Trevino moved that the Council adopt a resolution to temporarily close the 2400 block of Pearl Street from 3:00 p.m. to 7:00 p.m., March 21, 1980, as requested by Mr. Bruce Bain of Lambda Chi Alpha Fraternity. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

OPERATION AND MAINTENANCE OF TRAFFIC SIGNALS

Councilmember Trevino moved that the Council adopt a resolution to enter into an agreement with the State Department of Highways and Public Transportation to permit the City to assume operation and maintenance of traffic signals at:

I.H. 35 (ESR & WSR) and U.S. 290 (NSR & SSR)
I.H. 35 (ESR & WSR) and Woodward Street

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

VOLUNTEER OPHTHALMOLOGICAL SOCIETY

Councilmember Trevino moved that the Council adopt a resolution to continue a contract between Brackenridge Hospital and the Austin Ophthalmological Society for volunteer ophthalmological services at Brackenridge Hospital in the amount of \$20,000, effective October 1, 1979 through September 30, 1980. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

CAPITAL AREA MANPOWER CONSORTIUM

Councilmember Trevino moved that the Council adopt a resolution to approve extension of the Capital Area Manpower Consortium Agreement for FY 1980 through FY 1981. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

ITEM POSTPONED

Councilmember Trevino moved that the Council vote to postpone until March 6, 1980, considerations of options relating to the LoVaca Settlement Trust. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

TRAFFIC FLOW - BARTON CREEK SQUARE

Councilmember Trevino moved that the Council adopt a resolution to authorize an agreement between the City of Austin and the Austin Mall Company for channelization of traffic flow in the vicinity of the Barton Creek Square. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

PUBLIC HEARING SET - ANNEXATION

Councilmember Trevino moved that the Council adopt a resolution to set a public hearing for March 20, 1980 at 6:30 p.m. to consider annexing the following:

59.69 acres of land (58.63 acres requested by owner and known as proposed Barrington Oaks Sections 7, 8, 9 and 11 and 1.06 acres initiated by City) C7a-79-023

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

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

CITY MANAGER'S SALARY

Councilmember Trevino moved that the Council adopt a resolution to approve the salary of the City Manager, 5%-4% in accordance with all City employees. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor McClellan

Noes: Councilmember Goodman, Mayor Pro Tem Mullen

Before the vote was taken, Mayor Pro Tem Mullen said, "I left town after the vote on the budget and I have been told there was a 5% pay raise to the City Manager exclusive of the cost of living of 5%-4%, is that true?" Mayor McClellan told him it was a 5% merit increase, he did not receive at that time the 5-4 that the other employees did. Mayor Pro Tem Mullen commented that "the City Manager's pay raise, beginning October 1980 will be 14% higher than it was a year ago, in October 1979."

CAPITAL IMPROVEMENTS PROGRAM

Mayor McClellan introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS; SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:00 O'CLOCK A.M. ON THE 10TH DAY OF APRIL, 1980, IN THE CITY OF AUSTIN MUNICIPAL ANNEX, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Spicewood Springs Road and Spicewood Lane, CIP No. 73/62-23)

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

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

POLICE OPERATING BUDGET AMENDED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATION BUDGET FOR THE FISCAL YEAR 1979-80 BY TRANSFERRING \$70,302 FROM THE BUDGET OF THE POLICE DEPARTMENT TO THE BUDGET OF THE PUBLIC WORKS DEPARTMENT IN ORDER TO FUND THREE POSITIONS AND ATTENDANT SERVICES TRANSFERRED FROM THE POLICE DEPARTMENT TO THE PUBLIC WORKS DEPARTMENT; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan, Councilmember
Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

SUNSET ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PROVIDING FOR PERIODIC REVIEW OF CERTAIN BOARDS, COMMISSIONS AND COMMITTEES OF THE CITY OF AUSTIN; PROVIDING FOR A PROCEDURE FOR TERMINATING OR MODIFYING BOARDS, COMMISSIONS AND COMMITTEES; REPEALING ORDINANCE NO. 771215-1; PROVIDING FOR THE SUSPENSION OF THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan, Councilmember
Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

BUDGET AMENDMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE 1979-1980 OPERATING BUDGET BY ACCEPTING AND APPROPRIATING \$30,000.00 FROM THE CAPITAL AREA PLANNING COUNCIL, GOVERNOR'S COMMITTEE ON AGING, FOR SUPPORT SERVICES FOR THE ELDERLY; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan, Councilmember
Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

ANNEXATION ORDINANCES

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 535.89 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES COLEMAN SURVEY NO. 25, WILLIAM BELL SURVEY NO. 44, L. LINDSEY SURVEY NO. 287, ROBERT FOSTER SURVEY NO. 43, JAMES JETT SURVEY NO. 1, T. J. CHAMBERS 8 LEAGUE GRANT AND M. D. WILLIAMS SURVEY NO. 49, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.(C7a-79-002)

The ordinance was read the second time, and Councilmember Goodman moved that the Council waive the third reading, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmember
Snell, Mayor McClellan, Councilmember Cooke

Noes: None

Abstain: Councilmembers Goodman, Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 57.77 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE T. J. CHAMBERS GRANT, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C7a-79-019)

The ordinance was read the second time, and Councilmember Goodman moved that the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell, Mayor McClellan, Councilmember Cooke

Noes: None

Abstain: Councilmembers Goodman, Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 8.57 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE THOMAS ANDERSON SURVEY, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C7a-79-010)

The ordinance was read the second time, and Councilmember Goodman moved that the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell, Mayor McClellan, Councilmember Cooke

Noes: None

Abstain: Councilmembers Goodman, Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 17.22 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES HOWLETT SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C7a-79-007)

The ordinance was read the second time, and Councilmember Goodman moved that the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell, Mayor McClellan, Councilmember Cooke

Noes: None

Abstain: Councilmembers Goodman, Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 134.42 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APPELGAIT SURVEY NUMBER 58 AND PARTLY OUT OF AND A PART OF THE J. C. BROOKS SURVEY NUMBER 53 IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C7a-79-013)

The ordinance was read the second time, and Councilmember Goodman moved that the Council waive the requirement for third reading, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell, Mayor McClellan, Councilmember Cooke

Noes: None

Abstain: Councilmembers Goodman, Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 61.03 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES HOWLETT SURVEY AND PARTLY OUT OF AND A PART OF THE JAMES D. GOODE SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C7a-79-014)

The ordinance was read the second time, and Councilmember Goodman moved that the Council waive the requirement for third reading, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell, Mayor McClellan, Councilmember Cooke

Noes: None

Abstain: Councilmembers Goodman, Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 19.05 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES ROGERS SURVEY NUMBER 19 IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C7a-79-015)

The ordinance was read the second time, and Councilmember Goodman moved that the Council waive the requirement for third reading, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell, Mayor McClellan, Councilmember Cooke

Noes: None

Abstain: Councilmembers Goodman, Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 42.66 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE THOMAS ANDERSON LEAGUE NUMBER 17 IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C7a-79-016)

The ordinance was read the second time, and Councilmember Goodman moved that the Council waive the requirement for third reading, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell, Mayor McClellan, Councilmember Cooke

Noes: None

Abstain: Councilmembers Goodman, Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 84.90 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C7a-79-017)

The ordinance was read the second time, and Councilmember Goodman moved that the Council waive the requirement for third reading, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell, Mayor McClellan, Councilmember Cooke

Noes: None

Abstain: Councilmembers Goodman, Trevino

The Mayor announced that the ordinance had been finally passed.

