

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

March 6, 1980  
9:00 A.M.

Council Chambers  
301 West Second Street

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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

GIRL SCOUT WEEK

A proclamation read by Mayor McClellan in English and Councilmember Goodman in Spanish, proclaimed the week of March 9-15, 1980 as Girl Scout Week. Mrs. Henrietta Robledo, Joe Fisher, Michael Bower and Jane Wells received the proclamation with their thanks and appreciation.

EMPLOY THE OLDER WORKER WEEK

Employ the Older Worker Week will be observed March 9-15, 1980, according to a proclamation read by Mayor McClellan and received by Moselle Robertson, Michaela A. Cantu, Billie Jo Baker, Gilbert Green, Lyle Hamner, Gloria Pennington, Vernon McGee and Marie Gilbert, with their thanks and appreciation.

## NATIONAL NUTRITION MONTH

Ms. Suzanne Steinbach, R. D., and Ms. Alana Davis were in the Council Chamber to receive the National Nutrition Month Proclamation read by Mayor McClellan, which proclaims the month of March as a time to encourage all citizens to become concerned about their nutrition and the nutrition of others in order to achieve optimum health for today and tomorrow.

## SOCIAL WORKERS MONTH

Social Workers Month will be observed in March. Mayor McClellan read a proclamation and Mr. Robert Bowman, Chairman, Austin Unit, National Association of Social Workers, received it with his thanks.

## MINUTES APPROVED

Councilmember Himmelblau moved that the Council approve the Minutes of the Meeting for February 21, 1980 and Special Meetings of February 18 and 25, 1980. The motion, seconded by Mayor Pro Tem Mullen, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Trevino

FUTURE BOARD AND COMMISSION  
APPOINTMENTS

Mayor McClellan announced the following board and commission appointments will be made March 13, 1980:

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

On April 3, 1980, the following appointments will be made:

Elisabet Ney Museum Board of Directors - 4  
Medical Assistance Program Advisory Board - 1  
Commission on the Status of Women - 2

CENTER FOR BATTERED WOMEN  
LEASE AGREEMENT

Councilmember Himmelblau moved that the Council adopt a resolution to enter into a Lease Agreement with the Center for Battered Women, Inc., for leasing certain city-owned property to the center. 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 IMPROVEMENTS PROGRAM

Councilmember Himmelblau moved that the Council adopt a resolution to authorize the acquisition of certain land for the U.S. 183/Springdale Road Interchange, CAPITAL IMPROVEMENTS PROGRAM No. 78/60-01:

Three tracts of land out of the H. T. Davis Survey No. 30 and  
the J.A.G. Brooks Survey No. 28. (Bill Milburn, Inc.)

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

## AGENDA ITEM POSTPONED

Councilmember Himmelblau moved that the Council postpone until March 13, 1980, consideration of payment to the following:

Fritzler Development Corporation, the cost difference of 12"/8"  
water main in Monarch Addition, \$7,733.23, CAPITAL IMPROVEMENTS  
PROGRAM No. 75/22-07.

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

## PAYMENT AUTHORIZED

Councilmember Himmelblau moved that the Council adopt a resolution to authorize payment to the following:

R. T. MAYFIELD CONSTRUCTION COMPANY, INC.	- CAPITAL IMPROVEMENTS PROGRAM The cost difference of 12"/8" water main installed in FVF Addition Sections 5 and 6 - \$7,217.54 C.I.P. No. 75/22-07.
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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

#### CONTRACTS APPROVED

Councilmember Himmelblau moved that the Council adopt a resolution approving the following contract:

JOHN R. HUGHES CONSTRUCTION CORPORATION 802 Barton Austin, Texas	- CAPITAL IMPROVEMENTS PROGRAM - West Austin Water Transmission Main Phase 3-A, Northland Drive to Carlisle Drive - \$605,975.00 C.I.P. No. 73/22-04
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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 Himmelblau moved that the Council adopt a resolution approving the following contract:

CLOUSE CONSTRUCTION COMPANY 2310 West 44th Street Odessa, Texas	- CAPITAL IMPROVEMENTS PROGRAM - Upper Walnut Creek Wastewater Systems Improvements Phase I - \$1,606,412.00 C.I.P. No. 72/23-05
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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 Himmelblau moved that the Council adopt a resolution approving the following contract:

INTERNATIONAL BUSINESS MACHINES CORPORATION 1609 Shoalcreek Boulevard Austin, Texas	- Twenty-four Month Lease of three Disk Storage Units, Data Systems Department \$2,640.00/month; \$66,471.00 total over two(2) year period.
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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 Himmelblau moved that the Council adopt a resolution approving the following contract:

UARCO, INC. 3409 Executive Center Drive, Suite 121 Austin, Texas	- Printing of Parking Violation Notices, Police Department Item 1.1 and 1.2 - \$18,585.60
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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 Himmelblau moved that the Council adopt a resolution approving the following contract:

AUTOMATED OFFICE SYSTEMS 1003 West 6th Street Austin, Texas	- Sixty (60) month lease of Word Processing System Lanier Editor-3 Dual, Parks and Recreation Department Item 1, 1 ea. - \$23,270.20
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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 Himmelblau moved that the Council adopt a resolution approving the following contract:

HENNA CHEVROLET 7522 IH 35 Austin, Texas	- 4-door Carryall Trucks, Emergency Medical Services Department 3 ea. @ \$9,577.00 Total \$28,731.00
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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

#### TEMPORARY STREET CLOSING

Councilmember Himmelblau moved that the Council adopt a resolution to temporarily close West 25th Street from San Gabriel to Pearl Street from 3:00 p.m. to 6:00 p.m., March 27, 1980 as requested by Mr. Jeff Webb of Texas Cowboys. 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

## RENTAL RATES OF FIXED BASE OPERATORS

Councilmember Himmelblau moved that the Council adopt a resolution adjusting the rental rates of the Fixed Base Operators (FBO's) for the period March 1, 1977 through February 28, 1982. 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

Councilmember Himmelblau moved that the Council adopt a resolution to set a public hearing on March 27, 1980 at 9:30 a.m. to remove restrictive covenant at 6201-6415 Springdale Road as requested by MRS. O. W. SEIDERS and WELLER SEIDERS. 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

## VOCATIONAL EDUCATION CLASSROOM TRAINING

Councilmember Himmelblau moved that the Council adopt a resolution to withdraw the urban portion of the FY 1980 non-financial agreement for CETA, Section 204 (Vocational Education) Services, modify the CETA to extract the urban share of the 204 funds from allowances under Title 11-B, and negotiate contracts with area propriety schools, as appropriate, for provision of the Vocational Education Classroom training. 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

## "THE CAPITAL OF TEXAS HIGHWAY"

Councilmember Himmelblau moved that the Council approve the concept of the following resolution which was passed on February 19, 1980 by the County Commissioner's Court, and instructed the City Manager to instruct the City Attorney to bring back an ordinance March 13, 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

Councilmember Himmelblau requested the following resolution be spread upon the Minutes:

March 6, 1980

## (RESOLUTION)

WHEREAS, the section of Loop 360 from U.S. Highway 183 to Lamar Boulevard affords magnificent scenic views of the Capitol of Texas and the Austin skyline;

AND WHEREAS, the panoramic vistas include the beautiful green land of the Texas Hill Country;

AND WHEREAS, visitors and Texans should have the opportunity to enjoy one of the most beautiful areas of the state, including the capitol building of the state;

THEREFORE BE IT RESOLVED that the Travis County Commissioners Court name the above referenced section of Loop 360, "THE CAPITAL OF TEXAS HIGHWAY";

AND BE IT FURTHER RESOLVED that the State Department of Highways and Public Transportation plan and construct tourist overlooks from vantage points along this portion of the Highway to provide safe opportunities to view and photograph the area and the State Capitol of Texas.

PASSED AND APPROVED this 19th day of February, 1980.

/s/ Mike Renfro  
MIKE RENFRO, COUNTY JUDGE

/s/ David Samuelson  
DAVID SAMUELSON, COMMISSIONER, PCT. 1

/s/ Bob Honts  
BOB HONTs, COMMISSIONER, PCT. 2

(Seal)

ANN RICHARDS, COMMISSIONER, PCT. 3

RICHARD MOYA, COMMISSIONER, PCT. 4

## PUBLIC HEARING SET

Councilmember Himmelblau moved that the Council set a public hearing on Zoning Case No. C14-79-258 First Wisconsin National Bank of Milwaukee for March 27, 1980 at 10:00 a.m. 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

## SOUND BARRIER WALL

Councilmember Himmelblau moved that the Council adopt a resolution to authorize the City Manager to enter into an agreement with the State Department of Highways and Public Transportation to construct a sound barrier wall and incidental items along portions of Loop 1 (MoPac Boulevard) between Enfield Road and Ranch to Market Road 2222. (Estimated cost to the city for the barrier wall is \$346,560) 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

Prior to the vote, Councilmember Himmelblau asked if any street and bridge projects will have to be delayed to fund the sound barriers. Mr. German, Director of Public Works, stated the money will come from unappropriated money in the Street and Bridge fund, which totals between \$500,000 and \$600,000, nor will appropriation effect the maintenance of Capital Improvement Projects.

Councilmember Cooke stated for the record that Mayor Pro Tem Mullen and the Texas Highway Department should receive credit for the erection of the sound barriers.

## 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 24TH 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. (South First Street, CIP No. 73/62-25)

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 Himmelblau, 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.

#### SENIOR NUTRITION PROJECT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1979-1980 BY ACCEPTING AND APPROPRIATING \$360,035.00 FROM TITLE III-C OLDER AMERICAN ACT FUNDS FROM THE CAPITAL AREA PLANNING COUNCIL, GOVERNOR'S COMMITTEE ON AGING; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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 Himmelblau, 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 introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 2.35 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE THOMAS ANDERSON SURVEY 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.

March 6, 1980

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

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

Noes: None

Abstain: Councilmembers Cooke, Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan brought up the following ordinance for its first 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 97.57 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; AND PROVIDING AN EFFECTIVE DATE. (C7a-79-021)

The ordinance was read the first time, and Mayor Pro Tem Mullen moved that the ordinance be passed to its second reading. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

Abstain: Councilmembers Cooke, Trevino

The Mayor announced that the ordinance had been passed through its first reading only.

Mayor McClellan brought up the following ordinance for its first 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 108.71 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES D. GOODE SURVEY NUMBER 30 IN TRAVIS AND WILLIAMSON COUNTIES, 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-79-022)

The ordinance was read the first time, and Mayor Pro Tem Mullen moved that the ordinance be passed to its second reading. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

Abstain: Councilmembers Cooke, Trevino

The Mayor announced that the ordinance had been passed through first reading only.

## AGENDA ITEM POSTPONED

Mayor Pro Tem Mullen moved that the Council postpone until March 13, 1980, consideration of the following annexation ordinance:

316.14 acres of land (221.10 acres requested by owner and known as Great Hills IX, X, VIII-A and Great Hills Street Dedication "C" and 95.04 acres initiated by the City.) (C7a-79-024)

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

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

Noes: None

## ELECTRIC RATE ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PRESCRIBING AND LEVYING RATES AND CHARGES FOR SALES MADE AND SERVICES RENDERED IN CONNECTION WITH THE ELECTRIC LIGHT AND POWER WORKS AND SYSTEM OF THE CITY OF AUSTIN FOR RESIDENTIAL, COMMERCIAL, PUBLIC AND OTHER USES OF ELECTRIC LIGHT AND POWER SOLD AND SERVED BY THE CITY OF AUSTIN; ESTABLISHING A FUEL CHARGE FORMULA; ADJUSTING THE ELECTRIC UTILITY ACCOUNT "RECOVERABLE FUEL COSTS" BY REDUCING THE BALANCE BY THE BALANCE OF THE "CONTINGENT FUEL COST ADJUSTMENT RESERVE" AND THE "LOVACA/VALERO SECURITIES TRUST INVESTMENT" ACCOUNT; ESTABLISHING A CHARGE AND REBATE FORMULA FOR RECOVERABLE FUEL COSTS TO CUSTOMERS; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

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

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

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Pro Tem Mullen moved that the Council adopt a resolution adopting Option 1 relating to LoVaca Settlement Trust. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

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

Noes: None

(See next page.)

## "OPTION I: NET THE VARIOUS ACCOUNTS

The Settlement Trust, Contingent Fuel Cost Reserve and Recoverable Costs can be 'netted out' and billings for the Recoverable Fuel Costs can be extended to run for the seven-year life of the LoVaca Settlement Trust plus the one additional year to distribute the proceeds to ratepayers. This option would work as follows:

Recoverable Fuel Costs (as of 10-1-79):	\$20.7 million
Less Billings of Recoverable Fuel Costs to 4-1-80:	- \$ 2.1 million
Recoverable Fuel Cost Balance	\$18.6 million
Less Contingent Fuel Cost Reserve (as of 10-1-79):	- \$ 4.5 million
	<u>\$14.1 million</u>
Less LoVaca Settlement Trust Assets (as of 12-31-79):	- \$10.6 million
Adjusted Recoverable Fuel Cost Balance	\$ 3.5 million

The above figures are approximate and are based on September 30, 1979 figures for Recoverable Fuel Costs and Contingent Fuel Costs. The LoVaca Settlement Trust is estimated on a six percent (6%) interest in the trust as of December 31, 1979. The remaining \$3.5 million would be billed to customers over eight years, the life of the Settlement Trust, plus one more year for distribution of the Settlement Trust assets to ratepayers, thus reducing the .146 cents a kilowatt hour charge to .011 cents a kilowatt hour. This means that a ratepayer's bill would be reduced on the average about 2.5 percent to 3 percent over what he would have paid under the current method. If the trust is valued at the February 13, 1980 value, the savings to ratepayers would be even greater:

Recoverable Fuel Costs (as of 10-1-79):	\$20.7 million
Less Billings of Recoverable Fuel Costs to 4-1-80:	- \$ 2.1 million
Recoverable Fuel Cost Balance	\$18.6 million
Less Contingent Fuel Cost Reserve (as of 10-1-79):	- \$ 4.5 million
	<u>\$14.1 million</u>
Less LoVaca Settlement Trust Assets (as of 2-13-80):	- \$13.0 million
Adjusted Recoverable Fuel Cost Balance	\$ 1.1 million

The remaining \$1.1 million would be billed to customers over eight years, the life of the Settlement Trust, plus one more year for distribution of the Settlement Trust assets to ratepayers, thus reducing the .146 cents a kilowatt hour charge to .0034 a kilowatt hour. This means that a ratepayer's bill would be reduced about 2.6 percent to 3 percent over what he would have paid under the current method.