BARTON CREEK WATERSHED MORATORIUM

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 790719-P, ORDINANCE NO. 790809-U, ORDINANCE NO. 791018-H, ORDINANCE NO. 791220-N, ORDINANCE NO. 800110-C AND ORDINANCE NO. 800214-B; PROVIDING FOR THE EXTENSION UNTIL MARCH 28, 1980, OF THE MORATORIUM ON 1) THE FILING OF ANY ZONING CASE COVERING LAND LOCATED WITHIN THE BARTON CREEK WATERSHED, 2) THE CONNECTION OF CERTAIN LANDS LOCATED WITHIN THE BARTON CREEK WATERSHED TO THE CITY OF AUSTIN SEWER SYSTEM, 3) THE PROCESSING OF PLAT APPLICATIONS COVERING LAND LOCATED WITHIN THE PORTION OF THE BARTON CREEK WATERSHED LYING WITHIN THE CITY OR WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION BEYOND A CERTAIN STAGE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke
Noes: None

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
A 3.64585 ACRE TRACT OF LAND, LOCALLY KNOWN AS 4312 TO 4354 SOUTH I.H. 35 AND 1203 EAST ST. ELMO ROAD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Craig H. Holland, C14-70-001, Area Study)

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

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan, Councilmember
Cooke
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1A: A 2.2488 ACRE TRACT OF LAND, SAVE AND EXCEPT A 734.5 SQUARE FOOT TRACT OF LAND DESCRIBED IN TRACT 1B BELOW, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND, TRACT 1B: A 734.5 SQUARE FOOT TRACT OF LAND WHICH IS ZONED "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

ALL OF ABOVE PROPERTY BEING LOCALLY KNOWN AS 80 RED RIVER STREET; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Earl M. McClure, Jr., C14-79-065, Tract 1)

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

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Trevino, Snell, Mayor McClellan, Councilmember
Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

RESIDENTIAL ARCHITECTURAL BARRIERS REMOVAL PROGRAM

Council had before it for consideration a resolution to authorize to contract for implementation of the Residential Architectural Barriers Removal Program. Mr. Carlos Herrera, Director, Human Services Department, reported as follows:

"On February 1, 1980, the Human Services Department issued a Request for Proposals (RFP) for the administration of the Architectural Barrier Removal Program. Two proposals were received - one from the United Cerebral Palsy Association of Texas, Inc. (UCP) and the other from Austin Redevelopment Authority (ARA) and MIGHT in a joint proposal effort. Each was for \$75,000.

ARA/MIGHT proposed to remove architectural barrers from 75 units at an average cost of \$800/unit and at an administrative cost of \$17,900 (24%). UCP proposed to remove architectural barriers from approximately 100 units at an average cost of \$660/unit and at an administrative cost of \$9,000 (12%). While ARA has a track record with respect to housing rehabilitation programs, and UCP does not, UCP has secured commitments from qualified general contractors and an attorney indicating their interest to participate in the program. Thus, it is our opinion that both contractors can provide the necessary services required for the program.

Based upon the higher number of units for a lower administrative cost and the other review criteria specified in the RFP (Request for proposal) package, it is our recommendation that United Cerebral Palsy of Texas, Inc., be awarded the contract to operate the Architectural Barrier Removal Program for one year."

JIM CANNON, President of MIGHT, appeared before Council to state that the money should go to MIGHT and ARA jointly to spend because MIGHT represents every type of disability in the city and ARA has construction expertise.

MARGARET LEISIK, speaking for MIGHT, said that they want the housing program and will see that it is done right.

PATRICIA ANDERSON, United Cerebral Palsy Association of Texas, Inc., said they will work with the general contractors and asked the money be allotted to them.

After some discussion, it was decided to hold decision on this for one week and it will be placed on the March 6, 1980 Agenda.

ETJ AGREEMENT WITH LAKEWAY

Council had before it for consideration approval of Extraterritorial Jurisdiction (ETJ) Allocation Agreement with the Village of Lakeway.

DAVID LANE, resident of the Village of Lakeway, appeared before Council. He felt the Village did not properly notify residents of their intent in this matter, and that the agreement is one-sided for the developer's benefit. He felt the tax would not be equitable.

MAYOR GRIBBLE, Mayor of Lakeway, spoke to Council and said the majority of people do want to be annexed. He said they were duly notified with a public hearing on the ETJ and notices printed in the Austin American-Statesman.

Councilmember Goodman thanked Mayor Gribble for his cooperative effort in this matter. Mr. Albert De La Rosa, Assistant City Attorney, distributed copies of the agreement that the Village of Lakeway and the Lakeway Development Company have entered into; together with the proposed Allocation Agreement for the ETJ. He called attention to the two proposed additions to the Agreement which incorporate the agreement made between the Land Company and the Village of Lakeway.

Councilmember Goodman moved that the Council adopt a resolution to approve the Extraterritorial Jurisdiction Allocation Agreement with the Village of Lakeway with the two additions. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman
Noes: None

FUNDING AGREEMENT POSTPONED

Council had before it two items:

- (1) A resolution to consider entering into an agreement to fund the following Community Development Corporations:
 - a. Austin Minority Economic Development Corporation for \$156,500.00
 - b. Austin Community and Economic Development Corporation for \$100,000.00
 - c. National Business League - Austin-Cen-Tex Chapter for Economic Development Activities for \$61,081.00
- (2) A City Manager Report on East Austin Chicano Economic Development Corporation's Request.

Councilmember Trevino asked that these be pulled until the Council has time to make further studies. He said the Robinson Hill study should also come back. Mayor McClellan asked that interested parties be notified. Councilmember Trevino said the funds should be set aside, but that there is no guarantee that the organizations in question will receive them, until after the issues have been studied and discussed. Councilmember Goodman said this should be done in 30 days but if the study is complete before 30 days, the City Manager can enter it on the Agenda.

Mr. Carlos Herrera, Director of Human Services, stated he would return within a four-week period with a full assessment of all the four proposals (a, b, and c, and East Austin Chicano Economic Development Corporation) and that money will be set aside, not guaranteed, in the amount as requested per the applicant.

Councilmember Cooke said, "So, you'll be comparing each one and giving us a report based on the criteria that was approved by Council two weeks ago." Mr. Herrera answered, "It is our intention to return with a full evaluation, disclosing to you what our findings are and our recommendation on the intent of the proposal and the funding level that we would recommend on each proposal." Mayor McClellan said they wanted the same type of scrutiny and evaluation for each proposal.

Councilmember Cooke said, "The reason I wanted to make that clarification is that the memo received yesterday at the request of my February 19th memo suggesting that all proposals be evaluated based on the criteria of community development or economic development corporations and I didn't really aspire to the staff position that the three proposals that were approved two weeks ago did not need to go through that evaluation process. I wanted that to be understood for the record because I think it's important that we took so much time deliberating in the CDC criteria that all proposals whether they had been submitted prior to or after the adoption of the criteria for Economic Development Corporations would all receive the same fair hearing under that criteria."