If the current market value trend continues, it is possible that there would be no deferred fuel charge to pass on to ratepayers since the value of the Settlement Trust on Austin's books would be the value on April 1, 1980, the date the new rate ordinance would go into effect. Austin's books would reflect the Settlement Trust as an asset. As the distributions are made from the trust, the money would be applied to the asset. If the amount recovered over the life of the trust exceeds the booked asset value, that amount would be passed on to the ratepayers."

#### CAPITAL IMPROVEMENTS PROGRAM

Councilmember Himmelblau moved that the Council adopt a resolution to approve a change order in the amount of \$2,428.24 to Austin Road Company, for Clarksville Area Street Improvements, Phase II and III. CAPITAL IMPROVEMENTS PROGRAM No. 77/62-01. 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

#### INTERIM SIGN CONTROLS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 3, SECTION 3-5(h) OF THE AUSTIN CITY CODE OF 1967 BY ADDING RM 2222 WITHIN THE PROVISIONS OF THAT SECTION WHICH PROHIBIT THE ERECTION OF OFF-PREMISE SIGNS; PROVIDING STANDARDS FOR ERECTION OF CERTAIN ON-PREMISE SIGNS WITHIN TWO HUNDRED FEET OF MO-PAC BOULEVARD CURB LINE, LOOP 360 CURB LINE, HIGHWAY 620 CURB LINE AND RM 2222 CURB LINE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, 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.

## MOPAC SOUND BARRIER FENCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE 1979-1984 CAPITAL IMPROVEMENT PROGRAM BUDGET BY APPROPRIATING \$346,560 FROM THE STREET AND BRIDGE CIP FUND TO PAY FOR THE CITY'S COST OF THE MO PAC BOULEVARD SOUND BARRIER FENCE; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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 Himmelblau, 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 ORDINANCE

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 3.65 ACRE TRACT OF LAND, LOCALLY KNOWN AS 6600-6700 EAST BEN WHITE BOULEVARD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT 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. (Townhome Development, C14-79-285)

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

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

The Mayor announced that the ordinance had been finally passed.

AUSTIN MORTGAGE REVIEW BOARD  
ALTERNATE MEMBERS

Mayor McClellan and Councilmember Himmelblau introduced an Item From Council to confirm the Mayor's nominations for alternate members of the Austin Mortgage Review Board as requested by the local Austin Savings & Loan industry.

Councilmember Himmelblau moved that the Council confirm the Mayor's nominations of Rev. Jack Heacock, Rev. Marvin Griffin and Ms. Martha Cotera as alternate members of the Austin Mortgage Review Board. 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 PACKAGE TREATMENT PLANT PERMIT  
AMENDMENT

The Environmental Board was scheduled to make a report on their recommendation concerning wastewater package treatment plant permit amendment #11631 and a request for City Council resolution. Also on the Agenda was a City Manager Report on Wastewater Package Treatment Plant Permits at the Texas Department of Water Resources.

Dr. Maureen McReynolds, Director, Environmental Resource Management, addressed Council as follows: "The item the Environmental Board recommended to Council for consideration is relative to a permanent amendment that is pending before the Department of Environmental Resources. The hearing on that amendment is this morning. It deals with an individual subdivision package treatment plant for a subdivision called Travis Vista which is located on Lake Travis. The application is for an amendment to the existing permit which will reduce the volume of discharge allowed but will also reduce the quality of that discharge and the Environmental Board has recommended the City of Austin oppose that change in water quality. At the same time that this item came before the Environmental Board the staff became aware that additional permits are pending before the Department of Water Resources and will be coming up in the following week. Two of those we felt were of particular concern to the City Council and relate to the Lakeway Municipal Utility District. Both of those permits involve existing package treatment plants which at the present time dispose of their effluent by irrigation on the golf course. There is a problem in that there is an occasional discharge from the holding pond of both of these permits and the staff has recommended an amendment to their existing permit to allow discharge from the holding pond into a waterway which will then lead into Lake Travis. The quality of effluent that they are proposing for discharge into the pond is 10/15 which again is a lower standard of effluent than has previous been permitted in the Lake Travis area. ... You have before you a draft resolution which we have requested that the Council consider to allow staff to go before the Department of Water Resources and oppose the changes in permits. The Manager's report also calls your attention to another permit which is pending before the Board relative to the Anderson Mill Williamson County MUD (Municipal Utility District) Number 1 package treatment plant. They are requesting an expansion to their discharge permit from an existing one...it will be a three-fold expansion."

Mr. Davidson, City Manager, told Mayor and Council, "We are recommending you authorize the resolution which would acknowledge the potential problems and authorize us to appear before the State Board opposing the application."

Mayor Pro Tem Mullen moved that the Council authorize the staff to oppose the pending wastewater package treatment plant permit amendment #11631 before the Department of Environmental Resources. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

#### ARCHITECTURAL BARRIERS REMOVAL PROGRAM

Council had before it for consideration authorization to contract for implementation of the Residential Architectural Barriers Removal Program.

#### Motion

Mayor Pro Tem Mullen moved that the Council adopt a resolution to contract with United Cerebral Palsy for implementation of the Residential Architectural Barriers Removal Program; program to be monitored and reported on in 90 days. The motion was seconded by Councilmember Himmelblau.

ELAINE ROBERTS, Vice-President of MIGHT questioned the length of time allowed for the program. She had understood it was to be completed in 6 months and the UCP program stipulates 12 months for completion of the removal of architectural barriers. She felt the UCP figure of \$600 per unit inaccurate and felt that MIGHT/ARA would be more efficient because they can reach all the people in Austin who need the program.

Councilmember Goodman and Mayor McClellan asked if the units cost less whether the excess can be put in more units. Mr. Herrera, Director of Human Services, said the program will be monitored for a timely goal. Discussion followed concerning the monitoring of the program.

A representative of United Cerebral Palsy appeared before Council to state that they will be able to serve all types of mobility impaired and that they have a competent outreach program in both English and Spanish.

#### Roll Call on Motion

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



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## PUBLIC HEARING ON DRIVEWAYS FOR TOWNHOUSES

Mayor McClellan opened the public hearing scheduled for 9:30 A.M. on zoning driveways for townhouses where townhouses are in units for four or more. Mr. Lillie, Director of Planning, reported the Planning Commission recommends a common drive to four townhomes would eliminate the number of curb cuts needed in a development.