Mr. Herrera told Councilmember Cooke that his department responded to the memo and it is their intention to return with the recommendation as outlined today. He said he had been instructed two weeks ago to return with a contract today. Councilmember Cooke said he understood and appreciated the dilemma Mr. Herrera was in.

Motion

Councilmember Goodman moved that the Council postpone until March 27, or earlier, consideration of the resolutions to enter into an agreement to fund certain Community Development Corporations, with money set aside, but not guaranteed, in the amounts as requested by the applicant. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau
 Noes: None

ZONING HEARINGS

Mayor McClellan announced Council would hear zoning cases scheduled for 10:00 A.M. Pursuant to published notice thereof, the following zoning cases were publicly heard:

CITY OF AUSTIN	9938-9944 and 9933-9939	From "BB Residence
By Planning	Quail Boulevard	1st Height and Area
Department	900-1016 and 901-1021	To "A" Residence
C14-80-008	Bird Creek Drive	1st Height and Area
	900-1018 and 901-1017	RECOMMENDED by the Planning
	Fieldwood Drive	Commission

Councilmember Snell moved that the Council grant "A" Residence, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Himmelblau, Mayor Pro Tem Mullen

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

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

E. G. PRIESMEYER	336 East Ben White	From "D" Industrial
& JERRY D.	Boulevard	1st Height and Area
HOLLEY		To "C-2" Commercial
By Charles Holley		1st Height and Area
C14-79-265		RECOMMENDED by the Planning
		Commission

Councilmember Snell moved that the Council grant "C-2" Commercial, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Himmelblau, Mayor Pro Tem Mullen

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

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

ALLIED DEVELOPMENT
COMPANY
C14-80-009

821 William Cannon Drive

From Interim "A" Residence

1st Height and Area

To "GR" General Retail

1st Height and Area

NOT Recommended

RECOMMENDED by the Planning Commission
"A" Residence, 1st Height and Area, for
the proposed detention area as shown on
the preliminary site plan, the balance
to be "GR" General Retail, 1st Height and
Area.

Mayor Pro Tem Mullen moved that the Council grant "A" Residence, 1st Height and Area District, for the proposed detention area as shown on the preliminary site plan, the balance to be "GR" General Retail, 1st Height and Area District. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers Cooke, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the change had been granted to "A" Residence, 1st Height and Area District, for the proposed detention area as shown on the preliminary site plan, the balance to be "GR" General Retail, 1st Height and Area District, as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

Mayor McClellan introduced the following ordinance as an emergency measure:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: A 0.630 ACRE TRACT OF LAND, LOCALLY KNOWN AS 821 WILLIAM CANNON DRIVE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND

TRACT 2: A 0.968 ACRE TRACT OF LAND, LOCALLY KNOWN AS 821 WILLIAM CANNON DRIVE, ALSO BOUNDED BY I.H. 35, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 3: A 5.5155 ACRE TRACT OF LAND, SAVE AND EXCEPT A 1.975 ACRE TRACT OF LAND AS DESCRIBED IN TRACT 4 BELOW, LOCALLY KNOWN AS 821 WILLIAM CANNON DRIVE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,
 TRACT 4: A 1.975 ACRE TRACT OF LAND, LOCALLY KNOWN AS 821 WILLIAM CANNON DRIVE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;
 SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS AND DECLARING AN EMERGENCY. (Allied Development Company, C14-80-009)

Mayor Pro Tem Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
 Cooke, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
 Noes: None
 Not in Council Chamber when roll was called: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

FRED C. YOUNG
 By Walter
 Reifslager III
 C14-80-005

2804-2806 Nueces

From "B" Residence
 3rd Height and Area
 To "O" Office
 3rd Height and Area
 NOT Recommended

RECOMMENDED by the Planning Commission "O" Office, 1st, that a restrictive covenant be provided prohibiting massage parlors and nude modeling studios, if the building is torn down, the density be no greater than "BB." The restrictions will apply only to this particular zoning. If it comes back for rezoning at some future date, the conditions are not tied to some future zoning.

2804 NUECES WAS WITHDRAWN FROM THE APPLICATION.

Mayor Pro Tem Mullen moved that the Council grant "O" Office, 1st Height and Area District with a restrictive covenant to be provided prohibiting massage parlors and nude modeling studios, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers Cooke, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
 Noes: None
 Not in Council Chamber when roll was called: Councilmember Goodman

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

HOPKINS HOMESTEAD 1500 West 9th Street
By City of Austin
C14h-80-001

From "A" Residence
1st Height and Area
To "A-H" Residence-Historic
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Goodman moved that the Council grant "A-H" Residence-Historic, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

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

INSHALLA 602 East 43rd Street
(Luksinger-
Keasbey House)
C14h-80-002

From "A" Residence
1st Height and Area
To "A-H" Residence-Historic
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Goodman moved that the Council grant "A-H" Residence-Historic, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

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

ROGERS-LYONS
By City of Austin
C14h-80-004

1001 East 8th Street

From "A" Residence
1st Height and Area
To "A-H" Residence-Historic
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Goodman moved that the Council grant "A-H" Residence-Historic, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

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

J. M. HEINATZ
By Eugene Nelson
C14-80-001

1901-1903 San Gabriel
also bounded by West
Martin Luther King, Jr.
Boulevard

From "B" Residence
1st Height and Area
To "O" Office
1st Height and Area
RECOMMENDED by the Planning
Commission subject to a site plan being
approved by the Commission as agreed to by
the applicant, and that a restrictive
covenant be included prohibiting massage
parlors and nude modeling studios.

Mr. Lillie reviewed the application by use of slides.

MR. EUGENE NELSON, representing the applicant, appeared before Council and stated the property which faces Martin Luther King, Jr., Boulevard is the only property still zoned residential on the street. He said his client, Mr. Heinatz, has a contract to sell the property if it is zoned so it can be used as a real estate brokerage office. He discussed the history of the decline of the neighborhood and said it is not residential any more.

MR. MITCHELL, Co-President of Save University Neighborhoods, appeared to protest the zoning change request. He said one of the best uses of the property is for rental purposes. He said parking at the site, if it becomes a real estate office, would require paving 90% of the property, thereby not allowing preservation of the house.

MARK SMITH, co-op resident, said the neighborhood is quiet and more affordable houses are needed for University of Texas students to live in.

BOB RUSSELL, who works for College House, appeared to speak against the zoning change. He thought it should be left as is so students can rent it. He said there are seven people in the neighborhood who do favor "O" Office, because they want the house fixed up, but he felt "O" is not necessary.

BETTY PHILLIPS, past President of SUN, said that "O" is not necessary for profitable use of the neighborhood. She said the neighborhood is already overzoned and hopes the present zoning will remain on the property.

RICHARD ARMINTON, member of the Cooperative Council, appeared in opposition to the re-zoning and read a letter from Robert Norris, President of the Cooperative Council.

RICK PALMERTON, who lives at 1903 San Gabriel, said that he would have to move if the zoning change is granted. He discussed an absentee landowner who does not want to improve the property.