No one appeared to be heard.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 (ZONING ORDINANCE) OF THE CODE OF THE CITY OF AUSTIN OF 1967; PROVIDING A WIDTH LIMITATION FOR DRIVEWAYS SERVING INDIVIDUAL TOWNHOUSES; PROVIDING FOR COMMON DRIVEWAYS TO SERVE A GROUP OF FOUR OR MORE TOWNHOUSE UNITS; PROVIDING FOR SEVERABILITY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS AND PROVIDING AN EFFECTIVE DATE.

Councilmember Himmelblau moved that the Council close the public hearing, waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Cooke, carried by the following vote:

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

Noes: None

## ZONING HEARING

Mayor McClellan opened the zoning hearing, scheduled for 9:45 a.m. Pursuant to published notice thereof, the following zoning case was publicly heard:

MALONEY-SKIPPING	Land adjacent to unplatted	From "AA" Residence
JOINT VENTURE	land bounded by Bee Cave	1st Height and Area
By John Meinrath	Road and Bee Cave Woods	To "B" Residence
C14-80-002	Drive	1st Height and Area
		RECOMMENDED by the Planning
		Commission subject to the
		site plan as submitted to the
		Commission

Mr. Lillie reviewed the application and told Council that the land overlaps both the City of Austin and Rollingwood. Councilmember Himmelblau asked if there needed to be a re-subdivision. Mr. Lillie told her that there has been one and part of the land is to be zoned in Austin and 95% of the tract is in Rollingwood.

MR. JOHN MEINRATH, representing the applicant, pointed out that a one-half acre tract of the whole seven acre tract, is all that will be zoned by Austin. There is a plan to build a 112-unit apartment complex. If it does not become an apartment, Rollingwood has approved the land for commercial development. Councilmember Himmelblau asked questions about the water and wastewater and after some discussion she concluded that any action should be postponed until Rollingwood makes their decision regarding the land.

Motion

Councilmember Himmelblau moved that the Council postpone the zoning decision until March 27, 1980 at 10:00 A.M. The motion was seconded by Councilmember Goodman.

Mr. Meinrath questioned whether this could be passed on first reading. Mayor McClellan said Rollingwood has to make their decision first.

MR. DAVID ANDREWS appeared in opposition. He felt the area would be adversely effected if apartments are approved by causing a safety hazard on the roads, and would contribute to the crowding of schools. He asked Council to reject or deny and cancel wastewater service.

Roll Call on Motion

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

REQUEST FOR RELEASE OF 45 ACRES  
OF ETJ

MR. PATRICK NOACK appeared before Council to discuss the release of 45 acres in Austin's ETJ (Extraterritorial Jurisdiction) so it can be annexed into West Lake Hills. He stated the land was not included in the 1972 court settlement due to mis-mapping. He said his property is only accessible through West Lake Hills and said that the City supports his request.

Mr. Lillie, Director of Planning, referred to the following letter from MR. RICHARD HARGARTEN, City Administrator of West Lake Hills:

"Mr. Pat Noack appeared before the West Lake Hills City Council on February 13, 1980 to ascertain the views of our Council about the possible transfer of a portion of Austin's extraterritorial jurisdiction to West Lake Hills' extraterritorial jurisdiction (map enclosed).

The tract in question is on the western boundary of West Lake Hills. The said tract is bounded on the east and south by West Lake Hills, on the west by Loop 360, and on the north by Bee Creek. Access to this property is virtually limited to Yaupon Valley Road from within our city. The western boundary of the tract, Loop 360, is a very deep cut, making access from outside West Lake Hills prohibitively expensive. Finally, the northern most third of the property is now the Wild Basin Park.

Inasmuch as the only access to the property is upon roads through the City of Westlake Hills, and because it is unlikely that this area will have the benefit of your zoning protection in the distant future, our City Council advised Mr. Noack that the City of West Lake Hills would accept extraterritorial jurisdiction over this property should

it be relinquished by Austin. In addition, we advised him that we would annex the property if petitioned by the four registered voters that reside thereon."

Mr. Lillie also referred to the mis-mapping in 1972. He said the intent at that time was to release the 45 acres to West Lake Hills.

MR. JACK HOLFORD, representing the tract adjacent to Mr. Noack's, stated they had filed a preliminary plat for 21 homesites on 20.5 acres, but it has now been reduced to 18 homesites. He wondered about the release of the plat.

Councilmember Goodman moved that the Council release the 45 acres of extraterritorial jurisdiction, except for the plat in process; it will be released after the plat is recorded. The motion, seconded by Mayor Pro Tem Mullen, carried by the following vote:

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

#### STUDENT BAR ASSOCIATION SPRING PARTY

Councilmember Himmelblau moved that the Council approve the request of MR. WILLIE KOCUREK, representing the Student Bar Association, to extend the time at Fiesta Gardens on March 21, 1980, from 12:00 midnight to 1:00 a.m. for their Spring Party. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

#### USE OF CITY FACILITIES SCHOOL TRUSTEE ELECTION

Councilmember Trevino moved that the Council approve the request of MR. JAMES B. CROW, Supervisor of Communication Services, Austin Independent School District (AISD), to use the following city facilities for the April 5, 1980 School Trustee Election and for the April 26 run-off election if necessary. The motion, seconded by Councilmember Goodman, carried by the following vote:

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

- a. Doris Miller Auditorium, 2300 Rosewood Avenue
- b. Ullrich Water Treatment Plant, 1000 Forestview
- c. Austin Recreation Center, 1213 Shoal Creek
- d. City Fire Station, 506 West MLK Boulevard
- e. Pan American Recreation Center, 2100 East 3rd Street

PARADE PERMITS, SAFARI BANNER, GOLF TEE TIMES  
REQUESTS APPROVED

Councilmember Trevino moved that the Council approve the following requests:

1. Request for a Parade Permit from PATRICIA E. FRANCIS, for Capital Area Chapter March of Dimes, from 9:00 a.m. to 10:00 a.m., Sunday, March 16, 1980, beginning from Capitol Building south on Congress Avenue to First Street, west on First Street to the Fireman's Tower, down to Hike and Bike Trail heading west.
2. Request for a Parade Permit from JAMES O. HUGHEY for Austin Council on Alcoholism, from 9:00 a.m. to 10:30 a.m., Saturday, March 22, 1980, beginning from 29th and Lamar, west to Wooldridge Drive, south on Wooldridge to Claire Avenue, south on Clair down Gaston Avenue back to Pease Park.
3. Request for a Parade Permit from CATHERINE GARCIA, for Our Lady of Guadalupe Church, from 5:00 p.m. to 6:00 p.m., Friday, April 4, 1980, beginning from 1200 block of East 9th Street, west on 9th and cross Lydia to Waller, left on Waller to 8th Street, left on 8th to Lydia and return to 9th Street.
4. MS. JOYCE R. GILL, Safari Chairman, Natural Science Association, requesting permission to have a banner placed in the 1300 block of Lamar.
5. Request from the Pan American Golf Association that tee times at Lions Municipal and Morris Williams Golf Courses be blocked from 11:00 a.m. to approximately 2:00 p.m. on Saturday, May 31, 1980, to accommodate golfers participating in the warm up tournament prior to the National Pan American Tournament.