Mr. Nelson returned to state the property has been in the same family for 50 years. The low rents charged to the students do not pay for mortgage and taxes. He said a site plan would be worked out and there is not a lot of traffic for a brokerage firm. Councilmember Goodman questioned Mr. Nelson about the proposed plans for the building. Mr. Nelson said the front structure would remain and be renovated.

Motion

Mayor Pro Tem Mullen moved that the Council grant "O" Office, 1st Height and Area District, subject to conditions as recommended by the Planning Commission. The motion was seconded by Mayor McClellan.

Friendly Amendment - Not Accepted

Councilmember Goodman offered a friendly amendment to eliminate curb cuts on Martin Luther King, Jr., Boulevard. It was not accepted.

Roll Call on Motion

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor McClellan

Noes: Councilmember Goodman

Not in Council Chamber when roll was called: Councilmember Cooke

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

Special Permit

H. ARLAN CONNER
AND J. LEWIS MILLER
C14p-79-039

135 South 1st Street

Restaurant and Executive
Offices

Existing zoning: "L" Lake;
1st Height and Area

RECOMMENDED by the Planning
Commission as recommended by the staff
including the Parks and Recreation Board
and Environment Board.

Mr. Lillie reviewed the application by use of slides. The site is to be used for a restaurant. Councilmember Himmelblau was concerned about the ingress and egress. MR. ARLAN CONNER said the parking situation will be all right. Councilmember Cooke recommended the applicant come back to Council for site plan approval.

Councilmember Cooke moved that the Council grant the Special Permit to allow Restaurant and Executive Offices, as recommended by the Planning Commission subject to site plan coming back to Council. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor
McClellan, Councilmembers Cooke, Goodman, Himmelblau

Noes: None

Zoning Case Postponed

MALONEY-SKIPPING
JOINT VENTURE
By John Meinrath
C14-80-002

Land adjacent to
unplatted land
bounded by Bee Caves
Road and Bee Cave
Woods Drive

From "AA" Residence
1st Height and Area
To "B" Residence
1st Height and Area
RECOMMENDED by the Planning
Commission subject to the site
plan as submitted to the
Commission.

Mr. Lillie reviewed the application by use of slides. He said it is at the ends of the City limits and is partially within the Rollingwood ETJ (Extra-territorial Jurisdiction). Councilmember Himmelblau said the zoning does not bother her, "It's the contract that we made to serve this tract of land with wastewater, I believe, and I'm wondering, with the change that was presented today and what we approved several months ago if that contract would not be invalid." Mr. Albert De La Rosa, Assistant City Attorney, stated: "When the proposal came before City Council to provide the wastewater service to this tract of land, it was presented to us as a commercial development. There were several references in a letter from the attorney, Don Bird, at the time that this would be developed as a commercial tract of land. That contract does not specify how the land was to be developed, however, we indicated to Council what the proposal was back in the summer. If the Council would like us to review that contract to see whether or not it changes and report back we will do so." Councilmember Himmelblau said, "I would and I'd like to see if there is a change in capacity that is going to be required."

Councilmember Himmelblau moved that the Council postpone the decision on the zoning case until March 6, 1980 at 9:45 a.m., and ask that the City Manager bring back a report on contractual service for sewer service. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Goodman, Himmelblau,
Mayor Pro Tem Mullen
Noes: None
Not in Council Chamber when roll was called: Mayor McClellan,
Councilmember Cooke

Zoning Case Withdrawn

DON GROODY AND TOM HARMON C14-80-003	4921 Bull Creek Road	From "A" Residence 1st Height and Area To "B" Residence 1st Height and Area NOT Recommended by the Planning Commission
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Applicant requested withdrawal.

Mayor Pro Tem Mullen moved that the Council allow the withdrawal of the zoning case. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Goodman, Himmelblau,
Mayor Pro Tem Mullen, Councilmembers Snell, Trevino
Noes: None
Not in Council Chamber when roll was called: Councilmember Cooke

Pending Zoning Cases

ROMAMI COMPANY By George Butler C14-76-110	505-519 Radam Lane	From "A" Residence 1st Height and Area To "B" Residence 1st Height and Area RECOMMENDED EXTENSION by the Planning Commission
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Councilmember Goodman moved that the Council extend the zoning case as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan
Noes: None
Not in Council Chamber when roll was called: Councilmember Cooke

BILLIE J. LYNAS
C14-72-263

Rear of 3504, 3506-3510
Darby Lane
6219-6309 Wilcab Road

From "A" Residence
1st Height and Area
To "C" Commercial
1st Height and Area
RECOMMENDED DISMISSAL by the
Planning Commission

Councilmember Goodman moved that the Council dismiss the zoning case as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

RICHARD B.
ROBINSON, ET UX
C14-74-014

1139D-1141D Springdale
Road

From "A" Residence
1st Height and Area
To "C" Commercial
1st Height and Area
RECOMMENDED DISMISSAL by the
Planning Commission

Councilmember Goodman moved that the Council grant EXTENSION of the zoning case, at the request of the applicant. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

CHARLES DUNNING
BRIGHT AND ROSEMARY
D. BRIGHT HANOVER
C14-75-021

9312-9318 Cameron
1417-1427 Rundberg
Lane

From Interim "A" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area
RECOMMENDED DISMISSAL by the
Planning Commission

Councilmember Goodman moved that the Council dismiss the zoning case as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

LAND EQUITIES,
INC.
By Doren Eskew
C14-75-022

4825-5009 East Riverside
Drive, also bounded by
Kirksey Drive and Kenneth
Avenue

From Interim "A" Residence
1st Height and Area
To "LR" Local Retail
1st Height and Area (Tract 1)
"B" Residence
1st Height and Area (Tract 2)
RECOMMENDED DISMISSAL by the
Planning Commission

Councilmember Goodman moved that the Council dismiss the zoning case as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

ERNEST RUTHERFORD, 2002 Koenig Lane
JR.
C14-75-080

From "A" Residence
1st Height and Area
To "LR" Local Retail
1st Height and Area
RECOMMENDED DISMISSAL by the
Planning Commission

Councilmember Goodman moved that the Council dismiss the zoning case as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

NEWELL SALVAGE
COMPANY
By R. H. Mercer
C14-76-013

710 Industrial Boulevard,
also bounded by St. Elmo
Road and Terry-O Lane

From "A" Residence
1st Height and Area
To "E" Heavy Industrial
1st Height and Area
RECOMMENDED DISMISSAL by the
Planning Commission

Councilmember Goodman moved that the Council dismiss the zoning case as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

BARBARA BRAWNER
OWEN
C14-76-024

3001 Manchaca Road
2003 Lightsey Road

From "A" Residence
1st Height and Area and
"BB" Residence
1st Height and Area
To "O" Office
1st Height and Area
RECOMMENDED DISMISSAL by the
Planning Commission

Councilmember Goodman moved that the Council dismiss the zoning case as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

ROBERT W.
LAUGHLIN
By Dick Roberts
C14-76-081

7809-7811 Watson Street

From "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
RECOMMENDED EXTENSION by the
Planning Commission

Councilmember Goodman moved that the Council grant EXTENSION of the zoning case, as recommended by the Planning Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

PUBLIC HEARING - VACATION OF GREGORY STREET

Mayor McClellan opened the public hearing scheduled for 11:30 A.M. on vacating Gregory Street from cul-de-sac westerly to Comal Street and Comal Street from Rosewood Avenue to East Eleventh Street; and passage of ordinance.

Mr. John German, Director of Public Works, reminded Council that this street vacation had first been addressed on December 13, 1979 and Mr. Noton of the Austin Redevelopment Authority will address the issue.

MR. BOB NOTON, ARA, said that previously the owner of a home on Rosewood thought she would not be able to get in and out of her property, but she has since been shown that she can. The street vacation also has the approval of Holy Cross Church.

Councilmember Snell asked if a fence can be provided for the back of the church property to prevent people from dumping trash. Mr. Noton told him that ARA has no funds for a fence. Mr. Jim Miller, Assistant City Manager, stated, "You could instruct them to try to find funds in their budget to do it and if they can't they will just have to come back to City Council."

Motion

Councilmember Snell moved that the Council pass an ordinance to vacate Gregory Street from cul-de-sac westerly to Comal Street and Comal Street from Rosewood Avenue to East Eleventh Street; with the stipulation that ARA respond to the request for a fence. The motion was seconded by Councilmember Goodman.

More conversation ensued regarding the length of the fence, how much it would cost, etc.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PERPETUALLY CLOSING, ABANDONING AND VACATING A PORTION OF GREGORY STREET FROM ITS CUL-DE-SAC WESTERLY TO COMAL STREET AND PERPETUALLY CLOSING, ABANDONING, AND VACATING A PORTION OF COMAL STREET FROM EAST ELEVENTH STREET TO ROSEWOOD AVENUE IN CONNECTION WITH URBAN RENEWAL PLAN IMPROVEMENTS BY AUSTIN REDEVELOPMENT AUTHORITY IN THE BLACKSHEAR AREA PROGRAM; VACATING AND ABANDONING SAID PORTIONS OF SAID PUBLIC STREETS TO THE ABUTTING PROPERTY OWNERS THEREON, FINDING FAIR MARKET VALUE QUID PRO QUO IN RELIEF OF THE CITY FROM ALL FUTURE COSTS AND POTENTIAL LIABILITIES ARISING, OR TO ARISE, FROM CONTINUATION OF ANY CITY TITLE OR INTEREST THEREIN AS PUBLIC WAYS OR PUBLIC PROPERTIES; RESERVING, HOWEVER, IN SAID PORTIONS COMPLETE PUBLIC UTILITY EASEMENTS IN, UPON, OVER, UNDER, AND ACROSS SAID PORTIONS; SUSPENDING THE ORDINANCE READINGS RULES AND THUS EFFECTIVELY ENACTING THIS THE DAY OF INTRODUCTION; AND DECLARING AN EMERGENCY.

Councilmember Snell moved that the Council close the public hearing, waive the requirement for three readings, and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell

Noes: None

The Mayor announced that the ordinance had been finally passed.

MEMBERSHIP REDUCTION - TWO COMMISSIONS

Council had before it for consideration an ordinance reducing the membership of the following boards and commissions:

Human Relations Commission

Library Commission.

Councilmember Himmelblau said she really thinks the large boards and commissions should be pared down. The Planning Commission, which probably does the most work for the City, stands at nine. She feels it is detrimental to the board or commission to become too large. Mayor McClellan said Council had discussed the Human Relations Commission and decided not to take anyone off, but to do it by attrition. There is one vacancy and one person who is not re-applying so Council is reducing it from 15 to 13.

JOHN DARROUZET, Chairperson, Human Relations Commission, requested that they be allowed to remain 15 members. He said it would be a strain to accomplish their goals with fewer members. The Mayor said she thought 13 is still too large. At this point she announced that there is a vacancy on the Human Relations Commission which should be filled on an emergency basis. That is for the mobility impaired member.

Mayor McClellan went on to say the Library Commission will have one member expire by attrition, and that will make the size of the Commission nine members.

Mayor McClellan introduced the following ordinance:

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, reducing the membership of the Human Relations Commission to 13. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau,
Mayor Pro Tem Mullen, Councilmember Trevino
Noes: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, reducing the membership of the Library Commission to 9 members. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau,
Mayor Pro Tem Mullen, Councilmember Trevino
Noes: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

WATER AND WASTEWATER APPROACH MAIN

Council had before it for approval the following Wastewater Approach
Main:

DON BECKER BUILDERS INCORPORATED, owner	- Water and wastewater approach mains for Texas Oaks Subdivision. City cost based on low bid received will be approximately \$11,668.70 outside the City or \$42,873.44 if annexed in one year.
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Councilmember Himmelblau said, "I want to make sure what the City will be called for in reimbursement if we are going from the date of 1978 when we first looked at it or if we are going from February, 1980."

Albert De La Rosa, attorney for the City, "I can answer for the date part of it. The line was approved in December, 1978, and we will be using that date for the annexation, so they have not been annexed in that one year period of time." Councilmember Himmelblau asked if we will be paying the lower figure.

Mr. Curtis Johnson, Director of Water and Wastewater, stated, "Yes, it will be the lower figure. You might note on the support material it indicated that because it was not annexed within the one year period there would be no participation in the wastewater approach main and approximately \$11,600.00 on water." Councilmember Himmelblau asked that these two remarks be read into the record.

Councilmember Himmelblau moved that the Council adopt a resolution to approve the wastewater approach main for Don Becker Builders Incorporated, water and wastewater approach mains for Texas Oaks Subdivision. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmember Trevino, Mayor McClellan
Noes: None
Not in Council Chamber when roll was called: Councilmember Snell

City cost based on low bid received will be approximately \$11,668.70 outside the city or \$42,873.44 if annexed in one year.

CAPITAL IMPROVEMENTS PROGRAM

Mayor Pro Tem Mullen moved that the Council adopt a resolution to select Value Engineering Services in connection with the proposed Onion Creek Wastewater Treatment Plant and Onion Creek Wastewater Interceptor Improvements, CAPITAL IMPROVEMENTS PROGRAM NO. 73/59-09. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmember Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

Before the vote was taken, Mayor Pro Tem Mullen asked why this was being done now. Mr. Al Eldridge, Director, Office of Facilities Planning and Construction, said, "The EPA grant application requires having Value Engineering to review the early planning and then come back at the time the plans are 75% complete and review it again. The general approach is sharpened, refined in the early stages and by the time the plans are virtually completed, then they define the details so it is most cost effective. ...The cost is \$20,000,000 for the plant and about the same for the interceptor. The fee is about \$40,000 for the plant and about \$50,000 for the interceptor. The experience across the country indicates a cost saving of a ratio about 25-1. Every dollar you spend on this you save about \$25.00." Mayor Pro Tem Mullen said he would like to know how much the fee comes down. Mr. Eldridge said he would be kept advised.

JUSTICE SYSTEM IMPROVEMENT ACT
OF 1979

Mayor McClellan introduced an Item from Council concerning options available under Justice System Improvement Act of 1979.