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

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

STREET VACATION

Mayor McClellan opened the public hearing, scheduled for 11:00 a.m. on vacating the following and passage of the ordinance:

GROVE BOULEVARD RIGHT-OF-WAY immediately north of the 6000 block of East Riverside Drive. (Requested by Paul D. Jones for Willard Connolly, owner).

Mr. John German, Director of Public Works, addressed the issue. No one appeared to be heard.

Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF GROVE BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Trevino moved that the Council close the public hearing, waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor Pro Tem Mullen, 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

AERIAL ENCROACHMENTS INTO  
EAST 6TH & BRAZOS STREET

Council had before it a resolution to approve a License Agreement to allow aerial encroachments into East 6th and Brazos Street (southwest corner) and underground encroachments into the alley which traverses the Original City of Austin Block 56. (Requested by J. Burton Casey for B.W.C. Association)

Mr. John German, Director of Public Works, stated he does not recommend waiver of fees.

MR. JOE HOLT, representing the architectural firm of Holt, Fatter and Scott, described the apartments which are going to be constructed and the aerial encroachment. Councilmember Himmelblau asked Mr. German about the waiver. He replied that fees can only be waived for government or non-profit facilities. He said a precedent would be set by waiving of fees. Mayor Pro Tem Mullen wondered if a stipulation can be made to not allow any aerial encroachments on Congress Avenue. He thought the Brazos idea innovative. Councilmember Himmelblau pointed out the unique advantage of apartments in the downtown area and said she would hate to penalize a structure like this. Councilmember Cooke agreed because he said this would be Austin's first example of living units being constructed in the downtown area.

Motion

Mayor Pro Tem Mullen moved that the Council adopt a resolution to approve a License Agreement to allow aerial encroachments into East 6th and Brazos Street (southwest corner) and underground encroachments into the alley which traverses the Original City of Austin Block 56, not waiving the fee. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

### Motion

Mayor Pro Tem Mullen moved that the Council instruct the City Manager to instruct the City Attorney to bring back an amendment to the license agreement policy and place on the agenda March 13, 1980 a waiver of the fee for the resolution concerning the Original City of Austin, Block 56. The motion, seconded by Councilmember Trevino, carried by the following vote:

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

### DISCUSSION OF ANNEXATION

MR. JOHN HODGES appeared before Council concerning an annexation ordinance which had passed on first reading during the consent motion earlier in the day. The annexation in question is 108.71 acres of land (53.63 acres requested by owner and known as McNeil Road Commercial Section 1 and 2, and 55.08 acres initiated by the City.) He said he had been assured annexation and tenants are ready to move into the building but there are no utilities because they have not been annexed.

Councilmember Himmelblau referred to the payment of more water line by the City and said she does not want this annexation passed on an emergency when it can be done routinely. Curtis Johnson, Director of Water and Wastewater, spoke as follows: "In connection with this subdivision and any possible City participation in utilities there were two different considerations. First was an oversized water main that goes through the subdivision. The City participation on this oversized water line was waived by the developer. This is done in some cases if they choose not to bid the project but go ahead and negotiate the price with a utility contractor. We have letters in our file where they waived the oversize participation for the 12 inch water line. The potential City participation in the utilities would be through the City's portion of a wastewater approach main. The approach main date, which the year started running on, not the plat annexation but date in which the request was first approved by the Council, the City under its current policies would participate in that approach main, if the subdivision is annexed at any date prior to August 2, 1980, so from that standpoint there is not any emergency that I can see for the annexation. If the party is in or outside the city limits, it is my understanding the utilities have been installed and service is available. The only thing different today between inside and outside the city wastewater service would be for that capital increment fee which would be applicable outside the city limits but not inside the city limits."

Councilmember Cooke questioned whether the contract the tenants of the building have stipulates the annexation. Mr. Hodges said it does. Councilmember Cooke said, "So it is not a factor of being able to literally being able to move into the facility and operate because of a lack of utilities, it's a factor of the contract that was negotiated between your company and the tenants."

... I'd be interested in knowing what the reason for that particular point." Councilmember Himmelblau said she does too and really wants to hold this until next week when there is more information.

#### GRANT APPLICATION

Council had before it a resolution to authorize submission of a grant application in the amount of \$6,000 to the Texas Commission on the Arts to enable the Center for Cultural Resources to provide technical and administrative assistance to the local art organizations.

Councilmember Himmelblau said, "I am concerned because this commits this Council to funds out of next year's budget." Mr. Leonard Ehrler, Director of Parks and Recreation said this is not so. "What it (back up material) intended to say, and we were being very careful trying not to do that...all it's doing is that the Center for Cultural Resources are saying that they will use this if awarded and it does not in any way commit the city to award this. It's just that they are having to commit themselves this early because this is the deadline for making the application in February rather than waiting until after the budget is approved. They understand that. It does not commit the City in any way for funds. They are committing themselves to use of funds if funded."

After some discussion, this item was postponed until later in the day for further information.

Later in the day, the following motion was made:

Councilmember Himmelblau moved that the Council adopt a resolution to authorize submission of a grant application in the amount of \$6,000 to the Texas Commission on the Arts to enable the Center for Cultural Resources to provide technical and administrative assistance to the local art organizations. The motion, seconded by Mayor Pro Tem Mullen, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

#### TASK FORCE FOR WATER AND WASTEWATER UTILITIES

Councilmember Himmelblau introduced an item to Council to consider the formation of a Task Force for Water and Wastewater Utilities. She suggested the membership be comprised of 3 members from the Planning Commission, 2 members from the Environmental Board, and 2 citizens who have an engineering background.

Councilmember Cooke felt Council already demands too much of the Planning Commission. Mayor Pro Tem Mullen thought each Councilmember should pick a person for the Task Force. Mayor McClellan thought the Planning Commission and Environmental Board members should be asked if they want to participate. After discussion, and a closing remark by Councilmember Cooke that any citizen who wants to address a letter to Council concerning the proposed Task Force should please do so, Councilmember Himmelblau suggested this item be postponed until March 27, 1980.

## RECESS

Council recessed its meeting at 11:45 a.m. and resumed its recessed meeting at 2:50 p.m.

PUBLIC HEARING ON APPEAL OF DECISION  
OF PLANNING COMMISSION

Mayor McClellan opened the public hearing scheduled for 2:00 p.m. on an appeal from William D. Brown, attorney for Mr. E. G. Priesmeyer and Mr. Jerry D. Holley of the decision of the Planning Commission to tie a Special Permit to a site plan limiting the west curb cut to an exit only and requiring the parking positions to be angular for the project at 336 East Ben White Boulevard.  
(C14p-79-064)

MR. BROWN appeared and requested that this be sent back to the Planning Commission.

Mayor Pro Tem Mullen postponed the public hearing on the appeal until March 13, 1980 at 9:45 a.m. The motion, seconded by Councilmember Snell, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

## COACHING BOATS TO BE USED ON TOWN LAKE

Councilmember Snell moved that the Council approve the Parks and Recreation Board recommendations for:

Use of a 7.5 h.p. coaching boat on Town Lake for University of Minnesota Women's Crew Team, March 19-20, 1980.

Use of a 5 h.p. coaching boat on Town Lake for Wichita State University Crew Team, March 8-15, 1980.