GENE DRAPER, Planning Coordinator, Austin Criminal Justice Planning Unit, appeared before Council to state, "Congress recently passed some continuing legislation for what used to be called the Omnibus Crime Control Act. They have changed the name of it to Justice Systems Improvement Act and they are changing the way the funds can be administered. It is based on entitlement jurisdictions based on population. Austin can become an entitlement jurisdiction. You will receive a formula allocation of criminal justice money. ... A small amount of money in the hundreds of thousands of dollars, but it is important to the Criminal Justice Agencies both in the city and in the county. The option is that the City could go entitlement on itself, by itself; the County could go entitlement by itself, or go in together as they have for the past seven years. They can select to turn down entitlement or combine with CAPCO in one large entitlement."

Mayor McClellan suggested, "We ought to participate under Option 1 in a combination entitlement jurisdiction which would continue our current...."

Motion

Councilmember Himmelblau moved that the Council approve Option 1, Combination Entitlement Jurisdiction, under Justice System Improvement Act of 1979. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmember Trevino, Mayor McClellan, Councilmembers Cooke, Goodman

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

RECESS

Council recessed its meeting at 12:00 Noon and resumed its recessed meeting at 2:20 P.M.

PAVING ASSESSMENTS - RIVERSIDE DRIVE

Mayor McClellan opened the public hearing scheduled for 2:00 P.M. in connection with assessment to be levied on Riverside Drive covering approximately 19-1/2 blocks; and passage of Ordinance, Capital Improvements Program 73-62-03.

Mr. John German announced that these paving hearings were a continuation from May, 1979 when it was decided to study these five properties further. The studies have been made and reassessments concluded.

Mr. James Riggs, Assistant City Attorney, called Council's attention to his memo of February 28, 1980, recommending that there be no assessment against Parcel 1. At this point, Mr. Riggs questioned Mr. Tom Wiley, appraiser, concerning his qualifications as an appraiser.

Mr. German stated there would be no assessment of Parcel 1, owned by EFI.

MR. DONALD DUMAS, representing Parcel 4, told Council he was not prepared for a hearing as Mr. Wilmont has not been in his office and asked for a continuance until Mr. Wilmont is back. He said he would waive notice.

Motion

Councilmember Trevino moved that the Council continue the public hearing on Parcel 4 on March 13, 1980 at 2:00 P.M. The motion, seconded by Mayor Pro Tem Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau
Noes: None

MR. C. L. REEVES, owner of Parcels 7, 8, and 9, discussed past history concerning his property and agreements made with the Planning Department in 1969. He gave the City 230 feet of right-of-way at that time with the understanding that if the City decided where they would put the road, then they would put in the curb and gutter for Mr. Reeves. He received no money for the right of way. He said now the City wants \$10,000 for curb and gutter and if the City will pay him for the right of way he gave 11 years ago, he will pay for curb and gutter, but thought the City should stick to its agreement of 1969. He said there is absence of proof in the records of the City and in his records.

Councilmember Goodman asked for an explanation concerning the change in policies of right of way acquisition, and payment, and what explanation there is about Mr. Reeves complaint of not being paid for the right of way.

Mr. German stated, "Basically what Mr. Reeves has indicated relative to the street changing from an expressway to a major arterial, those are all accurate statements. In November of 1972 Mr. Reeves and the City did enter into an agreement regarding right-of-way. He agreed to dedicate a certain amount of right-of-way and the City agreed to vacate a certain amount of right-of-way until such time as we completed the project. We're still pending that action. We have documentation and this was included, I think, in an earlier packet that went to Council on this subject. You may not have had it in this more recent packet. All of the supporting documents, including correspondence between the City and the Highway Department, and between the City and Mr. Reeves is included in that packet. It was agreed that in exchange for the right-of-way he dedicated that we would vacate some right-of-way in the intersection. We still intend to do that and live up to that part of the agreement. That in effect was the trade that was made as opposed to trading out for any paving improvements. At least as far as we can tell."

Mr. Reeves said, "We're talking about two years' separation in time and two separate deals. The deal that I made for the payment of the curb was either in late 1969 or early 1970. It had absolutely nothing to do with the intersection of Willow Creek Drive and Riverside Drive. I didn't even own that property at that time. It belonged to Mr. C. B. Smith and I bought it later. Mr. Morahan came to me strictly in relation to the intersection of Willow Creek Drive and Riverside Drive and a small sliver of right-of-way that was in addition to what our agreement already covered."

Mr. Davidson, City Manager, told Council that Mr. German did not intend to imply that the 1972 agreement would wipe out all other agreements on Riverside Drive. He said the staff had tried to find documentation and has been unable to. He went on to say that prior to 1969 the practice described by Mr. Reeves was used to get right-of-way and that he was part of the reason the City stopped trading indefinite commitments for land. Mr. Reeves said he can furnish circumstantial evidence.

Motion

Councilmember Trevino moved that the Council continue the public hearing on Parcels 7, 8, and 9 on March 13, 1980 at 2:00 P.M. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Cooke, Goodman, Mayor Pro Tem Mullen
Noes: None
Not in Council Chamber when roll was called: Councilmembers
Himmelblau, Snell

Councilmember Goodman asked for a staff report explaining the discrepancies in agreements.

Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED; FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF; PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND THE RECEIPT FOR PAYMENT OF AND RELEASE OF LIEN ON THE SAME; DECLARING AN EMERGENCY; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE. (Riverside Drive)

Mayor Pro Tem Mullen moved that the Council close the public hearing in connection with assessments to be levied on Parcel 1, Riverside Drive, waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately, waiving the assessment for Parcel 1. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers Cooke,
Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell
Noes: None

The Mayor announced that the ordinance had been finally passed.

CAPITAL IMPROVEMENTS PROGRAM

Mayor McClellan introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF RIVERSIDE DRIVE IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DEFINED, PERFORMED BY AUSTIN ROAD COMPANY; AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES TO THE CITY IN CONNECTION THEREWITH; DECLARING AN EMERGENCY; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE. (Riverside Drive, CIP 73/62-03)

Mayor Pro Tem Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem Mullen, Councilmember Snell

Noes: None

The Mayor announced that the ordinance had been finally passed.

ASSISTANCE WITH AIRPORT LOCATION
DECISION

MR. ARNOLD HAMMONS appeared before Council to discuss assistance to the airport location assistance. As a former pilot instructor, he questioned whether the airport is safe and if it will be serviceable 20 years from now. He offered his services, free of charge, to help Council decide whether or not the airport is safe from a pilot's standpoint. He said he has already discussed this with Councilmember Snell, and he suggested Mr. Hammons talk with Council.

Councilmember Himmelblau thanked him for appearing and said she is interested in talking with him. Councilmember Goodman stated he shares Mr. Hammons' concerns.

POLITICAL MATTERS DISCUSSED

MR. BUD FLYNN appeared before Council to discuss political matters. He apologized for previously saying north Austin would turn into slums and that "Austin isn't Boston." He also discussed the Olympics; gas-a-hol; Afghanistan; Jerry Brown; his departure for California on March 12; the fact that airport problems could be solved with a monorail from Austin to the San Antonio Airport; and the Bud Flynn-Barbara Jordan presidential campaign.