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



## CHILDREN'S PLAYS AT ZILKER PARK

Councilmember Himmelblau moved that the Council approve the allocation of \$500.00 in Arts Commission Contingency Funds to the Gaslight Theatre to produce five performances of a children's play at the Zilker Hillside Theatre. The motion, seconded by Mayor McClellan, carried by the following vote:

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

Noes: None

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

## ITEM PULLED FROM THE AGENDA

The Human Relations Commission Report on a recommendation to amend the definition of handicapped persons in the Equal Employment Ordinance, the Public Accommodations Ordinance and the Fair Housing Ordinance, was pulled from the Agenda.

## SIGN CONTROLS ON IH-35

MRS. JEAN MATHER, member of the Sign Committee, asked Council to give them some direction on two questions they have:

1. Should the Sign Committee take its name literally and deal only with signs along roadways that are designated as scenic, or, should it expand its task to include zoning set-backs, and maybe heights along scenic corridors, including message use by other communities to provide the scenic character of the roadway.

2. Should the committee consider only views of the Capitol in its recommendations for entryways to our city or should it take into consideration the whole experience of entering the city. For example in entering the city along IH 35 should you consider the views to the east and the west.

HUGH HORNSBY, Chairman of the Sign Committee, appeared before Council and apologized for not having treated both sides of IH 35 the same. He said they had looked at it in two lights, one from the beautification angle, one from scenic overlook of the Capitol and they thought was one of their principle charges from the Council for people living on all sides of the Capitol. Mr. Hornsby said he did not look at the aesthetic value of the signs but looked at whether or not the scenic area was disturbed. He then handed out a list of the signs and discussed them (signs on IH 35). Mr. Hornsby told Council that one question he had was what penalty do they place on anyone who has a sign on either side of the corridor in question. He said they felt they were penalizing the people on the west side of IH 35, because they were saying to the west side that they could not do some of the things the east side can. Mr. Hornsby then discussed the mean sea level required for the Capitol and relation of signs to that figure. He went on to say businesses do not erect signs larger than they need because it costs too much money. "There are several of the billboard

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signs that, if our recommendation is put into force, several of the signs would then be illegal grandfathered signs. And the way the present ordinance reads is that for those signs they would be allowed 15 years and after the 15 years of if there was major construction on those signs within the 15 years, they would have to be removed. The thought of the committee at the time we did this was that we had two ways we might go:

1. We could as a City say to the owner of the sign that we will condemn that property and buy, go to court if we have to and litigate and see what we will have to pay for that sign. We were told by staff that they do not want to buy any signs.
2. So we chose the route to use the 15-year amortization where after that time we felt a sign-owner had had plenty of compensation with income from that sign in that period of time and he had to pull the sign down.

On off-premise signage there is a 500-foot spacing of signs on IH 35. They left out 10th Street to MLK (Martin Luther King, Jr., Boulevard) because there isn't any view of the Capitol from that area. "Our committee has asked to tell you that if you want us to look further along those lines at the east side of the freeway, we suggest you call a public hearing. I don't see that we are blocking any historical view on the east side of IH 35. There are a few tops of a few trees that are blocked but I would suggest, if we are going to do this, where do we stop? Do we stop on IH 35, do we go to 290 and 183? Basically, what our committee has said, the ball is in your court, unless you want us to call a public hearing regarding these signs."

MR. ROBERT MILLER, member of the Sign Committee, discussed the rules for on-premise signage. He said that the Villa Capri had to have a sign which could be seen from the top deck, otherwise their business would drive on to San Antonio. He said he has worked on committees for the City for 26 months getting the code of ethics enforced in order that scenic areas are not obstructed.

Mr. Hornsby returned to say that if a sign is not disturbing anyone then he can find no reason to get rid of it. He said people really do not think signs are ugly unless they are disturbing a scenic view.

A discussion ensued between Mrs. Mather; Lonnie Davis, Building Inspector; and Mr. Hornsby. Mr. Hornsby told Council they have been looking all over the City at scenic sites. Mr. Albert De La Rosa, Assistant City Attorney, said the concern was not only for the view of the Capitol but for all areas of scenic and historic interest. Mrs. Mather said the Sign Committee wants clear direction. She thinks their work is only half done.

After more discussion, Council unanimously agreed to bring the issue of Sign Controls on IH 35 back at 9:25 a.m. on March 13, 1980.

#### RECESS

Council recessed its meeting at 3:40 p.m. and resumed its recessed meeting at 7:00 p.m.

WORK SESSION AND CONTINUED PUBLIC HEARING ON  
DEVELOPMENT CONTROLS FOR LAND WITHIN THE BARTON CREEK WATERSHED

Mayor McClellan opened the recessed meeting for a combination work session and continued public hearing on Barton Creek Watershed development controls, noting that all Councilmembers were present.

Dr. Maureen McReynolds, Director, Office of Environmental Resource Management, summarized the major issues and described the advantages and disadvantages of the apparent options for the Watershed as follows:

"I. Performance Standards

Much of the controversy has centered around the use of a density standard as opposed to the use of performance standards. The performance standard method would allow higher densities but would involve a requirement that the applicant present calculations to demonstrate that pollutant loadings will be reduced to a minimum by use of various control strategies, such as holding ponds and permeable pavement.

A. Application of low density standards

Advantages - Lower cost of enforcement and lower costs of long term maintenance; no need for City capital investments in sewage collection system.

Disadvantages - Large lot development will meet housing needs of relatively small segment of population; long term and widespread use of standard septic tank soil absorption systems will impact ground water; difficult to establish workable standards for commercial development.

B. Performance Standards

Advantages - More flexibility given to developers; possibility of more open space and clustering which permits a better urban design; provides workable standards for commercial development.

Disadvantages - Technically more difficult for City and applicant; uncertainties with regard to effectiveness of control strategies; possible need for City expense regarding maintenance of control strategy devices; possible need for City sewer line extensions or proliferation of package treatment plants.

Comment - If City Council wants an ordinance which is predominantly self enforcing, low budget, then option A is preferable. If additional resources could be made available for inspection, maintenance and monitoring, option B would allow property owners more flexibility and still protect water quality and ecological resources.

## II. Definition of Critical Water Quality Zone

The consultants recommended dividing the Barton Creek Watershed into 3 water quality zones. The most restrictive is the Critical Water Quality Zone which includes the main channel of Barton Creek and its major tributaries. Two possible definitions have been suggested.

A. The 100-year flood plain plus an elevation of five feet on Barton Creek and 2 feet on the tributaries.

Advantage - Easier administration since 100-year flood plain is now required on subdivision plan submittals.

Disadvantages - may not include all of the critical areas identified by Espey, Huston and Associates; greatly reduces width of zone along major tributaries; flood plain subject to modification prior to subdivision.

B. 400 feet each side of the center line of Barton Creek and 200 feet each side of each major tributary.

Advantage - Recommended by Espey, Huston and Associates based on need to protect water quality and desire to minimize development impact on sensitive ecological resources.

Disadvantage - Center line is difficult to identify, 400 feet and 200 feet limits allow for no variation in topography, etc.

## III. Uplands Zone Density

With or without the use of performance standards, there have been basically two proposals regarding minimum lot sizes for the Uplands Water Quality Zone.