ROUND-UP

Councilmember Goodman moved that the Council approve the request of MR. JAY BECKMAN, Round-Up Committee Chairman, Kappa Alpha Fraternity-University of Texas, to sell beer and barbecue at Fiesta Gardens on March 20, 1980 between 6:00 p.m. and 12:00 midnight, also approval for sound permit for live music. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau,
Mayor Pro Tem Mullen, Councilmembers Snell, Trevino
Noes: None

G.O.P. PRIMARY

Councilmember Trevino moved that the Council approve the request of MR. HERBERT M. CARR, JR., Chairman, Travis County Republican Party Primary, to use Ullrich Water Treatment Plant, Austin Recreation Center and the Fire Station located on Martin Luther King, Jr., Boulevard, Saturday, May 3, 1980 from 6:00 A.M. to approximately 9:00 P.M. to conduct the 1980 G.O.P. primary. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mayor Pro Tem
Mullen, Councilmembers Snell, Trevino, Mayor McClellan
Noes: None

REGULATION OF SEX-RELATED BUSINESSES

MR. JERRY CREAGH and DR. EMMA LOU LINN appeared before Council to discuss regulation of sex-related businesses on East 6th Street. Mr. Creagh told Council that East 6th Street will lose its historical flavor because it is becoming the center for porno and prostitution. He said there are six sex shops on East 6th now. Mr. Creagh asked the City Council to ask its legal staff to consider a Special Use District Ordinance for East 6th Street to prohibit additional sex-related businesses on the street. The boundaries would be I.H. 35 to the east, Congress Avenue to the west, with the alley lines for the north and south boundaries. The owners and residents, through the Old Pecan Street Association, are trying to encourage uses more oriented to the general public and with the Council's help an area can be established where the city and all of its residents can find pride.

Mayor McClellan said she has already asked Mr. Harris, City Attorney, to look into a Special Use District. Mr. Harris reported as follows, "We have looked at it and the request is basically a zoning ordinance for that area, or perhaps the Council would like to consider it city-wide for some sort of ordinance that would regulate the density of this type of business. That type of regulation has been approved by the Supreme Court of the United States and now there is a specific Texas statute that allows the City Council to adopt ordinances where certain types of businesses cannot be located within 500 feet or 1000 feet of each other and that thereby controls the density and keeps an area from being saturated with that type of business. We will be pleased, at the Council's direction, to study that from the standpoint of applying it to a Special Use District in this particular part of town and further maybe commenting

on the applicability of such regulations city-wide so that those type businesses, if it's the Council's decision, would not be heavily bunched in any area of town. ... I think this would be a zoning type ordinance, but there may be some other options." Councilmember Cooke said he thought this type of request is appropriate. Councilmember Himmelblau wondered if the ordinance could be retroactive. Mr. Harris said he does not think so.

PARADE PERMIT

Councilmember Cooke moved that the Council approve the following, with waiver of fee:

"Mr. Robert Sneed, President, and Mr. Frank A Newsom, Parade Committee Chairman, representing the Austin Travis County Livestock Show, requesting 1) an amendment to a Parade Permit approved by the City Council on January 17, 1980, to allow the March 15, 1980, parade to utilize the east bound traffic lanes of Riverside Drive and Bouldin Avenue, from Barton Springs Road to Riverside Drive beginning at 12:30 p.m. for a parade assembly area and at 2:00 p.m. travel north across the South First Street Bridge and utilize two traffic lanes of Lavaca to 11th Street, west on 11th Street to Congress, south on Congress to 2nd Street, west on 2nd Street to Guadalupe, south on Guadalupe, cross the South First Street Bridge and return to the Auditorium area; and utilize the one-half block area of East 7th Street from Congress Avenue to the alley from 12 noon until conclusion of the parade; and 2) the waiving of all fees associated with eliminating on-street parking on Congress Avenue between 5th and 11th Streets on March 15 for the parade."

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmember Himmelblau, Mayor Pro Tem Mullen, Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

EXECUTIVE SESSION

Mayor McClellan announced that Council will convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated; and after such closed or executive session, any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

RECESS

Council recessed for their Executive Session at 3:35 p.m. and resumed their recessed meeting at 4:00 p.m.

BOARD AND COMMISSION APPOINTMENTS

Councilmember Goodman moved that the Council make the following board and commission appointments:

Board of Adjustment

Peter Pincoff, Debbie Shelton, Lester Gegenheimer, and Frank Jackson, terms to expire January 1, 1982.

Police Retirement Board

Evelyn McKee

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

Ayes: Councilmembers Himmelblau, Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Goodman

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem Mullen

Appointments to be Made

Mayor McClellan announced the following board and commission appointments will be made March 6, 1980:

On-Going of Goals Assembly - 1
Building Standards Commission - 1
Community Health Advisory Committee - 6
Dental Health Advisory Committee - 9
Human Relations Commission - 1
Environmental Board - 1

SIGN COMMITTEE REPORT

MS. JOYCE KLEIN, Vice-Chairman of the Sign Committee, appeared before Council to request an amendment to Chapter 3 of the Austin City Code to provide for sign regulations for Highway 620, Loop 360 and MoPac. She said it is time to set standards now. She said they have developed the following criteria:

1. No off-premise signs within 200 feet of the right-of-way.
2. No on-premise signs within 200 feet except as follows:
 - a. Sign is placed flatwise against the building, not to exceed 70% of one-third of the facade of the building.
 - b. No sign shall extend above the roof line.
 - c. No flashing signs.

Councilmember Himmelblau said that now the City has annexed the area on FM 2222, it should be included in the same sign regulations as are scheduled for 620, 360 and MoPac. Ms. Klein said they would be receptive to that. Mrs. Himmelblau asked the City Attorney, "Can this be brought back in ordinance form by next week or no later than two weeks?" Mr. De La Rosa said it would be an amendment to the existing ordinance and it can be brought back to Council. Councilmember Himmelblau also asked, "We have talked about making this retroactive on some of the pole signs with a 2-5 year phase out. Is this a legal possibility?" Mr. De La Rosa said he would have to look back at the roll back provision to see how it can be eliminated during a period of time. He said he would report back to Council concerning that provision too. He said the specific controls asked for today in Ms. Klein's report can be brought back to Council next week. He continued, "When we bring back the suggested controls we can amend the ordinance as well to include that portion of 2222 within the city limits. Is that the intent of the Council?" Councilmember Himmelblau said she would like to see it on next week's agenda to include it in the moratorium until we have everything else ironed out."

Councilmember Goodman said he has some questions concerning the east side of I.H. 35. He asked what the status is because several months ago Council had instructed the Planning Commission to consider the same control on the east side of I.H. 35 that are being considered for the west side. Mr. Lillie stated the report has not yet been done. Mr. Lonnie Davis, Director, Building Department, said that was brought to the Sign Committee's attention, but their immediate concern has been 360, 620 and 2222 and MoPac. Councilmembers Snell and Trevino both stated they want attention paid to the east side of I.H. 35.

JEAN MATHER, member of the Sign Committee, said the fault was the committee's. They have not met for a long time, they do feel the east side of I.H. 35 should be included, and said they will meet next Tuesday.

Mr. Lillie told Council that the Planning Commission, Tuesday night, reviewed the recommendations of the Sign Committee.

MR. BOB MILLER, member of the Sign Committee, said he was concerned about the total absence of free standing signs. He said he would hate to see people chopping down trees so the public could see the face of buildings to read their signs. He also objected to the change in wording of the amendment from 200 feet from the main traveled way, to 200 feet from the right-of-way. He said "right-of-way" becomes very ambiguous. There is really no way to define that, but main travelled way can be defined. He said he is particularly interested in seeing signage controlled from 35th Street South on MoPac.

MIGUEL GUERRERA, Chairman of the Planning Commission, appeared before Council to say they want to go on record as endorsing the recommendation of the Sign Committee and want the east side of IH 35 included. They think that perhaps a maximum size of 50 square feet should also be included.

MR. DE LA ROSA said, "Council, this will come back to you next week as an amendment to Section 3-5(h), and it will also extend these controls to 2222."

Councilmember Himmelblau expressed her thanks to all who have worked on the amendments to the Sign Ordinance.

LAKE AUSTIN GROWTH MANAGEMENT PLAN

MR. MIGUEL GUERRERA, Chairman of the Planning Commission, presented the following report on their recommendations on the Lake Austin Growth Management Plan:

"The Planning Commission is pleased to resubmit its Report on the implementation of the Lake Austin Growth Management Plan to you for presentation to the City Council. The report was jointly developed by a Planning Commission Committee and an ad hoc board of interested citizens during the spring and summer of 1978 in order to achieve the City Council goal 'to review and adopt the Lake Austin Master Plan.' The Commission unanimously approved the report on July 25, 1978. Concurrent with the approval of the report, the Commission also resolved to recognize the ad hoc citizens committee that helped draft it: Brad Coleman, Don Carlton, Charles Croslin, Gary Bradley, Roy Bechtol and Ralph Stansberry.

Shortly thereafter, the City staff submitted a proposed revision of Section II of the report, concerning a water quality monitoring program. The proposed revision emphasized that the City staff, rather than a private consulting firm, should design and administer the program.

The City Council received the report during its meeting on October 19, 1978, but postponed action until comments were obtained from the Urban Transportation Commission, Parks and Recreation Board and the Water and Wastewater Department. This request was in response to public criticism that the report avoided addressing recommendations concerning roadways and parks. This review and comment process was not complete until the spring of last year. At that time, reconsideration by the Commission was postponed because of the involvement with the process of writing amendments to the Lake Austin interim ordinances.

The Planning Commission submits this revised text of the report in compliance with the directives of the City Council. The following changes have been made to the original report passed by the Commission:

1. The staff revision of Section II was substituted for the original Section II.
2. All additions to the report that were recommended by the Parks and Recreation Board, the Urban Transportation Commission and the Environmental Board have been incorporated in the text. The comments from these boards and commissions are attached to this transmittal.
3. The preamble to the report was modified, as suggested by members of the City Council.

In addition to the three City boards above, the Water and Wastewater Department also submitted comments, and these too are attached. These comments are based on the precept that all private water and wastewater systems should be discouraged and that City of Austin water and wastewater service should be fully provided to all areas in the Lake Austin watershed. The Water and Wastewater Department also maintained that re-assessment of the Camp Dresser and McKee master water system plan is unnecessary.

The Water and Wastewater Department comments are major policy considerations which we have duly considered. However, we have determined that these comments are inconsistent with the report developed by the ad hoc citizens committee, the Planning Commission and the three other boards of the City of Austin, with the basic philosophy of the Lake Austin Growth Management Plan, and with the Comprehensive Plan. In addition, the City Council has more recently adopted a wastewater package treatment plant policy and amendments to the septic tank ordinance. Both of these provide for the improved use of private systems in a manner that would mitigate water quality impacts. These new Council policies, plus the decision to re-evaluate the Camp Dresser and McKee water plan, support the recommendations as stated in the report. Therefore, the Planning Commission has not incorporated the comments of the Water and Wastewater Department and supports and recommends the adoption of the report as it has now been amended." (The full report is on file in the City Clerk's office.)

Later in the meeting, the following motion was made:

Councilmember Himmelblau moved that the Council instruct the staff to use the Lake Austin Growth Management Plan as amended by the Planning Commission in development of the Capital Improvements Program (CIP) and in approach mains review. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Mayor McClellan, Councilmembers Goodman, Himmelblau

Noes: None

Not in Council Chamber when roll was called: Councilmembers Snell, Trevino, Cooke

AGENDA ITEM PULLED

The report of the Austin Redevelopment Authority on "Options for Housing Rehabilitation Program for Rainey Street and Guadalupe Neighborhoods" was pulled off the agenda.

RECESS

The Council recessed its meeting at 4:30 p.m. and resumed its recessed meeting at 6:30 p.m.

ZONING HEARING

Mayor McClellan opened the zoning hearing scheduled for 6:30 p.m. on the following case. Pursuant to published notice thereof, the following zoning case was publicly heard.

CHILDREN'S
PUBLICATIONS,
INC.
C14-79-226

1101-1109 Elm Street,
also bounded by West
12th Street

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

Mr. Lillie reviewed the application with use of slides and said a valid petition is on file.

MR. BARNSTONE, applicant, appeared before Council to discuss difficulties which have been encountered and asked for a postponement until the Zoning Ordinance is amended to permit townhouses. Councilmember Himmelblau asked when that would be in effect. Mr. Lillie said March 25, 1980, and this could be back on the agenda in April.

MR. STUART HIRSH, 1000 and 1006 Elm, appeared before Council and asked them to take action as he has already been to seven hearings on this zoning case. If Council cannot take action he asked that the case be postponed 6 months.

KATHLEEN GUIDO also stated she had attended several meetings on this case, and that it is difficult for the neighbors to attend meetings. She asked Council to allow enough time for the proper procedures to be worked out. In answer to Councilmember Goodman's question as to whether she is opposed to the zoning change or the project, she said she is not opposed to the project.

JANE BAKER, 1007 Elm, appeared to state this project might change the bussing situation. At present Mathews School is integrated so there is no bussing.

Councilmember Cooke commented that people who lived there do not want to move back unless they can maintain their status as a minority community.

Mayor Pro Tem Mullen suggested that they postpone the case for six months and if the Zoning Ordinance is amended, the people can be notified. Councilmember Cooke said he encourages townhomes being built in the inner city.

Council agreed by unanimous consent to postpone the zoning case for six months.

3. Rephrase SEction V with the following:

"Prior to annexation, the special rate calculated in Section IV shall be charged in addition to the regular district rate which regular rate shall not be less than that charged by the City within the city limits for consumers of similar customer classification. The revenue from the special rate shall be deposited in the debt retirement fund of the district."

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

Ayes: Councilmembers Goodman, Himmelblau, Mayor Pro Tem Mullen,
Councilmembers Snell, Trevino, Mayor McClellan

Noes: None

Abstain: Councilmember Cooke

ADJOURNMENT

Council adjourned its meeting at 9:00 p.m.

APPROVED


Mayor

ATTEST:


City Clerk