A. 0.5 units/acre density (2 acre/lot)

Advantages - Recommended by Espey, Huston and Associates based on water quality and ecological considerations.

Disadvantages - Allows only very large lots in the watershed.

B. 1.0 units/acre density

Advantages - Would allow increased density for development and availability of housing to somewhat wider range of income groups; compatible with Council standards for "SR" zone and streets with alternate urban standards.

Disadvantages - Increased pollutant loadings from stormwater runoff to Barton Creek; potential for additional ground water pollutants from septic tanks.

#### IV. Chapter of City Code

Several of the draft ordinances under review by the City Council were prepared as amendments to Chapter 41 of the City Code, the Subdivision regulations. However, one draft is prepared as a new chapter of the City Code, 41A.

##### A. Amendments to Chapter 41

Advantage - Easier to incorporate into existing regulation.

Disadvantage - Stuck with traditional format.

##### B. Chapter 41A

Advantage - Allows use of newer, easier to read format.

Disadvantage - May require extensive cross-referencing to other regulations.

#### V. Parkland Dedication

One draft from the Task Force recommends mandatory parkland dedication during the subdivision process; and density bonus for gifts of land.

Advantages - Would allow the provision of parks as needed with minimal City expense; would encourage gifts of parkland to the City.

Disadvantage - Issue of need for neighborhood parks extends beyond Barton Creek Watershed and should be considered in conjunction with amendments to the City Subdivision Ordinance."

NEAL GRAHAM, Chairman, Barton Creek Task Force, outlined what the Task Force was requesting the Council to consider as follows:

1. Adopt some version of the various draft ordinances as a preliminary draft around which negotiations could center.
2. Decide the type of format. Either go with traditional amendments to Chapter 41 or have a new section of the City Code which would give special emphasis to development activities in the most sensitive environmental areas west of the city.
3. Have the Legal Department to develop concurrently a set of amendments to Chapter 29 to regulate site development in the Barton Creek Watershed.
4. Request the City Manager to direct the Legal Department to investigate the procedures necessary to obtain a Texas Department of Water Resources aquifer protection order down to the water dividing line in Hays County.

5. Continue this hearing or set another public hearing for either March 13, or March 20 to work out any remaining differences between the developers, representatives of the land owners and the conservationists' interests.
6. Direct the Parks Department to develop a proposed 5-year acquisition program to complete the Barton Creek Greenbelt.

DAVID ARMBRUST, member, Barton Creek Task Force, spoke as a representative of a large land owner in the area and as a concerned citizen who lived in the Barton Creek area. Mr. Armbrust felt that it should be the Council's goal to protect Barton Creek and Barton Springs while allowing reasonable development. He stated that the City should avoid the California experience of growth management which produced low density, high cost housing in some areas, forced growth into other areas of a city driving up land prices in those areas. Builders would then have to go out even further to build moderately priced housing.

Mr. Armbrust said that the Zilker Park Posse draft ordinance was too restrictive, both for homebuilding and commercial development. He felt that a more reasonable approach was to adopt the staff draft with some modifications. He stated that the ordinance should tie commercial development to contaminant loadings and pollution loadings. In his opinion development of the Barton Creek Watershed would be a longrange venture, as much as 20 to 25 years, and the City should adopt a reasonable approach to development. He was willing to work with the staff draft as a starting point.

SETH SEARCY, member, Barton Creek Task Force, asked the Council tonight to decide between the specific density approach and the contaminant loadings approach to protect the Watershed. He did not feel that work could proceed until that decision was made. By means of a sketch he illustrated what the majority ordinance (approved by 4 of the 6 Task Force members) would do to limit density and impervious cover as well as illustrate the buffer zone concept. Under the sketch a maximum density of 120 units with an average size of two-thirds of an acre would be allowed on a 100-acre tract. The majority ordinance was designed to encourage development away from the Creek and to encourage cluster housing. Regarding commercial development, the majority ordinance stressed limiting impervious cover and slope of lot.

Responding to Councilman Goodman's question, Mr. Searcy said that once the Council had determined which approach would be used (structural controls vs. performance standards), then details of structural controls could be discussed.

Neal Graham next discussed housing patterns in the area of Barton Creek from 1960 to 1976, and pointed out that the area had always been a high income area. He referred to the Multiple Listing Service whereby a lot for sale in the Barton Creek area was being touted as backing onto a City-owned greenbelt and felt that the City should guide development in such instances.

Mayor Pro Tem Mullen and Councilmember Cooke disagreed with any proposal that Austin follow the California approach to development controls.

KEN MANNING, member, Barton Creek Task Force, asked the Council to select one of the three draft ordinances before them for further refinement. He did not feel that the contaminant loading concept should be used. He supported the draft ordinance for a separate section 41A for controls in the Barton Creek Watershed.

DOYLE WILSON, a developer in the Barton Creek Watershed, spoke in support of development in that area, stating that people wanted to live in the hills.

GIBSON RANDALL, member, Barton Creek Task Force, supported the performance standards route rather than density in the Watershed. He felt that the critical water zone should be kept down in the 100-year flood plain. He stated that the ordinance proposed by the majority of the Task Force was unreasonable in its density requirements and was exclusionary. He thought that a zone of "C" Commercial should be allowed along Loop 360 where the ordinance would not apply.

Mr. Randall stated that he represented property owners in the area and cited two examples of how the proposed ordinance would effect property. The ordinance would be unconstitutional with respect to those two tracts. He urged the Council to limit the Creek zone to the 100-year flood plain, to permit 1/2 acre to 3/4 acre lots and to provide for reasonable commercial use.

Councilmember Cooke stated that his decision would have to be based on a broader perspective than the two cases cited by Mr. Randall. Mr. Randall felt that there were serious legal problems involved with the proposed ordinance.

GWEN SEDERHOLM, member, Barton Creek Task Force, asked the Council to use the Task Force majority ordinance as a base to work from.

TOM CURTIS, representing Texas Bancshares Corporation, stated that his client had bought a 5-acre tract in the Watershed to build a bank and drive-in bank on it. The facility could be built under the Espey, Huston and staff draft ordinances but not under the Task Force majority draft due to the 18% impervious cover limitation in the ordinance. He felt that the requirement was unrealistic, and that it would create urban sprawl on an unprecedented scale.

Mayor Pro Tem Mullen asked Mr. Searcy to address the problem raised by Mr. Curtis. Mr. Searcy stated that the Task Force was searching for a conversion ratio between the residential unit standard and a comparable commercial one. He thought that 18% might well be too low, and that the tracts of land referred to by Mr. Gibson and Mr. Curtis were not typical. He asked the Council not to make a decision based on the small tracts cited. Density and impervious cover concepts had not been discussed with the developers because the developers were pushing a different concept.

In response to Mayor Pro Tem Mullen's question, Dr. McReynolds replied that it was not known how many small tracts there were in the Watershed. There were variance provisions in the subdivision ordinance and the staff draft under consideration.

Mr. Curtis pointed out that the 18% impervious cover would apply to all commercial tracts, not just to the five-acre tract owned by his client.

KEN MANNING stated that most of the tracts in the Watershed were large-acre tracts, as opposed to the Peninsula where there were many small tracts, and the ordinance would not be confiscatory. He thought that the 18% impervious cover would have to be changed, but did not think that it was unrealistic to have 40% of a tract being in an area which was not covered by impervious cover.

Mr. Randall gave the following information requested earlier by Mayor Pro Tem Mullen with regard to a tract in the Watershed and how it would be effected by the ordinance drafted by Mr. Armbrust:

1. Creek bottom portion - 2.22 acres if limited to flood plain
2. 300 foot strip in Lowlands - 2.75 acres
3. 3.28 acres would remain in the Uplands for development. One-acre density would permit 3 plus houses on the remaining tract.

Mr. Graham referred to a 1974 wastewater report prepared by Bovay Engineers whereby they indicated that only about 60% of over 18,000 acres in the Barton Creek Watershed was suitable for development due to the steepness of the slopes.

MR. STANLEY WALKER felt that the subdivision ordinance should permit developers to build the least cost housing consistent with environmental controls that could be developed in Barton Creek. The larger the lot, the more expensive the housing would be.

ROBIN MOATS, a planner with the Parks and Recreation Department, asked the Council to look at asking Travis and Hays Counties to share in park and greenbelt acquisitions and expenses. She thought that mandatory dedication was coming in the future, should be city-wide, but not necessarily at this time.

DIANE DEBOIS, representing Travis Audubon Society, felt that wastewater should be addressed in the subdivision ordinance. She recommended that the City extend the moratorium on hookups to the Barton Creek interceptor and require on-site individual systems for all future development within the Watershed.

HOYLE OSBORNE, planning consultant, stated that development in the Watershed must be looked at in terms of comprehensive planning and not in terms of some overriding consideration, such as the environment.

JOE RIDDELL stated that the various ordinances being proposed relied heavily on the Espey, Huston Report, and he questioned the validity of the data gathered by that firm.

DUKE ALTMAN, Project Manager of the study done by Espey, Huston, stated that they sampled as many storms as requested by the City. He defended the data collected by his firm and stated that it was comparable to samples taken elsewhere.

WILBUR FOSTER, a property owner in the area for 30 years, disagreed with the Espey, Huston standards primarily due to the length of their study. He felt that performance standards were a reasonable thing to do. He asked that his input be considered seriously.



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FRANK HORSFAL felt that a way must be found to break the impasse between the developers and the environmentalists. He asked the Council to extend the moratorium on developing in the Barton Creek Watershed.

FAYE YOUNG asked if the proposed ordinance spoke to damage done to the environment during construction. Councilmember Goodman responded that two of the ordinances did address clearing during site construction.

MRS. INEZ GAINES, a landowner in the Barton Creek Watershed, spoke in opposition to the ordinances under consideration and felt that it would be taking her land.

MR. CHARLIE GRAVES, representing area landowners, felt that adding a new chapter to the City Code would compound the problem of administration. He stated that the City staff's proposal could serve the public if care was taken to:

1. Develop precise definitions
2. Avoid trivial or tangential requirements
3. Provide for comprehensive evaluation of development proposals
4. Initiate a continuous program of surveillance, of information collection and analysis and a progressive planning of each and every area within the Watershed.

Mr. Graves asked that any ordinance not contain any reference to the center line of the Creek because it was not fixed. Other bases, such as the 100-year flood plain plus whatever elevation was desired, should be used. He recommended using maps for better definitions of topographic features.

Mr. Graves did not think that mandatory dedications, erosion and sediment control, streets and drainage and water quality controls should be covered in the ordinance. He urged the use of data readily available from water samplings of the Watershed. Mr. Graves felt that the City should be more concerned about the designer than the design for an area of development. Proposals should be evaluated, but a process should be avoided which sacrifices creativity for uniformity.

Regarding his last point, Mr. Graves stated that density regulations to achieve the intended purpose was nothing but an insult to the character of the basin. Whatever level was chosen would be arbitrary and not fit the entire basin. Not enough data was available presently in Barton Creek. He suggested that initially a reasonable density be selected, such as 3/4-acre lots, and imposed over Barton Creek. Within that same ordinance, he recommended that another paragraph in the ordinance mandate that the City staff and development industry begin to study the sub-basins one by one to determine the loads the sub-basin could take, which would determine the density of housing and commercial developments. After approval by the Planning Commission, the density requirement in the general ordinance would be supplanted.

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Mr. Graves did not recommend looking to California for answers to Austin's problems. He felt that California could learn a lot from Austin, Texas.

To illustrate the effect of the 18% impervious cover limitation proposal Mr. Graves showed a site for a 400-member church which would occupy 13 acres.. more than any other church in Austin. He also showed a commercial site of 60,000 square feet of store which would require 99 acres with the 18% limitation.

Mr. Graves supported a continuing monitoring program of water sampling for Austin. Five years of data had already been collected, and he said that it would take years to accumulate good data.

DAVID BLOCH stated that he did not understand the problem with collecting rainfall data.

Councilmember Goodman asked the City Attorney if there was any difference in a section 41A and amendments to Chapter 41 and how difficult it would be to prepare both options for the Council to have a comparison basis.

City Attorney Harris replied in the final analysis it would not make a lot of difference. Within a week he could have both drafts in the best form possible, at which time the Council could decide which draft to proceed with.

Mayor McClellan thought that there might be some advantage to putting in a separate Chapter 41A since the format would be easier to follow, even though some cross-referencing would be required. Councilmember Goodman agreed with Mayor McClellan.

Mayor Pro Tem Mullen stated that he would like to see staff continue to work on both drafts for a week, continue the meetings with David Armbrust, Ken Manning and the City Attorney, and come back with their differences. He also asked that the City Manager take both ordinances when agreement was near and determine how they would effect the properties under consideration. He stated that it was clear that an 18% impervious cover was unreasonable. He preferred no more public hearings, but did want a work session after the preceding meetings had occurred.

City Attorney Harris stated that he had worked mostly with staff on the draft. He would like to work with all parties concerned on a separate Chapter 41A.

Mayor Pro Tem Mullen asked the staff to prepare a list of major differences between the drafts after they had been worked on during the week.

City Attorney Harris stated that he preferred to remain with Chapter 41, but could prepare draft ordinances both ways to include a separate Chapter 41A.

#### Motion

Councilmember Goodman moved that the Council close the public hearing and set a work session for 4:00 p.m., March 13, 1980. The motion, seconded by Mayor Pro Tem Mullen, carried by the following vote:

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

Noes: None

Not in Council Chamber when roll was called: Councilmember Cooke

Councilmember Goodman asked the City Attorney if he could proceed to work on amendments to Chapter 29 concerning site developments. City Attorney Harris replied, "Yes," and said that it had always been in the schedule. As soon as the ordinance was adopted, it would be easy to place those items into Chapter 29 or even a special zoning category for areas within the city limits.

Councilmember Goodman stated that this was not the last public hearing on the matter. As soon as the proposed ordinance evolved, additional public hearings would be held.

#### ADJOURNMENT

The Council adjourned its meeting at 10:55 p.m.

APPROVED

  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk